



**Resource Management Plan Regulations  
Regulatory Advisory Panel  
June 29, 2011**



# 2011 Legislative Session

- House Bill 1830 established resource management plans (RMPs)
- Delegate Scott chief patron
- Heavily utilized by Virginia in Chesapeake Bay Phase I Watershed Implementation Plan (WIP)
- Regulations must
  - Be technically achievable
  - Take into consideration the economic impact to the owner or operator



# Key Provisions

- Agricultural landowner or operator who fully implement and maintain a RMP shall be deemed fully compliant with any load allocation in a TMDL, requirements of the Chesapeake Bay Phase I WIP, and any applicable state water quality requirements for nutrients and sediment
- Utilizing an RMP does not preclude or prevent the enforcement of required permits or other applicable laws
- Agriculture landowners and operators are eligible for matching grants through the cost-share program for implementing and maintaining a RMP



# Criteria of regulations

- Regulations must include:
  - Determinations of persons qualified to develop RMPs and to perform on-farm assessments
  - Plan approval or review procedures if necessary
  - Allowable implementation timelines and schedules
  - Effective lifespan of RMPs
  - Factors necessitating renewal or new plan development
  - Means to determine full implementation and compliance including reporting and verification



# Criteria of regulations continued

- Development of a process for on-farm assessment of all reportable best management practices (BMPs)
- Include BMPs sufficient to address TMDLs and the Chesapeake Bay WIP
- Specify that all components of a RMP be based on an individual on-farm assessment



# Cropland or Specialty Crops

- As needed and based on individual assessment requirements include:
  - Nutrient management plan
  - Forest or grass buffer between cropland and perennial streams
  - Soil conservation plan that achieves a maximum soil loss of “T”
  - Cover crops



# Hayland

- As needed and based on individual assessment requirements include:
  - Nutrient management plan
  - Forest or grass buffer between cropland and perennial streams
  - Soil conservation plan that achieves a maximum soil loss of “T”



# Pasture

- As needed and based on individual assessment requirements include:
  - Nutrient management plan
  - System that limits or prevents livestock access to perennial streams
  - Pasture management plan or soil conservation plan that achieves a maximum soil loss of “T”



# Regulatory Process

- Abbreviated Administrative Process Act process
- Virginia Soil and Water Conservation Board initiated regulatory action on March 10, 2011
- Legislation requires formation of stakeholder advisory group
- Board proposes regulations; Department of Planning and Budget prepares economic impact analysis
- 60 day public comment period with 1 public hearing
- Board adopts final regulations
- 15 days after publication, regulation becomes final



# Goal timeline

- Regulations presented to Board at December 2011 meeting
  - Consensus on regulations by RAP
    - Subcommittees meet, recommendations presented
- Regulations effective by July 1, 2012
  - Economic impact by DPB
  - Public comment period – 60 days
  - Final adoption by Board