

Agency of Agriculture, Food & Markets
Ag Resource Management Division
116 State Street
Montpelier, VT 05620
www.VermontAgriculture.com

[phone] 802-828-2431
[fax] 802-828-2361

Dear Floodplain Farmer,

Enclosed you will find a packet of information that will assist you with understanding and complying with the State's new requirements for agricultural fields located in a floodplain. These new requirements are detailed in the new Required Agricultural Practices (RAPs) which set baseline management requirements for farms of all sizes in Vermont. Compliance for the 2017 and 2018 cropping seasons begins with first understanding where and how the new floodplain RAPs apply on your farm and second, with taking proactive steps to plan to comply and meet the dates outlined in the RAPs.

The Agency of Ag is here to support you and your farm to understand the rules, assist with planning efforts if requested, and to provide technical and financial assistance directly to your farm to implement new management strategies, which may be required to comply with the rules. If at any time you have questions regarding how these new rules apply to your farm, please call the Agency of Ag Water Quality Division directly at: **802-828-2431**

The RAPs for agricultural floodplain management include:

1. An extended winter manure spreading ban on frequently flooded soils: From October 16th – April 14th
2. Any manure applied to floodplains must be injected or otherwise incorporated within 48 hours, unless the field is in no-till, is cover cropped, or is planted to hay, pasture, or other perennial crop.
3. For floodplain fields that grow annual crops (e.g. corn for silage, sweet corn, soybeans, pumpkins), frequently flooded soils on those fields must be planted to cover crop by:
 - a. October 1st if the cover crop is broadcast on the surface
 - b. October 15th if the cover crop is drilled or otherwise incorporated into the soil
 - c. **OR** maintain 30% cover on the surface of the crop field after harvest (e.g. weeds, post-harvest residue [chaff])

These RAP dates for agricultural management in floodplains are concrete targets established by the Agency of Ag based on the best science and local research available to ensure protection of the State's water quality, while providing enough flexibility and accommodation for farmers to manage their most productive soils and fields in ways that work for their farm and desired crop timing. Farmers will be held accountable to meet these target dates, or will need to demonstrate that their level of field management exceeds the minimum standards in the RAPs outside of the specific dates, or meets the intent of the RAPs and be granted a variance to manage floodplains using dates and management practices different from those proposed in the Rules.

The Required Agricultural Practices floodplain management requirements will impact all farms differently. Some farms may have no floodplain fields, others may have all of their fields in the floodplain. Some farms may already be cover cropping all of their fields and only spreading spring manure – others may just be exploring cover cropping options for their farm. Recognizing that there are different management strategies in place on farms throughout Vermont, the Agency of Ag is committed to engaging in a collaborative planning process with farmers to ensure a smooth transition to the new regulatory paradigm.

Further, this Spring has already proven to be incredibly difficult to manage for many farms throughout the state. Many farmers have already communicated with the Agency of Ag how even with their new shorter-day-length corn, they are going to be challenged to meet the new October manure spreading ban. The Agency of Ag takes this feedback very seriously and wants to acknowledge all of the proactive work many farmers are engaged in to ensure successful implementation of the RAPs.

Compliance for the 2017 – 2018 field season will attempt to balance the limited time farmers have for planning in the middle of the growing season, the extremely wet spring which has delayed many farmer's nutrient application and planting timings, as well as the need ensure farm managers are putting pen to paper to demonstrate how they intend to meet RAP floodplain dates for 2017 and 2018.



To balance all of these competing demands, the Agency of Ag is releasing a Floodplain Planning Tool (FPT) that will serve as the planning template and variance request process to ensure compliance by farmers throughout the state with new floodplain requirements for the 2017 and 2018 cropping seasons.

Instructions for the enclosed FPT are included in this informational packet, however – suffice it to say – forthright and clear communication between farmers and the Agency of Ag will be essential so both parties can plan and learn how the new requirements will impact different farms in different parts of the state.

