

**PROGRAMMATIC SUBCOMMITTEE**  
**DEQ Innsbrook**  
**4949 Cox Road, Glen Allen, Virginia 23060**  
**July 24, 2019 9:30am-1:00pm**

**TIME AND PLACE**

The Programmatic Subcommittee meeting was held on Wednesday July 24, 2019 9:30am at the Virginia Department of Environmental Quality Innsbrook.

**ATTENDANCE**

**Voting Members Present**

Darryl Glover, DCR (Chair)  
Martha Moore, Virginia Farm Bureau  
Dana Gochenour, Lord Fairfax SWCD  
Joe Wood, Chesapeake Bay Foundation  
Willie Woode, Northern Virginia SWCD  
Greg Wichelns, Culpeper SWCD  
Kyle Shreve, Virginia Agribusiness Council  
Carrie Swanson, Virginia Cooperative Extension  
Anne Coates, Thomas Jefferson SWCD  
Charles Newton, Shenandoah Valley SWCD  
Brandon Dillistin, Northern Neck SWCD  
Steven Meeks, Virginia Association of Soil and Water Conservation Districts  
Jay Yankey, Prince William SWCD  
Ricky Rash, Piedmont SWCD  
Sharon Conner, Hanover-Caroline SWCD  
Adrienne Kotula, Chesapeake Bay Commission

**Voting Members not Present**

Keith Horsley, Tidewater SWCD

**Others Present**

Marie Abowd, DCR  
Denney Collins, DCR  
Debbie Cross, DCR  
David Bryan, DCR  
Kendall Tyree, Virginia Association of Soil and Water Conservation Districts  
Joseph Stepp, Hanover-Caroline SWCD  
Sam Truban, Lord Fairfax SWCD

**WELCOME**

Meeting Opens (9:30 AM)

A quorum was established with 16 voting members present. Mr. Glover welcomed the participants and briefly reviewed the agenda.

## DISCUSSION

### **2P - Priority and Secondary Considerations, Darryl Glover**

- See Appendix 1: Priority and Secondary Cost Share Considerations for Soil and Water Conservation Districts (SWCDs)
- Prompted by a previous discussion with Mr. Glover and the Secretary of Natural Resources as a way to elevate CEF into Priority Considerations. Mr. Glover made the point that this would not be removing the list of Priority Practices, this is a way to try to eliminate lower CEF scores from being automatically exempted.
- Inclusion of CEF in Priority Considerations, other possible changes to Priority Considerations, Priority Practices as Priority Considerations and possible changes to Secondary Considerations were all discussed.
- Mr. Glover asked Lord Fairfax District to share their Ranking Spreadsheet with DCR to which Lord Fairfax representatives agreed
- Mr. Glover will prepare for further discussion at the Programmatic Subcommittee Meeting in October.

### **SUBCOMMITTEE ACTIONS, David Bryan and Darryl Glover**

- 7P – Allowing the Amendment of Average Cost Lists Throughout the Year
  - Tabled at previous meeting
  - Not a problem at this time, Districts overall seem to be managing responsibly
- 6P – Regional VACS Pricing List
  - Motion to table by Mr. Charles Newton, seconded by Mrs. Martha Moore (14Y, 1 Absent, 1 Abstained- Joe Wood)  
**Motion Passes to Table**
  - A price list is already created by NRCS, system works at this time and Districts have the ability to create and update their own list.
- 8P – BMPs in Conservation Easements
  - Motion to table by Mr. Kyle Shreve, seconded by Mr. Greg Wichelns (15Y, 0N, 1 absent)  
**Motion Passes to Table**
  - Already in manual, group did not see any reason to change.
- 9P – Cost Share to Pay E&S Permit Costs
  - Motion to table by Mr. Greg Wichelns, seconded by Mr. Steven Meeks (14Y, 1 Absent, 1 Abstained- Joe Wood)  
**Motion Passes to Table**
  - Action has already been corrected in the FY20 VACS Manual
- 10P – Eliminate/Change Tax Credit Producer Form
  - Motion to amend by Mrs. Anne Coates, seconded by Mr. Ricky Rash (13Y, 3 Abstained)  
**Motion Passes to Amend**
  - Subcommittee will bring amended language back to next Programmatic Subcommittee Meeting.
  - The form is useful and has solved many issues that have occurred in the past, though form needs to be updated to clarify language.

