

## Meeting Minutes

### TAC Stream Protection & Forestry Subcommittee – 1st Meeting August 14, 2024

**Smith West Room**, Augusta County Government Center  
18 Government Center Lane, Verona, VA 24482 - (540)248-5600

#### Attendees:

TAC Member	Organization	Voting
Ben Chester	DCR (Chair)	Yes
Anne Marie Roberts	James River Association	Yes
Bryan Hofmann	Friends of the Rappahannock	Yes
Chris Barbour	Skyline SWCD	Yes
Colton Sullivan	Monacan SWCD	Yes
Chris Coggin (Proxy Elizabeth)	Shenandoah Valley SWCD	Yes
Gary Boring	New River SWCD	Yes
Brandon Reeves (Proxy Jim)	Virginia Cattlemen's Association	Yes
Kemper Marable	Hanover-Caroline SWCD	Yes
Kevin Dunn	Piedmont SWCD	Yes
Madison Coffey	Lord Fairfax SWCD	Yes
Mark Campbell	Virginia Farm Bureau	Yes
Matt Kowalski	CBF	Yes
Robert Bradford	Culpeper SWCD	Yes
Justin Barnes	DOF	Yes
Tim Higgs	VDACS	Yes
Thomas Burke	NRCS	Yes
Ty Smith	Peidmont SWCD	No
Sara Bottenfield	DCR	No
Tracy Culbertson	DCR	No
Jen Edwards	DCR	No
Brian Fincham	DCR	No
Chanz Hopkins	Skyline SWCD	No
Amanda Pennington	DCR	No

- Meeting Brought to Order - 9:30AM -introductions
- Review of ground rules and expectations of the group
- Review of matrix items
- Discussion on how to address the matrix items. Ben suggests starting with the SL-7 SL-10 issue since that was a directive from the soil and water board.
- Began with Matrix Item 1S as presented here:

*“Per the SWCB: Evaluate the SL-7 and SL-10 specifications and their current implementation and recommend revisions to ensure consistent and appropriate implementation.*

*In addition to this directive from the SWCB consider the following suggestions related to the SL-7 and SL-10:*

*i. The current verification process for SL-10s requires staff to evaluate the pastures using PCS upon sign-up and each calendar year after sign-up - a total of four times. Staff have expressed frustration with the requirement to verify every year. Consider changing the verification process for SL-10s to include evaluating using PCS two times - one time upon sign-up and one time during the third year of the contract. This change allows staff to focus on conducting end-of-lifespan verifications and obligating the unprecedented amount of cost share funding.*

*ii. SL-7: Remove 528 from NRCS standards. Replace existing B.3 language with: “A written Grazing Management Plan and Operation and Maintenance plan that includes all acres in the grazing system must be prepared, implemented and followed using VA GRAZE. Factors to be addressed should include water sources, environmental impact, soil fertility, maintenance, access lanes, fencing needs, wetlands, minimum cover or grazing heights, carrying capacity of the land, and rotational schedules. Districts will monitor for compliance.”*

*iii. SL-10: Add language that specifies that a producer is required to implement soil test recommendations and provide receipts before payment. Also add language that allows a producer to participate in the SL-7 and SL-10 concurrently or in subsequent years with the removal of the 528 from the SL-7, but still requiring a 528 Rotational Grazing plan with the SL-10.*

*iv. Take the requirement for a prescribed grazing plan out of the SL-7 specifications and just make the requirement a grazing plan. SL-7 has become a catch all for participants that want to improve rotational grazing through additional fencing and/or extending their watering system. These participants may not be able to meet the levels of management in a true prescribed grazing plan. SL-10 is an enhanced management practice, and the prescribed grazing component would be appropriate with it.”*

- Matrix Item 1S:
  - Described difference in SL-7 and SL-10.
  - When someone signs up for an SL-10 that already has an SL-7, overlapping requirements, like grazing plan
  - Seems to be differences in implementation of the two.
  - SL-7 required prescribed grazing plan for all the acreage, and this doesn't seem to be happening.
  - Matt says the intent of both is to provide for better management

