

**Virginia Soil and Water Conservation Board
Thursday, March 9, 2017
Powhatan Dining Hall, Pocahontas State Park
Chesterfield Virginia**

TIME AND PLACE

The meeting of the Virginia Soil and Water Conservation Board convened at 9:30 a.m. on Thursday, March 9 in the Powhatan Dining Hall at Pocahontas State Park in Chesterfield, Virginia.

MEMBERS PRESENT

Daphne W. Jamison, Chair
Richard A. Street, Vice Chair
Gray Coyner
Jerry Ingle
Janette Kennedy
Stephen Lohr
Barry L. Marten
Clyde E. Cristman, DCR Director, Ex Officio
David Kriz for John A. Bricker, NRCS, Ex Officio
Dr. Bobby Grisso, Virginia Cooperative Extension, Invitee

MEMBERS ABSENT

C. Frank Brickhouse, Jr.

DCR STAFF PRESENT

Rochelle Altholz, Deputy Director of Administration and Finance
Anne Crosier, Dam Safety Enforcement and Compliance Manager
David C. Dowling, Deputy Director of Soil and Water Conservation and Dam Safety and Floodplain Management
Michael Fletcher, Board and Constituent Services Liaison
Darryl Glover, Director, Division of Soil and Water Conservation
Blair Gordon, Conservation District Coordinator
Wendy Howard Cooper, Business and Administration Manager
Melissa Jackson, Budget Manager
Stephanie Martin, Soil and Water Conservation District Liaison
Barbara McGarry, Resource Management Plan Program Specialist
Gary Moore, Agricultural Incentives Program Manager
Sharon Partee, Finance Director
Amanda Pennington, District Engineering Service Manager
Amy Walker, Conservation District Coordinator
Christine Watlington, Senior Policy and Planning Analyst
Matthew Gooch, Office of the Attorney General

OTHERS PRESENT

Emily Horsley, USDA- Farm Service Agency
Ann Jennings, Chesapeake Bay Commission
Bonnie Mahl, VASWCD

Greg Wichelns, Culpeper SWCD
Dr. Kendall Tyree, VASWCD

ESTABLISHMENT OF A QUORUM

With eight (8) members of the Board present, a quorum was established.

CALL TO ORDER AND INTRODUCTIONS

Chairman Jamison called the meeting to order at 9:30 a.m. and called for the introductions of members, staff, and guests.

APPROVAL OF MINUTES FROM DECEMBER 7, 2016

Mr. Lohr moved for the approval of the minutes from the December 7, 2016 meeting of the Virginia Soil and Water Conservation Board. Mr. Marten seconded and the minutes were approved as submitted.

DIRECTOR'S REPORT – *Clyde E. Cristman, DCR Director*

Director Cristman welcomed members and guests to Pocahontas State Park. The park was built in 1936 by the Civilian Conservation Corps and is the largest park in the Virginia State Park System. Pocahontas is the second most visited park behind First Landing State Park in Virginia Beach.

Director Cristman gave the following update from the General Assembly Session.

- The General Assembly appropriated \$500,000 toward the CREP match.
- There will be about \$16-17 million dollars available for cost-share and technical assistance. About 14% will go toward technical assistance with the remainder available for BMPs. At this meeting, the Board will begin the process of determining allocation strategies to Districts.
- Also the General Assembly passed two study resolutions within the budget.
 - The first study, sponsored by Delegate Lingamfelter will examine funding, training, and resources needs, as well as explore new incentives, for additional implementation of Resource Management Plans. This study committee includes two members from the House and one member from the Senate from the membership of the Chesapeake Bay Commission.
 - The second study will evaluate methods to stabilize the fluctuations in funding for Agricultural Best Management Practices from year to year.
- In 2016 the General Assembly passed Conflict of Interest Act language that allowed District Directors and staff to participate in the cost-share program. This very narrowly addressed the Virginia Ag BMP Cost-share program. In 2017 the legislature addressed further interpretations of the 2016 action to clarify the law with regard to immediate family members.

On March 8, 2017 DCR staff met with the internal auditor. DCR has made very significant progress in addressing findings outlined in the audit three years ago. Eighty-one of ninety-three audit points have been resolved.

Director Cristman addressed a letter received from Mr. Bricker the State Conservationist regarding DCR's development of a conservation planning and training program. This letter was sent to DCR, the Board, the VASWCD, and the chairs of each Soil and Water Conservation District. It expressed Mr. Bricker's concern that the development of a DCR training program would create two different planning and training standards.

Secretary of Natural Resources, Molly Ward, responded to Mr. Bricker's letter noting that DCR was developing the training program based on concerns expressed by Virginia's Soil and Water Conservation Districts and at the instruction of a resolution passed by the Virginia Soil and Water Conservation Board at their December 7, 2016 meeting.

Director Cristman reported that Secretary Ward has requested a meeting with Mr. Bricker to discuss the matter. DCR is committed to honoring NRCS training to meet future DCR certification requirements. DCR is seeking ways to supplement training for District staff who are unable to meet the NRCS certification requirements due to scheduling demands or other concerns.

Mr. Kriz noted that NRCS was concerned that the appropriate planning elements are covered in trainings. Mr. Bricker looks forward to the meeting to discuss the issue.

Director Cristman responded that DCR has heard concerns from Districts that are not having their needs met. This program is being offered in a spirit of cooperation.

DAM SAFETY AND FLOODPLAIN MANAGEMENT

Division Update and Introduction of New Regional Engineer – David Dowling

Mr. Dowling announced that Mark Killgore joined the Department as Regional Dam Safety Engineer for Region 2 on February 27 and outlined Mr. Killgore's background and experience. An unexpected schedule change prevented Mr. Killgore from attending the meeting.

DCR is currently recruiting to fill the vacant Region 3 Dam Safety Engineer position.

Mr. Dowling presented the following prepared remarks:

Program Priorities and Dam Safety Database Development

Last year, the Divisional focus was on PMP adoption, fiscal stability, hiring a Business and Administration Manager, completion of an enforcement manual, and grants management (State and Federal). Various aspects of these important efforts continue. We also provided to the Board a number of critical guidance documents with several more under development. This year, our focus is on filling vacant regional engineer positions and beginning a multi-year database development effort. Next year we plan to add in public outreach, training, and program marketing aspects and tools.

In early 2016, we began discussions of the development of a new DCR Dam Safety Database. With the leadership of the Soil and Water Conservation Division data management group, by September, this had turned into a thorough list of database requirements. Through October and November, a proposal and Statement of Requirements (SOR) was refined and in December a Statement of Work (SOW) was released and a Contingent Labor Contract through Computer Aid, Inc. was awarded to WorldView Solutions Inc. On January 26, 2017, a project kick-off meeting was held and on February 28, 2017, the first product designs were reviewed by the DCR project team. The project remains on schedule with a Phase 1 completion date of

August 7, 2017. Paralleling this effort, is an ongoing clean-up of the data in our current system for migration to the new system. Phase 1 project objectives and milestones are as follows:

Project Objectives – The following table contains all project objectives:

ID	Phase 1 Objective	Comments
Obj01	Create a data entry and viewing environment that allows Dam Safety staff in all regions and the central office to enter and view all descriptive and status related data associated with dams in VA.	
Obj02	Create a mapping interface within the application that allows dam safety users to create, view, and edit limited spatial data associated with VA dams.	Not all spatial data will be edited in the application, some will be maintained by DCR staff via SQL server.
Obj03	Create a secure application environment where users logging in will be limited to data access based on assigned regions and roles, while providing administrators the ability to adjust user profiles and system settings as needed.	

#	Milestone Event for Phase 1	Deliverable	Target Schedule	Meeting Held
1	Project Kick-Off	Meeting Notes, Project Work Plan	1/23/2017	1/26/2017
2	Release 1 Planning	Functional priorities and Acceptance Criteria	2/6/2017	
3	Software Design	Software Design Specifications	2/27/2017	2/28/2017
4	Database Design	Database Design Specifications	2/27/2017	2/28/2017
5	Release 1	Test Plan, Source Code Application Coding and Configuration in UAT Environment	3/20/2017	
6	Release 2 Planning	Functional priorities and Acceptance Criteria	3/20/2017	
7	Release 2	Test Plan, Source Code Application Coding and Configuration in UAT Environment	5/5/2017	
8	Release 3 Planning	Functional priorities and Acceptance Criteria	5/5/2017	
9	Release 3	Test Plan, Source Code Application Coding and Configuration in UAT Environment	6/23/2017	
10	Defect fixes to UAT	Test Plan, Source Code Application Coding and Configuration in UAT Environment	7/14/2017	
11	Final UAT	Test Plan, Source Code Application Coding and Configuration in UAT Environment	7/28/2017	
12	Training	User Guide, Administration Guide, 2 days end user training, 1 day administration training	8/1/2017	
13	Production	Source Code Application Coding and Configuration in Production Environment	8/4/2017	
14	Project Closeout		8/7/2017	

On Wednesday, March 22nd, in collaboration with Ms. Stacie Neal in the Public Safety Secretariat, we will be speaking at the Virginia Emergency Management Symposium about these database efforts and how they may vastly improve public safety. Our presentation is titled "*The criticality of Virginia's dams and harnessing technology to provide situational awareness*".

Release of the Virginia Dam Safety, Flood Prevention and Protection Assistance Fund Grant Notification
(See attached press release; see grant manual –Tab E)

On February 15th, DCR released the 2017 Grant Manual for the Virginia Dam Safety, Flood Prevention and Protection Assistance Fund soliciting requests for applications. Approximately \$1.2 M is available for the grant round. Applications are due by 4 p.m., March 31st. Grant award recommendations will be brought to the Board at the May 23rd meeting for Board consideration and approval.

Launch of the new Virginia Flood Risk Information System (VFRIS)

The Governor on February 28, 2017, issued a press release announcing updates to the Virginia Flood Risk Information System, an online tool that allows Virginians to view and assess their flood risk and to help communities plan for resiliency.

Within 24 hours [of release], the link to VFRIS in the press release had 1,490 visits. We were also advised that this past Saturday (March 4), we tweeted again about VFRIS. It has become the most popular tweet in the history of DCR's account!

These are its stats:

Impressions	4,126
Total engagements	296
Media engagements	107
Link clicks	101
Detail expands	35
Hashtag clicks	25
Retweets	15
Likes	8
Profile clicks	5

Retweets from VDEM and the City of Virginia Beach (both have big followings) likely caused this.

DCR Floodplain Management and SEAS Program Collaboration with VIMS

The Department, VDEM, DEQ, and VDOT are also collaborating in developing a proposed NOAA resiliency grant with VIMS, Wetlands Watch, and the Virginia Coastal Policy Center to identify opportunities and criteria for using natural and nature-based features to increase resiliency to flooding and simultaneously generate credits for local governments in other resource management and hazard mitigation programs.

Additional collaborative grant opportunities are being pursued that may further help fund both our VFRIS and Dam Safety Database development efforts.

Dam Safety Enforcement Case Update – Anne Crosier

Virginia Dam Safety Enforcement Report

[A document titled *Dam Safety Enforcement Cases Status Report* was provided to the Board. The following represents PPT highlights of this report presented by Ms. Crosier to the Board.]

Lake Arrowhead Dams

In 2015, DCR met with the Lake Arrowhead community and explained that the dams were unsafe and would have to be either repaired or removed. In 2015, as a result of DCR's efforts, the community convinced the Stafford County Board of Supervisors to join with them to find a way to keep the Lake Arrowhead Lakes by bringing the two dams into compliance with the Virginia Dam Safety Program.

- In the fall of 2015, the Stafford County Board of Supervisors discovered that the Lake Arrowhead community was still part of a Special Service District; the taxes from the service District contributed to the fund to improve the neighborhood streets.
- There is \$138,348 remaining in the special fund, part of which may be used for repairs and upgrades to the dams.
- On March 15, 2016, the Board of Supervisors authorized a study of the dams to provide a better understanding of the necessary upgrades and repairs as well as the estimated costs of the construction work.
- The study was estimated not to exceed \$30,000. The Stafford County Department of Public Works was tasked with managing the study and sharing the results with the Lake Arrowhead community.
- The Board of Supervisors met with the community on October 13, 2016, and the Stafford County Public Works Director reminded the residents that the dams were being operated in an unsafe condition and, as such, were out of compliance with Virginia law.
- The Stafford County Public Works Director emphasized DCR's concern that the Community show continued progress in efforts to find the funding to remove the unsafe conditions of the dams.
- The study showed that the hazard class for the Little Lake Arrowhead Dam was low and that its spillway was adequate, but the deteriorated outlet pipe must be replaced. In addition, the study showed that the hazard class for the Lake Arrowhead Dam was high and that the spillway had to be enlarged or improved with the overtopping protection.
- The estimated costs of repairing and upgrading both dams is \$705,353. The estimated annual maintenance costs for both dams was \$29,216. DCR staff reviewed and approved the study results.
- With respect to funding sources, the Public Works Director explained that neither VDOT, the County, nor DCR were responsible for the costs of the repairs, upgrades, or maintenance.
- The funding plan recommended by the Board with repayment by the community included the following sources:
 - State Grant - \$15,000
 - Lake Arrowhead Service District - \$138,348
 - County Loan - \$542,010
- The Director of Public Works explained that the schedule was on a fast track, as outlined below:
 - Design start – 2016
 - Design complete – mid-2017; and

- Complete construction of repairs and upgrade to Lake Arrowhead and Little Lake Arrowhead by the end of 2017
- Finally, the Director of Public Works reminded community members that the consequences of inaction were that DCR would drain the lakes, remove the dams, and recover the costs from them. Costs to remove the dams, at a minimum, would include engineering, environmental permitting, mitigation costs for impacts to endangered species, demolition, utility relocation, and relocation of roads and may exceed the costs of upgrades and repairs. In addition, community members would suffer the loss of the added fire protection resulting in increased home owners insurance, the loss of the use of Lakeview Drive and Boundary Drive resulting in reduced public safety protection, and reduced property values.
- The General Assembly in the 2017 session, passed legislation that could potentially provide dam owners with the ability to seek additional funding assistance for dams. House Bill 1562 authorizes the Director of DCR, at his discretion, to disburse moneys from the Dam Safety, Flood Prevention and Protection Assistance Fund in the form of grants or loans to a local government that owns a dam, to a local government for a dam located within the locality, or to a private entity that owns a dam in order to protect public safety and welfare.
- The moneys may be used for the design, repair, and safety modification of dams identified in safety reports. Such funding may be of assistance to Stafford County.

Rainbow Forest Lake Dam

- The Rainbow Forest community has paid out \$151,021.99 for engineering design services with \$383,485.52 remaining funds available.
- The original fund deposits and the accrued interest may be used by the community.
- Representatives of the community are meeting to discuss alternative plans for rehabilitating the Dam in order to reduce costs.
- Rainbow Forest Lake Dam is operating under a Special Order that requires the Lake be kept at a low level to better protect public safety.

Ivy Hill Lake Dam

- Liberty University and the residents of the Ivy Lake community went to court to determine who was responsible for the costs of the dam's upkeep and repair.
- The Bedford County Circuit Court judge declined to find the property owners responsible for the costs of the dam repairs and its operation and maintenance.
- As it stands, the court could rule that the property owners have abandoned their easement by not agreeing to share in the costs, and Liberty may drain the lake and remove the dam.
- In the meantime, Liberty is negotiating with a potential buyer to purchase the lake and dam and assume responsibility for repairs, operation, and maintenance.

Corti-Jencen Lake Dam

- The three dam owners went to court to decide who was responsible for repair, operation, and maintenance of the dam.
- The Loudoun County Circuit Court ruled that it would decide at trial who is responsible for the operation and maintenance of the dam and the pro-rata share of costs, if any, of each of the

- three dam owners. The court also ruled that the dam owners must decide among themselves whether to repair the dam or decommission it.
- The trial was scheduled to begin in late April, but the parties have reached a settlement. As part of the agreement, two of the dam owners will sell their portions of the dam to the third dam owner. The third dam owner is an engineer and will assume responsibility for bringing the dam into compliance with the Dam Safety Program.

SOIL AND WATER CONSERVATION DIVISION REPORT

Cost-share Manual and Policy Update Discussion – David Dowling, Darryl Glover, Gary Moore

Mr. Dowling, Mr. Glover, and Mr. Moore addressed the Agricultural BMP Cost-Share Manual Amendments and other cost-share and technical assistance policy recommendations. A working document entitled “Virginia Soil and Water Conservation Board FY 2018 Cost-Share Program and Policy Discussion” was provided in member packets. The Board provided staff with direction regarding the thirty-five (35) items outlined in the document. The Board will make final decisions regarding these items at the April and May meetings.

Mr. Dowling noted that the Board was provided with preliminary information regarding changes to the BMP Cost-Share manual at the December meeting. Today’s information further builds on those discussions.

He advised that the Policy items being presented were decision points, and while they were not final, the actions direct the necessary funding computations. Staff will be better positioned to make the appropriate calculations based on the Board’s direction regarding these matters.

Mr. Dowling reviewed items 1-26 contained in the spreadsheet on pages 1-12 and explained that the first section of recommendations came from the work of the Agricultural BMP Cost-Share Advisory Committee and the Agricultural Engineering Subcommittee. These committees are comprised of technical experts from Districts, producer organizations, and state and federal agencies.

The table of recommended changes is included as **Attachment G**.

Mr. Dowling reviewed the detailed document and highlighted the following recommended changes.

Items 1-26

1. Change the BMP program schedule to require suggested changes to the BMP Program be submitted by May 31st rather than July 31st, and that the first TAC meeting occur in June rather than August.
2. Update Conflict of Interest Act language to reflect amendments made during the 2017 Legislative Session.
3. Change “Agreement Transferring Responsibility for Best Management Practice” form and guidelines narrative. The primary change was to add SWCD Board Member under the “approved by” line.
4. Change the Bio security Section of the manual and conduct general clean-ups. A copy of the draft language entitled “Existing Biosecurity language starting in the middle of page II-76” is included as **Attachment A**. As part of the general clean-up items, Mr. Dowling noted that the DEQ tax credit BMP

list had not changed. It was also noted during the meeting that the DEQ Loan Program section should be removed.

