

# A-NPDC

ACCOMACK-NORTHAMPTON PLANNING DISTRICT COMMISSION  
 P.O. BOX 417 • 21322 FRONT STREET • ACCOMACK, VIRGINIA 23001  
 (757) 297-2930 • TOLL FREE (866) 297-3081 • FAX: (757) 297-4221  
 WEBSITE: www.a-npdc.org

## Minutes of the September 19th, 2023 Meeting

### Eastern Shore of Virginia Ground Water Committee

The meeting of the Eastern Shore of Virginia Ground Water Committee was held at 10:00 AM on Tuesday, September 19th, 2023 in the hybrid format – virtually on the Zoom Platform and in person – in the conference room of the Eastern Shore Chamber of Commerce in Melfa, VA.

| <u>Members Present</u>    | <u>Members Absent</u>  | <u>Others Present</u>                           |
|---------------------------|------------------------|---|
| John Coker, Chairman      | Mike Mason             | Kellen Singleton, A-NPDC                        |
| Paul Muhly, Vice Chairman | Charles Kolakowski     | Britt McMillan, ARCADIS                         |
| Ann Hayward Walker        | Elaine Meil, Secretary | Curtis Consolvo, GeoResources*                  |
| Sue Mastyl                | Steve Sturgis          | Jason Pope, USGS*                               |
| Paul Grossman             |                        | Ken Dufty, Northampton Resident                 |
| Daniel Hershey            |                        | Granville Hogg, Northampton Resident            |
| Grayson Chesser           |                        | Chris Pomeroy, AquaLaw*                         |
|                           |                        | Chad Ballard, Ballard Fish and Oyster Co., LLC* |
|                           |                        | Sam Caldwell, USGS*                             |
|                           |                        | Joseph Betit, Earth Systems Management*         |
|                           |                        | Barrett Magrogan, Captains Cove Resident*       |
|                           |                        | Sheila Traina, Cheriton Resident                |

*\*Signifies Zoom participant*

#### 1. Call to Order

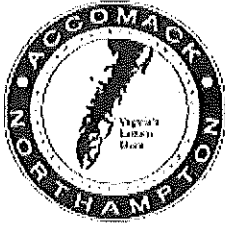
Chairman Coker called the meeting to order at 10:01 AM.

#### 2. Public Participation

- a. Potential Impacts of Commercial Groundwater Withdrawal on 21460 Secretary Road, Cheriton, VA

Mr. Hogg addressed the GWC Groundwater Withdrawal Permit issued by DEQ GW0046001 and a comment regarding Groundwater Withdrawal Permit Application GW0080100 impact to the groundwater supply for residential use at a farmhouse and associated one acre garden on the parcel Northampton County Tax Map # 83-A-28A.

Mr. Hogg advised the GWC to take a stronger look at the area of impact e.g., cone of depression's primary impact to residential water supply asking the GWC



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to consider issuing notices to adjacent property owners.

Mr. Hogg also spoke about DEQ's ground water withdrawal application process stating that the DEQ has dissociated itself from the dispute process between applicant/permittee and disputer/claimant.

DEQ process and response time, participation, and withdrawal models discussed.

Mr. Hogg noted that affecting pump record indicated usage beyond permitted volume. Mr. McMillan explained that there are three types of temporal groundwater withdrawal limits and some regulatory framework exist to allow a degree of flexibility and subsequent reduced usage as compensation.

Chmn. Coker requested a letter of suggested actions from Mr. Hogg. The GWC will consider advised actions and forward endorsements to DEQ and state representative.

b. Potential Impacts of Commercial Groundwater Withdrawal on 6182 Wardtown Road Exmore, VA and Virginia Eastern Shore Region

Mr. Dufty addressed the GWC with his groundwater supply availability concerns citing hydrological framework data and conditions at his property.

Two wells located at the south and north ends of his property have experienced increasing silt content and decreasing well water levels.

Mr. Dufty advised that the 19-groundwater withdrawal draft permits pending in the DEQ water department offices for the Eastern Shore of Virginia are unsustainable to the region's groundwater supply.

