

**Conservation Plan Program
Stakeholder Advisory Group
401 McIntire Road Room 235
Charlottesville, VA 22902
March 24, 2017**

Stakeholder Advisory Group Members Present

Patrick Calvert, James River Association
Glen Chappell, III, James River SWCD
Darryl Glover, DCR
Todd Groh, VDOF
Frank Johnson, Northern Neck SWCD
Matt Kowalski, Chesapeake Bay Foundation
Darryl Marshall, VDACS
Marian Moody, Hanover-Caroline SWCD
Richard Street, Virginia Soil and Water Conservation Board
Amy Walker, DCR
Charlie Wootton, Piedmont SWCD
Jay Yankey, Prince William SWCD
Ashley Wendt, DEQ
Chad Wentz, NRCS

DCR Staff Present

Michael Fletcher
David Kindig
Barbara McGarry
Carl Thiel-Goin
Amy Walker
Christine Watlington

Welcome and Introductions

Ms. McGarry welcomed members to the third meeting of the Stakeholder Advisory Group. She asked members and staff to introduce themselves.

Mr. Glover thanked members for participating. He noted that DCR had received questions regarding the purpose of the DCR conservation planning program and the relationship with NRCS' conservation plans. He advised that DCR is developing an option that will meet the requirements of the state cost-share and tax credit programs and be available to both Districts and private-sector planners. Recognizing that many District planners also provide assistance with federal programs, DCR will continue to recognize NRCS planner certification and to allow NRCS Conservation Plans to be used when participating in state programs. A DCR Conservation Plan Program will allow Districts to implement the Virginia Cost-Share Program (VACS), meet the requirements for tax credits related to agricultural practices, and support other state programs. DCR will honor any NRCS certification obtained by a planner as of January 1, 2016 as long as the continuing education requirements are met.

The DCR conservation planning program will not be fully operational by July 1, 2017. At the Virginia Soil and Water Conservation Board's May 2017, a strategy outlining how the department intends to move this program forward will be presented.

Review February Meeting Minutes

The minutes of the February 23, 2017 meeting were accepted as presented.

Revised Conservation Plan Report Review

Mr. Thiel-Goin reviewed the plan report as it had been revised based on comments from the SAG. The following changes were noted to the SAG:

- Grant funded projects replaced the heading TMDLS under program requirements;
- The practice schedule table was renamed to "Recommended BMPs";
- The list should include all recommended BMPs not just the BMPs the producer agrees to implement;
- The land unit identifier should be included with the BMPs;
- The sentence "I will work towards installing the BMPs agreed to above" was removed from the signature page; and
- The signature line was changed to read District Board or Designee and to include the date of the District Board approval.

The SAG had no additional recommendations regarding the report format.

Plan Signature Page

Mr. Thiel-Goin reviewed the current signature plan page and provided the signature page from the tracking module and the NRCS signature page for comparison.

Mr. Thiel-Goin asked the SAG preference between the three documents. It was suggested that the phrase "Although this plan has been developed to meet the requirements of DCR, it may not meet the requirements of agencies such as, but not limited to, the USDA's Farm Service Agency (FSA) and Natural Resources Conservation Service (NRCS). These agencies require a Conservation plan as defined by NRCS to participate in their programs." be added to the current signature plan page.

Resource Assessment

Ms. McGarry reviewed the resource assessment document and the format suggestions made by the working group. Previously the group had recommended that NRCS' CPA-52 should be edited and simplified to meet the needs of a state program. She showed a comparison between the current NRCS CPA-52 and an edited DCR version.

Ms. McGarry noted the following changes and edits:

- The instructions need to be modified before moving forward.
- The Chesapeake Bay Assessment form had been included as a worksheet.
- There were significant changes made to the plan summary based on comments from the previous meeting.
- The Forest and Wildlife section was updated based on comments received since the previous meeting.
- One question involving previous and current involvement with federal and state agencies has been moved to the top of the assessment form as it is relevant to all land use categories.
- The cover crop section was condensed from a list of detailed options to a question asking whether a producer utilizes cover crops.
- The NRCS reference at the top of the form was removed.
- The DCR edited version has been revised to match the plan report and has columns for “no action” and “recommended BMPs”.

