

Virginia Agricultural BMP Technical Advisory Committee
Meeting 9:30 AM, February 13, 2017
DRAFT Summary

Attendance:

Member	Representing	Member	Representing
Tom Turner	CB, SWCD staff	Matt Kowalski	CBF
Stacy Horton	DCR, CDC OCB	Kevin Craun	VASWCD Area I (proxy)
Margie Davis	VASWCD Area VI	Chad Wentz	NRCS
Robert Bradford	VASWCD Area II (proxy)	Darrell Marshall	VDACS
Tim Sexton	DCR, Nut. Man.	Mark Hollberg	DCR, CDC CB
Darryl Glover	DCR DSWC	Chris Barbour	OCB, SWCD staff
Stephanie Martin	DCR, Dist. Liaison	Stacy Horton	DCR, SR CDC
Amanda Pennington	DCR, Engineering	Pete Farmer	VASWCD Area IV
Herb Dunford	VASWCD Area III		

Other Participants: Richard street, SWCB & Tri county City SWCD’ Ricky Rash, Piedmont SWCD; Debbie Cross, DCR; Brandon Dillistin, NNSWCD; Emily Nelson, DCR Eng.; Kristal Evens, Tidewater SWCD; Raleigh Coleman, DCR; Jim Wright, Peanut SWCD; Megen Dalton, Shenandoah Valley SWCD; Luke Longanecker, Thomas Jefferson SWCD; Leslie Ann Hinton, Three Rivers SWCD; Max Comerford, Three Rivers SWCD; Melissa Jackson, DCR finance; Sharon Partee, DCR finance; Gary Flory, DEQ; Rick Shiftlett, Headwaters SWCD

The draft summary of the January 17, 2017 TAC meeting was reviewed and approved with one typographical change noted. The approved summary will be posted on the DCR webpage and distributed via all-district e-mail list-serve.

A summary of discussion topics, action items, and significant conclusions are as follows:

- **NRCS:** Since the last meeting former Governor Sonny Perdue has been named as President Trumps pick to head up the Secretary of Agriculture pending confirmation.
- Leonard Jordon is currently serving as Acting Chief for NRCS.
- Current Farm Bill signed in February 2014 is set to expire at the end of FY2018. The Farm Bills are usually passed every 5 years. Work is beginning on the new Farm Bill with scheduled hearings around the country.
- Between EQIP and RCPP we have around \$31 million in financial assistance dollars this current fiscal year.
 - EQIP application deadline is February 17th. Ranking are to be completed by the 3rd Friday in March.
 - DCR RCPP Project – 16 preapproved applications for over \$817,000
 - Blue Ridge PRISM RCPP Project – 66 preapproved applications for over \$437,000
 - NFWF RCPP Project – 5 preapproved applications for over #323,000

- CSP – 90 new applications received for this fiscal year, rankings due in May. Renewed an additional 76 applications that were set expire.
- FSA released new CBIP payment as an additional incentive based on the average width of the riparian forest buffer established. This is a one-time payment at the time of contract approval and only eligible for CP-22's in the Chesapeake Bay watershed.

Old Business:

- **Report from Nutrient Management subcommittee: *Tim Sexton***
 - Discussion of definition of High Managed Hay land is a production system where cropland dedicated to hay production is not grazed. If grass-based, they must produce at least 3 cuttings a year of hay, and may have a nitrogen application for each cutting. If legume based (e.g. alfalfa), they are exempt from the nitrogen application, and are eligible for phosphorous management under the NM-5P.
 - NM-5N Review & discussion:
 - Are small grains row crops? VCE says not normally considered row crops; add small grains to eligible crops list.
 - 2nd ¶ of Description and Purpose section Remove double) and all
 - 3rd ¶ of Description and Purpose section remove 2nd sentence in ~~This practices does not apply to~~
 - B. 2. Discussion about PSNT not being a reliable predictor of nitrogen need, TAC felt that it was currently being used and was accepted by farmers as a valuable tool, Leave PSNT in specification.
 - B. 2. Insert for this practices at end of sentence.
 - B. 2. iv. (more than one, (change to) two), add “or small grains” before and cotton.
 - 4. Remove “of corn crop”
 - ¶ after 4. Make 5. And re-number following ¶’s
 - New 5. Remove “and/or tissue samples”
 - Discussion about why “all participant controlled production acres were required to have Nut. Man. plan. The TAC felt that the practice should promote Nut. Man. planning whenever and however possible.
 - No action taken on comment about Nut. Man planners and canned narratives, the TAC felt this was an educational issue to get to private Nut. Man. Planners.
 - New 5. 7. & 8. Change “producer” to “participant”
 - No action taken on comment about unlikely to have any money f to allocate to the practice. The TAC noted that the sign up is before April 1, any time before April 1 would work.
 - New 9. 1st sentence ends at . . . will be utilized. remove ~~“and provide the SWCD verification of work orders or bills within forty five days of the sample analysis.”~~
 - C. Change positions of 1, 2, & 3, - 1 moves to 3, - 2. moves to 1. - 3. moves to 2.

