

DCR Agricultural BMP Technical Advisory Committee (TAC) Meeting
Central High School Educational Complex Auditorium
2748 Dogtown Road, Goochland, VA
October 30, 2025
10:00 am

TIME AND PLACE

The Technical Advisory Committee met on Thursday October 30, 2025 at 10:00am at the Central High School Educational Complex Auditorium in Goochland, VA.

ATTENDANCE

Voting Members Present:

Sara Bottenfield, Chair, DCR
Aaron Shull, Headwaters SWCD
Adrienne Kotula, Chesapeake Bay Commission
Anne Marie Roberts, James River Association
Brandon Dillistin, Northern Neck SWCD
Bryan Hoffman, Friends of the Rappahannock
Tim Mize (Carrie Swanson proxy), Virginia
Cooperative Extension
Dana Gochenour, Lord Fairfax SWCD
Tim Higgs (Darrell Marshall proxy), VDACS
Eric Paulson, Virginia State Dairymen's Association
Jim Riddell, Virginia Cattlemen's Association
Justin Barnes, DOF
Keith Burgess, Monacan SWCD
Kemper Marable, Hanover-Caroline SWCD
Kevin Dunn, Peter Francisco SWCD
Luke Longanecker, VA Association of Conservation
District Employees
Jake Tabor (Martha Moore Proxy), Virginia Farm
Bureau
Matt Kowalski, Chesapeake Bay Foundation
Megen Dalton, Shenandoah Valley SWCD
Melissa Allen, John Marshall SWCD
Michael Tabor, Blue Ridge SWCD
Amy Walker (Pam Mason Proxy), Colonial SWCD
Ty Smith (Ricky Rash Proxy), Piedmont SWCD
Robert Bradford, Culpeper SWCD
Steve Escobar, VA Horse Council
Steven Meeks, VA Association of SWCDs
Trey Davis, VA Agribusiness Council
Buck Tharpe (Tricia Mays Proxy), Southside SWCD

Non-Voting Members Present:

Amanda Pennington, DCR
Ben Chester, DCR
Marie Schirmacher, DCR
Darryl Glover, DCR
James Martin, DCR
Christine Watlington-Jones, DCR
Denney Collins, DCR
Blair Gordon, DCR
Hunter Quinones, DCR
Sharon Conner, Hanover-Caroline SWCD
Hunter Gravatt, Hanover-Caroline SWCD
Abigail Ainsley, Hanover-Caroline
SWCD
Bob Waring, Colonial SWCD
Steve Jones, John Marshall SWCD
Jennifer Ciminelli, DCR
Cole Young, Headwaters SWCD
Stacey Sovick, Hanover-Caroline SWCD
Wheeler Wood, VCU
Sofia Tortolero, VCU

WELCOME

Meeting Opens (10:03 AM)

Sara Bottenfield welcomed everyone, briefly reviewed the agenda and had everyone introduce themselves.

James Martin thanked everyone for the work for this TAC cycle and stressed the importance of their service on the subcommittees. James reviewed the changes and foundational rules that had been set for this year. The waiting period of recommendations that have been tabled was previously three years and is now two years for reconsideration. The required vote for items to advance was previously 80% vote and is now two-thirds vote. Also new this year, facilitators were engaged for discussions at all TAC meetings. James welcomed feedback and suggestions and other changes for moving forward.

Beginning next year, the TAC and subcommittees will review practices in the manual cyclically every three years or a third of the manual every year; depending on what works best. The purpose is to see how practices are being used over the last three years and to provide an opportunity to update.

Wheeler Wood, facilitator with VCU L. Douglas Wilder School of Government and Public Affairs, introduced himself and reminded everyone of the facilitators' role.

Each subcommittee chair presented the items that their subcommittees advanced to the full Technical Advisory Committee. After all advanced items were voted on subcommittee chairs reviewed deferred and tabled items but did not take action. Refer to Attachment A for final subcommittee matrices.

PROGRAMMATIC SUBCOMMITTEE – Sara Bottenfield

- **1P a., c.: Motion to advance by Michael Tabor, seconded by Melissa Allen.**
 - a. Remove the following practices from the list of VACS Practices with Applicable Components: FR-1, FR-3, SL-1, SL-11.
 - c. Increase the bid threshold to \$75,000.**Passes. One abstention.**
- **5P: Motion to advance by Michael Tabor, seconded by Keith Burgess**

Update variance process in the VACS guidelines to allow a combination of BMPs, except a combination of only agronomic BMPs, that exceeds the participant cap to be eligible for a variance.

Discussion: Concerns that the recommendation is inconsistent with the intent of the variance process.
Passes. 5 opposed.

STREAM PROTECTION SUBCOMMITTEE – Ben Chester

- **1S a,b,c.: Motion to advance by Luke Longanecker, seconded by Jim Ridell.**

Change FR-3 to allow for planting the entire flood plain or a maximum of 300':

B.10 "The width of the ~~wooded~~ forested buffer will be a minimum of 35 feet from the edge of the stream bank. The entire flood plain is eligible for planting, ~~not to exceed 100 feet~~ or a maximum of 300 feet. Eligible floodplain width may be determined by the 100-year floodplain based on FEMA Flood Insurance Rate Maps or a delineation completed by a licensed professional verified by DCR. If a floodplain is not delineated, the eligible width shall not exceed 300 feet."

Passes. One abstention.

- **2S: Motion to advance by Bryan Hoffman, seconded by Jim Riddell.**
Change the name of the FR-3 practice and all other VACS manual references of “Woodland Buffer Filter Area” to “Forested Riparian Buffer”.
Discussion: Sara Bottenfield stated that this change cannot be made to all references in the VACS Manual because CREP uses the “Woodland Buffer Filter Area” term and we do not have the ability to change CREP practice names or terminology independently of FSA.
Passes. One abstention.
- **6S: Motion to advance by Trey Davis, seconded by Keith Burgess.**
Change language in the FR-3 Rates section to include “establishment and maintenance”:
C.1. The VACS payment rate is 95% of the approved estimated cost or eligible actual cost, whichever is less, plus an establishment and maintenance incentive:
i. For conifer buffers, \$100.00 per acre for a 10 year lifespan, OR \$150 per acre for a 15 year lifespan.
ii. For hardwood buffers, \$350 per acre for a 10 year lifespan, OR \$500 per acre for a 15 year lifespan.
Passes unanimously.
- **14S: Motion to advance by Eric Paulson, seconded by Steve Escobar.**
Update language in SL-6N/W/F, WP-2N/W to restrict timber harvesting within the minimum setback buffer area of the practice:
“The buffer must be maintained as perennial species for the practice lifespan. Regardless of the actual installed exclusion fence location, timber harvesting is not allowed within the minimum fence setback as approved for the practice, unless otherwise approved by DCR, DOF, and the District. Grazing (including flash grazing) and haying are not allowed in the protected riparian area during the lifespan of this practice.”
Passes. 2 Abstentions.
- **15S: Motion to advance by Luke Longanecker, seconded by Jim Riddell.**
Revise language in CCI-SL-6W to remove off-stream watering source as a required practice component.
Discussion: Sara Bottenfield offered an amendment to apply the same language to CCI-SL-6N as well as CCI-SL-6W. Amendment accepted.
Amended motion passes unanimously.
- **17S: Motion to advance by Melissa Allen, seconded by Bryan Hoffman.**
Add WP-2A Streambank Stabilization to the list of variance-eligible practices.
Passes. One abstention.

COVER CROP AND NUTRIENT MANAGEMENT SUBCOMMITTEE – Marie Schirmacher

- **1C: Motion to advance with minor edits by Kemper Marable, seconded by Trey Davis.**
Create a CCI-SL-1 practice. See Attachment B: CCI-SL-1.
Passes unanimously.
- **2C: Motion to advance by Jim Riddell, seconded by Buck Tharpe.**
Change 60% stand date from Dec. 15 to Jan 1 in SL-8, SL-8B, SL- 8H, SL-8M, and WFA-CC.
Passes. One abstention.