- Question to the group, can you get the improvement of water quality with just a grazing plan or do you need a prescribed grazing plan.
- Madison asked for someone to explain the difference between a grazing plan and prescribed grazing plan.
  - 528 soil testing, goals and objectives, assess forage in each individual field.
  - 528 more intensive, more time to prepare, but producer if fully prepared with a written plan to do a great job with prescribed grazing, not just rotational grazing.
  - Also annual checks for district staff with 528
- Sara-SL-10 is basically what is in the 528 standard
- Kevin-original intent was to do an SL-6, then a 7 to expand other field, then the 10 was to make it even more intense.
- Robert-Agrees it should be simpler to extend the watering system. 528 was not part of the VACS manual when the 7 was created.
- Sara-PY2010 around 500 SL-7, since 2020 240 SL-10, Culpeper has done about 120 of those SL-10s.
- Matt-Given the cost of SL-7's shouldn't we ask them to perform at a higher level.
- Brian-is there an option to have a higher rate in the SL-7 if they do use a prescribed grazing plan.
- Madison-NRCS doesn't pay for a prescribed grazing plan until the grazing records are submitted, we pay ahead of time before the records are done.
- 528 doesn't say the grazing records have to be submitted to get payment, that is just how NRCS is implementing it.
- Colton asks if there is a reference document for a grazing plan
  - Anything below the 528 is pretty loose
- Chris Barbour-Grazing plan should follow the 528 standard, he only has a few producers that he thinks could actually meet the requirements of the SL-10
- Kevin-Take 528 out of 7 and just add some requirements for "grazing management plan" that includes certain factors. NOT a prescribed grazing plan.
  - General group consensus that this is what needs to happen
- Seems the group consensus is we do not need to add language that the 7 and 10 can be either participated in concurrently of subsequent years.
- Kemper-could proof of implementing the plan just be a higher score on your conditioning.
  - If that were the case, from the day you sign up you have to do the score, do the plan and then only get payment a year later if your score increases.
- Matt-SL-10 item b11
  - Fix it with four words
  - "payment will be made after proof of implementation of soil test recommendations"
  - Sara suggests instead of proof of, use documentation so:
  - **"payment will made after documentation of implementation of soil test recommendations"**

- Motion could be on the general idea of the concept, may be word-smithed later
        - Robert Bradford moved to accept the language in bold (pending word smithing).
        - Kevin Dunn seconded the motion
        - Tim Higgs and Colton opposed
        - Motion passed
      - Discussion turned to, maybe we should get rid of the 10.
        - Doesn't look like that will pass, moving on.
      - Moved on to the number of verification checks required
        - Robert disagrees with reducing it because the producers are getting a large payment. District staff should not complain about it being too much work, step up and maybe hire someone to help.
        - Annual pasture conditioning score is a requirement of the 528
        - What do we do if they do not meet the pasture conditioning score
          - There are a lot of things they should be doing
          - If you see it is not being implemented right then you work with your producer to improve it and the District has the right to ask for the money back if you do not make improvements
        - Group consensus appears to be to NOT decrease checks
        - Robert Bradford moves to table the suggestion to decrease yearly checks
        - Chris Barbour seconded motion
        - Unanimously tabled
- Matrix item 2S
- Matrix Item 2S as presented here:
 

*“Increase SL-6N rates by 5%. There is a gap in the reimbursement rates between the SL-6N and SL-6W. The buffer payment alone provides enough difference to incentivize the SL-6W. Or allow for buffer payment on SL-6N’s. Narrow exclusion still has effective ecological benefits.”*
- Discussion
  - Studies show 35’ is the smallest effective buffer, so anything less than that is just counted as a land use change
  - Robert thinks it was his district that made the suggestion. Value of giving up the buffer strip.
  - Madison-most of the time if they have someone doing a narrow setback it is because the field is not very conducive for a wider setback, unlikely because they want to have more out of pocket expense. From the thought process, agrees with increasing it by 5%. Narrow buffer better than nothing and a lot of times they don't have better options. Doesn't think they need a buffer payment but doesn't see an issue with increasing it so we don't have the odd gaps.
  - May even be a dis-incentive for producers to go with the wider buffer
  - Matt motioned to table
  - Chris Barbour seconded the motion

