

Virginia Agricultural Resource Management Plan Regulations
Department of Environmental Quality Piedmont Regional Office
Richmond, Virginia
Wednesday, September 28, 2011

MINUTES

Subcommittee Members Present

Donna Johnson, Virginia Agribusiness Council
Ann Jennings, Chesapeake Bay Foundation
Eric Paulson, Virginia State Dairymen's Association
Jacob Powell, Virginia Conservation Network
Stephanie Martin, Department of Conservation and Recreation
Wilmer Stoneman, Virginia Farm Bureau
Don Wells, Virginia Association of Soil and Water Conservation Districts

Technical Staff Present

Blaine Delaney, Natural Resources Conservation Service
Betsy Bowles, Department of Environmental Quality
Matt Poirot, Department of Forestry
Darrell Marshall, Department of Agriculture and Consumer Services
Mark Meador, Department of Conservation and Recreation
Diane Beyer, Department of Conservation and Recreation
Bob Waring, Department of Conservation and Recreation
Christine Watlington, Department of Conservation and Recreation

Others Present

Kristen Evans, Chesapeake Bay Foundation
Jim Tate, Hanover-Caroline Soil and Water Conservation District
Jack Frye, Chesapeake Bay Commission
Roy Hoagland, Hope Impact
John Rowler, Ecosystem Services

Meeting

The subcommittee members and meeting attendees were welcomed and the meeting was called to order. The subcommittee began discussions of the draft regulations. Discussion began with 4VAC50-70-90 (Verification of resource management plan implementation). There were several questions raised at the beginning of the discussion including whether DCR should be responsible for the initial verification inspection rather than the soil and water conservation districts or whether it was DCR's responsibility to certify the continued implementation of the resource management plan over time.

The subcommittee discussed a more detailed process for the verification of resource management plan implementation. The subcommittee discussed the following process:

1. The request going to the local soil and water conservation district for the certification of best management practices (bmps) implemented in accordance with a resource management plan;
2. Once the local soil and water conservation district certifies the implementation of the bmps in accordance with the resource management plan, the request will be submitted to the local soil and water conservation board for recommendation of “safe harbor”;
3. The local soil and water conservation board will submit its recommendation to the Virginia Soil and Water Conservation Board through the department.
4. The Virginia Soil and Water Conservation Board may offer the Certificate of Resource Management Plan Implementation if all the requirements have been met.

The subcommittee discussed how the local soil and water conservation districts currently inspect for compliance with the agricultural cost-share program contracts. It was noted that districts certify the bmps and approve the contracts. There was discussion whether DCR would need to do a review or field verify a portion of the requests that were certified by the local soil and water conservation districts to ensure that the verifications were conducted to standards. The subcommittee noted that training for the districts would be needed. The idea of a “program review”, similar to the reviews done for localities implementing an erosion and sediment control program, was mentioned.

The subcommittee also discussed section 4VAC50-70-110 (Inspections). The key issue for this section of the regulations involves the frequency of inspections. Several members of the subcommittee stated the importance of inspections, preferably annual inspections. Several regulatory agencies noted that even under permitting programs, annual inspections are neither required nor possible given staffing constraints. One agency is currently moving to a risk-based assessment (type of operation, type of bmps utilized, etc.) for a permitting program. The goal for that program is at least one inspection of the facility during the lifespan of the permit. No decision was made regarding the frequency of inspections by the subcommittee.

The meeting was adjourned.