- **4C: Motion to advance by Matt Kowalski, seconded by Jim Riddell.**
Edit language in NM-5N and applicable WFA-NM specifications to accurately reflect the type of tests used for variable rate N application:
“iii. Variable rate nitrogen applications or zone application of nitrogen based upon supporting data or documentation (e.g. satellite imagery, yield records, tissue test, etc.) ~~soil test results of (subfield) sampling~~ on row crops, specialty crops or small grains. Other macro-micro nutrients may be applied concurrently.”

Passes unanimously.

- **8C: Motion to advance by Kemper Marable, seconded by Buck Tharpe.**
Update language in the NM-3C and corresponding sections of WFA-NM to include sidedress application of nitrogen to tobacco described as “tobacco from two to four weeks after transplanting (10-14 days for dark and burley type)” The subcommittee asked that the descriptions of growth stages for sidedress of each crop be presented in a table format.

<u>Crop</u>	<u>Growth Stage of Earliest Sidedress Application</u>
<u>Corn</u>	<u>6-leaf stage; at least 15” tall</u>
<u>Grain Sorghum</u>	<u>5-leaf stage; at least 12” tall</u>
<u>Cotton</u>	<u>Between first square and first bloom</u>
<u>Tobacco</u>	<u>Two to four weeks after transplanting (10-14 days for dark and burley type)</u>

Passes unanimously.

- **10C: Motion to advance by Michael Tabor, seconded by Melissa Allen.**
In SL-8B and SL-8M and WFA-CC:
B.9 (B.13 in SL-8M): remove third row “Winter Rye (not tetraploid)” and update first row “Rye (tetraploid)” to “Cereal Rye.”
C.4.i: remove table

Passes. One abstention.

- **11C: Motion to advance by Steve Escobar, seconded by Kemper Marable.**
Edit seeding rate to 2 lbs/ac in applicable cover crop specifications as 2 lbs/ac is an acceptable rate per Virginia Tech.

Passes unanimously.

- **14C: Motion to advance by Melissa Allen, seconded by Kemper Marable.**
Change the producer application date from April 1st to May 1st in NM-3C, NM-5N, and WFA-NM practices.

Passes unanimously.

- **16C: Motion to advance by Michael Tabor, seconded by Buck Tharpe.**
Remove the language “(May not be carried over more than two planting seasons, i.e. spring and fall.)” from Guidelines page II-43 table *Practices with One-Year Program Completion Dates Eligible for Carryover*.

Passes unanimously.

ANIMAL WASTE SUBCOMMITTEE – Amanda Pennington

- **1A: Motion to advance by Megen Dalton, seconded by Dana Gochenour.**
Make both WP-4LC and WP-4LL, whether managed as a manure pack or bedded pack, eligible for 75 square feet per animal unit loafing area, separate feed lane, and appropriately sized manure storage area.

Add to WP-4LC (B.2.v.) to match WP-4LL:

“When a feed lane is utilized, a dry stack manure storage area is authorized, sized based upon livestock time at feed bunks, up to six (6) months storage of existing need.”

Passes unanimously.

- **2A: Motion to advance by Megen Dalton, seconded by Melissa Allen.**
Revise language for the listed suite of WP-4 practices:
“Cost-share and tax credit is not authorized for... storage of manure generated outside of this facility. However, a WP-4 can be combined with this specification to store manure from additional qualifying groups.”
Passes unanimously.
- **3A: Motion to advance by Michael Tabor, seconded by Jim Riddell.**
Add to WP-4 (B.3):
“Exceptions to the six month storage criteria are: ...For poultry operations with a flock length that exceeds 90 days, storage may be provided for up to two full flocks.”
Passes unanimously.
4A: Motion to advance by Jim Riddell, seconded by Michael Tabor.
Create tax credit only BMP specification for decommissioning of manure pits. See Attachment C: WP-9 DECOMMISSIONING OF LIQUID WASTE STORAGE FACILITIES
Passes unanimously.
- **5A: Motion to advance by Michael Tabor, seconded by Megen Dalton.**
Add WQ-12 under the Practices with Two-Program Year completion date carryover section.
Passes unanimously.

OTHER TAC UPDATES

- Sara Bottenfield gave an update on the Buffer Workgroup that was formed to address suggestions that had been tabled in previous TAC years. The group convened and met twice with limited interest in discussing solutions outside of VACS. The workgroup provided input on a buffer maintenance RFP for \$2M in non-VACS funds for buffer maintenance. Applications for this funding were due October 1, 2025. There were a number of applications received across the state for more than the \$2M available, and recipients will be announced soon.
- Sara Bottenfield requested members of the TAC provide feedback on changes that were made this year and as well as next year’s manual review process.
- Discussion on how DCR is handling evaluating suggestions of handling disbursements/ funding and CP Program restructuring.

PUBLIC COMMENT

- Discussion on TAC convening every two years rather than every year, VCE CB Survey and commitment of time and effort for being involved in TAC process.

ADJOURN 12:12pm

Attachment A

Virginia Agricultural BMP Technical Advisory Committee Scope of Work: July through December 2025

MATRIX OF ADVANCED PROGRAMMATIC RECOMMENDATIONS FOR CALENDAR YEAR 2025 (CY25) TAC

Item #	Ag. BMP	Suggestion to the TAC	TAC Recommendations	DCR Supports	FY2027/2028
1P.a,c		Consider revising the Cost-Share Program Bid Process. a. Consider removing the following practices from the list of VACS Practices with Applicable Components: FR-1, FR-3, SL-1, SL-11, as the bid process is not applicable or appropriate. c. Consider increasing the bid threshold to at least \$75,000.	Advance to full TAC.		
5P		Any combination of BMPs that exceeds the participant cap should be eligible for a variance.	Update Variance process in the VACS Guidelines to allow a combination of BMPs, except a combination of only agronomic BMPs, that exceeds the participant cap to be eligible for a variance.		

MATRIX OF DEFERRED PROGRAMMATIC RECOMMENDATIONS			
Item #	Ag. BMP	Suggestion to the TAC	Reason for Deferring
1P.b		Consider revising the Cost-Share Program Bid Process. o Outline the applicable components necessitating evaluation by the bid process associated with each listed practice. Offer an exemption to the bid process if the applicable component is not a planned component of the project.	Subcommittee did not understand how the request would change the current process. Additional information will be requested from submitter.
3P		Directly spell out that conversion of agricultural land to utility scale solar is a land use change that does not conform to agronomic production which would void any BMPs under contract requiring the full repayment of any received cost share applied to those fields. The inclusion of planned grazing or “agrivoltaics” in solar contracts would not prevent the repayment of cost share funds unless a signed lease existed for the grazing rights of the solar facility and exceeded the life span of the BMP contract. If BMPs are destroyed during the construction of a solar facility, cost share must be repaid regardless of prior agreements.	The landscape of solar and agriculture is changing rapidly and subcommittee members did not feel that enough information is available currently to make a decision.
4P		VACS approval for SE-2 be made contingent upon acquisition of state permit(s): a. VACS approval is required to pay for contractor/engineer design for SE-2 practices. b. SE-2 practices require state permit approval (JPA). c. Approval of VACS funding shouldn’t precede the acquisition of the state permit (JPA). Find a process (VACS manual edit) to address this issue.	Deferred pending discussions between DCR and Districts implementing SE-2 to review the approval timeline.

MATRIX OF TABLED PROGRAMMATIC RECOMMENDATIONS			
Item #	Ag. BMP	Suggestion to the TAC	Reason for Tabling
2P		Establish a separate pot of money for CCI practices so they do not have to be ranked against other applications.	CCI practices generally rank well against other practices, and Districts may use their secondary considerations to address priority of maintenance practices.