Director Cristman referenced the draft language and asked if Virkon-S® is the only approved disinfectant. Mr. Moore replied that it is the only product approved for use when soil and manure are present. It was suggested to include the term three parts household bleach first and then list products such as Virkon-S® or similarly approved products. Dr. Grisso expressed concern that language regarding contacting the farm operators or managers prior to arriving at the farm was stricken. Staff agreed to review based on expressed concerns.

5. FR-4 Woodland Erosion Stabilization. This is an update to the NRCS standards.
6. NM-1A Nutrient Management Plan Writing and Revisions (Annual). The language specifies that an applicant is eligible for the nutrient management Plan NM-1A in conjunction with RMP-1 for the development of a new NMP or for the revision of an expired plan.
7. NM-5 Precision Nutrient Management on Cropland. This action eliminates this specification and splits it into two new specifications (NM-5N and NM-5P).
8. NM-5N Precision Nutrient Management of Nitrogen and Cropland. Draft language is included as **Attachment B**.
9. NM-5P Precision Nutrient Management of Phosphorus on Cropland. Recommended text for substitution is included as **Attachment C**.
10. SL-6 Stream Exclusion with Grazing Land Management SL-7 Extension of CREP Watering Systems. This is an update to the NRCS standards.
11. SL-15A Continuous High Residue Minimal Soil Disturbance Tillage System. Included a series of alterations specified in Attachment G.
12. WP-1 Sediment Retention, Erosion or Water Control structure. This is an update to the NRCS standards.
13. WP-4 Animal Waste Control Facilities. Included a series of alterations specified in Attachment G.
14. WP-4B Dairy Loafing Lot Management System. This is an update to Nutrient Management boiler plate language and the NRCS standards.
15. WP-4C Composting Facility. This is an update to Nutrient Management boiler plate language and the NRCS standards.
16. WP-4F Animal Mortality Incinerator Facility. This is an update to Nutrient Management boiler plate language and the NRCS standards.

Mr. Lohr referenced structural facilities and noted that many of the facilities have a ten-year lifespan. He asked if consideration had been given to extending the lifespan of these facilities.

Mr. Dowling replied that staff would be looking at the lifespan of structures as well as cost-share issues to expand the practice lifespan. He noted that there are many related issues with regard to structures that staff would discuss under item 27.

17. WQ-12 Roof Runoff Management. Clarifying language was added to better describe the intended use of this BMP and to substitute bacteria for erosion in the purpose statement.
18. Changes in Manual Language that Apply to Multiple BMP Specifications. This is an update to Nutrient Management boiler plate language in multiple specifications.
19. SE-2 Agricultural Shoreline Stabilization. This is an update to the NRCS standards.

20. SL-6A Small Acreage Grazing System. This is an update to Nutrient Management boiler plate language.
21. SL-11B Farm Road, Animal Travel Lane, Heavy Use Area Stabilization. F feeding pad was added as n eligible component for tax credit in a grazing unit that has already excluded livestock from surface waters.
22. WQ-7 Irrigation Water Recycling System. This is an update to the NRCS standards.
23. Changes in Manual Language that Apply to Multiple BMP Specifications. This is an update NRCS standards in multiple specifications.
24. Updates to Voluntary Practice Specifications. This item updates a number of voluntary specifications and adds two new specifications to the manual. Draft language is included as **Attachments D & E.**
25. Changes in the Manual that Apply to the Conservation Reserve Enhancement Program (CREP). The changes include the reduction of state match from 50% to 25%.
26. ADD a definition of “Highly Managed Hayland” to the Glossary.

Concerns were expressed regarding the need for an inclusion of a provision for drought. Staff will continue to review this section and make necessary recommendations at the April meeting.

BOARD ACTION

Mr. Lohr moved the approval in concept of items 1-26 with technical amendments as discussed. Mr. Street seconded and the motion carried.

Items 27-28

27. Waste Storage Facilities Approval. An update was provided on the ongoing discussions on a variety of issues regarding cost-share for Waste Storage Facilities. Additional discussions on this matter will continue into FY 2018.
28. Uniformity of “Conservation Plan” references and an understanding of what constitutes a “Conservation Plan.” This item acknowledged that once the Conservation Plan Program is established, modifications to the BMP Manual may be necessary.

Mr. Dowling advised that DCR staff and the committees need additional time to address these two issues. No changes are currently being recommended.

Mr. Coyner asked that the operator’s depreciation schedule be considered as part of the discussion.

Item 29

29. Use of the 2016 Nonpoint Source Assessment in the development of the FY 2018 Policy and allocations. Mr. Dowling outlined all of the changes made as part of the updated Nonpoint Source Assessment that would impact cost-share distribution if adopted.

BOARD ACTION

Mr. Coyner moved the approval of Item 29 and that funding for FY 2018 be based on the 2016 Nonpoint Source Assessment. Mr. Lohr seconded and the motion carried unanimously.

Item 30

30. Policy and Procedures on Soil and Water Conservation District Cost-Share and Technical Assistance Funding Allocations (Fiscal Year 2018) and the Grant Agreement. Mr. Dowling reviewed current budget language, Reserve and Recordation Fee balances, and set out a recommended FY 2018 funding scenario. Mr. Glover noted that the Nonpoint Source (NPS) Assessment indicated that \$110 million is needed to fully address Cost-Share and Technical Assistance needs.

Mr. Dowling requested the following:

- Implement a funding scenario of \$500,000 for CREP, \$13,881,537 for cost-share, and \$2,192,937 for technical assistance in accordance with budget language.
- Due to reduced funds being available, concurrence with changing state CREP match back from 50% to 25% to assist more applicants. The producer's share will once again increase from 0% to 25%.
- In order to cover a CREP enrollment overage for 2017; seeking authority to apply unobligated 0934 – WQIF balances [and sub-fund balances] as determined by DCR to be necessary to meet commitments.
- The FY 2013 base Technical Assistance amount has been \$1,843,154. Continue to satisfy the FY 2013 base and distribute the balance proportional to the C-S amounts (current practice).
- Concurrence with Recordation Estimate of \$8,300,000 (\$7,100,000 to C-S and \$1,200,000 to TA).
- Concurrence with all newly appropriated funds going to District basic cost-share (no SL-6 earmark).
- Recommend providing \$1,500,000 in unobligated funds to the SL-6 FY 2015 backlog (apply 8% TA and split 60/ 40 CB/ OCB).
- No additional earmarks are requested for RMP-1 and RMP-2 in FY 2018. A grant from DEQ provides \$120,000 in funding for RMP-1 in the CB. Apply carry-forward VNRCF balances to RMP-2 in FY 2018 (As of January 31, 2017, RMP balances were \$149,635 in CB and \$61,188 in OCB.)
- Include a 4th quarter reallocation strategy. It was waived in FY 2016 and FY2017 to allow for the redirection of funds to pending SL-6 practices within districts. End-of-year reallocations would continue through standardized Cash Transfer In (CTI) practices until otherwise revised by the Board.

BOARD ACTION

Mr. Lohr moved that funding allocations be determined as outlined under Item 30 of the spreadsheet. Mr. Coyner seconded and the motion carried unanimously.

Following a recess, Mr. Dowling continued with discussion of the spreadsheet.

Items 31-32

31. Supersede Fiscal Year 2017 Policy and Procedures and Grant Agreements with 2018 documents. Mr. Dowling explained the reasons for proposing this action and outlined how this action would work including the proposed changes specified in item 31.

BOARD ACTION

Mr. Lohr moved that staff be authorized to move forward with the development of Policy and Procedures and Grant Agreement Deliverables as outlined in Item 31 for Board review at the April 20, 2017 Meeting. Mr. Street seconded and the motion carried unanimously.

32. Policy and Procedures on Soil and Water Conservation District Administration and Operations Funding Allocations (Fiscal Year 2018) and the Grant Agreement)

Director Cristman noted that funding for FY2018 is the same as for FY2017. Mr. Dowling explained that the Department will be working with the Association on refinements to their grant agreement and he reviewed a proposed list of District grant agreement changes in item 32.

BOARD ACTION

Mr. Lohr moved that staff move forward with the development of Policy and Procedures for District Administration and Operations Funding as outlined in Item 32 and for approval at a future Board meeting. Mr. Ingle seconded and the motion carried unanimously.

33. Consideration of Additional RMP Operational Support Funding. Mr. Dowling indicated that existing operational support funding will be utilized to cover costs through fiscal year 2018 at the existing payment rates but that he was seeking authority to apply unobligated WQIF balances if it was determined by DCR to be necessary to meet commitments.

BOARD ACTION

Mr. Coyner moved for the consideration of additional RMP operational support funding as outlined in Item 33. Mr. Lohr seconded and the motion carried unanimously.

34. Legislative Study on AG BMP Funding

35. Legislative Study on Examination of RMP funding, training, and resource needs, and new implementation incentives

Mr. Dowling advised that staff would welcome Board participation in the two study groups. He noted that the meetings would be public noticed and that all members were welcome to participate.

Mr. Street indicated interest in representing the Board on both study groups.

Appointment of a Board Subcommittee that will be charged with reviewing and addressing District audit and deliverable matters

Staff reviewed the FY 2015 and 2016 General Management letter from Robinson, Farmer, Cox Associates regarding the audits of twenty-two Soil and Water Conservation Districts and Director Cristman's subsequent letter informing Districts of audit results.

Mr. Dowling presented a draft recommended motion for the Board's consideration to establish a Soil and Water Conservation District Audit Subcommittee for the purposes of reviewing all audit and deliverable materials, to make recommendations, and to take any actions that may be deemed necessary.

The draft motion was presented as follows:

MOTION for the Virginia Soil and Water Conservation Board (Board) to Establish a Soil and Water Conservation District (District) Audit Subcommittee (Subcommittee)

WHEREAS, §10.1-505 of the *Code of Virginia* (Code) confers the following broad fiscal related duties and powers upon the Board:

1. To give or loan appropriate financial and other assistance to district directors in carrying out any of their powers and programs.
2. To keep district directors informed of the activities and experience of all other districts, and to facilitate an interchange of advice and experience between the districts.
3. To oversee the programs of the districts.
11. To provide, from such funds appropriated for districts, financial assistance for the administrative, operational and technical support of districts.

WHEREAS, §10.1-535 of the Code requires that district directors shall ... “(iii) provide for an annual audit of the accounts of receipts and disbursements by the Auditor of Public Accounts or a certified public accountant approved by him” with such results being provided to the Department for review.

WHEREAS, the Board’s Desktop Procedures for District Fiscal Operations document adopted on May 23, 2017 with an effective date of July 1, 2017, specifies under “Audits” that “[a]ll districts are required to accommodate an audit of accounts of receipts and disbursements on an annual basis...” and that the “Department of Conservation and Recreation [Department] has currently contracted to have each SWCD audited on a two-year rotating basis”. The manual further outlines all items that each district should have completed and have available prior to the audit.

WHEREAS, each district’s audit results are shared by the auditors and CDCs with the given district and with the Department as a series of audit close-outs and whereas the Department routinely shares the audit findings and recommendations with the Board.

WHEREAS, in accordance with the Board’s POLICY ON SOIL AND WATER CONSERVATION DISTRICT ADMINISTRATION AND OPERATIONS FUNDING ALLOCATIONS FOR FISCAL YEAR 2017 (Approved by Board May 24, 2016), “[t]he Grant Agreement [with each district] shall include the Board’s expected outcomes or “deliverables” for each District as a result of the funding provided”. The Department is directed by the Board to assess each District’s success in meeting the deliverables and to provide the results to the Board for review and appropriate action. The document further notes that “[t]he Board continues to reserve the right to make funding adjustments to future fiscal year’s funding allocations and/or other fiscal corrective actions...”.

WHEREAS, the Grant Agreement as a deliverable specifically states that “[t]he District shall act upon audit findings as directed by the Board and the Department resulting from the Auditor’s review of applicable District records”.

WHEREAS, §10.1-534 of the Code requires that “district directors shall furnish to the Board or Department, upon request, copies of ordinances, rules, regulations, orders, contracts, forms, and other documents that they adopt or employ, and other information concerning their activities as the Board or Department may require in the performance of its duties under this chapter”.

WHEREAS, §10.1-503 of the *Code of Virginia* authorizes the Board to “create an executive committee and delegate ... to the committee ..., such powers and duties as it deems proper”.

WHEREAS, ARTICLE VII, Section 2, of the May 15, 1997 adopted and December 11, 2013 revised By-Laws of the Board stipulates that “[t]he Chairman ... may appoint committees and call special meetings as required ... and perform such other duties as it may direct”.

NOW THEREFORE BE IT RESOLVED, that the Board requests the Chair to appoint an Audit Subcommittee that shall have the powers and duties to review all audit and deliverable materials and to make recommendations and to take actions independently based on their assessments, or instruct the Department to take such actions. Any such actions shall be communicated to the full body of the Board;

BE IT FURTHER RESOLVED, that the Subcommittee may direct the Department to issue a Letter of Notice (LON) and direct the District to develop a Performance Improvement Plan (PIP) in accordance with the Grant Agreement, and request District representatives to attend Subcommittee meetings in order for the Subcommittee to gain a better understanding of District’s plan to address performance matters;

BE IT FURTHER RESOLVED, that the Board directs that the Subcommittee shall be composed of three members and include the Board’s Vice-Chair, who shall serve as the Subcommittee Chair, one appointed at-large member, and one appointed member from those members nominated by the Association of Soil and Water Conservation Districts in accordance with §10.1-502 of the Code; and

BE IT FURTHER RESOLVED, that the Department shall provide support to the Subcommittee, shall public notice all such meetings of the Subcommittee, and maintain minutes of such proceedings.

Board members discussed the powers that would be vested with the Subcommittee. Chairman Jamison advised that she would like to give the matter further consideration and, with the concurrence of the Board, delayed action on this item until the April 20, 2017 meeting.

Division Update – Darryl Glover

Mr. Glover presented the following prepared remarks.

Madam Chairwoman, members of the Virginia Soil and Water Conservation Board, please accept this Soil and Water Conservation Division Report.

Livestock Stream Exclusion Update

As of March 1, 2017, the backlog in SL-6 practices that remain in pending status (awaiting funding) was reduced to \$26 million. \$59 million of SL-6 practices have been completed statewide and another \$29 million have been approved by local Soil and Water Conservation Districts (Districts) and are awaiting completion. The Virginia Department of Environmental Quality (DEQ) recently announced that they will provide \$450 thousand using EPA 319 grant funding to four districts (Big Walker, Clinch Valley, Holston River, and Lord Fairfax) to fund portions of thirteen 2015 backlogged SL-6 requests as SL-6T practices. State cost-share funding will supply the 25% balance to meet the prior 100% commitment. The DEQ award includes \$40 thousand in technical assistance. It is anticipated that the contracts will start March 15 and end October 31 of this year.

The USDA Natural Resources Conservation Service (NRCS) has pre-approved \$872 thousand for stream exclusion practices in eight counties within the Chesapeake Bay watershed, under the RCPP grant to the Department. These will be funded at or near 100%. Once final approval is given from their national headquarters these projects can proceed.

Signup for Conservation Reserve Enhancement Program (CREP) in Virginia has been temporarily suspended but is expected to resume by (possibly before) the start of the next state fiscal year in July. The Department has been in communication with the USDA Farm Service Agency (FSA) and will soon meet with them to determine how best to resolve CREP applications that FSA received and/or approved prior to being notified by the Department that state CREP match funds for FY2017 have been exhausted. Initially, \$800,000 was appropriated by the Virginia General Assembly in FY 2017 for the 50% state match on CREP contracts. The Department then added \$87,000 in prior year unexpended CREP match, plus another \$300,000 in February 2017. This entire sum, just shy of \$1.2M in state CREP match, was fully depleted by mid-February. The Department notified FSA immediately, and FSA then halted the approval (and acceptance) of additional CREP contracts. Nevertheless, some CREP contracts had already been approved (or accepted) by FSA for which no additional FY2017 state CREP match is currently available. A letter from FSA regarding CREP suspension and a letter from the Thomas Jefferson Board of Directors were shared with the Board.

The Virginia General Assembly has appropriated \$500,000 for state CREP match in FY2018. These funds will be available beginning July 1, 2017. Some of the state FY2018 appropriation or other solutions may be needed to supply match for the pending contracts.

Resource Management Plans

The Department has awarded contracts funded by \$120,000 in federal funds for additional RMP development in the Chesapeake Bay watershed. These funds will provide up to as many as 34,000 additional acres of RMPs by December of this year. Contracts for RMP development outside the Chesapeake Bay (OCB) watershed in 2016 contributed to 29 RMPs. As of March 1, there were a total of 354 RMPs statewide, covering over 75,000 acres. The Department will shift greater emphasis to RMP implementation and certification in FY2018. The 2017 Virginia General Assembly has required a study, due for completion in October, to develop strategies to increase both interest in and implementation of RMPs.

BMP Verification

District staff are participating on a stakeholder group that is assisting the Department to develop a web application that will facilitate the more detailed documentation that will be required for BMP verification spot checks in the Chesapeake Bay watershed, beginning in calendar 2018, by the state's BMP Verification Plan.

The Department is investigating the possibility of launching a mobile application with which to conduct BMP verification spot checks. Any data application enhancements would be available to Districts statewide. Pending grant approval from EPA, the Department will again offer supplemental (separate) grant agreements to selected Districts in the Chesapeake Bay watershed to recertify just over 1,000 structural BMPs whose contractual lifespans end in either 2016 or 2017, in order to continue to receive pollution reduction credit from the US Environmental Protection Agency. Additionally, the BMP stakeholder group is discussing other strategies to sustain pollution reduction credit for BMPs that will fall out of lifespan in the future, possibly

including conservation incentives payments that would allow the practice to remain under an agreement for a predetermined time period.

