Virginia Agricultural BMP Technical Advisory Committee
Central High School Cultural and Educational Center
Goochland, Virginia
January 8, 2019
9:30 A.M. – 3:00 P.M.

TIME AND PLACE

The meeting of the Virginia Agricultural BMP Technical Advisory Committee convened at 9:30am on Tuesday, January 8, 2019 at the Central High School Cultural and Educational Center in Goochland, Virginia.

ATTENDANCE

Matt Kowalski, Chesapeake Bay Foundation
Ashley Wendt, DEQ
Nick Livesay, Lord Fairfax SWCD
Tom Turner, John Marshall SWCD
Luke Longanecker, Virginia Association of Conservation District Employees
Dana Gochenour, Lord Fairfax
Aaron Saunders, Northern Neck SWCD
Kayla Matthews, Headwaters SWCD
Keith Thomas, Shenandoah Valley SWCD
Kyle Shreve, Virginia Agribusiness Council
Carrie Swanson, Virginia Cooperative Extension
Kendall Dellinger, proxy Culpeper SWCD
Charles Newton, Shenandoah Valley SWCD
Aaron Lucas, Headwaters SWCD
Anne Coates, Thomas Jefferson SWCD
Kristal McKelvey, Tidewater SWCD
Chad Wentz, NRCS
Todd Groh, VDOF
Tom O'Halloran, proxy CSWCD
Keith Burgess, Monocan SWCD
Darrell Marshall, VDACS
Sam Truban, Lord Fairfax SWCD
Kris Jarvis, John Marshall SWCD
Brandon Dillistin, Northern Neck SWCD
Rick Shiflet, Headwaters SWCD
Kevin Dunn, Peter Francisco SWCD
Ricky Rash, Piedmont SWCD
Alston Horn, Chesapeake Bay Foundation
Charlie Wootton, Chesapeake Bay District Representative
Rachel McCuller, Headwaters SWCD
Jim Tate, Hanover-Caroline SWCD
Claire Hilsen, John Marshall SWCD
Adrienne Kotula, Chesapeake Bay Commission
Joe Wood, CBF
Megen Dalton, Shenandoah Valley SWCD
Tim Higgs, VDACS
Sharon Conner, Hanover-Caroline SWCD
Willie Woode, Northern Virginia SWCD
Dan Goerlich, VCE
Ben Rowe, Virginia Farm Bureau
Bryan Hofmann, Friends of the Rappahannock
Amanda McCullen, Culpeper SWCD
David Massie, Culpeper SWCD
Steven Meeks, VASWCD
Spencer Yager, VASWCDE
Ben Chester, DCR
Mark Hollberg, DCR
Amanda Pennington, DCR
Scott Ambler, DCR
Russ Baxter, DCR
Debbie Cross, DCR
Blair Gordon, DCR
David Kindig, DCR
Amy Walker, DCR
Aaron Wendt, DCR
Carl Thiel-Goin, DCR
Roland Owens, DCR
Denney Turner, DCR
Christine Watlington, DCR
Bob Waring, DCR
Darryl Glover, DCR
Jim Echols, DCR

OPENING AND INTRODUCTION

Mr. Keith Burgess welcomed everyone to the TAC meeting. Mr. Darryl Glover began the meeting with the review of the agenda for the day. Mr. Glover noted that this is the last meeting of the TAC until late June or early July. Several subcommittees will continue to meet in the interim before the full TAC reconvenes. Mr. Glover requested anyone who was a voting member and not available to meet in the interim to please either designate a proxy or withdraw from the subcommittee to ensure quorum will be met.

CHESAPEAKE BAY WIP III UPDATE

Mr. Russ Baxter provided an update on the status of the Chesapeake Bay Watershed Implementation Plan (WIP) development. Mr. Baxter thanked everyone for the work that they have done to this point in the WIP III process that began nearly a year ago. Mr. Baxter gave a brief review of the work that has been done by the Districts and the meetings that were held throughout last year. A draft watershed implementation plan will be sent out at the end of March or early April. There is a lot of internal work that needs to be completed to ensure everything is in order including the feasibility and affordability of the suggestions reviewed by the TAC. Not all suggestions will be able to

be implemented in this coming year, though an embraceable plan will be set. Mr. Glover followed up by saying that some of the suggestions will require legislation and the development of standards and specifications, which will take time.

