Virginia Agricultural BMP Technical Advisory Committee
Meeting 9:30 AM, October 26, 2017
Summary

Attendance:

Member	Representing	Member	Representing
Tom Turner	CB, SWCD staff	Matt Kowalski	CBF
Jim Wright	VASWCD Area VI (proxy)	Mark Hollberg	DCR CBCDC
Emily Horsley	FSA	Chad Wentz	NRCS
Robert Bradford	VASWCD Area II (proxy)	Scott Baker	VCE
Tim Sexton	DCR, Nut. Man.	Scott Ambler	DCR, RMP
Stephanie Martin	DCR, Dist. Liaison	Stacy Horton	DCR, SR CDC
Todd Groh	DOF	Amanda Pennington	DCR, Engineering
Chris Barbour	SR, SWCD staff	Darrell Marshall	VADACS
Spencer Yager,	SWCDE	Darryl Glover	DCR, DSWC
Pete Farmer	Area IV		

Other Participants: Tom Dunlop, Colonial SWCD; Luke Longanecker, T. J. SWCD; Brandon Dillistin, Northern Neck SWCD; Raleigh Coleman, DCR Eng.

The draft summary of the August 15, 2017 TAC meeting was reviewed and approved with one typo correction needed. The approved summary will be posted on the DCR webpage and distributed via all-district e-mail list-serve.

A summary of discussion topics, action items, and significant conclusions are as follows:

- **NRCS:**
  - NRCS is presently operating under a continuing resolution with an acting Chief, while its mission is being merged with FSA and RMA. The new mission area will be called Farm Production and Conservation (FPAC). Some administrative functions will be consolidated. There is an acting Under Secretary for FPAC.
  - This is the last year scheduled for the current Farm Bill. Discussions are underway on the new Farm Bill.
  - Because of a continuing resolution only $4.1 M has been received at this time for EQIP.
    - The first EQIP batching date closed Oct. 20, those application will be ranked by Nov. 17, 2017. The second batching date closes on Jan. 20, 2018 and those applications will be ranked by Feb. 16, 2018.
  - RCPP-DCR has $206K available for projects in designated CB watersheds.
  - RCPP-The Nature Conservancy project has been funded at $1.1 M and is focused on Southwest VA.
  - RCPP-VMRC for oyster aquaculture $776K is available

- Conservation Security Program (CSP) renewals are currently being processed a general signup will begin in the January to February time frame.

- **FSA:**
  - CREP Conservation Planning is continuing in FSA and NRCS county offices with over 30 different CREP conservation plans presently being developed.
  - Emily and Gary are communicating almost daily to keep CREP approvals moving, the two step confirmation process being utilized takes considerably more time than previous approaches.
  - The national CRP acreage ceiling of 24 M enrolled acres is being approached, only reenrollments and CREP applications are being processed presently.
  - The CBIP payments are being authorized for all CP-22 participants, and reenrollments.

- **Nutrient Management subcommittee report:**
  - Consolidate two different nutrient management clauses into one clause in all gateway BMPs to simplify and standardize all cost-share agronomic BMPs to include: CCI-CNT, NM-3C, NM-4, NM-5N, NM-5P, RMP-1, RMP-2, SL-1(new), SL-3, SL-3B, SL-4, SL-6A, SL-6B, SL-8B, SL-8H, SL-9, SL-15A, SL-15B, WP-4, WP-4B, WP-4C, WP-4D, WP-4F, WP-6, WQ-1 (new), WQ-4 (new) WQ-6 (only if constructed to treat animal waste runoff)
    - The combined language would read: "*In order to be eligible for cost-share or tax credit, producers must be fully implementing a current Nutrient Management Plan (NMP) prepared and signed by a Virginia Dept. Conservation and Recreation certified nutrient management planner. The NMP, must comply with all requirements set forth in the Nutrient Management Training and Certification Regulations, (4 VAC 50-85-10 et seq.) and the criteria set forth in the Virginia Nutrient Management Standards and Criteria, revised July 2014. Cost-Share payments shall not be made until a NMP meeting all of the criteria above and covering all of the participant controlled agricultural production acreage contained within the tract that this BMP will be implemented on is on file with the local SWCD. Plans shall also contain any specific production management criteria designated in the BMP practice (4VACV50-85-130G.)"* The TAC supported this proposal

- **Stream Protection subcommittee report:**
  - Should new TAC supported SL-6 language be inserted into WP-2 and LE-2 BMPs?
    - WP-2, The TAC supported removing "*eroding*" from B. 1. i., and inserting intermittent into the new B. 1. Iii. b. after wetlands so that the new language reads: "*Wetlands, "intermittent" springs, seeps and gullies adjacent to streams should be included in the buffer area. Isolated seeps, springs or wetlands may be fenced as well.*"
    - LE-2, The TAC supported inserting "*protect streambanks and"* between "To" and "establish" in B. 5. And insert intermittent as above into B. 5. i. a) so that it reads: "*Wetlands, intermittent springs, seeps and gullies adjacent to streams should be*

included in the buffer area. Isolated seeps, springs or wetlands may be fenced as well."