End of Practice Lifespan Date	Number of BMPS falling out of Lifespan
12/31/2016	413
12/31/2017	620

Additional Stakeholder Groups

The Department has formed three stakeholder groups that District staff are participating on; one to assist us with development of Conservation Planning and Certification, another, as noted above, to help us further refine changes to best management practice (BMP) spot check procedures in order to be consistent with the BMP Verification Plan for Virginia's Chesapeake Bay Watershed, and a third to assist us with requirements gathering and the conceptual design of a Financial Database. An update on the Conservation Planning stakeholder group will be given later today.

Requirements gathering for the Financial Database is underway. This database is not intended to replace the use of QuickBooks. This database, is being developed primarily to assist the Department; however, we are also soliciting ideas from the District representatives on this stakeholder group for thoughts on how it can best assist Districts. Such features and functionality will be incorporated as much as possible.

For example, SWCDs will be able to use the database to prepare their annual budget templates. Once all templates have been entered, the Department will be able to analyze them and prepare reports much faster and easier using the template information.

Nutrient Management

The Department will soon rehire our Urban Nutrient Management Coordinator. This position has been vacant since January. The Department has awarded 10 new contracts for private nutrient management planners to continue to provide plans for golf courses at no cost to the operators.

The project to fully integrate the Nutrient Management Database into the Ag BMP Tracking System has begun and should be completed in approximately one year.

As of March 1, 2017, approximately 188 golf courses have current nutrient management plans.

Shoreline Erosion Advisory Service

The Department has conducted interviews and will soon hire our second full-time position for the Shoreline Erosion Advisory Service (SEAS), to provide additional technical assistance on tidal shoreline and non-tidal stream bank erosion control to landowners. Also, a graduate study SEAS Grant intern will be hired for one year, beginning in the summer of 2017 under a Commonwealth Coastal & Marine Policy Fellowship, with funding from Virginia Sea Grant (VASG), the Virginia Institute for Marine Science (VIMS), and the Virginia Environmental Endowment.

VIMS, DEQ, and the Virginia Marine Resources Commission, are working with the Department on a project to verify, calculate, and report sediment, and possibly nutrient, reduction credits from properly installed shoreline erosion protection projects for submission to the Chesapeake Bay Program for reduction credit. Most of the work of the SEAS intern will be related to this project.

Horse Stewardship Workshops

Working with Dr. Bridgette McIntosh (Virginia Cooperative Extension), has been renamed “Healthy Land for Healthy Horses.” The purpose of this project is to increase the adoption and implementation of conservation BMPs on horse farms with a focus on small lot owners in Fairfax, Prince William, Loudoun, and Fauquier counties. Six seminars have been scheduled on related topics, beginning April 24, 2017, which will also be available via webinar, as well as a field trip to demonstrate effective BMPs for horse owners. Staff in the Department’s Warrenton Office is coordinating this project. Our Public Communications Office is providing advertising.

End prepared remarks.

Agricultural BMP Engineering Update – Amanda Pennington

SWC District Engineering Services – Update

Agricultural BMPs-NRCS Standard Revisions

- NRCS state office generally performs yearly review in October
- 19 Conservation Engineering Division (CED) have been posed, effective February 1
- 12 are pending
- Additional details will be provide at the Graves Mountain training session


Agricultural BMPs – Training

- Upcoming trainings:
 - Pressure Watering System – Northern Piedmont area in April or May
 - Ford Stream Crossing – SWVA later 2017
 - Pressure Watering System - Southside area later 2017
 - Graves Mountain 2017
 - § Potential topics include grassed waterways, drop structures, water source selection, pumps, NRCS standard changes

Agricultural BMPs – Engineering Workgroup

- Meets every four months
- Last meeting January 12, 2017
- Next meeting sometime in May 2017
- Meeting summaries sent out to the Technical Contacts lists and are posted on the District Engineering Services web page
- Working to add Engineering functionality to the tracking program:
 - Allow District to upload Engineering Assistance Requests
 - Potential for “workflow” similar to RMP
 - Topography
 - § LIDAR (Light Detecting and Ranging)
- Stream Pickup Subcommittee established
 - Raleigh Coleman, DCR (chair)
 - Amanda Pennington, DCR
 - Chris Barbour, Skyline SWCD
 - Claire Hilsen, John Marshall SWCD

- Keith Burgess, Monacan SWCD
- Stream Pickup Subcommittee
 - Concerns about taxing aquifer
 - Will investigate several water source options:
 - § Stream pickups
 - § Wells
 - § Spring developments
 - Intent is to provide information documents and training to District staff on water source selection
- Review of VACS practices:
 - EWG reviewed “engineering” practices to determine if proper and current NRCS standards are included
 - Presented finding to the TAC



Agricultural BMPs-Engineering Workgroup-Review of VACS Practices
TAC Reviewed EWG Recommendations for BMP Manual Revisions PY2018

Summary of Decisions from TAC

VACS Practice Code	VACS Practice Name	NRCS Practice Code	NRCS Practice Name	EWG Recommended Change	TAC Approves Change	Comments
FR-4	Woodland Erosion Stabilization	352	Overstream	Add	Yes	
		353	Fence	Add	Yes	
SL-6	Stream Exclusion with Grazing Land Management Protection	512	Forage and Biomass Planting	Remove	Yes	
SL-7	VACS Support for Extension of CRP Watering System	512	Forage and Biomass Planting	Remove	No	
SL-9	Grazing Land Management	570	Nutrient Management	Remove	Yes	
WP-1	Sediment Retention, Erosion or Water Control Structure	468	Lined Waterway or Outlet	Add	Yes	
WP-4B	Dairy Loading Lot Management System	272	Other Strip	Add	Yes	
		412	Grassed Waterway	Add	Yes	
WP-4C	Composting Facilities	362	Diversion	Add	Yes	
		387	Fence	Add	Yes	
		363	Hobby Use Area Protection	Add	Yes	
WP-4E	Animal Mortality Incinerator Facility	362	Diversion	Add	Yes	
		363	Hobby Use Area Protection	Add	Yes	
SE-2	Agricultural Shoreline Stabilization	342	Critical Area Planting	Add	Yes	
		580	Streambank and Shoreline Protection	Add	Yes	
		617	Trees/Shrub Establishment	Add	Yes	tax credit only
WQ-7	Irrigation Water Recycling System	552	Irrigation Regulating Reservoir	Remove	Yes	tax credit only

Agricultural BMPs – Engineering Job Approval Authority (EJAA) and Competency Reviews

- Two types of reviews:
 - EJAA
 - Competency
- Same criteria for each
- Competency review does not result in the issuance of DCR EJAA
- 14 Districts completed to date
- Review three designs for each **NRCS Component**
- Review one completed design in the field

Dams – Small Dam Repairs

- Starting FY17, fund receives \$500,000 per year
- District Dam Engineer, Charles Wilson, has developed a prioritization process for requests
- All awards are now presented to and approved by the Soil and Water Conservation Board
- Awards will now include grant agreements
- FY17 DCR received requests for 30 new projects in the amount of \$320,325

- A total of 22 projects in the amount of \$300,764.20 were carried over from FY16
- Regional gate valve evaluation project in the amount of \$280,000. Note: This is the total for all gate evaluations and will be done over several fiscal years
- FY17 awards include 31 projects in the amount of \$474,938 (includes \$100,000 for gate valve project for FY17)
- Emergency Funds
 - Emergency project funds are used to address conditions that may develop unexpectedly, which endangers the structural integrity of the dam and/or downstream life or property. Immediate action is required to protect the dam and/or downstream life or property. For FY2017 it is recommended that **\$45,243.12** be designated as emergency funds.
 - A balance of at least \$50,000 is desired to be maintained in this fund each fiscal year for this purpose.
- Project Contingency Funds
 - Project contingency funds are used to address unexpected costs that could occur for an awarded project. Contingency funds for a given project are limited to no more than 15% of the awarded funding amount. For FY2017 it is recommended that **\$40,500** be designated as contingency funds. This recommended amount is approximately 7% of the FY2016 Project Obligations and FY 2017 Project Recommendations.

Dam-Rehabilitation Report

- Rehabilitation Committee:
 - Amanda Pennington, DCR (Chair)
 - Charles Wilson, DCR
 - David Dowling, DCR
 - Don Wells, VASWCD
 - Greg Wichelns, Culpeper SWCD
 - John Kaylor, Headwaters SWCD
 - Mat Lyons, USDA NRCS
- Interim report submitted to appropriate legislative parties (Governor McAuliffe, Senator Hanger, Senator Norment, and Delegate Jones) on October 31, 2016
- Final report due November 2017
- DCR seeks to hire two engineers to assist in the development of the report
- Advertisement for at least one of these positions is coming very soon

- Step 1: Fully evaluate the new Probable Maximum Precipitation (PMP) values
- Step 2: Incremental Damage Analysis for Hazard Classification
- Step 3: Incremental Damage Analysis for reduced Spillway Design Flood
- Step 4: Dam Prioritization
- Step 5: Preliminary Engineering

Dam-Grants Available

- \$1.2 million available
- Funds are available to Districts
- May use the following as match:
 - Administrative funds
 - Dam maintenance funds

- Technical assistance funds
- Local funds
- Cannot use Cost-share funding
- Application deadline: March 31, 2017

Conservation Planning Update – Darryl Glover

Mr. Glover presented the following prepared remarks:

Conservation Planning and Certification development in the Department of Conservation and Recreation has proceeded since the Board met in December. A strategic advisory group (SAG) has been formed with representation from other state agencies, environmental organizations, private Nutrient Management or Resource Management Plan writers, Soil and Water Conservation District staff from across the state, and the Natural Resources Conservation Service.

The SAG met in January and February and will continue meeting frequently to provide input toward the development of the DCR Conservation Planning program. In the first meeting, presentations were given by the different agencies represented and focused on how conservation planning is used to accomplish each agency's mission. Through these presentations, we provided the group with a foundation of similar knowledge to begin the development of DCR's program. An initial discussion on the components of a DCR conservation plan and how it should be formatted in a report was also held at the first meeting. A Purpose Statement has been created and shared with the SAG to provide clarity to the objectives of the DCR Conservation Planning Program process which has been undertaken. The Purpose Statement is included in your binders.

The second meeting began with a presentation of the current conservation planning computer module. This presentation assisted with the discussion of resources and assessment documents. DCR shared several sample assessment documents which were reviewed and edited by the SAG at the meeting. Further refinement of the draft assessment documents is being completed and will be shared at the next SAG on March 24.

Efforts are being made to minimize extra work for District staff as well as for our partner agencies. A meeting was also held with the Division of Natural Heritage to examine if there are any recommended or necessary adjustments to the current review process for Threatened and Endangered Species for the Resource Management Plan Program or the new DCR Conservation Planning Program.

The process and potential need for approval of a conservation plan by a local soil and water conservation board has been briefly discussed with the SAG as well. Planner Certification and Recertification will be future topics for the SAG in upcoming meetings.

The next meeting of the SAG is on March 24 at the Albemarle County Offices in Charlottesville. This and other information about the DCR Conservation Planning Program, can be found on a new webpage at:

<http://www.dcr.virginia.gov/soil-and-water/conservation-planning>

End prepared remarks.

Mr. Glover reviewed the Conservation Planning Stakeholder Advisory Group Purpose Statement.

On December 7, 2016, the Virginia Soil and Water Conservation Board adopted a Conservation Plan Program resolution and called on the Department of Conservation and Recreation to establish a working group of stakeholders to offer recommendations and insight into the resources to be considered, components of a conservation plan, training and certification requirements, and other policy and Program considerations.

Accordingly, the purpose of this committee is to develop recommendations for creating a Virginia-focused conservation planning process that consolidates the requirements of related state code and regulations associated with applicable state programs.

Based on conversations with Soil and Water Conservation Districts and an understanding of the Commonwealth's unique needs, the Department recognizes the necessity for comprehensive and adaptive planning tools.

District Director Resignations and Appointments – Stephanie Martin

Ms. Martin presented the District Director Resignations and Appointments.

Appomattox River

Resignation of Alvin Blaha, Dinwiddie County, at-large appointed director, due to his death effective date June 8, 2016 (term off office expires 1/1/19).

Appointment of Franklin Zitta, Dinwiddie County, to fill the unexpired term of Alvin Blaha, at-large appointed director position (term of office to begin upon qualifying* through 1/1/19).

Big Walker

Resignation of Brad Martin, Wythe County, effective December 7, 2016, elected director position (term of office expires 1/1/20).

Appointment of Brian Umberger, Wythe County, to fill the unexpired term of Brad Martin (term of office to begin upon qualifying* through 1/1/20).

Colonial

Resignation of John B. Allison, City of Williamsburg, effective January 13, 2017, at-large extension agent position (term of office expires 1/1/21).

Mountain

Resignation of Rodney P. Leech, Highland County, effective January 31, 2017, at-large extension agent position (term of office expires 1/1/21).

Appointment of Douglas P. Horn, Augusta County, to fill the unexpired at-large extension agent position term of Rodney P. Leech, (term of his office to begin upon qualifying* through 1/1/21).

Appointment of Benjamin Terry King, Bath County, to fill the unexpired term of L. Ryan Hodges, III, (term of office to begin upon qualifying* through 1/1/20).

Three Rivers

Resignation of Keith Balderson, Essex County, effective February 28, 2017, at-large extension agent position (term of office expires 1/1/21).

Resignation of J. Franklin Townsend, King William County, effective January 1, 2017, elected director position (term of office expires 1/1/20).

Appointment of Langdon P. Townsend, King William County, to fill the unexpired term of J. Franklin Townsend (term of office to begin upon qualifying* through 1/1/20).

Tidewater

Resignation of David Moore, Middlesex County, effective March 1, 2017, at-large extension agent position (term of office expires 1/1/21).

Virginia Dare

Resignation of Sonya Barnes, City of Chesapeake, effective December 15, 2016, elected director position (term of office expires 1/1/20).

Appointment of John Pierce, City of Chesapeake, to fill the unexpired term of Sonya Barnes (term of office to begin upon qualifying* through 1/1/20).

*NOTE: To qualify, an appointed Director shall complete and file the Oath of Office prior to assuming the title and responsibilities of District Director. An appointed Director may not act in the office or function before taking the oath.

BOARD ACTION

Mr. Coyner moved for the approval of the District Director Resignations and Appointments as submitted by staff. Mr. Street seconded and the motion carried.

NEW BUSINESS

Mr. Dowling reviewed the following updated work plan for the Board.

**Virginia Soil and Water Conservation Board DRAFT Work Schedule for the First Half of 2017
March 9, 2017**

(These items are in addition to regular meeting actions.)

Thursday, April 20, 2017

- Approval of the Board's Fiscal Year 2018 Agricultural BMP Cost-Share Manual
- Review of Draft Policy on Soil and Water Conservation District Administration and Operations Funding Allocations for Fiscal Year 2018
- Review of Draft Policy and Procedures on Soil and Water Conservation District Cost-Share and Technical Assistance Funding Allocations (Fiscal Year 2018)
- Review of Administration and Operations and Cost-Share and Technical Assistance Contracts and Deliverables
- COIA/FOIA Update Training
- Review of District Board Member Nominations (Areas V and VI)
- Approval of District RMP Program Review Schedule

Tuesday, May 23, 2017

- Board Approval of Policy on Soil and Water Conservation District Administration and Operations Funding Allocations for Fiscal Year 2018
- Board Approval of Policy and Procedures on Soil and Water Conservation District Cost-Share and Technical Assistance Funding Allocations (Fiscal Year 2018)
- Approval of Administration and Operations and Cost-Share and Technical Assistance Contracts and Deliverables
- Approval of Grants from the Dam Safety, Flood Prevention and Protection Assistance Fund
- Approval of Conservation Plan Program Implementation
- Approval of Probable Maximum Precipitation Temporal Distribution Curves and Approval for a Regulatory Action
- Presentation on Dam Safety Database
- Review of Dam Safety Special Low Hazard Dam Guidance

Ms. Martin noted that staff would bring updates to the desktop procedures to the Board at the April 20, 2017 meeting.

PUBLIC COMMENT

Virginia Association of Soil and Water Conservation Districts – Dr. Kendall Tyree

Dr. Tyree thanked the Board and DCR for the support of the Association particularly during the recent General Assembly Session. She noted the following:

- The Association is moving into the education season with plans for Farm Camp and the Envirothon. These will be addressed at the upcoming Area Meetings.

- The next quarterly Association Board meeting will be held on March 28 in Glen Allen. Following that meeting the Association will bring forward recommendations for appointments to fill upcoming vacancies on the Virginia Soil and Water Conservation Board. Dr. Tyree will present these recommendations at the April 20, 2017 meeting.
- Plans have begun for the 2017 Annual Meeting. The planning committee will meet on April 19, 2017. The Association welcomes Board input regarding agenda items and training sessions.

Natural Resources Conservation Service – David Kriz

Mr. Kriz presented the report for the Natural Resources Conservation Service. A copy of the report is included as **Attachment F**.

Virginia Cooperative Extension – Dr. Bobby Grisso

Dr. Grisso reported that Virginia Cooperative Extension lost 28 agents to an early retirement program. Of these, ten were agricultural agents and two were district directors. Extension has been awarded an additional \$2.2 million to cover salaries, but there is still a short fall. Priority is to replace these agents.

Farm Service Agency – Emily Horsley

Ms. Horsley reported that the Farm Service Agency is in transition and currently has an acting director. She expressed that she was looking forward to an upcoming meeting with DCR staff.

Mr. Coyner expressed concern about the additional work load being placed upon Districts by DCR. He noted that it seemed each time a Conservation District Coordinator reported to the District Board there were additional requirements. He suggested that the Board and DCR need to be mindful of the level of requirements placed on District Directors and noted that the priority should be getting conservation on the ground, not more administrative responsibilities.

