



# CITIZENS FOR A BETTER EASTERN SHORE SHORELINE™

*A Journal of Natural Resources, Public Affairs and  
Culture on the Eastern Shore of Virginia*

Volume 34

September 2021

Number 9

## Forum Highlights Rights of ANEC's Member-Owners

By Sue Mastyl

On August 10, approximately 70 citizens attended the Virtual Town Hall, "ANEC & You," hosted by Virginia Organizing Eastern Shore Chapter and CBES. A link to a recording of the event is provided on CBES Facebook page.

### Unique Structure of a Cooperative

The Town Hall focused on our rights and responsibilities as member-owners of A&N Electric Cooperative (ANEC), which includes all of us who pay for electricity on the Shore, to "empower each of us to advocate for the changes that we want, and to be aware of the rights that we have" as member-owners.

Emily Piontek, Virginia Energy Democracy Coordinator for Appalachian Voices, a grassroots organization advocating for healthy communities and environmental protection for more than 20 years, noted that electric cooperatives are not-for-profit utilities that typically serve rural communities. She added that the term "member-owner" gives more emphasis to the stake we have in our cooperative.

### Advocating for Broadband

Piontek noted that "broadband is a good example for why democratic participation matters for Virginia co-ops." SB794, sponsored by State Sen. Lynwood Lewis in 2020, authorized electric co-ops to use their existing electric and communications easements to provide

broadband services to member-owners. Following this, 4 of the 13 Virginia co-ops (BARC Electric, Prince George Electric, Mecklenburg Electric, and Central Virginia Electric) are now collaborating with local government and broadband providers to build out fiber-to-the-home networks. A 5<sup>th</sup> (Rappahannock

**"Broadband is a good example for why democratic participation matters for Virginia co-ops." – Emily Piontek, Appalachian Voices**

Electric Cooperative [REC], the largest co-op in the state) is now considering this following pressure from their member-owners.

Piontek added that the American Rescue Plan Act will provide \$700 million to the state for broadband expansion, "specifically in rural areas and specifically to solve the problem of that last mile," which would provide a clear opportunity for ANEC to take advantage of this funding, "with pressure from member-owners."

### New Energy Efficiency Program

Karen Campblin, Environment and Climate Justice Committee Chair, Virginia State Conference NAACP, described the Pay As You Save (PAYS) Program, established by SB754 in 2020, as "an unprecedented opportunity for Virginia cooperatives, which together serve over 600,000 member-owners, to lead the transition in Virginia to a clean energy

economy." She added that promoting renewable energy and energy efficiency not only reduces emissions, but also "gives our communities cost savings in our homes and businesses and creates an energy economy that is by the people, for the people."

The bill authorizes electric co-ops to develop programs for residential energy efficiency measures – new heating and air conditioning units, efficient water heaters and other appliances, weatherization, insulation upgrades, window and door modifications, and auto-

mated/smart energy control systems – that will be financed and repaid with an energy savings charge on the customer's monthly bill.

Conservatively, electric cooperatives could invest up to \$70 million a year, which could reach thousands of homes per year. These energy efficiency improvements "would provide essential local economic stimulus, [including] jobs that cannot be exported, and the

*See ANEC, cont'd on p. 2*

### CONTENTS

Forum Highlights Rights of ANEC's Member-Owners.....	1
Sea Level Rise and Failing Septic Systems..	3
Dredging in Virginia .....	4
General Assembly Actions .....	5
Recycling Corner.....	6
Recipe: Sweet Corn Pudding.....	7
Shore Seagull Population Declines .....	7
Be Sure to Vote! .....	8

**ANEC, cont'd from p. 1**

cost savings that member-owners would enjoy from these energy upgrades,” Campblin noted.

