

**Nutrient Management Training and Certification
Regulatory Advisory Panel
Monday, March 30, 2026
Monacan Soil & Water Conservation District
Goochland, Virginia**

TIME AND PLACE

The meeting of the Nutrient Management Training and Certification Regulatory Advisory Panel (RAP) took place at 9:35 a.m. on Monday, March 30, 2026, at the Monacan Soil & Water Conservation District (SWCD) in Goochland, Virginia.

NUTRIENT MANAGEMENT TRAINING AND CERTIFICATION REGULATORY ADVISORY PANEL MEMBERS PRESENT

Angela Whitehead, Soil Horizons, LLC
Matt Kowalski, Chesapeake Bay Foundation
Bob Waring, Colonial SWCD
Wesley Gwaltney, Virginia Tech, Agricultural Technology Program
Betsy Bowles, Virginia Department of Environmental Quality (DEQ), Animal Waste State Program Coordinator
Hobey Bauhan, Virginia Poultry Federation
Jim Riddell, Virginia Cattlemen's Association
Eric Paulson, Virginia State Dairymen's Association
Ryan Holbrook, Virginia Golf Course Superintendents Association
R.O. Britt, Smithfield
Trey Davis, Virginia Agribusiness Council
Bryan A. Cauthorn, DEQ, Biosolids State Program Coordinator
Rory Maguire, Virginia Tech
Darrell Marshall, Virginia Department of Agriculture and Consumer Services (VDACS)
James Martin, Department of Conservation & Recreation (DCR), Director, Division of Soil and Water Conservation

NUTRIENT MANAGEMENT TRAINING AND CERTIFICATION REGULATORY ADVISORY PANEL MEMBERS NOT PRESENT

Wayne Pendleton, VDACS
Tim Grove, Houff Corporation
Eric Scruggs, Profit Agronomics LLC
Mary Sketch, Virginia Soil Health Coalition
Jake Tabor, Virginia Farm Bureau
Josh Lombard, GROWMARK
Mike Gerel, Chesapeake Bay Foundation

DCR STAFF PRESENT

Christine Watlington Jones, Policy and District Services Manager
Stephanie Dawley, Nutrient Management Training and Certification Manager

Hunter Landis, Nutrient Management Program Manager
Nico Robichaud, Policy and Program Assistant
Breanne Lindsey, Board & Constituent Liaison
Seth Mullins, Nutrient Management Coordinator – Animal Waste
Gonzalo Ortiz, Urban Nutrient Management Specialist

OTHERS PRESENT

Nicholas Moody, Farm Bureau (alternate for Jake Tabor)

CALL TO ORDER

Ms. Watlington Jones called the meeting to order at 9:35 a.m.

WELCOME AND INTRODUCTIONS

Ms. Watlington Jones welcomed and thanked members of the RAP for attending the meeting. Members of the RAP and DCR staff members present introduced themselves.

OVERVIEW OF MEETING PURPOSE AND RAP ROLE

Ms. Watlington Jones provided an overview of the purpose of the meeting, noting that it is the first meeting of the RAP. She informed the Panel that the meeting would include a review of the background for this regulatory action, including the statutory authority and the requirement for regulations. She indicated that the Panel would be asked to review the Nutrient Management Training and Certification Regulations, as well as the Virginia Nutrient Management Standards and Criteria, which is currently a document incorporated by reference within the regulations.

She explained that the Panel, along with DCR staff serving as subject matter experts, will be able to provide recommended changes for the Soil and Water Conservation Board to consider as the regulatory review process moves forward. Ms. Watlington Jones further informed the Panel that the process may take approximately eighteen to twenty-four months, and that DCR staff were authorized by the Board on September 16, 2025, to file the Notice of Intended Regulatory Action for the Nutrient Management Training and Certification Regulations.

