

**Upper York River Watershed TMDL Implementation Plan Development**

Tuesday, February 8, 2011, 7 P.M.  
Town of Orange Public Works Building  
235 Warren Street, Orange Virginia  
**Agricultural Working Group #1-Orange Location**

**Attendance:** (signed in -14, attended – 22)

Bart Almond, Citizen  
Jenny Biche', Rappahannock-Rapidan Regional Commission  
Cynthia Bowman, Citizen  
Thomas Graves, Citizen, Orange County Farm Bureau  
K. Green, Citizen  
Charles Lunsford, VA Dept. of Conservation and Recreation  
Janice Mayhugh, Eastern View High School  
Bob McConnell, Citizen  
Don Ober, Citizen  
Byron Petrauskas, Blue Ridge Environmental Solutions  
Cody Phelps, Eastern View High School  
Alison Rau, Piedmont Environmental Council  
Monk Sanford, Citizen  
Bob Slusser, VA Dept. of Conservation and Recreation  
Richard Street, Spotsylvania County  
Bryant Thomas, VA Dept. of Environmental Quality  
Michael Willis, Citizen  
Ron Wisniewski, Natural Resources Conservation Service  
Lindsay Woolfolk, Citizen

**Break-Out Session for Working Groups: DCR, DEQ & Blue Ridge Environmental Solutions**

**Agricultural Group:** *Byron Petrauskas, Blue Ridge Environmental Solutions*

Eastern View High School Envirothon Team distributed a survey that attendees were asked to complete. A sign up sheet and hand outs were distributed to attendees and reviewed. The following comments were made:

- The TMDL study identified 2 dairy farms in Mountain Run, one in Pamunkey Creek and one in Plentiful Creek. Attendees confirmed there were 2 dairy farms in Mountain Run and one in Plentiful Creek, but that there are no longer any dairy farms in Pamunkey Creek. There are a total of five dairy farms in all of Orange County.
- One of the dairy farms in Mountain Run does have a collection tank, but the other does not.
- The dairy farm in Pamunkey Creek is now a beef feed lot.
- The TMDL study identified one turkey farm in Mountain Run; attendees confirmed that it is still in operation and that it has a litter containment facility.
- Changes in land use since 2005 include:
  - Cropland changes from corn production to pasture
  - Limited residential building due to the economy. Building permit information is available through the county.

An inquiry was made regarding funding, such as cost share, for voluntary fencing. Continuing Conservation Initiative Stream fencing (CCI-SE) is a new DCR cost-share practice that pays \$1/ft. for 5 years for one-sided stream exclusion fencing and \$2/ft. for both sides. Promotion of CCI-SE hopes to capture voluntary practice data. The only requirement is that the fencing must be for stream exclusion; there is no set-back requirement.

- An inquiry was made regarding future funding. It was noted that funding is now available and programs are voluntary. It is not known how funding will be handled if programs become mandatory. Right now, cost share money comes from DCR, through Soil and Water Conservation Districts, and FSA and NRCS. If EPA chooses to make programs mandatory, the General Assembly will have to decide whether or not to continue funding these programs and practices. Current District funding is limited. BMPs will be considered first for funding, with any funds remaining after July 1<sup>st</sup> going to CCI applicants.

- In response to an inquiry regarding whether a farmer can fulfill his cost-share contract, and then re-apply when the term is up to replace the existing fence, it was noted that the CCI-SE practice is eligible for re-enrollment beyond the five year lifespan. The most common complaints concerning participation in the proposed program are:

- Loss of land due to set- back requirements;
- Costs to participants; and
- Reluctance to involve the government in personal matters.

DCR is working to address some constraints/obstacles. For farmers in the Chesapeake Bay watershed, cost-share has been increased from 75% to 85%; cost-share funds are available if fencing is damaged due to flooding, etc. and set-backs have been reduced from 35 ft to 10 ft with 50% cost share. There is increasing flexibility among various programs; for example, a farmer may use the 10ft. set back with 50% cost share for part of his farm, and use 85% cost-share with a 35 ft. set-back for the rest of the farm.

- FSA stated that there are 60 active cost share contracts in Orange County with additional interest in participation.
- An inquiry was made as to whether a farmer could participate in a cost share program for fencing, fulfill their 10 year contract, and then, 5 years later, apply for another cost-share program to replace the original fence. It was noted that, yes, it is allowed; or they could use the CCI –SE practice. While there is no incentive for keeping fencing in place after the contract is fulfilled, most farmers do because of the benefits.
- Educational outreach efforts should focus on:
  - Culpeper Soil and Water Conservation District newsletter
  - FSA newsletter
  - Local newspaper
  - Extension Office
  - Cattleman's Associations
  - Farm Bureau
  - Spring and Fall Field Days
  - County Fair
  - Co-op
- Equine industry:
  - Has experienced limited growth in Orange County in the last few years;
  - Historically has been underserved;
  - Horse owners are now eligible for stream exclusion fencing in TMDL areas;
  - Horse properties are often over-grazed; and
  - Ordinances can regulate animal densities, thereby reducing overgrazing and runoff from overgrazed lands.
- Irrigation:
  - Participants suggested that irrigation should be encouraged;
  - There are no known cost share programs for crop irrigation available.
- Although stream-side fencing is not popular with older farmers, they do favor trough installations and recognize the fact that cows prefer cold, clean drinking water and will walk up to ½ mile along a stream to access a water trough.
- There was discussion about the high costs to run electricity to pasture areas to operate a well pump. Electric companies that serve Orange County include Dominion, Central Virginia, Allegany, and Rappahannock Electric Cooperative. It was recognized that some companies are easier to work with than others. Some farmers feel that they are discriminated against by power companies. For example, it was stated that the cost of erecting two poles to run power to farm buildings can be as high as \$30,000; however, installation is cost-free if the property includes a home. The cost to run electric lines is based on the number of amps expected to be used.
- The estimated costs listed in Table 2 do not include in kind services or tax credits.
- In response to an inquiry, it was noted that anyone can collect a water sample and send it to a lab to be analyzed at their cost.
- Several citizens were concerned that the dump located near Lake Orange contributes pollutants to Clear Creek. Water pollution concerns may be directed to DEQ, which will send staff to investigate.
- DEQ's testing protocol was discussed:
  - Sampling is random and designed to capture all conditions;

- A minimum of 12 samples is collected in a 2-year period;
  - Samples are kept on ice after collection and during transport;
  - Samples must be received at the lab within 24 hours of collection;
  - Testing measures the level of bacteria present and does not determine the source – agricultural or residential; and
- It was suggested that samples be taken in locations other than where they have been collected. The TMDL-IP can recommend additional monitoring and grant funding is available for citizen monitoring. However, requesting additional testing by DEQ would require more funding and budgets are tight right now.

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

Attendees were thanked for their participation and encouraged to comment on the first public meeting minutes and forward any comments or questions to Deirdre Clark, May Sligh or Byron Petrauskas before the next public meeting. All meeting notes, maps and presentations may be viewed on-line at: <http://www.rrregion.org/yorkbasin.html>.

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