MATRIX OF ADVANCED STREAM PROTECTION FORESTRY RECOMMENDATIONS FOR CALENDAR YEAR 2025 (CY25) TAC					
Item #	Ag. BMP	Suggestion to the TAC	TAC Recommendations	DCR Supports	FY2027/2028
1S.a,b,c		<p>Multiple suggestions regarding FR-3 planting width:</p> <ul style="list-style-type: none"> a. FR-3- “The entire flood plain is eligible for planting, not to exceed 100 feet.” Remove the “not to exceed 100 feet.”, if a producer is willing to plant an entire flood plain it should be eligible for cost-share no matter the width as long as trees are being planted in a legitimate flood plain. The Buffer Payment could remain the same but cost-share and incentive would be issued to all acres. b. Remove 100’ from stream planting requirement from FR-3 and allow FR-3 to cover plantings up to 300’ from stream. Many buffer plantings go over 100’ in width and farmers are penalized for creating larger buffers by having to switch to an FR-1 at 100’ plus. Buffer payments and buffer reporting do not stop at 100’ and the buffer planting practice should be consistent regardless of program. The FR-3 should not be limited to 100’ as it limits adoption of larger buffers. c. Years of scientific research* indicate that wider vegetated buffers not only filter out more pollutants from overland runoff, but also allow for more absorption, processing, and removal of nutrients before water makes its way to a stream. Additionally, research shows* that a buffer of 150’ is needed to support a healthy natural stream ecosystem.*citations available upon request We therefore suggest that the BMP manual be changed so that the FR-3 practice be eligible for the width of 150 feet from the top of bank (increased from 100’). 	<p>Change FR-3 to allow for planting the entire flood plain or a maximum of 300’:</p> <p>B.10 “The width of the wooded <u>forested</u> buffer will be a minimum of 35 feet from the edge of the stream bank. The entire flood plain is eligible for planting, not to exceed 100 feet <u>or a maximum of 300 feet.</u> <u>Eligible floodplain width may be determined by the 100-year floodplain based on FEMA Flood Insurance Rate Maps or a delineation completed by a licensed professional verified by DCR. If a floodplain is not delineated, the eligible width shall not exceed 300 feet.</u>”</p>		
2S		<p>Change the name of the [FR-3] practice to “Forest Riparian Buffer”.</p> <p>Justification: DCR is the only agency using this inaccurate term of “Riparian Filter”. All other agencies and groups in the conservation partnership refer to this practice as a buffer or FRB. The inaccurate use of the name filter comes from the early days of the EPA Chesapeake Bay Program where the USDA–Forest Service developed an elaborate forested riparian filter standard for use in the states. This was a three-zone practice involving the establishment of a minimum 35-foot-wide forest planting, a second shrub zone, and then a final grass zone whose outer edge was on the contour in order to achieve sheet flow runoff across the width of the buffer. This practice proved to be extremely difficult to install and was quickly modified to include only the wooded buffer. The existing DCR standard makes only a limited reference or requirement for filtering, but does nothing in regards to achieving sheet flow.</p>	<p>Advance to full TAC. Change all references to "Woodland Buffer Filter Area" in the VACS manual to "Riparian Forested Buffer".</p>		

MATRIX OF ADVANCED STREAM PROTECTION FORESTRY RECOMMENDATIONS FOR CALENDAR YEAR 2025 (CY25) TAC					
Item #	Ag. BMP	Suggestion to the TAC	TAC Recommendations	DCR Supports	FY2027/2028
		Some will occur on many sites, but without clear guidance for sheet flow across this area, the term “buffer” used by all other groups is a better and more accurate name.			
6S		<p>Modify FR-3M</p> <ul style="list-style-type: none"> · Modify B.1. to allow maintenance on FR-3 funded through VCAS and remove the language “VACS” in FR-3M B. Policies and Specifications. Part 1. · Establish a “FR-3M Initial” practice for use at 3 to 4 years after planting. · Establish a “FR-3M Follow-up” practice for use at 6 to 8 years after planting. · Establish rates as follows: FR-3M Initial - \$750 per acre FR=3M follow-up - \$1,000 per acre <p>Justification: The common theme from most of the 30-plus stakeholders convened by VDOF’s planning effort, was that maintenance is the key item for the success of forest riparian buffers. Extensive case studies exist to show where buffers failed to be adequately established were the direct result of improper, untimely, or total lack of maintenance. The existing DCR policy is a direct cause of a large degree of this failure. The existing policy states that it is the participants responsibility: “Control of noxious of noxious and invasive species plants to ensure the survival of the stand is the responsibility of the participant.” At the time this was written and adopted, the standard treatment option was to mow around the trees periodically. This did not prove to be a problem. However since adoption, specifications have changed to allow different and denser planting options. Simple mowing is no longer feasible on many sites. In addition, with over 30 years of experience, many of the problems are not noxious or invasive related. Experience has shown many native vines species have the ability to girdle and kill young trees. Over the years, it is apparent that early and regular maintenance is needed to ensure the success and survival of the initial planting. Common practices now include the use of very expensive chemicals, hand labor, hand mowing (weed eating), tree pruning, and tree tube maintenance to prevent “flopping.” As we have learned more about buffers, policies to aid in their establishment and success have not kept up with the needs to ensure their survival. The current standard is inadequate and out-of-date.</p>	<p>Deferred pending outcome of the riparian buffer maintenance RFP from DCR.</p> <p>Change language in the FR-3 Rates section to include “establishment and maintenance”:</p> <p>C.1. The VACS payment rate is 95% of the approved estimated cost or eligible actual cost, whichever is less, plus an <u>establishment and maintenance</u> incentive:</p> <ul style="list-style-type: none"> i. For conifer buffers, \$100.00 per acre for a 10 year lifespan, OR \$150 per acre for a 15 year lifespan. ii. For hardwood buffers, \$350 per acre for a 10 year lifespan, OR \$500 per acre for a 15 year lifespan. 		
14S		Specify in the program manual the limits on timber harvesting in riparian forest buffers. With some buffers now exceeding the 15 acre payment cap by 20 acres or more and 15-year lifespans in place, it needs to be specific whether tree cutting is prohibited, can only	Update language in SL-6N/W/F, WP-2N/W to restrict timber harvesting within the		

MATRIX OF ADVANCED STREAM PROTECTION FORESTRY RECOMMENDATIONS FOR CALENDAR YEAR 2025 (CY25) TAC					
Item #	Ag. BMP	Suggestion to the TAC	TAC Recommendations	DCR Supports	FY2027/2028
		be done for maintenance, select cutting is allowed, or if clear cutting is allowed as long as the forest is replanted, etc., and if part of the buffer can be left out of the practice if it is planned to be harvested during the lifespan. This needs to be clear so staff can inform participants what they are enrolling in and there are no misunderstandings between participants, staff, directors, or DCR.	<p>minimum setback buffer area of the practice:</p> <p>“The buffer must be maintained as perennial species for the practice lifespan. <u>Regardless of the actual installed exclusion fence location, timber harvesting is not allowed within the minimum fence setback as approved for the practice, unless otherwise approved by DCR, DOF, and the District.</u> Grazing (including flash grazing) and haying are not allowed in the protected riparian area during the lifespan of this practice.”</p>		
15S		Consider removing or modifying the requirement for an off-stream watering facility for the CCI-SL-6W. Consider modifying the language to allow the required off stream watering facility to be associated with an in lifespan BMP, or a different CCI. The focus of the CCI– SL-6W practice should be on capturing the exclusion and should not be dependent on the existence of a watering facility as a paid component of the practice. We do not think that allowing limited access for a CCI-SL-6W should be acceptable and understand that there is a different specification for this situation. By requiring that a CCI-SL-6W have an off-stream watering facility as a paid component of the practice, we are missing out on critical wide buffer exclusion projects, because without the required watering facility we must capture this as a CCI-SE-1, resulting in much less credit.	<p>Revise language in CCI-SL-6W to remove off-stream watering source as a required practice component:</p> <p>“This practice provides protection by fencing along all live streams or live water in a field to prevent stream bank erosion, direct deposition of animal waste and contamination of water from agricultural nonpoint sources of pollution. Stream exclusion fencing <u>is a required component of this practice</u> and an off-stream watering facility source <u>must be provided</u> are required components of this practice.”</p>		
17S		Add WP-2A Streambank Stabilization to the list of variance-eligible practices.	Advance to full TAC.		