Each electric cooperative will develop their own program; a stakeholder process, to finalize what the program would look like, must be conducted at least 120 days before the program is established. REC is the 1<sup>st</sup> co-op in Virginia to initiate the stakeholder process; 3 community meetings with member-owners, industry representatives, and interested parties will wrap up at the end of August. The state is viewing the REC program as a pilot program, which other co-ops can use as a template in developing their own programs.

**Advocating for Democratic Participation**

As we wrote in the August *ShoreLine*, ANEC’s Board meetings are not open to the public, and agendas and minutes are not published. Piontek noted that “democratic member control is 1 of the 7 key principles of the trade association” (the National Rural Electric Cooperative Association), including control by “members who are active and participating in making decisions for the co-op.” Some electric co-ops do hold

open Board meetings, with participation from their member-owners, or hold direct elections, rather than voting by proxy, including 1 of the 13 co-ops in Virginia (Powell Valley). Piontek pointed out that annual election of Board members, largely by proxy, results in incumbents being re-elected “time and time again.”

**The Pay As You Save (PAYS) Program is “an unprecedented opportunity for Virginia cooperatives, which together serve over 600,000 member-owners, to lead the transition in Virginia to a clean energy economy.” – Karen Campblin, Virginia State Conference NAACP**

Piontek noted that ANEC Board members receive \$11,000 to \$20,000 a year, which is paid through charges on our monthly bills. These compensation figures were obtained by ProPublica through forms filed with the IRS. “You’re paying their salaries, and they really should be answering to you, the member-owners,” Piontek said. “We don’t know if the Board is talking about [specific issues such as] energy transition.”

Opportunities for reforming member control in Virginia co-ops are coming, she added. An upcoming governance forum will be held the week of September 27 (we will keep CBES members apprised of the details), to discuss how other co-ops have made the transition to open Board meetings. Virginia Conservation Network has also made electric cooperative reform part of their 2022 policy agenda.


**ANEC Perspective**

Butch Williamson, ANEC CEO, responded to these issues in a follow-up email to *Eastern Shore Post* reporter Carol Vaughn. As reported in the August 20 issue of the *Post*, Williamson indicated that any member-owner or group of member-owners with an issue or comments “are urged to contact the

Cooperative’s CEO and/or Board member who represents their district.” The Board member can meet with the member-owner or group and, if needed, “bring it back for consideration by the full Board.”

Williamson said that although ANEC is governed by a Board elected by the member-owners, “it is still a business, not a government body, [and is] more comparable to a typical corporate Board of Directors.” He cited the “nature of its business” involving “a broad array of important issues, many of which can be commercially sensitive,” operating

“in a heavily regulated environment” with “confidential and security risks, [including] financial information, detailed sensitive background information, cyber security plans/strategies, and physical electric grid assets.”

Williamson said that any member-owner can ask to address a specific issue with the Board, or request meeting minutes for a particular meeting, by calling ANEC (757-787-9750) or using the contact form on their website ([www.anec.com](http://www.anec.com)). The Board meets on the 4th Thursday of each month, except on the 3rd Thursday of September, November, and December. There is a public comment period at each annual meeting, including the August 26 meeting. [Ed. note: this is in contrast to what *ShoreLine* staff were told earlier by ANEC staff.] 

*ShoreLine* is published monthly by Citizens for a Better Eastern Shore and is distributed to members, public officials, and friends. All material herein is copyrighted © 2021 by Citizens for a Better Eastern Shore.

**Editorial Board**

Donna Bozza Sue Mastyl  
Eleanor Gordon Mary Miller  
Gene Hampton Arthur Upshur

**Staff Photographer**

Cecil Watts

**Editor/Design**

Sarah Morgan, Savoy Studio

**How to reach CBES**

P.O. Box 882, Eastville, VA 23347  
(757) 678-7157  
[info@cbes.org](mailto:info@cbes.org) • [www.cbes.org](http://www.cbes.org)

Printed on Sustainably Produced Paper 

**Eastern Shore  
Broadband Authority  
Board Meeting**

**Thursday, September 23 • 2 PM**  
4174 Lankford Highway, Exmore  
(Across from McDonald’s)

757-414-0304

[info@esvba.com](mailto:info@esvba.com)

Public comment allowed.