SOIL AND WATER ITEMS IN GOVERNOR'S BUDGET BILL

Ms. Christine Watlington gave an update on the proposed Governor's Budget. There is no increase in operational funding for districts, operations remain level funded. There are significant funds, over 90M, proposed for agricultural BMP installation and technical assistance: $20M additional in FY19 for specific BMPs ($7M for SL-6 backlog; $11M to jump-start WIP3 goals ($9.57M Ag BMPs and $1.43 technical assistance). For FY20, Governor Northam proposes $61M in cost share and $7.9 in technical assistance; $1M to support the Virginia Conservation Assistance Program; $2M for CREP; $750K for poultry litter transport and RMP development and implementation and $500,000 to the Department of Forestry for forestry BMPs. In additional an additional $15M in General Funds was requested ($14.5M in Ag BMPs and technical assistance and $500,000 for forestry BMPs). The Governor's proposed budget now goes to the Virginia General Assembly for deliberation, revision, and approval.

EQUINE WORKGROUP

Mr. Kyle Shreve, Chairperson of the Equine Workgroup, gave a brief overview of the Equine Workgroup and the group's plan for the next few months. The first meeting was held on December 17, 2019 at the Farm Bureau Office in Orange, Virginia. The Equine Workgroup will function independently of the DCR Agricultural Best Management Practice Technical Advisory Group (Ag BMP TAC). It will discuss several issues over the course of a few meetings and will develop recommendations for solutions to equine-related water quality challenges by April 30, 2019. DCR will then bring this workgroup's recommendations to the Ag BMP TAC when it reconvenes its 2019 series of meetings in late June or early July. DCR will assign recommendations from the Equine Workgroup to one or more subcommittees of the Ag BMP TAC as applicable. The full Ag BMP TAC will discuss, amend and vote on recommendations to support and brief the Soil and Water Conservation Board on the equine related recommendations. The Ag BMP TAC has been operating under 80% vote to pass a recommendation and to keep consistent with the Ag BMP TAC voting rule, the Equine Work group will follow the same rule for voting. The workgroup is accepting members until the next meeting date, which will be announced in the coming weeks.

AGENCY AND OTHER PARTNER UPDATES

DCR

Mr. Glover announced David Bryan as the new Agricultural Incentives Program Manager. Mr. Bryan introduced himself and a brief background of the work he has done with Districts. Mr. Bryan has a Master of Environmental Studies degree from Virginia Commonwealth University (VCU). He also minored in Statistics while an undergraduate at VCU. Since 2011, David worked at the Conservation Management Institute at Virginia Tech, where he was a Private Lands Biologist. In that role, David conducted hundreds of field visits per year with farmers, and other private landowners "...across 22 counties in Virginia to create and manage wildlife habitat, restore ecosystems, address livestock production limitations, reduce erosion and improve water quality." He managed Farm Bill dollars "...to implement agricultural, ecological and engineering practices...to achieve conservation goals..." He has done considerable work with Soil and Water Conservation Districts.

NRCS

Mr. Chad Wentz gave an update on NRCS. They are impacted by the partial government shutdown. The agency expects to be funded until at least the end of the first pay period. There may be other resources that could allow the agency to continue operations for a little longer. The 2018 Farm Bill was signed by the President on December 20, 2018. Some programs are currently on hold due to the new bill and the government shutdown. There is some financial assistance available, around $23 million so far; there may be additional funds available through the Farm Bill. RCPP projects obligated with 2014 Farm Bill funds will still go forward; there are currently four active in Virginia. The signup deadline has been kept for January 18, 2019 for financial assistance.