MATRIX OF DEFERRED STREAM PROTECTION FORESTRY RECOMMENDATIONS			
Item #	Ag. BMP	Suggestion to the TAC	Reason for Deferring
6S		<p>Modify FR-3M</p> <ul style="list-style-type: none"> · Modify B.1. to allow maintenance on FR-3 funded through VCAS and remove the language “VACS” in FR-3M B. Policies and Specifications. Part 1. · Establish a “FR-3M Initial” practice for use at 3 to 4 years after planting. · Establish a “FR-3M Follow-up” practice for use at 6 to 8 years after planting. · Establish rates as follows: FR-3M Initial - \$750 per acre FR=3M follow-up - \$1,000 per acre <p>Justification: The common theme from most of the 30-plus stakeholders convened by VDOF’s planning effort, was that maintenance is the key item for the success of forest riparian buffers. Extensive case studies exist to show where buffers failed to be adequately established were the direct result of improper, untimely, or total lack of maintenance. The existing DCR policy is a direct cause of a large degree of this failure. The existing policy states that it is the participants responsibility: “Control of noxious of noxious and invasive species plants to ensure the survival of the stand is the responsibility of the participant.” At the time this was written and adopted, the standard treatment option was to mow around the trees periodically. This did not prove to be a problem. However since adoption, specifications have changed to allow different and denser planting options. Simple mowing is no longer feasible on many sites. In addition, with over 30 years of experience, many of the problems are not noxious or invasive related. Experience has shown many native vines species have the ability to girdle and kill young trees. Over the years, it is apparent that early and regular maintenance is needed to ensure the success and survival of the initial planting. Common practices now include the use of very expensive chemicals, hand labor, hand mowing (weed eating), tree pruning, and tree tube maintenance to prevent “flopping.” As we have learned more about buffers, policies to aid in their establishment and success have not kept up with the needs to ensure their survival. The current standard is inadequate and out-of-date.</p>	Deferred pending the results of the riparian forested buffer maintenance RFP.
8S		<p>Permanent Long-term shade practice (trees)- The majority of the shade on many farms is along the stream which is a major reason why farmers do not sign up for the program because their cattle lose access to shade. We propose a practice similar to the FR-1 specifically designed for cattle shade with a cost share rate of 75%. Time must be given for the trees to establish and fast growing trees native to Virginia should be prioritized.</p>	Deferred pending creation of a draft silvopasture practice specification. Bryan Hofmann agreed to spearhead creation of the draft spec, which would be a stand-alone practice with a grazing management plan required, independent of stream exclusion.

MATRIX OF DEFERRED STREAM PROTECTION FORESTRY RECOMMENDATIONS			
Item #	Ag. BMP	Suggestion to the TAC	Reason for Deferring
9S		<p>Multiple suggestions related to <35' field borders:</p> <ul style="list-style-type: none"> a. Offer cost-share for crop field buffers less than 35': the width of border from edge of field required to obtain any cost share goes so far out into the good part of crop land that few farmers wish to participate. Our fields have 20 foot grass borders. This distance feels practical as it is an area which generally does not produce a profitable crop yet is fertilized along with the rest of the field. By having this smaller border we cut down on overall runoff as well as the quantity of fertilizer applied without losing profitability. If there was some cost share for a narrower border it is possible farmers would take advantage of the opportunity to establish them and benefit all waterways, wildlife, and farm financial strength. b. Field border practices including a continuing CCI payment for less than 35' field borders to prevent runoff into ditches and provide travel lanes for equipment on fields 	<p>9S.a. sent to Cover Crop and Nutrient Mgmt subcommittee as it pertains to cropland conversion.</p> <p>Subcommittee requested a literature review on the water quality benefits of 9S.b. Subsequently deferred pending submitter's provision of a draft spec and CCI spec for review.</p>

MATRIX OF TABLED STREAM PROTECTION FORESTRY RECOMMENDATIONS			
Item #	Ag. BMP	Suggestion to the TAC	Reason for Tabling
1S.d		<p>Multiple suggestions regarding FR-3 planting width:</p> <p>d. FR-3 should not be limited to 35 ft. Participants who do a narrower exclusion option or who have previously excluded water features on their own at a narrower setback should still be able to qualify for an FR-3. As long as VA DOF can approve this in their plan. "10. The width of the wooded buffer will be a minimum of 35 feet from the edge of the stream bank. The entire flood plain is eligible for planting, not to exceed 100 feet."</p>	<p>FR-1 can be used to plant trees in narrower exclusion. Less than 35' width does not receive credit as a buffer.</p>
3S		<p>Modify the current FR-3 rates</p> <ul style="list-style-type: none"> · Maintain the 95% payment rate for eligible costs in items C.1. and C.2. · Increase C. 1. (i) rates to: Conifer buffers - \$3,000 for a 10-year lifespan/ \$5,000 for a 15-year lifespan · Increase C. 1. (ii) rate to: Hardwood buffers - \$7,500 for a 10-year lifespan/ \$10,000 for a 15-year lifespan <p>Justification: Incentive payments have not kept up with rising land values and no long serve as a true incentive for adoption. This type of practice necessitates a producer to remove acreage from production, whether it be cropland, hay land or pasture land. Higher rates of incentive need to be a driving point to encourage producers to make this land use change and receive adequate fair market value for the land they are converting. The VDOF effort targeted this as a key item needing attention for additional action.</p> <ul style="list-style-type: none"> · Add language "By Accepting either cost share payment or a state tax credit for this practice, the participant agrees to preserve this area and all practice components of the specified lifespan. Additional financial assistance is available to help producers with the cost of maintaining proper tree growth and viability. All other maintenance components on the practice (fence, etc.) are the responsibility of the participant · Drop C. 3. <p>Justification: An incentive payment is included in item C-1. Additional payments are listed in item C.3. This is confusing and bothersome for producers trying to understand the program, what they may be eligible and what their financial assistance might be. In addition, this double figuring is burdensome for staff to calculate and then explain why there are various components to the final</p>	<p>Rates were raised two years ago which has not had a noticeable effect on participation. Increasing rates so significantly could create an avenue for misuse.</p>

MATRIX OF TABLED STREAM PROTECTION FORESTRY RECOMMENDATIONS			
Item #	Ag. BMP	Suggestion to the TAC	Reason for Tabling
		amount. Combining all of incentive payments into one amount is easier to understand and will improve marketing effectiveness and efficiency.	
4S		<p>Our experience implementing riparian forested buffer (RFB) projects has demonstrated that simplified payment strategies not only make it easier to administer, but simple payment strategies also make it easier to recruit participants. RFBs are easily one of the most cost-effective BMPs to improve water quality. And there is a broad recognition that Virginia needs to find ways to accelerate implementation of effective agricultural BMPs.</p> <p>We therefore suggest that the BMP Manual be changed so that the FR-3 practice offers 90% cost-share for pine plantings, and 100% cost-share for mixed hardwood tree plantings; eliminate the incentive payments and different rates dependent on contract length (no change to the \$80/acre bonus under C.3). We believe changing the payment strategy to be straightforward (a percentage-based payment without the necessary calculations for contract length) will reduce confusion and increase recruitment of participants.</p>	The suggestion was made prior to the edit in the FR-3 Rates to refer to the incentive payment as an “establishment and maintenance” payment.
5S		<p>Develop a new Practice FR 3-W - Forest Riparian Buffer (Wide)</p> <ul style="list-style-type: none"> · Establish a FR3–W to aggressively encourage wider and better riparian buffer zones. · Allow buffers from 100 feet to 400 feet wide. · Maintain existing 95% financial assistance for eligible components. · Establish incentive payments as follows: <ol style="list-style-type: none"> i. Conifer Buffers: \$10,000. per acre for a 20-year lifespan ii. Hardwood Buffers: \$12,500 per acre for a 20-year lifespan <p>Justification: For decades now, all of the emphasis has been on establishing minimum amounts in terms of size, length, or acreage of many BMPs used in water quality improvement work. Forest Riparian Buffers have been proven through scientific research to provide far greater on-site and off-site benefits the wider they are. Minimum width buffers may or may not provide filter action of suspended sediments depending on the site. Wider buffers do a much greater job in trapping suspended sediment. In addition, research has shown a wider living forest on these riparian sites can be extremely effective in removing dissolved nutrients from shallow ground water passing through the root zones of these wide buffers. Narrow buffers have been plagued with problems due to periodic flooding, debris trapping, and stream scouring and erosion. The wider the buffer, the better on-site and downstream flood damage mitigation benefits occur. These are all goals of the Commonwealth’s total Chesapeake Bay Program effort, yet the opportunity to maximize these benefits is ignored. “Wider is better” is scientifically proven and is sometime we should be</p>	Subcommittee felt the suggestion was addressed through similar suggestions 1S, 3S, and 4S.