Process

Compliance for managing agricultural fields located in the floodplain in 2017 will come in two parts; Part 1 is planning and Part 2 is reporting. Part 1 will include proactive planning for compliance as documented by the farmer on the FPT form and sharing that document with the Agency of Ag in advance of the October 1, 2017 deadline. Once the plan is reviewed and a variance issued by the Agency of Ag, Part 2 of the compliance schedule will be completed when a farmer submits the records of actual management implementation where necessary – whether for cover crop establishment or fall manure application.

Detailed Process Description:

1. Locate the areas of your farm that are in the floodplain and have Frequently Flooded Soils: <http://arcg.is/qHOTO>
2. Consider the deadlines for management requirements in the RAPs - manure spreading and cover cropping on floodplains. (Ask: *Can I meet these dates without making any management changes?*)
3. If you conclude that you may have challenges meeting the floodplain dates on one or many of your fields, complete the attached FPT and submit to the Agency of Ag which will initiate the variance request process.
 - a. **If you can meet all of the dates for floodplain fields as outlined in the RAPs, you do NOT need to submit the FPT.**
4. Once the completed FPT is submitted to the Agency of Ag, we will consider the variance and either respond in writing with an approval, or follow-up to request more information about your operation and management necessary to approve the variance or work with you to identify a suitable alternative management strategy that would work for a variance.
5. Keep records of the dates when you finish cropland management on each frequently flooded field – including cover crop establishment date, as well as fall manure applications.
6. Submit these records to the Agency of Ag either electronically - or in writing - on a form provided by the Agency. The Agency of Ag will provide a copy of this form in the approved variance letter to be sent to the farmer in step 3. Submission of dates of actual implementation will be necessary to finalize compliance for the 2017 crop season.
 - a. Due dates for submission of records corresponds which each farm category's annual reporting deadline.
 - i. SFO & CSFO: January 31, 2018
 - ii. MFO: April 30, 2018
 - iii. LFO: February 15, 2018
7. If a farmer does not agree with the Frequently Flooded Soils layer for their farm fields, farmers should complete the separate but attached variance form requesting a formal reclassification by the Agency of the field. To find out whether your fields are categorized as frequently flooded, check out this link to a map where you can zoom in on your farm or type in your town or farm address in the search bar at the top of the page: <http://arcg.is/qHOTO>

If at any time you have questions regarding how these new rules apply to your farm, please call the Agency of Ag Water Quality Division directly at: **802-828-2431**

Sincerely,



Laura DiPietro
Deputy Director
Ag Resource Management Division

Instructions for Completing the Floodplain Planning Tool (FPT)

Completing this tool is important for planning so that manure applications and cover crop establishment are done on the riskiest floodplain fields first.

FPT Part A: For all the fields that include a frequently flooded field area, please identify the following risk factors for management considerations.

1. Farm Contact Information
 - a. Be sure to fill out the farm's contact information and circle the farm size and include the name of your farm inspector from the Agency of Ag (if known).
2. Farm Maps
 - a. You will need to provide maps to the Agency of Ag so we can review frequently flooded status as well as other relevant spatial information necessary for issuing a variance to the dates – if requested.
 - b. There are three ways to provide maps to the Agency of Ag for 2017 – 2018:
 - i. Provide digital or hard copies of USDA Farm Service Agency (FSA) or Natural Resource Conservation Service (NRCS) maps indicating field location, be sure that the names on the map are the same as the “Field Names” provided to the Agency of Ag asked in question 4 and question 12. Include street name or GPS location if possible.
 - ii. Draw in field boundaries and flooded areas using maps printed off of the internet or produced digitally, include street name or GPS location if possible.
 - iii. Digital or hardcopy maps do not need to be provided to the Agency of Ag if a farm chooses to check the highlighted yellow-box. This will authorize the Agency of Ag to ask FSA for your digital field boundaries so the Agency of Ag can map it for you.
3. Signature
 - a. Be sure to sign the form verifying that the information provided therein is to the best of your knowledge true, accurate, and complete.
4. Field Name
 - a. For each field, be sure to use the name for that field in the same way it has been used in the maps provided to the Agency.
 - i. If not using FSA Tract and Field numbers, be sure to write your field name for each field directly onto the FSA or other map.
 - ii. When using FSA Tract and Field numbers, be sure the numbers are consistent between maps provided and each field as described on the Floodplain Planning Tool
5. Soil Type
 - a. Soil type can be represented in a few different ways:
 - i. Use USDA Vermont Soil Fact Sheet Classifications
 1. e.g. ‘Buckland’ or ‘BuB’
 - ii. Describe the soil type, if actual majority soil type of the field is not known
 1. e.g. Sand, Silt, Clay, Loam
 - b. Soil Maps can be viewed online through the following portals
 - i. <https://websoilsurvey.sc.egov.usda.gov/App/HomePage.htm>
 - ii. <http://anrmaps.vermont.gov/websites/anra5/>
6. Phosphorus Level
 - a. Provide the Modified Morgan soil test phosphorus level (ppm) based on the most recent soil test of the field.