NEXT MEETINGS

- April 20, 2017, 9:30 a.m., Old Dominion Electric Cooperative, Glen Allen, Virginia
- May 23, 2017, 9:30 a.m., Old Dominion Electric Cooperative, Glen Allen, Virginia

ADJOURN

There was no further business and the meeting adjourned at 2:55 p.m.

Respectfully submitted,

Daphne W. Jamison
Chair

Clyde E. Cristman
DCR Director

ATTACHMENT A

Existing Biosecurity language starting in the middle of page II-76

Biosecurity Procedures for Livestock

Due to the fact that humans can transport not only the Foot and Mouth Disease (FMD) virus, but many other viruses that affect livestock, we must take minimum biosecurity measures to reduce the risk of District employees acting as carriers from one livestock operation to another. These measures are consistent with biosecurity practices established by the Commissioner of Agriculture and Consumer Services for VDACS employees. All staff visiting any farm should take the following steps to minimize risks of disease transfer.

- 1.—~~Contact with farm operators or managers must be attempted prior to visiting any farming operation. Biosecurity should be discussed with farm operators. If farms have more stringent biosecurity measures in place, staff should perform such measures as instructed.~~
- 2.—~~Wear clean clothing or coveralls. Change and clean clothing or coveralls as needed after contact with animals or animal waste, especially before entering another farm.~~
- 3.—~~Wear footwear suitable for scrubbing. Good quality, calf high rubber boots will make cleaning easier. Footwear should be scrubbed thoroughly with a brush and sanitizing solution before entering a farm and also before leaving, or alternatively, plastic disposable boots should be worn and left at the farm. It is recommended that staff carry a plastic garden-type sprayer filled with disinfectant and a long-handled scrub brush to facilitate disinfection.~~
- 4.—~~Vehicles should be kept clean inside and outside. This may be accomplished by avoiding possible areas of contamination on the farm. It is easier and more efficient to disinfect footwear than vehicles. Keep rubber floor mats in vehicles that can be effectively cleaned and disinfected. Tires of vehicles should be sprayed with disinfectant and scrubbed in the same manner as footwear.~~

~~These measures should be used when visiting farming operations with livestock that are susceptible to the FMD virus. This applies to beef, dairy, and swine operations as well as to operations that are primarily poultry, but may have some beef dairy, or swine present.~~

~~A disinfectant currently approved for use by EPA against FMD is Virkon-S[®]. Some other USDA recommended disinfectants are listed below. Please note that minimum contact time, 5 to 10 minutes is necessary as well as thorough cleaning and scrubbing is essential to the effectiveness of disinfectants.~~

- ~~• household vinegar (undiluted) is a 4% solution acetic acid)~~
- ~~• 3 parts household bleach (sodium hypochlorite) to 2 parts water~~
- ~~• 1.3 ounces Virkon S[®] (broad spectrum) disinfectant to 1 gallon of water~~

SUBSTITUTEBiosecurity Procedures for farm visits to Animal Operations

When you have to make a farm visit to animal operations, you should always be aware of the possibility of carrying disease from one operation to another by unknowingly transporting infectious material or agents. The most common material is manure laying around the farmstead in walkways, farm lanes and applied in fields. You can easily come in contact with manure and have it stick to boots and clothing. Less obvious vectors are flies and other bugs, dust on clothing, and even unwashed hands. Opening closing gates and doors, brushing against walls and piles of manure, walking around buildings and a breeze blows up dust which covers you and your clothing, such routine activities during a visit can cause you to become contaminated.

For District conservation technicians, consultants, advisors, and sales people that deal with farm operations, a farm visit is usually an essential part of your interaction with clients. It provides useful insight to the management capabilities of clients, it provides visual information as to some of the resources they have available and most often it is just the most convenient place to meet with clients. It is your responsibility to know and follow these biosecurity procedures which are appropriate for the species of animal on the farms you are visiting. Practicing these procedures reflects a level of professionalism to your clients that will gain their respect regarding your concern for their operation.

The Office of Veterinary Services, located within the Department of Agriculture and Consumer Services and the integrator with whom your client may participate both have biosecurity procedures established to be used during farm visits. The following biosecurity procedures are to be used when visiting animal operations. They have been reviewed by the office of the Virginia State Veterinarian and USDA-Animal Plant Health Inspection Service (APHIS) and are an acceptable biosecurity procedure for visits to animal operations.

Biosecurity Farm Hygiene Procedures

- Respect all entrance prohibitions on animal farms and /or barns.
- Only enter animal barns or houses if there are no birds or animals in the houses or barns and a total clean out is pending. **NO Entrance on Infected premises or Infected Barn Under Any Conditions**
- Upon arrival at any animal farm, report to the farm manager or responsible party. Call ahead if possible.
- Wash/sanitize hands immediately upon arrival before putting on disposable gloves, and again before leaving farm.
- Leave vehicles outside of animal service areas (any area that might contain manure). Walk! Keep vehicle windows closed.
- Avoid visiting two animal farms of the same species within 48 hours if possible.
- Wear Boots that can be disinfected, or use disposable boot covers and use disposable gloves.
- Put all manure samples into sealed plastic bags, spray outside of bag with Lysol and then put sample into second sealable plastic bag.
- All materials used on the site must be disinfected before and after use
- Boots should be dipped at the entrance and exit of every farm with household bleach solution or other approved disinfectant.
- Spray all equipment with a mix of 8 oz. of household bleach/gallon of water until wet. Leave on for 30 seconds. Allow to air dry or dry off with disposable paper towels. Put gloves and paper towels in plastic trash bag and keep tightly sealed.
- Keep cleaned materials away from contaminated materials.
- Remove all dry litter, mud, straw etc. from vehicle, especially wheels and wheel wells

- Spray wheels, tires and wheel wells with disinfection solution. Let drain and dry before moving. If dusty or wet, spray underside of vehicle. Alternative: park vehicle outside farm entrance and WALK!
- Process vehicle through car wash at the end of the day.

Every Animal Farm Every Time!

The above protocol only applies at a routine biosecurity level. At an elevated level, entrance to the poultry production area, including litter or manure storage and applications sites, is prohibited and visiting with two animal operations of the same within 48 hours is also prohibited. At a high threat level, entrance to any portion of the animal operation, including the residence, is prohibited and visiting two animal operations of the same species within 48 hours remains prohibited.

A disinfectant currently approved for use by EPA against FMD is Virkon-S[®]. Some other USDA recommended disinfectants are listed below. Please note that minimum contact time, 5 to 10 minutes is necessary as well as thorough cleaning and scrubbing is essential to the effectiveness of disinfectants.

- 1.3 ounces Virkon-S[®] (broad spectrum) disinfectant to 1 gallon of water for equipment OR for equipment and vehicles (if appropriate)
- 3 parts household bleach (sodium hypochlorite) to 2 parts water

NO CHANGES TO: Response to Suspected or Confirmed FMD Outbreak (page II-77 after the 4th ¶ through page II-78, 3rd ¶)

(Change page II-77 5th ¶)

Making an Easy Footbath – You will need:

1. A low plastic pan or bin, wide enough to fit an adult's foot, shallow enough to step into easily
2. A plastic doormat (the "fake grass" mats work well)
3. A disinfectant that works when manure or dirt is present, such as Tek-trol[®] or One Stroke Environ[®]
4. Water

Substitle starting on page II-78 4th ¶:

Making an Easy Footbath

You will need:

1. A low plastic pan or bin, wide enough to fit an adult's foot, shallow enough to step into easily
2. A plastic doormat (the "fake grass" mats work well)
3. A disinfectant that works when manure or dirt is present, such as *Virkon or Virkon S*
4. Water

(Leave as is):

Mix the disinfectant with water following label instructions. Put the doormat in the plastic pan. Add disinfectant so that the bottom of the "grass" is wet. Ask visitors to walk through the footbath, wiping their feet on the mat. The "grass" scrubs their shoes a bit as they wipe them, and applies the disinfectant. When the liquid starts to get dirty, empty it and put in new disinfectant.

ATTACHMENT B

Name of Practice: Precision Nutrient Management of Nitrogen on Cropland
DCR Specification for NM-5NA. Description and Purpose

This practice will encourage the use of precision nutrient management practice components that support a higher intensity of nitrogen management in the field than existing standard nutrient management practices. This practice is limited to row crops, small grains and highly managed hayland (see glossary for definition) production systems.

This practice supports multiple enhanced nutrient management components such as, soil (pre-sidedress) nitrate tests (PSNT), and all variable rate nitrogen application technologies. This practice may only be used on fields that apply nitrogen based upon test results identified in section B. whether they have organic nutrient applications or not, with the exception of Biosolids applications.

Multiple split applications (more than two) of nitrogen applies to corn, cotton, small grains crops and highly managed hayland. This practice does apply to the late winter split application of nitrogen on small grains. The variable rates of nitrogen listed below (in B. 2.) apply to all row and highly managed hay crops (other than alfalfa). Other macro-micro nutrients or soil amendments may be applied concurrently.

B. Policies and Specifications

1. This is an annual practice. Results from the test conducted to develop a nitrogen application prescription must be used to determine the nutrient application rates for the current or following crop as appropriate and that prescription must be followed during the rate of application of nitrogen.
2. At least one of the following identified components must be implemented to receive any cost-share payment for this practice.
 - i. Soil (pre-sidedress) nitrate test (PSNT)
 - ii. Variable rate nitrogen applications based upon the soil test results of (subfield) sampling; other macro-micro nutrients may be applied concurrently
 - iii. Variable rate or zone application of nitrogen on row crops or small grains
 - iv. Multiple (more than two) split applications of nitrogen on corn, cotton and small grains.
 - v. More than two applications of nitrogen on highly on highly managed hayland production systems (other than alfalfa).
3. On fields that have organic sources of nitrogen applied during the crop year or in previous years, or if high residual nitrogen levels are suspected from a previous crop, fall nitrogen rates shall be determined by a soil nitrate test.

4. Total nitrogen application rates (including pre-plant and sidedress) on corn shall not exceed 1 lb./bu. expected crop yield.
5. Participants must be fully implementing their current nutrient management plan prepared and signed by a Virginia certified nutrient management planner. Where this practice is recommended or applied there must be a note to that effect in the narrative or elsewhere in the nutrient management plan indicating that the soils were sampled in an appropriate manner. Cost share payments will not be made until a copy of the nutrient management plan and work orders, applied field maps and/or invoices are presented to the SWCD. The nutrient management plan must include all participant controlled production acres of the farm. A copy of the current nutrient application, record keeping and work orders shall be maintained by the participant for the purposes of verification.
6. In order to be eligible for cost-share or tax credit, 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.
7. The total number of acres that qualify for this practice will be based upon the total acres that were sampled in zones, had mid-season testing such as soil (Pre-sidedress) Nitrate Testing (PSNT), or received Variable Rate or Zone applications of nitrogen, based upon the zone or grid soil nitrate sampling.
8. Participants **shall** provide written verification of the recommendation and the resulting application(s) (examples include but are not limited to: results of laboratory test, a work order or bill; and as-applied application map of field) to the District (SWCD) within forty-five days of the final nitrogen application to verify that the recommendations were followed.
9. The participant **must** sign up for this practice before April 1st of each year that the practice will be utilized.
10. Fields that have received applications of biosolids within the previous 24 months are not eligible.
11. Participants may **not** receive cost-share payments for NM-3C or NM-4 and NM-5N simultaneously on the same crop and field.

C. Rates

1. As set forth by Virginia Code § 58.1-339.3 and §58.1-439.5, Virginia law currently provides a tax credit for implementation of certain BMP practices. The current tax credit rate, which is subject to change in accordance with the Code of Virginia, is 25% of the total eligible cost not to exceed \$17,500.00.

2. For participants who certify in writing (***see language on last page of this specification***) that they will not utilize the tax credit set forth above with regard to the implementation of this practice and who are not receiving payment for precision application of nutrients from any other source on the same acreage, a state cost share payment rate of 75% of the application charge, up to a maximum amount of \$8.00 per acre per year, for the acres receiving the variable rate or zone application of nitrogen or multiple split applications of nitrogen on corn, cotton and small grain or more than two applications on highly managed hayland. Acres receiving a zero application rate based on a PSNT result can also receive payment at \$8 per acre.
3. Costs for pre-side dress nitrate test (PSNT) or fall soil nitrate test sample collection and analysis by a commercial laboratory that are used to implement this practice will be reimbursed at a flat rate of \$8.00 per sample up to 1 PSNT per field. No per sample cost-share is available for zone soil fertility testing. Many commercial applicators include zone pre-sidedress soil fertility sampling in their variable rate application charge

D. Technical Responsibility

Technical and administrative responsibility is assigned to qualified technical DCR and SWCD staff in consultation, where appropriate and based on the controlling standard, with DCR, Virginia Certified Nutrient Management Planner(s), NRCS, DOF, and VCE. Individuals certifying technical need and technical practice installation shall have appropriate certifications as identified above, and/or Engineering Job Approval Authority (EJAA), for the designed and installed component(s). All practices are subject to spot check procedures and any other quality control measures.

Certification from an Agricultural Best Management Practice Participant that
a Tax Credit will not be Utilized

I, _____ hereby certify that I will not claim the tax credit which is available for participation in the Precision Nutrient Management of Nitrogen on Cropland, NM-5N practice, and therefore I am eligible for cost-share funding available under that practice for participants who do not wish to utilize the tax credit. I understand that any cost-share funds received must be returned should I claim the tax credit.

Signed: _____

Date: _____

ATTACHMENT C

Name of Practice: Precision Nutrient Management of Phosphorous on Cropland
DCR Specification for NM-5PA. Description and Purpose

This practice will encourage the use of precision nutrient management practice components that support a higher intensity of phosphorous management in the field than existing standard nutrient management practices. This practice is limited to row crops, small grains and highly managed hayland including alfalfa hay production systems.

This practice supports multiple enhanced nutrient management components such as; zone or grid soil fertility samples, all variable rate phosphorous application technologies based upon the soil test results of zone or grid (subfield) sampling. This practice may only be used on fields that apply phosphorous based upon test results identified in section B. 2. whether they have organic nutrient applications or not, with the exception of biosolids applications.

The variable rates of phosphorus listed below (in B. 1.) apply to all row crops, small grains and highly managed hay crops. Other macro-micro nutrients or soil amendments may be applied concurrently.

B. Policies and Specifications

1. This is an annual practice. Results from any test conducted to develop a phosphorous application prescription must be used to determine the phosphorous application rates for the current or following crop as appropriate, and that prescription must be followed during the application of phosphorous.
2. 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.
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
3. Total phosphorus application rates shall not exceed the recommendations of the zone or grid sampling recommendations.
4. Participants must be fully implementing their current nutrient management plan prepared and signed by a Virginia certified nutrient management planner. Where this practice is recommended or applied, there must be a note to that effect in the narrative or elsewhere in the nutrient management plan indicating that the soils and/or tissue samples are to be sampled in an appropriate manner. Cost share payments will not be made until a copy of the nutrient management plan and work orders, or applied field maps and invoices are presented to the District. The nutrient management plan must include all participant controlled acres of the

farm. A copy of the as applied application map and detailed bill/invoice showing application rate shall be maintained by the producer for the purpose of verification.

5. In order to be eligible for cost-share or tax credit, 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.
6. The total number of acres that qualify for this practice will be based upon the total acres that: were sampled in zones (zone shall be no larger than 20 acres and based upon soil type), or grids (grid size shall be of 1 to 4 acres in size), had mid-season testing such as variable rate or zone/grid (subfield) applications of phosphorus, based upon the zone or grid soil sampling recommendations.
7. The participant **must** provide written verification of the recommendation(s) and the resulting application(s) (examples include but are not limited to: results of laboratory test(s), a work order or detailed bill/invoice showing application rates, and an as-applied application map of field(s) to the District within forty-five days of the phosphorous application to verify that the recommendations were followed
8. The participant **must** sign up for this practice before April 1st of each year that the practice will be utilized.
9. Fields that have received applications of biosolids within the previous 24 months are not eligible.

C. Rates

1. As set forth by Virginia Code § 58.1-339.3 and §58.1-439.5, Virginia law currently provides a tax credit for implementation of certain BMP practices. The current tax credit rate, which is subject to change in accordance with the Code of Virginia, is 25% of the total eligible cost not to exceed \$17,500.00.
2. For participants who certify in writing (see language on last page of this specification) that they will not utilize the tax credit set forth above with regard to the implementation of this practice and who are not receiving payment for precision application of phosphorus from another source on the same acreage, a state cost share payment rate of 75% of the application charge, up to a maximum amount of \$8.00 per acre, for the acres receiving variable rate zone or grid (subfield) application of phosphorous on row crops, small grains or highly managed hayland production systems.
3. No per sample cost-share is available for zone/grid (subfield) soil fertility testing. Many commercial applicators include zone/grid (subfield) soil fertility sampling in their variable rate application charge.

D. Technical Responsibility

Technical and administrative responsibility is assigned to qualified technical DCR and SWCD staff in consultation, where appropriate and based on the controlling standard, with DCR, Virginia Certified Nutrient Management Planner(s), NRCS, DOF, and VCE. Individuals certifying technical need and technical practice installation shall have appropriate certifications as identified above, and/or Engineering Job Approval Authority (EJAA), for the designed and installed component(s). All practices are subject to spot check procedures and any other quality control measures.

Certification from an Agricultural Best Management Practice Participant that
a Tax Credit will not be Utilized

I, _____ hereby certify that I will not claim the tax credit which is available for participation in the Precision Nutrient Management of Phosphorous on Cropland, NM-5P practice, and therefore I am eligible for cost-share funding available under that practice for participants who do not wish to utilize the tax credit. I understand that any cost-share funds received must be returned should I claim the tax credit.

