

# 1 Resource Management Plan Regulations (4VAC50-70)

## 2 4VAC50-70 -10. Definitions

3 "Assessment" means an onsite review of a management unit conducted pursuant to 4VAC50-70-50.

4 "Best management practice" or "BMP" means structural and nonstructural practices that manage soil  
5 loss, nutrient losses, or other pollutant sources to minimize pollution of water resources and improve  
6 water quality.

7 "Board" means the Virginia Soil and Water Conservation Board.

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9 "Department" means the Department of Conservation and Recreation.

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11 "Director" means the Director of the Department of Conservation and Recreation or his designee.

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13 "Local soil and water conservation district" or "soil and water conservation district" means a political  
14 subdivision of the Commonwealth organized in accordance with the provisions of §10.1-500 et seq.

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16 "Management unit" means a collection of two one or more agricultural fields or USDA Farm Service  
17 Agency tracts located in proximity, under the control of the owner or operator and identified by the  
18 operator as a having a functional linkage as the appropriate unit for RMP implementation. The  
19 management unit may consist of multiple fields and tracts, or an entire agricultural operation.

20

21 "NRCS" means the United States Department of Agriculture Natural Resources Conservation Service.

22

23 "Operator" means the any person that has direct operational who exercises managerial control over the  
24 agricultural management unit addressed by the resource management plan including the day to day  
25 operational activities. The operator may include, but not be limited to, the agricultural landowner or  
26 farm manager.

27

28 "Owner" means any person who owns land where an agricultural activity occurs.

29

30 "Person" means an individual, corporation, partnership, association, state, municipality, commission, or  
31 political subdivision of a state, governmental body, any interstate body, or any other legal entity.

32

33 "Plan" means a document prepared pursuant to 4VAC50-70-60.

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35 "Resource Management Plan" or "RMP" means a plan developed and implemented pursuant to the  
36 standards established by this chapter.

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38 "Plan writer-Resource Management Plan Developer" or "RMP developer" means a person who is  
39 certified as a conservation planner by the USDA Virginia Natural Resources Conservation Service to  
40 perform conservation planning, or fulfills training, education and experience criteria meets qualifications  
41 established approved by the Board.

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43

44 "Technical Review Committee" or "TRC" means a committee established by the local soil and water  
45 conservation district board to review RMPs and provide recommendations to the local soil and water  
46 conservation district board regarding RMPs. A TRC may include, but not be limited to, the following  
47 persons: local soil and water conservation district personnel, Virginia Cooperative Extension personnel,  
48 department nutrient management specialist, and NRCS personnel.

49  
50 "Total maximum daily load" or "TMDL" means a calculation of the maximum amount of a pollutant that  
51 a waterbody can receive and still meet water quality standards, and an allocation of that amount to the  
52 pollutant's sources. A TMDL includes wasteload allocations (WLAs) for point source discharges, and load  
53 allocations (LAs) for nonpoint sources or natural background or both, and must include a margin of  
54 safety (MOS) and account for seasonal variations.

55

#### 56 **4VAC50-70-20. Purpose and Authority**

57

58 Pursuant to 10.1-104.6, and 10.1-104.7 Article 1.1 of §10.1, these regulations are adopted to clarify and  
59 specify the criteria that must be included in a resource management plan. Any owner or operator fully  
60 implementing a resource management plan shall be deemed to be in full compliance with any load  
61 allocation contained in a TMDL, any requirements of the Virginia Chesapeake Bay TMDL Watershed  
62 Implementation Plan, and any applicable state water quality requirements for nutrients and sediment.

63

#### 64 **4VAC50-70-30. Applicability of other laws and regulations**

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66 Nothing in this chapter shall be construed as limiting the applicability of other laws, regulations, or  
67 permits, including but not limited to, a Virginia Pollutant Discharge Elimination System Permit, a Virginia  
68 Pollution Abatement Permit, a nutrient management plan otherwise required by law for such operation,  
69 any requirements of the Chesapeake Bay Preservation Act, and any requirements of the Agricultural  
70 Stewardship Act .