DOF

Mr. Todd Groh gave an update for DOF. The significant amounts of rain we had in 2018 have affected the loblolly pine seedlings; there were germination problems. Mr. Groh encouraged individuals to purchase seedlings as soon as possible due to the shortage. DOF is working on a few projects with other agencies including a Chesapeake Bay Foundation grant in the Shenandoah Valley and an endowment riparian buffer in the Middle James. These opportunities through DOF may be able to help landowners that do not quite fit in the DCR and NRCS programs; people are encouraged to reach out for more information.

SUBCOMMITTEE REPORTS

FORESTRY SUBCOMMITTEE, CHAIRPERSON: JIM ECHOLS

The Forestry Subcommittee has completed their review of all recommendations and had no further actions to report.

ANIMAL WASTE, CHAIRPERSON: AMANDA PENNINGTON

Mrs. Amanda Pennington presented the report from the Animal Waste Subcommittee which included recommendations that the subcommittee voted to table and amend.

The Animal Waste Subcommittee voted to table the following recommendations:
10A: Include any agricultural building creating a resource concern related to soil erosion, water quality and sediment runoff. **Vote: Unanimous, passed**

The Animal Waste Subcommittee voted to amend the following recommendations:
Please see attached documents for details of amendments.

- Attachment 1: WP-4 **Vote: (On specification, minus cap discussion) Unanimous, passed**
  ***Discussion of cap was had at the end of the meeting, after Programmatic Subcommittee discussion
- Attachment 2: Variance **Vote: 2N, passed**
- Attachment 3: NM-6 **Vote: Unanimous, passed**

The Animal Waste Subcommittee voted to further discuss the following recommendations:
The Animal Waste Subcommittee would like to have more time to further discuss the specification (WP-4L) that would allow pack barns for cattle other than just dairy. The subcommittee would like additional time for discussion prior to bringing this new specification to the TAC. They will continue working on this and will bring back when the TAC reconvenes in June/ July. The subcommittee is planning to meet sometime in March; the date will be posted in coming weeks.

NUTRIENT MANAGEMENT, CHAIRPERSON: DAVID KINDIG

Mr. Dave Kindig presented the report from the Nutrient Management Subcommittee which included recommendations that the subcommittee voted to amend.

The Nutrient Management Subcommittee voted to amend the following recommendations:
Please see attached documents for details of amendments.

- Attachment 4: NM-1A
  - **Vote: Unanimous, passed**
- Attachment 5: SL-1
  - **Vote: (amendment to remove NMP in SL-1 based rates on soil test and soil fertility records from soil testing lab) 26N, does not pass**
  - **Vote: (whole spec, as is) 10N, does not pass**
  - **Vote: (accept language for one year, send back to subcommittee for review next TAC year), unanimous, passed**
- Attachment 6: NM-6V
  - **Vote: (one year to see what needs to be refined next season with 100 acre amendment), Unanimous, passed**

COVER CROP, CHAIRPERSON: BOB WARING

Mr. Bob Waring presented the report from the Cover Crop Subcommittee

The Cover Crop Subcommittee voted to table the following recommendations:
The subcommittee at the previous full TAC meeting on December 14, 2018 requested that the members of the TAC review the following recommendations for this TAC meeting to vote to table.

- 9C: Remove the maximum acreage limit
- 15C: Allow for later cover crop planting dates
- 17C: Eliminate the planting date restriction
- 18C: Credit (even if no incentive payment) for cover crop planted that may not meet fall required growth
- 19C: Credit (even if no incentive payment) for cover crop planted that does meet the specs for growth
- 27C: Offer a multi-year cover crop program

- 32C: Allow for a standard planting date for SL-8H
- 34C: Allow a late cover crop practice
- 35C: Verify cover crop acreage by the percent of residue
- 37C: Establish a low residue cover crop practice

Vote: Unanimous, passed

Future Meeting Dates, Times and Locations
The Cover Crop Subcommittee will meet on March 7, 2019. The meeting will begin at 9:30 a.m. and is scheduled to end at 3:00 p.m.

