Cover Crop/ Nutrient Management Ag BMP TAC Sub-committee Meeting
Thursday October 12, 2023
Town of Orange Public Works Community Building
235 Warren St.
Orange, VA 22960
10:00am – 3:00pm

OPENING AND REVIEW OF MINUTES

The Cover Crop and Nutrient Management Subcommittee meeting was called to order at 10:09am. A quorum of 11 voting members was present. Ms. Marie Schirmacher, VA-DCR welcomed those in attendance.

ATTENDANCE

Voting Members Present:

Marie Schirmacher, DCR
Allyson Ponn, Lord Fairfax SWCD
Alston Horn, Chesapeake Bay Foundation
Bryan Johnson, VFB
Buck Thorpe, Southside SWCD
Hubert Bowman, Blue Ridge SWCD
Kemper Marable, Hanover-Caroline SWCD
Megan Trice, Shenandoah Valley SWCD
Reed Felts, Peanut SWCD
Spencer Yager, Culpeper SWCD
Steve Jones, John Marshall SWCD

Voting Members Not Present:

Leigh Hubbard, Virginia Grain Producers

Non-Voting Members Present:

Marissa Roland, DCR
Amy Walker, DCR
Olivia Leatherwood, DCR
Bob Waring, DCR
Shelby Foosness, Shenandoah Valley SWCD
Sam Chappell, Blue Ridge SWCD
Gregory Powers, James River SWCD

Ms. Schirmacher called for a review of the August 31 meeting minutes. The committee motioned to approve the minutes. ***The motion passed unanimously.***

Ms. Schirmacher discussed the workflow plan for the day, which followed the subcommittee matrix (See Attachment 1).

Review of Cover Crop/Nutrient Management Matrix Items

2C: Ms. Schirmacher reviewed item 2C which included extensive edits to the NM-3C specification as previously voted on by the committee. Ms. Schirmacher stated the language for high biomass legume cover crop and the pre-sidedress nitrate test was edited for clarity.

6C: Ms. Schirmacher reviewed item 6C, which suggested revising the Whole Farm Approach (WFA) rates to match regular cost share practice rates. Ms. Schirmacher reviewed a comparison of rates for nutrient management and cover crop payment rates between VACS versus WFA. When stacked, WFA rates pay an equivalent (may not be equal in all cases) or more than VACS. There was an inconsistency found with the SL-8M, the WFA pays less for early cover crop but more for standard cover crop than standard VACS. The subcommittee discussed the history behind the WFA and capturing data even when cost-share allocations are not high. The subcommittee motioned to make the SL-8M consistent between VACS and the WFA. ***The motion passed 10 to 1 and will advance to the full technical advisory committee (TAC).***

The nutrient management VACS and WFA practice rates were reviewed and compared by the subcommittee. The subcommittee motioned to not match the nutrient management rates between VACS and WFA. There was discussion that producers can still earn more not participating in WFA and pursuing regular VACS, which the subcommittee discussed ultimately came down to an operational decision. ***The motion passed 10 to 1 and will advance to the full TAC.***

Ms. Walker informed subcommittee WFA edits will be gathered together once all specifications are edited and approved by the full TAC.

7C: Ms. Schirmacher reviewed item 7C, which asked the subcommittee to consider increasing the cost cap for the various nutrient management practices. The subcommittee removed NM-1A from consideration as it is paid at a flat rate for plan writing. Ms. Schirmacher presented the current nutrient management specification payment rates and proposed rates after removing the 75% cap. Ms. Walker informed the committee a lot of focus was on the NM-4 specification. It has not been reviewed and the rates fell behind. The NM-4 payment rate would increase to $6/acre and $12/soil nitrate test to be consistent with the NM-3C. The subcommittee reviewed the proposed rates and motioned to increase the NM-4 rates to $6/acre and $12/seasonally appropriate test. Please see Attachment 1. The subcommittee also discussed adding a payment rate for zone/grid soil sampling to the NM-5P to assist with sampling for enhanced nutrient management practices. ***The motion passed unanimously and will advance to the full TAC.***

8C & 11C: Ms. Schirmacher reviewed items 8C and 11C, which suggested triticale be included in the VACS cover crop specifications due to its advantages as a cover crop and raising cover crop specification payment rates. Ms. Schirmacher presented the bay model credit and potential rate for triticale. Triticale receives 86% of the credit compared to rye, placing it higher than non-rye species. The subcommittee discussed the potential payment rate for triticale based on credit in the Chesapeake Bay Model. The subcommittee motioned to insert triticale into the VACS SL-8B and SL-8M specifications with early and standard payment rates in line with credit received in the Chesapeake Bay Model. ***The motion passed unanimously to advance to the full TAC.***

The subcommittee discussed the rates associated with the VACS SL-8M specification based on the credit it receives in the Chesapeake Bay Model. The subcommittee motioned to increase the SL-8M early.

payment rates from $45/acre to $55/acre and standard SL-8M payment rate from $37/acre to $45/acre. ***The motion passed unanimously and will advance to the full TAC.***

10C: Ms. Schirmacher reviewed item 10C, which suggested adding a cost-share practice for electrical conductivity (EC) testing. DCR staff sought feedback from the subcommittee on how to insert EC testing into existing specifications. The subcommittee motioned to defer item 10C to TAC cycle FY24 in order to gather more information. ***The motion passed unanimously to defer item 10C to TAC cycle FY24.***

