

**Upper York River Watershed-Louisa, Orange and Spotsylvania Counties  
Total Maximum Daily Load (TMDL) Implementation Plan Development**

Tuesday, May 3, 2011, 6-8 PM

Town of Orange Public Works Community Room

235 Warren Street, Orange VA

**Agricultural Working Group & Residential Working Group Meeting #2**

**General Attendance (Agricultural and Residential Working Groups):**

Jenny Biche', Rappahannock-Rapidan Regional Commission  
Cynthia Bowman, USDA, Natural Resources Conservation Service  
Deirdre Clark, Rappahannock-Rapidan Regional Commission  
Courtney Lipski, Virginia Department of Health  
Steve Hopkins, Virginia Cooperative Extension  
Etta Lucas, Tri-County/City Soil and Water Conservation District  
Christopher Owens, Citizen  
Byron Petrauskas, Blue Ridge Environmental Solutions, Inc.  
Chip Russell, Virginia Department of Health  
May Sligh, Department of Conservation and Recreation  
Bob Slusser, Virginia Department of Conservation and Recreation  
Greg Wichelns, Culpeper Soil and Water Conservation District  
Ron Wisniewski, USDA, Natural Resources Conservation Service  
Spencer Yager, Culpeper Soil and Water Conservation District

**Introduction and General Information Provided:**

- Attendees were welcomed and introductions were made.
- Information provided included:
  - Copies of minutes from all meetings to date;
  - A general summary of recreational use of surface water – "Safely Enjoying Virginia's Natural Waters;"
  - The Action Chart listing source issues, corrective actions, potential funding and partners as edited by attendees of previous meetings; and
  - Estimates of practices needed and their potential costs prepared by Blue Ridge Environmental Solutions, Inc.(BRES);
- Highlights of previous meetings were reviewed and additional input to the Action Chart was requested;
- Attendees were informed of the function of the Steering Committee and encouraged to participate in the meeting scheduled for June 7, 2011, 6- 8 PM at the Town of Orange Public Works Community Room; and
- It was noted that the final Public Meeting will be held on June 21, 2011 from 6-8pm at the Town of Orange Public Works Community Room, at which time the Draft TMDL-IP, including Steering Committee recommendations and comments, will be presented to the public.

**Agricultural and Residential Working Groups**

- Attendees elected to remain as one combined working group and address both the Agricultural and Residential material.

**Agricultural Discussion Points:**

- Byron Petrauskas, BRES, conducted a discussion of the information contained in the handout entitled "Upper York River Basin Watershed Implementation Plan";
  - It was noted that partnering Soil and Water Conservation Districts had not yet completed their reviews of the aerial maps provided by BRES to determine the accuracy of data on practices as compiled by DCR;
    - DCR's data includes only those practices installed with cost share funding and doesn't capture voluntary BMPs;
    - The need for ground-truthing was discussed, as was the importance of local knowledge of farms and practices;
  - Attendees reviewed Table 2: "Estimation of control measures with unit cost (average) needed to meet pasture and cropland bacteria load reductions." The following comments were made;

- Retention ponds are listed as a last resort/catch-all if needed to reduce the exceedance rate to 0%, as required to comply with the TMDL;
  - TMDL-IPs have been approved by EPA with a 3-4% exceedance rate of the bacteria standard and retention ponds are not included; and
  - Work load will determine the number of projects completed within the allotted time.
- Table 4: “Control measures with estimated cost-share program and landowner costs” was reviewed and the following comments/suggestions were made:
  - Prescribed grazing includes rotational grazing, development of multiple pastures, alternative water sources/livestock ponds, etc. and is an individualized plan;
  - Change the CREP cost share category to read “50% + varied incentives;”
  - Change the SL-1 cost share category to read “75% + incentives;”
  - Change the Septic Tank System Installation/Replacement w/ Pump average unit cost to read “\$9,000;”
  - It was suggested that the footnote indicate that the cost share amount listed is the maximum allowed; and
  - It was noted that CREP is the most lucrative program available.