MATRIX OF TABLED STREAM PROTECTION FORESTRY RECOMMENDATIONS			
Item #	Ag. BMP	Suggestion to the TAC	Reason for Tabling
		striving to achieve. The presence of a viable living thriving forest in a riparian zone is one of the best things that can be done for water quality improvement.	
7S		<p>Establish a new practice Forest Riparian Buffer – Easement (FR3-E)</p> <ul style="list-style-type: none"> · For FR buffers, 100 feet or wider, where the participant enrolls the buffer in a perpetual easement program recognized by the State of Virginia (Virginia Outdoors foundation, Land Trust, Albemarle County, etc.). · Payment rate will be \$5,000 per acre, payable to the participant after the acreage covered by the FR-3 practice is recorded on the property deed. <p>Justification: Easements are a key method to ensure practice longevity after program lifespans expire. Virginia has set aggressive goals for land preservation through easements. A DCR initiative to promote easements through it's VACS program will add additional acres toward the state's goal. More importantly, it will provide long term protection for a valuable BMP used in water quality improvement. Incentive payments such as this, will aide tremendously in the promotion and adoption of FR buffers. In comparing other agency programs, this increased payment rate for the Buffer establishment and the easement is in line with other efforts to promote land use change for long term environmental benefits (i.e. wetland restoration and establishment).</p>	Concerns about Districts' ability to track and confirm easement enrollment and staff time required. Attaching eligibility to other programs may have unintended consequences and/or be difficult to manage.
10S		For grazing system practices, allow livestock to be housed at another farm and still qualify for a grazing system as long a perimeter fence is in place.	Potential for unintended consequences or misuse of the program.
11S		Propose adding a VACS practice for the restoration or construction of wetlands per NRCS conservation practice standards 657 and 658.	Engineering is complex; lack of demand from landowners; difficulty using these practices to address existing resource concern.
12S		Request to allow the option for SWCD technical staff, with appropriate qualifications (A.S.or B.S Degree in Forestry), to develop and/or approve management plans and complete DOF form 7.8 for all FR practices in the BMP Program. SWCD's already are required to do most of the planning completed in DCR Tracking for these practices and are most frequently the point of contact for the farmer/landowner. Allowing those offices with qualified staff to complete the management plans and inspections could streamline the planning, approval and payment processes. If DOF forms can't be used, suggest creation of an alternative form.	DOF and DCR are unaware of any issues with projects being held up due to DOF response timeline. DOF asks to be notified if this is the case. DOF sees value in the opportunity to advise landowners on other forestlands while working on these projects.
13S		The suite of practices that include a buffer payment have clauses with the statement "If at any time during the practice lifespan the participant is found to be grazing (including flash grazing) their livestock in the buffer, as documented by photographic evidence, the District shall require the repayment of the entire buffer payment (i.e. non-prorated)." The statement is worded in	Can be handled as a training issue that "grazing" means animals are intentionally accessing the buffer, vs. occasional accidental access due to power outage, tree on fence, etc. that is corrected promptly.

MATRIX OF TABLED STREAM PROTECTION FORESTRY RECOMMENDATIONS			
Item #	Ag. BMP	Suggestion to the TAC	Reason for Tabling
		such a way that it allows no discretion and can be read to construe that if a photograph of an animal in a buffer is taken, then there must be a repayment. In observation, some have taken this statement in the strictest sense, while others interpret it to mean that discretion can be used, and the intention is to apply it to bad actors. Given the general likelihood of animals in the buffer happening at some point and the high likelihood these incidents would end up in court, it is suggested that the TAC spell out in the program manual if and when discretion can be used in these incidents and attach these clauses to a process such as the existing verification process or a process specifically for these incidents.	
16S		Concerns over EQIP/BMP piggybacks on SL-6 practices paying the same (100%) for 10' buffers as they do for 35' plus buffers. Farmers who know how this works are/can take advantage of this glitch in the BMP Program and would get paid the same as other farmers who are given greater buffer areas to the program.	Additional funding allows more exclusion to be accomplished. District Boards have the choice whether to provide piggyback funding at 100%.

MATRIX OF ADVANCED COVER CROP NUTRIENT MANAGEMENT RECOMMENDATIONS FOR CALENDAR YEAR 2025 (CY25) TAC

Item #	Ag. BMP	Suggestion to the TAC	TAC Recommendations	DCR Supports	FY2027/2028
1C		Create a CCI-SL-1 spec (refer to parameters set by full TAC in CY24). <i>Deferred in CY24</i>	The subcommittee reviewed a draft of CCI-SL-1 and provided clarification that the SL-1 and CCI-SL-1 can be implemented for a combined 15 years between both practices and must be contiguous. See <i>Attachment A</i> . Advance to Full TAC.		
2C		Change the 60% stand date from Dec. 15 to Jan. 1. For all VACS cover crop practices: Due to the change in planting dates in recent years, we recommend adjusting the date producers must achieve a good stand and good growth of vegetative winter cover, by a minimum of 2 weeks, to match the adjustment made to the cover crop planting dates. It was the recommendation of Frank Long, Virginia Cooperative Extension Agent, to extend the date as far out as February or March to be comparable to our partner agency’s cover crop standards. The meeting attendees discussed the likelihood of such a radical change being made, which is why we are making the suggestion to correlate to the planting date change, as a minimum. This will allow the producers planting cover crops up to the November 30th planting deadline sufficient time to achieve a good stand and good growth to meet the 60% coverage requirement. The specification could read: “A good stand and good growth of vegetative winter cover must be obtained by December 31 to protect the area from nutrient leaching and runoff in the fall and winter. All cover crop plantings must maintain a minimum of 60% cover crop plant material on the enrolled acres through the lifespan of the practice.” <i>Deferred in CY24</i>	Change 60% stand date from Dec. 15 to Jan 1 in SL-8, SL-8B, SL-8H, SL-8M, and WFA-CC. Advance to Full TAC.		
4C	NM-5N, WFA-NM	Edit NM-5N and corresponding WFA-NM to accurately reflect the type of tests used for variable rate N application. The spec currently references soil tests which are not appropriate for determining variable rate application.	Edit language in NM-5N and applicable WFA-NM specifications to say, “iii. Variable rate nitrogen applications or zone application of nitrogen based upon supporting data or documentation (e.g. satellite imagery, yield records, tissue test, etc.) soil test results of (subfield) sampling on row crops, specialty crops or small grains. Other macro-micro nutrients may be applied concurrently.” Advance to Full TAC.		
8C	NM-3C, WFA-NM	Add tobacco for sidedressing of nitrogen.	Update language in the NM-3C and corresponding sections of WFA-NM to include sidedress application of nitrogen to tobacco		