13C: Ms. Schirmacher reviewed item 13C, which suggested the subcommittee review the VACS nutrient management specifications for consistency regarding sampling and fields/acres covered by a single test. The subcommittee reviewed definitions for pre-sidedress nitrate test (PSNT) and soil (fall) nitrate test from Virginia's Nutrient Management Regulations. The subcommittee also reviewed language changes to specifications NM-4, NM-5N, and NM-7 for clarification of acres/fields covered by sample testing. The subcommittee motioned to include the definitions for PSNT and soil (fall) nitrate test into the VACS Glossary, insert language into the NM-4, NM-5N, and NM-7C about testing to state, "samples should represent a minimum of 7 acres on average and a maximum of 20 acres on average", as well as accept the re-organized language for the NM-4 for consistency. ***The motion passed unanimously 11 to 0 and will advance to the full TAC.***

16Cii: Ms. Schirmacher reviewed item 16Cii, which suggested adding additional incentives for cover crop with significant amounts of biomass in the spring. Ms. Schirmacher presented WFA data showing in PY23, 41,000 acres were reported for the late kill down incentive. The subcommittee discussed the WFA going statewide or remaining regional in the next program year. The subcommittee reviewed the WFA-CC specification change to include an explanation of planting green and keeping the $10/acre late kill down payment. The subcommittee motioned to include the insertion of planting green in the WFA-CC specification and to add the late kill down incentive, with ability to plant green, to the SL-8B and the SL-8M. ***The motion passed with 9 votes yes, 2 abstentions and will advance to the full TAC.***

18C: Ms. Schirmacher reviewed item 18C, which suggested clarifying the VACS NM-6 specification as it allows multiple injections to be paid under one instance. DCR staff sought clarification from DCR's Agricultural Incentives Program Manager, who confirmed multiple injections are allowed to be paid under one instance and that payments are made upon contract completion. The subcommittee reviewed language to be inserted into the NM-6 specification that states it is an annual practice and payments will be made once per contract in the program year. The subcommittee motioned to include these language edits. ***The motion passed with 8 votes yes, 2 votes no, and 1 abstention and will advance to the full TAC.***

20C: Ms. Schirmacher reviewed item 20C, which suggested creating a CCI practice for the VACS SL-1 specification. Ms. Schirmacher explained to the subcommittee the SL-1 is a conversion practice from row crop production, so a CCI practice would be for the maintenance of hay or pasture, and thus better addressed by another subcommittee of the TAC. The subcommittee motioned to send the item to the applicable subcommittee of the TAC. ***The motion passed unanimously 11 to 0 and will advance to the full TAC.***

22C: Ms. Schirmacher reviewed item 22C, which suggested edits to the SL-15A to accommodate operations that cannot achieve 60% residue cover all five years due to the crops planted, such as the case with cotton and peanuts. DCR staff presented draft specifications for a revised SL-15B and CCI-RT. Please see Attachment 2 and 3. DCR staff explained the specifications were modeled after the SL-15A

and CCI-RT with a 30% residue requirement and scaled payment rate based on bay model credit. The subcommittee asked for clarification on the definition of conservation tillage. DCR staff referenced the Chesapeake Bay Model definition.

The subcommittee discussed B.4 which states 'state cost-share contracts will be provided only one time per field'. Taken in its most literal sense, this technically eliminates an ability to apply for cost share on those fields in subsequent years. The subcommittee reviewed the SL-1, SL-15A, and SL-15B and suggested including language from the SL-1 specification to read 'State cost-share and tax credits for SL-15B contracts will be provided only one time per field' regarding only being able to use the practice one time as it is a conversion. The subcommittee motioned to include additional language in the SL-15B that the practice can only be used once as a conversion and to allow for tax credits and to edit the SL-15A and SL-1 to include the spec name in the corresponding sentence. ***The motion passed unanimously 11 to 0 and will advance to the full TAC.***

Ms. Schirmacher reviewed the late submission of adding cotton to the NM-3C specification and presented the draft specification to the committee for review. The subcommittee motioned to accept the language edits inserting cotton into the NM-3C specification and WFA-NM. ***The motion passed unanimously 11 to 0 and will advance to the full TAC.***

PUBLIC COMMENT

Ms. Schirmacher asked for any public comment or questions. There were none.

ADJOURN

The subcommittee motioned to adjourn at 11:25am. The motion passed unanimously 11 to 0.

MATRIX OF ADVANCED COVER CROP NUTRIENT MANAGEMENT RECOMMENDATIONS FOR CALENDAR YEAR 2023 (CY23) TAC					
Item #	**Ag. BMP**	**Suggestion to the TAC**	**TAC Recommendations**	**DCR Supports**	**FY2024/2025**
2C	NM-3C	Consider adding legumes in the Description and Purpose of the NM-3C. Suggested language for paragraph 2 "For fields that have previously received manure or biosolids applications according to the current NMP or have a history of high biomass legume cover crops..." Virginia Cooperative Extension recently updated their Nitrogen Soil Testing for Corn in Virginia publication (Publication #418-016) to reflect Nitrogen contributions from legumes.	In NM-3C under description and purpose insert "or have a high biomass legume cover crop". NM-3C A. Description and Purpose For fields that have previously received manure or biosolids applications according to the current NMP *or have high biomass legume cover crops*, a pre-sidedress nitrate test (PSNT) will be used to determine the amount of nitrogen necessary in the sidedress application. B. Policies and Specifications 2. The total number of corn acres specified by the nutrient management plan to receive manure *or have a high biomass legume cover crop* will determine the maximum acres to qualify for cost-share payment for the PSNT. Cost-share payment for PSNT laboratory analysis will be made only for those PSNT tests that are submitted for laboratory analysis. i. The PSNT must be done when corn is approximately 12 inches in height. ii. PSNT samples should represent a minimum of 7 acres on average and a maximum of 20 acres on average. 8. Acres receiving a zero application rate based on a PSNT result also qualify for a payment rate of $6 per acre. This is for manure *or high biomass legumes only*; biosolids are not eligible for payment. C. Rates 3. Costs for ~~soil nitrate test~~ PSNT sample collection and analysis by a commercial laboratory that are used to implement this practice will be reimbursed at a flat rate of $12.00 per sample. Update WFA-CC to be consistent with changes.		