### **Residential Discussion Points:**

- Table 3: “Estimation of control measures with unit cost (average) needed to meet on-site sewage disposal system and pet waste bacteria load reductions” was reviewed and the following comments were made:
  - The Pamunkey Creek watershed in the Town of Orange may be the only with a public sewer option still available. It's possible the Gold Mine Creek area has the capacity, as well; however, it is not a cost effective option;
  - In response to an inquiry regarding the determination of on-site sewage treatment units needed, it was noted that these are estimates based on participation rates from other TMDL-IP areas and are open for discussion;
  - Discussion included whether or not the number of units should be based on what is needed versus what could be accomplished
  - Since every repair requires a pump-out, the total number of pump-outs should reflect this;
  - It was suggested that maintenance pump-outs for non-failing tanks be separated from the pump-outs required for failing tanks either in the chart itself as a separate designation, or by footnote;
  - Repairs to failing septic tanks will have a greater effect at reducing the bacteria exceedance rate versus pump-outs;
  - Attendees discussed including pump-outs in a separate category from repairs; and
  - Cost share assistance may be available for pump outs.
- The benefits of installing an access port to facilitate septic tank pumping were discussed;
- Along with access ports, filters can be added to reduce the frequency of pumping needed;
- Cost of installation of an access port is estimated at \$400-\$500;
- As part of the TMDL-IP in Thumb Run watershed, post cards were mailed promoting a 50% cost share pump out program; it is uncertain if responses were tracked;
- The Chesapeake Bay Program offers eligibility-based opportunities for pump outs;
- The promotion of pet waste digesters and collection kiosks would be more successful in neighborhoods with HOAs;
- HOAs can be identified by counties and targeted for educational programs;
- Adjustments for the allotment of pet waste practices can be made as home density numbers are identified;
- Attendees agreed that once introduced, pet waste management practices will continue to be implemented;
- It was not known how pet waste compost residue is commonly handled;
- Grants may be available for stormwater BMPs
  - Possible funding sources include DCR’s Water Quality Improvement Fund and the National Fish and Wildlife’s small watershed grant;
  - Watersheds that have an approved TMDL-IP in place are received more favorably, as are areas that might be used as demonstration sites;
  - Mt. Zion Church on Harrison Road in Spotsylvania received a grant to assist with bio-retention.

- A suggestion was made to include information on the impact of the practice of hydrofracking on existing wells and structures; and
- It was noted that there is an opportunity to revisit the TMDL-IP again in 5 years to reassess the plan and its progress and adjustments, if needed.

#### **Combined Considerations:**

- Table 5: “Targeted implementation stage for control measures installation” was reviewed and the following comments were made:
    - The purpose is to provide a timeline and prioritize goals and milestones;
    - Participants discussed the relative benefits of addressing those watersheds identified as needing the least number of practices (Beaver Creek and Plentiful Creek) to meet water quality goals versus those that are more seriously impaired;
    - Participants considered whether to apply different timelines to different counties and/or watersheds;
  - The TMDL was developed to meet a 0% water quality standard exceedance rate;
  - The level of bacteria must be below the DEQ standard of 235 counts of colony forming *E. coli* bacteria per 100mL of water;
  - Stage 1 focuses on reducing the bacteria level below the 10.5% exceedance rate that placed the stream segments on the impaired waters list;
  - Stage 2 focuses on getting the bacteria level to a zero exceedance rate or as close as possible considering reasonable assurance based on costs and practicality of recommended BMPs
  - It was recommended that the footnote include information explaining each reduction stage;
  - Stages 1 and 2 can be divided in various ways and can include 10-15 year time line;
    - Examples - 12 years for Stage 1 and 3 years for Stage 2, or 5 years for Stage 1 and 5 years for Stage 2 with the determination of stages based on funding, staffing and project numbers;
  - Soil and Water Conservation District contracts with DCR are issued every 2 years;
  - It was noted that the Robinson River-Little Dark Run TMDL-IP has a 15 year timeline addressing bacteria, and the South River TMDL-IP has a 20 year timeline, but focuses on nutrients, sediments and bacteria;
  - Attendees stated that one FTE (full time equivalent) technical assistant was not adequate to complete the proposed workload within a 10 year period;
  - Attendees expect the Chesapeake Bay TMDL to influence the success of the local TMDL-IPs;
  - Participants indicated that one advantage to a 10 year timeline is that it might provide more immediate opportunities for funding – if the Bay TMDL imposes regulations or offers funding sources, the locality would be "shovel ready;"
  - A ten-year timeline, with all watersheds receiving equal attention, was agreed upon; eight years will be devoted to stage 1, with the remaining two years focused on stage 2. It was decided that the timeline would be for 10 years and that all watersheds would be the same.
- **Additional comments:**
    - Educational programs should focus on tangible improvements and practices - fencing, buffers, septic tanks repairs and replacements;
    - Pet waste management information must be introduced strategically; there may be resistance to programs perceived as trivial or frivolous;
    - Efforts should be made to educate high school students and get other stakeholders to assist with public education;
    - There are a number of communities and interests - the lake, headwaters, homeowners and farmers;
    - All stakeholders communicate;
    - Suggested message- “Keeping the lake safe for swimming.”

#### **What's Next?**

**Upcoming meetings: ALL ARE WELCOME!**

Second Agricultural and Residential Working Group

May 10, 2011, 6-8 PM

Jefferson-Madison Regional Library

881 Davis Highway, Mineral, VA

Steering Committee

June 7, 2011, 6-8 PM

Town of Orange Public Works Room

235 Warren Street, Orange, VA

Final Public Meeting

June 21, 2011, 6-8 PM

Town of Orange Public Works Room

235 Warren Street, Orange, VA

All meeting notes, maps and presentations, as well as the draft document, may be viewed on-line:

[http://www.rrregion.org/tmdl\\_york.html](http://www.rrregion.org/tmdl_york.html)

For additional information, please contact:

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