Signed: _____

Date: _____

February, 2017

ATTACHMENT D

Name of Practice: Voluntary Precision Nutrient Management of Nitrogen on Cropland
DCR Specification for VNM-5NA. Description and Purpose

This practice will encourage the use of precision nutrient management practice components that support a higher intensity of nitrogen management in the field than existing standard nutrient management practices. This practice is limited to row crops, small grains and highly managed hayland (see glossary for definition) production systems.

This practice supports multiple enhanced nutrient management components such as, soil (pre-sidedress) nitrate tests (PSNT), and all variable rate nitrogen application technologies. This practice may only be used on fields that apply nitrogen based upon test results identified in section B. whether they have organic nutrient applications or not, with the exception of Biosolids applications.

Multiple split applications (more than two) of nitrogen applies to corn, cotton, small grains crops and highly managed hayland. This practice does apply to the late winter split application of nitrogen on small grains. The variable rates of nitrogen listed below (in B. 2.) apply to all row and highly managed hay crops (other than alfalfa). Other macro-micro nutrients or soil amendments may be applied concurrently.

B. Policies and Specifications

1. This is an annual practice. Results from the test conducted to develop a nitrogen application prescription must be used to determine the nutrient application rates for the current or following crop as appropriate and that prescription must be followed during the rate of application of nitrogen.
2. At least one of the following identified components must be implemented.
 - i. Soil (pre-sidedress) nitrate test (PSNT)
 - ii. Variable rate nitrogen applications based upon the soil test results of (subfield) sampling; other macro-micro nutrients may be applied concurrently
 - iii. Variable rate or zone application of nitrogen on row crops or small grains
 - iv. Multiple (more than two) split applications of nitrogen on corn, cotton and small grains.
 - v. More than two applications of nitrogen on highly on highly managed hayland production systems (other than alfalfa).
3. On fields that have organic sources of nitrogen applied during the crop year or in previous years, or if high residual nitrogen levels are suspected from a previous crop, fall nitrogen rates shall be determined by a soil nitrate test.

4. Total nitrogen application rates (including pre-plant and sidedress) on corn shall not exceed 1 lb./bu. expected crop yield of corn crops.
 5. Participants must be fully implementing their current nutrient management plan prepared and signed by a Virginia certified nutrient management planner. Where this practice is recommended or applied there must be a note to that effect in the narrative or elsewhere in the nutrient management plan indicating that the soils were sampled in an appropriate manner. Cost share payments will not be made until a copy of the nutrient management plan and work orders, applied field maps and/or invoices are presented to the SWCD. The nutrient management plan must include all participant controlled production acres of the farm. A copy of the current nutrient application, record keeping and work orders shall be maintained by the participant for the purposes of verification.
 6. 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.
 7. The total number of acres that qualify for this practice will be based upon the total acres that were sampled in zones, had mid-season testing such as soil (Pre-sidedress) Nitrate Testing (PSNT), or received Variable Rate or Zone applications of nitrogen, based upon the zone or grid soil nitrate sampling.
 8. The producer **shall** maintain written verification of the recommendation and the resulting application(s) (examples include but are not limited to: results of laboratory test, a work order or bill; and as-applied application map of field) to verify that the recommendations were followed.
 9. Fields that have received applications of biosolids within the previous 24 months are not eligible.
- C. Technical Responsibility

Technical and administrative responsibility is assigned to qualified technical DCR and SWCD staff in consultation, where appropriate and based on the controlling standard, with DCR, Virginia Certified Nutrient Management Planner(s), NRCS, DOF, and VCE. Individuals certifying technical need and technical practice installation shall have appropriate certifications as identified above, and/or Engineering Job Approval Authority (EJAA), for the designed and installed component(s). All practices are subject to spot check procedures and any other quality control measures.

February, 2017

ATTACHMENT E

Name of Practice: Voluntary Precision Nutrient Management of Phosphorous on Cropland
DCR Specification for [V]NM-5PA. Description and Purpose

This practice will encourage the use of precision nutrient management practice components that support a higher intensity of phosphorous management in the field than existing standard nutrient management practices. This practice is limited to row crops and highly managed hayland including alfalfa hay production systems.

This practice supports multiple enhanced nutrient management components such as; zone or grid soil fertility samples, all variable rate phosphorous application technologies based upon the soil test results of zone or grid (subfield) sampling. This practice may only be used on fields that apply phosphorous based upon test results identified in section B. 2. whether they have organic nutrient applications or not, with the exception of biosolids applications.

The variable rates of phosphorus listed below (in B. 1.) apply to all row crops, small grains and highly managed hay crops. Other macro-micro nutrients or soil amendments may be applied concurrently.

B. Policies and Specifications

1. This is an annual practice. Results from any test conducted to develop a phosphorous application prescription must be used to determine the phosphorous application rates for the current or following crop as appropriate, and that prescription must be followed during the application of phosphorous.
2. 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.
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
3. Total phosphorus application rates shall not exceed the recommendations of the zone or grid sampling recommendations.
4. Participants must be fully implementing their current nutrient management plan prepared and signed by a Virginia certified nutrient management planner. Where this practice is recommended or applied, there must be a note to that effect in the narrative or elsewhere in the nutrient management plan indicating that the soils and/or tissue samples are to be sampled in an appropriate manner. A copy of the as applied application map and detailed bill/invoice showing application rate shall be maintained by the producer for the purpose of verification.

5. 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.
6. The total number of acres that qualify for this practice will be based upon the total acres that: were sampled in zones (zone shall be no larger than 20 acres and based upon soil type), or grids (grid size shall be of 1 to 4 acres in size), had mid-season testing such as variable rate or zone/grid (subfield) applications of phosphorus, based upon the zone or grid soil sampling recommendations.
7. The producer **shall** maintain written verification of the recommendation and the resulting application(s) (examples include but are not limited to: results of laboratory test, a work order or bill; and as-applied application map of field) to verify that the recommendations were followed.
8. Fields that have received applications of biosolids within the previous 24 months are not eligible.

C. Technical Responsibility

Technical and administrative responsibility is assigned to qualified technical DCR and SWCD staff in consultation, where appropriate and based on the controlling standard, with DCR, Virginia Certified Nutrient Management Planner(s), NRCS, DOF, and VCE. Individuals certifying technical need and technical practice installation shall have appropriate certifications as identified above, and/or Engineering Job Approval Authority (EJAA), for the designed and installed component(s). All practices are subject to spot check procedures and any other quality control measures.

February, 2017

ATTACHMENT F

NRCS REPORT
Virginia Soil and Water Conservation Board Meeting
March 9, 2017 ♦ Pocahontas State Park, Chesterfield, VA

Farm Bill Programs**Environmental Quality Incentive Program (EQIP)**

- Initial allocation for FY17 is \$27,882,000.00
- Have received 1,378 applications for an estimated \$23,712,000.00 covering 81,585 acres
 - National Initiatives \$11,505,000.00
 - § StrikeForce \$10,000,000.00
 - § National Water Quality Init. \$ 1,000,000.00
 - § Other \$ 505,000.00
 - State Initiatives \$16,377,000.00
 - § Statutory
 - Livestock \$8,120,244.00
 - Beginning Farmer/
Socially Disadvantaged \$1,660,700.00
 - Wildlife \$ 830,000.00
 - § Non-Statutory
 - Chesapeake Bay \$2,929,656.00
 - Cropland \$1,616,400.00
 - CIG \$ 450,000.00
 - High Tunnels \$ 120,000.00
 - Activity Plans \$ 100,000.00
 - Aquaculture \$ 100,000.00
 - Cost Overrun \$ 250,000.00

Conservation Innovation Grants (CIG)

- Up to \$450,000 is available in our 2017 Virginia CIG Announcement
- Maximum award of \$75,000 for projects up to 3 years
- Proposals are due by May 5, 2017
- Proposals that address any of the following six CIG topics will be considered for funding:
 - Containerized production of Longleaf Pine seedlings
 - Innovation in Cropping Systems for improving or maintaining soil health
 - Innovation in Nutrient Management strategies and techniques
 - Management of large animal mortalities
 - Treatment measures to address the in-stream loading of excess nutrients and sediment from Legacy Sediments trapped by historic millpond dams
 - Use of thinning regimens and staggered plantings to covert Loblolly Pine stands to Longleaf Pine stands

Conservation Stewardship Program (CStP)

- Received 99 applications for the FY17 Sign-up (these are not renewals)

Regional Conservation Partnership Program (RCPP)

- FY2018 pre-proposals due by April 21, 2017
- \$253 million available nationwide
 - Critical Conservation Areas (CCAs) Fund Pool - \$89 million
 - § Virginia has parts of two of the eight CCAs
 - Chesapeake Bay Watershed CCA
 - Longleaf Pine Range CCA
 - National Fund Pool - \$101 million
 - § Multistate projects
 - State Fund Pool - \$63 million
 - § Virginia's 2017 allocation was \$852,000
- Virginia has 5 active RCPP projects
- We are developing two new RCPP Agreements
 - Virginia Marine Resources Commission (state fund pool)
 - § Oyster Bottom Restoration through Aquaculture (\$852,000 award)
 - Sustainable Chesapeake
 - § Engaging Small AFOs in the Nutrient Management Planning Process (\$4,575,000 award)
 - Maryland & Virginia project focusing on small dairies

Joint Chiefs Landscape Restoration Partnership (EQIP)

- Through the Joint Chiefs' Landscape Restoration Partnership, the NRCS and the US Forest Service are restoring landscapes, reducing wildfire threats to communities and landowners, protecting water quality and enhancing wildlife habitat.
- \$10 million dollars has been awarded to fund 10 new projects in nine states for FY17.
- Virginia NRCS has been awarded \$150,000 for the Lower Cowpasture Restoration Project;
 - The project area covers 117,500 acres of public and private lands in Alleghany, Bath and Rockbridge counties;
 - The goals of this project are:
 - § Restore the health, diversity and resiliency of fire-adapted forests and rare plant communities while decreasing the risk of wildfire to adjacent communities;
 - § Improve habitat for forest bats, declining early successional birds and other priority Species of Greatest Conservation Need in Virginia's Wildlife Action Plan (2015);
 - § Improve water quality, function and connectivity of streams and full passage of aquatic organisms, including surrogate species such as brook trout and other rare fish and mussel species;
 - § Remove non-native invasive plant species while restoring native plant diversity, including American chestnut and native pollinator habitat.

Agricultural Conservation Easement Program (ACEP)

- Received two ALE applications for 414 acres for a total \$875,000. And received eight WRE applications for 471 acres. Ranking and funding decisions are in progress.

- Proceeding with acquisition on six ACEP FY15 and FY16 applications (three WRE, three ALE) and three other prior year easements.
- Closed our first two ACEP-ALEs on 53 acres of farmland.

Dam Rehabilitation

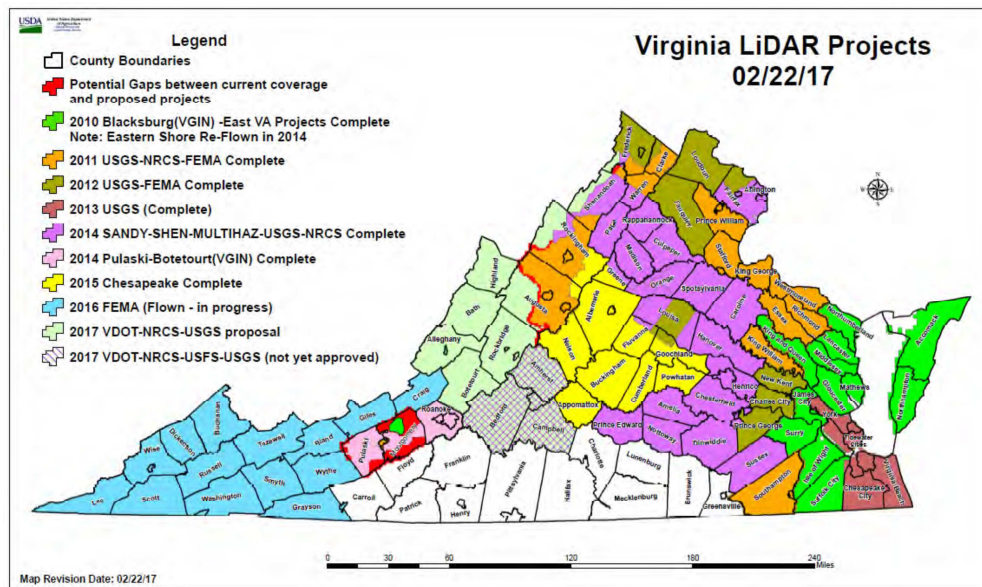
- **Cherrystone Creek 1 and 2A** planning engineering assistance has been obtained from WV NRCS. Planning engineering is scheduled to be complete by December 2017.
- **Mountain Run 11 and 50** designs are in Independent Review. Anticipated date for completion is April. Construction is expected to begin in the spring.

Soil Health

- Helped coordinate the Virginia No-till Alliance meetings in Harrisonburg and Rocky Mount.
- Gave presentations on biomass harvest soil health impacts to VASWCD Annual Meeting in Roanoke (Dec 5)
- Coordinated/moderated soil health sessions at VA Farm to Table Conference, included showcasing CIG funded partnership soil health activities. (Dec 7 and 8)
- Oversaw finalization and premiere showing of CIG-funded creation of more “Common Ground” videos on soil health management and innovative no-till on veg farms in Area I (Fauquier, Loudoun, Clarke counties)
- Gave presentation on soil compaction management and controlled traffic farming at VA Crop Production Assoc. meeting in Richmond (Jan 19)
- Coordinated presentation at same event by NRCS Soil Health Division’s Jim Hoorman (OH).
- Coordinated the distribution of 3,000 copies of the 2017 VA Graziers’ Planner throughout the state through our offices and partner organizations in December.
- Partnered with VFGC, Cooperative Extension, DCR and the local Conservation staff to host a stockpiling and strip grazing field day in Warrenton, VA. Thirty five participants learned the fundamentals of stockpiling and strip grazing, how it supports the principles of building soil health where professionals could earn 2.0 Nutrient Management credits and 2.0 CCP CEU’s.
- Partnered with VFGC, Cooperative Extension and the local Conservation staff to host a stockpiling and strip grazing field day in Halifax, VA. Forty participants learned the fundamentals of stockpiling and strip grazing, how it supports the principles of building soil health where professionals could earn 2.5 Nutrient Management credits and 2.0 CCP CEU’s.
- Collaborated with VFGC to develop and present a poster presentation highlighting partnership efforts promoting fall stockpiling for winter grazing and how it builds soil health while extending the grazing season.
- Collaborated with VFGC to develop and present a poster presentation highlighting partnership efforts using farm grazing demonstrations to put science into practice to build soil health through grazing management using a Conservation Innovation Grant.
- I partnered with VFGC and AFGC to plan and moderate a national workshop titled: Rundown Farms and Restorative Grazing: An Opportunity to Improve Soil health and Farm Productivity, at the annual conference in Roanoke, VA attended by 18 USDA-NRCS employees and approximately 150 other participants from across the nation. This workshop featured one of our VA soil health champions, J.C. Winstead, and was supported as part of the VFGC Conservation Innovation Grant.
- I participated in the national grazing lands operational workshop representing VA NRCS on national grazing land conservation planning issues related to non-ruminant animals on grazing lands, pasture condition score revision, and providing technical support to organic producers through NRCS.

- Provided a presentation to 45 participants for the use of Pasture Condition Scoring by TSP's and Certified Forage and Grassland Professionals to support private landowners who want to participate in CSP programs that require grazing plans and annual monitoring of the pasture condition to document positive improvements based on changes in management.
- Attended VABF Conference, helped staff booth and build partnership with VABF. Coordinated showing of two Common Ground videos at the event.
- Began working with two Richmond/Henrico urban ag education projects on cover crops/soil management (Tricycle and Community Food Collaborative).

LiDAR



The 2015 LiDAR acquisition went through quality assurance at USGS, and received the data in December of 2016. The data was mosaicked for each county, either with all 2015 data or a combination where multiple year flights had occurred in that particular county. This data can now be used to create 1 foot contour lines, slope maps, distinguish flow length and accumulation for stream and watershed work. The new LiDAR data was also run through the HEL GIS model for up to date accurate and consistent HEL determinations.

Training, Soils

- **Planned, coordinated, and delivered Basic National Soil Information System (NASIS) training to new soil scientists, and region 3 ecological description specialist.** This resulted in knowledge of the immense database and what data is available to be gleaned to assist in getting conservation on the ground.
- **Planned, coordinated, and delivered Basic Soil Survey training to new soil scientists.** This resulted in their ability to read the landscape and landforms, and interpret the soils found for conservation practices, and soil health.

Outreach, Soils

- SSS participated and spoke at 3 state GIS meetings about NRCS's use of LiDAR, NRCS's soil data refresh, NRCS's Soil Data Viewer, and Highly Erodible Lands. This resulted in 7 counties contacting NRCS for assistance for their soils GIS data. The Virginia Outdoor Foundation was also assisted in similar ways.
- SSS assisting with the State Envirothon. The soils portion of the contest will be administrated by NRCS. Many students from around the state learn more about Virginia soils.