FSA Office
325B N. Madison Rd.
Orange, VA 22960

STREAM PROTECTION, CHAIRPERSON: MARK HOLLBERG

Mr. Mark Hollberg, Mr. Aaron Wentz, Mr. Aaron Lucas, Mr. Tom Turner, and Mr. Charlie Wootton presented the report from the Stream Protection Subcommittee on amended and proposed recommendations.

The Stream Protection Subcommittee presented the following recommendations:

- Attachment 7: SE-2 **Vote: Unanimous, passed**
- Attachment 8: WP-2 **Vote: Unanimous, passed**
- Attachment 9: SL-6 **Vote: Unanimous, passed**
- Attachment 10: SL-7 **Vote: Unanimous, passed**

The Stream Protection Subcommittee does not plan to continue meeting at this time.

PROGRAMMATIC SUBCOMMITTEE, CHAIRPERSON, DARRYL GLOVER

Mr. Darryl Glover presented the report from the Programmatic Subcommittee. Mr. Glover presented recommendations that were tabled, referred, advanced, and amended.

The Programmatic Subcommittee voted to table the following recommendations:

- 66P: remove waste management practices from the priority list
- 67P: establish regional estimates of nutrient removal
- 70P: Move towards utilizing standard cost-estimates for materials and practice payments
- 30C: The "land retirement to open space" category will require higher incentives if it is to compete with market values.
    - Withdrawn by District

Vote: Unanimous, passed

The Programmatic Subcommittee voted to amend the following recommendations:

- 68 and 69: Establish a system to annually summarize district performance based on cost-efficiency
    - Explore other factors beyond pollutant loading rates in future funding distributions to the District (includes recommendation 68P and 69P).
- 71P: Practice should be eligible as a carry-over practice.
    - DCR amendment, recommend 18months given to install structural practices
    - **Vote: Unanimous, passed**
- 1C: Increase the cost share rate and the incentives to encourage long term conversions
    - SL-1:
      Keep the cost-share rate at 75%
      Raise the incentive payment (one-time payment) to $100/ac for 10 year lifespan
      Raise the incentive payment (one-time payment) to $150/ac for 15 year lifespan
    - FR-1 was amended by TAC on December 14, 2018
    - **Vote: Unanimous, passed**

The Programmatic Subcommittee voted to advance the following recommendations:

- 53P: Feed mixing equipment tax credit program for the purchase of equipment
    - Programmatic subcommittee recommends the Department provide recommendations related to all tax credit suggestions and discuss with partners and stakeholders
    - **Vote: Unanimous, passed**
- 72P: Consider incorporating the Self-Certification eligibility language
    - **Vote: 2N, motion passed**

The Programmatic Subcommittee voted to carry over the following recommendations:

- 48P: Allow SWCDs to make payments to co-payees (lenders).

The Programmatic Subcommittee's discussion on caps:

- 13P, 14P, 15P: Remove all state level participant caps, no consensus on practice caps
    - Amendment remove all practice and participant caps
        - **Vote: 17N, motion fails**
    - Remove participant caps
        - **Vote: 16N, motion fails**

The Programmatic subcommittee has no additional meetings scheduled at this time.

Animal Waste revisited discussion on cap:

- Attachment 1: WP-4 and WP-4B cap
    - **Vote: Unanimous, passed**

PUBLIC COMMENT

None

ADJOURN

2:15 pm

NOTES

Next TAC meeting cycle will begin in late June or early July, 2019

- Some subcommittees will continue to meet during the interim
- All meeting announcements and summaries will continue to be on Town Hall.

Name of Practice: ANIMAL WASTE CONTROL FACILITIES
DCR Specifications for No. WP-4

This document specifies terms and conditions for the Virginia Department of Conservation and Recreation's animal waste control facilities best management practice, which are applicable to all contracts entered into with respect to that practice.

