

Virginia Agricultural Resource Management Plan Regulations
Virginia Farm Bureau Federation Office
Richmond, Virginia
Friday, September 30, 2011

MINUTES

Assessment Subcommittee

Subcommittee Members Present

Brad Jarvis, Chair, Virginia Tech – Cooperative Extension
R.O. Britt, Murphy-Brown
Ann Jennings, Chesapeake Bay Foundation
Wilmer Stoneman, Virginia Farm Bureau Federation
Hobey Bauhan, Virginia Poultry Federation
Dale Gardner, Water Stewardship, Inc.
Meaghann Terrien, Three Rivers Soil and Water Conservation District
Brian Benham, Virginia Tech

Technical Staff Present

Chad Wentz, Natural Resources Conservation Service
Mark Hollberg, Department of Conservation and Recreation
Mark Meador, Department of Conservation and Recreation

Others Present

Jim Tate, Hanover-Caroline Soil and Water Conservation District

Meeting

The chair called the meeting to order and welcomed members and attendees. The chair distributed handouts of an assessment tool for consideration and discussion by the group. The subcommittee focused discussion on what should be included in an assessment. The group discussed the following points:

- The key role of the assessment is to record what practices are already in place and being implemented.
- If there are cost-share practices fully implemented on the agricultural operations, those practices need to be included in the assessment
- If the operation happens to have some sort of permit (confined animal feeding operation, etc.), then the assessment needs to clearly recognize those permitted requirements
- Questions were raised regarding voluntary practices: how should they be recorded and how to characterize the practices (if the practices do not meet set design standards).
- It was noted that while nutrient management plans were important and should be included in a resource management plan, it was not necessary to have a resource management plan prior to having an assessment of the agricultural operation completed.

The key questions for the assessment regarding nutrient management would be if the operator has a nutrient management plan, is it a current nutrient management plan and whether the nutrient management plan is being implemented. The subcommittee discussed whether the resource management plans should cover the same acreages in the nutrient management plan or at least cover all acreages where manure is utilized.

- It was noted that the farm land use breakdown was an important component of the assessment. Rented land should be included and at a minimum the land assessed should be at a tract level.
- Land use management needs to be included including the crop types, tillage, rotation, etc. It would be helpful to have maps with the acreages for each type of land use. Existing conservation plans would also be helpful, although it may be confusing to an operator what the difference is between a NRCS conservation plan and a resource management plan.

The subcommittee discussed the draft regulations (4VAC50-70-50). It was mentioned that the authorization should be to access other plans or documents might need to be its on letter, rather than included in the assessment itself. It was suggested that the operator's objectives might be better addressed in the plan rather than the assessment. The group discussed that the assessment should be certified by a person who has attained USDA planner certification or equivalent certifications established by the Virginia Soil and Water Conservation Board. The subcommittee was comfortable with the definition of operator, as the operator may be the land owner.

The subcommittee further refined the components of a potential assessment tool to include the following:

1. Basic farm information
2. Farm land use breakdown (farm and tract level)
 - a. cropland, pasture, forest, wildlife, or fallow
 - b. maps and soil types
3. Best management practices being implemented
 - a. active, voluntary, permitted
4. Land use management practices
 - a. crops, tillage, crop rotation, cover crops, pest management, rotational grazing, crop residue, heavy use area protection, etc.
5. Resource inventory
 - a. Fencing, streams, ponds, environmental facilities, buffers, livestock watering, waterways, irrigation

The assessment subcommittee adjourned and a joint meeting with the plan development subcommittee was held.

Plan Development Subcommittee

Subcommittee Members Present

Katie Frazier, Chair, Virginia Grain Producers Association
Bill Street, James River Association
Steve Czapka, Ecology and Environment
Charles Wootton, Piedmont Soil and Water Conservation District
Stephanie Martin, Department of Conservation and Recreation

Technical Staff Present

Darrell Marshall, Department of Agriculture and Consumer Services
Bob Waring, Department of Conservation and Recreation
Christine Watlington, Department of Conservation and Recreation

Others Present

Jacob Powell, Virginia Conservation Network
Wilmer Stoneman, Virginia Farm Bureau
Kristen Hughes, Chesapeake Bay Foundation
John Rowler, EcoSystem Services

Meeting

The chair called the meeting to order and welcomed members and attendees. The subcommittee reviewed the key discussion items and the draft regulations. There was discussion of whether the plans should be reviewed and approved. The department procedures for the nutrient management regulations were reviewed with the subcommittee. The department has oversight of nutrient management plan writers. Annually, nutrient management plan writers report to the department the number of nutrient management plans written and the acreage associated with those plans. The department reviews a certain number of nutrient management plans randomly each year to ensure compliance with the regulations. The subcommittee discussed whether the plans should be spot checked initially to ensure compliance with the regulations until the planners were more familiar with the resource management plan requirements. It was noted that a review and approval of the resource management plan in the beginning of the process would further protect the farmer rather than a case where the farmer implements a plan that is later found to be deficient.