Outreach, Public Affairs

- **Cooperative Agreements.** Established a new agreement with VSU, which supports and provides funding for Small Farm Management Agents who will conduct on-farm technical visits, demonstrations, and educational workshops to increase the number of cropland, grazing, forestry, soil quality, and other "Farm Bill" program practices implemented. These agents will collaborate with local NRCS staff to conduct resource assessments, conservation planning, and educational workshops for all clients with an emphasis on reaching our small and socially disadvantaged, new and beginning, and veteran farmers.
- **Community Gardens.** Collaborating with Rural Development Virginia staff on a new pilot project to establish community gardens at multi-family housing units in StrikeForce areas with strong master gardener programs and active VSU small farm agents. This initiative seeks to leverage the resources and expertise of USDA partners, Virginia Cooperative Extension, SWCDs, RC&Ds and others to bring healthy food to some of the state's most underserved residents.
- **2016 Farmer of the Year.** Accomac poultry producer Mohammed Iqbal received the Virginia NRCS Civil Rights Advisory Committee's 2016 "Farmer of the Year" award at the Eastern Shore Ag Conference on January 25. View Delmarva Farmer feature online: <http://americanfarm.com/publications/the-delmarva-farmer/poultry/3443-iqbal-leaves-big-city-lights-for-chickens>)
- **Winter Conferences/Meetings.** Networked and shared program information with nearly 2,000 farmers and partners at three winter conferences: Virginia Farm Bureau Meeting (Nov. 28-29), VASWCD Annual Meeting (Dec. 4-6), and Farm to Table Conference (Dec. 6 – 8).
- **Small and Nontraditional Operations.** Coordinating with the Virginia Beginning Farmer and Rancher Coalition to offer an NRCS programs/services overview for their instructional webinar series. VBFRC liaison Rachel Loveday will provide the presentation in September as part of an NRCS Civil Rights Advisory Committee initiative to connect with new and beginning farmers. Also working with USDA Liaison Katrina Johnson and our sister agencies to plan exhibits for the VSU Small Farm Berry & Vegetable Field Day on June 15, 2017. The USDA Resource Fair is a highlight for the annual event, which usually attracts 500+ nontraditional farmers.

Earth Team Program

Working with Area Volunteer Coordinators and VASWCD to spotlight Virginia volunteers in action through a new pilot project with California and Vermont. The national Earth Team office has provided selfie sticks for field and district use in the pilot, which starts this month and runs through April 15. Submitted images and video clips will be used on the national website and in social media and public education/outreach about the benefits of and opportunities available through Earth Team.

ATTACHMENT G

**Virginia Soil and Water Conservation Board FY 2018 Cost-Share Program and Policy Discussion
 March 9, 2017 – February 28, 2017 version**

MATRIX OF AGRICULTURAL BMP TECHNICAL ADVISORY COMMITTEE (TAC) RECOMMENDED CHANGES TO 2018 VACS PROGRAM					
Item #	Agricultural BMP	TAC Proposed Changes	Comments	Tech. Advisory Comm. (TAC) & DCR Staff Position	SWCB Action
1.	Change the BMP program schedule to require suggested changes to the BMP Program be submitted by May 31st rather than July 31st (Introduction; before Table of Contents)	<ul style="list-style-type: none"> Update the cost-share program schedule to include 2018 dates. Re-titled the document to “2018 Cost-Share Program Schedule”. Advance the start date for the Agricultural BMP Technical Advisory Committee (TAC) meetings from August to June of 2017 and set May 31st as the deadline for submitting preliminary suggestions and issues to DCR’s Agricultural Incentives Program Manager for the Technical Advisory committee’s consideration in development of their Program of Work. 	The revised schedule will provide for additional time to facilitate development of the TAC recommendations and preparation of documents for presentation to the Soil and Water Conservation Board at the March Board meeting.	Recommended by DCR, communicated to TAC.	

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2.	Conflict of Interest Act Revisions (Section II)	<ul style="list-style-type: none"> • Amend language related to the authority for Officers and Employees of SWCDs to participate in the VACS Program (Page II-24) to reflect additional amendments made during the 2017 Legislative Session. <ul style="list-style-type: none"> ○ Authority for Officers and Employees <u>or Immediate Family Member of an Officer or Employee of SWCDs to Participate in the VACS Program</u> <p>In accordance with enacted versions of House Bill 238 and Senate Bill 652 (2016 Session) <u>and House Bill 1472 and Senate Bill 965 (2017 Session)</u>, § 2.2-3110 of the <i>Code of Virginia</i>, in the State and Local Government Conflict of Interests Act, <u>is has been</u> amended to provide an exception to the prohibition against officers and employees <u>or immediate family member of an officer or employee</u> having contracts with their <u>the officer's or employee's</u> employing agencies-agency, thus allowing contracts entered into by an officer or employee <u>or immediate family member of an officer or employee</u> of a soil and water conservation district to participate in the Virginia Agricultural Best Management Practices Cost-Share Program <u>or to participate in other cost-share programs for the installation of best management practices to improve water quality</u>. The exception does not apply to subcontracts or other agreements entered into to provide services for implementation of a cost-share contract established under the Program <u>or other such cost-share programs</u>. Thus, a district director or employee cannot lawfully enter into a contract with a program participant to provide services for the cost-share practice. Under the bills, the exception applies to cost-share contracts entered into on and after as well as prior to July 1, 201<u>67</u>.</p> <p>Other COIA requirements remain in place. For example, district directors or employees seeking cost-share <u>or district directors or employees of an immediate family member seeking cost-share</u> are still prohibited from participating in the transaction (i.e., the processing, discussion, or approval) of their <u>or their family member's</u> cost share application and must disqualify themselves as discussed above. Other contracts (such as services contracts with the district) remain prohibited unless there is a statutory exception as stated above.</p>	Changes recommended to address 2017 legislation.	Recommended by DCR.	

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3.	Change “Agreement Transferring Responsibility for Best Management Practice” form and guidelines narrative (Section II)	<ul style="list-style-type: none"> This change clarifies that a District Board Member must approve the “Agreement Transferring Responsibility for Best Management Practice” form. Add (SWCD Board Member) under APPROVED BY: line, and change narrative about process on page II-27, 5th paragraph, by adding “for their approval” after “must present to the District”: <ul style="list-style-type: none"> Where ownership or leasehold of the property has changed, the original applicant is still the individual responsible for the maintenance of the practice, and failing that, for the return of the cost-share funds. The terms of any sales agreement, lease agreement, or other transaction document for any property with a cost-shared practice present should address this responsibility and be legally effective to transfer it to the new property owner/lessee. Upon the transfer of ownership or leasehold of the property, the original applicant must present to the District <u>for their approval</u> either an executed copy of the, “Agricultural Best Management Practice Maintenance Agreement Transferring Responsibility for Best Management Practice” (see page II-29) transferring legal responsibility for maintenance of the practice to the new property owner/lessee or (2) a pro-rated return of cost-share funds. 	From a suggestion to the TAC by a SWCD conservation technician.	Recommended by both TAC and DCR.	
4.	Change the Bio security Section of the manual and conduct general clean-ups to reflect changes outlined in this document (Section II)	<ul style="list-style-type: none"> Update the existing biosecurity language to make it compatible with DCR biosecurity procedures for Nutrient Management Planners. A document describing the specific delegations and insertions is provided. <ul style="list-style-type: none"> See attached draft Biosecurity language mark-up. Update Section II (and introductory summary tables, including DEQ tax credit BMP list updates) to reflect changes outlined within this matrix and to conduct general housekeeping updates that do not constitute material changes. 	The language has been reviewed and approved by the State Veterinarians office.	Recommended by both TAC and DCR.	

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5.	FR-4 Woodland Erosion Stabilization (Section III)	<ul style="list-style-type: none"> Add NRCS standards 362 Diversion, and 382 Fence: B. 8. This practice is subject to NRCS Standard No. 342 Critical Area Planting, <u>362 Diversion</u>, <u>382 Fence</u>, or "Forestry BMPs for Water Quality in Virginia". 	Recommended by DCR Engineering Workgroup	Recommended by both TAC and DCR.	
6.	NM-1A Nutrient Management Plan Writing and Revisions (Annual) (Section III)	<ul style="list-style-type: none"> Allow participants to simultaneously receive cost-share from NM-1A and RMP-1: Insert: B. 2. <u>xi. An applicant is eligible to apply for NM-1A in conjunction with RMP-1 for the development of a new NM plan or for revision of an expired plan.</u> Change; B. 2. x. In order to be eligible for cost-share, nutrient management plans must be prepared by a private <u>certified</u> planner who holds ... B. 3. Ineligible <u>iii. Any amended-or revised NMP that is included as part of a Resource Management Plan that receives cost-share funds from the RMP-1 BMP may not also receive cost-share funds under the NM-1A.</u> 	Suggested to promote increased RMP writing.	Recommended by both TAC and DCR.	
7.	NM-5 Precision Nutrient Management on Cropland (Section III)	<ul style="list-style-type: none"> Eliminate the NM-5 BMP and split the practice into two different BMPs. One for Precision nitrogen management (NM-5N) and another for precision phosphorous management (NM-5P). 		Recommended by both TAC and DCR.	

MATRIX OF AGRICULTURAL BMP TECHNICAL ADVISORY COMMITTEE (TAC) RECOMMENDED CHANGES TO 2018 VACS PROGRAM

Item #	Agricultural BMP	TAC Proposed Changes	Comments	Tech. Advisory Comm. (TAC) & DCR Staff Position	SWCB Action
8.	NM-5N Precision Nutrient Management of Nitrogen on Cropland (Section III – new)	<ul style="list-style-type: none"> • This change will allow for the participation of more producers. A producer may elect to participate in one or both new Precision Nutrient Management BMPs. The Chesapeake Bay watershed model provides nutrient reductions for both and is stackable on the same land. • Add this BMP as a cost-sharable VACS practice for FY 2018: <ul style="list-style-type: none"> ○ See attached specification titled “Precision Nutrient Management of Nitrogen on Cropland”. 		Recommended by both TAC and DCR.	
9.	NM-5P Precision Nutrient Management of Phosphorous on Cropland (Section III – new)	<ul style="list-style-type: none"> • This change will allow for the participation of more producers. A producer may elect to participate in one or both new Precision Nutrient Management BMPs. The Chesapeake Bay watershed model provides nutrient reductions for both and is stackable on the same land. • Add this BMP as a cost-sharable VACS practice for FY 2018: <ul style="list-style-type: none"> ○ See attached specification titled “Precision Nutrient Management of Phosphorous on Cropland”. 		Recommended by both TAC and DCR.	

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10.	SL-6 Stream Exclusion with Grazing Land Management SL-7 Extension of CREP Watering Systems (Section III)	<ul style="list-style-type: none"> An inexperienced conservation technician may utilize the existence of this standard to replant the entire pasture. That is not what is intended. When originally inserted, it was intended to allow replanting of areas disturbed during construction. NRCS standards now include replanting of disturbed areas within the individual standards. Remove the NRCS standard 512 Forage and Biomass Planting from SL-6 and SL-7 <p>SL-6 B. 15. This practice is subject to NRCS Standards, 382 Fence, 390 Riparian Herbaceous Cover, 521 Forage and Biomass Planting, 533 Pumping Plant, , 561 Heavy Use Area Protection, 574 Spring Development, 575 Trails and Walkways, 578 Stream Crossing, 614 Watering Facility, 516 Livestock Pipeline, 472 Access Control, 642 Water Well.</p> <p>SL-7 B. 12. This practice is subject to NRCS Standards 528 Prescribed Grazing, 382 Fence, 512 Forage and Biomass Planting, 561 Heavy Use Area Protection, 575 Trails and Walkways, 578 Stream Crossing, 614 Watering Facility, 516 Livestock Pipeline, and 472 Access Control.</p> 	Recommended by DCR Engineering Workgroup	Recommended by both TAC and DCR.	

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Item #	Agricultural BMP	TAC Proposed Changes	Comments	Tech. Advisory Comm. (TAC) & DCR Staff Position	SWCB Action
11.	SL-15A Continuous High Residue Minimal Soil Disturbance Tillage System (Section III)	<ul style="list-style-type: none"> • Modify language to clarify that this BMP may only be implemented once on any land and better define verification needed before issuance of the cost-share payment. <ul style="list-style-type: none"> A. <u>Description and Purpose</u> 2nd paragraph; To encourage the conversion of minimum and conventional tillage fields to a continuous high residue minimal soil disturbance tillage system <u>and will maintain a minimum of 60% rain drop intercepting residue cover on the enrolled acres for the lifespan of the practice.</u> B. 3. Producers must be fully implementing a current nutrient management plan prepared and signed by a <u>Virginia</u> certified nutrient management planner. Cost-Share payments shall not be made until a current nutrient management plan is on file with the SWCD. SWCD staff should utilize the NMP maps, nutrient balance sheets, and summary sheets to confirm conservation practice implementation. A comparison between crop recommendations and in field conditions shall be used when certifying conservation practice compliance. The plan must include all agricultural production acreage operated by the participant contained within the tract that this BMP will be implemented on and must be on file with the local SWCD. 4. All crops must be planted using no till methods. 7. <u>In order to be eligible for cost-share or tax credit, 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.</u> 8. This practice is subject to NRCS Standards 340 Cover Crop, 328 Conservation Crop Rotation, 590 Nutrient Management and 595 Integrated Pest Management. C. 1. moves to 2.; 2. moves to 1. 	Initiated by conservation technician to better define when BMP is complete and what land is eligible.	Recommended by both TAC and DCR.	

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12.	WP-1 Sediment Retention, Erosion or Water Control structure (Section III)	<ul style="list-style-type: none"> Add the NRCS standard 468 Lined Waterway or Outlet: <ul style="list-style-type: none"> B. 6. This practice is subject to the specifications of NRCS Standards 350 Sediment Basin, 362 Diversion, 410 Grade Stabilization Structure, <u>468 Lined Waterway or Outlet</u>, and 638 Water and Sediment Control Basin. 	This component could be necessary in some implementation scenarios.	Recommended by both TAC and DCR.	
13.	WP-4 Animal Waste Control Facilities (Section III)	<ul style="list-style-type: none"> Modify language in this BMP as follows: <ul style="list-style-type: none"> B. 2. <u>iv. Determination of the storage capacity of animal waste facilities shall be reviewed and approved by the DCR agricultural BMP engineer except for practices previously sized and engineered by NRCS.</u> 4. <u>viii. For waste storage facilities that will not store manure produced on the operation where the facility is to be located. End user facilities are not authorized.</u> 5. <u>i. A nutrient management plan developed in accordance with requirements for nutrient management plan content and procedures as stipulated in the Virginia Nutrient Management Training and Certification Regulations for land application or a planned waste management system for any other uses of manure produced. The nutrient management plan should address all the acreage, which the participant farms where manure will be applied. The nutrient management plan should be implemented and maintained for the life of the practice. Design <u>Determination of the storage capacity of animal waste facilities shall be reviewed and approved by the DCR agricultural BMP engineer (except for practices previously sized and engineered by NRCS) and should be coordinated with the nutrient management plan so that adequate storage capacity is installed for the specific cropping system.</u></u> 		Recommended by both TAC and DCR.	

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Item #	Agricultural BMP	TAC Proposed Changes	Comments	Tech. Advisory Comm. (TAC) & DCR Staff Position	SWCB Action
		<p><u>7. In order to be eligible for cost-share or tax credit, 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.</u></p> <p>7.8. This practice is subject to NRCS standards Comprehensive Nutrient Management Plan (CNMP), which include NRCS Standards-313 Waste Storage Structure, 342 Critical Area Planting, 359 Waste Treatment Lagoon, 362 Diversion, 367 Roofs and Covers, 382 Fence, 412 Grassed Waterway, 558 Roof Run Off Management, 561 Heavy Use Protection, 575 Trails and Walkways, 590 Nutrient Management, 620 Underground Outlet, 633 Waste Recycling and 634 Waste Transfer.</p>			
14.	WP-4B Dairy Loafing Lot Management System (Section III)	<ul style="list-style-type: none"> Add NRCS standards 393 Filter Strip and 412 Grassed Waterway: <ul style="list-style-type: none"> B. <u>11. In order to be eligible for cost-share or tax credit, 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</u> 	Recommended by DCR Engineering Workgroup	Recommended by both TAC and DCR.	

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Item #	Agricultural BMP	TAC Proposed Changes	Comments	Tech. Advisory Comm. (TAC) & DCR Staff Position	SWCB Action
		<p>11. For Structural Design Specifications for Loose Housing Structures refer to NRCS Standard 313 Waste Storage Structure.</p> <p>12. For Structural Design Specifications for Loose Housing Structures refer to NRCS Standard 313 <u>Waste Storage Structure</u>. This practice is subject to NRCS Standards 561 Heavy Use Area Protection, 313 Waste Storage Facility, 342 Critical Area Planting, 362 Diversion, 356 Dike, 367 Roofs and Covers, 382 Fencing, 391 Riparian Forest Buffer, 393 Filter Strip, 412 Grassed Waterway, 516 Livestock Pipeline, 574 Spring Development, 575 Trails and Walkways, 580 Stream bank and Shoreline Protection, 590 Nutrient Management, 614 Watering Facility, 632 Solid Liquid Separation Facility, 633 Waste Recycling and 634 Waste Transfer.</p>			
15.	WP-4C Composting Facility (Section III)	<ul style="list-style-type: none"> Add NRCS standards 362 Diversion and 561 Heavy Use Area Protection: <ul style="list-style-type: none"> B. <u>5. In order to be eligible for cost-share or tax credit, 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.</u> 5-6. This practice is subject to NRCS Standards 313 Waste Storage Facility, 316 Animal Mortality Facility, 317 Composting Facility, <u>362 Diversion</u>, 367 Roofs and Covers, 382 Fence, 558 Roof Runoff Structure, <u>561 Heavy Use Area Protection</u>, 590 Nutrient Management, 620 Underground Outlet, 633 Waste Recycling, and 634 Waste Transfer. 			

