

Meeting Minutes

TAC Stream Protection & Forestry Subcommittee – 1st Meeting

September 28, 2026

Smith West Room, Augusta County Government Center

18 Government Center Lane, Verona, VA 24482 - (540) 245-5600

Attendees:

TAC Subcommittee Member	Organization	Voting
Ben Chester	Virginia Department of Conservation and Recreation (DCR) (Chair)	Yes
Megan O’Gorek	Virginia Department of Environmental Quality (DEQ)	Yes
Tricia Mays	Southside SWCD	Yes
Eric Heberling	Headwaters SWCD	Yes
Madison Coffey	Lord Fairfax SWCD	Yes
Jack Carlton	Shenandoah Valley SWCD	Yes
Patti Nylander	Virginia Department of Forestry	Yes
Kevin Dunn	Piedmont SWCD	Yes
Mark Campbell	Virginia Farm Bureau	Yes
Robert Bradford	Culpeper SWCD	Yes
Sam Chappell	Blue Ridge SWCD	Yes
Stacey Sovick	Hanover-Caroline SWCD	Yes
Tim Higgs	Virginia Department of Agriculture and Consumer Services (VDACS)	Yes
Stacy Horton	Virginia Department of Conservation and Recreation (DCR)	No
Proxies Present		
Keith Burgess	Monacan SWCD	Yes
Alston Horn	Chesapeake Bay Foundation	Yes
Others Present		
Raleigh Coleman	Virginia Department of Conservation and Recreation (DCR)	No
Colton Sullivan	Virginia Department of Conservation and Recreation (DCR)	No
Tracy Culbertson	Virginia Department of Conservation and Recreation (DCR)	No
Sara Bottenfield	Virginia Department of Conservation and Recreation (DCR)	No
Jake Tabor	Virginia Farm Bureau	No

Voting Members Present: 15

Introduction

Ben Chester (DCR) called the meeting to order at 9:34 AM with a quorum of 15 voting members present. He invited everyone in the room to introduce themselves and sign the sign-in sheet.

New Business

Mr. Chester began the meeting with an annual review of practice specifications for the purpose of evaluating their use and effectiveness. The specifications up for review were displayed for the subcommittee along with the frequency of their use by SWCDs in past program years. Sara Bottenfield clarified that a vote must be taken for a recommendation to remove the practice from the VACS manual or other changes, but no vote is needed to retain the practice in the VACS manual as currently written. Mr. Chester asked the group for suggestions on how to approach the review. Keith Burgess suggested going down the list in order of presentation. This approach was agreed upon by members.

Mr. Chester began the review with the **FR-3M: Riparian Forested Buffer Maintenance** practice which has been used 4 times in the past 10 years. The floor was open for discussion. Members unanimously agreed to retain FR-3M practice in VACS Manual.

SE-1: Vegetative Stabilization of Marsh Fringe Areas. Used 0 times in the past 10 years. Raleigh Coleman read the practice description and purpose, cost share rate and practice lifespan to the subcommittee. The floor was open for discussion. Keith Burgess had concerns that if the practice were to be removed from the VACS manual, would the practice specification be retained in any way in case future need were to arise. Sara Bottenfield clarified that previous PY VACS manuals are available online and can be referred to if the need arose in the future. Kevin Dunn made a motion to remove the SE-1 practice from the VACS manual. Tim Higgs seconded the motion. No further discussion. The motion passed unanimously.

SE-2: Shoreline Stabilization. 5 instances of use in the last 10 years. Mr. Chester began discussion by stating this practice is only applicable in very specific locations and installation costs are often prohibitive. Sara Bottenfield clarified that this practice was a tax credit only practice and was moved to a cost share practice in 2018. Raleigh Coleman clarified the practice lifespan of 15 years and cost share rate of 75%. Kevin Dunn made the comment that he'd like to see SEAS take this practice back over because agricultural activities are not directly causing the need for shoreline stabilization in tidal areas rather the practice is addressing tidal influence on agricultural land. Mr. Chester stated that SEAS does not have licensed engineers on staff and the SE-2 practice is required to have a PE design. That is the reason this practice was moved to the VACS program. Kevin Dunn made the motion to support the continued availability of the SE-2 practice but recommends that SEAS would be the more appropriate entity for implementation. Tricia Mays seconded the motion. Discussion was held on whether to keep the SE-2 practice in the VACS manual but revert it back to a tax credit only practice. Tim Higgs asked for clarification that the motion on the floor is not to amend the language within the specification but to keep the

specification as written and recommend that the practice be more appropriately implemented under SEAS. Sara Bottenfield also asked for clarification of the motion on the floor; to keep the SE-2 specification as currently written and the recommendation of this subcommittee would be the SE-2 practice would be more appropriately implemented under SEAS. Kevin Dunn amended his motion to keep the SE-2 specification as currently written and recommend to the Soil and Water Board that the practice be reviewed for potential relocation under SEAS. Tricia Mays seconded the motion. No further discussion. Mr. Chester abstained. The motion passes.

SL-4: Terrace Systems. 0 uses in the past 10 years. Raleigh Coleman read the practice description and purpose to the subcommittee. The floor was open for discussion. A motion was made by Robert Bradford to remove the SL-4 practice from the VACS manual. Madison Coffey seconded the motion. No further discussion. Tim Higgs abstained. Motion passes.

