

Meeting Minutes – 10/7/2024

Animal Waste Subcommittee – 10AM Augusta County Service Center – Smith Room East

Amanda Pennington-DCR, Chair
Aaron Shull-Headwaters SWCD, voting member
Ben Chester-DCR, Non voting member
Darrell Marshall-VDACS, voting member
Elizabeth Dellinger-VACDE, voting member
Eric Paulson-VA Dairymen's Association, voting member
Hunter Gravatt-Hanover Caroline, voting member
Jake Tabor-Farm Bureau, voting member
Kendall Dellinger-Culpeper SWCD, Voting member
Kevin Dunn-Peter Francisco SWCD, voting member
Megen Dalton-Shenandoah Valley SWCD, voting member
Nick Livesay-Lord Fairfax SWCD, voting member
Phil Davis-DEQ, voting member
Raleigh Coleman-Thomas Jefferson SWCD, voting member
Steve Escobar-VA Equine Council, voting member
Hoby Bauhan-Poultry Federation, non voting member
Josh Walker (joined after lunch)- Shenandoah Valley SWCD, public attendee
Sara Bottenfield, DCR
Tad Williams, DCR
Stu Blankenship, DCR
Andrew Smith, DCR

10:02AM – call meeting to order

14 voting members are present. Need 12 to meet 80% passing vote.

-Introductions were had.

Matrix Item 1- *Provide recommendations for consistent procedures and guidelines to implement the approved budget amendment regarding cost-share for animal waste facilities:*

Notwithstanding any other provision of law, the Department shall permit the disbursement of funds allocated for the Virginia Agricultural Cost Share Program (VACS) to be committed and disbursed as cost-share funding in conjunction with the planning and construction of livestock and poultry waste facilities prior to animals being on site if such projects would be otherwise eligible for funding and the applicant has a contract for animals to be placed within the project site within six months of the project's completion.

-Amanda- explained/provided insight into the September 24th meeting at DCR central office with agency leadership, Farm Bureau, Poultry Federation, and VA Dairyman's Association. The only change is that the items presented, that animals located on another farm but already owned by the operation qualify

-Kevin and Darrell showed up at 10:07

-Amanda presented the work completed last meeting and what is still needed to be completed.

-Amanda discussed the typical order of operations for the process for Wp-4 projects.

Moving on to Matrix item 2a – *Consider increased cost share rate for a WP-4 manure storage facility. This would incentivize storing exposed manure piles, without the “production gain” of a feeding facility. Possible rate of 80% - 90%. Manure storage facility in conjunction with feeding facility would remain at 75% reimbursement.*

-Nick expressed that his district was the one who brought forward this language.

-They tried to discuss the reasoning being increasing.

-Megen made the point that once we bring the cost share up how do we take it backwards.

-Kevin suggested lowering the storage volume required to reduce cost.

- Ben stated that we haven't in the past increased the cost share without additional requirements.

-Sara stated that changing the cost-share rate based on the production impact of the BMP would be an atypical reasoning to increase funding.

-Raleigh stated that the Wp-2A was increased because there was no incentive to the landowner's property.

-It was discussed that with the piggyback 100% option this may not be necessary.

-We discussed that the existing WP-4 suite options are 75% and just changing one may not make a difference.

-we discussed whether we could decrease this amount in the future if the funding goes down.

-Phil suggested waiting to hear how NRCS would be able to approve these projects in the future with additional funding.

-Ben suggested that if we want to cherry pick this one we need to decide why this one gets an increase as an incentive without information. It's not clear that the current rate is inhibiting participation.

-Nick Livesay moved to increase to 10% - Eric Pulson Second

-opposed Amanda, Kevin, Raleigh, Darryl, Elizabeth, Aaron, Hunter

-abstain Phil Davis

-motion failed

-Kevin motions to table item 2a – Eric Seconds

-motion passes unanimously

Move on to Matrix 4a – *Allow for cost-share on decommissioning old manure lagoons. Old lagoons are becoming more frequent as the dairy industry shrinks. These old lagoons are water quality concerns.*

-Phil discussed that as long as a NRCS Item has been included in a conservation plan then DEQ could pay within their loan program.