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4C	SL-8M	Review language in SL-8M B.2 and B.5 and edit for clarity.	Section B.2 will be removed for clarity and to remove duplicative statements. B. Policies and Specifications ~~2. Application of manure (organic) amendments are allowed between the harvesting of the previous crop and prior to planting.~~ 5. No nutrients from any source are allowed between the harvesting of the previous crop and prior to planting, except that use of manure (organic, with less than 40 lbs. N per acre tested) is permitted if all of the following conditions are met: Update WFA-CC to be consistent with changes		
6C		Revise WFA NM and CC rates to match regular cost share practice rates. Current WFA rates hinder implementation of the practice for producers who are managing their manure, nutrients and cover crops at a high level. For example: if a producer signs up for PSNT, 2 seasons of manure injection and cover crop, the WFA payment is less than the payment that they could receive if they signed up for the regular cost share practices. Several of the cover crop rates in WFA match regular cover crop rates, while others do not match.	The subcommittee reviewed the various cover crop rates and noted discrepancies between the VACS and WFA rates for the Cover Crop with Manure, the PSNT and soil nitrate testing language and incentives. The rates were matched.		

Component	Rate per Acre	Participating Acres
Core WFA-CC Base Payment*	$4.00/acre	
Standard Cover Crop		
Early Pure Rye	$90.00/acre	
Standard Pure Rye	$60.00/acre	
Early Pure Winter Triticale	$80.00/acre	
Standard Pure Winter Triticale	$50.00/acre	
Early - Listed Small Grains, Brassicas, and/or Mixtures	$70.00/acre	
Standard - Listed Small Grains, Brassicas, and/or Mixtures	$40.00/acre	
Mixed Species Cover Crop including 50-75% Small Grain	$5.00/acre	
Cover Crop Kill Down on May 1 or Thereafter, but No Later than June 1.	$10.00/acre	
Cover Crop with Fall Application of Manure		
Early Pure Rye	$5540.00/acre	
Standard Pure Rye	$3025.00/acre	
Early Pure Winter Triticale	$50.00/acre	
Standard Pure Winter Triticale	$25.00/acre	
Early - Listed Small Grains, Brassicas, and/or Mixtures	$4532.00/acre	
Standard - Listed Small Grains, Brassicas, and/or Mixtures	$2020.00/acre	
Mixed Species Cover Crop including 50-75% Small Grain	$5.00/acre	
Cover Crop Kill Down on May 1 or Thereafter, but No Later than June 1.	$10.00/acre	
Protective Cover for Specialty Crops	$40.00/acre	
Harvestable Cover Crop		
Grain/seed and straw harvested	$20.00/acre	
Grain/seed only harvested, remaining residue left on field	$30.00/acre	
Legume Cover Crop	$45.00/acre	

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			The nutrient management VACS and WFA practice rates were reviewed and compared by the subcommittee. The subcommittee motioned to not match the nutrient management rates between VACS and WFA. There was discussion that producers can still earn more not participating in WFA and pursuing regular VACS, which the subcommittee discussed ultimately came down to an operational decision.		
7C		Consider increasing the cost cap for the various nutrient management practices (ie: NM3C, NM1A, NM5N, NM5P, NM4 and NM6).	The subcommittee removed NM-1A from consideration because it is paid at a flat rate. The incentive rates for the NM-4 have been made consistent with the NM-3C: NM-4 Rates: 2. A VACS payment rate of $6.00 per acre, for the second application in the late winter shall be paid based upon the contracted second application acreage. Producers applying their own second application will receive $6.00 per acre applied. If only one late winter application is made, no reimbursement is to be provided. 3. Costs for soil nitrate test sample collection and analysis by a commercial laboratory that may be used to implement this practice will be reimbursed at a flat rate of $12.00 per sample. The reimbursement flat rate can only be utilized once per sample, samples should represent a minimum of 7 acres on average and a maximum of 20 acres on average.		

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			Recommend removing the 75% of charge and set all as flat rate. The 75% is usually exceeded by farmer and therefore the dollar value cap is used at payment; when applied by farmer cap is used anyway. Flat rate would make the standards and specs easier to implement. Update the WFA-NM to be consistent with changes		
8C	SL-8B	Triticale should be grouped with rye for the extra incentive payment for SL-8B cover crop. Triticale, like rye, has an excelling root system that makes it an excellent choice for preventing erosion, scavenging nutrients, and building soil structure. Triticale has a heavy residue on the surface much like that of rye, thus making it a good choice for weed suppression. It produces a lot more residue than other cover crops like wheat and barley, thus making it a much more effective cover crop. Producers that plant triticale as a cover crop should be given the extra $20 dollars per acre because of the advantages it has as a cover crop.	Triticale receives credit in the Bay Model and has assigned efficiencies that are lower than pure rye, but higher than other non-rye species; significant enough to potentially be split out with an incentive. SL-8B C. Rates A **$10** per acre bonus payment is available for all applicants that plant pure stands of triticale on or before either planting date. SL-8M Rates A $5 per acre bonus payment is available for all applicants that plant pure stands of triticale on or before either planting date. Update WFA-CC to be consistent with changes		
11C		Consider raising the cost-share rates for SL-8M, SL-8H, NM-7, WQ-4, and any other cover crop practice to be in proportion with the SL-8B practice.	When comparing Bay Model efficiencies and cover crop rates, there was a discrepancy found for cover crops with fall manure. The rates were increased to reflect the Bay Model credits (efficiencies) as compared to Early Pure Rye at $90.00/ acre. SL-8M rates: • A VACS payment rate of ~~$15~~ $20 **per acre** is available. Districts should not issue payment if a good stand and good growth of winter cover is not obtained before December 15 and maintained through March 14.		

