

Matthew S. Wells
Director




Darryl Glover
Deputy Director for
Dam Safety,
Floodplain Management and
Soil and Water Conservation

Andrew W. Smith
Chief Deputy Director

COMMONWEALTH of VIRGINIA
DEPARTMENT OF CONSERVATION AND RECREATION

Laura Ellis
Deputy Director for
Administration and Finance

TO: Soil and Water Conservation District Chairpersons

FROM: Matthew S. Wells, Director 

DATE: October 15, 2024

SUBJECT: Extreme Acts of Nature Process for Cover Crop Standard Planting Dates

On October 2, 2024, the President of the United States, responding to requests from the Governor of Virginia, declared that certain areas of Virginia impacted by Tropical Storm Helene were major disaster areas. Additional localities in Virginia, while not part of the disaster declaration, are also eligible for federal funding assistance from the Federal Emergency Management Agency (FEMA). The localities either designated as disaster areas or as areas eligible to receive federal funding are: Bedford, Bland, Buchanan, Carroll, Craig, Dickenson, Giles, Grayson, Montgomery, Pittsylvania, Pulaski, Russell, Scott, Smyth, Tazewell, Washington, Wise and Wythe Counties and the independent Cities of Bristol, Covington, Danville, Galax, Norton, and Radford. The impacts to this region will have implications for agricultural operations across Virginia including the need for animal feed, building materials, and increased financial assistance.

The 2025 Virginia Agriculture Cost-Share Best Management Practices (BMP) Manual does provide Soil and Water Conservation Districts (Districts) the ability to extend the SL-8B standard planting date for SL-8B practices, following the Extreme Acts of Nature (EAN) process (page II-46 of the BMP manual). However, recognizing that more practices than just SL-8B have been impacted, and after consulting with the Virginia Soil and Water Conservation Board, I am authorizing the Soil and Water Conservation District Boards (Boards), with impacted localities, to provide planting date extensions for the following additional cover crop practices: SL-8, SL-8A, SL-8H, SL-8M, NM-7, WFA-CC, and WQ-4.

Similar to the EAN process established for SL-8B, Boards may act to grant an extension of up to 14 days beyond the standard planting dates for SL-8, SL-8A, SL-8H, SL-8M, NM-7, WFA-CC, and WQ-4 practices. If the Board chooses to take this action, the motion must be documented in the minutes and appropriate notes and documentation should be added to each contract file.

Please be advised that the EAN extension does not extend the early planting dates or authorize early payment amounts beyond those contained within the BMP specifications. Payments approved under the EAN extension shall only apply to the standard planting date and all practices must satisfy the required performance criteria included in the practice specification. When a planting date extension is authorized, the date for meeting the practice's performance criteria will be automatically extended.

If you have questions or concerns regarding this process, please contact your Conservation District Coordinator.

cc: Soil and Water Conservation District Managers
Soil and Water Conservation District Technical Staff
Soil and Water Conservation District Administrative Staff
Department of Conservation and Recreation Conservation District Coordinators