There was significant discussion on what the scale of the “farm” should be for the purpose of developing a resource management plan. Typically, the layout of a farm has been at a tract scale. It was noted that not every farm has a NRCS tract number. It was mentioned that a farm would be able to utilize locality tax numbers if there was no NRCS tract number. It was noted that whichever numbers were utilized, there should be consistency in those numbers. If the numbers were changed or revised, notes should be included in the resource management plan noting the changes. The subcommittee decided that the operator should have the option of having a resource management plan developed for the whole operation or for tracts that function together (especially if manure is applied to fields and tracts). The tracts that are grouped together for the

resource management plan should include units that operate together as a whole operation. Geographic coordinates are also important. It was mentioned that an operator may have multiple resource management plans based on the management of the farm operation.

The subcommittee reviewed the regulations (4VAC50-70-60) and made several suggestions. It was recommended that the best management practices that may be utilized to reach the operation's reduction goal be developed as a result of the assessment which may include the provisions included in §10.1-104.8. The complete listing of best management plans the operator agrees to implement must meet the operation's reduction goal.

The subcommittee discussed when the plan would need to be revised or updated. The subcommittee thought that a new owner or operator should have the resource management plan reviewed with them to ensure that the new operator or owner fully understands the plan. When the operator or ownership has changed, the local soil and water conservation district will review the resource management plan with the new owner or operator, review the best management practices that have been implemented and the best management practices that remain to be implemented. If the new owner or operator agrees to continue implementing a resource management plan then safe harbor will be transferred (if the board had issued a certificate of implementation). The subcommittee discussed whether adding or removing tracts would require a revision to the resource management plan. The subcommittee thought a revision to the plan would be necessary only if the adding or removing of tracts resulted in a different list of best management practices that the operator agreed to implement. A change in the implemented best management practices would potentially require a revision to the resource management plan.

Joint Subcommittee Meeting

Subcommittee Members Present

Katie Frazier, Chair, Virginia Grain Producers Association
Bill Street, James River Association
Steve Czapka, Ecology and Environment
Charles Wootton, Piedmont Soil and Water Conservation District
Stephanie Martin, Department of Conservation and Recreation

Technical Staff Present

Darrell Marshall, Department of Agriculture and Consumer Services
Bob Waring, Department of Conservation and Recreation
Christine Watlington, Department of Conservation and Recreation

Others Present

Jacob Powell, Virginia Conservation Network
Wilmer Stoneman, Virginia Farm Bureau
Kristen Hughes, Chesapeake Bay Foundation
John Rowler, EcoSystem Services

Meeting

The meeting was called to order and members and attendees were welcomed. The subcommittee chairs for both the plan development and assessment subcommittees gave overviews of the discussions their groups had to date. After the overviews, discussion centered on the target/goal the resource management plan should be developed to, who is qualified to write a resource management plan, and the lifespan (or timeframe) of the resource management plan. The subcommittees decided that the target/goal discussion should be had at the full panel meeting to include all the members in the discussion.

There was significant discussion on the qualifications of the resource management plan writer. The certified conservation planner was considered a qualification. It was mentioned that there are individuals currently working with the agricultural community that are not certified conservation planners. It was noted that maybe individuals with an agricultural background, such as nutrient management planners, extension agents, crop advisors, district employees or someone with an agricultural degree might be able to complete the assessment or write the plan. It was also stated that once decisions have been made on the target/goal of the resource management plan, it might be easier to determine what level of training someone would need to complete the plan. The idea that the department would have some type of certification program for individuals who prepare resource management plans was also discussed.

The lifespan of the plan was also discussed. A ten year lifespan was mentioned, which is consistent with several agricultural permit programs. A five year lifespan and a 15 year life span were also mentioned. It was noted that the lifespan of the plan might need to be dependent on the farm operation and the best management practices associated with the operation. It was also noted that the lifespan should not be too dynamic or there will be very limited participation. The inspection schedule may impact the lifespan of the plan. It was mentioned that it might be important to separate the life of the resource management plan from the lifespan of the "safe harbor" certificate. The cost of having a resource management plan implemented was also discussed. As an example, a phase 1 conservation plan on 300 acres, may cost over \$30,000. The legislation requires that economic costs to the operator be taken into account when developing the regulations. It was stated that it needs to be very clear to the operator that there is a responsibility to maintain the best management practices over time. It was also noted that as best management practices are maintained in the ground, the state would be potentially saving money on implementation which would allow for funding to be available for oversight of the resource management plans.

The members were thanked for their continued participation and it was requested that any members with any ideas regarding the target/goal should send them to the department prior to the next meeting.

The meeting was adjourned.