- SL-6 The TAC supported adding *"intermittent"* to the newly approved SL-6 language in B. 5. i. a).
- It was noted that the TAC may wish to consider adding the above fencing language to the SL-6B tax credit BMP next year.

- **Forestry subcommittee report:**
  - CCI-FRB-1, the TAC supported striking B. 7. and changing the rate from $100 to $200 per acre paid up front for a 5 year lifespan.
    - There are operations and maintenance requirements in the NRCS 319 standard, however the VACS specification does not require any owner actions.
    - Should there be a requirement for invasive species control included in the FR-3 specification?
    - Should there be a separate BMP for maintenance of on riparian forest buffers?
    - The NRCS CREP RFB maintenance requirement is for 70% survival of trees.
    - The TAC supported removing the reference to "Forestry BMPs for Water quality in Virginia" in the CCI-FRB, FR-1 and FR-3 as this document refers to BMPs recommended for implementation during forestry harvesting operations.
    - It was noted that the new DCR verification procedures will be looking at FR-1's and FR-3's to receive reduction credit lifespan extension.

- **Animal Waste subcommittee report:**
  - WP-4 the TAC supported inserting: "The District should consider all existing animal waste storage facilities on the same property when sizing a new manure storage facility. The District should determine on a case by case basis whether any existing manure storage facilities (cost shared or non-cost shared) are adequate for continued manure storage. Existing storage deemed adequate shall be deducted from the total storage need calculation to determine the amount of additional storage eligible for cost share." As B. 2. i. and re-numbering below.
    - Insert: The simultaneous construction of mortality composting bins only if contained within or attached to (new language) the animal waste storage facility. As B. 3. i. (d)
  - WP-4B The TAC supported clarifying B. 2. To read …not to exceed twenty 1,000 lb. EAUs ~~cattle~~ (new deletion) per acre and be maintained in permanent forage.
  - The subcommittee recommended and the TAC supported not changing the cost-share rates WP-4 and WP-4B.

- **Cover Crops subcommittee report:** No teleconference held, or report to TAC provided. However this subcommittee should still be working on better defining performance criteria for the SL-8B cover crop practice.

- **Review of Matrix of TAC Recommendations:**
  - One typo was identified, TAC wants the matrix updated with new actions from today's meeting added to review at the next TAC

- **New Business:**
  - RMP-2, Resource Management Plan Implementation, The stakeholders advisory group (SAG) was focused on increasing RMP certification;
    - The SAG recommended that ability to pass through the cost-share payment to the planner be removed so that the participant receives cost-share payment. The TAC supported making this change.
    - The SAG also recommended that the requirement to have a certificate to receive payment be removed. The TAC supported striking "and DCR has issued a certificate of RMP implementation" from B. 5. and B. 6. in its entirety.
    - The SAG recommended increased education and marketing to potential participants of the RMP

  - Review of the letter from Shenandoah Valley SWCD to Soil and Water Conservation Board, requesting ability to pay for CREP with VACS allocation dollars. For informational purposes only, no action requested.

  - Letter from Jim Gehisen (Area II Chair) to Daphne Jamison (Chair, SWCB) requesting either eligibility language from Ag. BMP tax credit ("*or has equines that create needs for agricultural best management practices to reduce nonpoint source pollutants"*) be added to the VACs or, the creation of a cost-share fund to address these operations. DCR asks that the TAC indicate their position on this proposal.
    - In certain Districts small equine (nonagricultural production operations) create water quality issues that Districts cannot provide financial assistance to address.
    - The VACS definition of agriculture would need to be changed to cost-share with non-production agricultural operations.
    - Some Districts in Area II were not given time to meet and fully consider their support for the letter.
    - The Virginia Conservation Assistance Program (VCAP) administered by DEQ does not presently offer a BMP to address this issue. VCAP coordinator says the reason why is that it would be too expensive to implement and could consume all of their cost-share dollars.
    - The Farm Bureau, Agribusiness Council and Virginia Grain Producers Association all lobby the general assembly to supply funds for conservation efforts from production agricultural operations, not residential horse owners.
    - Some localities have ordinances in place to address land use and water quality degradation, if ordinances are in place providing cost-share would be providing state financial support to comply with already regulated activities. It is not good public policy to support activities already required by code, regulation or ordinance.
    - All equine owners are already eligible for the Ag. BMP Tax Credit (25% of eligible expenses). Mr. Gehisen says this is not enough financial incentive to get implementation. How often have these SWCDs marketed the Ag. BMP Tax Credit to equine owners?
    - Some county zoning ordinances allow excessive stocking rates acre this approach is not protective of water quality.