SL-6F: Stream Exclusion in Floodplains. 5 instances since inception in PY 2023. The consensus to keep the SL-6F practice in the VACS manual was unanimous.

WP-2B: Stream Crossings & Hardened Access. A tax credit only practice. Used 4 times in the last 10 years. Raleigh Coleman read the practice purpose and description to the members. The floor was open for discussion. Kevin Dunn made the comment that this practice can be used for installing crossings for equipment use and that livestock do not have to be involved. Madison Coffey asked the question of the difference between this practice and the SL-11B. Keith Burgess stated the reason why we see such low usage is the design requirements. It has to meet our standards. To answer Madison Coffey's question, Raleigh Coleman stated that the difference between the 2 practices is the WP-2B is subject to the NRCS 584 Channel Stabilization standard. Clarification was made that both practices include culverts. Madison Coffey made the motion to remove the WP-2B practice from the VACS manual. Tricia Mays seconded the motion. No further discussion. The motion passes unanimously.

WP-2C: Stream Channel Stabilization. Used a total of 3 times. The floor was open for discussion. Keith Burgess stated this could be used for washouts on large streams with large watersheds. Ben Chester clarified that this practice only addresses stabilization measures between the stream toes. Raleigh Coleman displayed the practice purpose and description for the group. Robert Bradford commented that this practice can be used to naturalize the stream channel through encouraging stream meander. Mr. Bradford continued by stating that the practice is tax credit only and if the producer is willing to spend the money, the practice should remain available. Ben Chester commented that through his research, this practice has been applied in combination with streambank stabilization, so we have one specification for between the stream toes and one

specification for between the stream banks. There is difficulty in determining how and where this practice applies. This practice would make sense to apply after a major event where atypical amounts of sediment have been deposited in the stream channel and removal of this sediment would restore the channel back to a hardened base and prevent sediment from moving downstream. Robert Bradford commented that his district has used this practice in the past to encourage streambank stabilization and this practice has allowed the district to recommend certain engineering firms in order to facilitate implementation. Sam Chappell made a comment about potentially combining this stream channel stabilization practice with the streambank stabilization practice (WP-2A). Alston Horn stated this would really change the permitting requirements (in-stream versus stream bank). Mr. Chester asked the group if anyone had suggestions for major changes or if anyone would like to see the practice removed from the VACS manual. The consensus to keep the WP-2C as currently written in the VACS manual was unanimous.

WP-2P: Portable Fencing for Stream Protection. Mr. Chester stated this is a relatively new practice. Kevin Dunn noted that creation of this practice was mandated by legislation so it should be kept in the VACS manual. The members agreed unanimously.

WP-7: Surface Water Runoff Impoundment for Water Quality. The floor was open for discussion. Mr. Chester stated this practice has not been used in the past 10 years. Raleigh Coleman stated this is a tax credit only practice. Sara Bottenfield commented that this practice has been around since at least 1999. Raleigh Coleman stated this practice is essentially a sediment basin. Madison Coffey asked the difference between this practice and the WP-5 (Stormwater Retention Pond). Raleigh Coleman replied that water retention is holding water whereas this practice's purpose is detention, temporarily holding water. Mr. Coleman added that the WP-5 collects and retains stormwater whereas the WP-7 is likely dry between events. Madison Coffey asked if that is a significant difference. Mr. Chester stated that one is considered a controlled release versus the other which could be considered more of a pretreatment (capturing sediment) before release. Mr. Chester added that we are only looking at the WP-7 which was set up more to address stormwater and it's not clear where it would apply and how often it would apply. Raleigh Coleman stated that the standards are the same under the WP-5 and the WP-7 except that the WP-7 has standard 472 Use Exclusion. Madison Coffey made the motion to remove the WP-7 from the VACS manual. Sara Bottenfield added that the WP-7 was utilized once in 1999, once in 2001 and once in 2012. Alston Horn seconded the motion on the floor. No further discussion. The motion passes unanimously.

WQ-1: Grass Filter Strips. The floor was open for discussion. Keith Burgess stated that this practice is limited to within 100 ft. of a stream. Raleigh Coleman displayed the practice

specification for the group. Kevin Dunn stated that this practice was brought to subcommittee last year where a producer wanted a field border but could not use this practice because it does not allow the filter strip to be used as a travel way for farm equipment. Madison Coffey made the motion to keep the WQ-1 practice in the VACS manual but consider a detailed review of it in the future. Tricia Mays seconded the motion. No further discussion. The motion passes unanimously.

WQ-5: Water Table Control Structures. The floor was open for discussion. Raleigh Coleman stated that this practice is a cost share practice with a 75% cost share rate with a 10-year lifespan subject to NRCS 587 Structure for Water Control. Ben Chester made the comment that this practice has not been used in the past 10 years. Robert Braford made the motion to remove the WQ-5 practice from the VACS Manual. Madison Coffey seconded the motion. No further discussion. The motion passes unanimously.

Mr. Chester concluded the annual review of practice specifications for the purpose of evaluating their use and effectiveness and asked for suggestions on addressing the 15 matrix items on the agenda. Keith Burgess suggested combining matrix items 3S and 14S due to their similarity. This suggestion was accepted by the group. Mr. Chester proceeded with the meeting addressing all other matrix items in order.

