



A-NPDC

ACCOMACK-NORTHAMPTON PLANNING DISTRICT COMMISSION

P.O. BOX 417 • 23372 FRONT STREET • ACCOMAC, VIRGINIA 23301

(757) 787-2936 • TOLL FREE (866) 787-3001 • FAX: (757) 787-4221

WEBSITE: www.a-npdc.org

Minutes of the July 20th, 2021 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, July 20th, 2021 at the Barrier Islands Center in Machipongo, VA.

| Members Present | Members Absent | Others Present |
|---------------------------|-----------------------|---------------------------------|
| Paul Muhly, Chairman | Charles Kolakowski | Jessica Steelman, A-NPDC |
| John Coker, Vice Chairman | Taylor Dukes | Sam Caldwell, USGS* |
| Daniel Hershey | Michael Mason | Joe Grist, VDEQ* |
| Roberta Kellam | Jackie Phillips | Britt McMillan, ARCADIS |
| Grayson Chesser | | Bill Savage, ESSWCD |
| Paul Grossman | | Janet Sturgis, NoCo Citizen |
| | | Sue Mastyl, Clean Water Council |
| | | Kurt McCoy, USGS* |
| | | Curtis Consolvo, Geo Resources* |
| | | Matt Kearns, USGS* |
| | | Ashley Mills, A-NPDC |
| | | |
| | | |

**signifies virtual participant*



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Call to Order

Chairman Muhly called the meeting to order at 10:03 AM.

Public Comment

Sue Mastyl, Clean Water Council –

Expressed concern of “pending” status of the Columbia and astern Shore Surficial Aquifer General Permit Regulatory Advisory Panel legislative document draft. Joe Grist, VDEQ, responded it was still in review.

Review of the May 18, 2021 Minutes

The draft minutes of the April 18th, 2021 meeting were presented. Committee Member Grossman requested the amendment be made under Other Items that a subsection be added for DEQ’s newly initiated Environmental Justice Committee.

Committee Member Grossman moved to approve the Minutes of the May 18, 2021 meeting with amendments. The motion, seconded by Vice Chairman Coker, carried unanimously.

FY 2021 Financial Status Report

The FY 2021 Financial Status Report as of June 2021 was presented. Total Bills Payable equaled \$1,613.86; total revenues received equaled \$0.00.

Committee Member Grossman moved to approve the June 2021 Financial Status Report. The motion, seconded by Committee Member Hershey, carried unanimously.

Staff Update

Committee Attendance Record

The FY2021 Committee Attendance Record was recorded.

Environmental Reviews and Permits

VA Pollutant Discharge Elimination System Program –

Wastewater Treatment, Accomack County

Permit Number: VA0090875

Notice Purpose: To seek public comment on a draft permit that will allow the release of treated municipal wastewater into a water body in Oak Hall, Virginia.

Public Comment Period: June 30, 2021 to July 30, 2021

Applicant: Oak Hall LLC, 655 Fox Run Road, Suite B, Findley, OH 45840

Facility: Oak Hall Shopping Center Wastewater Treatment Plant, SE Corner of Hwy 13 and Rt. 175, Oak Hall, VA. 23416

DEQ Contact:

Robert E. Smithson, [Tidewater Regional Office](#)

Phone: 757-518-2106; Fax: 804-698-4178

Email: Robert.SmithsonJR@DEQ.Virginia.gov

VA Pollution Abatement Program –



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None.

Consent Orders –

None.

Groundwater Withdrawal Permits –

None.

Environmental Impact Reviews –

None.

Water Quality –

Other Items

GWC Statement of Principal –

Subcommittee meeting with Scott Kudlas to be held virtually on Tuesday 7/27/2021 at 9AM. Members in subcommittee are: Paul Muhly, John Coker, Roberta Kellam, & Britt McMillan. Members have been notified and provided information to attend.

Water Clinic –

Staff gained consent from Theresa Pittman & Ursula Deitch of Virginia Tech to include a data share release letter in the testing kits for release of 911 address of the water tested with the A-NPDC for further assistance in monitoring and improving the water quality on the Eastern Shore (Attachment A from July 20, 2021 GWC Meeting Packet).