- Districts do provide cost-share to equine operations that meet the VACS production agriculture definition.
- Should the VACS be used to address urban runoff issues like equines? The TAC did not support this approach.
- The TAC could not come to consensus about carving out a fund to address residential equine water quality issues.
- The TAC supported including cost-share to address equine water quality issues through the VCAP program.

♦ **Agency Updates:**

- DCR:
  - DuPont settlement money ~$50M will be administered by a board of natural resources trustees. Headwaters, Lord Fairfax and Shenandoah Valley SWCDs have submitted proposed Ag. NPS reduction projects for funding which DCTR has ranked and submitted to the Sec. Nat Resources office for consideration to receive funding from the settlement. Projects proposing land conservation efforts and from the city of Waynesboro will be prioritized to receive funding first. Decisions on which projects will receive funding are anticipated before the end of the calendar year.
    - DCR anticipates that the first two years of financial support for the second environmental engineer to be stationed in Christiansburg, will be awarded.
  - The fatal flow analysis for the phase 6.0 Chesapeake Bay model has been completed with no fatal flaws identified. Historic BMPs dating back to 1985 are presently being input to the phase 6.0 model.
  - The draft Phase III Watershed Improvement Plan (WIP) has been delayed by seven weeks, the anticipated date of draft submittal to the Governor is Dec. 2019.
  - CBPO expert panels are still working on reduction efficacies for: nurseries, animal mortality composting, agricultural stormwater treatment and irrigation. Final recommended efficacies are due Oct. 2019. BMP from this areas will be input to the model without a reduction efficacy until the proposed reduction efficiencies are fully approved.
  - Nutrient management plan writing acres are down by 70,000 acres statewide.
  - RMP SAG issued a final report on September 15,2017 it is available on the VA Town Hall webpage or from DCR at:http://www.dcr.virginia.gov/soil-and-water/document/rmp-sag-report-20171001.pdf Recommendations include:
    - The SAG should continue to meet and make recommendations.
    - DCR should develop RMP Communications and Educational Plans.
    - RMP program should develop a RMP waiting list
    - Increase cost-share for RMP-2
    - Provide funding to District for every inspection; $100/plan and $.50 per acre
    - Apply 10% reduction in CEF score for any BMP required to be implemented for RMP certification.
    - The RMP program has conducted a survey of 20 participants, and received 18 responses. Producers indicated a lack of understanding of the process and suggested that additional cost-share funds should be provided for RMP certification, that if DCR issued grants to implement RMPs that would result

in additional RMP certification. The program is trying to streamline the inspection process and looking for additional RMP planners to increase certification.

- WQIA stabilization SAG recommendations:
  - Fertilizer tax and flush tax or fee was discussed however these suggestions were deemed politically unacceptable.
  - Look at providing second $10 from recordation fee to VNRCF
  - VACS should have ~ $35M per year program
- Engineering meeting with DPOR went very well. DPOR agreed that Ag. BMPs s were exempt from direct supervision requirement, they liked the quality control program, and all professional engineer drawn designs need to be sealed by P.E.
  - Asking for approval of engineering guidance documents at Dec. 6, 2017 SWCB meeting.

o Dept. of Forestry:
- DOF has a new cost-share program to address the Emerald Ash Borer and a new cost-share program coordinator.
- 2018 DOF pocket calendars are available at DOF receptionist desk
- Nursery seedling price lists are now available on the DOF website at http://www.dof.virginia.gov/nursery/index.htm
- Sarah Hagan is the DIF's new RFB specialist working in Augusta and surrounding Counties.
- The DOF has been working to develop an in-state, containerized, longleaf pine growing operation at the Garland Gray Forestry Center in Sussex County and is now installing the infrastructure. DOF anticipates having the native longleaf pine seeds planted in the Spring of 2018 and VA grown Long Leaf Pine seedlings available to landowners for the first time in 2019.

♦ **Concerns from the Floor?** None

NEXT TAC MEETING SCHEDULED FOR January 18, 2018, 9:30 AM in the DOF Training room

Adjourned