# Sea Level Rise and Failing Septic Systems

Submitted by Molly Mitchell, PhD, and Julie Herman, PhD, Virginia Institute of Marine Science

## The Problem

Flooding is an increasing problem in Virginia, especially in low-elevation areas such as on the Eastern Shore. Sea level is rising faster in Virginia than anywhere else on the Atlantic Coast, due to a unique combination of land subsidence and ocean dynamics. As sea level rises, the water table beneath the land also rises. This can create wet patches in fields, and can affect in-ground septic systems, creating problems for some property owners. Accelerating sea level rise in Virginia will significantly increase the flooding threat to low-lying roads, residences, and septic fields. Although most adaptation work in Virginia has focused on urban economic centers, the majority of the state's coastline is rural and faces different threats, due to reliance on infrastructure such as private wells and septic fields.

In Miami, approximately 1,000 properties with septic systems are already impacted by high water tables; over 67,000 systems are expected to be compromised by 2040.<sup>1</sup> Large-scale failures result in contamination of nearby creek waters with bacteria, viruses, and nutrients, and can lead to the closure of shellfish harvesting areas. In Virginia, the number of septic systems impacted by high water tables is unknown. To help understand the scope of the problem, researchers at the Virginia Institute of Marine Science used data from the Virginia Department of Health to identify septic-failure “hot spots” that could be caused by high water tables.<sup>2</sup> The data were from repair permits, which means that the identified failures have been repaired.

## The Analysis

A “hot spot” analysis identifies areas where there are clusters of septic failures within a given area. Although septic failures can be caused by internal reasons, such as poor system maintenance or the age of the system, clustered failures are likely due to external factors, such as sea level rise or changing soil conditions. This analysis can also look at the change in those patterns over time, to see if they are occurring regularly or becoming more frequent. Regular “hot spots” suggest that the area has underlying conditions that stress septic systems (such as high groundwater tables). “Hot spots” that are increasing in frequency suggest that the system is changing (groundwater is getting higher) or that the septic systems in the area are getting too old and need replacing.

“Hot spots” were relatively rare on a regional scale, but were found in most of the Tidewater localities where sewer is limited or unavailable, and were fairly evenly distributed along the length of the Eastern Shore. But are these septic failures caused by high groundwater tables? To answer this question, the researchers looked at the land elevations. For a septic system to function properly, it needs at least 3 feet

of dirt between the system and the groundwater table. If the land elevation is less than 3 feet above the water table, there is not enough room for an in-ground septic system to function. With sea level rise, water tables have risen, and a septic system installed 30 years ago may no longer work properly. Across Virginia, 23% of “hot spots” were found in areas with high water tables. Other “hot spots” may be caused by poor soil conditions or aging septic systems.

## Management Issues

At this time, it is impossible to know the water quality impacts from these “hot spots” of septic failures. In areas where “hot spots” only occurred occasionally, it is likely that the impacts were temporary and disappeared when the systems were fixed. Areas with continuous “hot spots” suggest that systems are failing on a regular basis, so even though each issue is repaired, there may be water quality impacts in adjacent creeks. In some areas, studies have been able to find septic issues by looking for optical brighteners from laundry detergent in the creeks. Targeting sampling in creeks near “hot spots” may help identify where septic failures are leading to environmental impacts.

In rural areas, there is a continuing need for waste management. To reduce the potential for human health and environmental impacts, management should focus on removing septic systems from potential interactions with groundwater, using alternative, above-ground, and mounded septic systems, or through centralized wastewater treatment systems (such as sewer systems or community septic systems). Although this study focused on rising groundwater impacts to septic fields, the majority of the properties included also use private wells, so the impacts of sea level rise in rural areas may go beyond failing septic systems. Contamination can be carried to adjacent wells, polluting the drinking water. In addition, saltwater intrusion into well water can have serious impacts on human health.

