



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



Eastern Shore of Virginia Ground Water Committee

February 15, 2022 10:00a.m.

ESVA Chamber of Commerce

19056 Parkway, Melfa VA

Virtual Attendance:

For Joining **via Computer:**

1. Click this link: <https://zoom.us/j/7577872936?pwd=QTNJdmhCc3pWdVNUZ0ZWYnVJdWpWUT09>
2. If prompted, enter the Meeting ID: 757 787 2936
3. If prompted, enter the Passcode: 7577872936

For joining **via Phone (calling in):**

1. Dial 1-646-558-8656
2. When prompted for meeting code enter 7577872936#
3. When prompted to identify as host or participant, enter #
4. When prompted for password, enter 7577872936#

The committee's mandate is to "assist local governments and residents of the Eastern Shore in understanding, protecting and managing ground water resources, to maintain a ground water resources protection and management plan, to serve as an educational and informational resource to local governments and residents of the Eastern Shore, and to initiate special studies concerning the protection and management of the Eastern Shore ground water resource.

Translation services available: Call 1-718-838-9317... #6980900. Press 1 for Spanish. Press 2 for Haitian Creole.

Servicios de traducción disponibles: Llame al 1-718-838-9317 ... # 6980900. Presione 1 para español.

Sèvis Tradiksyon Disponib: Rele 1-718-838-9317 ... # 6980900. Peze 2 pou kreyòl ayisyen.



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MEETING AGENDA

1. Call to Order
2. Public Participation

3. January 2022 Financial Status Reports 15
4. February 15, 2022 Staff Report 17
 - Environmental Reviews and Permits 17
 - Other Items 17
 - Research & News 18
 - Upcoming Events/Meetings 18
5. Presentation on: Tyson Water Conservation Work 20
6. Ground Water Consultant Updates 21
7. FY 2022 ATTENDANCE RECORD 23

8. Other Matters
9. Schedule Next Meeting (March 15, 2022 @ 10am)
10. Adjourn



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Minutes of the January 18th, 2022 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, January 18th, 2022 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.

Virtual Attendance:

For Joining via Computer:

1. Click <https://zoom.us/j/7577872936?pwd=QTNJdmhCc3pWdVNUZ0ZWYnVJdWpWUT09> this link:
2. If prompted, enter the Meeting ID: 757 787 2936
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<u>Members Present</u>	<u>Members Absent</u>	<u>Others Present</u>
Paul Muhly, Chairman	Charles Kolakowski	Jessica Steelman, A-NPDC
John Coker, Vice Chairman	Taylor Dukes	Jason Pope, USGS*
Daniel Hershey	Mike Mason	Joe Grist, VDEQ*
Grayson Chesser*	Roberta Kellam	Britt McMillan, ARCADIS*
Paul Grossman	Jackie Phillips	Bill Savage, ESSWCD
		Randy McFarland, retired USGS*
		Grace Holmes, DEQ*
		Sue Mastyl, CBES/Resident*
		Cathy Plant, VDH*

**signifies Zoom participant*



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NOTE: NO QUORUM

Call to Order

Chairman Muhly called the meeting to order at 10:11 AM.

Public Comment

Sue Mastyl – “Although the new regulation encouraging use of the Columbia aquifer is a good first step, and may be as far as DEQ can go, I'm skeptical whether it will actually change anyone's actions. I think it will be important to track new permit applications, to see if this does move any large withdrawals to the Columbia. In the meantime, I'd urge the committee to look at other ways to incentivize drilling in the Columbia, including addressing the misperceptions of drillers and others. With sea-level rise, the Yorktown-Eastover will be further threatened, making use of the Columbia even more critical.”

Member Comment

Grayson Chesser – Discussed sentiment that the [article in the Bay Journal](#) is misleading; discussion ensued.

Review of the April 20, 2021 Minutes

The draft minutes of the April 18th, 2021 meeting were presented

FY 2022 Financial Status Report

The FY 2022 Financial Status Report as of December 2021 was presented. Total Bills Payable equaled \$6,893.40; total revenues received equaled \$13,156.75.