- b. **Fields without soil test phosphorus levels provided in the Floodplain Planning Tool will not be approved for a variance because soil testing has been required on fields that receive manure since 2006.**

7. Likelihood to Flood

- a. Provide a general description of how often and to what extent the field floods.
 - i. e.g. “Whole Field, Every Year.”
 - ii. e.g. “Left corner of field, once every three years.”

8. Conservation Practices

- a. Describe any conservation practices utilized by the farm to reduce the risk of surface losses from flood damage or general non-point source losses.
 - i. e.g. “No-Till” or “Cover-Cropping” or “Grassed Waterway installed” or “Manure Injection”

9. Tile Drainage

- a. Is tile drainage present on the field?

10. Erosion Risk

- a. Describe if there are particular threats that erosion might play on your field.
 - i. e.g. “There is a flood chute where the river jumps through the field”

11. Floodplain Field Rank

- a. Based on all the considerations above, rank each one of your fields based on a rating system that makes sense to you (1 – 10). One will represent the lowest risk while 10 will represent the highest risk.
 - i. e.g. “I have 3 fields that are a 10, one that is a 5, and one field that is a 2”

FPT Part B: Complete the Planning Tool for the respective planting and manure application dates on a field by field basis.

Using the field risk rating generated by the farmer’s ranking of their field’s different geographic and management realities, complete the “Planning Tool” section of the FPT.

The Agency will be looking for a farmer to demonstrate that they are prioritizing management decisions to attempt to meet the dates first on the riskiest frequently flooded fields. For example, for a rank of 3 fields that are at 10, one that is a 5, and one that is a 2 – the Agency would look for a variance request that plans to apply manure or establish a cover crop earliest in the fall on the 3 most risky fields and delay manure application longest in the spring.

12. Field Name

- a. Ensure field names are consistent on both sides of the sheet as well as with the location maps provided to the Agency of Ag.

13. Crop / Day Length

- a. Describe the particular crop being grown on the field
 - i. e.g. Corn for Silage, or Sweet Corn, or Soybeans, or Corn for Snaplage, or Alfalfa, or Hay
- b. If an annual crop, provide the relevant days to maturity for the variety planted in the particular field.
 - i. e.g. 103 Day-Length corn

14. Spring Manure Application Category

14A. Actual 2017

- i. Report the date of first manure application on the field for 2017

14B. Planned 2018

- i. Report the planned date of first manure application on the field for Spring 2018

15. Spring Planting Date

15A. Actual 2017

- i. Report the date the crop was planted on the field in 2017
- 15B. Planned 2018
 - ii. Report the planned date the crop planting is anticipated for Spring 2018
- 16. Fall Manure Application Category
 - 16A. Actual 2017
 - i. Report the planned date of final manure application on the field for 2017
 - 16B. Planned 2018
 - ii. Report the planned date of final manure application on the field for Fall 2018
- 17. Fall Cover Crop Planting Category
 - 17A. Actual 2017
 - i. Report the date planned date of cover crop seeding on the field for 2017
 - 17B. Planned 2018
 - ii. Report the planned date of cover crop seeding on the field for Fall 2018
- 18. If planned dates extend past RAP Dates, explain why this is the case for either or both manure application and cover cropping.
 - a. Describe any ongoing reasons why you may or may not be able to meet the different deadlines for complying with the floodplain RAP Dates.
 - i. e.g. Scheduling conflict with a custom manure applicator, wet spring conditions, late spring planting, etc.