- New 2. Change “at least” to “more than two”, change “nutrients” to “nitrogen”, insert, “small grains” before or cotton
 - New 3. Discussed comment about PSNT standard being one sample for no more than 20 acres. The TAC felt that the limit of one \$8 PSNT payment per filed would keep the money and the BMP focused on the variable rate applications.
 - The TAC acknowledges that this BMP may need to be addressed again in the future based upon usage and experienced gained through implementation.
- NM-5P Review and discussions:
 - Description and Purpose: Make language inclusive of row crops, small grains, and highly managed hay land.
 - 1st ¶ & 3rd ¶ insert “small grains”
 - B. 1. Insert: “This is an annual practice.” Before results from any test....
 - B. 2. Remove 1st sentence, ~~At least one of the following~~, leave Phosphorous applications must be based upon the soil test results of zone or grid (subfield) sampling recommendations; other macro-micro nutrients may be applied concurrently.
 - Under B. 2. Reworded to read: Plant tissue samples or petiole samples must be submitted at the correct growth stage and handled in accordance with laboratory guidelines to ensure sample viability and usability. The results of these tests may be used by the participant to support this practice.
 - Re-number 2nd ¶ under 3 becomes 4. Re-number the rest of the specification as necessary.
 - No action taken or comments about private Nut. Man.planners and no Cost-share \$ available.
 - Tidewater SWCD supports providing cost-share \$ for plant tissue or petiole sampling. The TAC did not support this request.
 - Discussion about CB WSM Phase 6.0 nutrient and sediment reductions for SL-6 implementation (Tim Sexton)
 - Phase 6.0 land use is, in greater detail
 - Installing a fence setback at least 35 feet removes direct deposition to the stream (~20% of total manual load) and sediment. That manure and sediment is distributed to the pasture acres on the upland side of the exclusion fence.
 - Every 209 lin. ft. of stream bank protected = one acre of reduced manure input.
 - Additional pasture nutrient reductions available for acres of rotational grazing implemented in upland pasture.
 - Additional sediment reductions available if Riparian Forest Buffer functionality is restored by removing livestock from riparian area.
 - Tracking program will need to be modified to capture these measures in 2018.

- DCR will get input from SWCDs about how to define restored RFB functionality.
- Report from Gary Flory of Harrisonburg DEQ about Confined Animal Feeding Operations permit requirements.
 - There are ~1,100 poultry operations in VA, 701 permitted operations are in the Shenandoah Valley; most permitted operations inspected have a litter storage shed
 - 916 permitted operations in all VA if the operation processes
 - 11,000 turkeys OR 20,00 chickens/year it must be permitted
 - Many feed young turkeys or chicks until ready to harvest
 - Most breeder operations are small & do not require a permit
 - Organic birds typically smaller operations that may be using older (abandoned houses), these are usually not permitted. Some new (6 to 8) layer & organic operations require permits
 - Permitted operations need to have appropriate storage for manure generated on site, does not have to be a shed. Storage must be at least 100 ft. from surface waters, and covered to protect surface water.
 - At least 2' above seasonal high water table to protect ground water
 - Regulations require that any manure (including end users) stored outside must be covered within 14 days to protect surface & ground water
 - If an existing operation is expanding that can require a storage building
 - Many different subsets of VPA and Animal Feeding Operation Permit holders
 - New Operations
 - Expanding operations
 - Existing sheds may be cost-shared or not cost-shared
 - DEQ uses a risk based inspection schedule standard schedule = once in three years of operation, if problems found then once per year, 85% of operations 1/3 years, 15% 1/year.
 - QUESTIONS For GARY: Why is a storage structure not required by permit? The permit is designed to protect the resource. Properly located and covered litter storage piles can and do protect the resources. Gary believes that a storage structure typically provides better water quality protection.
- Review of OAGs response to questions about the ability to require that a District consider existing litter storage capabilities before approving a litter storage shed for cost-share.:
 - You are asking whether a District can require a cost-share participant applying for Ag. Waste Structures (WP-4) to be made to utilize an existing structure (whose life span has elapsed) to receive cost-share funds. This is really a policy issue for DCR. I am not aware of any legal authority that would prevent DCR from advancing this interpretation.
 - What does the TAC wish to recommend?

