

Matthew S. Wells  
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**COMMONWEALTH of VIRGINIA**  
DEPARTMENT OF CONSERVATION AND RECREATION

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**TO:** Soil and Water Conservation District Chairpersons

**FROM:** Matthew S. Wells, Director 

**Date:** October 15, 2024

**SUBJECT:** Extreme Acts of Nature Process for SL-8B 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.

Recovery efforts in these localities rightfully have and will continue to be the focus of many of Virginia's agricultural producers. These essential efforts may lead to delays in planting. The impacts of flooding on crop fields and pastures may impact the germination or growth of one of the Virginia Agricultural Cost-Share (VACS) Program's important practices for reducing soil erosion and increasing soil health, the Small Grain and Mixed Cover Crop for Nutrient Management and Residue Management practice (SL-8B).

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).

A District Board of Directors may authorize a onetime per planting season extension of up to 14 days beyond the specified standard planting date cited within the SL-8B practice specification. Once planted, these cover crops must satisfy the required performance criteria included in the practice specification. Extending the planting date will automatically extend the date for meeting the performance criteria for the same length of time. 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.

If the District Board of Directors 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.

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