LEGAL AND REGULAOTRY BACKGROUND

Ms. Watlington Jones explained the statutory authority for the program, referencing § 10.1-104.2 A of the Code of Virginia. She indicated that this section requires the Department to operate a voluntary nutrient management training and certification program to certify individuals to prepare nutrient management plans. These plans are intended to assist landowners and operators in managing the land application of fertilizers, sewage sludges, animal manures, and other nutrient sources, as well as to assist owners and operators of agricultural operations and turf in achieving the economic benefits associated with the effective management of nutrients.

Ms. Watlington Jones explained the statutory authority outlined in § 10.1-104.2 D of the Code of Virginia. This section requires the Virginia Soil and Water Conservation Board to adopt regulations specifying the qualifications and standards necessary for competent nutrient management plan

preparation and to provide for the issuance of certification. The statute also requires the Board to establish the conditions under which a certification may be suspended or revoked, and to provide criteria for nutrient management plan development across both agricultural and urban agronomic practices.

In addition, the Board is required to establish fees for training and certification programs, provide for the performance of other duties by the Director as necessary, and give due consideration to relevant existing agricultural certification programs.

DISCUSSION OF ALTERNATIVE METHODS OF UPDATING STANDARDS & CRITERIA

Ms. Watlington Jones provided the Panel with an overview of the need to update the Standards and Criteria more efficiently and proactively. It was noted that updating any portion of the document currently requires a full regulatory amendment cycle, which typically takes approximately two years to complete.

To address this concern, the Department recommends updating the Standards and Criteria to improve technical accuracy and usability, while developing separate guidance document(s) for content that is subject to more frequent change. The Department also indicated that it is seeking confirmation of this approach prior to providing specific documents or detailed recommendations.

The Panel held a discussion on potential approaches for updating the Standards and Criteria without undergoing the full regulatory review process. The discussion included consideration of the types of updates that may be necessary to reflect current science, technology, and practices. The Panel also considered which portions of the Standards and Criteria could be separated and incorporated into a guidance document to allow for more timely revisions.

BREAK

The Panel took a break from 11:34 a.m. to 12:34 a.m.

DISCUSSION OF CONFLICT BETWEEN USE OF RECOMMENDATIONS VS. REQUIREMENTS IN REGULATION

Ms. Watlington Jones provided an overview of the conflict between recommendations and requirements included in the regulations. Requirements, typically identified by “shall” language, represent mandatory standards that planners must follow when preparing a nutrient management plan and are enforceable under the regulations. In contrast, recommendations, generally indicated by “should” language, are intended as best-practice guidance that planners and producers are encouraged, but not required, to follow in order to provide flexibility.

It was noted that when the distinction between requirements and recommendations is unclear, planners may interpret recommendations as mandatory requirements, thereby reducing flexibility for producers and limiting the practical value of nutrient management plans.

The Panel held a discussion regarding the distinction between recommendations and requirements within the regulations. During the discussion, members considered provisions that may be more appropriately categorized as recommendations rather than requirements, and vice versa, as well as potential approaches for addressing these issues during the regulatory review process.

The Panel then began a line-by-line review of the regulations, starting with the definitions section (4VAC50-85-10). Ms. Dawley provided an overview of the definitions, including those that may be appropriate for removal because the terms are not used within the regulations, but instead appear in the Standards and Criteria. The Panel discussed the possibility of incorporating such definitions into the Standards and Criteria document.

The Panel requested that staff provide recommended changes for consideration as members continue their review of the regulations and the Standards and Criteria document. Prior to the next meeting, Panel members were asked to review the distinction between requirements and recommendations within the regulations and to provide feedback on potential revisions.

DISCUSSION OF FEES

The Panel held a discussion about the potential need to raise fees related to certification and recertification of planners. DCR has not historically received enough in fees to offset the expenses related to the positions that are needed to effectively administer the program. There was concern that raising the cost of the current fees to cover the full cost of program administration will make the fees unaffordable to most planners and actually reduce the revenue currently generated by the fees. There was discussion about including language in the regulation that would allow DCR to charge processing fees when electronic payments are authorized. Panel members had suggestions about which agencies may have similar provisions.

ADJOURN

The Panel adjourned at 1:59 p.m.