71

#### 72 **4VAC50-70-40. Minimum standards of a resource management plan.**

73

74 A. Pursuant to §10.1-104.5, 10.1-104.6, and 10.1-104.7, a resource management plan requires the  
75 implementation of BMPs to reduce nutrients, sediments, and other pollutants from agricultural  
76 operations. Pursuant to §10.1-104.6 B5, a RMP shall include the following based upon the  
77 assessment :

78

79 1. For all management units, a nutrient management plan that meets the specifications of the  
Nutrient Management Training and Certification Regulations (4VAC5-15);

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81 2. For management units in cropland, specialty crops, or hayland, a forest or grass buffer  
82 between the field in production and the perennial stream of a minimum width buffer of 35  
feet to meet water quality objectives and consistent with NRCS standards and specifications

83

84 3. For management units in cropland, specialty crops, or hayland, a soil conservation plan that  
achieves a maximum soil loss rate of "T", as defined by the NRCS;

85

86 4. For management units in pasture, a pasture management plan or soil conservation plan that  
achieves a maximum soil loss rate or "T" as defined by NRCS; and

87

88 5. For management units in pasture, a system that limits or prevents livestock access to  
perennial streams in accordance with the following:

89

90 a. Any fencing or exclusion system that provides year-round livestock restriction to  
perennial streams;

- 91                   b. A 35 foot forest or grass buffer between the exclusion system and perennial  
 92                   streams; and  
 93                   c. Excludes livestock with provisions made for access through stream crossings and  
 94                   livestock watering systems designed to NRCS standards and specifications and  
 95                   determined necessary by the RMP developer.  
 96       B. Additional BMPs including those identified in the Chesapeake Bay Watershed Model, or  
 97       identified in the Virginia Chesapeake Bay TMDL Watershed Implementation Plan, or approved  
 98       by the board, may be utilized as needed to achieve the minimum standards set out above.  
 99       C. If a management unit is unable to meet the minimum standards listed above, alternative BMPs  
 100       and alternative measures, which achieve nutrient and water quality reductions, may be utilized;  
 101       however no RMP shall be deemed sufficient where:  
 102           1. The average buffer width for the entire management unit is less than 35 feet, where forest  
 103           or grass buffers between cropland, specialty crops, or hayland border perennial streams and  
 104           where livestock access to perennial streams requires a forest or grass buffer.  
 105           2. Any field in cropland, specialty crops, hayland or pasture exceed a soil loss rate of "2T" as  
 106           defined by the NRCS.  
 107

#### 108 **4VAC50-70-50. Components of a resource management plan.**

##### 109 A RMP shall contain the following components:

- 110       A. Pursuant to §10.1-104.6 B3, an assessment shall be performed by the RMP developer or  
 111       individual authorized by the RMP developer to perform work on their behalf, and include the  
 112       following components in a format established by the department or in a format approved by the  
 113       board as equivalent:  
 114           1. Information on the location of the management unit including geographic coordinates,  
 115           USDA Farm Service Agency tract number(s), if applicable, or the locality tax parcel  
 116           identification number(s);  
 117           2. Information on the type of agricultural operation Description of the management unit,  
 118           including total acreage and acreage of each type of operation (livestock, crops, pasture, hay)  
 119           agricultural activity;  
 120           3. Contact information for the owner or operator who has requested the RMP, including name,  
 121           address, and telephone number;  
 122           4. Authorization from the owner or operator for the RMP developer, or his designee, to obtain  
 123           copies of any current conservation or water quality plans necessary for the assessment;  
 124           5. for the person completing the assessment to access copies Copies of nutrient management  
 125           plans from the department and soil conservation plans from Natural Resources  
 126           Conservation Service NRCS, and any other conservation or water quality plan that require  
 127           includes the implementation of BMPs; and  
 128           6. Information on the location and type an evaluation of all BMPs, conservation plans, water  
 129           quality plans, and other alternative measures applicable to the type of management unit  
 130           that are currently implemented, including but not limited to, nutrient management plans,  
 131           soil conservation plan, crop rotation, tillage practices, livestock exclusion, and riparian  
 132           buffers.  
 133       B. Identification of management unit BMPs and implementation schedule completed by a RMP  
 134       developer in a format established by the department or in a format approved by the board as  
 135       equivalent:  
 136           1. A review of the assessment to determine the adequacy of existing BMPs, conservation  
 137           plans, water quality plans, in meeting the minimum standards set out in 4VAC50-70-40;  
 138

