MINUTES
Cedar Run, Mine Run, Mountain Run, and Lower Rapidan River Implementation Plan
1st Community Engagement Meeting

WHEN: **April 12th, 2024; 10:00 a.m.**
WHERE: **George Washington Carver Agricultural Research Center**

ATTENDEES:

- Department of Environmental Quality (DEQ)
  - Madison Whitehurst – NPS Data Coordinator – Central Office/PRO, VRO
  - Kaitlin King – NPS Coordinator – Central Office/NRO
  - Ashley Wendt – Technical Reviewer
  - Melissa Secor – NPS Projects Coordinator
  - Karen Kline – Watershed Modeler
  - Gwen McCrea – Environmental Justice Coordinator NRO
  - Justin Williams – Director, Office of Watershed & Local Government Assistance
- Greg Wichelns, Culpeper Soil and Water Conservation District
- Cheyenne Sheridan, Culpeper Soil and Water Conservation District
- Harrison Premen, Culpeper Planning and Zoning
- Susan Gugino, Board of Supervisors
- Don McCown, Piedmont Environmental Council
- Emily Bourdon, Virginia Dept of Health
- Caleb Pellmann, American Climate Partners
- Michelle Edwards, Rappahannock Rapidan Regional Commission
- Clare Mangum, Virginia Dept. of Health – Environmental Health
- Katherine Merten, Virginia Dept. of Health
- Emily Bourdon, Virginia Dept. of Health
- Jennifer Cosby, Resident
- Eugene Triplett, Resident
- Carl Stafford, Virginia Cooperative Extension Culpeper
- Roland Terrell, Small Farm Outreach Program
- Tom Louher, Cedar Mountain Stone

Meeting purpose: To get initial feedback on the status of the bacteria sources in Cedar Run, Mine Run, Mountain Run and Lower Rapidan River in Orange, Culpeper, and Spotsylvania counties. The goal of this is to have discussion with the community on ways to reduce the bacteria sources in the watershed with best management practices, outreach/education and partnerships; and discuss next steps.

Kaitlin King (DEQ) gave a brief introduction of the meeting purpose, gave an overview of Virginia's water quality process, both the bacteria Mountain Run and Mine Run TMDL (approved in 2005) and the bacteria Rapidan River Basin (approved in 2007), what a Clean Up Plan is/is not and next steps/timeline to complete the plan. After the project overview the group discussed in detail through the data presented on septic, pet waste, and agricultural best management practices to reduce bacteria loads in the watershed.

There will be at least one more Community Engagement meeting in the Summer 2024 to go into more detail on the updated data, local needs/interests, types of practices, potential partners, and funding sources so that a draft plan can be developed by August/September 2024. The final public meeting (with the draft plan) is tentatively planned for August/September 2024. It is anticipated that the plan will be approved by EPA Winter 2024/Spring 2025 allowing potential applicants to apply to the Request for Applications (RFA) in Summer 2025 and accepted applicants receiving funds in Fall/Winter 2026.

Meeting Notes:

Slide 9 From the TMDL Study: Bacteria Load Reductions:
The bacteria load reductions show that 0% of bacteria reductions is required from wildlife direct deposition into the streams to meet the delisting criteria. There are wildlife sources of bacteria in this watershed but no reductions needed to meet the delisting criteria. The way the reduction percentages were calculated in the Total Maximum Daily Load (TMDL) plan was taking into account on what reductions are needed from anthropogenic sources that we can control and can these sources meet the delisting criteria alone. Wildlife will be mentioned in the development plan and if there are any plans to address wildlife or resources in the area known during development these can be included in the plan as well.

Question: Why is a straight pipe not a point source? Point sources would be considered in the TMDL focusing on permitted point sources which include only the individual municipal or general domestic sewage permits which are classified as a “Virginia Pollutant Discharge Elimination System.” The straight pipes within the Implementation Plan Clean Up Study process are referring to nonpoint source related straight pipes that are non-permitted and can be considered a pipe directly depositing non-treated sewage from a home into a stream, or a septic tank that has no drainfield and is located within 200 feet of a stream.

Slide 10 Residential Overview:

The houses estimated to be on failing septic systems is based on an assume failing rate. The base data will be updated for the next community engagement meeting and reapplied with the assumption. Pending DEQ can receive an updated assumption for this report to apply to the model.