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			• A ~~$22~~ $25 **per acre early planting bonus** payment is available for cover crops planted on or before the early planting date specified for their physiographic region. Districts should not issue payment if a good stand and good growth of winter cover is not obtained before December 15 and maintained through March 14. • A ~~$8~~ $10 **per acre** bonus payment is available for all applicants that plant pure stands of rye from the following list on or before either planting date. • A $5 **per acre bonus payment** is available for all applicants that plant pure stands of Winter Triticale on or before either planting date. Rate comparisons between the various Cover Crop specifications and the attributed Bay Model Credit shows that the rates are reflective of the bay model. However, there are higher rates for some practices based on other factors, such as soil health or reduced fertilizer use, reflected in the WQ-4 Legume Cover Crop rates.		
13C		Review NM specs for consistency regarding sampling fees and the number of acres/fields to be covered by a single test (some say one test per field, others say 7-20 acres).	**Add PSNT & Soil Nitrate Test to Glossary of Terms Pre-sidedress nitrate test (PSNT): a procedure used to determine soil nitrate-nitrogen levels at a specific time during a corn crop growing season. See also, soil nitrate test.		

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			Soil (fall) nitrate test: a procedure used to determine soil nitrate-nitrogen levels prior to the small grain crop growing season. See also, Pre-sidedress nitrate test (PSNT). *NM-4* 3. Practice Implementation iii. Sample collection for any soil nitrate tests in the fall, tissue tests, or tiller counts should be done by the plan developer, an employee of the plan developer, or the farmer. iv. The total number of small grain acres specified by the nutrient management plan to receive an application of nitrogen will determine the maximum acres to qualify for cost-share payment for the Soil Nitrate Test. Cost-share payment for Soil Nitrate Test laboratory analysis will be made only for those Soil Nitrate Tests that are submitted for laboratory analysis. i. The soil nitrate test must be done prior to small grain planting. ii. Soil nitrate test samples should represent a minimum of 7 acres on average and a maximum of 20 acres on average. *NM-5N* B. Policies and Specifications 3. At least one of the following identified components must be implemented to receive any cost-share payment for this practice: i. Soil pre-sidedress nitrate test (PSNT): Plant tissue samples or petiole samples must be submitted at the correct growth stage and handled in accordance with		

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			laboratory guidelines to ensure sample viability and usability. The results of these samples may be used by the participant to support this practice. PSNT samples should represent a minimum of 7 acres on average and a maximum of 20 acres on average. *NM-7* B. Policies and Specifications 10. A fall soil nitrate test is required annually. If the 6" fall soil nitrate test is less than 30 ppm, then a manure application at planting is allowed. If fall soil nitrate test is greater than 30 ppm at planting, then the crop must be well established (4-6" tall and 50% ground cover) and temperatures conducive to N uptake at time of manure application. i. Soil Nitrate Test samples should represent a minimum of 7 acres on average and a maximum of 20 acres on average. The antiquated NM-4 standard and spec was revised for consistency with other specifications, in particular the NM-3C.		
Original Item split 16C.ii		And/or offer additional incentive for any cover crop with significant amounts of biomass in the Spring. This idea would be similar to the "pay for production" that was considered in a previous year. For example, the $90/acre cover crop payment would be based upon the amount of biomass achieved in the spring and not just when it was planted in the fall. So, there might be 2 planting commitment levels: 1. Planting with low biomass - this would be the producers that kill cover early (March	The subcommittee will review offering additional incentives for high biomass upon receipt of WFA late kill down data. The WFA provides an incentive for late kill down. The data from Program Year 2023 was reviewed and 41,000 acres were reported for the late kill down incentive. The subcommittee recommends adding the $10.00 incentive, which would promote biomass, to the applicable cover crop specifications (SL-8B and SL-8M) as the WFA is not yet a statewide practice. In addition, the		

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		15) or don't get much biomass when spot-checked - $60/acre 2. Planting with high biomass – producers would commit to a later kill date (April 15). Biomass samples could be taken - $90/acre	Subcommittee noted that the ability to 'plant green' should be added for clarity. Cover crops that are killed using mechanical, chemical or grazing means, on May 1 or thereafter, but no later than June 1, are eligible for a $10.00 per acre bonus. Planting green, planting directly into the growing cover crop prior to termination, is allowed. The WFA specification changes to reflect change: WFA-CC page 3: C. Rates 2. Cover Crop – Standard Cover Crop iv. An additional VACS payment rate of $10.00 per acre is available for a delayed cover crop kill down on May 1 or thereafter, but no later than June 1. Planting green, planting directly into the growing cover crop prior to termination, is allowed. 3. Cover Crop – Fall Manure Application iv. An additional VACS payment rate of $10.00 per acre is available for a delayed cover crop kill down on May 1 or thereafter, but no later than June 1. Planting green, planting directly into the growing cover crop prior to termination, is allowed.		
17C	NM-5N	Edit the NM-5N Rates section regarding hayland applications. Currently the Rates section says "more than two" but should be "two or more", consistent with section B. Review other wording in Rates section	Update language in NM-5N C.1 paragraph 2 to "or two or more application on highly managed hayland" to mirror language in NM-5N B.v. Advanced to full TAC.		

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		for edits needed to be consistent with requirements for small grains and other crops.	C. Rates 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. A VACS payment rate of 75% of the nitrogen application charge, up to a maximum amount of $8.00 per acre per year, is available for the acres receiving the variable rate or zone application of nitrogen or multiple split applications of nitrogen on corn, cotton and small grain; or ~~more than~~ two or more applications on highly managed hayland.		
18C	NM-6	It was recently clarified that the NM-6 allows payment for multiple injections on the same field in one program year. The spec should be updated to specify that multiple injections will be paid under one instance.	Clarification was received from the Agricultural Incentives Program Manager regarding the ability to pay on the same field in the same program year. Payments for the NM-6 will be made once per contract. Language was also included to clarify that the NM-6 is an annual practice. Advanced to full TAC. NM-6 Section B: 6. This is an annual practice. Participants may receive cost-share or tax credit for multiple injections on the same acres in the same program year (e.g. fall and spring), consistent with the Nutrient Management Plan and other requirements of this specification. C. Rates 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.		