- 139 2. A complete listing list of BMPs that may be utilized to reach the management unit's  
 140 reduction goal, developed as a result of the assessment required in 4VAC50-70-50  
 141 Subsection A, that may be utilized to meet the minimum standards include the BMPs listed  
 142 in §10.1-104.8.5 set out in 4VAC50-70-40.;
- 143 3. A complete listing list of the BMPs that the owner or operator agrees to implement or  
 144 maintain to meet the management unit's reduction goal minimum standards set out in  
 145 4VAC50-70-40;
- 146 4. Confirmation of BMPs that achieve the standards set out in 4VAC50-70-40;
- 147 5. A schedule for the implementation of the BMPs; and
- 148 6. Inclusion of any nutrient management plans, soil conservation plans from NRCS, and any  
 149 other conservation or water quality plans that include the implementation of BMPs.  
 150 The reduction goal the management unit needs to achieve pursuant to 4VAC50-70-40;

### 151 C. Certification

- 152 1. A RMP developer A plan must be certified by the plan writer certify that the plan RMP is  
 153 true and correct in their professional judgment.
- 154 2. The plan RMP must be signed by the owner or operator:
- 155 a. Attesting that they are the responsible person to be implementing the RMP and as  
 156 such are subject to the compliance provisions of 4VAC50-70-100;
- 157 b. Agreeing to adhere to the plan RMP, including the BMPs that will be implemented  
 158 and the schedule of implementation, ; and
- 159 c. Agreeing to notify the plan writer a RMP developer of any changes to the  
 160 management unit that require revision of the plan pursuant to 4VAC50-70-70  
 161 4VAC50-70-60.

### 162 4VAC50-70-50. Assessments

- 163
- 164 7. Pursuant to §10.1-104.6, an assessment shall include the following components:
- 165 7. Information on the location of the management unit including geographic coordinates,  
 166 USDA Farm Service Agency tract number, if applicable, or the locality tax parcel  
 167 identification number;
- 168 8. Information on the type of agricultural operation, including total acreage and acreage of  
 169 each type of operation (livestock, crops, pasture, hay);
- 170 9. Contact information for the operator, including name, address, and telephone number;
- 171 10. Authorization for the person completing the assessment to access copies of nutrient  
 172 management plans from the department and soil conservation plans from Natural  
 173 Resources Conservation Service, and any other conservation or water quality plan that  
 174 require the implementation of BMPs;
- 175 11. Information on the location and type of BMPs, applicable to the type of management unit,  
 176 that are currently implemented, including but not limited to, nutrient management plans,  
 177 soil conservation plan, crop rotation, tillage practices, livestock exclusion, and riparian  
 178 buffers.
- 179 8. Each section of the management unit shall be evaluated to determine which BMPs, if any,  
 180 are currently implemented.
- 181 9. An interview with the operator may be conducted as part of the assessment.
- 182 10. An assessment shall be performed by a person with training and experience that enable  
 183 their objective analysis of a agricultural operation. The assessment shall be certified by an

184 individual qualified as a RMP plan writer. The individual shall certify that that the  
 185 assessment is true and correct in their professional judgment.

