

VA and MD Agriculture Certainty Programs & BMP Verification

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CBP BMP Verification Review Panel
July 31, 2013

Status of Ag Certainty Programs in Chesapeake Bay Watershed

- ▶ VA Resource Management Plan Program
 - Regulations finalized March 27, 2013
 - Effective date November 6, 2013

- ▶ MD Agricultural Certainty Program
 - Legislation passed in 2013 Session.
 - Regulation development underway

- ▶ DE – Exploratory Phase

VA RMP – Standards (BMP–based)

- ▶ Nutrient Management Plan (cropland, hay land, pastureland)
 - meet nutrient management training and certification regulations.
- ▶ Forest or Grass Buffer (cropland, hay land)
 - Meet NRCS standards and specs, minimum 35ft.
- ▶ Soil Conservation Plan (cropland, hay land, pasture)
 - Meet “T” as defined by NRCS
- ▶ Cover Crops (cropland)
 - NRCS or VA Ag BMP Cost Share Program standards and specs.
- ▶ System that limits/prevents livestock access to streams (pastureland)
 - Fencing, limited access (stream crossings, livestock watering) Meet NRCS specs.
- ▶ Other BMPs as needed.

RMP Developer – Qualifications

- ▶ Certified conservation planner by NRCS and certified NMP planner by VADCR OR
- ▶ Certified NMP planner by VADCR and demonstrate academic and applied proficiencies in:
 - Ag conservation planning
 - State/federal environmental laws
 - Ag practice standards and specs
 - Soil erosion processes
 - WQ/nonpoint source fundamentals
 - Site vulnerability assessment tools

Farm Assessment/Plan Development

- ▶ RMP developer collects all plans, and information on location and status of all BMPs.
- ▶ RMP developer develops the plan:
 - Identifies BMPs that can meet standards.
 - Details BMPs owner/operator agrees to implement and/or maintain to meet standards with schedule of implementation.
 - Includes all current plans

RMP Implementation Certification

- ▶ Plan Review: Soil and Water Conservation District establishes Technical Review Committee to ensure RMP meets standards.
- ▶ On-site Inspection: Conservation District (or VADCR) verifies RMP implementation based on on-site inspection to ensure plan is fully implemented.

On-Site Inspections of Certified Farms

- ▶ Soil and Water Conservation District/VADCR conduct on-site inspections at least every three years (no more than annually unless justified).
 - Confirmation of all BMPs implemented, operated and maintained.
 - Deficiencies, corrective action agreement.
 - BMPs reported to VA Ag BMP Tracking Program.

RMP Program Review Oversight

- ▶ VADCR will conduct comprehensive review of each Soil and Water Conservation District RMP duties at least every 5 years. (this could include annual spot checks).

MD Ag Certainty Program – Standards – performance based

- ▶ Fully implemented conservation plan and WQ plan.
- ▶ Fully implemented NMP.
- ▶ Ag nutrient and sediment reductions necessary to meet CB TMDL, the WIP, and all local TMDLs.
- ▶ Compliance with state and federal laws and permit conditions.

Verifier – Qualifications

- ▶ MDA will provide a Training and Education Program for verifiers.
- ▶ Publish List of Verifiers.

MD Ag Certainty Certification

- ▶ On-site inspection by certified verifier.
- ▶ Certainty agreement includes:
 - Maintenance of required BMPs.
 - Requirements for verification to assure certainty requirements are maintained.
 - Recordkeeping.
- ▶ Reporting:
 - Annually submit Soil conservation plan records and NMP records (soil analysis data, fertility recommendations, summary of nutrients applied by source and crop type) and signed certification that program requirements will be met.

MD Ag Certainty Program

On-site Inspections

- ▶ At least every three years.
- ▶ Conducted by certified verifier.
- ▶ Report to MDA on:
 - Efforts to manage soil and WQ.
 - Nutrient application including rate, source, and timing by crop.
 - Etc.

MD Ag Certainty Program Oversight

- ▶ Oversight Committee of diverse interests
 - provide oversight on development and implementation of regulations.
 - meet annually to evaluate program performance.
- ▶ MDA Annual Report to Governor