The best approach for managing this issue will depend on financial resources available and community interest. The development of more targeted datasets and enhanced sea level rise/groundwater models will allow for improved understanding of future vulnerabilities of the vast rural septic infrastructure at risk from sea level rise.

<sup>1</sup> Miami Dade County. 2018. Septic Systems Vulnerable To Sea Level Rise. <https://www.miamidade.gov/green/library/vulnerability-septic-systems-sea-level-rise.pdf>

<sup>2</sup> Mitchell M, Isdell RE, Herman J, Tombleson C. 2021. Impact Assessment and Management Challenges of Key Rural Human Health Infrastructure Under Sea Level Rise. *Frontiers in Marine Science*, 8, p.278. <https://www.frontiersin.org/articles/10.3389/fmars.2021.631757/full>





# Dredging in Virginia

Submitted by Jim Lang, Pender & Coward, PC

## What Is Dredging?

Dredging is the removal of sediments from the bottom of lakes, rivers, harbors, and other water bodies in order to maintain or increase the water's depth to ensure safe passage of vessels. There are 3 steps to the dredging process: extraction, transport, and disposal.

Environmental dredging removes sediment contaminated by pollutants. This practice reduces the risk that contaminated sediment poses to human health and the environment. In 2017, 360,000 cubic yards of creosote-contaminated sediment was removed from the Southern Branch of the Elizabeth River in Portsmouth.

## National, State, and Local Economies Depend on Dredging

According to the U.S. Department of Commerce, \$1.6 trillion worth of cargo passed through U.S. ports in 2017. This created over 3 million jobs. Without dredging, the U.S. would be unable to engage in the world's largest trading route. The United Nations Conference on Trade and Development (UNCTAD) found that maritime transport is responsible for four-fifths of world merchandise trade volume.

A twenty-foot equivalent unit, or TEU, is used to measure cargo capacity for container ships, applying the dimensions of a standard 20-foot shipping container. TEUs help determine the amount of cargo imported within a given year.

On the East Coast, the top 4 ports imported the following TEUs in 2020:

- Port of New York / New Jersey – 7.5 million TEUs
- Port of Savannah, GA – 4.6 million TEUs
- Port of Virginia – 2.8 million TEUs
- Port of Charleston, SC – 2.3 million TEUs

Many of these ports, including Savannah, GA, Virginia, and Charleston, SC, are currently undergoing dredging projects to increase the depths of their waters.

## Types of Dredging

There are 2 types of dredging: mechanical and hydraulic.

Mechanical dredging is used to create new channels, ports, and other navigable waterways. It is used to remove heavy gravel, often with a clamshell or backhoe.

Hydraulic dredging, on the other hand, removes sediment that migrated into previously dredged waterways. It is better suited to remove silt and sand, typically implementing a cutter suction dredger or a hopper dredger in the process.

## Federal Environmental Requirements

### The Clean Water Act

Under the Clean Water Act, dredging projects require a permit from the U.S. Army Corps of Engineers (USACE). This permit regulates fill activities for material falling back to the bottom of the waters.

A dredging project will be granted a general permit if it meets the following eligibility criteria:

- USACE Nationwide Permit 19: for "minor" dredging (less than 50 cubic yards)
- Norfolk District Regional Permit 01: for new and for maintenance dredging

If the dredging project falls outside the scope of the criteria above, an individual permit is required. More engineering and analysis are required to obtain individual permits from USACE.

In Virginia, projects must also include a Water Quality Certification. This gives the state of Virginia oversight, in order to maintain water quality.

### National Environmental Policy Act (NEPA)

Any time a federal permit is required, the issuing federal agency must comply with the requirements of NEPA. If impacts to the environment are significant, the agency must issue an Environmental Impact Statement, which can take multiple years and hearings to complete.