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			2. A VACS payment rate of $45 per acre is available. Payments will be made once per contract in the program year. Participants may receive either a cost-share payment or a tax credit for implementation of this practice, but not both on the same acreage.		
19C	WFA-NM	In the WFA-NM replace the requirement to verify implementation of the NMP (B. 1. vi.) with the NMP implementation policy found in other NM specs.	Update language in the WFA-NM to mirror language in the other NM practices regarding nutrient manage plan implementation. Advanced to full TAC. WFA-NM 1. Eligibility vi. ~~In order to verify implementation of the NMP, an applicant must provide one of the following to the District:~~ ~~a. A completed verification form (DCR199-231, 04/18);~~ ~~b. A statement signed by the Nutrient Management Planner and producer that nutrients were applied during this period according to a NMP;~~ ~~c. For new producers, or tracts without a current Nutrient Management Plan, nutrient application records for the preceding 12 months.~~ vi. 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		

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			also contain any specific production management criteria designated in the BMP practice (4VACV50- 85-130G).		
20C		Add a practice to re-enroll or capture existing grassland that was converted from row crop (may help with WIP). *In 2022 the subcommittee voted to create a CCI practice for the existing SL-1 to address this suggestion, which was deferred by the full TAC.*	Move to another sub-committee to better address the CCI. The SL-1 is a conversion practice from row crop, the CCI would be for the maintenance of hay or pasture.		
22C		Add the following to SL-15A Description and Purpose: "To encourage utilization of this practice by producers with cotton and peanuts in their rotation, a one-time exception to maintaining 60% residue for five consecutive years will be granted to those willing to add an extra year to the lifespan of this practice". Under B.2., add, "For fields planted in peanuts, a small grain or cover crops must be planted within 30 days of digging. Cotton fields may also need to be planted in a small grain or cover crops to maintain biomass". Under B.6., add, "For fields that have been rutted during harvest, small grains or cover crop must be planted within 30 days to maintain compliance with this specification. It is recommended that cover crops planted after November 1st be drilled to ensure an adequate stand". *Deferred in 2022*	The subcommittee will review this item and chose to work within the SL-15B standard and spec as opposed to the SL-15A. This would create a high residue (SL-15A) and a conservation/residue tillage (SL-15B) spec. A CCI-RT practice was also developed. In addition, language regarding 'one time per field' was not clear. This language is recommended to be revised in SL-1 and SL-15A See Draft Specs SL-15B and CCI-RT. Edits to SL-1, SL-15A, SL-15B: SL-1: B. Policies and Specifications: 7. State cost-share and tax credit contracts for the SL-1 will be provided only one time per field. ~~is allowable only for BMP installations that are not receiving cost-share from other sources.~~ SL-15A: B. Policies and Specifications: 4. State cost-share and tax credit contracts for the SL-15A will be provided only one time per field.		

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Item #	**Ag. BMP**	**Suggestion to the TAC**	**TAC Recommendations**	**DCR Supports**	**FY2024/2025**
			SL-15B: B. Policies and Specifications: 4. State cost-share and tax credit contracts for the SL-15B will be provided only one time per field.		
23C		Revise NM-5N B.3 to clearly distinguish/describe PSNT and tissue samples. Currently both are listed under B.3.i in a way that can be confusing.	Remove “plant tissue samples or petiole samples” for clarification in NM-5N B.3. Advanced to full TAC. B. Policies and Specifications: 3. At least one of the following identified components must be implemented to receive any cost-share payment for this practice: i. Soil pre-sidedress nitrate test (PSNT): ~~Plant tissue samples or petiole s~~ Samples must be submitted at the correct growth stage and handled in accordance with laboratory guidelines to ensure sample viability and usability. The results of these samples may be used by the participant to support this practice.		
24C		Report out from NM-5SH STBA Pilot Project	Nutrient Management Specialists are waiting for corn to be harvested. There will be a project update/report when available.		
Duplicate or Ineligible Suggestions Received:					
	NM-3C, WFA-NM	Add Cotton to the NM-3C standard to promote the split application of cotton through a sidedress at first square (the optimal growth stage and highest demand the crop has for nitrogen). Studies have been shown by NCSU that "cotton utilizes very little N and K from planting until first square, and peak demand for nutrients like N and K occurs during the bloom period.” **Read more at: https://cotton.ces.ncsu.edu/2016/06/the-importance-of-timely-side-dress-fertilizer-**	Insert cotton into the NM-3C and WFA-NM specifications. Reference updated specs. NM-3C: All secondary or sidedress applications will be applied at a growth stage when the plant is entering the highest demand for nitrogen: corn at 15" to 24" tall; grain sorghum at 12” to 18” tall; cotton between first square and first (white) bloom.		