186 11. The assessment shall be documented in a format established by the department or in a  
 187 format approved by the board as equivalent.

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#### 189 **4VAC50-70-60. Plans**

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191 12. A plan shall include the following components:

192 13. A completed on-farm assessment developed pursuant to 4VAC50-70-50;

193 14. The reduction goal the management unit needs to achieve pursuant to 4VAC50-70-40;

194 15. A complete listing of BMPs that may be utilized to reach the management unit's reduction  
 195 goal, developed as a result of the assessment required in 4VAC50-70-50, may include the  
 196 BMPs listed in §10.1-104.8.5.;

197 16. A complete listing of the BMPs that the operator agrees to implement to meet the  
 198 management unit's reduction goal; and

199 17. A schedule for the implementation of the BMPs.

200 18. A plan must be certified by the plan writer that the plan is true and correct in their  
 201 professional judgment.

202 19. The plan must be signed by the operator agreeing to adhere to the plan, including the BMPs  
 203 that will be implemented and the schedule of implementation, and agreeing to notify the  
 204 plan writer of any changes to the management unit that require revision of the plan  
 205 pursuant to 4VAC50-70-70.

206

#### 207 **4VAC50-70-60. Changes or revisions to a resource management plan**

208

209 A. When the owner or operator of a who signed a resource management plan in accordance with  
 210 4VAC50-70-50 C changes, notification of the change by the new owner or operator shall be  
 211 submitted to the local soil and water conservation district or the department if there is no soil  
 212 and water conservation district operating in the locality where the resource management plan  
 213 RMP has been established within 60 days of the new owner or operator assuming control of the  
 214 management unit. The resource management plan RMP shall be reviewed with the new owner  
 215 or operator by the local soil and water conservation district or the department, if applicable. A  
 216 review of all elements of the resource management plan shall be conducted with the operator.  
 217 Based upon the RMP a review of the RMP, the new owner or operator may elect to:

218 1. Implement and maintain the BMPs as required in the resource management plan  
 219 provisions of the RMP. This requires no revisions to the resource management plan. If a  
 220 Certificate of RMP Implementation had been issued, the Certificate must be transferred to the  
 221 new owner or operator. The new owner or operator must sign the RMP in accordance with  
 222 4VAC50-70-60 H 4VAC50-70-50 C.

223 2. Implement a resource management plan, with revisions to the BMPs included in the  
 224 RMP. The new owner or operator must sign the RMP in accordance with 4VAC50-70-60 H  
 225 4VAC50-70-50 C. If a Certificate of RMP Implementation has been issued to the previous owner  
 226 or operator, the new operator may request a new Certificate of RMP Implementation be issued  
 227 in accordance with 4VAC50-70-90.

228 3. Choose not to continue implementing a resource management plan RMP where  
 229 upon the Certificate of RMP Implementation for the management unit shall be revoked.

230 B. A resource management plan shall be revised upon significant When there are material changes  
 231 to the management unit, the owner or operator who signed a resource management plan in

- 232 accordance with 4VAC50-70-50 C shall notify a RMP developer within 30 days. A RMP developer  
 233 will determine if a revisions to the RMP is required. ~~Changes~~ Material changes to the  
 234 management unit ~~may include;~~, but not be limited to,
- 235 1. A change in the conversion from one type of agricultural operation to another;
  - 236 2. A change in the schedule and type of BMPs implemented pursuant to 4VAC50-70-60 F.5  
 237 4VAC50-70-50;
  - 238 3. An increase or decrease in land production acreage if there is change in the agricultural  
 239 operation's reduction goal and the BMPs implemented pursuant to 4VAC50-70-60 that  
 240 materially impacts the management unit's ability to meet the minimum standards set out in  
 241 4VAC50-70-40; or
  - 242 4. An increase or decrease in livestock population if there is a change in the agricultural  
 243 operation's reduction goal and the BMPs implemented pursuant to 4VAC50-70-60 that  
 244 materially impacts the management unit's ability to meet the minimum standards set out in  
 245 4VAC50-70-40;.
- 246 C. A resource management plan RMP shall be reviewed and revised as when needed to address  
 247 any the issuance of a new or modified TMDL implementation plan that is issued for the  
 248 Chesapeake Bay or any other local TMDL requirements for the area where the agricultural  
 249 operation is located and where the implementation plan or TMDL assign a load to agricultural  
 250 uses. A presumption of compliance with the RMP will continue under this subsection if:
- 251 a. an owner or operator has been issued a Certificate of RMP Implementation for a  
 252 management unit;
  - 253 b. the RMP has been revised; and
  - 254 c. the owner or operator agree to implement the revised RMP.
- 255 D. Upon a revision to the RMP, the department shall be notified, in writing, of the revisions within  
 256 30 days by the RMP developer.