Staff confirmed that the budget request to the counties did include the increased funding.

Staff Update

Committee Attendance Record

The FY2022 Committee Attendance Record was recorded.

Environmental Reviews and Permits

VA Pollutant Discharge Elimination System Program –
None.

VA Pollution Abatement Program –
None.

Consent Orders –
None.



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Groundwater Withdrawal Permits –

Public Notice – Environmental Permit

Purpose of notice: To seek public comment on a draft permit from the Department of Environmental Quality for the withdrawal of groundwater in Northampton, Virginia.

Public comment period: December 17, 2021 to January 17, 2022

Permit name: Groundwater Withdrawal Permit issued by DEQ, under the authority of the State Water Control Board

Applicant name, address and permit number: Mount Warren Farms, LLC; P.O. Box 12809 Norfolk, VA 23541; GW0068701

Name of facility and location of water withdrawal: Mount Warren Farm; 6507 Seaside Rd. Exmore, VA 23350

Project description: Mount Warren Farms, LLC has applied for a reissuance of a permit for agricultural use in Northampton, Virginia. The permit would allow the applicant to withdraw a maximum of 17,900,000 gallons per year and 6,600,000 gallons per month. The groundwater withdrawal will support crop irrigation as well as cleaning and filling farm equipment. The proposed withdrawal will utilize the Columbia (water table) aquifer at a depth between 0 feet to 60 feet below the land surface at the withdrawal site. An aquifer is a body of rock or layer of sediment in the ground in which groundwater is stored and transported. DEQ has made a tentative decision to issue the permit.

Area of Impact: The "Area of Impact", or the radial distance from the wells that computer modeling predicts the aquifer may experience one foot of drawdown due to the withdrawal, can be found in the "Technical Evaluation" attachment to the draft permit package linked below.

Contact for public comments, document requests and additional information: Laura Galli, Central Office, 1111 East Main St. Suite 1400, Richmond, VA, 23218 Phone: (804) 573-5674; E-mail: Laura.galli@deq.virginia.gov; FAX: (804) 698-4178.

The draft permit package can be downloaded [here](#).

Environmental Impact Reviews –

None.

Other Items

Mileage & Meeting Stipend – Language to be amended in the bylaws and voted upon at the next meeting. Consensus passes.

Remote Participation of GWC Members – The policy adopted by the Accomack County BOS on 3/17/2021 found in the Code of Virginia 2.2-3708.2 could be reworded and adopted by the Committee. This would allow a member for medical or personal reasons for 25% of annual meetings to participate and vote remotely.

Language to be added to the bylaws and voted upon at next meeting. Consensus passes.

Increased Budget Request - Over the last few months, an increase in operating funds was discussed. The Chairman and Vice Chair have decided on asking for increases of \$40k from Accomack and \$20k from Northampton for the following:

1. To get more actively involved in residential shallow well testing in both counties, mainly in lower economic areas where wells are failing or are of such poor quality



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the water is unusable. The ESAAA is presently involved in a water quality improvement project for both counties. Here is an opportunity for the GWC to join forces with them and help get the job done. The data mined from the testing results will increase our information and knowledge of the Columbia Aquifer.

2. To reach out to the public with more educational information about both wells and septic systems on the Shore.

Renaming of the GWC's Annual Award – Staff requests a motion at the next meeting to rename the GWC Annual Award *The Gene Hampton Ground Water Committee Award*. Consensus passes.

Bio to post on GWC page of the PDC website commemorating Gene Hampton and the change in naming award in his honor:

With the passing of Eugene "Gene" Hampton on October 6, 2021, members supported a motion to rename the GWC's award in his honor. He was a long-time member of the Committee from Northampton County and a retired geologist with the USGS. He was a Fellow of the Geological Society of America. A native of Washington state, he and his wife retired to the Shore where he supported many local civic activities and causes. He had a talented "green thumb" and loved to garden.