However, most projects don't require this in-depth analysis. The majority of projects can move forward with an Environmental Assessment or a Categorical Exclusion.

### Endangered Species Act

If there are protected species in the area of the project, like turtles or Atlantic sturgeon, there are dredging requirements that must be met. This act protects the feeding and reproduction patterns of those animals.

### Marine Mammal Protection Act

Whether animals are endangered or not, animals like whales, dolphins, and manatees must be protected. There will be accommodations to the project that will prevent the harassment of these species.

### Additional Potential Requirements:

- Magnuson-Stevens Fishery and Conservation Management Act
- Resource Conservation and Recovery Act
- Marine Protection, Research, and Sanctuaries Act
- Coastal Zone Management Act

*See Dredging, cont'd on p. 6*

# General Assembly Actions

## Statewide Changes and Local Options

By Mary Miller

In addition to new adopted statewide regulations, during both the General Assembly Regular Session and Special Session, some optional actions for county, city, and town governments to consider were also passed. Below are some new laws and options that directly affect localities. Some passed easily, with majority support, others passed with both partisan and nonpartisan opposition. The votes of both Shore legislators, Senator Lynwood Lewis and Delegate Robert Bloxom, are noted.



### New Statewide Changes That Will Impact Localities

- **Bicycle safety** – Previous law required motorists to pass bicyclists at a reasonable speed, at least 3' to the left of the cyclist. Now, if the travel lane is not wide enough for the 3' distancing, then “the overtaking vehicle shall change lanes.” Cyclists may now ride no more than 2 abreast. ▶ **Senate passed:** 21-18, Lewis, aye; **House passed:** 75-24, Bloxom, aye. (HB2262)
- **Virginia Fair Housing Law** – Unlawful discriminatory housing practices: prohibits localities from discrimination in the application of land use ordinances or guidelines, or the permitting of housing developments, “on the basis of race, color, religion, national origin, sex, elderliness, familial status, source of funds, sexual orientation, gender identity, status as a veteran, or disability”; or “because the housing development contains or is expected to contain affordable housing units...” During deliberations, the following exemptions were added to the original Bill: “that the provisions of this subsection shall not be construed to prohibit ordinances related to short-term rentals,” and “It shall not be a violation of this chapter if land use decisions or decisions relating to the permitting of housing developments are based upon considerations of limiting high concentrations of affordable housing.” ▶ **Senate passed:** 27-11, Lewis, aye; **House passed:** 77-22, Bloxom, aye (HB2046)
- **Littering** – The minimum fine for littering doubled, from \$250 to \$500. Littering is defined as “dumping or disposing of litter, trash, or other unsightly matter on public or private property.” ▶ **Senate passed:** 23-14, Lewis, aye; **House passed:** 65-32, Bloxom, aye (HB1801)
- **Marijuana** – Effective July 1, 2021, criminal penalties for simple possession of marijuana were eliminated under certain conditions: for possession in public of up to 1 oz. by adults over 21; for cultivation of up to 4

plants per household by adults over 21, at their primary residence; or for adult-sharing of up to 1 oz. in private without remuneration. Numerous provisions of the bill are subject to reenactment by the 2022 Session of the General Assembly. ▶ **Senate passed:** 23-16, Lewis, aye; **House passed:** 53-44, Bloxom, nay (HB2312)

- **Education** – A) *After-School Meals* – Requires school districts with 50% of students eligible for free or reduced-price meals, and which also offers educational or enrichment activities, to apply to participate in the Afterschool Meal Program. Requirement may be waived by state if participation is not financially viable for the school. Effective date, July 1, 2022. ▶ **Senate passed:** 39-0, Lewis, aye; **House passed:** 89-11, Bloxom, aye (HB2135)  
B) *Reading Intervention Services* – Requires reading intervention services for students K to Grade 3 based on a student’s demonstrated reading deficiencies. Requires that parents be notified before the service begins and that progress be monitored throughout the length of the services. ▶ **Senate passed:** 39-0, Lewis, aye; **House passed:** 100-0, Bloxom, aye (HB1865)