Matrix Item 1S: *Update the SE-2 practice to be consistent with the eligibility of the WP-2A practice and allow shorelines bordering forestlands to be eligible. WP-2A: Streambanks bordering only agricultural and forestal lands. Other land, such as recreational, urban and built-up or residential lots are not eligible. SE2: For shorelines bordering only agricultural lands. Other lands such as recreational, urban and built-up or residential lots are not eligible.*

Matrix Item 1S was addressed with the assumption that the SE-2 practice will remain as written in the VACS manual and would not be relocated to another program as previously discussed during the review of practice specifications. The suggestion presented with matrix item 1S appears to be based on old language. The language “and forestal” was removed from both from the SE-2 and the WP-2A in PY 2025 as forestal lands are considered agricultural. Essentially, the SE-2 practice has already been changed and forestlands are currently eligible. Sara Bottenfield expounded upon this to say that forest products are included in the VACS definition of agricultural production and the VACS eligibility requirements address private nonindustrial forest lands. Keith Burgess made that motion to table matrix item 1S. Alston Horn seconded the motion. No discussion. The motion passes unanimously.

Matrix Item 2S: *Update the SE-2 practice, or clarify in the specification, that shorelines adjacent to a BMP (like a grass filter strip (WQ-1 or equivalent), riparian buffer (FR-3 or equivalent), etc.), but not directly bordering an agricultural field, are still eligible. We should not penalize a producer or landowner who wants to stabilize their shoreline for also having a buffer on their agricultural fields.*

Mr. Chester stated that his concern is that if someone has a practice directly adjacent to an area that also qualifies for an SE-2, it could be questioned whether the initial practice was

installed correctly or was the right solution for the issue to begin with. Mr. Chester is also unclear whether this would disqualify a participant from applying for the SE-2. The only issue Mr. Chester sees is if those practices overlap on the same land where a cost-share payment has already been issued. Madison Coffey commented that her district's concern was if you were going to install a streambank stabilization practice and were required to grade back a certain distance, is there potential that they would be damaging a current BMP a participant is already required to maintain in order to install this new one. Mr. Chester stated that this would be a potential issue and this may be more of a situation where a more comprehensive conservation plan detailing what sort of practices are going to be planned and implemented up front would solve the issue as part of planning/training. Mr. Chester went on to say that the only thing he could think of is that a producer would have to pay back a portion of one specification to be able to apply for the next one. This shouldn't be a situation where a participant would be required to pay back a portion of one BMP in order to install the next one. Not ideal for us to say that's okay and we destroy part of one practice to implement another. Mr. Chester continued by stating another option would be for a participant to pay out of pocket for a smaller footprint for the SE-2 solution that won't affect the other practice so as to not destroy part of the other practice and still meet the requirements. Raleigh Coleman stated that the situation he sees happening more frequently is somebody has already backed off an erosion issue because they don't want to bring their equipment up to and farm right up to the edge, so they've already created their own grass buffer. Mr. Coleman continued by stating he assumes that this comment addresses a situation where a participant is told they're not eligible for the SE-2 because sediment is actually no longer leaving the property because they've already backed off of it. Mr. Chester stated that now that forestal is acceptable, he thinks there are fewer situations where they've backed off 50 feet or so and we wouldn't want to penalize them for that. Tricia Mays commented that she feels this is more of a training issue. Mrs. Mays made the motion to table matrix item 2S. Robert Bradford seconded the motion. No discussion. The motion passes unanimously.

Matrix item 3S and matrix item 14S addressed together due to similarity of suggestions.

Matrix Item 3S: *Permanent Long-term shade practice (trees)- The majority of the shade on many farms is along the stream which is a major reason why farmers do not sign up for the program because their cattle lose access to shade. We propose a practice similar to the FR-1 specifically designed for cattle shade with a cost share rate of 75%. Time must be given for the trees to establish and fast growing trees native to Virginia should be prioritized. Deferred in 2025 pending creation of a draft silvopasture practice specification*

Matrix Item 14S: *Shade practice as part of stream exclusion practices - with a wide buffer area of 50' this often decreases the amount of shade for livestock and is a turn off to some producers who are on the fence about a exclusion practice. I propose that there should be cost share or tax credit for portable shade structures to be included in rotational grazing where shade has now been excluded from the pasture. These structures could be moved around the paddock. This will allow for adequate distribution of manure, will decrease the likelihood of one heavy use area, such as a stand of trees.*

The draft silvopasture practice specification in matrix item 3S was displayed for the group.

Mr. Chester began with matrix item 14S by stating there is no NRCS standard for shade structure to refer to and without having that standard we should consider this is a voluntary program with multiple options for buffer widths. In the initial conversation with the producer, it should be explained to them that they will no longer be able to use the buffer area for shade and they need to decide if giving that up is the right option. The VACS program is paying for the additional exclusion and paying for the additional buffer and the producer could use those funds to build their own shade structure that's not to any standard and doesn't involve any engineering. This is the simpler solution. We also don't have a standard to be held to. It was piloted many years ago by NRCS who found it was not a viable option.