Submit the completed FPT to the Agency of Agriculture to initiate the variance process, if a producer anticipates missing any of the dates for fall floodplain field management in 2017.

Submit with printed maps to:

Vermont Agency of Agriculture, Food & Markets
Attn: Jenn LaValley
Ag Resource Management Division
116 State Street
Montpelier, VT 05620

Or complete electronically and submit to: AGR.RAP@vermont.gov

If a field is mapped as frequently flooded, but the field does not meet the criteria, a farmer can complete and submit a separate variance form (attached): Reclassification Exemption Request.

How to Use the Frequently Flooded Soils Mapping Tool

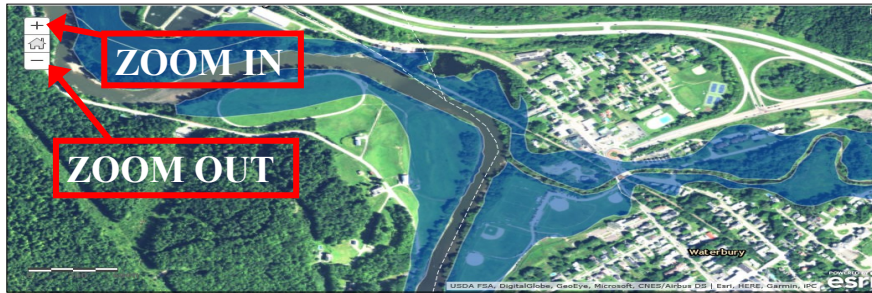
Determine if you have floodplain fields according the USDA Soil Survey Flooding Frequency Classes here: <http://arcg.is/qHOTO>

Blue areas indicate lands that are classified as frequently flooded, however, it does not preclude other areas that have a high flood potential from needing to implement land management practices required for frequently flooded soils.

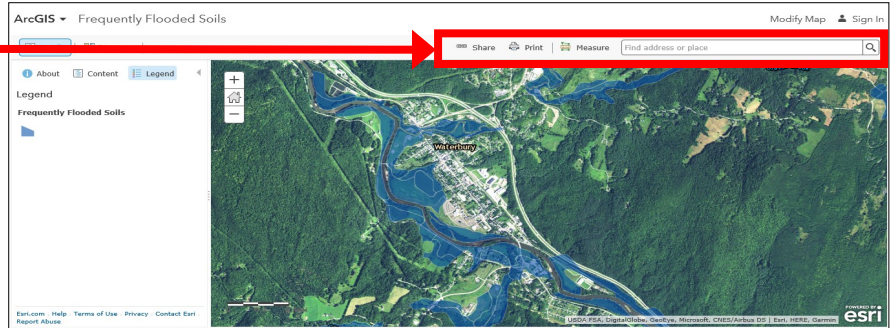


How to zoom in and out, and “pan” around a map.

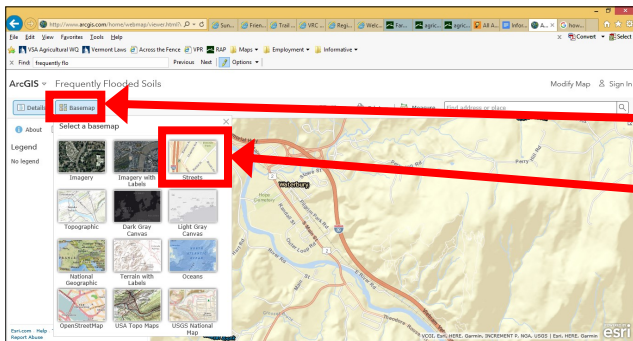
The map must be zoomed in far enough to see the “Floodable Soils” layer. To move around the map, click on the map and drag (or “pan”) in any direction.



Use the search bar to type in an address or place.



Click ‘Basemap’, and then ‘Streets’ to see street and road labels.



Click on the land area to show pertinent information.



Questions about frequently flooded soils or the Frequently Flooded Soils Mapping Tool?

Please call: (802) 828-2431 or Email: AGR.WaterQuality@vermont.gov