### New Regulations That May Be Adopted by Localities

- **Community development** – Removal of clutter from property – Provides that a locality may, by ordinance, require the removal of clutter from property, except for land zoned or used for active farming, or other exemptions as decided by the locality. Clutter may be removed from property by the locality, and expenses charged to the owner. Clutter is defined as including mechanical equipment, household furniture, containers, trash, garbage, refuse, litter, and similar items left in public view for an extended period or allowed to accumulate. Violations would be subject to civil penalties. ▶ **Senate passed:** 21-18, Lewis, aye; **House passed:** 52-43, Bloxom, nay (HB1778)
- **Transportation** – Local speed limit reduction: Allows local governments to reduce speed limits to less than 25 mph, but not less than 15 mph, in business or residential districts. ▶ **Senate passed:** 21-17, Lewis, aye; **House passed:** 93-6, Bloxom, aye (HB1903)

To find more information on these new laws, look up Bill numbers (format: HBxxxx) noted for 2021 Regular and Special Sessions (<https://lis.virginia.gov/cgi-bin/legp604.exe?211+men+BIL>).



## RECYCLING CORNER

### Recycling Campaigns Through National Brands

Terracycle® (www.terracycle.com) provides a means to recycle packaging and items that aren't accepted at the convenience centers – and it's free. To recycle items, simply sign up online, print a shipping label, box up your (empty, clean, and dry) packaging, and send it off (check specific requirements for each brand on the website). Once collected, the materials are cleaned and melted into plastic pellets to make new recycled products.

You can also drop off candy and snack wrappers at the Terracycle box at REI (Independence Ave. & Virginia Beach Blvd., Virginia Beach), or drop off disposable cups, lids, and straws; candy and snack wrappers; and coffee and creamer capsules at the Zero Waste Box at local Subaru dealers.

The program includes reward points, which can be redeemed for a variety of charitable gifts, product bundles, or payment to a nonprofit or school of your choice. To date, more than 202 million people in 21 countries have raised over \$44 million for charities around the world. Some of the many brands participating in the program include:

- Arm & Hammer™ baking soda pouches, and Arm & Hammer™ and OxiClean™ laundry pouches
- Brita filters, pitchers, dispensers, bottles, faucet systems, and packaging
- Burt's Bees® beauty and personal care packaging
- Calphalon® (all brands of metal-based [nonstick aluminum, stainless steel, carbon steel, cast iron] cookware, bakeware, and cutlery)
- Halls® (all brands of cough and sore throat drop packaging)
- Head & Shoulders non-aerosol packaging, including bottles, flexible plastic packaging such as color packets, flexible plastic tubes, and complex closures
- Herbal Essences aerosol and non-aerosol packaging
- Late July® Snacks packaging
- Rubbermaid® (well-used plastic and glass storage containers of any brand)
- Santa Fe Natural Tobacco Company (all tobacco waste – extinguished cigarettes, cigarette filters, loose tobacco pouches, outer plastic packaging, inner foil packaging, rolling paper, and ash)
- Solo® (all rigid, #6 plastic cups)
- Teva sandals


**UPDATE:** Along with Food Lion and Walmart, Accomack County convenience centers are again recycling plastic grocery bags and other plastic film and overwraps.

### Dredging, cont'd from p. 4

#### Obtaining Dredging Permits in Virginia

The majority of dredging projects support a water-dependent activity. To begin the permit process, you must submit a Joint Permit Application to the Virginia Marine Resources Commission (VMRC). The VMRC will then coordinate review with state agencies and USACE. At this point, the USACE will coordinate a review with federal agencies.

Timelines vary for project permits. The best-case scenario is the process taking around 4 months to complete, but some projects take years.