MATRIX OF ADVANCED COVER CROP NUTRIENT MANAGEMENT RECOMMENDATIONS FOR CALENDAR YEAR 2023 (CY23) TAC					
Item #	**Ag. BMP**	**Suggestion to the TAC**	**TAC Recommendations**	**DCR Supports**	**FY2024/2025**
		application-and-proper-petiole-sampling-collins-edmisten-crozier-hicks/ *This suggestion was not received by the submission deadline. If time allows, the TAC may take it up after all other business for the year is complete.*	*Edits to include cotton made throughout spec*		
		Incentivize the use of cover crop mixes in the SL-8B. We encourage producers to increase diversity on their cover crops fields to increase coverage, organic matter, grazing/forage capabilities and improve overall soil structure. Did the initial research that proved Rye scavenged more nutrients include comparisons to cover crop mixes? If not, research should be done and if conclusive, included on the specification. *Addressed by 1C*	*Addressed by 1C*		
		Add precision soil sampling (grid or zone) as a practice available for cost-share in PY 2024. Having the results of this type of sampling available allows agricultural producers to precisely target the application of nutrients and other inputs. This leads to much less potential loss of nutrients that would degrade water quality. Grid or zone sampling creates accurate, site-specific information that results in more efficient fertilizer placement, better environmental stewardship, and more impactful yield results. It also allows producers to avoid placing high-cost inputs where they may not be needed or may exacerbate an existing problem. Adding this as a cost-shared best management practice would be beneficial for our conservation goals and for producers. *Addressed by 9C*	The costs associated with PSNT and Fall soil nitrate tests were made consistent for nitrogen based specifications. For the NM-5P the following was added to assists with precision soil sampling for phosphorus: • A VACS cost share payment rate ~~of 75% of the application charge, up to a maximum amount of~~ $8.00 per acre, is available for the acres receiving variable rate zone or grid (subfield) application of phosphorous on row crops, small grains or highly managed hayland production systems. • Costs associated with zone or grid (subfield) soil sampling and analysis by a commercial laboratory that are used to implement this practice will be reimbursed at a flat rate of $6.00 per acre. New soil sample commercial laboratory results (within the program year the payment is being made) must be provided for reimbursement.		

MATRIX OF ADVANCED COVER CROP NUTRIENT MANAGEMENT RECOMMENDATIONS FOR CALENDAR YEAR 2023 (CY23) TAC					
Item #	**Ag. BMP**	**Suggestion to the TAC**	**TAC Recommendations**	**DCR Supports**	**FY2024/2025**
		Currently, the SL-8B payment rate for planting triticale as a cover crop is the same as that for using wheat. We recommend changing the payment rate for using triticale to equal that for using rye or at least be recognized by a higher incentive rate than wheat. As a derivative of rye, triticale shares the characteristic of excelling in root and biomass growth after planting and before the dormant period in comparison to wheat. This improves triticale's ability to prevent soil and nutrient loss and maintain water quality. Triticale's increased growth continues in late winter/early spring, leading to heavier residue for weed suppression than that from wheat, which can decrease need for additional herbicide applications that can add potential pollution to surface and ground waters. Increasing the payment rate for use of triticale as a cover crop is a sound decision to give producers another choice that is more effective at preventing non-point source pollution. Triticale can not be sold as wheat so acknowledging it with an increase in rate may help move and get rid of excess. *Addressed by 8C*	*Addressed by 8C*		

MATRIX OF DEFERRED COVER CROP NUTRIENT MANAGEMENT RECOMMENDATIONS			
Item #	**Ag. BMP**	**Suggestion to the TAC**	**Reason for Deferring**
1C		Revise cover crop rates to incentivize mixed species over pure rye. Research shows early planted mix of brassica and rye takes up more nitrogen than rye alone https://acsess.onlinelibrary.wiley.com/doi/pdfdirect/10.1002/jeq2.20342	Deferred to CY24 TAC cycle in order to gather more information from VA land grant universities and discuss possible credit in Bay Model with Ag Workgroups.
10C		Add a cost-share practice for electrical conductivity (EC) in PY 2024. We suggest this be available to participants as a one-time opportunity to have their land mapped using EC precision technology. Soil EC is a single measurement that can help tell a producer about multiple soil properties that affect crop productivity such as organic matter, soil texture, and subsoil characteristics. Soil EC maps can also be used to more accurately direct grid or zone precision soil sampling. A producer who has completed EC mapping on their operation is able to improve the placement of nutrients and other inputs, protecting the environment and helping their bottom line.	Recommend to Defer in order to gather appropriate information for relevant specifications for comparison and discussion regarding incorporation into the VACS manual

MATRIX OF TABLED COVER CROP NUTRIENT MANAGEMENT RECOMMENDATIONS			
Item #	**Ag. BMP**	**Suggestion to the TAC**	**Reason for Tabling**
3C	WFA-CC	Consider adding all cover crop practices including the SL-8A and NM-7 as part of the WFA- CC practice suite.	The committee tabled item 3C because the Whole Farm Approach (WFA) was designed to capture the most common agronomic practices. SL-8A and NM-7 are not commonly utilized practices, in addition the NM-7 is a Nutrient Management practice.
5C	SL-1	Consider removing the restriction in the SL-1 specification listed in B-5, only allowing payment once under the same ownership. There are considerable nutrient and sediment load reductions associated with this practice and that we are missing capturing due to the restriction. Furthermore, this is the only agronomic practice that has this restriction.	The subcommittee tabled item 5C. The SL-1 practice is intended to be a one-time conversion from cropland to hayland. Reductions for the SL-1 in the Chesapeake Bay Model are only received once per field enrolled.
9C		There should be a precision soil sampling program for either grid or zone soil sampling that would pay a percentage for the implementation of precision soil sampling. Precision soil sampling is becoming more popular and has many advantages to it. The concept of precision soil sampling is to determine which sections of the field need more fertilizer such as lime and potash. This then reduces the amount of fertilizer that needs to be spread helping the environment and the farmer's pocket.	The subcommittee tabled item 9C as there are already precision nutrient management practices such as NM-5N and NM-5P available in the VACS program that have a direct water quality benefit.
12C	All NM specifications	Review NM specs that reference PSNT and soil nitrate testing for consistent language. These are the same test run at different times of the year.	The CCNM subcommittee tabled item 12C given that pre-sidedress nitrate tests and soil nitrate tests are seasonally appropriate terms.
14C	NM-5N	For NM-5N, request that a pre-plant application of "ESN: Smart Nitrogen" be eligible for the first split pre-planting of corn or cotton. Currently the NM-5N states, "All split applications will be applied at a growth stage when the plant is entering the highest demand for nitrogen. Application of any sidedress nitrogen, including the first split, must be applied after the corn is at the 5-leaf stage or at least 12" in height."	The subcommittee tabled item 14C as ESN: Smart Nitrogen is a product only available through Nutrien, other versions of the product have lower than intended percentages of inhibitors thus making the product ineffective.