Mr. Chester continued the conversation with matrix item 3S. This suggestion also concerns shade, a silvopasture practice, and we have a specification to look at. Raleigh Coleman displayed the draft silvopasture specification for the group. Keith Burgess commented that the issue at hand is a training issue. When speaking with producers, the use of the buffer payment should be discussed. You (the producer) can use the buffer payment for whatever you like but here are some things you should consider using the payment for such as a shade structure or planting trees. Every operation should not be treated the same as pasture layout and management approaches are different for every site. Sam Chappell commented that his district has seen a lot of CCI practices turned down by producers because they did not take into account the loss of shade enough during exclusion practice implementation and now need the shade within the buffer. In one instance, significant footage of stream protection was lost because of this. Tricia Mays commented that the FR-1 practice is available to establish shade. Sam Chappell stated that the FR-1 practice did not meet this particular producer's need. Mr. Chappell continued by saying stream exclusion practices planned in the past may not have fully taken into the account the loss of shade and there is nothing a district can do currently to help with that in the short term. Robert Bradford made the comment that encouraging the management of silvopasture, particularly persimmon trees, is an option for shade. Kevin Dunn made the motion to table matrix item 14S. Sam Chapell seconded the motion. Discussion was held amongst the group on how long before an item comes back to the subcommittee after it is tabled. Madison Coffey made the comment that the reason why an item was tabled isn't trickling back down to the districts. Sara Bottenfield clarified that Christine Watlington-Jones sends out the Soil and Water Board materials on the Alldistrict email listserv so districts do have access to that information. Sam Chappell asked whether the decisions made by the Soil and Water Board could be provided to the VASWCD in an informal way so recommendations on training needed could be made. Tim Higgs asked if there is a VACDE

member or representative present in this group. Kevin Dunn stated that there is a VACDE representative on the Soil and Water Board. Mr. Chester concluded by stating that there is a motion on the floor to table matrix item 14S and asked if there was any further discussion. With no further discussion. The motion passes unanimously.

Kevin Dunn requested that matrix item 3S be moved to the end of meeting so members could have more time to review the draft silvopasture specification. The group was in agreeance with this approach. The meeting proceeded with the next matrix item.

Matrix Item 4S: *Modify CCI-FRB-1 spec to a. extend land use change eligibility to 20 years from 15 years; and b. increase VACS payment rate to \$500/acre in order to provide an incentive for buffer maintenance that will protect the initial investment of the land conversion.*

Mr. Chester believes the intent behind this suggestion is to allow for a lifespan beyond 15 years to extend the credit for land use conversion. Madison Coffey stated that the trouble with this is that if we wanted to try and sign someone up for this practice and they had a 15-year lifespan and you miss it the one single year they're eligible then you don't get it. Kevin Dunn and Alston Horn both commented that it sounds like this suggestion is referring more to the FR-3 practice (Riparian Forest Buffer), not the FR-1 practice (Afforestation of Crop, Hay and Pastureland). The question of what kind of maintenance would be needed for a tree planting practice that has been in place for 15 years and whether the land use conversion would still apply if the land has already been converted to trees. Patti Nylander asked if the intent of part a. was to perhaps bring the lifespan up to 20 years in order to align with the Bay crediting model. Kevin Dunn asked if we still get credit in the model for the 5-year gap in lifespan or do we get credit for 20 years no matter what. Alston Horn stated that his understanding is that credit for 20 years is given automatically. Mr. Chester commented that if this is the case (already getting credit for 20 years) then part a. of the suggestion does not apply.

Moving on to part b. of the suggestion, Keith Burgess asked what kind of maintenance would be needed after 15 years. Patti Nylander commented that maintenance could include management of invasives or removal of tree shelters. Keith Burgess commented that you would have to be coming out of lifespan on a contract to be eligible for this maintenance practice. It cannot be voluntary. Kevin Dunn made the point that the only place this is valid is under CREP or FR-3 practices signed up under a 10-year lifespan. Sara Bottenfield clarified that coming out of lifespan on a previous contract is not a requirement of the CCI-FRB-1. There was confusion amongst the group about whether a participant was required to maintain the FRB practice for 15 years before being eligible for the maintenance practice (regardless of a 10-year lifespan) and whether a participant could apply for the CCI-FRB-1 if not previously under contract for an FR-3. Raleigh Coleman highlighted the language in section B., #4 of the CCI-FRB-1 practice specification that states "The

acceptance of prior cost-share assistance for the establishment of the buffer (site preparation, seedlings, labor, etc.) does not render the site ineligible for receiving this payment, so long as the lifespan of the establishment practice has expired” as clarification that enrollment in a previous cost share practice is not a requirement for eligibility. Alston Horn made a motion to table matrix item 4S. Stacey Sovick seconded the motion. No further discussion. Eric Heberling stepped out and was not present at time of voting. For clarification purposes, Sara Bottenfield reiterated that the motion to table part a. of the matrix item was based on crediting for land use change due to not receiving any additional credit by changing the practice lifespan from 15 years to 20 years and part b. was tabled on the basis that there is no additional cost needed for maintenance.