Additional GWC Funding –

Draft letters for Accomack and Northampton counties (Attachments B & C from July 20, 2021 GWC Meeting Packet). Ground Water Committee members requested edits be made to the draft and for further discussion to be held during the August GWC meeting. Staff was advised by the A-NPDC Director of Administration that in order to request mileage reimbursement, it must be in the Committee By-Laws (Attachment D from July 20, 2021 GWC Meeting Packet).

Committee Member Grossman moved for a 30-day notice to amend the by-laws to include “3.6 Members of the Committee shall be eligible for reimbursement of mileage to and from Committee meetings.” This motion, seconded by Vice Chairman Coker, carried unanimously.

Research & News

Site Investigation Report for Per- and Polyfluoroalkyl Substances by Goddard Space Flight Center Wallops Flight Facility Wallops Island, Virginia

Highlights from Jeremy L. Eggers, Associate Chief, Office of Communications at Goddard Space Flight Center:

- The Wallops and Town of Chincoteague finished drinking water continues to be nondetect (or very low detects – i.e., less than 1 part per trillion) for PFAS
- The NASA-funded/operated Granular Activated Carbon (GAC) Water Treatment System is now operational and connected to the Town’s water system—this allows the town to use its three shallow and one deep well that had been off-line previously due to impacts from PFAS



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- With the GAC now in place, Wallops is no longer supplementing the Town's water, though we maintain the capability to do so if ever needed
- We've completed a new well for the Wallops main base that replaces a well that was poorly constructed (and had PFAS hits); we're in the final design phase of the infrastructure design for connecting the new well to our existing field
- We've released the final Main Base PFAS [Site Investigation Report](#) in this update
- Information Sheet (Attachment E from July 20, 2021 GWC Meeting Packet)

Supervisors Approve Northampton Comp Plan Update with Changes by Stefanie Jackson, Eastern Shore Post, p. 1

<https://www.easternshorepost.com/wp-content/uploads/2021/06/06.11.21.pdf>

Of Note: Article section on the Columbia Aquifer and BOS Betsy Mapp comments.

Bundick Well & Pump Company Flyer (Attachment F from July 20, 2021 GWC Meeting Packet).

Email Response to Bundick Well & Pump Company Flyer by Ken Dufty (Attachment G).

Technical/Regulatory/Educational Items

Upcoming Events/Meetings

REGULAR MEETINGS OF STATEWIDE AUTHORITIES, BOARDS, COMMISSIONS, AND COMMITTEES –

None.

MEETINGS ABOUT TOTAL MAXIMUM DAILY LOADS (or TMDLs) for IMPAIRED WATERS –

For more information about TMDLs in Virginia, click here for the [Virginia Department of Environmental Quality TMDL Web site](#). TMDL reports are available at <http://www.deq.virginia.gov/Programs/Water/WaterQualityInformationTMDLs/TMDL/TMDLDevelopment/ApprovedTMDLReports.aspx>.

VIRGINIA GENERAL ASSEMBLY WATER-RELATED MEETINGS –

For meetings of legislative committees and commissions, see <http://lis.virginia.gov/cgi-bin/legp604.exe?191+oth+MTG>. Links to information about General Assembly commissions, councils, and special interim committees coordinated by the Division of Legislative Services are available online at <http://dls.virginia.gov/commissions.html>. The Virginia General Assembly Web site is <https://virginiageneralassembly.gov/>.

USGS EM-Logging 2020 Presentation

Sam Caldwell with USGS presented findings from EM-Logging 2020. Presentation can be found [here](#).

Ground Water Consultant Report

Technical/Regulatory/Educational Items –

- 1) The Technical Advisory Committee, administered by DEQ, for the General Permit for Non-Agricultural Surficial Aquifer Withdrawals concluded their work on June 22 with draft regulations as



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- 9VAC25-920. The next steps are to submit the draft regulation to the State Water Control Board, public review, and a final presentation of the regulation to the Board. Presentation can be found [here](#).
- 2) NASA completed a (final) Site Investigation Report for Per- and Polyfluoroalkyl (PFOS and PFOA) Substances for the Wallops Flight Facility. A summary presentation of results, findings and recommendations provided in the report will be provided. This is an example of emerging contaminants in the groundwater on the Shore and potential risks to the groundwater resource.

Other Items –

- 1) Additional FY2021 Groundwater Committee activities. Continue update of the Eastern Shore Groundwater Protection Plan.

