

**POTOMAC WATERSHED ROUNDTABLE**  
**Quarterly Meeting – July 10, 2015**  
**Stratford Hall, Stratford**

**MINUTES**

**Members and Alternates**

Hon. Woody Hynson, 2<sup>nd</sup> Vice Chair, Voting Member, Westmoreland County  
Jim Christian, Voting Member, Loudoun SWCD  
Hon. Deirdre Clark, Voting Member, John Marshall SWCD  
Kristen Conrad-Buhls, Advisory Member, Virginia Cooperative Extension  
Curtis Dalpra, Voting Alternate, Interstate Commission of the Potomac River Basin  
Hon. Michael DeMarco, Voting Member, City of Fairfax  
Hon. Johna Gagnon, Voting Alternate, Northern Virginia SWCD  
Alan Gray, Voting Member, Agriculture and Forestry (Forestry)  
Charles Grymes, Voting Alternate, Environment  
Hon. Art Hart, Voting Member, Tri-County/City SWCD  
Bruce Holley, Voting Member, Citizen of the Watershed  
Hon. Chip Jones, Voting Alternate, Northern Neck SWCD  
Hon. John Kelley, Voting Member, Northern Neck SWCD  
Jim McGlone, Advisory Member, VA Department of Forestry  
Stuart McKenzie, Voting Alternate, Planning District Commissions  
Conrad Meehan, Voting Member, Waste Management and Recycling  
Hon. John Peterson, Voting Member, Northern Virginia SWCD  
Michael Trop, Voting Alternate, John Marshall SWCD  
Hon. Elizabeth Ward, Voting Alternate, Prince William SWCD

**Interested Parties**

Mike Alter, Clear Creek Associates  
Jon Bachman, Stratford Hall  
Tom Broderick, Loudoun Water  
Kathy Clarke, Northern Neck SWCD  
Chad Crawford, Fairfax County MSMD  
Jason Early, Clear Creek Associates  
David Ek, Fauquier County  
Mimi Faha, Stafford County  
Elizabeth Friel, Northern Neck Land Conservancy  
Laura Grape, Northern Virginia SWCD  
Maria Harwood, Northern Virginia SWCD  
Thomas Howlett, Northern Virginia SWCD  
Denise James, Fairfax County DPZ  
Frank Johnson, Northern Neck SWCD  
Sam Johnson, Northern Neck SWCD  
Veronica Tangiri, Prince William SWCD

Valerie Tucker, Fairfax County DPWES  
Roy Van Houten, WSSI  
Kathleen Watson, Northern Neck SWCD

**Call to Order and Welcome.** Mr. Hynson called the meeting to order at 10:08 a.m., expressed his appreciation to the Northern Neck Soil and Water Conservation District for hosting the meeting, and invited everyone to introduce themselves.

**Welcome.** Mr. Jones welcomed everyone to Stratford Hall, the birthplace of Robert E. Lee.

**Approval of Minutes.** A **motion** (Peterson-Meehan) passed to approve the minutes of the April 9, 2015 meeting in Stafford, VA, with two abstentions (Kelley, DeMarco).

**Review of the Potomac Council.** Mr. Peterson announced that the Potomac Council, the administrative arm of the Potomac Watershed Roundtable, has decided to review their charter. He requested that any comments or suggestions on the charter be sent to Mrs. Grape by August 1<sup>st</sup>. The current charter, which was last amended in 2003, is available on the Potomac Council's website.

**Update on Northern Neck Soil and Water Conservation District Activities.** Mr. Johnson provided a review of the programs that NNSWCD provides to the community. They develop resource management plans for farmers, engage the public in educational campaigns on the causes of bacterial impairments in waterways, co-hold four conservation easements, and sponsor numerous environmental education programs for youth.

**Conservation Easements on the Northern Neck.** Ms. Friel, the Executive Director of the Northern Neck Land Conservancy, presented on the status of conservation easements in the Northern Neck. The Northern Neck Land Conservancy (NNLC) is the only land trust in the Northern Neck founded in 2004. Since then NNLC has protected over 15,000 acres. They work in close partnership with the Virginia Outdoors Foundation and are accredited by the National Land Trust Alliance. They are one of only eight land trusts accredited in Virginia. NNLC works to preserve the rural heritage of the Northern Neck for future generations through deed of easement in Virginia. This special tool allows for land to be held in perpetuity. She shared that land conservation is driven by landowners and their willingness and passion for conserving land in its current state. NNLC reaches out to potential partners and the youth sharing the availability of tax credits and options for estate planning.

Mr. Kelley added that easements are not prevented from eminent domain by the government. Mr. Holley shared that easements do not prohibit fracking. Ms. Friel shared that easements allow farming, fishing, forestry, hunting, and limited development rights. Virginia Outdoors Foundation does not deal with easements less than 100 acres in size, so NNLC fills that important gap for smaller sized easements. Mr. McGlone shared that forested management plans are required in drafting conservation easements. Mr. Hynson asked how a conservation easement is different from land passed down to family members in a will. Ms. Friel answered that a deed of easement is a fine tuned instrument that provides financial incentives now and that there are state and federal funds available to help purchase easements. Mr. Hart asked for the definition of an easement. Ms. Friel responded that it is a voluntary tool to conserve a characteristic of land use forever. Ms. Buhls

suggested that speaking with a tax advisor can help clarify the type of tax credits available by setting up a conservation easement.