#### 259 **4VAC50-70-70. Approval Review of a resource management plan**

- 260
- 261 A. Upon completion of a RMP that fulfills all requirements set forth in 4VAC50-70-50, the owner or  
 262 operator, or the RMP developer on behalf of the owner or operator, shall submit the RMP to the  
 263 local soil and water conservation district(s) or the department if the management unit does not  
 264 fall within the boundaries of a soil and water conservation district.
  - 265 B. RMPs received by a soil and water conservation district shall be referred to the TRC for review to  
 266 ensure the RMP fully meets the minimum standards set forth in 4VAC50-70-40. Within 90 days  
 267 after submittal of a RMP, the local soil and water conservation district shall notify the owner or  
 268 operator and the RMP developer in writing if the RMP has been deemed sufficient to address  
 269 water quality objectives. If within 90 days, the local soil and water conservation district fails to  
 270 provide written notice to the owner or operator and the RMP developer of RMP sufficiency or a  
 271 listing of RMP deficiencies, the RMP will be deemed sufficient.
  - 272 C. If a RMP is located within multiple soil and water conservation district areas, each local TRC will  
 273 review the portion of the plan applicable to the management unit within their area, either in  
 274 consultation or independently of each other. The soil and water conservation districts with the  
 275 largest amount of acreage under the RMP is responsible for coordinating the review when  
 276 portions of the management unit fall in multiple districts, and corresponding with the owner or  
 277 operator and RMP developer regarding the RMP review.
  - 278 D. RMPs received by the department where no local soil and water conservation district exists that  
 279 fully meet minimum standards set forth in 4VAC50-70-40 shall be reviewed by the department

- 280 within 90 days of receiving the RMP. Within 90 days after submittal of a RMP, the department  
281 shall notify the owner or operator and the RMP developer if the RMP has been deemed  
282 sufficient to address water quality objectives. If within 90 days, the department fails to provide  
283 written notice to the owner or operator and the RMP developer of RMP sufficiency or a listing of  
284 RMP deficiencies, the RMP will be deemed sufficient.
- 285 E. When a RMP is determined to be insufficient to address water quality objectives by either the  
286 soil and water conservation district or the department, the department or local soil and water  
287 conservation district shall work with the owner or operator and the RMP developer to revise the  
288 RMP.
- 289 F. If revisions to a RMP cannot be agreed upon to the satisfaction of the local soil and water  
290 conservation district, RMP developer and the affected owner or operator, the the local soil and  
291 water conservation district shall document the basis for determining the RMP is insufficient.
- 292 G. If revisions to a RMP cannot be agreed upon to the satisfaction of the department, local soil and  
293 water conservation district, if applicable, RMP developer and the affected owner or operator,  
294 the department shall document the basis for determining the RMP is insufficient.