MATRIX OF ADVANCED COVER CROP NUTRIENT MANAGEMENT RECOMMENDATIONS FOR CALENDAR YEAR 2025 (CY25) TAC

Item #	Ag. BMP	Suggestion to the TAC	TAC Recommendations	DCR Supports	FY2027/2028
			<p>described as “tobacco from two to four weeks after transplanting (10-14 days for dark and burley type)”</p> <p>The subcommittee asked that the descriptions of growth stages for sidedress of each crop be presented in a table format.</p> <p>Advance to Full TAC.</p>		
10C	SL-8B, SL-8M, WFA-CC	<p>For the SL-8B practice, remove the approved rye cultivars list and allow all cereal rye varieties to be eligible for the \$20 bonus. The Bay Model does not distinguish between tetraploid, diploid, or different varieties of cereal rye. If the Bay Model is valuing all cereal rye as the standard for N Effectiveness, why is VACS subdividing rye into different cultivars? o All cereal rye is used as the standard (or reference value) for valuing N uptake for cover crops. Whereas, cereal rye is valued at 1.00 for N effectiveness and all other crops are based off of that value. For example, triticale has N effectiveness value of 0.86. (Source: Recommendations of the 2012-2013 Cover Crop Expert Panel, ADDITION OF NEW SPECIES TO COVER CROP BMP, Addition of New Cover Crop Species with Nitrogen Reduction Efficiencies for Use in Phase, 5.3.2 of the Chesapeake Bay Program Watershed Model.) o Seed sourcing is becoming more difficult, and our District has found that even the seed growers/suppliers are unsure whether their rye is tetraploid “for indeterminate growth”. Additionally, some of the cultivars on the SL-8B list are not tetraploids.</p>	<p>In SL-8B and SL-8M and WFA-CC</p> <ul style="list-style-type: none"> • B.9 (B.13 in SL-8M): remove third row “Winter Rye (not tetraploid)” and update first row “Rye (tetraploid)” to “Cereal Rye.” • C.4.i: remove table <p>Advance to Full TAC.</p>		
11C	SL-8 suite, WFA-CC	<p>Consider modifying the seeding rate for radishes in small grain mixtures with radishes in the cover crop specifications. The current minimum seeding rate (6lbs/acre) is too high for a mixture when planting with a seed drill. A minimum rate of two pounds per acre with small grain is suggested for small grain mixtures with radishes.</p>	<p>Edit seeding rate to 2 lbs/ac in applicable cover crop specifications as 2 lbs/ac is an acceptable rate per Virginia Tech.</p> <p>Advance to Full TAC.</p>		
14C	NM-3C, NM-5N, WFA-NM (nitrogen only)	<p>The producer must sign up prior to April 1 and provide written verification of contracted sidedress application cost, including the PSNT results, to the District within two weeks of the sample analysis. The deadline for signup is currently April 1st and should be pushed back to May 1st for the signup of practices in a current WFA NM contract that was previously approved, this will allow producers to be able to have more flexibility in cost share participation to the suite of practices that are in WFA NM. Some producers will often wait until after April 1st to start planting and</p>	<p>Change the producer application date from April 1st to May 1st in NM-3C, NM-5N, and WFA-NM practices.</p> <p>Advanced to Full TAC.</p>		

MATRIX OF ADVANCED COVER CROP NUTRIENT MANAGEMENT RECOMMENDATIONS FOR CALENDAR YEAR 2025 (CY25) TAC

Item #	Ag. BMP	Suggestion to the TAC	TAC Recommendations	DCR Supports	FY2027/2028
		the cropping plan could change for them due to factors such as weather, current market conditions, pests/crop rotations and new land acquisitions. I have had multiple producers contact me about adding corn sidedress acres and VR N and P.			
16C	SL-1	SL-1 should be under the Practices with Two-Program Year completion date carryover section: a. SL-1 has seasonal restriction and is highly influenced by weather for installation and certification the same way that SL-11 and tree plantings are (all of which fall under the 2 PY carryover). b. Language from the carryover section should be removed to be consistent with the spec: (May not be carried over more than two planting seasons, i.e. spring and fall.)	Remove the language "(May not be carried over more than two planting seasons, i.e. spring and fall.)" from Guidelines page II-43 table <i>Practices with One-Year Program Completion Dates Eligible for Carryover</i> . Advanced to Full TAC.		

MATRIX OF DEFERRED COVER CROP NUTRIENT MANAGEMENT RECOMMENDATIONS			
Item #	Ag. BMP	Suggestion to the TAC	Reason for Deferring
3C		The current Agricultural Best Management Practices (BMP) includes several important practices for the use of cover crops. The types of cover crop plants are largely based on grains, some legumes, and some brassicas. There is room for improvement. The Sustainable Agriculture Research and Education (SARE) organization also recommends the use of cover crops, but their recommended list of plants is more extensive than the current Ag BMPs. The enclosed table shows the differences. Also, under SARE’s manual the use of the cover crops is more diverse. The increased plant diversity has several advantages to soil enrichment. A richer diversity of a mix of cover plants reportedly can produce better soil organic matter and deeper root structures. Expand the number of cover crop plans included in the Virginia Ag BMPs based on the SARE manual. <i>Deferred in CY24</i>	Deferred until data is published from Virginia Tech regarding cover crop variety suitability to Virginia’s climate and data regarding cover crop flowering and biomass production.
12C		Consider a practice for planting native/pollinator plants on agricultural land consistent with NRCS Practice Code and Standard 327. These plantings may be done on cropland being converted perennial native plants that would address soil, water, and wildlife habitat degradation resource concerns to meet landowner objectives.	Deferred to next year or once a draft specification is provided to the subcommittee.

MATRIX OF TABLED COVER CROP NUTRIENT MANAGEMENT RECOMMENDATIONS			
Item #	Ag. BMP	Suggestion to the TAC	Reason for Tabling
5C	CC	Use seed count rather than bushels for cover crop seeding rates	Item was tabled based on discussion that seed count varies depending on crop and based on specifications requiring a rate of 60% cover regardless of seeding rate.
6C		Modify cover crop BMP specifications to include cutting and composting of cover crops as an alternative to killing with herbicide (see supporting documentation).	Item was tabled as practices already include mechanical means for cover crop termination and certain practices prohibit the removal of cover crop residue. Removing residue for use in composting would result in change of Bay Model credit and would be enrollment in a different cover crop practice.

MATRIX OF TABLED COVER CROP NUTRIENT MANAGEMENT RECOMMENDATIONS			
Item #	Ag. BMP	Suggestion to the TAC	Reason for Tabling
7C		Establish a BMP for composting of animal and plant organic matter for the subsequent return of the compost organic matter to the soil (see supporting documentation).	Item was tabled as current specifications state that cover crop “residue may not be removed at any time” and the proposed item would contradict existing practices. Alternative options for compost are provided by partner agencies.
9C	SL-1	Allow field perimeter fence to be included as an eligible cost for SL-1 fields. Many folks are not willing to convert crops to hay ground- but if they could also graze the field, they are willing to do the SL-1. (See additional supporting documentation)	Item was tabled as the purpose of the practice is to convert the row crop vegetation on the land to a forage with the intention of reducing soil erosion and protecting water quality. The choice to install fence to allow the field to be grazed is a management decision.
9S.a		Transferred to Cover Crop/NM from Stream Protection and Forestry as it pertains to cropland conversion: Offer cost-share for crop field buffers less than 35': the width of border from edge of field required to obtain any cost share goes so far out into the good part of crop land that few farmers wish to participate. Our fields have 20 foot grass borders. This distance feels practical as it is an area which generally does not produce a profitable crop yet is fertilized along with the rest of the field. By having this smaller border we cut down on overall runoff as well as the quantity of fertilizer applied without losing profitability. If there was some cost share for a narrower border it is possible farmers would take advantage of the opportunity to establish them and benefit all waterways, wildlife, and farm financial strength.	Item was tabled as there are existing BMPs that meet the need of this request.
13C	SL-1	Remove the restriction in the SL-1 that states, “State cost-share and tax credit will be provided only one time per field, while that field is under the same ownership.” The SL-1 is a low cost, high benefit practice that should not be restricted. Rotating grass into crops is a standard practice to break weed cycles, improve soil health and there is still an environmental benefit establishing fields back up into grass for a long period of time. A 5-year lifespan is the technical lifespan for Pasture and Hay Planting (NRCS Practice Code and Standard 512) which is referenced in the VACS BMP Manual and Specifications for the SL-1 Practice.	This item was tabled as the practice concerns long-term land use change; Any decision to put land back into row crop and pasture/hay is a management decision of the producer.
15C	NM-5N, NM-5P	Practices enrolled in precision Ag practices should not need a NMP because they are going beyond what is written in a plan...plan is useless.	Item tabled as current precision NM specifications are designed to “support a higher intensity of [nutrient] management in the field than existing standard nutrient management practices,” therefore Nutrient Management Plans are a necessary component. These plans are essential to capturing credit for practices within the Bay Model, including enhanced nutrient application/usage.
17C		Ditch nutrient capture practices.	Item tabled due to existing specifications already meet the needs of this request.