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Item #	Agricultural BMP	TAC Proposed Changes	Comments	Tech. Advisory Comm. (TAC) & DCR Staff Position	SWCB Action
16.	WP-4F Animal Mortality Incinerator Facility (Section III)	<ul style="list-style-type: none"> Add NRCS standards 362 Diversion and 561 Heavy Use Area Protection: <ul style="list-style-type: none"> B. <u>7. In order to be eligible for cost-share or tax credit, 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.</u> <u>7-8. Practice Standards.</u> This practice is subject to the NRCS Standards 316 Animal Mortality Facility, 317 Composting Facility, <u>362 Diversion</u>, 367 Roofs and Covers, 558 Roof Runoff Structure, <u>561 Heavy Use Area Protection</u>, 590 Nutrient Management, 620 Underground Outlet, 633 Waste Utilization and 634 Waste Transfer. 	Recommended by DCR Engineering Workgroup	Recommended by both TAC and DCR.	
17.	WQ-12 Roof Runoff Management (Section III)	<ul style="list-style-type: none"> Clarify language to better describe the intended use of this BMP, substitute bacteria for erosion in purpose statement: <ul style="list-style-type: none"> A. <u>Description and Purpose</u> A planned system designed to manage roof runoff from agricultural structures in areas where concentrated runoff creates a water quality concern- <u>through contact with animal waste such as barnyards and feeding areas</u>. This practice is designed to collect, control and convey precipitation runoff from a roof to an appropriate discharge area in a way that will protect water quality. To protect water quality by capturing roof runoff and routing it away from contaminated and/or sensitive areas to control erosion <u>bacteria</u> and nutrient input. B. <u>Policies and Specifications</u> 1. Eligibility: Cost-share and tax credit are limited to solving an identified water quality concern resulting from precipitation runoff from the roof of an existing agricultural structure that becomes contaminated <u>by contact with animal waste</u> and is polluting surface or ground water. This practice is for retro-fit of an existing agricultural structure only. Roof runoff management systems on new or planned structures and/or non-agricultural structures are not eligible. 	The TAC also considered adding language to itemize the ability to cost-share on cisterns. Cisterns are eligible for cost-share as they are included in the NRCS 558 Roof Runoff Structure standard.	Recommended by both TAC and DCR.	

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18.	Changes in Manual Language that Apply to Multiple BMP Specifications (Section III)	<ul style="list-style-type: none"> • The TAC recommended insertion of new Nutrient Management language into any specification in Section III that requires a Nutrient Management Plan in order to receive cost-share funds, this includes: (CCI-CNT, NM-3C, NM-4, NM-5N, NM-5P, SL-3, SL-3B, SL-4, SL-8B, SL-8H, SL-15B, SL-9, WP8, WQ-6, RMP-1, RMP-2, WP-3, WP-4D) that have not already had the nutrient management language included. <ul style="list-style-type: none"> ○ Insert New Virginia Nutrient Management Language: <u>In order to be eligible for cost-share or tax credit, 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.</u> ○ Into section directly above existing NRCS standard reference section where applicable. 		Recommended by both TAC and DCR.	
19.	SE-2 Agricultural Shoreline Stabilization (Section IV)	<ul style="list-style-type: none"> • Add NRCS standards 342 Critical Area Planting, 580 Streambank and Shoreline Protection, and 612 Tree/shrub Establishment: <ul style="list-style-type: none"> D. <u>3. This practice is subject to the requirements of applicable NRCS Standards including 342 Critical Area Planting, 580 Stream Bank and Shoreline Protection, and 612 Tree/Shrub Establishment.</u> 	Recommended by DCR Engineering Workgroup	Recommended by both TAC and DCR.	

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20.	SL-6A Small Acreage Grazing System (Section IV)	<ul style="list-style-type: none"> Update the date associated with the Virginia Nutrient Management Standards and Criteria. B. 10. A nutrient management plan must be developed to comply with all requirements as set forth in the Nutrient Management and Training Certification Regulations, 4 VAC 5-15-10 et seq. and the criteria as set forth in the Virginia Nutrient Management Standards and Criteria, revised October 2005. In order to be eligible for cost-share or tax credit, 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 5085-10 et seq.) and the criteria set forth in the Virginia Nutrient Management Standards and Criteria, revised July 2014. 		Recommended by DCR.	
21.	SL-11B Farm Road, Animal Travel Lane, Heavy Use Area Stabilization (Section IV)	<ul style="list-style-type: none"> Add feeding pad as eligible component for tax credit in a grazing unit that has already excluded livestock from surface waters; the pad must be sized to feed existing herd: <ul style="list-style-type: none"> A. <u>Description and Purpose</u> This practice will promote structural and/or management practices that will protect surface water <u>and groundwater recharge areas</u> from pollution from travel ways of farm equipment and livestock <u>or from winter feeding area</u>. The purpose of this practice is to protect or maintain water quality by stabilizing travel ways used by farm equipment and/or livestock <u>or from winter feeding area</u>. B. <u>Policies and Specifications</u> <ul style="list-style-type: none"> 1. Tax Credit is authorized for: <ul style="list-style-type: none"> <u>ix. For installation of a winter feeding pad when all other means of reducing the environmental impact have been explored and rejected, due to economic inefficacy or lack of space for relocation. Livestock must not have access to surface water or groundwater recharge areas in the field where the pad is located. Fencing and watering facilities necessitated by the protection of the surface and ground water recharge areas may be installed with other VACS BMPs and tax credit practices.</u> <ul style="list-style-type: none"> <u>a. The tax credit is limited to one feeding pad per Tract to be sized according to the existing herd.</u> <u>b. A plan for managing the anticipated amount of manure must be developed.</u> 	Originally suggested as cost-shareable in SL-6 fields that already had surface water exclusion fence, the TAC felt that there was not enough environmental benefit to warrant cost-share and therefore recommend that this be included as a tax credit only component.	Recommended by both TAC and DCR.	

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22.	WQ-7 Irrigation Water Recycling System (Section IV)	<ul style="list-style-type: none"> Remove the NRCS standard 552 Irrigation Regulating Reservoir: <ul style="list-style-type: none"> B. <u>Policies and Specifications</u> <ul style="list-style-type: none"> 4. This practice is subject to NRCS Standards 342 Critical Area Planting, 350 Sediment Basin, 356 Dike, 362 Diversion, 393 Filter Strip, 410 Grade Stabilization Structure, 412 Grassed Waterway, 436 Irrigation Storage Reservoir, 449 Irrigation Water Management, 430 Irrigation Pipeline, 436 Irrigation Storage Reservoir, 441 Irrigation System, Micro irrigation, 442 Irrigation System Sprinkler, 441 Irrigation System, Micro-Irrigation, 466 Land Smoothing, 447 Irrigation Systems Tail water Recovery, 468 Lined Waterway or Outlet, 533 Pumping Plant, 552 Irrigation Regulating Reservoir, 572 Spoil Spreading, 582 Open Channel, 607 Surface Drainage, Field Ditch, 608 Surface Drainage, Main or Lateral, 620 Underground Outlet, and 638 Water and Sediment Control Basin. 	Recommended by DCR Engineering Workgroup	Recommended by both TAC and DCR.	
23.	Changes in Manual Language that Apply to Multiple BMP Specifications (Sections III and IV)	<ul style="list-style-type: none"> The NRCS 590 Nutrient Management standard refers to VA regulation starting at 4 VAC 50-85-130, as well as Virginia Nutrient Management Standards & Criteria, revised July 2014 (“DCR Standards & Criteria”) and Virginia Phosphorus Index Version 2.0 Technical Guide, revised October 2005 (“VA P Index”). NRCS 590 further states “any NMP satisfying the general criteria of this Standard will also satisfy the minimum requirements of Virginia’s state rules governing the writing of NMPs. Accordingly, reference to NRCS 590 is no longer necessary. Removed the NRCS 590 Comprehensive Nutrient Management Plan standard from all VACS BMP specifications that contained it in Section III (CCI-CNT, SL-6, SL-9, SL-15A, WP-4, WP-4B, WP-4C, WP-4F, WQ-6) and in Section IV (SL-6A, WP-8). 		Recommended by both TAC and DCR.	

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24.	Updates to Voluntary Practice Specifications (Section V)	<ul style="list-style-type: none"> • VWQ-4 Removed reference to NRCS 590 standard. • VWP-4 Removed reference to NRCS 590 standard. • VSL-6A Removed reference to NRCS 590 standard. Removed reference B. 11. to "Soil loss rates must be computed for all applications." (Consistent with SL-6A.) • VWP-4F Removed reference to NRCS 590 standard. • VWP-4C Removed reference to NRCS 590 standard. Removed reference B. 3. to "All appropriate local and state permits must be obtained before cost-share payments are authorized." (Voluntary - incorrect reference to cost-share.) Removed reference B. 4. to "Soil loss rates must be computed for all applications." (Consistent with WP-4C.) • VSL-9 Rearranged order of NRCS standards 512 and 516. • VNM-5N Created voluntary version of NM-5N. <ul style="list-style-type: none"> ○ See attached specification titled "Voluntary Precision Nutrient Management of Nitrogen on Cropland". • VNM-5P Created voluntary version of NM-5P. <ul style="list-style-type: none"> ○ See attached specification titled "Voluntary Precision Nutrient Management of Phosphorus on Cropland". • VWP-4B Removed reference to NRCS 590 standard. 		Recommended by DCR.	

MATRIX OF AGRICULTURAL BMP TECHNICAL ADVISORY COMMITTEE (TAC) RECOMMENDED CHANGES TO 2018 VACS PROGRAM					
Item #	Agricultural BMP	TAC Proposed Changes	Comments	Tech. Advisory Comm. (TAC) & DCR Staff Position	SWCB Action
25.	Changes in the Manual that Apply to the Conservation Reserve Enhancement Program (CREP) (Section VII)	<ul style="list-style-type: none"> p. VII-2: CREP Cost-share funding for FY 2017 <u>2018</u> Beginning July 1, 2015 <u>2017</u> the Commonwealth will match <u>revert to matching</u> one-half of the FSA cost-share payments for any CRFR-3 and CRSL-6 when implemented in conjunction with a CRFR-3 BMP. This additional funding is designed to increase the restoration of Riparian Forest Buffers while continuing to prioritize the exclusion of livestock from surface waters. SWCDs should match the amount of FSA costshare provided for these practices. The availability of federal Practice Incentive Payments (PIP), and Signing Incentive Payments, <u>and where applicable, Chesapeake Bay Incentive Payments,</u> will assure that implementation of this practice will provide at least <u>nearly</u> 100% reimbursement of approved cost to the participant. pp: VII-11: CREP Table – for CRFR-3 and CRSL-6 reduce 50% cost share calculation to 25%. 		Recommended by DCR.	
26.	ADD a definition of “Highly Managed Hayland” to the Glossary (Section IX)	<ul style="list-style-type: none"> This definition is referred to in the NM-5N and NM-5P specification and serves to differentiate between land used primarily as pasture that occasionally has a cutting of hay removed and highly managed hayland that is managed to produce hay commercially. <ul style="list-style-type: none"> <u>Highly Managed Hayland: Is a production system where cropland dedicated to hay production is not grazed. If grass-based, the participants 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), the participants are exempt from the nitrogen application, and are eligible for phosphorus management under NM-5-P.</u> 		Recommended by both TAC and DCR.	

DCR RECOMMENDED ADMINISTRATIVE CHANGES TO VACS PROGRAM

Item #	Existing Manual guidance or BMPs impacted	Changes Proposed	Comments	Tech. Advisory Comm. (TAC) & DCR Staff Position	SWCB Action
27.	Waste Storage Facilities Approvals	<p>Districts are awarding cost-share, on animal operations that require a DEQ permit, for replacement and/or expanded animal manure storage facilities inconsistent with the Ag BMP Manual and inconsistently with one another. Some are providing cost-share based on the new storage capacity requested, others are deducting the storage capacity previously cost-shared, while still others are not approving such requests.</p> <p>p. II-11 of the Ag BMP Manual (State Environmental Law Compliance) currently states in part:</p> <ul style="list-style-type: none"> • Problems identified with a founded Agricultural Stewardship Act (ASA) complaint – Are eligible as long as the producer elects to develop a conservation plan to correct the problem. • Problems identified with a founded ASA complaint – Are Not Eligible if the Commissioner of Agriculture has issued a corrective order as a result of not implementing an approved plan. • Problems identified as possibly being in violation of a state environmental law or regulation - Are eligible if the producer is working with the Department of Environmental Quality (DEQ) to come into compliance with state requirements, or the producer has identified needed actions independently. • Problems identified as being in violation of a state environmental law or regulation – Are Not Eligible if the producer has received an enforcement order from DEQ, unless cost-share assistance was requested to help correct the problem prior to commencement of the enforcement action. • Except as otherwise expressly provided in this manual, the VACS program is not intended to provide financial assistance for any actions required or voluntary, by local ordinance; mitigation bank; or any state or federal, law, regulation, or permit. Should any funded practice be used for such purposes during its lifespan, all or part of the financial assistance (including cost-share and tax credit) from the VACS shall be refunded on a pro-rata basis. Such exclusion shall not apply to the Resource Management Plan Program. <p>Virginia DEQ (Harrisonburg Office) recently estimated that 90+% of poultry operations in Virginia are large enough (20,000+ chickens or 11,000+ turkeys) to require a DEQ permit.</p>	TAC voted on 2-13-17 to form a subcommittee when they reconvene (June 2017) to thoroughly review this issue.	Await a TAC recommendation on amendments to the Ag BMP Manual for FY 2019 and any affected BMP specifications.	

DCR RECOMMENDED ADMINISTRATIVE CHANGES TO VACS PROGRAM

Item #	Existing Manual guidance or BMPs impacted	Changes Proposed	Comments	Tech. Advisory Comm. (TAC) & DCR Staff Position	SWCB Action
		<p>Both the number and size of poultry houses is increasing in Virginia, particularly in the Shenandoah Valley and the Eastern Shore.</p> <p>A number of existing poultry operations are expanding by building new, considerably larger houses. DEQ does not specifically require a storage “structure” for poultry litter.</p> <p>Most poultry litter in Virginia is routinely transported off-site.</p> <p>Some requests for increases in litter storage are due to a change in management of the operation, e.g. full cleanouts occurring more frequently.</p> <p>Questions: Under which scenarios should animal waste storage facilities, on operations that are required to have a DEQ permit, e.g. newly constructed, expanded, and/or replaced, be eligible for state cost-share?</p> <p>Should animal operations that received cost-share for any type of animal waste storage in the past, and are now expanding, be eligible for cost share on either the additional or replacement animal waste storage capacity?</p> <p>Should an animal waste storage facility either at the end of its cost-share contractual lifespan, or its actual functional life, be eligible for cost share for a replacement?</p> <p>Should the capacity of a previously cost-shared animal waste storage facility be deducted from a new request for manure storage?</p>			

DCR RECOMMENDED ADMINISTRATIVE CHANGES TO VACS PROGRAM

Item #	Existing Manual guidance or BMPs impacted	Changes Proposed	Comments	Tech. Advisory Comm. (TAC) & DCR Staff Position	SWCB Action
28.	Uniformity of “Conservation Plan” references and an understanding of what constitutes a “Conservation Plan”	<p>There are numerous references to “conservation plan” and “soil conservation plan” in the VACS manual. As DCR works on developing the conservation plan program, we are going to need to look carefully at the references in the VACS Manual.</p> <p>Based on the <i>Code of Virginia</i> language in Title 58.1 related to tax credits, an approved soil conservation plan is required for those noted eligible practices and those approved by the Board. If a soil conservation plan is in place, then the individual (or corporation) is allowed to receive a tax credit for certain Board approved agricultural best management practices. It currently appears from the language in the VACS manual that we allow numerous types of plans to be used in lieu of an approved soil conservation plan. Plans allowed include a variety of NRCS plans, nutrient management plans, pest management plans, forestry plans, agricultural stewardship plans, and Chesapeake Bay Preservation Act Plans.</p>		Await a TAC and/or SAG recommendation on amendments to the Ag BMP Manual for FY 2019.	

OTHER ISSUES FOR DISCUSSION (from various sources)

Item #	Program Issue	Issues Discussion	Comments	Department Position	SWCB Action
29.	Use of the 2016 Nonpoint Source Assessment in the development of the FY 2018 Policy and allocations	<p>The 2016 Nonpoint Source (NPS) Assessment results have been finalized and should be utilized in the development of the FY 2018 Policy to best reflect state water quality. Accordingly, funding allocations should be based on the 2016 NPS Assessment.</p> <p style="text-align: center;">Synopsis of Changes Made for 2016 NPS Assessment</p> <p>Assessment Year Input Data Changes</p> <ul style="list-style-type: none"> • Hydrologic units were updated to Version 5 prior to assessment. • Land use data was based on imagery that was 5-6 years newer than that of previous assessment. • Agricultural specific land use layer from National Agricultural Statistics Service (NASS) was incorporated. • Tillage survey results were 8-9 years newer than that of previous assessment. • Disturbed forest extent and distribution was modified by updated VDOF timber harvesting data. • Average K-factors (soil erodibility factors) by land use by HUC12 were recalculated. • Horses were included in animal data by HUC12. • Latest animal feeding operation (AFO) and Census data were used to update animal associated land uses. • Latest AFO and Census data were used to calculate new manure and litter volumes. • NPS BMP data was incorporated for a later 5-year period. <p>Model Based Changes</p> <p><u>Corrections</u></p> <ul style="list-style-type: none"> • Input file creation error corrected. • Unit conversion error for Soil P was corrected. <p><u>Enhancements</u></p> <ul style="list-style-type: none"> • LS (slope length-gradient factor) and C-factors (crop/vegetation and management factor) were updated for some land uses. 	<p>By practice, cost-share distributions have been dictated by the most recent water quality NPS assessment data available.</p>	<p>Prepare Policy draft for April Board Meeting utilizing and reflecting the new water quality NPS analysis.</p>	

OTHER ISSUES FOR DISCUSSION (from various sources)

Item #	Program Issue	Issues Discussion	Comments	Department Position	SWCB Action
		<ul style="list-style-type: none"> • Used whole edge units in calculating sediment delivery ratios. • Updated septic N loading rates and removed from urban land use load. • Allowed for longer periods of simulation by using larger dimension able variables. • Modified erosivity equations. • Updated Soil P values to be more spatially and crop/county specific. • Included loadings from channel erosion. • Updated weather data to a new and later simulation period. • Isolated the loadings to groundwater from pervious surface loadings. • Manure runoff concentrations were modified. • Updated NPS BMP efficiencies as per their Chesapeake Bay Watershed Model (CBWM) use. <p><u>Calibration</u></p> <ul style="list-style-type: none"> • Hydrology was calibrated using Phase 6 of the CBWM. • Calibration data extended beyond Virginia. <p>Text in grey highlight would not affect agricultural priority unit determinations.</p>			

OTHER ISSUES FOR DISCUSSION (from various sources)

Item #	Program Issue	Issues Discussion	Comments	Department Position	SWCB Action
30.	Policy and Procedures on Soil and Water Conservation District Cost-Share and Technical Assistance Funding Allocations (Fiscal Year 2018) and the Grant Agreement	<p>Cost-Share and Technical Assistance Policy changes:</p> <ul style="list-style-type: none"> • Funding available will be significantly lower than in FY 2017 (\$52.6 C-S; \$7.4 TA; \$8.2 Reserve; \$1.65 Conservation Projects) (C-S + TA: \$60 M) as there was no surplus. Funding Sources shall be: <ul style="list-style-type: none"> ○ Reserve: In the second year, \$8,274,474 in the Water Quality Improvement Fund Reserve shall be deposited to the Virginia Water Quality Improvement Fund. Of this amount: <ul style="list-style-type: none"> § \$500,000 shall be appropriated for the Commonwealth's match for participation in the federal Conservation Reserve Enhancement Program (CREP).Of the remaining amounts. § \$7,774,474 is authorized for transfer to the Virginia Natural Resources Commitment Fund <ul style="list-style-type: none"> • \$992,937 shall be appropriated for Technical Assistance for Virginia Soil and Water Conservation Districts, • \$6,781,537 for Agricultural Best Management Practices Cost-Share Assistance <ul style="list-style-type: none"> ○ \$4,068,922 within the Chesapeake Bay watershed. ○ \$2,712,615 outside of the of the Chesapeake Bay watershed. ○ Recordation Fee: Appropriation of \$10,000,000 the second year. Out of this amount, a total of eight percent, or <u>\$1,200,000</u>, whichever is greater, shall be appropriated to Virginia Soil and Water Conservation Districts for technical assistance to farmers implementing agricultural best management practices, and \$8,800,000 for Agricultural Best Management Practices Cost-Share Assistance. <ul style="list-style-type: none"> § Utilize a total revenue estimate of \$8,300,000 for planning purposes (\$7.1 M C-S and \$1.2 M TA); will be discussed below. 		Prepare Policy and Grant Agreement draft for April Board Meeting.	