- Motion passes unanimously
- Matrix Item 5S as presented here:
  - “For CCI-SL-6 suite: pay on length of existing exclusion fencing rather than streambank protected. The maintenance is for the fence, and lines up with other component payments. The streambank protected can still be tracked in CAS.”
- Matrix item 5s
  - Robert-another one from Culpeper. To him it makes sense because if you already know the length of the fence if you did it under a previous practice. Doesn't know how you go in the field and measure the length of the stream after the buffer has grown up.
  - Actual credit is based on streambank protected
  - Brian (friends of the Rappahannock) motioned to table the matrix item
  - Kevin Dunn seconded the motion
  - Matt opposed
  - Motion passes

Break for lunch at 11:47, return at 12:45

Started back at 1:00

- Matrix Item 1 language review (Ben drafted the new spec language during lunch)
  - Changes to SL-7
    - Section b 3
      - See the spec for language changes
      - Same change made in the SL-6 suite
    - Motion to pass revised language as presented in SL-7 and SL-6 suite of practices made by Matt
    - Madison seconded the motion
    - Motion passes unanimously
- Discussing 3s and 4s together since they are related:
- Matrix items 3s and 4s
  - “3s. Increase SL-6W buffer payment rate to \$150/acre/year. USDA Land Values 2022 Summary Publication stated “The United States pasture value averaged \$1,650 per acre, an increase of \$170 per acre (11.5 percent) from 2021. ([https://www.nass.usda.gov/Publications/Todays\\_Reports/reports/land0822.pdf](https://www.nass.usda.gov/Publications/Todays_Reports/reports/land0822.pdf)). \$150 per acre per year is a better reflection of the costs associated with setting aside an acre of productive pastureland, as well as shade for the livestock, with consideration given to inflation, current livestock values, hay and pastureland values. This payment rate has not been updated since 2019. Current average cost of a weaned calf a year is \$1500 which translates roughly \$700/acre.”
  - “4s. i. Consider creating a variance process to exceed the 15 acre buffer payment cap associated with the SL-6W practice. We recognize the need for a buffer cap, but feel there should be a process by which the DCR Variance Review Committee can

*evaluate buffers exceeding 15 acres for eligibility of additional buffer payment.  
[Deferred in 2023]*

- *ii. Remove SL-6W buffer caps. Removing the buffer caps would enable to enrollment of additional buffer acreages. At this time with full program funding we fail to see a reason to cap buffer acreage.”*
- Discussion:
  - Colton-it is a good deal the way it is, it is not always legitimate buffer
  - Not always giving up prime pasture land with the buffer
  - Why cap at \$15k? We have to stop somewhere that makes sense both inside and outside of the bay.
  - Robert-came from Culpeper. 95% of buffers don't add up to 15 acres, but we do have large farms that want to put in infrastructure. They have a right to be paid for the buffer acres
  - Southern rivers districts have concerns about spending too much of their cost share on one project if the buffer cap increases.
  - If you sign up field by field under different contract you can already get more money for the buffer with separate payments
  - Chris-why wouldn't we want to make an exception for paying more for good buffer in high risk areas.
  - Kevin-how would DCR feel if you left the buffer payment up to the District boards?
    - Sara-that would lead to too much inconsistency'
  - Chris-doesn't want the cap removed, just wants a way to exceed the cap
  - Brian-limit the buffer width (like 100') and then decide how to do the cap
  - Kemper-split it to different program years.
  - Kemper made a motion to table 3s
  - Kevin seconded the motion
  - Brian, Tim, Chris, Madison, Robert opposed
  - Motion failed
  - Those folks that are advocating for higher buffer payments should bring documentation to the next subcommittee meeting as to how many farms this would effect (what problem are we trying to solve).
  - CREP payments, up to \$90 per acre OCB, \$100 per acre bay (up to)
  - Mark likes some kind of cap. If we have to cap this year and we have to knock it back in two years, that is not well received. Consistency is good. A lot of farmers do the project in stages.
  - Matt-land use change for over 35', but needs to be forested. What if we say no cap on the buffer if you plant trees.
    - That change would be better under the FR-3
  - A doodle poll will come out for the next meeting
- Public Comment Period provided at 2:50 PM. – No comments
- Meeting was adjourned at 3:00 PM.