



A-NPDC

ACCOMACK-NORTHAMPTON PLANNING DISTRICT COMMISSION
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Notes of the February 18, 2025 Meeting

Eastern Shore of Virginia Ground Water Committee

The meeting of the Eastern Shore of Virginia Ground Water Committee was held at 10:00 A.M. on Tuesday, February 18, 2025. It was held in person at the Eastern Shore Chamber of Commerce's board room in Melfa, Virginia. Virtual was available for members of the public.

<u>Members Present</u>	<u>Members Absent</u>	<u>Others Present</u>
John Coker, Chairman	Charles Kolakowski	Britt McMillan / ARCADIS
Calvin Washington Sr. / Vice Chairman	Mike Mason	Rita Chandler / A-NPDC
Sue Mastyl	Steve Sturgis	Kellen Singleton / A-NPDC
Daniel Hershey		Carmie Ross *
Paul Grossman		Curtis Consolvo, Geo Resources *
Elaine Meil / A-NPDC		Caitlin Kelly *
Ann Hayward Walker		
Grayson Chesser		

**Signifies Zoom participation*



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7. February 18, 2025 Groundwater Consultant Report

The GWC reviewed the comments and resultant response from DEQ regarding the permit for Brady Poultry Farms.

- The DEQ response was that the assessed proposal for withdrawal from the Lower Yorktown-Eastover aquifer passes the Technical Evaluation. It was noted the required Mitigation Plan would address potential future adverse impacts. The Permit also includes a Special Condition requiring an Alternative Source Investigation to evaluate the Surficial aquifer which must be completed within a 10-year time frame. Based on these conditions, the Permit will be issued as proposed.
- Sue Mastyl stated this response sets a precedent for future permits since no wells have been dug on the property yet, and inquired if there is an appeal process to the DEQ for permitting. Britt stated he was not aware of a process for appeal. Discussion ensued about what steps could be taken to escalate, particularly since there does not seem to be enforcement of the required 10-year Columbia aquifer testing.
- Britt stated the comment period has ended and the response has been given. Once the permit is signed (which can be anytime now), the water will have to be pulled from the aquifer level for which the permit is written.
- GWC members discussed where the changes should be made and the section that needs to be changed would be in the Virginia Administrative Code, possibly driven by a change to the Code of Virginia. Britt stated that the VAC code citation of Section 6.10 needs to be rewritten.
- John Coker asked how we might influence people to use the Columbia aquifer more. Britt responded that the residential wells will not over-pump the Yorktown, but business agriculture (commercial) will. He further noted that the regulations failed because Perdue (for example) does not have the amount of water available that they were previously permitted to withdraw.
- It was discussed that, at minimum, the requirements for the permit need to have stronger language, more specific to the Eastern Shore, in order to protect and preserve the sole-source aquifer. Specifically, the language should state that proposed users MUST use the Columbia FIRST, or prove that the quality or quantity is not sufficient to meet the needs of the proposal, before a permit for use of the Yorktown aquifers would be issued
 - A. Discussion of paying for a \$5,000 Columbia well and \$5,000 for the aquifer test at Brady Farm ensued. The idea was rejected. John Coker stated that users should use the surficial aquifer until they prove the surficial won't work. Grayson Chesser discussed his experience with obtaining a groundwater permit. Discussion ensued about the well drillers. Britt McMillan stated that even if a



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surficial well was drilled at Brady Farm, it could not be used without Brady Farm pursuing a change to the permit.

B. An alternative of offering farms \$1,000 toward help with meeting the permit requirements (drilling a Columbia well) was also problematic for the same issues and was rejected.

- Director Grossman suggested a plan that could serve as a course of action.
 - A. **A-NPDC to write a letter** to Director Mike Rolband, DEQ, to object to the precedence the Brady Farm permit sets, and note lack of information or enforcement of the 10-year alternative test requirement. The GWC desires DEQ to recognize that the appropriate use of the surficial aquifer is a critical issue to protect the sole-source aquifer and that actions be taken based on this recognition. Inform DEQ that the GWC will be seeking changes to the Code of Virginia and the Virginia Administrative Code.
 - B. **Britt will determine the language** to be used in this letter. A copy will be sent to the Eastern Shore Representatives.
 - C. **Legislative changes** - Start looking at a strategy to correct the problem—perhaps an amendment to legislation for the Eastern Shore only that would protect the sole-source aquifer.
- **Broadcast Columbia** - Begin looking at a strategy to get the information about the sole-source aquifer out to the public and, in particular, to the commercial/ agricultural permit users/potential users
- The GWC immediately determined to move forward with the letter and to begin working on the various other components.
- It was noted and agreed that the Brady Farm permit, as written, provides the best opportunity to switch to the Columbia because the wells for the permit have not yet been dug.
- Britt gave a presentation. Discussion centered around the DEQ estimates and information request.

8. **Scheduled Next Meeting**

The next scheduled meeting for the Ground Water Committee will be held on Tuesday, March 18, 2025, at 10:00 a.m. - 12:00 p.m. The meeting will be held at the Eastern Shore Chamber of Commerce's Board Room in Melfa, Virginia.

9. **Adjournment**

Member Coker made the motion to adjourn. It was seconded by Member Grossman, the motion was carried by unanimous vote. The meeting was adjourned at 12:06 p.m.



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John Coker, Chairman

Elaine K. N. Meil, Secretary/Treasurer