

Upper Goose Creek, Cromwells Run, and Little River Implementation Plan Government Working Group Meeting

September 8, 2016
Meeting Notes

Location: Tri-County Feeds
7408 John Marshall Highway
Marshall, Virginia 20115

Start: 1:00 p.m.

End: 3:00 p.m.

Meeting Attendance:

May Sligh, VA Department of Environmental Quality (DEQ), Facilitator

Heidi Moltz, Interstate Commission on the Potomac River Basin (ICPRB), Facilitator

Scott Kaiser, Interstate Commission on the Potomac River Basin (ICPRB), Facilitator

Jenny Biche, Rappahannock-Rapidan Regional Commission (RRRC), Scribe

Jeff Sledjeski, Citizen

Andrew Hopewell, Assistant Chief of Planning, Fauquier County Community Development

Ben Shoemaker, Loudoun Water

Joe Rossetti, Virginia Department of Forestry (VDOP)

Dwayne Dixon, Virginia Department of Health (VDH)

Warren Darrell, Citizen

David Ward, Loudoun County Building & Development

Pat McIlvaine, Loudoun County Soil and Water Conservation District

Kurt J. McCoy, US Geological Survey (USGS)

Jim Sawyer, Fauquier County Community Development

Charlie Lunsford, VA Department of Environmental Quality (DEQ)

Sarah Marsala, VA Department of Environmental Quality (DEQ)

Tom Turner, John Marshall Soil and Water Conservation District

Chris Van Vlack, Loudoun Soil and Water Conservation District

Katie Ranger, VA Department of Environmental Quality (DEQ)

Meeting Minutes:

The meeting began with the distribution of hand outs and introductions of all attendees. May Sligh, DEQ, Heidi Moltz and Scott Kaiser, ICPRB, asked the group specific questions pertaining to various aspects of the Upper Goose Creek Total Maximum Daily Load (TMDL)-Implementation Plan (IP) Best Management Practices (BMP) recommendations in an effort to identify which solutions would be most successful, practical and realistic in achieving the proposed necessary bacteria reduction percentages. They also answered questions regarding the various cost share programs, collected data, TMDL and the implementation process. The group shared the following comments:

- When reviewing page 1 of the Overview of Practices/Programs table, it was recommended that potential control measure SL-1, permanent long term vegetative cover on cropland, be added;
- Table 3 on page 7 of the Overview of Practices/Programs was discussed and concern was expressed regarding Reforestation of Erodible Cropland and Pastureland (FR-1). While there has not been reforestation in the watershed over the past several years, with the potential of nutrient management trading now available, the estimate of 2600 units may now be attainable when considering mitigation acreages. However, it was noted that the Farm Bureau is not in support of the practice as it takes farmland out of farming completely;
- Table 4 on page 10 of the Overview of Practices/Programs hand out was reviewed and discussed. Attendees felt the Community Manure Composting Facility practice was an interesting idea but expressed concern on the logistics of implementing it. Transportation would need to be addressed, and a connection to homeowners wanting the compost would need to be established. Spotsylvania has a successful program in place through a collection site at the landfill. Making the practice a public-private enterprise was recommended. An educational piece would also be needed to address proper manure management;
- When discussing Small Acreage Grazing Systems (SL-6AT) (Table 4, page 10) it was suggested that the units be changed to 5 in Upper Goose Creek and to 5 in Cromwells Run and 5 in Little River. Attendees noted that there was a huge educational opportunity to address overgrazing, rotational grazing, proper distribution of manure, etc. within the equine community as there are many horse owners. A demonstration farm might be helpful. It was recommended that SL-6 have cost share available to equine operations within the Upper Goose TMDL IP area that meet the production agriculture criteria, although it was decided in the end to bump up the SL-6AT numbers in each watershed (5 per watershed)Loudoun County currently has a local government cost share program available to horse owners who are “non-income producing” (Horse and Small Farm Program) and all funding is used completely each year;
- Under Equine Manure Storage and Composting, it was recommended that the narrative and corrective action language go into more detail about what it is and how to implement it—should reference NRCS EQIP 317 Composting Facility practice with engineering and design specifications. A schematic should also be included. Specifications used in the Spout Run 319 funded project in Clarke County may also be helpful;
- Tables 5 and 6 (pages 11 and 12 of the Overview of Practices/Programs hand out) was reviewed and discussed. DEQ and VDH defined what “failure” qualifies as under their programs and discussed what constitutes a repair versus a replacement. For VDH, a failure is defined as a septic system with sewage on the ground, in the home or contamination of ground water. VDH currently is reviewing a draft policy that’s purpose is to aid staff in correctly identifying permit applications as voluntary upgrades or repairs. A voluntary upgrade means an improvement to an existing onsite sewage disposal system or alternative discharging system that (i) is not required for compliance with any law or regulations and (ii) results in no net increase in the permitted volume or strength of sewage dispersed by the system. The local health department estimates that 70-80% of the repair permits they currently receive as repairs may fall into the category of voluntary upgrade. Voluntary upgrades will not require enforcement in the new policy; however, malfunctioning septic systems must be corrected within 60 days and civil penalties will apply for non-compliance. DEQ stressed that while the estimated numbers of BMPs identified in the TMDL-IP are not fixed, it is important to be realistic in the estimates so that enough funding can be set aside to properly implement the practices needed to achieve the reduction percentages successfully. The estimates do not need to be exact but they do need to be realistic;
- An inquiry was put forth with regard to Table 6 (page 12) requesting an explanation of the Program Division Percentage column. Does the table read that 89% of all septic fields are expected to fail? To

which Heidi Moltz explained that it is estimated that 89% of the failed septic systems would be fixed using Septic System Repair RB-3;

