



## **LAND USE & ENVIRONMENT COMMITTEE**

### **Meeting Minutes – August 18, 2016**

#### **Attendees:**

Matthew Aylor	Madison County
Salem Bush	Town of Culpeper
Deirdre Clark	John Marshall Soil and Water Conservation District
Michelle Edwards	Rappahannock-Rapidan Regional Commission
Josh Frederick	Orange County
Richard Jacobs	Culpeper Soil and Water Conservation District
Emily Melton	Fauquier County
James Sawyer	Fauquier County
Michael Trop	John Marshall Soil and Water Conservation District
Kerry Wharton	Fauquier County

#### **Locality Roundtable Discussion**

Michelle Edwards began the discussion by asking each local government staff in attendance to provide an overview of their localities' current and planned activities related to the environment, natural resources, recreation or land use, including any challenges and opportunities for potential regional collaboration.

#### ***Fauquier County***

James Sawyer stated that Fauquier County commissioned the United States Geological Survey (USGS) to study the County's groundwater, specifically looking at the interplay between surface and groundwater. This five-year process will not identify fracture lines, but will give the County a general sense of groundwater levels and recharge areas. The study will cost approximately \$550,000 and will be conducted county-wide.

Michael Trop asked whether the study will include private wells. Mr. Sawyer responded that USGS will focus on public wells during phase 1 of the study, and then conduct random well testing of public and private wells in phase 2. Study data will be publicly available on the USGS website, and the County will provide a link from its website as well.

Kerry Wharton provided an overview of the County's stormwater management program activities. Over the last year, the County has been implementing a new program and are now

fully staffed. County staff are working on new regulations for annual inspection of stormwater best management practices (BMPs) and also educating contractors on Stormwater Pollution Prevention Plan (SWPPP) requirements, including development of a SWPPP template.

Ms. Wharton noted addressing the issue of failing stormwater BMPs on private property has been a challenge. County staff have been attempting to educate homeowner associations on maintenance. Ms. Edwards asked whether the County has conducted an assessment of existing stormwater BMPs within the County, to which Ms. Wharton answered yes. Mr. Aylor asked what the County does when it discovers a failing BMP, and whether they contact the landowner. Ms. Wharton responded yes they do contact the landowner. Staff catch failing BMPs through inspections and complaints, send a letter to the landowner and then schedule a meeting with the landowner. The County has not taken anyone to court for a failing BMP yet, and instead staff try to offer technical assistance. However, it is a growing issue, with the potential for serious safety and economic consequences. Pursuing more advanced enforcement would require support from the local board of supervisors, and past efforts at conveying the need have not been successful.

Ms. Edwards asked whether it would be helpful for RRRC to develop a presentation to inform elected officials throughout the region of this issue. Locality staff present agreed that this would be helpful in their work, because they are all experiencing similar issues with failing stormwater BMPs. Ms. Edwards agreed to speak with Patrick Mauney, RRRC Executive Director, concerning development of a presentation that could be delivered during a Regional Commission meeting and shared with locality staff for their local outreach. Ms. Edwards stated she will also put out a request to committee members for pictures and input. Emily Melton stated that a FAQ sheet on BMP maintenance would also be helpful.

Deirdre Clark asked whether there are any plans to address design standards in Fauquier County, to which Ms. Wharton replied not currently. Salem Bush noted that the Town of Culpeper does an annual ordinance review that addresses design standards to some degree. Ms. Clark stated that the County no longer submits construction plans to the Department of Forestry and John Marshall Soil and Water Conservation District (SWCD) for review and comment. She inquired whether the County could begin doing so again. Ms. Wharton replied that she will look into the possibility.

### ***Madison County***

Matthew Aylor stated that a large poultry house is being built in Madison County, and staff have had difficulty getting the land owner to comply with Erosion and Sediment Control Regulations. Ms. Wharton asked whether false agriculture exemption claims are an issue in the County, to which Mr. Aylor replied yes. Josh Frederick stated that such false claims are also an issue in Orange County.

### ***Town of Culpeper***

Salem Bush provided an overview of the Town of Culpeper's dam modification projects on Lake Pelham and Mt Run. These eighteen-month projects are planned to begin in 2017 and end in 2018. Projects are partially funded through the USDA Natural Resource Conservation Service. Additional information on the dam modification projects can be found on the USDA Project Fact Sheets at [www.nrcs.usda.gov/wps/portal/nrcs/main/va/programs/planning/wr/](http://www.nrcs.usda.gov/wps/portal/nrcs/main/va/programs/planning/wr/). Mr. Bush noted

that flooding and failing stormwater BMPs have also been an issue in the Town.