-Tad stated that they could add basically anything into a plan as it is just a plan as long as they are addressing a resource concern.

-It was discussed how the BMPs are implemented between conservation plans and tracking and districts.

-Hoby left at 11:08AM

-We discussed that the PE could include language on non-cost shared projects that they meet the NRCS standards and specifications.

-Essentially this issue can be solved by adding the components to the conservation plan even though no agencies are paying for this.

-Elizabeth suggested creating a tax credit for decommissioning the manure pits rather than just relocating them.

-it was considered to be too expensive even at a tax credit amount that they aren't cost effective at that point.

-It was discussed that deferring this item is likely the case and next year they will submit this as a new spec next year.

-Steve Motioned to table this item with the understanding that it will be reviewed potentially next year with new language. Kevin Seconded.

-Motion passes unanimously

5 minute break – Resume at 11:36AM

Moved on to Matrix Item 3A- *Review and revise WP-4F for consistency with WP-4C*

-Amanda discussed why the WP-4F was presented, it has recently been used and has not been reviewed by the TAC in over 10 years.

-We discussed the removal of the WP-4F and including it in the WP-4C but agreed that it wasn't necessary as they are typically going to be different animal types and production.

-We determined that the spec needed to be amended to be similar to the current WP-4C.

-it was discussed that the incinerator would likely not be used daily, but may need pre-storage.

-it was agreed to change the lifespan to 15 years and adjust the applicable NRCS standards as necessary.

-Tad suggested that the end product ash would likely be added to whatever manure storage exists on the farm and that the testing for nutrients is likely not necessary.

-Ben suggested we need to limit the "fuel storage and line" to make it a reasonable amount rather than unlimited.

Amanda Motioned to accept the language as revised Steve seconded.

-Passed unanimously.

Break for lunch at 12:24PM to begin back at 1:15PM

We reconvened at 1:22PM and began speaking about the risk assessment.

Josh walker joined after lunch.

- Elizabeth began by bringing up the tracking maps and the environmentally sensitive items.
- We discussed that rock outcropping even though its not listed should be considered high sensitivity and is added to the list.
- It was discussed that if a certified soil scientist certified that the soil was high sensitivity, points could be awarded on the risk assessment.
- Stu described how the perennial streams layers were created and confirmed that it was not field verified and everything for the risk assessment must be filed verified.
- For flood plain determination or frequent flooding a soil scientist would have to determine it sensitive.
- We discussed changing credit for environmentally sensitive soils and if the transport feature crosses environmentally sensitive
- We discussed that if the flow path hit a sensitive soil and discharged there it could be considered sensitive (maybe at the allowance of the DCR engineering staff).
- We discussed making the discharge location of a failing stream into a sensitive soil may be dissipating over time.
- Kevin brought up the 500' rule that requiring someone to move 500' doesn't make sense.
- We discussed the pros and cons to changing it and decided that the increase to 1000' and also add language about considering the topography as well.

Public comment – 0

Meeting adjourned at 2:45PM

- Funds should be disbursed to the District based on what is shown in CAS as obligated. The District shall hold payment to the participant until animals described in the contract are on site.
- Sizing and risk assessment numbers are based on the animal numbers, types and weights in the contract.
- Information needed prior to construction:
 - Signed/Executed Contract
 - Animal numbers
 - Animal types
 - Animal weights
 - Feeding methods and types
 - Cleanout schedule for poultry
 - Housing type (i.e. bedded pack, free stall facility, seasonal feeding facility, etc.)
- This applies to expansions of existing operations, new operations, or herds that are a part of the existing operation but located on an offsite farm and will be moved.
- All existing program rules apply, other than animals being on site.
- Only applies to the WP-4 (manures storage)/WP-4C (mortality composting facility).
- Order of Operations:
 - Producer expresses interest
 - Producer has a contract to receive animals
 - Run risk assessment
 - Sign them up for VACS
 - Size structure
 - Cost estimate
 - Board approval
 - Design structure
 - Disbursement of funds to the District
 - Construction
 - DCR Technical certification once construction is complete.
 - Animals shall be on site within 6 months of technical certification
 - Payment is made to the producer once animals are on site.