Scott Kudlas received his plaques for 2019 and 2020, passing along his gratitude.

New Member Needed from Northampton – In progress.

Research & News

Email from Jason Pope 9/23/2021 –

In order to address some questions and comments about groundwater withdrawals that came up at the Groundwater Committee meeting this week, I thought I would follow up with some information resulting from recent analyses we have been working on at the USGS with assistance from VDEQ. As I indicated in a previous email, we would be willing to provide detailed presentations of this information to the committee at a convenient time. Our work on these topics is nearing completion, but it is still in progress, so I'll provide just a brief summary for now.

From groundwater withdrawal data furnished to us from VDEQ databases and our supplementary analyses, average yearly withdrawals of groundwater from wells (2016 to 2020) total almost 3,200 million gallons (3.2 billion gallons), which equates to a daily average of over 8.5 million gallons. The average withdrawal rate appears to range from about 7 Mgal/day in December to over 12 Mgal/day in July.

Based on average yearly withdrawal rates, about 12% of withdrawals are for municipal public supply, 14% are for agriculture and irrigation, 32% are domestic withdrawals from private wells, and 42% are for commercial and industrial purposes. We don't have the withdrawal breakdown



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by aquifer finalized yet, but it appears that over 70% of the reported wells are screened in the confined Yorktown-Eastover aquifer. This summary information is consistent with what we knew from previous data and analyses.

Aside from reported withdrawals from close to a thousand wells and estimated domestic withdrawals from private wells, it appears there are substantial additional reported withdrawals from agricultural ponds that we should be able to better quantify after additional analysis.

In response to a comment that came up during the committee meeting, I want to point out that the importance of private well withdrawals to the groundwater budget has long been acknowledged by scientists and managers. The 2009 groundwater model developed by the USGS and currently used by VDEQ for regulating Eastern Shore groundwater withdrawals includes estimated domestic withdrawals, and we have improved and refined those estimates for inclusion in the model revision currently underway.

Ground Water Consultant Report

Technical/Regulatory/Educational Items

State Water Control Board Meeting (December 14, 2021)

General Permit for Use of Surficial Aquifer on the Eastern Shore [9 VAC 25 - 910]: Adopted final regulation

General Permit for Use of the Surficial Aquifer in a Groundwater Management Area [9 VAC25-920]: Adopted proposed regulation. Next step is public comment.

Department of Environmental Quality Groundwater Withdrawal Public Notice:

Draft Groundwater Withdrawal Permit for Mount Warren Farms, LLC GW0068700

Reissuance of a historic based permit

Requested amount:

Monthly Maximum:	6,600,000 gal/month	(212,903 gpd avg)
Annual Total:	17,900,000 gal/yr	(49,041 gpd avg)
Permit Total:	179,500,000 gal	(32,763 gpd avg)

Wells:

Three wells: 165,00569, 165,00570, 165,00571,

Source Aquifer: **Columbia (surficial)**

Maximum well screen depth 62 feet

Intended Use:

Tomato irrigation (plasticulture). Current crop is soybeans and the farm will transition to tomato farming, planned for the spring of 2023.

42.67 ac will be irrigated

Justification of amount requested:

Because the current crop is soybeans, there are no historical withdrawals for the farm for the tomato plasticulture operation.

Groundwater use over the period 2009-2015 for Bowen Farm (GW0065600) was used to calculate use for Mount Warren Farms. The actual amount used by Bowen Farm was adjusted



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by the number of acres irrigated (gal/ac). This factor was then applied to the irrigatable acres for Mount Warren Farms (see table below)

Mount Warren Farm Use Projections

Amount	Historical Time Period	Projected Amount		Requested Amount (gal)
		Bowen Farm Gal/ac	Mount Warren Farms (gal)	
Monthly Max	August 2011	153,200	6,537,000	6,600,000
Annual Total	Jan – Dec 2009	418,154	17,841,000	17,900,000
Permit Total	2009 – 2015 ¹	280,441 ²	179,482,000	179,500,000

¹ DEQ reviewed water use records for Bowen Farm in January 2021 to ensure the requested amounts did not change based on more recent use.