**Ed. Note:** Several dredging projects are planned for the Eastern Shore. Oyster Harbor, in Northampton County, recently underwent a dredging project that lasted several weeks. The process included transporting and launching the dredging vehicle and other equipment; stretching out and connecting the tube through which the dredged material would be transported; maneuvering the tube so that there was always ingress and egress through the channel for watermen and recreational boaters; and transporting the dredge material away from the harbor. 



An Army Corps survey boat brought inspectors to the harbor in Oyster to wrap up a recent dredging project.

## VOLUNTEER!

### CBES 28<sup>th</sup>

### Between the Waters Bike Tour

Saturday, October 23, 2021

Sign up at: <https://www.signupgenius.com/go/10c0f4daeab22a3fbc52-cbes>

Contact Mary Ehmann, CBES Bike Tour Coordinator, [cbesbiketours@gmail.com](mailto:cbesbiketours@gmail.com) or (973) 787-7895

All state COVID regulations will be followed.



## Sweet Corn Pudding

We all love those custardy, sweet corn puddings, scented with nutmeg, from Mom's southern kitchen. But there's always room for one more good corn recipe this time of year.



This pudding, halfway between the traditional custard and soft cornbread, was inspired by an Ina Garten recipe that would feed the multitudes. Great with steamed shellfish or grilled chicken, or chilled and cut into small squares for cocktail hour. Add fresh herbs or a warm sweet spice to your taste.

- Microwave 3 to 4 ears of corn, husks on, for 3 minutes, let cool, and cut kernels from cobs.
- Melt ½ stick of butter, stir in corn kernels, then let cool.
- Beat 2 eggs, add 1 cup milk, light cream, half and half, or a combination, to equal 1 cup.
- Whisk in ⅓ cup cornmeal, then ½ cup ricotta or cottage cheese.
- Add salt and pepper to taste, plus 2 tsp sugar. Mix thoroughly.
- Stir in the corn/butter mixture and ½ cup grated sharp yellow cheese.

Pour mixture into a well-buttered 8 x 8 baking dish, then spread a little more grated cheese on top. Place the baking dish in a *bain-marie* (a larger baking dish filled half-way with hot water). Bake at 375° for about 45 minutes until a knife in center comes out clean.

<https://www.talkrealnow.com/sweet-corn-pudding/>  
Reprinted with permission from *The Kitchen Hive*

## Shore Seagull Population Declines

Submitted by George Mapp

Growing up on the Eastern Shore, one of my most vivid memories of early spring is gulls laughing and swarming around tractors plowing a field. On a recent kayak trip out of Oyster it was good to see and hear them once again. According to a 2019 article in the *Daily Press*, they haven't been doing so well. Virginia bird counts taken every 5 years reveal a marked decline: 45,000 nesting pairs of laughing gulls in 1993; 17,000 in 2018 (as reported in March 2020 *ShoreLine*). Herring gulls have fared worse: from 9,000 to 2,000. Scientists attribute this to reduced marsh habitat from sea level rise.

Virginia Institute of Marine Science researcher Matt Kirwan says that the state has lost about 20% of its seaside marshes on the Eastern Shore since 1870, eroded by waves or buried as the barrier islands migrate. Gulls prefer to nest in high-elevation marshes – the most vulnerable areas.

“It's been catastrophic,” notes William and Mary scientist Bryan Watts. “Everybody thinks of sea level rise as

something off in the distance. It's not. It's been happening here. For 25 years, we've seen this huge decline. Clapper rails, seaside sparrows, salt marsh sparrows, marsh wrens, willets – there's a larger list of species that's experiencing the same drowning due to sea level rise that the laughing gulls are.”