Matrix Item 5S: *Convert WP-2C to Cost-Share: Transition the WP-2C (Stream Protection)* practice from a tax-credit-only model to a full cost-share practice. Direct financial assistance is far more effective than tax credits for many producers in implementing these critical protections. *The name of the WP-2C practice is Stream Channel Stabilization*

Megan O’Gorek asked how many times this practice has been used. Ben Chester responded that it has been used 3 times in the past 10 years. Madison Coffey asked if this is tax credit only because we don’t get as much bay model credit for it as we would for streambank stabilization. Robert Bradford commented that the limitation for implementation for many producers is cost. Keith Burgess asked if this practice is justifiable from an engineering perspective, going on to say that this practice seems to address a watershed problem and not a specific landowner problem. Ben Chester commented that depending on the solution and who the engineer is (PE design), there are varying opinions on how to solve the issue and costs are all over the place. In general, the difficulty lies in how to qualify and quantify the WP-2C as a solution. Mr. Chester stated that he would be hesitant to move it to a cost share practice because some could start to see VACS as a stream restoration program instead of a strict water quality program. Keith Burgess made the motion to table matrix item 5S. Alston Horn seconded the motion. No discussion. Motion passes unanimously.

Matrix Item 6S: *Add Wells to SL-7: Explicitly include the installation of a new well as an eligible component under the SL-7 (Extension of Watering Systems) specification. Many grazing systems have reached the capacity of existing infrastructure, making new water sources a primary need for further expansion*

Mr. Chester began discussion by stating that the intent of the SL-7 is to extend an existing watering system, not install a new watering system. Members of the group discussed several specific instances where a new water source would be needed to extend a watering system. The option of including a well in the SL-7 specification on a case-by-case basis was discussed. Mr. Chester expressed concern that adding a water well to the SL-7 could potentially lead to misuse of the practice. Kevin Dunn made the motion to table matrix item

6S. Tricia Mays seconded the motion. Tim Higgs opposed. Robert Bradford abstained. The motion passes.

Matrix Item 7S: *Flash Grazing Flexibility: Allow for highly managed "flash grazing" within protected stream areas under strict conditions. This would allow producers to manage invasive species and fuel loads without compromising the environmental integrity of the exclusion zone.*

Keith Burgess made the motion to table matrix item 7S. Alston Horn seconded the motion. No discussion. Motion passes unanimously.

Matrix Item 8S: *Align Buffer Payments with Market Rates: Increase one-time buffer incentive payments to exceed the \$100.00 per acre land rental rate. To compete with the productivity of agricultural land, the program must offer a payment that reflects current economic realities.*

Tricia Mays made the comment that producers in her SWCD area as well as in neighboring SWCD areas are not paying more than a \$50 an acre land rental rate. Mrs. Mays made the motion to table matrix item 8S. Alston Horn seconded the motion. No discussion. Motion passes unanimously.

Matrix Item 9S: *Expand CCI to Include Buffers and Cross-Fencing: Include buffer maintenance and the repair of internal cross-fencing in the Continuous Conservation Initiative (CCI). Ensuring that existing infrastructure remains functional is just as important as installing new practices.*

Mr. Chester began discussion by stating it is the streambank protected component that is measured for CCI practices, not the fencing. The VACS program does not specify where you put interior division fence. The state gets credit for streambank protected, not for rotational grazing. A producer has the option of applying for the SL-10 practice. Some group members expressed confusion as to why the streambank protected measurement is what is calculated for payment rather than fencing. Cost share for stream exclusion CCIs are based on streambank protected whereas all other CCI practices are cost sharing on infrastructure. The opinion that the CCI-HRB-1 and CCI-FRB-1 would not be needed as separate practices if payment for buffer maintenance was made under the CCI-SL-6 practices. Sara Bottenfield clarified that part of the reasoning behind why the CCI only cost shares on the streambank protected is to not hold producers to any NRCS fence standards. Several members expounded upon this by stating that producers can apply for a CCI practice for components they installed on their own, meeting no standard, and as long as those components are functional, they are eligible.

Brief discussion was held concerning the CCI-HRB-1 practice. Madison Coffey commented that her district recently became aware that the CCI-HRB-1 could be used in conjunction with the CCI-SL-6. Kevin Dunn commented that he was unaware that the CCI-HRB-1 and CCI-SL-6 could be used simultaneously. Mr. Dunn understood the practice to mean that the buffer had to be planted (i.e. warm season grasses) just as the buffer for a CCI-FRB-1 practice had to be planted trees. Sara Bottenfield reviewed the description and purpose

within the CCI-HRB-1 practice with the group as well as the language in Part B., Item 1. of the specification which does not mention that an herbaceous buffer must be planted in order to be eligible. Further discussion was held concerning SWCD's varying interpretations of eligibility for the CCI-HRB-1 and CCI-FRB-1 practices and the reasoning behind why these two practices have varying cost share rates. Sam Chappell made the motion to table matrix item 9S. Keith Burgess seconded the motion. No further discussion. Motion passes unanimously.

The group broke at 11:58 AM for lunch with a return time of 12:51PM.

Matrix Item 10S: *To better align our stream exclusion practices with Chesapeake Bay Program crediting, we suggest modifying the Stream Exclusion practice specifications to remove the limitation for live streams and live water. Currently the Bay Model is reporting the buffer, not the type of waterbody, and considers the buffer around any environmentally sensitive area the same as it would a live stream buffer.*

According to the Chesapeake Bay Program's Resource Improvement Practice Definitions and Verifications Visual Indicators Report- Page 15 (attached) indicates that the purpose of the watercourse access control practice is: "... to prevent, restrict, or control access of livestock into surface water or environmentally sensitive areas." In addition, on Page 15, the report states that the conditions where the practice applies includes: "...area adjacent to surface water or environmentally sensitive areas where the control of livestock is needed."