² Amount is the average annual over the 8-year period of record. Permit total for Mount Warren Farms was calculated by multiplying the annual average by 15-years and the irrigatable acres (42.67 ac)



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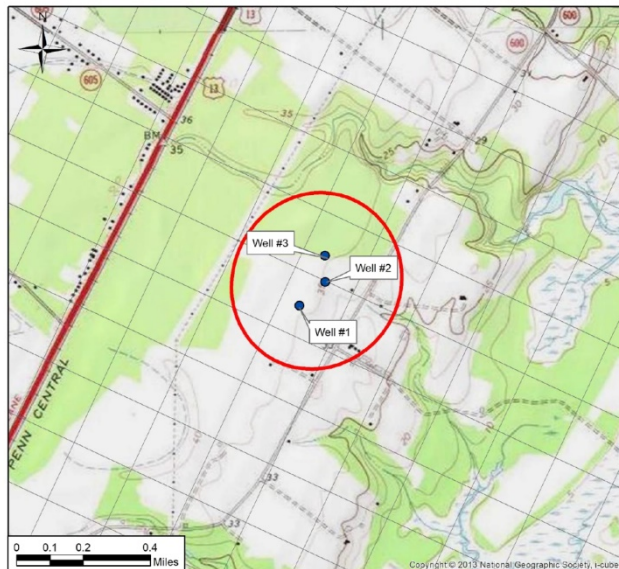
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Area of Impact:
Special Conditions:

Mount Warren Farm Area of Impact - Columbia (Water Table) Aquifer



 Columbia Aquifer Area of Impact

 VAHydroGW-ES Model Cells

Simulated drawdown at or exceeding one foot in the Columbia aquifer resulting from a 2-dimensional analytical simulation (Hantush-Jacob) of 50 years at 11,966,667 gallons per year from the Columbia aquifer. Maximum radius of one-foot drawdown (Area of Impact) occurs 0.4 feet from the pumping center.

Technical Evaluation performed by Aquaveo, LLC for the Virginia DEQ, Office of Surface and Ground Water Supply Planning April 28, 2021



Prior to withdrawal, documentation on pump settings must be provided to DEQ.

Comments:

The proposed withdrawal is from the Columbia (surficial) aquifer in an area outside of a paleochannel (south of the Exmore paleochannel).

Use of the surficial aquifer without relying on the Yorktown-Eastover aquifer for supplemental supply is commendable and is consistent with the Committee goals for sustainable use.

The amount requested appears to be reasonable (based on relevant actual use by another nearby farm)

The proposed withdrawal could have used the general permit regulations approved by the SWCB in December 2021 if the regulations were in place

USGS Report: Simulated Effects of Sea-Level Rise on the Shallow, Fresh Groundwater System of Assateague Island, Maryland and Virginia (USGS SIR 2020-5104)

<https://pubs.er.usgs.gov/publication/sir20205104>

Research that included measure groundwater levels and quality (specific conductance) from monitoring wells on the Island. Information was used in the development of a groundwater flow model that included a saltwater intrusion component to assess the effects of sea-level rise on the shallow groundwater system.



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Modeling analysis included both sea level rise and change in precipitation (recharge)
Results of the study identified groundwater inundation, surface water inundation, and saltwater intrusion occurring over large areas of the Island

West side of the island, groundwater levels respond strongly to changes in precipitation (recharge). The response to saltwater intrusion is also most closely controlled by changes in precipitation. The west side is also more likely to be inundated as sea level rises due to the extremely low topography.

East side responds strongly to tidal events with saltwater intrusion more closely related to tidal events.