Under the special environmental concerns tab, additional changes were made. The “cumulative effects” data box was changed to “future effects”. The mitigation portion was removed.

These concerns were noted:

- The process for screening for threatened and endangered species was discussed. Currently, a process is in place to screen for a threatened and endangered species utilizing data provided by the Division of Natural Heritage.
- There was a discussion concerning the National Environmental Policy Act (NEPA) and the role of the NRCS planning process. NRCS has a process that has been approved and meets the requirements of NEPA. Through the NRCS planning process, exemptions may be extended to producers that may inadvertently impact certain natural and cultural resources. There will be situations when the planner will still need to work through NRCS. When there is any federal involvement, the planner must use the NRCS planning process.

Mr. Wentz noted that when the NRCS planning process is not used in its entirety, no exemptions are available for the producer. Concerns were raised about the potential liability for conservation planners and producers if natural and cultural resources were impacted under a DCR conservation planning process.

Questions were asked concerning the screening for cultural resources. Mr. Glover replied that the Department may need to establish agreements with partner agencies to ensure that reviews for cultural resources and other important natural resources could be undertaken.

Mr. Wentz noted that the NRCS has memorandum of understanding (MOU) with U.S. Fish and Wildlife, the Virginia Department of Game and Inland Fisheries and the DCR Division of Natural Heritage, as well as the Virginia Department of Historic Resources and other partner agencies.

Mr. Glover reiterated that DCR is not trying to replace the NRCS conservation planning program. There will be times when planners will need to go through the NRCS process.

Additional concerns noted include:

- There are no existing MOUs between DCR and other agencies regarding the review for important natural and cultural resources.
- Districts may not have certified planners or have access to an NRCS computer and the use of the NRCS' Toolkit.
- NRCS does provide computers to districts if the District is willing to meet certain requirements. To meet the NRCS certification the conservation plan must be completed through NRCS' Toolkit.
- If not using NRCS' Toolkit planning software, the plan is not reviewable under any MOUs that NRCS has.
- Could there be an MOU between DCR and NRCS to certify and use NRCS Toolkit planning software?

Ms. McGarry stated that there seemed to be reluctance to deviate from the NRCS planning process entirely, but reiterated that Districts were adamant about having a state conservation plan option. In order to develop the DCR option, the SAG needed to consider the following:

- What needs to go into the plan; and
- What concerns and what environmental resources remain in the plan.

Ms. McGarry directed the SAG back to the content of the form. Stakeholders previously requested a shorter form and requested that it not include resources and special concerns that apply only to federal projects.

Resources of Concern

During the break, members were asked to note on a chart which of the resource concerns should be included in the DCR conservation plan and which should be removed.

Following a break, Ms. Watlington reviewed the results of the survey. For several of the resources, the SAG agreed that the particular resource should remain a resource concern. She led a discussion of the resource concerns which did not have clean consensus to be included or removed.

The following changes were recommended:

WATER: Excess/Insufficient

- The title is confusing and should be clarified.
- There are certain areas of the state where the seasonal water table would be a concern.
- The concept is important and should be included as part of the planning process.

AIR: Air Quality

- This cannot be addressed with a BMP included in DCR's VACS program.
- There are not many areas where this is a concern outside of Northern Virginia.

ANIMALS: Inadequate Habitat for Fish and Wildlife

- As this would not typically be a primary reason a planner would write a conservation plan, this should not be included.

ANIMALS: Livestock Production Limitation

- Consider putting livestock limitation under soil quality degradation.

ENERGY: Inefficient Energy Use

- Does not belong as part of the plan.

HUMAN: Economic and Social Considerations

- These should be considered but not necessarily as a stand-alone worksheet in the revised CPA-52.

Ms. Watlington moved on to the section on Special Environmental Concerns.

Clean Air Act:

- Criteria for this worksheet included emission rates, odors, and particulates.
- Several of these issues could be considered to be addressed through BMPs that control soil erosion.
- This section should be kept.