Suggest the following edits to existing practice specifications:

- *Livestock watering systems and fencing improve water quality, control erosion and eliminate direct access to or a direct runoff input to all live streams or live water. surface water or environmentally sensitive areas.*
- *Isolated seeps, springs, wetlands, and ponds without direct connection to a stream may be fenced as well, but shall not be used as the sole criteria for determining eligibility for the SL-6 practice. if deemed environmentally sensitive by the local Soil & Water District Board.*

Mr. Chester began discussion by asking the group to consider the following: This would be a significant change to our program and would apply to more than one practice. In reference to the Chesapeake Bay Program Resource Improvement Practice Definition, that is a portion of the way the program documents non cost share BMPs, essentially CCI practices. It is not saying this is used for any program reports which are documenting actual cost share program practices. Lastly, enabling the local SWCD board to be able to make decisions on what is considered environmentally sensitive is outside of the purview of the district board. Megan O'Gorek asked if there was any definition of what an environmentally sensitive area is. Mr. Chester stated the definition of an environmentally sensitive area is very broad and includes wetlands, sinkholes, karst topography in general and shallow soils. In applying it, we have to apply it across the board and that's why "live water" makes the most sense because it is clear and definable. If we consider qualifying for the VACS program to include any environmentally sensitive area, that means a participant would be required to fence out all environmentally sensitive areas at the same buffer width. Due to the broad term of environmentally sensitive, this would have major implications in the role and application of the VACS program. A representative of the district that submitted this suggestion was present (Jack Carlton) and commented that a lot of their projects are implemented alongside NRCS where some things can be included under their program that

cannot under the VACS program. The intent behind the suggestion was to be able to include those features for VACS cost share, not to change the sole qualifying feature for eligibility which is live water. Several members of the group reiterated that a participant in the VACS program can already fence out environmentally sensitive features but are not required to do so. Patti Nylander made the motion to table matrix item 10S. Mark Campbell seconded the motion. No further discussion. Jack Carlton opposed. Motion passes.

Matrix Item 11S: *The language in the SL-7 specification limiting its eligibility to fields that also have stream exclusion should be removed.*

B. Policies and Specifications 1. All fields that receive cost share under this practice must have had all livestock previously excluded or concurrently being excluded from all live streams or live water. Any field that is part of a rotational grazing system is eligible. Rotational grazing systems without live water previously or concurrently excluded do not qualify for this practice.

The benefits of rotational grazing for water quality exist whether the field being grazed is adjacent to a stream or not. Rotational grazing increases a field's vegetative cover, forage health, soil health and soil carbon. All of these improvements then help protect water quality in the local groundwater and streams. The VACS program is intended to improve water quality through agricultural BMPs, so it makes sense to expand, not restrict the application of the SL-7 to any farm or field that wants to use rotational grazing.

Mr. Chester began discussion by stating part of the issue with this suggestion is the SL-7 practice is currently based upon the exclusion setback distance. To remove the requirement of previous or concurrent exclusion would be to change the language in the specification (to farms that do not have exclusion) and remove the cost share rate table. The floor was open for discussion. Some members of the group expressed confusion as to whether the fields addressed in an SL-7 practice were required to have exclusion or to whether the farm (as an entire operation) was required to have exclusion. Members shared their differing interpretations of the SL-7 practice. Mr. Chester clarified that the suggestion in matrix item 11S is to remove the language “*Rotational grazing systems without live water previously or concurrently excluded do not qualify for this practice.*” Sara Bottenfield commented that if this language were removed from the specification, it would not make sense with the payment structure established for the practice so that also has to be a part of the discussion. Sam Chappell suggested adding a payment rate for farms with no exclusion. Mr. Chester commented that the potential reason the language in the SL-7 practice requires that a producer maintain exclusion already in place was to provide the opportunity for the SL-7 practice (and the SL-10 practice) to follow an SL-6 practice. The VACS program is providing cost share to extend a watering system while essentially adding lifespan to that existing stream exclusion. Changing the practice to provide extension of watering systems only for the purpose of rotational grazing would be a significant change to the intent of the VACS program which is to address water quality. Madison Coffey stated that her district would be able to use this practice much more often to improve rotational grazing by removing the requirement for previous or concurrent stream exclusion. Keith Burgess had concerns on the potential shift of the VACS program's intent, which is addressing water quality, not bringing new land into production (subsiding agricultural

production verses subsiding water quality improvement). Madison Coffey inquired whether rotational grazing could receive bay model credit for water quality improvement. Mrs. Coffey went on to say that there should be some option under the SL-7 practice for producers wanting to implement rotational grazing where stream exclusion does not exist. Sara Bottenfield commented that bay model credit can be given for upland pasture improvement and Alston Horn commented that bay model credit is given for converting hay land into pasture. Mr. Chester asked the group, by show of hands, if proceeding with a language change in the SL-7 specification to exclude the requirement of stream exclusion and to provide a payment rate based upon having no stream exclusion was the consensus. By show of hands, all members of the group concurred.

