

**Chapters 735 and 736 Stakeholder Advisory Group**  
**June 3, 2024**  
**East Reading Room, Patrick Henry Building**  
**1111 E Broad St, Richmond, VA 23219**

**STAKEHOLDER ADVISORY GROUP MEMBERS PRESENT**

The Honorable Travis Voyles, Secretary of Natural and Historic Resources, Co-Chair  
The Honorable Matthew J. Lohr, Secretary of Agriculture and Forestry, Co-Chair  
Matthew Wells, Director, Department of Conservation and Recreation  
The Honorable Richard Stuart, Senate District 25  
Stephanie Taillon, Office of the SNHR  
Tom Dunlap, James River Association  
Jay C. Ford, Chesapeake Bay Foundation  
Mark Frondorf, Shenandoah Riverkeeper  
Matt Lail, Virginia Cooperative Extension  
Adrienne Kotula, Chesapeake Bay Commission  
Martha Moore, for Wayne Prior, Virginia Farm Bureau Federation  
Jim Riddell, Virginia Cattlemen's Association  
Dr. Kendall Tyree, Virginia Association of Soil and Water Conservation Districts

**STATE AGENCY STAFF PRESENT**

Andrew Smith, DCR  
Darryl Glover, DCR  
James Martin, DCR  
Taylor Melton, DCR  
Christine Watlington Jones, DCR  
Darrell Marshall, VDACS  
Michael Fletcher, DCR

**OTHERS PRESENT**

Savannah Goodwin, Virginia Farm Bureau Federation

**CALL TO ORDER AND INTRODUCTIONS**

Deputy Secretary Taillon called the meeting to order on behalf of Secretary of Natural and Historic Resources, Travis Voyles. She called for introductions.

Ms. Taillon advised that the purpose of the meeting was to review the draft report and to provide feedback to Department of Conservation and Recreation (DCR) staff to make changes for the final report. She turned the meeting over to Director Wells to facilitate the discussion.

Director Wells commented that DCR hoped the draft was reflective of previous discussions.

Director Wells noted that this meeting was the appropriate time for members to raise major concerns. He advised that a report with revisions reflecting the comments provided by the members would be sent to the committee on Friday, June 7<sup>th</sup> for review.

Director Wells turned to Ms. Watlington Jones to review the draft report.

Ms. Watlington Jones reviewed the structure of the report. She noted that the report follows the standard report format requested by Legislative Services.

Ms. Watlington Jones also noted that the beginning of the report includes the enabling legislation and a list of the members of the Stakeholder Advisory Committee (SAG).

### Executive Summary

Ms. Watlington Jones advised that the Executive Summary would be revised following comments received from SAG members.

### Section 1 – Funding for Agricultural Best Management Practices

Ms. Watlington Jones noted that the first section reviewed the funding provided for Agricultural Best Management Practices and the funding for the Virginia Agricultural Cost-Share Program (VACS) Program. Funding recommendations are based on the agricultural needs assessment, which is developed annually in accordance with §10.1-2128.1.

Ms. Moore suggested that the agricultural needs assessment be included in the appendices. The agricultural needs assessment is included as part of the annual Chesapeake Bay and Virginia Waters Clean-Up Plan. She commented that the entire chapter may not be needed, but enough information to provide context to this section of the report would be helpful.

Ms. Moore commented that it would be helpful to reflect the commitments made by agricultural producers. It was agreed that the VACS Program participant data should be included in the report.

Regarding the VACS Program allocations, Mr. Martin noted that to date in FY24 86% of the dollars have been obligated in the Bay region.

In the Southern Rivers area for the same time frame, 91.7% of the funding has been obligated.

Under the Infrastructure Investment and Jobs Act, Ms. Moore suggested including language regarding the funding structural practices in addition to the agronomic practices.

Ms. Moore commented that it was not clear that the Natural Resources Conservation Services (NRCS) practices were being captured and reported to the EPA Bay Model. Ms. Watlington Jones advised that DCR does not have the capacity to verify the practices that are solely federally funded at the District level. She noted that potential opportunities for improving reporting is included later in the report.

Mr. Martin addressed a question related to the Climate Smart Commodities Grant from the U.S. Department of Agriculture (USDA). He noted that there with twenty-nine projects funded with some footprint in Virginia.

Director Wells confirmed that the SAG was comfortable with DCR providing clarification where needed.

Mr. Riddell noted that there is typically a delay in federal funding available through Farm Bill Programs.

Director Wells noted that a sentence is provided that notes that payments to producers could be over the span of several years.

### Section 2 – Progress Reports from 2023

Ms. Watlington Jones advised that the SAG reviewed progress reports at the previous meeting. She noted that there is language included that clarifies that while a producer may have the committed to implementing and installing a practice, the nutrient reduction may not show in the EPA Bay Model.

Ms. Moore asked if stream exclusion was categorized under animal waste.

Mr. Frondorf commented that it would be helpful to identify what was actually being measured for the practices (i.e. acres, animal units).

Director Wells suggested that language be included to change livestock exclusion to livestock stream exclusion.

### Section 3 – Determination of Reasonable Progress

Ms. Kotula suggested that the order of the tiers showing progress should be reversed.

Director Wells noted that the numbers could be revised to show large to small, rather than the opposite.

Mr. Frondorf commented that there could be a watershed where there are commitments, but the watershed is still impaired.

### Section 4 – Potential Pathways to Enhance Progress

Ms. Watlington advised that this section contained ideas developed to encourage producers and to increase participation, which will provide more data for the models.

Mr. Martin commented that this was about what could be done to improve existing programs.

It was suggested that the section reference the DEQ pay for performance program.

Senator Stuart advised that this document was going to the General Assembly and that while he had a familiarity with the issues that was not the case for all members. He suggested language be clarified to be more specific about what needs to be done to achieve the goals.

Ms. Taillon noted that the explanation or reasoning should be included in the Executive Summary.

Director Wells agreed that staff would strengthen the language regarding future work and add additional language to the Executive Summary.

Ms. Watlington Jones agreed that the Virginia Cooperative Extension (VCE) survey of voluntary practices should be included. She noted that VCE cannot complete this task alone.

Mr. Ford suggested that language be added regarding the Beyond 2025 conversions.

Director Wells asked if there were additional comments regarding the appendices.

Ms. Moore commented that the charts need verbal explanations rather than just the presentation of the charts. Some of the data has not been seen before.

Director Wells advised that DCR staff would edit the report based on these conversations and circulate it to the SAG. The final report is due on July 1, 2024.

Ms. Moore asked that DEQ provide a report regarding the pay for performance initiative at the next meeting.

Director Wells asked the SAG about the future meeting schedule. Consensus was that the SAG should meet on a quarterly basis. January and February will be avoided due to the General Assembly Session.

There was no additional discussion and the meeting adjourned.