**VASWCD Legislative Subcommittee on Fracking Update.** Mr. Jones provided a copy of a draft policy developed by the Virginia Association of Soil and Water Conservation District (VASWCD) Legislative Sub-committee on Fracking. The policy will be presented to the VASWCD Board of Directors for their consideration at their September 2015 meeting. The subcommittee, which includes representatives from 10 Soil and Water Conservation Districts and staffed by VASWCD has been working since January 2015, researching implications to the Eastern Virginia Groundwater Management Area, the focus of the policy document due to its unique geologic formation. The proposed policy supports revisions of the Virginia Oil & Gas Act to allow for additional research, review existing regulations, strengthen processes, require minimum engineering and management requirements, require bonding, and ensure adequate funding for all regulatory agencies involved.

Mr. Holley suggested that fracking could be considered under a special use permit, which issued locally. He shared that localities should be able to opt-out of fracking by referendum. Local governments can ban it from their jurisdictions. Mr. Kelley suggested that language be added to the policy that restricts the ability of state employees to work for oil and gas industries, such as a non-compete clause. In response to Mr. Meehan's question regarding the disposal location of fracking wastewater, Mr. Jones shared that it needs to be disclosed in the fracking plan. Ms. Ward continued by sharing an example from Pennsylvania that place their wastewater in ponds, provide treatment, and then inject it into a deep well. Ms. Clark mentioned that the disposal or source of water used in fracking could impact local jurisdictions surrounding areas that are fracking. Mr. McKenzie suggested understanding how Nitrogen injection and fracking might affect Chesapeake Bay goals. In response to a question about the possibility of full site remediation, Ms. Ward mentioned that there is a mechanism that exists for an insurance fund, or "remediation funds," based upon the costs associated with a worst case scenario. Ms. Gagnon and Mr. Ek suggested defining items in item 5 of the policy in order to clarify what specifically is necessary to address the concerns, including targeted parameters, such as funding legal work in addition to bonding and defining joint liability.

Mr. Jones expressed his appreciation for the constructive feedback and shared his thanks to the sub-committee members and Kendall Tyree, Executive Director with VASWCD for staffing support.

**Appreciation of Service.** Mr. Kelley shared that he will not seek re-election to the Northern Neck Soil and Water Conservation District Board of Directors in November 2015 and will therefore resolve his position on the Potomac Council and Potomac Watershed Roundtable at the end of the calendar year. Mr. Hynson expressed his sincere appreciation for his service and wished him the best of luck in his future endeavors.

**Artificial Aquifer Recharge.** Mr. Alter of Clear Creek Associates presented on the potential use of artificial aquifer recharge to address groundwater recharge issues in areas of Virginia east of Interstate 95 in the Coastal Plain. The process of natural recharge occurs very slowly, over the course of 1,000 years, so as the water level drops from pumping water out of the aquifer, pumping costs increase. As a result of the Bay TMDL, the Virginia Department of Environmental Quality

began a program to manage water in the coastal plain and the management area has recently expanded to include portions of the Northern Neck. The Franklin Paper Mill and Coles Point combined are responsible for withdrawing 40 million gallons of water a day from the aquifer, which create cones of depression and affect the aquifer beyond the state boundaries. To combat the dropping level of the aquifer, artificial aquifer recharge is an option that could be used to enhance natural groundwater supplies using man-made conveyances such as infiltration basins or injection wells. Sources of water to use include surface and treated wastewater. Mr. Alter provided examples of projects in the southwest and New Jersey. Clear Creek Associates ran a model to predict the effect of three injection wells injecting 10 million gallons of water per day for 50 years into the Potomac Aquifer. The model showed that artificial recharge could alleviate wellhead declines in the overstressed aquifer. Mr. Alter mentioned that the regulatory approval processes of such projects are still unclear. However, there seems to be general support from DEQ and EPA to explore this option in the future.

Mr. Kelley asked how long the process of getting the wells in place would take. Mr. Alter responded that design could be done in six months to a year and the well drilling would take six months. Overall about two to three years until a well would be operational.

**Stratford Cliffs and Paleontology.** Mr. Bachman presented on the prehistory of Stratford Hall. The cliffs at Stratford are estimated to be 16.5 million years old and each year undergo between 6 to 10 inches of erosion uncovering prehistoric fossils as a result of the wave action. He invited meeting participants to join him on a walk of the cliffs, at the conclusion of the meeting.

**Member Time and Announcements.**

- Mr. Dalpra announced a volunteer opportunity on July 28<sup>th</sup> to remove water chestnut from Pohick State Park.

**Adjournment.** Mr. Hynson adjourned the meeting at 2:29 p.m.

Respectfully submitted,



Laura Grape