Alston Horn made a motion to apply the following language to the SL-7 practice specification. (New language in red/italics; deleted language in strikethrough)

A. Description and Purpose

This practice provides a management system to ensure adequate surface cover protection to minimize soil erosion. The *rotational grazing* system will reduce sediment, nutrients and pathogen loads in runoff

B. Policies and Specifications

1. All fields that receive cost share under this practice must have had all livestock previously excluded or concurrently being excluded from all live streams or live water. Any field that is part of a ~~rotational~~ grazing system is eligible. ~~Rotational grazing systems without live water previously or concurrently excluded do not qualify for this practice.~~
12. All practice components implemented must be maintained for a minimum of 10 years following the calendar year in installation. When funded concurrently with an SL-6N/W or a CREP practice, the SL-7 must be maintained for a matching lifespan (i.e. 10 or 15 years). The lifespan begins on Jan. 1 of the calendar year following the year of certification of completion. By accepting payment for this practice, the recipient agrees to maintain the practice and the associated exclusion fencing for the specified lifespan. This practice is subject to spot check by the District throughout the lifespan of the practice and failure to comply may result in reimbursement of state cost-share funds and/or tax credits. ~~The~~ *A*ssociated exclusion fence may be eligible for a Continuing Conservation Initiative practice.

C. Rate(s)

i. The VACS payment rates *for grazing systems with associated exclusion of live streams or live water* are shown in the table below:

Minimum fence setback (from the top of streambank)	Lifespan	VACS payment rate
35'	15 years	80%
	10 years	75%
<35'	15 years	55%
	10 years	50%

iii. The VACS payment rates *for grazing systems without live streams or live water* are shown in the table below:

<i>Lifespan</i>	<i>VACS payment rate</i>
<i>15 years</i>	<i>45%</i>
<i>10 years</i>	<i>40%</i>

3. *For grazing systems with associated exclusion of live streams or live water*, Exclusion fencing must be in place prior to issuing cost-share and/or tax credit for SL-7.

Madison Coffey seconded the motion. No further discussion. Motion passes unanimously.

Matrix Item 12S: *Take a look at the rates for the suite of CCI practices related to stream exclusion to see if an increase is needed. Inflation has been occurring for newly installed practices, and maintenance is likely going up as well.*

Mr. Chester began discussion by commenting that there should be justification to support a rate increase and a rate increase for all practices should be looked at rather than just one suite of practices. The floor was open for discussion. Mr. Chappell commented that his district often receives complaints that the payment rates on stream exclusion CCI practices are too low. In continuing discussion, the topic transitioned to concerns with CCI payments being issued based on the streambank protected measurement rather than the payment being on stream exclusion fence footage. Members were varied in their opinions with most agreeing that there would be pros and cons to paying on exclusion fence rather than streambank protected. While this approach may benefit some districts, the opposite may be true in other districts. In the end, the streambank protected measurement is the component that is receiving bay model credit therefore, that is what cost share is issued towards. Sam Chappell made the motion to table matrix item 12S. Alston Horn seconded the motion. In discussion, it was suggested that all rates throughout the VACS manual

should be considered for an increase. Mr. Chester stated that rate changes go to the Programmatic TAC. The motion passes unanimously.

Matrix Item 13S: *Consider a way to include pasture improvement planting as an add on into our practices that implement rotational grazing. This could hopefully be done in a way to obtain bay model credit but could be an extra incentive to sign up to do one of these practices and require a nutrient management plan.*

Kevin Dunn made the motion to table matrix item 13S. Alston Horn seconded the motion. No further discussion. Motion passes (Madison Coffey not present during vote).

Matrix Item 15S: *Two suggestions related to virtual fence:*

- a. *Geo fence for divisional fencing - NRCS is cost sharing on it. Least cost technically feasible as opposed to wood posts and wire.*
- b. *SL-6F Stream Exclusion in Floodplains: Establish a pilot research and demonstration project(s) for invisible fencing for cattle in the floodplain. There should be a limited total number (1-5) of projects and must be in cooperation with VCE, manufacturers, local swcd, and/or other conservation partners. If invisible fencing does not perform as expected, the applicant would qualify for SL-6F funding for fencing.*

Invisible fencing for cattle – initial demonstration project for stream exclusion

1. *Permanent marker/boundary posts – serve as reference points for field verification (currently required for SL-6F)*
2. *Must start with electric fence for training of livestock*
3. *Manufacturers software must show historical location of animals and is accessible by VCE and swcd*
4. *Training requirement of producers*
5. *Field verification by swcd staff – weekly 4x > monthly 6x > annually*
6. *Collars must be on farm,*
7. *Would not work during calving season*
8. *How old of animals does this work for, questioning calve control, manufactures have recommendations of not less than 400 lbs*
9. *VT Shenandoah is currently managing a project*
10. *It is likely this project would require 1 in year planning and may run 2-3 years to verify functionality and further develop practice requirements.*

Alston Horn began discussion by commenting that NRCS is currently paying towards geo fence for EQIP and CREP practices. Mr. Chester expressed his concerns with cost sharing on geo fence including the potential misuse if applied for the purpose of stream exclusion. Some merit should be given to the use of geo fence to achieve a higher level of grazing such as in the SL-10 or SL-7 practices but Mr. Chester questions whether geo fence would be least cost, technically feasible in comparison to physical fence (wood posts, wire etc.). NRCS is currently in the process of updating their Fence standard to address virtual fence. The group came to the consensus that it would make sense to revisit this suggestion after completion of the ongoing pilot program and NRCS update. Alston Horn commented that he would have more information concerning the use of geo fence next year pending the

results of the over 200 pilot projects that are ongoing at this time. Kevin Dunn made the motion to defer matrix item 15S. Alston Horn seconded the motion. In discussion, it was clarified that matrix item 15S will be deferred pending results of the pilot program.