The Town plans to develop a connector trail between Yowell Meadow Park and Lake Pelham in spring 2017. New trails are also planned within the park behind Safeway and connecting to Yowell Meadow Park in 2017-2018. Mr. Bush also discussed pet waste issues the Town has been experiencing at its dog park. Ms. Melton suggested the large size of the park may cause a problem for users trying to keep track of their dog's waste as the animal runs. Ms. Edwards mentioned that RRRC has a pet waste management program that provides cost-share funding and outreach in watersheds where TMDL Implementation Plans are being carried out. Jenny Biché can be contacted at [jkbiche@rrregion.org](mailto:jkbiche@rrregion.org) or (540) 829-7450 for further information at

### ***Orange County***

Josh Frederick provided an update on Orange County's environmental programs. The County recently changed its bonding process to bond both erosion and sediment control and stormwater BMPs even though the County has opted out of administering its own stormwater management program. As-built drawings are also now required before bond release.

Ms. Melton asked whether the Virginia Department of Environmental Quality (DEQ) reviews as-builts for opt-out localities. Richard Jacobs responded now that Taddrick Page has filled the long-vacant position in DEQ's Northern Regional Office, he will at least be conducting final inspections, which should include review of as-built drawings. Ms. Edwards asked how the DEQ stormwater plan review and inspection processes have been going for opt-out localities. Those present concurred that DEQ reviewed plans within two weeks in the past, but has recently been very slow due to workload. Inspections have not been occurring over the last year due to staff turnover, but with new staff on board that should change.

Mr. Frederick noted that Orange County has set aside matching funds for the Montpelier connector trail with plans to pursue a Virginia Transportation Alternatives Program grant. The trail would stretch almost two miles along the railroad line from the Town of Orange to Montpelier.

### **RRRC Initiative Updates**

***Michelle Edwards, RRRC***

#### ***Upper Goose Creek TMDL Implementation Plan***

Ms. Edwards relayed the following update provided by Jenny Biché, RRRC, regarding the status of the Upper Goose Creek TMDL Implementation Plan. The Upper Goose Creek watershed covers parts of Fauquier and Loudoun counties, including Cromwells Run, Little River, Upper Goose Creek and some of its unnamed tributaries (see the attached handout for a map depicting the boundaries).

The first public meeting for the project was held on June 21, 2016 at Wakefield School in The Plains. The meeting was well attended with representation from homeowners, farmers, non-profits, agencies and local government and participation from both Fauquier and Loudoun counties. DEQ and their consultants from the Interstate Commission on the Potomac River

Basin gave an update on the TMDL and an overview of the Implementation Plan process. Kevin Jennings, Farm Manager at Kinloch Farms, presented his experience utilizing DEQ's BMPs and cost share programs on Archwood Farms in The Plains. All meeting presentations, minutes and materials are available on RRRC's website and at on DEQ's website at [www.deq.virginia.gov/Programs/Water/WaterQualityInformationTMDLs/TMDL/TMDLImplementation/TMDLImplementationProgress.aspx#Goo](http://www.deq.virginia.gov/Programs/Water/WaterQualityInformationTMDLs/TMDL/TMDLImplementation/TMDLImplementationProgress.aspx#Goo).

After the presentations, the Agricultural Working Group and Residential Working Group meetings were held during which input from attendees was gathered. The Government Working Group meeting will be held on September 8, 2016 from 1-3pm at Tri-County Feeds in Marshall. The second meeting for the Agricultural and Residential Working Groups will be held on September 22, 2016 from 6-8pm at the Fauquier Livestock Exchange. Land Use and Environment Committee Members were encouraged to attend and assist in passing on the meeting information to their contacts.

For additional information on the Upper Goose Creek TMDL Implementation Plan, please contact Jenny Biché at [jkbiche@rrregion.org](mailto:jkbiche@rrregion.org) or (540) 829-7450.

### ***Pet Waste Cost-share Program***

Ms. Edwards relayed the following update provided by Ms. Biché regarding the Upper York Pet Waste cost-share program. The program has increased the amount of cost share DEQ will provide towards the purchase of a pet waste composter. The composters retail for \$50 but pet owners who reside in the Upper York watershed are eligible for a 75% discount, making the total cost to them \$12.50. One composter serves 2 large dogs or 4 small dogs. The program operates on a reimbursement basis. In order to receive reimbursement, individuals must purchase and install the composter, photograph it, and then send both the picture and completed cost-share form to Ms. Biché. Residents have until December 31, 2016 to take advantage of this offer.