MATRIX OF TABLED COVER CROP NUTRIENT MANAGEMENT RECOMMENDATIONS			
Item #	**Ag. BMP**	**Suggestion to the TAC**	**Reason for Tabling**
		https://smartnitrogen.com/how-esn-works/ This new innovative source of nitrogen promotes efficient uptake and prevents nitrogen losses which is exactly the purpose of the NM-5N practice. By allowing a pre plant application farmers can more accurately place nitrogen in the root system and ensure that it reaches the intended crop thanks to its delayed release. This allows more flexibility for farmers to participate in the NM-5N practice and split their nitrogen applications over the full growing season.	
15C		Develop a BMP for application of compost on cropland. A draft BMP spec is provided as a starting point.	The subcommittee tabled item 14C because nutrient recommendations of compost are out of line with VA Nutrient Management Recommendations with an unknown nitrogen release value.
Original Item split 16C.i		Establish a higher rate for legume cover crops, particularly vetch, either in combination or not in combination with a small grain. Vetch cover crops are providing significant biomass and nitrogen fixation to reduce nitrogen applications on subsequent crops. The reduced N application is a water quality goal. Currently, the legume crops receive a reduced cost-share rate at $45/acre. We feel that this needs to be more in line with cost share rates for small grain cover crops.	The subcommittee tabled establishing a higher payment rate for legume cover crops due to the decreased Bay Model credit for legume versus rye.
21C		NRCS now pays for variable rate lime, nitrogen, phosphorus and potassium through their Conservation Stewardship Program "Level C". Reconsider the inclusion of variable rate lime and potash into the VACS Program. *Deferred in 2022*	The subcommittee tabled item 21C. The issue discussed is an indirect water quality issue and incentives are available through NRCS programs.

Attachment 1

Name of Practice: LATE WINTER SPLIT APPLICATION OF
NITROGEN ON SMALL GRAINS
DCR Specifications for No. NM-4

This document specifies terms and conditions for the Virginia Agricultural Best Management Practices Cost-Share Program's Late Winter Split Application of Nitrogen on Small Grains practice which are applicable to all contracts entered into with respect to that practice.

A. Description and Purpose

Late winter split application of nitrogen on small grain consists of applying nitrogen during the late winter in two increments based on the progression of growth of the small grain crop. Applying nitrogen based on the progression of growth of the small grain crop in the late winter minimizes the amount lost through leaching and runoff.

B. Policies and Specifications

1. Eligibility
   i. Eligibility for this practice is limited to the length of the plan recommending the split nitrogen application.
   ii. The producer must provide a written verification (such as a work order or bill) to the District within two weeks of the second application when the application has been contracted out.
   iii. The total number of small grain acres specified by the Nutrient Management Plan to receive late winter split nitrogen applications will determine the maximum acres to qualify, with payment being made only to those acres which actually receive late winter split nitrogen applications.
   iv. 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).
   v. District staff should utilize the NMP maps, nutrient balance sheets, and summary sheets to confirm practice implementation. A comparison between crop recommendations and in field conditions shall be used when certifying conservation practice compliance.

2. The total number of small grain acres specified by the Nutrient Management Plan that have organic sources of nitrogen applied during the crop year, or in previous years, or if high residual nitrogen levels are suspected from a previous crop, fall nitrogen rates should be determined by a nitrate test. Cost-share payment for soil nitrate test laboratory analysis will be made only for those soil nitrate tests that are submitted for laboratory analysis.
   i. The soil nitrate test must be done prior to small grain planting.
   ii. Soil nitrate test samples should represent a minimum of 7 acres on average and a maximum of 20 acres on average.
   iii. For late winter split application of nitrogen, the two applications must be at least 30 days apart, with the first application no earlier than growth stage 25, with nitrogen rates determined based on tiller counts and tissues.
   iv. In lieu of tiller counts and tissue tests, as listed in the Virginia Nutrient Management Standards and Criteria, revised July, 2014, late winter split application of nitrogen must not exceed 40 pounds of nitrogen for the first application and must not exceed 50 pounds of nitrogen for the second application.

3. Checks to ensure compliance with this practice may be conducted by the District or appropriate agency personnel and failure to comply may result in forfeiture of cost-share funds.

4. The producer must sign up prior to February 1 and provide written verification (such as a work order or bill) of contracted sidedress application cost (including the soil nitrate test results) to the District within two weeks of the second application and prior to cost-share payment.

5. A minimum of 20 lbs per acre must be applied to be considered a split application for the management of nitrogen

6. The amount of late winter nitrogen to be applied to the small grain field must be consistent with the nutrient management plan or determined by using a soil nitrite test consistent with procedures contained in the Virginia Nutrient Management Standards and Criteria revised July, 2014.

7. Acres enrolled in the NM-4 practice are ineligible to receive payment for an SL-8H on the same acres.

8. This is an annual practice.

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. A VACS payment rate of $6.00 per acre, for the second application in the late winter shall be paid based upon the contracted second application acreage. Producers applying their own second application will receive $6.00 per acre applied. If only one late winter application is made, no reimbursement is to be provided.

3. Costs for soil nitrate test sample collection and analysis by a commercial laboratory that may be used to implement this practice will be reimbursed at a flat rate of $12.00 per sample.

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.