#### 295 296 297 **4VAC50-70-80. Verification Issuance of a Certificate of Resource Management Plan Implementation**

- 299 A. Prior to requesting a Certificate of RMP Implementation pursuant to 4VAC50-70-100 being  
300 issued for a management unit, verification of the full implementation of the RMP shall be  
301 completed.
- 302 B. The owner or operator shall request the verification of RMP implementation through the  
303 local soil and water conservation district(s) or the department if there is no soil and water  
304 conservation district operating in the locality where the agricultural operation is located.
- 305 C. The request for verification shall include the following:
- 306 1. A complete copy of the RMP including any referenced plans and
  - 307 2. Any nutrient management, soil conservation, or water quality plans referenced by  
308 the RMP; Authorization for local soil and water conservation district or department  
309 employees to conduct an onsite inspection of the agricultural operation  
310 management unit to ensure the BMPs are fully implemented during the lifespan of  
311 the plan.
- 312 D. If, based on onsite verification and a review of referenced plans, by the local soil and water  
313 conservation district, the resource management plan RMP is determined to be fully  
314 implemented, the local soil and water conservation district board(s) shall affirm such  
315 implementation and direct the required documentation to the department for submission  
316 to the board. The department shall submit the request from the operator to the board for  
317 action by the board, which may include the issuance action, which may include the issuance  
318 of a Certificate of RMP Implementation to the owner or operator who signed the RMP in  
319 accordance with 4VAC50-70-50 C.
- 320 E. Where there is no soil and water conservation district operating in the locality where the  
321 agricultural operation is located, the department shall determine full implementation of the  
322 RMP through onsite verification and a review of referenced plans. If, based on the onsite  
323 verification and a review of referenced plans, the resource management plan is determined  
324 to be fully implemented, the department shall affirm such implementation. The department  
325 shall submit the request from the operator to the board for action by the board, which may  
326 include the issuance of issue a Certificate of RMP Implementation to the owner or operator.

327 F. If the resource management plan has not been fully implemented, the local soil and water  
328 conservation district or the department, as applicable, shall provide the owner or operator  
329 with written documentation that specifies implementation deficiencies of the RMP.

330 G. A Certificate of RMP Implementation shall be valid for a period of six years.

#### 331 332 333 **4VAC50-70-90. Requesting a Certificate of RMP Implementation**

334  
335 A. An owner or operator may request a Certificate of RMP Implementation from the board  
336 upon the full implementation of the RMP.

337 B. Prior to the request for a Certificate of RMP Implementation, verification of the full  
338 implementation of the RMP pursuant to 4VAC50-70-80 must be completed.

#### 339 340 341 **4VAC50-70-90. Inspections**

342  
343 A. Each owner or operator that has been issued a Certificate of RMP Implementation for a  
344 management unit shall be subject to periodic onsite inspections during the lifespan of the plan  
345 by the soil and water conservation district(s) and the department when the management unit or  
346 any portion of the management unit does not fall within a soil and water conservation district,  
347 or when the department deems appropriate, to ensure the continued implementation and  
348 maintenance of the resource management plan RMP.

349 B. Onsite inspections shall occur no less than once every three years on lands where an active  
350 Certificate of RMP Implementation has been issued.

351 C. During an inspection, an owner or operator shall provide any documents needed to verify the  
352 implementation of the resource management plan RMP, including but not limited to, the  
353 resource management plan, nutrient management plan, and soil conservation plan and any  
354 other referenced plans as applicable.

355 D. Upon the completion of the inspection, an inspection report shall be completed in a format  
356 provided by the department, to document the conditions found implementation of the RMP on  
357 the management unit. A copy of the inspection report shall be provided to the owner or  
358 operator and the department, when appropriate, within five 10 business days following the date  
359 of inspection. The inspection report shall include:

- 360 1. a list of all BMPs and any alternative measures installed and implemented; and
- 361 2. any identified deficiencies including any components of the resource management plan  
362 RMP that have not been implemented or components that need to be renewed.

363 E. If based upon the inspection there are deficiencies noted, the department shall proceed  
364 pursuant to 4VAC50-70-100.