Mr. Dufty requested the GWC to request/access of well drilling data from 2016-present. Groundwater well data sources and accessibility were discussed.

3. Minutes of August 15th 2023 Meeting

The draft minutes of the August 15th 2023 Meeting was presented.

**Mem. Grossman moved to approve the minutes as presented. Seconded by Mem. Walker, the motion carried with Chairman Coker abstaining.**

4. August 2023 Financial Report

The FY 2024 Financial Status Report as of August 31, 2023 was presented.

Total Bills Payable equaled \$6627.50; Total Revenues Received equaled \$0.00; Balance



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WEBSITE: www.anpdc.org

equaled \$99711.00

**Mem. Grossman moved to approve the August FY 2024 Financial Status Report with deletion of Allocated Funds description. Seconded by Mem. Mastyl, the motion carried.**

Mr. McMillan updated the committee on Ground Water Plan Project Implementation and Ground Water Modeling Run allocations that include the Protection and Water Supply Plans.

## 5. September 19, 2023 Staff Report

Staff updated the committee on:

- Virginia Pollutant Discharge Elimination System Permit Numbers VAG-40, -52, -83, -84, -01, -11, -75, -25, -87, -64, VAR-05, -10, VAN-00
- VA Pollution Abatement Program Permit Numbers VPA-01079, -01035, -01080, -01047, -01076.
- Groundwater Withdrawal Permit GW0080100 - Cherrystone Campground; 1511 Townfield Drive, Cape Charles, VA 23310
- September 7, 2023 9VAC25-1880

Committee members discussed the status of VA Pollution Abatement Permits on the Eastern Shore. Staff will reach out to DEQ for status of permit applications.

Borrow pit regulations in relation to dug ponds were discussed by the group. 75% of surface water withdrawals appear to be dug agriculture ponds. Assembly action, best practices, Bureau of Mines, DEQ, and agriculture regulations were discussed as means to alleviate regulatory burden.

Mr. Pope clarified ground water utilization totals - known use, 9 million gallons, compared to - model averages, 15 million gallons.

On July 14, 2023 the Eastern Shore Post republished a June 22, 2023 Virginia Mercury article "Scientist Study Natural Processes Affecting Eastern Shore Aquifers" by Charlie Paullin. Staff presented the Eastern Shore Post Column "No cause for immediate concern' about Shore's groundwater" by Mem. Mastyl to the GWC - a written response to the article addressing June 14/June 22 inaccuracies.

## 6. Residential Well Testing Program

The committee discussed project scale, implementation, and financial considerations concerning the testing program. Testing procedures were also discussed. Mem. Mastyl advised the importance of going before Boards of Supervisors and permission for property access. Chmn. Coker advised that testing needs to include a cross section of well



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characteristics including all input and issues discussed. The draft budgets \$84,528 for Residential Well Testing Program implementation.

## 7. September 19, 2023 Ground Water Consultant Report

Mr. McMillan updated the group on the specifics of new draft permits. Ballards and Cherrystone volumes discussed. Mem. Grossman noted that the permitted withdrawal more than doubled with measurable chloride increases. Mr. McMillan explained that the DEQ approach is primarily limited to monitoring and that residential water quality concerns are addressed by VDH. Inconsistencies and misstatements found in recent ground water withdrawal applications discussed. Advisor McMillan will draft comment letter addressing GWC concerns. Potential outreach to State Water Control Board, region representatives, and the need for regular DEQ meeting attendance discussed.

## Schedule Next Meeting & Adjournment

The next Committee meeting was scheduled for October 17, 2023 from 10AM-12PM at the ESVA Chamber of Commerce, Melfa, VA.

**Mem. Grossman moved to adjourn the meeting. Seconded by Mem. Hershey, the motion carried. The Meeting was adjourned at 12:01 PM.**

Copy test:

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Paul Muhly, Vice Chairman

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Elaine K. N. Meil, Secretary