Study area:

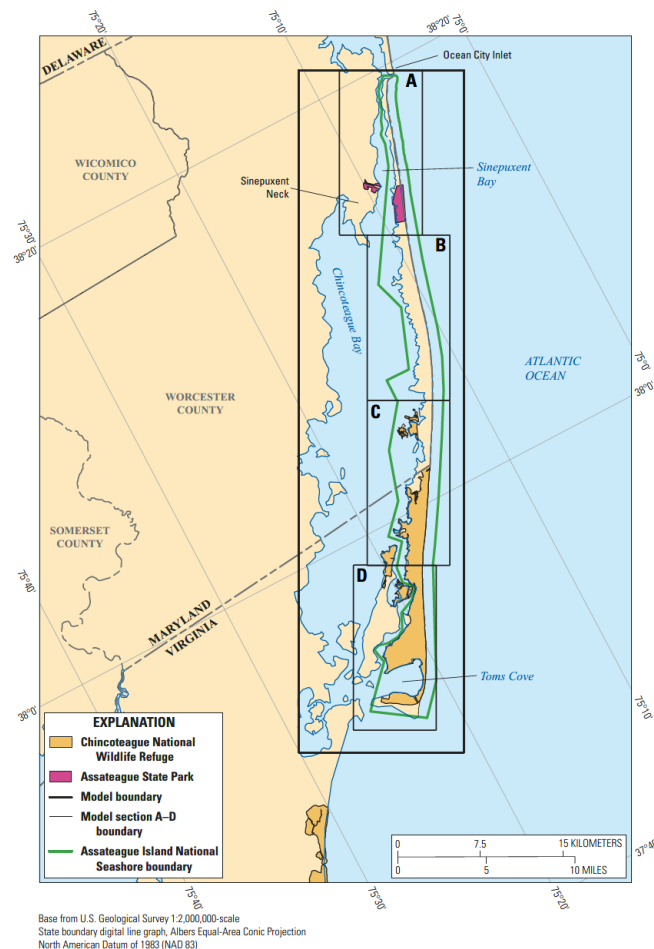


Figure 2. Study area and the model grid extent with sections A through D, Assateague Island, Maryland and Virginia.

Comments: This research provides important additional insights on response of the groundwater system to climate change.

The methodology can be adapted to other areas on the Shore.

The use of specific conductance to measure salt water content (similar to the EM surveys conducted by the USGS on the Shore) along with the water level recording has been discussed as a potential research tool in assessing saltwater intrusion. The research associated with this publication illustrates the potential beneficial use of this measurement.



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Other Items:

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

Upcoming Events/Meetings

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

Public Hearing - Proposed Triennial Review Amendments to the Water Quality Standards (9VAC25-260)

A public hearing to receive comments on proposed amendments to the Water Quality Standards regulation, 9VAC25-260. The proposal appears in the Virginia Register of Regulations on January 17, 2022.

Date/Time: 2/22/2022 at 2:00PM

Location: Bank of America, 3rd Floor Conference Room, 1111 East Main Street, Richmond, VA

Contact: David C. Whitehurst, david.whitehurst@deq.virginia.gov, (804)774-9180

Public Hearing - Proposed Triennial Review Amendments to the Water Quality Standards (9VAC25-260)

A public hearing to receive comments on proposed amendments to the Water Quality Standards regulation, 9VAC25-260. The proposal appears in the Virginia Register of Regulations on January 17, 2022.

Date/Time: 3/1/2022 at 2:00PM

Location: Department of Environmental Quality, Valley Regional Office, 4411 Early Road, Harrisonburg, VA

Contact: David C. Whitehurst, david.whitehurst@deq.virginia.gov, (804)774-9180

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/>.



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Schedule Next Meeting & Adjournment

The next Committee meeting was scheduled for February 15, 2022 from 10A-12P at the ESVA Chamber of Commerce, Melfa, VA.

Chairman Muhly adjourned the meeting at 11:45 AM.

Copy test:

Paul Muhly, Chairman

Elaine K. N. Meil, Secretary



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MEMORANDUM

TO: Eastern Shore of Virginia Ground Water Committee
FROM: Jessica Steelman
Coastal Planner
Accomack-Norhampton Planning District Commission
DATE: February 15, 2022
SUBJECT:

Financial Status Reports

The FY 2022 Financial Status Report is attached.