Ground water Consultant Quarterly Report, Q3 (April 2021 – June 2021) –

| Eastern Shore of Virginia Ground Water Committee Contract Year Oct. 1, 2020 – September 30, 2021 (2021 Project Year) Consultant Progress Summary | | |
|--|--|--|
| Task 1 - Committee Meetings (2021 Project Year Goal = 5) | | |
| % Completion | >100% | |
| Date | Activity | Additional Comments |
| 10/20/2020 | Wrote Memo; Attended Meeting | |
| 11/17/2020 | Meeting cancelled | Meeting cancelled due to Covid 19 |
| 12/15/2020 | Meeting not held | Meeting not normally scheduled |
| 1/18/2021 | Meeting cancelled | Meeting cancelled due to Covid 19 |
| 2/16/2021 | Wrote Memo and technical documentation; Attended Meeting | None |
| 3/16/2021 | Wrote Memo and technical documentation; Attended Meeting | None |
| 4/20/2021 | Wrote technical documentation; Attended Meeting | None |
| 5/18/2021 | Wrote Memo and technical documentation; Attended Meeting | None |
| 6/15/2021 | Meeting not held | Meeting not normally scheduled |
| Task 2 – Technical Documentation (i.e. memos & additional documents as needed) | | |
| Date | Document | Additional Comments |
| 10/20/2020 | Summary proposed General Permit for Surficial Aquifer Use | None |
| 10/20/2020 | Summary – proposed modifications to 2013 Groundwater Protection Plan | None |
| 2/16/2021 | Detailed review of Marshall-Johnson-Grapeland Complex. Discussed alternate sources (surficial aquifer), historical and proposed withdrawal amounts, and historical water level changes | Groundwater Committee recommended development of a Statement of Principles outlining need to encourage use of the more sustainable surficial aquifer over the Yorktown-Eastover aquifer. |
| 2/16/2021 | Brief review of the recharge dynamics to the aquifer systems | Provide a more detailed review at a future meeting. |



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| | | |
|-----------|---|--|
| 3/16/2021 | Developed Statement of Principles for the Groundwater committee | Draft reviewed and distributed to Groundwater Committee |
| 4/20/2021 | Critical Resource Area (“Spine Recharge”) presentation. Reviewed the history, development, and use of various Critical Resource Area / Spine Recharge Areas developed for the Shore from the original 1992 Groundwater Supply Protection and Management Plan to the present. | The review discussed applicability, use, and limitations of the various designations. Also discussed were principal “data gaps” needed to better refine the areas. |
| 4/20/2021 | Presented preliminary results of data compiled from the comprehensive DEQ groundwater use database. Discussed ways the compiled data will be used, including integration in a GIS database. | Discussed data processing needs necessary to rectify the data for use. |
| 5/18/2021 | Reviewed the final Kuzzens Marshall Johnson Grapeland Complex Groundwater Withdrawal Permit (GW0070100). The final permit included several additions that addressed some comments and concerns expressed by the Groundwater Committee, including: 1) restricting use of the confined aquifer to historical use and requiring additional withdrawals from the surficial aquifer; 2) additional water quality monitoring, including neighboring wells; and 3) requirement to evaluate expanding irrigation ponds and recycling greenhouse irrigation water. | The revised permit addressed many of the Groundwater Committee’s comments and concerns. The Committee commended DEQ on these changes and requested implementation of similar conditions on future permits, where appropriate, recognizing there may be circumstances where the provisions should not be applied. |
| 5/18/2021 | Reviewed the existing Tyson Virginia Pollutant Abatement Permit (VPA) from the context of groundwater protection. There are a number of provisions that reduce the potential for excess leaching of nitrogen to groundwater, including a requirement to rotate application between fields on a minimum 3-year basis, limits to the loading, and requirement to update the plans and field testing at a set schedule. | Many of the requirements in the VPA permit significantly reduce the likelihood that excess nitrogen will leach to groundwater as had been reported for a different poultry land application operation in an adjoining State. |
| 5/18/2021 | Presented the new Virginia Environmental Data Hub, that became publicly available April 2021. The data hub significantly improved access to basic information retained by DEQ through tools such as the easy to access Open Data Portal and the Environmental Data Mapper (EDM). | While not all information retained by DEQ is available through this tool, it provides a good source of basic information on permits and monitoring information maintained by DEQ. Where more detailed information is necessary, this tool provides the means to research and request additional information from DEQ through FOIA. |

| Task 3 - Groundwater Permit Review | | | |
|--|-------------------------|-----------------|----------------------------|
| Applicant | Permit Status | Aquifers | Annual Amount (Gal) |
| GW0071600 Kuzzens Mappsville | Public Comment Complete | MYTEO | 4,800,000 |
| GW0070100 Kuzzens Marshall-Johnson-Grapeland Complex | Public Comment | COL, UYTEO | 129,500,000 |