OTHER ISSUES FOR DISCUSSION (from various sources)																																									
Item #	Program Issue	Issues Discussion	Comments	Department Position	SWCB Action																																				
		<ul style="list-style-type: none"> ○ Recommended funding scenario: CREP: \$500,000 (25% state match) C-S: \$6,781,537 + \$7,100,000 = \$13,881,537 TA: \$992,937 + \$1,200,000 = \$2,192,937 C-S + TA: \$16,074,474 ● Fiscal decisions include: <ul style="list-style-type: none"> ○ Due to reduced funds being available, concurrence with changing state CREP match back from 50% to 25% to assist more applicants. The producer's share will once again increase from 0% to 25%. (May need to cover a CREP enrollment overage for 2017; seeking authority to apply 0934 – WQIF balances if determined by DCR to be necessary to meet commitments.) ○ The FY 2013 base TA amount has been \$1,843,154. Continue to satisfy the FY 2013 base and distribute the balance proportional to the C-S amounts (current practice). ○ Concurrence with Recordation Estimate of \$8,300,000 (\$7,100,000 to C-S and \$1,200,000 to TA). <p>Recordation Fee Revenue as of January 31, 2017 is:</p> <table border="1"> <thead> <tr> <th>Fiscal Year</th> <th>YTD Amt.</th> <th>July-January Amt.</th> <th>Revenue Estimate Used</th> </tr> </thead> <tbody> <tr> <td>FY2011</td> <td>\$8,509,725</td> <td>\$5,319,258</td> <td></td> </tr> <tr> <td>FY2012</td> <td>\$8,866,566</td> <td>\$4,828,709</td> <td></td> </tr> <tr> <td>FY2013</td> <td>\$11,171,408</td> <td>\$6,350,826</td> <td></td> </tr> <tr> <td>FY2014</td> <td>\$8,234,871</td> <td>\$5,279,704</td> <td>\$9,100,000 (shortfall)</td> </tr> <tr> <td>FY2015</td> <td>\$8,164,128</td> <td>\$4,536,547</td> <td>\$8,000,000</td> </tr> <tr> <td>FY2016</td> <td>\$8,615,603</td> <td>\$5,021,703</td> <td>\$7,500,000 - \$1,000,000</td> </tr> <tr> <td>FY2017</td> <td>\$5,534,743</td> <td>\$5,534,743</td> <td>\$8,200,000</td> </tr> <tr> <td>FY2018</td> <td>----</td> <td>----</td> <td>\$8,300,000</td> </tr> </tbody> </table>	Fiscal Year	YTD Amt.	July-January Amt.	Revenue Estimate Used	FY2011	\$8,509,725	\$5,319,258		FY2012	\$8,866,566	\$4,828,709		FY2013	\$11,171,408	\$6,350,826		FY2014	\$8,234,871	\$5,279,704	\$9,100,000 (shortfall)	FY2015	\$8,164,128	\$4,536,547	\$8,000,000	FY2016	\$8,615,603	\$5,021,703	\$7,500,000 - \$1,000,000	FY2017	\$5,534,743	\$5,534,743	\$8,200,000	FY2018	----	----	\$8,300,000			
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(As previously agreed to by the Board, we strongly recommend maintaining a \$500,000 fiscal buffer in 0936 – VNRCF) should revenue fall short of allocations and disbursements.)

- Where to allocate recordation fee and reserve fund revenue (basic cost-share or SL-6 backlog).
 Concurrence with all funds going to District basic cost-share (no SL-6 earmark).

SL-6 Backlog Numbers as of February 26, 2017 are:

Drainage	Number of Unfunded BMPS	Estimated Funding Need
CB	247	\$12,490,119.51
OCB	268	\$13,608,551.24
Totals	515	\$26,098,670.75

- Allocation of unobligated funds. They are generated from unobligated recordation revenue, prior year CTI, and other originally allocated but un-dispersed funds. We recommend providing \$1,500,000 to SL-6 FY 2015 backlog (apply 8% TA and split 60/ 40 CB/ OCB)
- No additional earmarks are requested for RMP-1 and RMP-2 in FY 2018. A grant from DEQ provides \$120,000 in funding for RMP-1 in the CB. Apply carry-forward VNRCF balances to RMP-2 in FY 2018 (As of January 31, 2017, RMP balances were \$149,635 in CB and \$61,188 in OCB.)
- Consider whether a 4th quarter reallocation strategy is necessary. It was waived in FY 2016 and FY2017 to allow for the redirection of funds to pending SL-6 practices within districts. End-of-year reallocations would continue through standardized Cash Transfer In (CTI) practices until otherwise revised by the Board. We recommend re-implementing.

District Grant Agreement changes:

- None recommended accept those outlined in Item 32 below.

OTHER ISSUES FOR DISCUSSION (from various sources)					
Item #	Program Issue	Issues Discussion	Comments	Department Position	SWCB Action
31.	Supersede Fiscal Year 2017 Policy and Procedures and Grant Agreements with 2018 documents	<p>By Policy, the Board would supersede the Fiscal Year 2017 Policy and Procedures on Soil and Water Conservation District Cost-Share and Technical Assistance Funding Allocations and the associated District Grant Agreements with 2018 documents. The intent is for this to be only administrative in function.</p> <ul style="list-style-type: none"> • The FY 2017 policies were drafted with the understanding that moving the quantity of funding provided would be challenging and that two years would be needed. The FY 2017 Policy specified that “[t]he Grant Agreement guiding the distribution and disbursement of these funds will be for a two-year grant period, FY17 and FY18”. • As of February 27, 2017: <ul style="list-style-type: none"> ○ Of the \$52.5 M in FY 2017 Cost-Share allocated to the Districts, approximately \$44.8 M (85.3%) of it was obligated (\$39 M) or pending obligation (\$5.8 M). ○ Twenty-one districts have obligated over 80% of their Cost-Share funds. ○ A number of the Districts currently have very little or no Cost-Share allocation remaining. ○ The Department has disbursed to the Districts \$33.3 M in FY 2017 Cost-Share to-date. • The proposed changes outlined below will result in no known fiscal changes to the Districts until the 4th quarter of FY 2018. <ul style="list-style-type: none"> ○ If a FY 2015 SL-6 backlog exists, the 2017 dollars shall be applied to the backlog first by the District (by drainage basin). ○ After SL-6 obligations are satisfied by drainage basin, District FY 2017 Fund allocations remaining at the end of the fiscal year will be advanced to FY 2018 with a 2017 tag on them (by drainage basin). Once all SL-6 obligations have been satisfied with a given drainage basin, the remaining funds may be advanced to FY 2018 with a 2017 tag on them (by drainage basin). ○ FY 2018 VACS Manual and specifications shall apply to the advanced funds. ○ As caps apply to when the practice is approved, these advanced funds shall be used to satisfy the 2018 cap. ○ In FY 2018, advanced funds from FY 2017 will be distributed first to meet District expenses. ○ Undistributed TA shall follow the Cost-Share. ○ Funds shall be moved based on the end of June database fiscal reports. 		Prepare Policy and Grant Agreement draft for April Board Meeting.	

OTHER ISSUES FOR DISCUSSION (from various sources)					
Item #	Program Issue	Issues Discussion	Comments	Department Position	SWCB Action
32.	Policy and Procedures on Soil and Water Conservation District Administration and Operations Funding Allocations (Fiscal Year 2018) and the Grant Agreement	<p>Administration and Operations Policy changes:</p> <ul style="list-style-type: none"> • No fiscal changes in funding available from those amounts provided in FY 2017: <ul style="list-style-type: none"> ○ \$7,191,091 the second year from the general fund shall be provided to soil and water conservation districts for administrative and operational support. Of this amount: <ul style="list-style-type: none"> § \$6,209,091 the second year from the general fund shall be distributed to the districts for core administrative and operational expenses (personnel, training, travel, rent, utilities, office support, and equipment) based on identified budget projections and in accordance with the Board's financial allocation policy. § \$312,000 the second year from the general fund shall be distributed at a rate of \$3,000 per dam for maintenance. § \$500,000 the second year from the general fund for small dam repairs of known or suspected deficiencies. The amount appropriated for small dam repairs of known or suspected deficiencies is authorized for transfer to the Soil and Water Conservation District Dam Maintenance, Repair, and Rehabilitation Fund. § \$170,000 the second year to the department to provide district support in accordance with Board policy, including, but not limited to, services related to auditing, bonding, contracts, and training. • Updates to dates through-out. • The Department is recommending refinements to the Association of Soil and Water Conservation District Grant Agreement. The Department will be discussing these suggested updates with the Association in the coming weeks and will provide an overview to the Board as part of the draft Policy and Procedures on Soil and Water Conservation District Administration and Operations Funding Allocations (Fiscal Year 2018) at the April meeting. 		Prepare Policy and Grant Agreement draft for April Board Meeting.	

OTHER ISSUES FOR DISCUSSION (from various sources)					
Item #	Program Issue	Issues Discussion	Comments	Department Position	SWCB Action
		<p>District Grant Agreement changes:</p> <ul style="list-style-type: none"> • Updates to dates though-out. • Clarification on reporting deadlines when dates fall on weekends or holidays. • Requirement for a Director Treasurer or a Director with check signing authority to accompany district staff in the District audit exit interview. • The Department is recommending updates to the Association of Soil and Water Conservation District Grant Agreement. The Department will be discussing these suggested changes with the Association in the coming weeks and will provide an update to the Board as part of the draft Policy and Procedures on Soil and Water Conservation District Administration and Operations Funding Allocations (Fiscal Year 2018). • Removal of an antiquated note on small dam repairs funding. • Effective July 1, 2016, there were important additions to the Virginia Freedom of Information Act that impacted Soil and Water Conservation Districts. As a political subdivision of the Commonwealth that is subject to the provisions of FOIA, the law (§2.2-3704.2.A.) required each District to “designate and publically identify one or more FOIA Officers” and ensure that the Officer(s) was “trained at least annually” (§2.2-3704.2.D) on the provisions of FOIA. The Grant Agreement deliverables will reflect these new requirements. <p>Board Subcommittee Establishment</p> <ul style="list-style-type: none"> • We recommend that the Board appoint a subcommittee that will be charged with reviewing and addressing District audit and deliverable matters. Details in the form of a motion/ charge will be provided at the Board meeting. 			

OTHER ISSUES FOR DISCUSSION (from various sources)					
Item #	Program Issue	Issues Discussion	Comments	Department Position	SWCB Action
33.	Consideration of Additional RMP Operational Support Funding	<ul style="list-style-type: none"> • Requests continue for the Department and Board to consider strategies to provide additional RMP operational support for Districts. • Strategies to address this include: <ul style="list-style-type: none"> ○ Budget template instructions were refined in FY 2016 to allow for better estimates of RMP support needs. This refined number may be specifically used to target FY 2019 administration and operations budget requests. ○ Alternatively, a pot of money could be requested from WQIF surplus funds similar to that often provided for CREP, DOF silviculture practices, and golf course NMP development. ○ Existing operational support funding will be utilized to cover costs through fiscal year 2018 and are expected to be sufficient to cover contracted plans currently in the pipeline and those new plans. These funds had been provided from unobligated 0934 (WQIF) balances. Balances as of January 31, 2017 were: <ul style="list-style-type: none"> § \$16,094.52 in CB § \$8,000.00 in OCB § The rate of payment per plan is \$100 plus \$0.50/ planned acre. § Seeking authority to apply 0934 – WQIF balances if determined by DCR to be necessary to meet commitments. ○ The FY 2018 RMP legislative study will look at funding needs for program delivery (See Item 35 below). 		Consider as part of Legislative Study.	

OTHER ISSUES FOR DISCUSSION (from various sources)					
Item #	Program Issue	Issues Discussion	Comments	Department Position	SWCB Action
34.	Legislative Study on AG BMP Funding	<p>Review Methods to Stabilize Agricultural Best Management Practice Funding</p> <p>This amendment establishes a stakeholder working group to discuss potential methods to stabilize the flow of funding for Agricultural Best Management Practices to reduce the fluctuations and provide additional surety to the farm community while ensuring the flow of work for the Soil and Water Conservation Districts becomes more stable and predictable. A legislative report is due no later than November 15, 2017.</p> <ul style="list-style-type: none"> • "The Department of Conservation and Recreation shall convene a stakeholder group to include, at a minimum: <ul style="list-style-type: none"> ○ two members of the House of Delegates and one member of the Senate from the membership of the Chesapeake Bay Commission who will be selected by the Joint Rules Committee, ○ representatives of the: <ul style="list-style-type: none"> § Virginia Farm Bureau Federation, § the Virginia Association of Soil and Water Conservation Districts, § the Virginia Agribusiness Council, and § the Chesapeake Bay Foundation ○ the Director, Department of Conservation and Recreation or his designee, ○ the Secretary of Natural Resources or her designee, and ○ staff from the House Appropriations and Senate Finance Committees to evaluate methods to stabilize the fluctuations in funding for Agricultural Best Management Practices (BMPs). 		Request Board participation on the Study Committee	

OTHER ISSUES FOR DISCUSSION (from various sources)

Item #	Program Issue	Issues Discussion	Comments	Department Position	SWCB Action
		<ul style="list-style-type: none"> • Such a review shall, at a minimum, <ul style="list-style-type: none"> ○ (i) consider increasing the portion of any deposit to the Water Quality Improvement Fund (WQIF) directed to the WQIF reserve, ○ (ii) limiting the portion of the WQIF reserve that may be utilized in any given year, ○ (iii) evaluating the combined revenues available from the WQIF and the Natural Resources Commitment Fund as a step in establishing appropriate expenditures from the combined funds in a given fiscal year, and ○ (iv) distributing any funds to be deposited into the WQIF pursuant to the provisions of Chapter 21.1 of Title 10.1, Code of Virginia, across a biennial period. ○ Such review shall also consider the impact on the staffing and technical assistance needs of the Soil and Water Conservation Districts to ensure that staffing requirements do not fluctuate or exceed their annual ability to fully implement and oversee practices with the funding made available. • The Stakeholder Group shall report any recommendations to the Chairmen of the House Appropriations, Senate Finance and House and Senate Agriculture, Conservation and Natural Resources Committees no later than November 15, 2017." 			

OTHER ISSUES FOR DISCUSSION (from various sources)					
Item #	Program Issue		Issues Discussion	Comments	Department Position
35.	Legislative Study on Examination of RMP funding, training, and resource needs, and new implementation incentives	<p>Additional Implementation of Resource Management Plans</p> <p>This amendment directs the Department of Conservation and Recreation to convene a stakeholder group to examine the funding and resource needs for the implementation of Resource Management Plans and to make recommendations no later than October 1, 2017.</p> <ul style="list-style-type: none"> • "The Director, Department of Conservation and Recreation, shall convene a stakeholder group consisting of, but not limited to, designees of: <ul style="list-style-type: none"> ○ the Secretary of Natural Resources, ○ the Secretary of Agriculture and Forestry, ○ the Department of Agriculture and Consumer Services, ○ the Virginia Association of Soil and Water Conservation Districts, ○ the Virginia Farm Bureau Federation, ○ the Virginia Agribusiness Council, ○ the Chesapeake Bay Commission, and ○ the Chesapeake Bay Foundation <p>to examine the funding, training, and resource needs, as well as explore new incentives, for additional implementation of Resource Management Plans (RMPs), pursuant to §§ 10.1-104,7 through 10.1-104.9, Code of Virginia.</p> <ul style="list-style-type: none"> • The stakeholder group is directed to conduct their review and make recommendations to the Governor and the Chairman of the House Appropriations and Senate Finance Committees no later than October 1, 2017. 		Request Board participation on the Study Committee	