As previously agreed, matrix item 3S was moved to the end of the meeting.

Matrix Item 3S: *Permanent Long-term shade practice (trees)- The majority of the shade on many farms is along the stream which is a major reason why farmers do not sign up for the program because their cattle lose access to shade. We propose a practice similar to the FR-1 specifically designed for cattle shade with a cost share rate of 75%. Time must be given for the trees to establish and fast growing trees native to Virginia should be prioritized. Deferred in 2025 pending creation of a draft silvopasture practice specification*

Mr. Coleman displayed the draft silvopasture practice specification for the group. Keith Burgess made the motion to accept the specification as presented. Stacey Sovick seconded the motion. The floor was open for discussion. Alston Horn commented he did not think that the 25% canopy cover and minimum of 16 trees per acre exactly align. Madison Coffey explained that, as a member of the committee that helped write the specification, the group intentionally left pieces of information in the specification that would be good for the TAC to review and come to a decision on. Keith Burgess withdrew his motion.

Mr. Chester read the silvopasture specification to the group. Several concerns were raised by the group. One concern was how long it would take for trees to mature to the point where they established shade. Patti Nylander commented that she spent a lot of time in committees discussing what constitutes a mature tree. The decision on 25% canopy was to keep it under the threshold as to not be subject to a land use change. You can still have 16 trees per acre (assuming 100% survivability) and still maintain 25% canopy cover.

Another concern raised by the group was whether the intent of the practice was shade or silvopasture and what water quality benefit, in terms of bay model credit, silvopasture receives. It was clarified that the intent of the practice is to establish silvopasture with shade being a secondary benefit. Alston Horn stated that there is a benefit in terms of the numbers (bay model credit). Madison Coffey added that these benefits were explored by the committee drafting the specification and that is where they came up with the requirements within the specification. Sara Bottenfield commented that, after looking at the NRCS silvopasture standard and the bay program's agroforestry practice, both include language that requires prescribed grazing to be implemented. In order for silvopasture to be reported and credited in the bay model, the specification would require a higher level of management. Mr. Chester expressed concern with defining the point when trees actively become silvopasture and we actually start getting the benefit. Patti Nylander commented that this practice would be similar to the FR-3 where we're not seeing the benefit on day

one. Madison Coffey added that some level of grazing management should be incorporated into the specification similar to the FR-3 and SL-7 practices.

Concerns with the inclusion of the NRCS 382 Fence standard in the specification were raised. What type and or method of fencing would be the least cost, technically feasible option to protect trees to maturity. Members of the group suggested that setting up a pilot program for this practice made the most sense as this would allow an avenue to fine tune the specification (what is going right, what is going to wrong). In order to implement the specification as a pilot program, there are several things to address within the specification first. One item to address is adding a requirement for periodic inspections. It was suggested that inspections for initial establishment of trees and for canopy cover should be conducted under a forestry management plan under direction of DOF. The responsibility of district staff in these inspections was discussed, and the consensus was that training would be needed. There was confusion amongst the group about where this training would come from and what entity would be considered the expert in agroforestry for planning, design and follow up inspections.

Considering language that many of the members of the group agree needs to be added to the specification before being recommended for release as a pilot program, Mr. Chester sought input from the group. The subcommittee decided that the best way to move forward was to approve the specification pending the addition of language to meet the intent of the practice before being presented to the full TAC. The items listed below will be incorporated into the silvopasture specification by Mr. Chester and sent out to all subcommittee members via email for review and approval. *It was noted that any reply in relation to this email must only be sent to the subcommittee chair (Mr. Chester) and not any other member of the subcommittee according to the rules of the TAC.

1. Inspection of practice at years 1,3,5 and 10.
2. Cost share percentage rate of 75%.
3. Sign up by acreage, not by field. Require 25% canopy cover of the acreage signed up.
4. Minimum of 1 acre. Maximum of 10 acres.
5. Will be piloted by selected districts.
6. Replacement of trees will be responsibility of participant.
7. Add requirement to meet crediting in CAST whether that be NRCS 528 prescribed grazing or a grazing management plan.
8. Remove requirement of eligibility only for farms with exclusion.

Alston Horn made a motion for recommendation to the full TAC for approval of a pilot by a small group of districts to be determined by DCR, incorporating the changes to the specification language as presented. Robert Bradford seconded the motion. Tim Higgs, Jack Carlton and Tricia Mays opposed the motion. Mr. Chester abstained. The motion passes.

Public Comment

Mr. Chester opened the public comment period. There was no public comment.

The meeting was adjourned at 3:37pm.