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| Task 4 – Implement Committee Work Plan | | |
|---|---|---|
| Date | Activity | Outcome/Additional Comments |
| Work with the GWC and the A-NPDC to implement the approved Work Plan based on the Preservation Plan: | | |
| Monitor and review Federal and State regulations | | |
| 12/09/2020 | SWCB adoption of 9VAC25-910 (General Permit for Surficial Aquifer use) | Attended meeting |
| 12/15/2020 | Track new General Assembly Bills | (no relevant bills) |
| 3/16/2021 | Develop draft Statement of Principles outlining the Groundwater Committee desire to increase use of the more sustainable surficial aquifer in preference to the Yorktown-Eastover. | Draft Statement of Principles prepared and distributed to Committee |
| 4/20/2021 | Presented an update of the comprehensive water use records provided by DEQ from their database that was recently upgraded. Information from the database will be used to update the Resource Plan document. | In addition to incorporating the information into the Resource Plan document, the information will be integrated in a GIS for future access. The data currently needs to be reviewed and some records rectified. USGS has indicated they are working on a similar task and we may be able to consolidate efforts. |
| Coordinate and/or track independent research on the Eastern Shore | | |
| Provide technical assistance to A-NPDC staff. | | |
| 2/16/2021 | Provided information on historical Eastern Shore Seafood withdrawal | Information for potential future development |
| 3/16/2021 | Developed Statement of Principals | Draft Statement of Principles prepared and distributed to Committee |
| Work with the GWC and A-NPDC to develop funding mechanisms and to coordinate with local, state, and federal agencies and institutions to implement these objectives. | | |
| October | Eastern Shore Surficial Aquifer General Permit Regulatory Advisory Panel | Final meeting, developed consensus on proposed language for the regulation (9VAC25-610). The proposed regulation will be presented to SWCB in December for approval |
| Task 5 – Quarterly Progress Reports | | |
| % Completion | 75% | |
| Due Date | Additional Comments | Date Presented to GWC |
| 1/18/2021 | None | Provided as summary table |
| 4/20/2021 | None | Provided as summary table |
| 7/20/2021 | None | Provided as summary table |



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| Task 6 – Update the Eastern Shore Groundwater Resource Protection and Preservation Plan | | |
|--|---|---|
| <u>Date</u> | <u>Activity</u> | <u>Additional Comments</u> |
| 10/20/2020- Present | Update relevant sections of the 2013 Groundwater Management Plan. | 4Q2020 focus was on updating Conceptual Site Model |
| 4/20/2021 | Presented an update of the comprehensive water use records provided by DEQ from their database that was recently upgraded. Information from the database will be used to update the Resource Plan document. | In addition to incorporating the information into the Resource Plan document, the information will be integrated in a GIS for future access. The data currently needs to be reviewed and some records rectified. USGS has indicated they are working on a similar task and we may be able to consolidate efforts. |
| Task 7 – Prepare an Annual Use Summary Report | | |
| % Completion | % | |
| <u>Date</u> | <u>Activity</u> | <u>Additional Comments</u> |
| | | |
| Additional Services (Optional) | | |
| <u>Date</u> | <u>Activity</u> | <u>Additional Comments</u> |
| | | |
| | | |
| | | |

Schedule Next Meeting & Adjournment

The next Committee meeting was scheduled to be in Accomack County at the Enterprise Building: 23372 Front Street, Accomack for August 17th at 10:00 AM. NOTE: NO DECEMBER 2021 MEETING.

Vice Chairmain Coker made a motion to adjourn at 11:54 AM. The motion, seconded by Committee Member Grossman, carried unanimously.

Chairman Muhly adjourned the meeting at 12:00 PM.

 Paul Muhly, Chairman

Copy test:

 Elaine K. N. Meil, Secretary