MATRIX OF ADVANCED ANIMAL WASTE RECOMMENDATIONS FOR CALENDAR YEAR 2025 (CY25) TAC

Item #	Ag. BMP	Suggestion to the TAC	TAC Recommendations	DCR Supports	FY2027/2028
1A		Update the WP-4LL and WP-4LC specs to allow for a feed lane with manure pack facilities. The description and purpose for both specs specify three distinct areas (feeding area, pack area, and manure storage). The pack area and feeding area combined are being limited to the 75 sq. ft. per AU for manure packs while bedded pack facilities can have a feed lane in addition to the 75 sq. ft. per AU. There is conflicting language between the description/purpose and the cost-share authorized/not authorized sections.	Make Both LC and LL, whether managed as a manure pack or bedded pack, eligible for 75 square feet per animal unit loafing area, separate feed lane, and appropriately sized manure storage area. Add to WP-4LC (B.2.v.) to match WP-4LL: "When a feed lane is utilized, a dry stack manure storage area is authorized, sized based upon livestock time at feed bunks, up to six (6) months storage of existing need."		
2A		All the WP-4 feeding specs still say cost share not authorized for manure generated outside of the facility even though clarification language was previously added to the WP-4 spec to say it could be from any qualifying group on the farm. The language from the WP-4 spec should be applied to WP-4B, WP-4SF, WP-4LL, WP-4LC specs.	Revise language for the listed suite of WP-4 practices: "Cost-share and tax credit is not authorized for... storage of manure generated outside of this facility. <u>However, a WP-4 can be combined with this specification to store manure from additional qualifying groups.</u> "		
3A		Request that the WP-4 specification (B. Policies and Specifications 3. vii) allow for all manure that could be removed from poultry houses during the 180-day storage period be included in the sizing for litter storage facilities. Currently, the number of flocks is being adjusted back to 180 days, resulting in partial flocks being considered for the sizing. The reality is that farmers need space to store the manures for all cleanouts within the 180-day storage period.	Add to WP-4 (B.3): "Exceptions to the six month storage criteria are: <u>...For poultry operations with a flock length that exceeds 90 days, storage may be provided for up to two full flocks.</u> "		
4A		Create a new tax credit only BMP specification for decommissioning of a manure pits. The Animal Waste Subcommittee discussed and tabled the cost share request for this last year, however the Subcommittee wanted to consider tax credit only for this practice pending review of a draft specification to be prepared by the Shenandoah Valley Soil & Water Conservation District.	Advance. See attached draft specification.		

MATRIX OF ADVANCED ANIMAL WASTE RECOMMENDATIONS FOR CALENDAR YEAR 2025 (CY25) TAC

Item #	Ag. BMP	Suggestion to the TAC	TAC Recommendations	DCR Supports	FY2027/2028
5A		WQ-12 should be under the Practices with Two-Program Year completion date carryover section: WQ-12 is a structural practice that includes surveying, an approved design, and contractors to do the work, all of which can be points of backlog for a project preventing it from getting completed in the required timeframe.	Advance.		

MATRIX OF DEFERRED ANIMAL WASTE RECOMMENDATIONS

Item #	Ag. BMP	Suggestion to the TAC	Reason for Deferring

MATRIX OF TABLED ANIMAL WASTE RECOMMENDATIONS

Item #	Ag. BMP	Suggestion to the TAC	Reason for Tabling

Attachment B

Continuing Conservation Initiative

Name of Practice: LONG TERM VEGETATIVE COVER ON CROPLAND –
MAINTENANCE PRACTICE

VACS Program Specifications for No. CCI-SL-1

This document specifies terms and conditions for the Virginia Agricultural Best Management Practices Cost-Share Program's Long Term Vegetative Cover on Cropland best management practice which is applicable to all contracts entered into with respect to that practice.

A. Description and Purpose

Grass and/or legume vegetation will be ~~established~~ maintained on previously converted cropland with existing which had less than 60% cover under that land use. of less than 60% ~~The continued maintenance of hayland or pasture converted from cropland converting it to pasture or hayland further to~~ reduces soil erosion and enhances water ~~quality~~.

~~The purpose of this practice is to offer an incentive to ensure that lands being managed under long-term vegetative cover as a well-maintained sod on converted cropland are reported to DCR. State cost share is intended to promote conversion of cropland to fields with a healthy, well-maintained sod.~~

B. Policies and Specifications

1. Eligibility:

- i. Prior to practice authorization, Districts must verify that the participant was previously enrolled in the SL-1 practice for the minimum contract period on the acres entered into this contract. SL-1 and CC-SL-1 lifespans must be contiguous/continuous.
- ii. In order to be eligible for cost-share or tax credit, producers must be fully implementing a current Nutrient Management Plan (NMP) on all agricultural production acreage contained within the field on which this practice will be implemented. The NMP must comply with all requirements set forth in the Nutrient Management Training and Certification Regulations (4VAC50-85 et seq.) and the Virginia Nutrient Management Standards and Criteria (revised July 2014); must be prepared and certified by a Virginia certified Nutrient Management Planner; and must be on file with the local District before any cost-share payment is made to the participant. Plans shall also contain any specific CCI-SL-1 production management criteria designated in the BMP practice (4VACV50-85-130G). The NMP can be either a one-year or three-year plan that is updated to continuously cover the acreage or a five-year grass and hayland plan. This is to ensure proper nutrient application for a successful practice. This plan must be prepared and signed by a Virginia Certified Nutrient Management Planner and on file with the SWCD before a cost-share payment can be made.
- iii. Land enrolled in an active SL-1 practice is not eligible for CCI- SL-1.

- a. Land can only be enrolled in a combination of SL-1 and CCI-SL-1 for an additional five years, totaling no more than 15 years for both contracts.
2. Soil loss rates must be computed for all applications for use in establishing priority considerations and reflect at minimum a ~~three year~~three-year cropping history.
- ~~3. This practice is not intended to be used to reseed or improve hay or pastureland.~~
- 4.3. Pastures and haylands that are ~~planted~~enrolled under this practice will be grazed or harvested and maintained in accordance with NRCS Standard 512 for the lifespan. Cost-share will be refunded if the cover is permanently destroyed during the lifespan. This practice is subject to verifications by the District throughout the life of the practice and failure to comply may result in the forfeiture of the funds.
- 5.4. State cost-share ~~and tax credit~~ contracts for the CCI-SL-1 will be provided only one time per field, while that field is under the same ownership.
- ~~6. State cost share or tax credit will not be approved for fields with more than 60% cover, with the exception of crop fields that have a row crop or small grain residue, in which case cover in excess of 60% is permissible.~~
- 7.5. State cost-share is allowable only for BMP installations that are not receiving cost-share from other sources.
- 8.6. Cost-share ~~and tax credit are~~ is not authorized for obstruction removal, fencing, or watering facilities.
- 9.7. Fertility - Lime and fertilizer can be applied for maintenance purposes but must be done in accordance with current soil test recommendations (at Virginia Cooperative Extension maintenance rates for the appropriate sod species). Maintenance applications are the obligation of the participant. If biosolids or manure is used, the material must be properly sampled and tested for nutrient content and given credit in fertilizer recommendations.
- 10.8. Cost-share ~~and tax credit is~~are not authorized for the planting of pure stands of alfalfa.
- ~~11. This practice is subject to NRCS Standard 512 Pasture and Hay Planting.~~
- 12.9. All practice components implemented under the original SL-1 contract must be maintained for a minimum of five years ~~and a maximum of 15 years~~ following the calendar year of certification of completion. The lifespan begins on Jan. 1 of the

calendar year following the year of certification of completion. By accepting either a cost-share payment or a state tax credit for this practice, the participant agrees to maintain all practice components for the specified lifespan. This practice is subject to spot check by the District throughout the lifespan of the practice and failure to maintain the practice may result in reimbursement of cost-share and/or tax credits.