December 2021 Financial Status Reports

TOTAL BILLS PAYABLE		\$6,893.40
Revenues Received:	Accomack County	\$7,505.25
	Northampton County	\$5,651.50
TOTAL REVENUES RECEIVED		\$13,156.75

January 2022 Financial Status Reports

TOTAL BILLS PAYABLE		\$ 5,835.63
Revenues Received:	Accomack County	\$7,505.25
	Northampton County	\$5,651.50
TOTAL REVENUES RECEIVED		\$13,156.75

Staff requests the Committee review and consider approving the December 2021 and the January 2022 Financial Status Reports.

EASTERN SHORE OF VIRGINIA GROUND WATER COMMITTEE
Financial Statement--January 2022
Fiscal Year 2022

	Annual	Current Period	YTD		
REVENUES:	<u>Budget</u>	<u>Activity</u>	<u>Activity</u>	<u>Balance</u>	<u>% of Budget</u>
Ground Water Consultant Appropriations:					
Accomack County	\$ 14,251.00	\$ 3,562.75	\$ 10,688.25	\$ 3,562.75	75.00%
Northampton County	7,415.00	\$ 1,853.75	\$ 5,561.25	1,853.75	75.00%
Subtotal	<u>\$ 21,666.00</u>	<u>\$ 5,416.50</u>	<u>\$ 16,249.50</u>	<u>\$ 5,416.50</u>	
Ground Water Modeling Run Appropriations:					
Accomack County	\$ 1,500.00	\$ 375.00	\$ 1,125.00	375.00	75.00%
Northampton County	1,500.00	\$ 375.00	\$ 1,125.00	375.00	75.00%
Subtotal	<u>\$ 3,000.00</u>	<u>\$ 750.00</u>	<u>\$ 2,250.00</u>	<u>\$ 750.00</u>	
Ground Water Committee Staff Support:					
Accomack County	\$ 6,770.00	\$ 1,692.50	\$ 5,077.50	1,692.50	75.00%
Northampton County	6,191.00	\$ 1,547.75	\$ 4,643.25	1,547.75	75.00%
Subtotal	<u>\$ 12,961.00</u>	<u>\$ 3,240.25</u>	<u>\$ 9,720.75</u>	<u>\$ 3,240.25</u>	
USGS Ground Water Model:					
Accomack County	\$ 7,500.00	\$ 1,875.00	\$ 5,625.00	1,875.00	75.00%
Northampton County	7,500.00	\$ 1,875.00	\$ 5,625.00	1,875.00	75.00%
Subtotal	<u>\$ 15,000.00</u>	<u>\$ 3,750.00</u>	<u>\$ 11,250.00</u>	<u>\$ 3,750.00</u>	
Total Revenues	<u>\$ 52,627.00</u>	<u>\$ 13,156.75</u>	<u>\$ 39,470.25</u>	<u>\$ 13,156.75</u>	75.00%

Ground Water Modeling Run Appropriations:	
Remaining Balance FY2021	<u>\$ 9,000.00</u>
Total Revenues/Remaining Balance	<u>\$ 61,627.00</u>

EXPENDITURES:					
Ground Water Consultant	\$ 21,000.00	\$ 5,250.00	\$ 15,750.00	\$ 5,250.00	75.00%
Ground Water Modeling Run	6,000.00	\$ 0.00	\$ 0.00	6,000.00	0.00%
Ground Water Committee Staff Support	14,627.00	\$ 585.63	\$ 4,544.03	10,082.97	31.07%
USGS Ground Water Model	14,000.00	\$ 0.00	0.00	14,000.00	0.00%
Total Expenditures	<u>\$ 55,627.00</u>	<u>\$ 5,835.63</u>	<u>\$ 20,294.03</u>	<u>\$ 35,332.97</u>	36.48%

NET SURPLUS OR (DEFICIT) \$ 6,000.00 \$ 7,321.12 \$ 19,176.22
OF REVENUES LESS EXPENDITURES

* Deposits for the period include:

As Summarized \$ 13,156.75

\$ 13,156.75

** Expenditures for the period include:

Payables (previous month) \$ 5,835.63

Total Expenditures \$ 5,835.63

Bills Payable as of January 31, 2022

<u>DUE TO</u>	<u>DESCRIPTION</u>	<u>DATE</u>	<u>AMOUNT</u>
Arcadis	Groundwater Consulting Fees	22-Jan-22	\$ 5,250.00
ANPDC	Staff Support	January 1 - January 31, 2022	\$ 585.63
Total Bills Payable			<u>\$ 5,835.63</u>



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MEMORANDUM

TO: Eastern Shore of Virginia Ground Water Committee
FROM: Jessica Steelman
Coastal Planner
Accomack-Northampton Planning District Commission
DATE: February 15, 2022
SUBJECT:

February 15, 2022 Staff Report

Committee Attendance Record

The FY2022 Committee Attendance Record is [attached](#).

Environmental Reviews and Permits

VA Pollutant Discharge Elimination System Program –
None.

VA Pollution Abatement Program –
None.

Consent Orders –
None.

Groundwater Withdrawal Permits –

Environmental Impact Reviews –
None.

Other Items

***Mileage & Meeting Stipend* – Staff requests motion to adopt stipend and mileage reimbursement in the bylaws.**

Remote Participation of GWC Members – The policy adopted by the Accomack County BOS on 3/17/2021 found in the Code of Virginia 2.2-3708.2 could be reworded and adopted by the Committee. This would allow a member for medical or personal reasons twice (2x) yearly to participate and vote remotely.

Staff requests motion to adopt this in the bylaws.

Increased Budget Request – Staff presented to the Accomack County BOS.

***Renaming of the GWC's Annual Award* – Staff requests motion to rename the GWC Annual Award *The Gene Hampton Ground Water Committee Award*.**

Bio to post on GWC page of the PDC website commemorating Gene Hampton and the change in naming award in his honor:



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ACCOMACK-NORTHAMPTON PLANNING DISTRICT COMMISSION

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With the passing of Eugene “Gene” Hampton on October 6, 2021, members supported a motion to rename the GWC’s award in his honor. He was a long-time member of the Committee from Northampton County and a retired geologist with the USGS. He was a Fellow of the Geological Society of America. A native of Washington state, he and his wife retired to the Shore where he supported many local civic activities and causes. He had a talented “green thumb” and loved to garden.

New Member Needed from Northampton – Staff asks that Northampton nominate or assign a member to fill the vacancy.

Research & News

Upcoming Events/Meetings

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

Public Hearing - Proposed Triennial Review Amendments to the Water Quality Standards (9VAC25-260)

A public hearing to receive comments on proposed amendments to the Water Quality Standards regulation, 9VAC25-260. The proposal appears in the Virginia Register of Regulations on January 17, 2022.

Date/Time: 2/22/2022 at 2:00PM

Location: Bank of America, 3rd Floor Conference Room, 1111 East Main Street, Richmond, VA

Contact: David C. Whitehurst, david.whitehurst@deq.virginia.gov, (804)774-9180

Public Hearing - Proposed Triennial Review Amendments to the Water Quality Standards (9VAC25-260)

A public hearing to receive comments on proposed amendments to the Water Quality Standards regulation, 9VAC25-260. The proposal appears in the Virginia Register of Regulations on January 17, 2022.

Date/Time: 3/1/2022 at 2:00PM

Location: Department of Environmental Quality, Valley Regional Office, 4411 Early Road, Harrisonburg, VA

Contact: David C. Whitehurst, david.whitehurst@deq.virginia.gov, (804)774-9180

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](http://www.deq.virginia.gov/Programs/Water/WaterQualityInformationTMDLs/TMDL/TMDLDevelopment/ApprovedTMDLReports.aspx). 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,



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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://viriniageneralassembly.gov/>.