A. Description and Purpose

A planned system designed to manage liquid and/or solid waste from areas where livestock and poultry are concentrated. This practice is designed to provide facilities for the storage and handling of livestock and poultry waste and the control of surface runoff ~~water~~ to permit the recycling of animal waste onto the land in a way that will abate pollution that would otherwise result from existing livestock or poultry operations.

To improve water quality by storing and spreading waste at the proper time, rate and location, and/or to control erosion and nutrient input caused by winter-feeding operations located adjacent to riparian areas or other environmentally sensitive feature(s).

B. Policies and Specifications

1. Eligibility: Cost-share and tax credit are limited to solving the pollution problems where the livestock or poultry operation can show they have either:
   i. Access to land for application, and where a full farm plan approach to solving the water quality problem is being carried out.
   ii. A current Nutrient Management Plan that has been certified by a Virginia certified nutrient management planner and, if needed, a transfer plan prepared by a certified nutrient management planner for any livestock or poultry waste.

2. Practice Development
   i. The District shall~~should~~ consider all existing animal waste storage facilities on the same property when sizing a new manure storage facility. The District should determine on a case by case basis whether any existing manure storage facilities (cost shared or non-cost shared) are adequate for continued manure storage. Existing storage deemed adequate shall be deducted from the total storage need calculation to determine the amount of additional storage eligible for cost share.
   ii. Before cost-share or tax credit can be approved for construction of a winter-feeding facility with dry stacking capabilities all other means of reducing the environmental impacts of animal waste from the existing winter-feeding operation must be considered. Lack of space for relocation, economic inefficiency or other factors may be considered. All applications for animal waste control facilities, except poultry operations, must have a "Risk Assessment for Water Quality Impairment from heavy Use Areas/Animal Concentrated Areas" completed and must receive a minimum score of 120 in order to be eligible. Furthermore, all livestock

must be excluded from all streams in the tract before cost share or tax credit is provided.

iii. Poultry Dry-Stack facilities should only be built after the completion of a Poultry Dry-Stack Needs Determination Worksheet. An analysis of the Needs Determination Worksheet must determine that all other means of reducing the environmental impact of the existing poultry operation have been explored and rejected due to economic inefficiency or lack of space for relocation.

iv. The applicant is also required to sign a Dry Manure Storage Structure Agreement DCR199-86 (03/18) or similar District agreement which addresses the minimum criteria prior to receiving any funds.

v. Determination of the storage capacity of animal waste facilities shall be reviewed and approved by the DCR agricultural BMP engineer except for practices previously sized and engineered by NRCS.

3. Cost-share and tax credit is authorized:

i. For animal waste storage facilities, such as ~~dry stacking,~~ dry stacking storage**,** aerobic or anaerobic lagoons, liquid manure tanks, holding ponds, collection basins, settling basins, and similar facilities as well as diversions, channels, waterways, designed filter strips, outlet structures piping, land shaping, and similar measures needed as part of a system on the farm to manage animal wastes.

a. Permanently installed equipment needed as an integral part of the system.

b. Fencing and vegetative cover (including mulching needed to protect the facility). Fencing can be included for livestock or poultry exclusion from live and intermittent streams in concentrated holding and winter-feedin***g*** areas.

c. Leveling and filling to permit the installation of an effective system.

~~d. The simultaneous construction of mortality composting bins only if contained within or attached to the animal waste storage facility.~~

ii. Only if the ~~storage and diversion~~ facilities will contribute significantly to improving the soil or water quality by providing protected storage for on-site generated waste.

iii. For the waste storage facility as a part of the relocated livestock or poultry operation, if the original facility is contributing significantly to a water quality problem.

iv. ~~Cost share can be authorized for~~ individual components of animal waste systems, ~~such as fencing,~~ only if:

a. ~~NRCS~~ The DCR Ag BMP Engineer determines that the component stands alone as a measure that will significantly improve water quality and

b. Only where a no-discharge permit for a waste storage facility is not required. ~~Tax credit can be authorized for individual components of animal waste systems, such as fencing, only if NRCS determines that~~

~~the component stands alone as a measure that will significantly improve water quality.~~

v. For wastewater storage facilities as a stand-alone component with a minimum storage of 120 days.

vi. Cost-share funds only for six (6) months storage of existing need. All components of a waste storage system (regardless of funding source) must be designed to match the amount of manure storage capacity required. For liquid storage cost share/tax credit may be provided for seven (7) months of storage of existing need.

vii. The construction of a fabricated liquid waste storage structure and associated components if it is the only acceptable alternative (based on site limitations, i.e., high water table, karst topography, etc.) for liquid waste management.

