

Rush River, Hughes River, and Hazel River TMDL Implementation Plan Development

Agricultural Working Group September 16, 2008 Meeting Summary

Group Membership

- The following individuals were present at the meeting: Augie Vogel, Beth Pastore, Bev Hunter, Bob Anderson, Bob Miller, Bob Slusser, Byron Petrauskas, Caroline Parrish, Charlie Lunsford, Chris Parrish, David Massie, Don Lock, Edward Dorsey, Greg Wichelns, Herbert M. Reynolds, Jim Gannon, Katie Conaway, Melissa H. Allen, and Phillip Hurst

Overview

- The requirement to develop a TMDL implementation plan, number of implementation plans throughout the state, and implementation progress was discussed.
- Potential practices listed in the Virginia Agricultural BMP Handbook that may be utilized during implementation were discussed
- Other BMPs such as pasture management system and manure/biosolids incorporation were noted
- Spatial analysis to determine streamside fencing (e.g., one-sided, two-sided, or none) was outlined. It was pointed out that RappFLOW had examined aerial photographs to determine stream-side buffer zones; however, it was difficult from some aerial photographs to actually tell whether there were buffers in place. To diminish this uncertainty, it will be important to cross check information with the Culpeper SWCD, NRCS, Virginia Cooperative Extension, producers, and AWG.

Education / Outreach

- Concerns that most producers in the watershed already know about BMPs and have been approached about implementing the cost-share practices. What will be different now from past?
 - It was noted in the Fauquier TMDL IP that not all farmers knew everything about all the programs available especially the new / transitional land owners or renters.
- Steps taken in the Fauquier TMDL IP included
 - Joint letter with VDH sent to all land owners in the watershed
 - Water quality letter sent to all land owners in the watershed
 - Watershed investigation to determine areas to target
 - Outreach to targeted areas from full time staff member

Cost-share / Potential Funding Sources

- CREP is a big program in Rappahannock County
- The Culpeper SWCD pointed out that it is possible to combine multiple programs in order to increase the cost-share percentage. Larger farm tracts installing buffers have a greater chance of obtaining cost-share near 100%. Typical cost-share for smaller farm tracts is 50% – 90%.
- Concerns were expressed that details for all the programs were difficult to follow. This could be a big hindrance to getting folks involved and interested in implementing BMPs. Typical paperwork associated with an easement was suggested as an appropriate style for explaining programs.
- Explanation was used that cost-share program is a trade-off => producer fences stream and receives a clean water source
- It was noted that incentive payment of \$200/ac for pasture management system detailed in the Fauquier TMDL IP was high and a lesser payment, yet to be determined, should be expected. Question was asked whether any private funding had actually been utilized to provide support for BMP implementation in the Fauquier TMDL implementation project
 - Response was private funding support was in the planning stage and not utilized to date

- Potential private funding sources mentioned were: Chesapeake Bay Funders and Friends of the Rappahannock River
 - Non-government funding may have less stringent requirements for BMP installation (e.g., shorter buffer distance) that some producers may only be willing to meet.
 - It was discussed that using two-strand electric poly-wire fencing at top of the streambank would remove the direct deposition load from livestock, but not treat the bacteria land load. Therefore, the fencing would be counted in the implementation efforts as addressing livestock direct deposition only.

Implementation Constraints / Concerns

- Stream water is easy water (i.e., easily accessible and free)
- Loss of good bottom-land pasture to buffer
- Loss of shade
 - Will portable shade structures be included in cost-share?
- Replacement of fence after a flood event
 - A 75% cost-share to replace fence is available with the SL-6 and WP-2T state cost-share practices.
- Invasive plant species in buffer
- Buffer aesthetics
 - What are the buffer maintenance requirements?

Other

- Concern was raised regarding the direct pathway to streams ditches alongside roadways provide.
- Questions were raised about what legal action could be taken to enforce implementation.
 - Agricultural Stewardship Act allows citizens to submit complaints about bad agricultural practices observed to be detrimental to the environment. The complaint is investigated by the Department of Agriculture and remedial actions prescribed if deemed necessary. Bacteria are not referenced in the act; however, will be considered in next revision.
 - House Bill 1150 directs the state to develop action plan to clean-up impaired waters, part of process will be looking at necessary regulations
- Impact farm ponds could have on bacterial loadings was discussed
- Cost estimates from Fauquier TMDL IP could be adjusted for 2008