The Town of Orange will receive two additional pet waste stations and the Town of Gordonsville will receive one more. Leash bag holders and brochures on proper pet waste management have also been distributed throughout the watershed and more are available.

Ms. Biché is seeking recommendations on where she can advertise the program (newsletters, events where she can have a table, etc.). Currently they are displayed at the Orange Animal Shelter and each of the 3 vets in the county (2 in Orange and 1 in Gordonsville). For additional information on the pet waste management program or to provide recommendations, please contact Jenny Biché at [jkbiche@rrregion.org](mailto:jkbiche@rrregion.org) or (540) 829-7450.

### ***Regional Food Policy Council***

The Rappahannock-Rapidan Food Policy Council has met monthly since its first meeting in April. A handout listing the current council members was distributed (see attached). The Council has been focusing on development of a local food marketing campaign for the region, which is one of the nine priority projects in the regional food system plan. To fund the campaign, RRRC applied for a USDA Farmers Market Promotion Program grant in partnership with the Piedmont Environmental Council, and Culpeper and Madison Farmers Markets. The Regional Commission also plans to apply for a Make It Happen Grant from the Path Foundation

in order to fund a consultant to conduct a local foods branding effort. The Council has also provided input on the George Washington Carver Agriculture Research Center's work plan at the Center's request.

The Council's next meeting will be held August 30 at 6:30pm in the RRRC conference room [Update: the Council's September meeting will be held on the 26<sup>th</sup> at 6:30pm in the RRRC conference room]. While only appointed members may vote, meetings are open to the public and participation in the discussions is encouraged. For further information about the regional Rappahannock-Rapidan Food Policy Council, including upcoming meetings, please contact Michelle Edwards at (540) 829-7450 or [medwards@rrregion.org](mailto:medwards@rrregion.org), or visit RRRC's Regional Food System webpage at [www.rrregion.org/foodsystem.html](http://www.rrregion.org/foodsystem.html).

### **Member Roundtable**

- **Michael Trop, John Marshall SWCD** – the Virginia Conservation Assistance Program (VCAP) is now underway throughout the Chesapeake Bay Watershed of Virginia. This program provides cost-share funding for urban BMPs. Go to <http://vaswcd.org/vcap> or contact your local SWCD for more information. Additionally, 100% cost-share for agricultural stream-fencing is over, but the SWCD is still dealing with the backlog.
- **Richard Jacobs, Culpeper SWCD** – Agricultural cost-share backlog is currently the largest concern for the SWCD, which totals approximately \$3 million. The District will be hiring two additional staff to address this issue. In discussion with DEQ concerning next year's VCAP funding, it may include funding for pet waste stations and equine cost-share.

Mr. Jacobs also noted that the Virginia Environmental Professionals Organization will be holding their annual training workshop on September 27<sup>th</sup> from 8:00 am to 12:00noon. The training will be located at the Spotsylvania School Administration Building board meeting room at 8020 River Stone Dr. in Fredericksburg. Content will focus on resources for continuing stormwater-BMP design, maintenance and inspections, as well as updates by the Army Corps of Engineers and DEQ. Additional information can be found at <http://vaepo.org/questions/vaepo-conference-details-sept-27-spotsylvania-school-admin-bldg>.

### **Next Land Use & Environment Committee Meeting:**

The next Land Use and Environment Committee meeting is scheduled for November 17, 2016 at 10:00 am – 12:00 noon in the RRRC conference room. Staff of the Department of Conservation and Recreation will be providing information on the Virginia Outdoors Plan annual update and seeking input from localities and other stakeholders. Localities are strongly encouraged to provide updates on current and planned outdoor recreation projects during the meeting, especially if they may be seeking grant funding in the next several years. Planned projects listed in the Virginia Outdoors Plan receive additional points when applying for DCR grant funds.

Ms. Edwards will be asking Eldon James, Rappahannock River Basin Commission, to present on the Healthy Watershed Forest initiative at the Committee's fall 2016 or winter 2017 meeting.

The River Basin Commission and Department of Forestry's joint-initiative seeks to provide credit for forest preservation in the Chesapeake Bay Model. It also explores other incentive-based tools localities can utilize that benefit the locality and land owner as well as preserve green space.

Please provide any suggestions for future meeting topics to Michelle Edwards at [medwards@rrregion.org](mailto:medwards@rrregion.org).