~~vii.~~viii. Roofs and covers over dry stack storage and feeding areas associated with the attached manure storage facility ~~winter feeding facility designed in conjunction with this practice~~.

4. Cost share and tax credit are not authorized:

i. For measures primarily for the prevention or abatement of air pollution unless the measures also have soil and water conserving benefits.

ii. For:

a. Portable pumps.

b. Pumping equipment or other portable equipment for unloading facilities.

c. Buildings or modifications of buildings to house pumping equipment~~.~~

d. Spreading animal wastes on the land, including distribution system using irrigation pipelines.

~~iii. For the portion of the cost of animal waste structures installed under or attached to buildings that serve as part of the building or its foundation.~~

~~iv.~~iii. For animal waste facilities that do not meet local or state regulations.

~~v.~~iv. For installation primarily for the operator's convenience.

~~vi.~~v. Dairy, beef, poultry and swine confined feeding operations that are planned or under construction do not qualify for cost-share assistance for an Animal Waste Control Structure (WP-4) under the Virginia Agricultural BMP Cost-Share Program. A water quality problem must already exist for cost-share to be approved for a BMP. The number of livestock that would be used to design the animal waste control facility must be present before consideration for cost-share can be given.

~~vii. Enlargements cannot receive additional cost-share for WP-4 unless the original cost-shared WP-4 practice has been in place for 10 years per location.~~

~~viii.~~vi. For waste storage facilities that will not store manure produced on the operation where the facility is to be located. End user facilities are not authorized.

5. All applicants must have:

i. ~~Determination Design of t~~The storage capacity calculations of animal waste facilities shall be reviewed and approved by the DCR agricultural BMP engineer (except for practices previously sized and engineered by NRCS) and ~~should~~shall be coordinated with the nutrient management plan so that adequate storage capacity is installed. ~~for the specific cropping system.~~

~~ii. A manure test for nutrient analysis (once during the first twelve months of operation of the facility).~~

6. All appropriate local and state permits must be obtained before cost-share and/or tax credits ~~payments~~ are authorized.

7. In order to be eligible for cost-share or tax credit, producers must be fully implementing a current Nutrient Management Plan (NMP) on all agricultural production acreage contained within the field that this practice will be implemented on. The NMP must comply with all requirements set forth in the Nutrient Management Training and Certification Regulations, (4VAC50-85 et seq.) and the Virginia Nutrient Management Standards and Criteria (revised July 2014), must be prepared and certified by a Virginia certified nutrient management planner, and must be on file with the local District before any cost-share payment is made to the participant. Plans shall also contain any specific production management criteria designated in the BMP practice (4VACV50-85-130G).

8. This practice is subject to NRCS standards 313 Waste Storage Structure, 316 Animal Mortality Facility, 342 Critical Area Planting, 359 Waste Treatment Lagoon, 362 Diversion, 367 Roofs and Covers, 382 Fence, 412 Grassed Waterway, 558 Roof Run Off Management, 561 Heavy Use Protection, 575 Trails and Walkways, 620 Underground Outlet, 633 Waste Recycling and 634 Waste Transfer.

9. All practice components implemented must be maintained for a minimum of ~~10~~ 15 years following the calendar year of installation. The lifespan begins on Jan. 1 of the calendar year following the year of certification of completion. By accepting either a cost-share payment or a state tax credit for this practice the participant agrees to maintain all practice components for the specified lifespan. This practice is subject to spot check by the District throughout the lifespan of the practice and failure to maintain the practice may result in reimbursement of cost share and/or tax credits.