C. Rate(s)

1. The VACS payment rate is ~~an incentive payment of \$50 per acre for the life of the practice. Payment for the five-year contract will be made in the first year of the contract. 75% of the approved estimated cost or eligible actual cost, whichever is less, in addition to a one-time incentive payment of \$25 per acre for a five-year contract, \$100 per acre for a 10-year contract, or \$150 per acre for a 15-year contract.~~

~~Eligible components are as follows:~~

- ~~i. Eligible seed~~
 - ~~ii. Minerals (fertilizer, lime, manure); if manure (e.g. poultry litter) is purchased from off farm, a bill and nutrient analysis must be presented.~~
 - ~~iii. Herbicides~~
 - ~~iv. Pesticides~~
 - ~~v. Nutrient management planning~~
 - ~~vi. Labor~~
- ~~2. As set forth by Virginia Code, the Commonwealth currently provides a tax credit for implementation of certain agricultural best management practices as discussed in the Tax Credit Guidelines of the VACS Manual. Participants may receive either a cost-share payment or a tax credit for implementation of this practice but not both on the same acre.~~
 - ~~3. If a participant receives cost share, only the participant's eligible out-of-pocket share of the project cost is used to determine the tax credit.~~

D. Technical Responsibility

Technical and administrative responsibility is assigned to qualified technical DCR and District staff in consultation, where appropriate and based on the controlling standard, with DCR, Virginia Certified Nutrient Management Planner(s), NRCS, DOF, and VCE. Individuals certifying technical need and technical practice installation shall have appropriate certifications as identified above and/or Engineering Job Approval Authority (EJAA) for the designed and installed component(s). All practices are subject to spot check procedures and any other quality control measures.

Revised ~~April-October~~ 20245

Attachment C

Name of Practice: DECOMMISSIONING OF LIQUID WASTE STORAGE FACILITIES

VACS Program Specification for No. WP-89

This document specifies terms and conditions for the Virginia Agricultural Best Management Practices Cost-Share Program's decommissioning of liquid waste storage facilities best management practice which are applicable to all contracts entered into with respect to that practice.

A. Description and Purpose

This practice provides for the ~~relocation of confined feeding operations~~ decommissioning of a facilities where liquid waste has been stored and/or managed. from areas that have an increased chance of contaminated runoff entering the state's stream, rivers and estuaries.

The purpose of the practice is to ~~improve water quality by relocating confined feeding operations~~ decommission liquid waste facilities to protect the quality of surface water and groundwater by away from environmentally sensitive areas such as sinkholes, streams and rivers to reduce or eliminating e the amount of a source of pollution-laden runoff reaching these areas.

B. Policies and Specifications

1. Tax credit is authorized:

- i. For the removal of aerobic or anaerobic lagoons, liquid manure tanks, holding ponds, collection basins, settling basins and similar facilities, as well as diversions, channels, waterways, designed filter strips, outlet structures, piping, land shaping, and similar measures needed as part of a system on the farm to managed animal waste as outlined below:
 - a. To the extent practicable, remove all agricultural waste and associated material that could negatively affect water quality.
 - b. Removal of any existing components that convey waste materials to the system or otherwise render transfer components unable to convey waste.
 - c. Removal of facility components that provide drainage from the waste facility.
 - d. Leveling and filling to facilitate appropriate drainage from the site.
 - e. Vegetative cover (including mulching) needed to protect the site from erosion.
- ii. For disposal of demolished materials in accordance with local and state regulations.
- ~~iii. For using engineering plans for feeding structures available from the MidWest Plan Services (MWPS), the National Resources, Agriculture, and Engineering Services (NRAES) or a professional engineer (P.E.). For engineered plans from a professional engineer (P.E.) if required.~~
- ~~iii. For demolition (only when necessary) and stabilization of the existing~~

facility.

~~ii.iii.~~ Only if the removal of the facilities will contribute significantly to improving the soil or water quality by eliminating a source of pollution-laden runoff.

~~iii.iv.~~ For the rehabilitation of soil contaminated by agricultural wastes that have been stored or treated onsite.

2. Tax credit is not authorized:

i. For a waste facility that will be expanded or rehabilitated.

ii. For the demolition of components not related to waste storage, such as animal feeding areas, animal housing areas, or feedbunks.

iii. For sites contaminated by materials that require the issuance of a hazardous waste permit, such as fuel or pesticides.

~~2. The replaced facility must not be used for animal confinement feeding or any other operation that would increase the amount of polluting runoff entering sensitive areas.~~

~~3. Tax credit is not authorized for new startup facilities or expanded portion of any existing or relocated facility.~~

3. All appropriate local and state permits must be obtained before tax credits is authorized.

4. In order to be eligible for cost-share or tax credit, producers must be fully implementing a current Nutrient Management Plan (NMP) on all agricultural production acreage contained within the field on which this practice will be implemented. The NMP must comply with all requirements set forth in the Nutrient Management Training and Certification Regulations (4VAC50-85 et seq.) and the Virginia Nutrient Management Standards and Criteria (revised July 2014); must be prepared and certified by a Virginia certified Nutrient Management Planner; and must be on file with the local District before any cost-share payment is made to the participant. Plans shall also contain any specific production management criteria designated in the BMP practice (4VACV50-85-130G).

5. This practice is subject to NRCS Standards ~~313 Waste Storage Facility~~, 327 Conservation Cover, 342 Critical Area Planting, ~~350 Sediment Basin~~, ~~356 Dike~~, ~~359 Waste Treatment Lagoon~~, 360 Waste Facility Closure, ~~362 Diversion~~, ~~382 Fencing~~, ~~393 Filter Strip~~, ~~412 Grassed Waterway~~, ~~472 Access Control~~, ~~516 Pipeline~~, ~~558 Roof Runoff Structure~~, ~~560 Access Road~~, ~~561 Heavy Use Area Protection~~, ~~574 Spring Development~~, ~~587 Structure for Water Control~~, ~~614 Watering Facility~~, and 633 Waste Utilization, and ~~642 Water Well~~.

6. All practice components implemented must be maintained for a minimum of 10 years following the calendar year of installation. The lifespan begins on Jan. 1 of the calendar year following the year of certification of completion. By accepting a state tax credit for this practice, the participant agrees to maintain all practice components for the specified lifespan. This practice is subject to spot check by the

District throughout the lifespan of the practice and failure to maintain the practice may result in reimbursement of cost-share and/or tax credits.

C. Rate(s)

1. As set forth by Virginia Code, the Commonwealth currently provides a tax credit for implementation of certain agricultural best management practices as discussed in the Tax Credit Guidelines of the VACS Manual.
2. If a participant receives cost-share, only the percent of the total cost of the project that the participant contributed is used to determine the tax credit.

D. Technical Responsibility

Technical and administrative responsibility is assigned to qualified technical DCR and District staff in consultation, where appropriate and based on the controlling standard, with DCR, Virginia Certified Nutrient Management Planner(s), NRCS, DOF, and VCE. Individuals certifying technical need and technical practice installation shall have appropriate certifications as identified above and/or Engineering Job Approval Authority (EJAA) for the designed and installed component(s). All practices are subject to spot check procedures and any other quality control measures.

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