- Table 6 (page 12) estimates 21 septic connection to public sewer system (RB-2) in the Little River watershed. Loudoun County completed a Water and Wastewater Needs Assessment in 2011 that may offer some guidance. In Loudoun County approval to be connected to public sewer is reviewed on a case by case basis. Fauquier County has not had any public connections to sewer anytime recently. It was stated that the cost estimate of \$12,500 for RB-2 was low, and distance from home to sewer lines affects the cost significantly. Both counties should be contacted for a more accurate tap fee estimate;
- Attendees discussed who, if anyone, explains to the homeowner the maintenance requirements and fees involved with using alternative septic systems. VDH provides paperwork for homeowner informing them of the information, and homeowner must sign that they received and understand the information, but there is no guarantee that the homeowner actually reads the material. It was recommended that an educational tool be developed to help homeowners understand the maintenance and fees required with alternative septic systems – possibly something similar that could be on a refrigerator magnet to help them remember maintenance needs;
- It was suggested that a relationship be developed with Habitat for Humanity to help educate homeowners since often they use alternative septic systems and there was a suspicion that some current homeowners bypass these systems when they malfunction;
- An inquiry was made as to whether any cost effectiveness studies have been done on TMDL-IPs to show which BMP provide the biggest reduction percentage with the least amount of cost. DEQ has had several IPs that have provided cost effectiveness of BMPs in reducing bacteria loads that can be viewed on their website. An example would be the Upper Roanoke River TMDL IP;
- An inquiry was made as to whether the Upper Goose Creek TMDL-IP only addresses bacteria, or if it includes nitrogen and phosphorus too. DEQ stated that the Upper Goose Creek TMDL-IP addressed *E.coli* bacteria only, but other TMDLs and TMDL-IPs throughout the state have addressed phosphorus and sediment. By implementing the BMPs to reduce the bacteria load, often sediment, nitrogen and other pollutants are reduced as well. The Chesapeake Bay TMDL addresses nitrogen, phosphorus and sediment;
- Attendees reviewed and discussed Table 7 (page 13). Currently, DEQ is unaware of any design specifications for confined canine units that address the management and treatment of dog feces including the liquid waste and solid waste generated. It was recommended that perhaps some 319 funding could be used towards researching BMPs for confined canine facilities. It would also be good to include a dry stack composting option which is more reasonably priced – specifications are needed for kennels and hunt clubs. Fauquier County would be very interested in any recommendations for confined canine facilities as they receive many permit requests for kennel operations. Currently, Fauquier requires kennels to include a plan for pet waste management when applying for a permit, which includes composting it or taking it to the landfill. An educational component including surveys to pet owners on what motivates them to pick up after their pets (similar to ones developed for the Upper York Watershed) was suggested, as well as the addition of leash bag holders to the educational program as an incentive;
- Recommended outlets for education and outreach include realtors, school districts, farm day events and brochures distributed at farmers markets;
- The Potential Funding Sources section (page 15) was reviewed and discussed. The Virginia Department of Forestry may be an opportunity for funding tree plantings through the Virginia Trees for Clean Water grant;
- Roles and Responsibilities of Government Agencies in the TMDL IP will include the Soil and Water Districts, NRCS, Department of Forestry and Health Department;
- Monitoring during implementation may be done through the Goose Creek Association's Citizen Monitoring Program. One opportunity would be to provide 319 grant funds to provide training to the Goose Creek Association so they can become level 3 certified with DEQ;

- An attendee mentioned that Fauquier County has a leash law (with a leash law in place there is greater likelihood that dog owners will pick up after their dogs);
- A representative from the Government Working Group will provide a summary of the recommendations to the Steering Committee and help review the draft IP. David Ward volunteered to be the representative;
- An inquiry was made as to how far bacteria travel downstream and if the model accounts for die off. DEQ stated that the model does account for die off but that it is difficult to determine where bacteria originate, making it hard to determine how far it travels downstream. In addition the environment dictates how the bacteria regrow and its life expectancy, such as a nutrient rich area contributing to bacteria growth;
- An inquiry was made as to whether or not bacterial source tracking (BST) was done for this project. DEQ stated that bacterial source tracking was completed for the TMDLs but the method used is not as accurate as molecular testing (e.g. DNA), which is quite expensive. More information about the BST analysis used in the Goose Creek Bacteria TMDL can be found on page 18 of the TMDL document, <http://www.deq.virginia.gov/portals/0/DEQ/Water/TMDL/apptmdls/potrivr/goose.pdf>

Following the review and discussion on the hand-outs, Kurt McCoy, USGS, gave an overview on the work USGS is doing for Fauquier County. Fauquier requested assistance from USGS to help them look at developing a holistic water budget for the county. Specifically, they are looking at how the changes in precipitation (drought) will affect the water budget and how fast the ground water is discharged to the stream. It will be a five year study and monitoring stations and instruments will be installed to collect data. There may be an opportunity for these monitoring stations to help with water quality measurements for the IP.

Jim Sawyer, Fauquier County, stated that Fauquier's Emergency Management Planning may be an opportunity to help with water quality monitoring as well. If funding were available to help purchase IFLOWs and other instruments, data could be collected on dissolved oxygen levels, pH, etc.

At the conclusion of the meeting, May Sligh, DEQ, stated that she has accepted another position and will be leaving DEQ on September 23, 2016. The Upper Goose Creek TMDL-IP will continue to be developed through NRO staff, and she has enjoyed collaborating with stakeholders thus far on the project.

The meeting concluded at 3:00pm.