Laughing gulls breed in Virginia and winter in Central America. Gulls were some of the pesky birds in Alfred Hitchcock's 1963 horror movie *The Birds*, and some people regard their swarms with disdain. However, we should be grateful for them – according to Watts, laughing gulls are “the ones going into the agricultural fields eating pest insects. They're the ones you see flying above the crops feeding on insects. They're the ones above the forest canopy feeding on insects.”

Source:

Dietrich T. 2019. *The Morning Call* – Gone gull: Laughing gulls in Virginia are ravaged by sea level rise. <https://www.dailypress.com/news/dp-nws-laughing-gulls-gone-20190709-story.html>



### OCEAN SPONSORS



CAPE CHARLES /  
CHESAPEAKE BAY

### BAY SPONSORS



### LIGHTHOUSE SPONSORS

American Borate Company

Bay Creek

Cherrystone Aqua-Farms

David's Nursery

Walter & Laurie Jones

### ANCHOR SPONSOR

Island House Restaurant

Funding provided by a Northampton County Tourism Grant

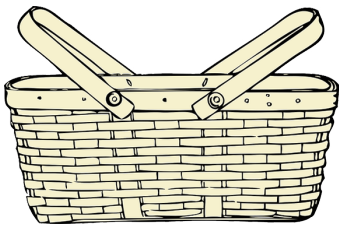
Citizens for a Better Eastern Shore  
P. O. Box 882  
Eastville, VA 23347-0882

*Address Service Requested*

## INFORM, ENGAGE, EMPOWER!

Check your label – if it doesn't show '21 or Life, you need to renew (cbes.org).

Nonprofit Organization  
U. S. Postage Paid  
Eastville, VA  
Permit No. 8



## POSTPONED

### CBES 3rd Annual PICNIC @ the BARN

is moving to Spring 2022  
out of an abundance of caution,  
as COVID cases are predicted to  
peak in September on the Shore.

## HOWEVER

**CBES Virtual Annual Meeting**  
September 21, 6:30 PM  
for voting on Board Members  
see [www.cbes.org](http://www.cbes.org) for details.

## Be Sure to Vote!

Tuesday, November 2, is Election Day. Polls will be open 6:00 AM to 7:00 PM. Candidates on the ballot will be:

- GOVERNOR: Terry R. McAuliffe (D), Glenn A. Youngkin (R), Princess L. Blanding (I)
- LIEUTENANT GOVERNOR: Hala S. Ayala (D), Winsome E. Sears (R)
- ATTORNEY GENERAL: Mark R. Herring (D), Jason S. Miyares (R)
- MEMBER, HOUSE OF DELEGATES, District 100: Finale M. Norton (D), Robert S. Bloxom, Jr. (R)
- NORTHAMPTON BOARD OF SUPERVISORS**
  - District 1: Robert W. Stubbs, John R. Coker
  - District 2: Ernest L. Smith, Jr., David W. Fauber
  - District 3: Oliver H. Bennett
- NORTHAMPTON SCHOOL BOARD**
  - District 1: Elizabeth "Liz" Jones
  - District 2: Helene B. Doughty
  - At-Large: Jill G. Bieri

Special elections for Town Council for Cape Charles and Cheriton.

No-excuse voting either early or by mail is available.

Key dates to remember:

- October 12 – last day to register to vote or update your address.
- October 22 – last day to request a mailed absentee ballot be mailed to you. Your mailed absentee ballot must be post-marked by Election Day, November 2, and received by noon on November 5.
- September 17 to October 30 – Registrars' offices open for in-person voting, including 2 Saturdays (October 23 and October 30).

For more information, and details on polling locations, visit the Registrars' websites for Accomack County (<https://www.co.accomack.va.us/departments/registrar>; 757-787-2935) and Northampton County ([https://www.co.northampton.va.us/government/departments\\_elected\\_offices/voter\\_registration\\_and\\_elections](https://www.co.northampton.va.us/government/departments_elected_offices/voter_registration_and_elections); 757-678-0480).

**Remember, all elections matter, and every vote counts – including yours!**