Attachment 2

Name of Practice: CONTINUOUS CONSERVATION TILLAGE PRODUCTION SYSTEM

VACS Program Specifications for No. SL-15B

This document specifies terms and conditions for the Virginia Agricultural Best Management Practices Cost-Share Program's Continuous Conservation Tillage Production System best management practice which are applicable to all contracts entered into with respect to that practice.

A. Description and Purpose

This practice is designed to expand implementation of continuous conservation tillage planting systems, continuous cover, and nutrient management technologies that will result in the reduction of non-point source pollution to state waters from nutrients and sediments.

Its purpose is to reduce erosion by minimizing tillage of soils on cropland. This will improve soil quality by recognizing nutrient management indicators that manage the movement of nitrogen, phosphorous, sediments and runoff with the use of conservation tillage planting techniques.

B. Policies and Specifications

1. Eligibility:
   i. All eligible fields must be converting from a ~~minimum or~~ conventional till system to a continuous conservation tillage system.
   ii. All eligible fields must have a cropping history two out of the past five years.
   iii. Multi-year, multi-crop rotations must include at least two crops of small grain, including those planted as cover crops. Permanent grass or hay land is not considered cropland for this practice.

2. If the planting of a cover crop is needed to maintain biomass, the producer is eligible to plant cover under SL-8B or WQ-4. Participants may receive payments for the cover crop practices and the Continuous Conservation Tillage Production System simultaneously, so long as all practice specifications have been met. Cover crops are strongly encouraged throughout the life of the contract.

3. 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).

4. State cost-share contracts will be provided only one time per field.

5. Fields that have received payment in federal continuous no-till or conservation tillage programs are not eligible to participate in this practice. However, fields that have received cost share payment through this practice are not restricted by this practice from participation in federal or state conservation system programs.

6. Cropping rotations that involve the removal of residue are eligible, **so long as the residue**

coverage levels are maintained at a minimum of 30%.

7. All crops must be planted using conservation tillage methods maintaining a minimum of 30% residue coverage at planting and utilizing a non-inversion tillage method (i.e. strip till).

8. Biomass requirements for all crop rotations must maintain a minimum of 30% rain drop intercepting residue cover on the enrolled acres for the lifespan of the practice.

    i. For fields that have been rutted during harvest, small grains or cover crop must be planted within 30 days to maintain compliance with this specification. It is recommended that cover crops planted after November 1st be drilled to ensure an adequate stand.

9. This practice is subject to NRCS Standards 340 Cover Crop, 328 Conservation Crop Rotation, and 595 Integrated Pest Management.

10. All practice components implemented must be maintained for a minimum of five 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 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. 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. The VACS payment rate is a one-time incentive payment of $35 per acre.

3. Only the participant's eligible out-of-pocket expenses may be 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.

Attachment 3

Continuing Conservation Initiative

Name of Practice: LONG TERM CONTINUOUS REDUCED TILLAGE PLANTING SYSTEMS

VACS Program Specifications for No. CCI - RT

This document specifies terms and conditions for the Virginia Agricultural Best Management Practices Cost-Share Program's Continuous Conservation Initiative Long Term Continuous Reduced Tillage Planting Systems best management practice, which are applicable to all contracts entered into with respect to that practice.

A. Description and Purpose

This practice will implement a continuous conservation tillage planting system and nutrient management planning technologies that result in the reduction of non-point source pollution to state waters from nutrients and sediments. The practice will increase biomass/soil quality and manage the residue to reduce the movement of nitrogen, phosphorus, sediments and runoff with the use of no-till planting systems.

This long term continuous conservation tillage planting system reporting practice is designed to provide a financial incentive to assure that lands being managed under continuous conservation tillage planting systems are reported to DCR. These conservation tillage systems are required to be effective and functioning as designed throughout the lifespan of this practice.

B. Policies and Specifications

1. Eligibility
   - i. Eligible land must be managed under a continuous conservation tillage planting system that utilizes a non-inversion tillage method and results in a **minimum of 30% residue cover** on all of the enrolled acres and must be maintained for the lifespan of the practice. Prior to practice authorization, Districts must verify that conservation tillage planting methods have been utilized on site and that 30% cover exists on the land. Land enrolled in an active SL-15B practice **is not eligible for CCI- RT**.
   - ii. All eligible fields must have a cropping history two out of the past five years. Only multi-year, multi-crop rotations on cropland that include at least two crops of small grain or cover crop in five years are eligible. Small grain crops may be harvested for grain, straw may remain on field. Permanent grass or hay land is not considered cropland.
   - iii. Participants may not receive CCI-RT payments and Nutrient Offset Credits on the same acres simultaneously.
   - iv. In order to be eligible for cost-share, 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).

2. The practice must not be in lifespan from any other conservation program.

3. Practice Development
   i. If the planting of a cover crop is needed to maintain biomass, the producer is eligible to plant cover under SL-8B or WQ-4.
   ii. The system must be maintained for a minimum of five years.
   iii. All crops must be planted using conservation tillage methods.

4. Practice Implementation
   i. Biomass requirements for cash grain, oilseed, cotton, peanut and small grain rotations must maintain a minimum of 30% residue cover on the enrolled acres and must be maintained for the lifespan of the practice.
   ii. This practice is subject to **annual** spot checks by District staff throughout its lifespan.
   iii. This practice is subject to NRCS Standards 340 Cover Crop, 328 Conservation Crop Rotation, and 595 Pest Management.

5. All practice components implemented must be maintained for a minimum of five years following the calendar year of installation. The lifespan begins on Jan. 1 of the calendar year following the calendar year of certification of completion. By accepting cost-share payment 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.

C. Rate(s)

The VACS payment rate is an incentive payment of $3 per acre for the life of the practice. Payment for the five year contract will be made the first year of the contract and will be calculated at ($3/acre) x (number of acres in the contract) x (5 years).

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.