## DISCUSSION, David Bryan

- **1P – Caps Discussion**
  - **Practice Caps:**
    - Mr. David Bryan led the discussion of the elimination of practice caps (SL-7, WP-4C, WP-4F, WP-6, SE-2). Only five practices in the VACS Manual have monetary practice caps that are not flush with the current participant caps. These were practices that were left over from the previous TAC year from back and forth discussions. There is no way for Roland to track practice caps in the Tracking Program.
      - \$50,000 per participant per year for SL-7, WP-4C, WP-4F and WP-6
      - \$70,000 per participant per year for SE-2
      - Practices such as WP-4 that have \$100,000 monetary practice caps (i.e. equal to the existing participant cap) will have that practice cap language struck from the Manual.
    - Motion to Eliminate Practice Caps by Mrs. Anne Coates, seconded by Mr. Greg Wichelns (15Y, 1 Abstained)  
**Motion Passed to Eliminate Practice Caps**
  - **Participant Caps Increase Above \$100K:**
    - Mr. Bryan then transitioned the conversation to participant caps that are currently set at \$100,000 per participant per year. There was discussion of the fact that participant caps were just changed on July 1, 2019, so is there really a need to change further? The subcommittee agreed to take a look at the end of the quarter to see if this was a high enough cap, if participants are capping out and if the amount should be revised. The subcommittee decided to revisit once more information is available.
  - **Expand Variance Process to incl. (SL-6N, SL-6W)**
    - Motion to expand variance to add SL-6s (as described below) by Mrs. Carrie Swanson, seconded by Mr. Kyle Shreve.
    - (15Y, 1N)
    - **Motion Passed to Expand Variance to SL-6s AND SL-6W/SL-6N combination projects**

## EQUINE DISCUSSION, Darryl Glover

Mr. Glover shared the Equine Workgroups Minutes from their meeting on April 23, 2019 at the Virginia Department of Forestry in Charlottesville, VA. The minutes were reviewed and discussed by the Programmatic Subcommittee. See Appendix 2: “Equine Workgroup Minutes.”

Mr. Glover shared that they are currently in discussion with Virginia Tech and Virginia Cooperative Extension about researching practical uses for managing horse manure. The subcommittee then reviewed the Recommendations provided by the Equine Workgroup, Appendix 2.

- **Recommendation 1:** Change the Definition of “Agricultural Products” and “Agricultural Production” in the VACS Manual for commercial equine operations.
  - Motion to forward to full TAC by Mrs. Martha Moore, seconded by Mr. Steven Meeks (13Y, 3N)  
**Motion Passed to Forward to Full TAC.** This will be denoted #2E for future tracking purposes.
- **Recommendation 2:** Establish a pilot program for those equine operations that do not qualify for VACS, **Recommendation 3:** Funding for pilot program outside of VACS and **Recommendation**

4: Develop a formula for funding distribution and pilot program participants; were all discussed together.

- Motion to postpone until further research is conducted by Virginia Tech, seconded by Mr. Greg Wichelns. (13Y, 3 Abstained)
  - If any subcommittee members have suggestions for the Virginia Tech equine manure management research, they were encouraged to send ideas to Mr. Glover and Mr. Shreve.
- **Recommendation 5:** Establish funding for a review of carrying capacity rates
  - No longer an issue and was passed over by the subcommittee
- **Recommendation 6:** General Specifications for Full TAC Considerations
  - Suggested practices for Equine included hardened use areas, roof runoff management (gutters), loafing lots, heavy use areas and SL-6 practices.
    - Motion to send SL-6A to Stream Protection Subcommittee by Jay Yankey, seconded by Greg Wichelns. (14Y, 1 Absent, 1 Abstained)  
Motion Passed to Send to Stream Protection Subcommittee. This will be denoted Item #1E for future tracking purposes.

#### **SUBCOMMITTEE ACTIONS CONTINUED**

\*\*\* Voting percentage to meet 80% changed due to individuals having to leave, 15 voting members

- 5P - Develop a Method to deal with Small Farms.
  - Motion to table by Mr. Greg Wichelns, seconded by Mr. Jay Yankey. (10Y, 5N)  
**Motion Failed**
  - Motion to defer to August Meeting by Mr. Kyle Shreve, seconded by Stefanie Kitchen. (14Y, 1 Abstained)  
**Motion Passed to Defer to August Meeting of Programmatic Subcommittee**
- 4P – Clarify Policy on CREP/RCPP Cancellations
  - Mr. Glover recommended to look at current language that is in the FY20 VACS Manual and revisit conversation at next Programmatic Subcommittee Meeting.

#### **PUBLIC COMMENT**

None

#### **FUTURE MEETING DATES, TIMES AND LOCATIONS**

Agricultural BMP Technical Advisory Committee, 9:30am on August 14, 2019 at the Department of Forestry in Charlottesville, VA

Programmatic Subcommittee, 9:30am on August 26, 2019 at the Central High School Cultural and Educational Center in Goochland, VA

**ADJOURN** (1:00 PM)