- Modify WP-4 specification to require that SWCDs consider the existing manure storage capabilities before approving cost-share for manure storage? *NO*
 - What is the existing precedent? *Use existing Needs Determination Worksheet for Poultry Dry-stack facilities as part of the considerations.*
 - Take this question up in the next TAC cycle? *YES*
 - Additional considerations; What is the usable (not contractual) lifespan of a stacking facility?
 - Respond to PFSWCD citing existing policies. *YES*
- Review of SL-6 specification:
 - Leave 390 Riparian Herbaceous Cover, DCR doesn't it to be construed as weakening the specification
 - Remove NRCS 512 Forage and Biomass Standard to prevent reseeding of whole pasture
- Review of WP-4 specification:
 - B. 2. iv. & B. 5. i. (storage capacity reviewed by Ag. Engineer) leave in
 - B. 4. viii. (no cost-share for end users) Leave in both places.
- Insert new Nut. Man. language: In order to be eligible for cost-share, nutrient management plans must be prepared by a certified planner who holds a current Nutrient Management Planner Certificate issued by the Virginia Department of Conservation and Recreation. Nutrient Management Plans must be written to comply with all requirements set forth in the Nutrient Management Training and Certification Regulations, (4 VAC 50-85-10 et seq.) and the criteria set forth in the Virginia Nutrient Management Standards and Criteria, revised July 2014.
 - into CCI-CNT, SL-9, SL-15B, WP-4, WP-4B, WP-4F, SL-6A, WP-8, WQ-6, and
 - all BMPs identified in the BMP Table as requiring a NMP (NM-3C, NM-4, NM-5N, NM-5P, RMP-1, RMP-2, SL-3, SL-3B, SL-4, SL-8B, SL-8H, SL-15A, SL-15B, WP-3, WP-4C, WP-4D)
- Review of SL-15A Continuous High Residue Minimal Soil Disturbance Tillage system
 - Section C. 1 moves to 2. 2 moves to 1. 3 stays where located
- Review of Engineering Workgroup recommendations:
 - FR-4 Wood land Erosion Stabilization, Add NRCS 362 Diversion and 382 Fence
 - WP-4C Composting Facilities, Add NRCS 362 diversion and 561 Heavy Use Area
 - SE-2 Agricultural Shoreline Stabilization, Add NRCS 342 Critical Areas Planting, 580 Streambank and Shoreline Protection, and 612 Tree/Shrub Establishment

- WP-1 Sediment Retention, Erosion or Water control Structure, Add NRCS 468 Lined Waterway or Outlet
 - WP-4B Dairy Loafing Lot Management System, Add NRCS 393 Filter Strip and 412 Grassed Waterway
 - WP-4C Composting Facilities, Add NRCS 382 Fence
 - WP-4F Animal Mortality Incinerator, Add NRCS 362 Diversion, and 561 Heavy Use area
 - WQ-7 Irrigation Water Recycling System, Add NRCS 552 Irrigation Regulating Reservoir
- Review and discussion about Biosecurity language changes, 8 language changes suggested and inserted into the proposed changed language.
 - Review and update to Matrix of TAC Recommendations:
 - WQ-12 substitute bacteria for erosion in purpose statement
 - Correct CCI-CNT name
 - Insert “or tax credit” into VA Nut. Man. language to be added to multiple BMPs
 - Remove WQ-4 from list of BMPs that will have Nut. Man. language inserted.
 - Insert full list of BMPs receiving new Nut. Man. language.
 - Change NM-5 comment, This change will allow more participation. A participant may....
 - NM-5N, NM-5P and Highly Management Hayland definition all supported by TAC and Staff
- ◆ **New Business**
- Gary Moore suggested that due to the necessity of preparing documents to go to the Soil and Water Conservation Board members two weeks before a scheduled early March meeting to discuss proposed changes to the program that program schedule changes might be considered. Would having suggested changes from the field be into the Ag. Incentives Program Manager by May 31, 2017 and the first TAC meeting be held in June rather than August be appropriate? This would give the TAC ~ 2 more months’ time to complete its work. If supported by the SWCB Gary will distribute an e-mail notification through the CDCS to District staff. The TAC supported this change
- ◆ **Agency Updates**
- **DCR: (Darryl Glover)**
 - Expanded COIA exemptions to cover SWCD staff have crossed over and are looking promising for approval
 - Budget for 2018
 - \$8.2M from WQIA reserve fund + ~\$8.2 from VRCF = ~\$16.4M for 2018 cost-share
 - No new engineering positions for DSWC

- Funding for a new RMP study
 - New Study on WQIF
 - There is proposal to generate a Line of Credit for Ag. BMP implementation =~\$30M similar to the line of Credit used by DEQ during POTW upgrades
- ◆ Concerns from the floor
- Headwaters District expressed concerns about the clientele presently being served with 100% SL-6 reimbursement, they have been threatened with a law suit over lower calf weight after the implementation of an alternative watering system.

Soil and Water Conservation Board meeting dates for spring 2017:

March 9, 2017, Pocahontas Dining Hall, Pocahontas State Park
April 20, 2016, Old Dominion Electric Cooperative, Glen Allen, VA
May 23, 2016, Old Dominion Electric Cooperative, Glen Allen, VA

Next TAC meeting: TBD, in June 2017 at the DOF training room