Coastal Zones:

- Keep this section.

Cultural Resources:

- Keep this section.

Environmental justice:

- Can be considered under human economic and social considerations.

Essential Fish Habitat:

- This is addressed under inadequate habitat.
- Staff will review further to see if this is an applicable concern.

The SAG decided to maintain the worksheets on the following: floodplain management, invasive species, migratory birds and eagles, natural areas, prime and unique farmland, riparian areas, Virginia wetlands, wild and scenic rivers and resource concerns. The SAG decided not to maintain the scenic beauty worksheet.

It was suggested that a supplement be added to the form which includes resources or special environmental concerns that are not included in a DCR environmental evaluation, but are included in the NRCS environmental evaluation. This supplement could be useful if a planner was trying to decide whether to follow the DCR or NRCS planning process.

Training Topics

Mr. Thiel-Goin reviewed a handout regarding suggested training topics for certification. A 2015 survey of Soil and Water Conservation District conservation planners addressed key topics and classes that planners would like to see included in training.

The minimum training qualifications for NRCS certified conservation planners in Virginia involves completion of the following trainings:

1. Conservation planning – all modules
 - a. Part 1 – AgLearn online (modules 1-5)
 - b. Part 2 – Classroom/field (modules 6-8, Virginia Conservation Planning “Boot Camp”)
 - c. Part 3 – Field review of RMS plan (module 9)
2. Environmental Compliance for Conservation Assistance (EC Level 1) – AgLearn online
3. Cultural Resources Training Series – all modules
 - a. Part 1 – AgLearn online (modules 1-6)
 - b. Part 2 – Classroom/field (modules 7-8)
4. Introduction to the Field Office Tech Guide – AgLearn online
5. Introduction to Water Quality – AgLearn online
6. Basic RUSLE 2 Certification – Take home exercise
7. Nutrient Management Track 1, Part 1 (AgLearn online) or VA DCR current certification by VA DCR Nutrient Management Planning
8. Pest Management Track 2, Part 1 – AgLearn online
9. Prescribed Burn Awareness Course (one day workshop) or certification by the Virginia Department of Forestry as a Prescribed Burn Manager.

Additionally, field review must be completed. Candidates must complete at least one field reviewed Resource Management System (RMS) plan for a conservation management unit (CMU) on either crop or pasture land based on the land use most commonly planned in the work area. The RMS level plan reviewed must have all the supporting RMS planning documentation in the NRCS-CPA-52 but does not have to be the chosen alternative by the client.

Staff provided a worksheet for the SAG to recommend courses for the DCR-planning program. The SAG reviewed the NRCS training qualifications and discussed which of these trainings would be applicable in the DCR planning process and to address the resource concerns in a DCR conservation plan. The worksheet below contains a list of items the SAG discussed and recommended as potential training requirements and options.

Resources	Training
Soil Erosion	RUSLE2, Boot Camp-Basic Erosion
Soil Quality Degradation	Healthy Soils Course, Pesticide and Nutrient Modules

Water Excess/Insufficient	Intro to Water Quality, Wetlands, Environmental Compliance
Water Quality Degradation	Introduction to Water Quality Pest Management Track 2, Part 1 Nutrient Management Track 1, Part 1 CBPA stream delineation
Air Quality Impacts	Environmental Compliance for Conservation Assistance
Plants Degraded Condition	Environmental Compliance for Conservation Assistance DCR DNH Threatened and Endangered Species Boot Camp
Animals Inadequate Habitat for Fish and Wildlife	Environmental Compliance for Conservation Assistance DCR DNH Threatened and Endangered Species Intro to Water Quality
Animals Livestock Production Limitation	Boot Camp, Forage council Grazing School
Energy Inefficient Use	
Human Economic and Social Considerations	Cultural Resources, Part 1 and Part 2, Boot Camp, DHR
Other	Intro to FOTG Prescribed Burn Awareness CP Module User Training ICE/ACE Conservation Selling Skills Conservation Planning User Module Training

Public Comment

There was no public comment.

Adjourn

There was no further business and the meeting adjourned at 3:00 p.m.