

Virginia Agricultural Resource Management Plan Regulations
Virginia Farm Bureau, Richmond, Virginia
Tuesday, January 3, 2012

Regulatory Advisory Panel Members

Hobey Bauhan, Virginia Poultry Federation
Donna Johnson, Virginia Agribusiness Council
Brad Jarvis, Virginia Tech – Cooperative Extension
Ann Jennings, Chesapeake Bay Foundation
Stephanie Martin, Department of Conservation and Recreation
Eric Paulson, Virginia State Dairymen's Association
Jacob Powell, Virginia Conservation Network
Tom Simpson, Water Stewardship, Inc.
Wilmer Stoneman, Virginia Farm Bureau
Bill Street, James River Association
Meaghann Terrien, Three Rivers Soil and Water Conservation District
Don Wells, Virginia Association of Soil and Water Conservation Districts
Charles Wootton, Piedmont Soil and Water Conservation Districts

Technical Support

Darrell Marshall, Department of Agriculture and Consumer Services
Matt Poirot, Department of Forestry
Blaine Delaney, Natural Resources Conservation Service
Neil Zahradka, Department of Environmental Quality
Mike Foreman, Department of Conservation and Recreation
Christine Watlington, Department of Conservation and Recreation
Bob Waring, Department of Conservation and Recreation
Diane Beyer, Department of Conservation and Recreation
Ginny Snead, Department of Conservation and Recreation

Others in attendance

Jack Frye, Chesapeake Bay Commission
Adrienne Kotula, James River Association
Peggy Sanner, Chesapeake Bay Foundation
Reese Peck, Department of Conservation and Recreation
David Johnson, Department of Conservation and Recreation
James Davis-Martin, Department of Conservation and Recreation
Blair Krusz, Virginia Agribusiness Council
Travis Hill, Deputy Secretary for Agriculture and Forestry
Casey Jensen, Chesapeake Bay Nutrient Land Trust
Jim Tate, Hanover-Caroline Soil and Water Conservation District
Ken Carter, Association of Soil and Water Conservation Districts
David Dowling, Department of Conservation and Recreation

Mark Meador, Department of Conservation and Recreation

Welcome and introductions

Ms. Martin welcomed members. She expressed appreciation to Farm Bureau for hosting the meeting. She said that hopefully everyone had the opportunity to review the current draft of the Regulation, dated December 28, 2011 that was distributed by email. A copy of that version is available on the DCR website. She said that version of the regulations would be the focus of the meeting.

Ms. Martin said that only the sections revised since the December 16, 2011 meeting would be part of this meeting's discussion.

Discussion of the draft regulations

Definitions (4VAC50-70019)

A member asked if the "Technical Review Committee" would need to be in every Soil and Water Conservation District.

Ms. Watlington said that would be discussed under the review of plans.

Under the definition of "owner" it was suggested to insert the phrase "of a management unit" and delete the term "agricultural."

It was noted that the TMDL definition was a generic permit definition as defined by DEQ.

Minimum standards (4VAC50-70-40)

Ms. Martin turned to the section on minimum standards.

A member asked if the list of practices was different than what was presented at the last meeting. He asked what the basis for the change was specifically with regard to cover crops in item #3.

A member said that it would likely mean that cover crops were part of the rotation, but were more likely to be part of the conservation plan.

It was noted that there needed to be clarity regarding nutrient management plans and conservation plans meeting the definition of "T."

It was suggested that item 5.b. become item 6. under subsection A.

It was suggested that subsection B be stricken.

Review of a resource management plan (4VAC50-70-70)

In the review of plans each Soil and Water Conservation District would have a review committee.

It was noted that there needed to be strong guidance to ensure consistency of the reviews in all Districts.

Concern was expressed regarding the limited resources of both the Soil and Water Conservation Districts and the Department of Conservation and Recreation.

DCR will have oversight of the Soil and Water Conservation Districts with regard to the RMP program.

Inspection frequency (4VAC50-70-90)

A member asked how DCR would know the inspection requirements were being met.

Questions were asked regarding the frequency of the inspections. Onsite inspections should occur every three years.

DCR will perform random spot checks.

It was suggested that three years be the baseline, but that the frequency could be increased if the risk increases.

A member asked what should be reported, if anything, on an annual basis. There was a discussion of documents that should be available at inspection.

Lifespan of RMP or lifespan of Certificate of RMP Implementation (4VAC50-70-80)

Discussion centered on whether the lifespan of the certificate should be 6 years or as many as 10 years.

It was suggested that a 6 year cycle needed to be a simple renewal process.

For a 10 year cycle there needs to be consideration of the financing component.

A member suggested that the certificate would be a living document and would require ongoing inspection.

A member said that the renewal process would be important.

Under 4VAC50-70-90, subsection E, it was suggested that the word “shall” be changed to “may.”

Consensus was not reached regarding the lifespan of the certificate.

It was noted that certificates being considered for renewal must consider new TMDLs.

Public Comment

There was no public comment.

Next Steps/Next Meeting

The next meeting of the RMP RAP will be Tuesday, February 14 at 9:00 a.m. in the West Reading Room of the Patrick Henry Building, Richmond, Virginia.