Since TMDL development in 2005 there have been two large housing booms in the watershed which may impact this data when it’s updated. There was a question on if there is any data on the number of septic systems that are pumped out. This is not recorded anywhere consistently that we know of aside the numbers under active 319 projects for paid pump-outs.

An issue/concern in the area is that there are individuals who have a permit to fix a septic issue but they don’t follow through on fixing the issue (for unknown reasons) which leads to a continued failing system.

Slide 11 What Changes Have You Seen in the Watersheds?
A lot of new homes are being built and current housing stock continues to age. The number of straight pipes listed in the previous slide for houses seems low. Houses with straight pipes is including homes with no septic system. The number of straight pipes is low specifically looking at Potato Run. Wilderness Run lists 0 which doesn't seem accurate.

There hasn't been any expansion out of Cedar Run. The number 77 seems high. May want to contact someone else in Culpeper County to get confirmation on this number of provided a more accurate number.

Slide 12 Potential Residential Wastewater Practices to Reduce Bacteria Load
The question was asked if 319 is regulated. The answer is no 319 funding and an implementation plan clean up study are all supporting voluntary cost-share practices that are nonpoint source. Point sources are regulated which were addressed during the TMDL study and reviewed during the implementation plan, but not governed. If a septic system is under a DEQ general permit 319 funding cannot be used on that system. A permit through VDH to perform septic work is different than a general permit for a discharge system provided by DEQ.

Clarification on the RB-5 BMP Alternative On-site Waste Treatment System: Installation of an alternative onsite sewage system to correct a malfunctioning or failing conventional onsite sewage system, malfunctioning or failing alternative onsite sewage system, or to replace an identified non-complying discharging system (e.g., straight pipe) in situations where installation or replacement of a conventional onsite sewage system cannot be permitted. An alternative onsite sewage system means a treatment works that is not a conventional onsite sewage system.

Slide 13 Residential BMPs Installed Since 2005:
There was a question about RB-4s requiring a permit. We require a permitted installer but cannot contribute 319 funding if the system is under a DEQ/EPA general permit.

Slide 14 Potential Pet Waste Practices to Reduce Bacteria Load
A note was made about that digesters that go into the ground. When other organizations have tried implementing this practice they struggled a lot with finding people who needed them. It is likely we would not want to include that practice as the community doesn't seem to have any need or interest for them.

Slide 15 and 16 What Needs to be Done to Address Residential Septic/Pet Waste Sources of Bacteria
When it comes to repairs versus replacements a rough estimate would be saying 3 out of 10 systems in the watershed would be a repair with the remaining 7 being a replacements. This was a rough estimate brought up during discussions. In Potato Run the soil does not percolate and it is likely 9 out of 10 houses would need an alternative septic system.

For pet waste station placement it would be likely that Lake of the Woods would be using them. In terms of existing funding there is SWAP and SERCAP through VDH. The SWAP funds have all been allocated recently though and there is not much in the way of available funding through these programs at the moment.

Slide 18 Agriculture BMPs Installed Since 2005
It seems that the amounts of systems installed and acres are not up to date. DEQ will follow up on this data and provide an updated table for the next community engagement meeting.

Slide 20 Potential Agriculture Practices to Reduce Bacteria Load
This watershed area would likely have a strong interest in confined feeding facilities which would fall underneath the categorization of a WP-4 Animal Waste Control Facility. It is estimated that the cost for WP-4s should be higher in the table.

During this discussion the question was raised about nutrient loads. Because this implementation plan is only addressing bacteria it will not go into the detail on any nutrient loads in the watershed. However, there are resources on DEQ and EPA's website to look at this watershed on a map and look at the other impairments in the area which could be associated to sediment and nutrient loads. Reach out to a DEQ staff member for more information.

Slide 21 and 22 What Needs to be Done to Address Agricultural Sources of Bacteria
When it comes to community interest with to what extent feet of a buffer landowners will likely install, 25 and 35 feet buffers are the most common. 50 feet buffers do occur just maybe will not occur as often.

This watershed area is seeing an increase in new farmers and these new farmers will likely need stream exclusion practices. Agricultural cost-share is still really popular. People are doing cover crops, however they seem to not be as popular as they used to be but it's still worth including in the plan.