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MEMORANDUM

TO: Eastern Shore of Virginia Ground Water Committee
FROM: Brittany Craig & Sarah Harrison, Tyson Food
DATE: February 15, 2022
SUBJECT:

Presentation on: Tyson Water Conservation Work



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MEMORANDUM

TO: Eastern Shore of Virginia Ground Water Committee
FROM: Britt McMillan, Principal Hydrogeologist, Arcadis
DATE: February 15, 2022
SUBJECT:

Ground Water Consultant Updates

Technical/Regulatory/Educational Items

1. **House Bill HB769:** Onsite Sewage System Pump-Out Oversight. Requires VDH to manage and enforce sewage pump-out for Accomack and Northampton Counties (as well as several other Counties). The bill requires license operators report on to VDH the results of their site visit.
 - a. Substitute HB769 that is under consideration is attached, with changes **yellow** highlighted.
 - b. Currently moving through the House with unanimous "Y" votes in all committees (see attached summary).
2. State Water Control Board Meeting (December 14, 2021)
 - a. **General Permit for Use of Surficial Aquifer on the Eastern Shore [9 VAC 25 - 910]:** SWCB adopted final regulation, regulation under review by Secretary of Natural and Historic Resources (final stage)
 - b. **General Permit for Use of the Surficial Aquifer in a Groundwater Management Area [9 VAC25-920]:** SWCB adopted proposed regulation. Proposed regulation was submitted to the Registrar and is awaiting publication for public comment:
 - i. Public comment forum: 2/14/2022 to 4/15/2022
 - ii. Public Hearings:
 1. 3/8/2022 at 1830 (6:30pm) at Eastern Shore Community College
 2. 3/9/2022 at 1830 (6:30pm) at New Kent Middle School (New Kent)
 - iii. Draft regulations are attached. A comparison of the two General Permits (9VAC25-910 and 9VAC25-920) will be provided.
3. Supplemental monitoring for saltwater intrusion:
 - a. Following the review of the USGS Report: *Simulated Effects of Sea-Level Rise on the Shallow, Fresh Groundwater System of Assateague Island, Maryland and Virginia (USGS SIR 2020-5104)*, the potential for expanded use of specific conductance data loggers on the Eastern Shore was briefly discussed, including potential benefits and challenges:
 - i. The methodology, with limitations, can be adapted to help monitor saltwater intrusion occurring from both sea level rise and groundwater withdrawals.
 - ii. The continuous specific conductance measurements would augment and cannot not replace the current methods (the annual EM surveys conducted by the USGS on the Shore) along with the water level recording.
 - iii. The following will be provided in a presentation:
 1. Goals of the monitoring
 2. How the specific conductance measurements can be implemented
 3. Benefits and limitations of the method



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4. Integration with other information (annual EM surveys and water level measurements)
5. Specific steps to improve results or better understand the limitations
6. Examples of use in other areas
7. "Conceptual level" cost
8. Implementation within the existing SOW system or as separate systems

Other Items:

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



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EASTERN SHORE OF VIRGINIA GROUND WATER COMMITTEE FY 2022 ATTENDANCE RECORD

Members	Term Exp.	July	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June
Accomack County													
Daniel Hershey	June 2022	X	*	*			*	X					
Grayson Chesser	June 2023	X	*	*	X		*	V					
Jackie Phillips	NA		*	*			*						
Paul Muhly	Chairman Next vote: July 2023	X	*	*	X		*	X					
Northampton County													
John Coker	Vice Chairman Next vote: July 2023	X	*	*	X		*	X					
Paul Grossman	March 2024	X	*	*	X		*	X					
Roberta Kellam	March 2024	X	*	*			*						
Vacant	January 2022		*	*			*						
Non-Voting Ex-Officio Members													
Charles Kolakowski	NA		*	*			*						
Elaine Meil	NA		*	*	X		*						
Mike Mason	NA		*	*			*						

- Indicates not a member. X Indicates member present.
 * Indicates no monthly meeting held. NA Not Applicable () Indicates an alternate present