#### 365 366 367 **4VAC50-70-100. Compliance.**

368  
369 A. If there are deficiencies noted during inspections conducted in accordance with 4VAC50-70-  
370 90, the director shall provide a written notice to the owner or operator within 30 days of the  
371 inspection report being issued. The written notice shall include a list of the noted  
372 deficiencies needing to be addressed for the management unit to remain in compliance with  
373 the resource management plan to meet full implementation of the RMP.



- 374 B. Within 60 days of the written notice being provided to the owner or operator, a corrective  
375 action agreement, which may include revisions to the RMP, shall be performed developed  
376 by a plan writer RMP developer in consultation with the owner or operator and submitted  
377 to the department for approval. The corrective action agreement, and any revisions to the  
378 RMP, shall be signed by the owner or operator and submitted to the department for  
379 approval. The corrective action agreement shall include an implementation schedule to  
380 address the deficiencies found during the inspection that is acceptable to both the  
381 department and the owner or operator. If the corrective action agreement, including any  
382 revisions to the RMP, is determined by the department to be reasonable and satisfactory,  
383 no further action shall be taken by the department, and the department shall not  
384 recommend any action to be taken by the board.
- 385 C. If the department determines that the corrective action agreement, including any revisions  
386 to the RMP, does not satisfactorily address deficiencies documented from an inspection  
387 conducted pursuant to 4VAC50-70-90, the department shall document such shortcomings in  
388 writing to the owner or operator within 10 30 business days following receipt of the revised  
389 plan corrective action agreement.
- 390 D. If the department and the owner or operator are unable to concur on a corrective action  
391 agreement within three months of the submission of the corrective action agreement to the  
392 department, the department shall recommend to the board the revocation of revoke the  
393 owner's or operator's Certificate of RMP Implementation for the specific agricultural  
394 operation where no concurrence on a corrective action agreement occurs.
- 395 E. If it is determined by the department that an owner or operator has failed to fully  
396 implement the agreed upon corrective action agreement through an inspection conducted  
397 in accordance with 4VAC50-70-90, the department shall revoke the owner's or operator's  
398 Certificate of RMP Implementation for the specific management unit.
- 399 F. At any time, the owner or operator may provide written notice to the board requesting that  
400 the Certificate of RMP Implementation be revoked.

#### 401 402 403 **4VAC50-70-110. Appeals** 404

- 405 A. An owner or operator that has been aggrieved by any action of the local soil and water  
406 conservation district or the local soil and water conservation district board, taken without a  
407 formal hearing, or by the inaction of the local soil and water conservation district(s) or the  
408 local soil and water conservation district board, shall have a right to appeal to the  
409 department in accordance with §2.2-4019 through §2.2-4024 of the Code of Virginia.
- 410 B. An owner or operator that has been aggrieved by any action of the director department  
411 taken without a formal hearing, or by the inaction of the director department, shall have a  
412 right to appeal to the board in accordance with §2.2-4019 though §2.2-4024 of the Code of  
413 Virginia.
- 414 C. Revocation of the Certificate of RMP Implementation, issued pursuant to 4VAC50-70-80,  
415 shall be suspended pending any appeals.
- 416  
417

418 **4VAC50-70-120. Reporting requirements???**

419 **(Topics to be addressed and incorporated in the regulations)**

420

421 • Exactly what information, in what level of detail must be reported?

422 • What is the reporting frequency?

423 • Where will reporting duties rest with:

424 ○ the owner or operator

425     ▪ That requested the RMP?

426     ▪ Has an approved RMP under implementation?

427     ▪ Has been issued a Certificate of RMP Implementation?

428 ○ Districts?

429 ○ Department?

430 • What is the format for BMP data collection?

431 • How will the collected data be collected and entered in an automated reporting system

432 (Agricultural BMP Tracking program), aggregated and submitted to meet the department's

433 reporting requirements?

434