C. Rate(s)

1. The state cost-share payment, alone or if combined with any other cost-share payment, will not exceed 75% of the total eligible cost. The maximum state payment for this practice is not to exceed $~~70~~100,000 per landowner per year.

2. As set forth by Virginia Code § 58.1-339.3 and §58.1-439.5, Virginia currently provides a tax credit for implementation of certain BMP practices. The current tax credit rate, which is subject to change in accordance with the Code of Virginia, is 25% of the total eligible cost not to exceed $17,500.00.

3. If a participant receives cost-share, only the participant's eligible out-of-pocket share of the project cost is used to determine the tax credit.

D. Technical Responsibility

Technical and administrative responsibility is assigned to qualified technical DCR and District staff in consultation, where appropriate and based on the controlling standard, with DCR, Virginia Certified Nutrient Management Planner(s), NRCS, DOF, and VCE. Individuals certifying technical need and technical practice installation shall have appropriate certifications as identified above and/or Engineering Job Approval Authority (EJAA) for the designed and installed component(s). All practices are subject to spot check procedures and any other quality control measures.

Revised March, 2018

Animal Waste Control Facility Needs Determination Worksheet
for Poultry Dry-Stack Facilities

1. What type of poultry operation do you have?

2. How long have you been in operation?

3. Have you expanded or enlarged your poultry operation? If so, when?

4. How often in the past 5 years have you been forced to store waste out-of-doors? How long was the litter stored outside? Was this due to unfavorable conditions beyond your control? Explain. Also locate the storage sites utilized.
   a.

   b.

   c.

   Explanation:

5. How many birds per flock do you normally produce? Their size, type, etc.

6. How many flocks per year do you normally produce?

7. How often do you clean out in a year's period? When and how is the litter used and/or stored? Also give the number of partial and total clean outs.

8. What use do you make of the litter produced?

9. Is any waste disposed of off your farm? If so, is it sold or bartered for commercial gain? Explain.

10. How much pasture, hayland and cropland are available to spread litter on in your operation?

    Pasture acres _____ Hay acres _____ Cropland _____

    Completed by: _____ _____
    _____
    Signature Date Title

Dry Manure Storage Structure Agreement

1. The Waste Storage Structure or winter-feeding facility must be utilized in accordance with a Nutrient Management prepared and certified by a Virginia certified nutrient management planner and, if needed, a transfer plan prepared by a Virginia certified nutrient management planner for any livestock or poultry waste. The Plan identifies specific requirements related to waste storage, utilization and disposal. These requirements must be met in order to remain in program compliance.

2. Any changes in the farming operation that affect the ability to comply with the Nutrient Management or transfer plan will be reported to the District.

3. No alterations to the structure are allowed without prior approval by the District. The structure must be built according to the approved final design and no change may be made to it.

4. The structure must be maintained in strict accordance with the NRCS maintenance guidelines.

5. The District imposes that (District check one of the following):
   i. The structure is to be used for storage of manure only. ☐
   ii. The applicant must request prior district approval for storage of non-manure items. ☐
   iii. During times when the structure is not filled with manure, shavings or temporary housing of mobile farm equipment or composted poultry carcasses resulting from normal mortality is permitted. This is only if it does not affect compliance with the Nutrient Management or transfer plan. ☐

   At NO TIME will manure be stored outside the facility when storage space is available in the structure. Waste stored out-of-doors will be grounds for the refund of all cost-share funds.

6. Employees or agents of the Department or the Soil and Water Conservation District will be allowed to spot-check the facility at any time during the minimum 10-year life span of the practice.

I _____ certify that I have read and understand the guidelines contained herein. I further understand that if I fail to comply with these guidelines, I will pay back all cost-share funds received by me for the waste storage structure.

_____ _____
Producer Signature Date

_____ _____
District Director Date

DCR199-86 (03/18) Revised March, 2018

Request for Variance to Exceed Cost Share Cap

A request for variance is eligible for WP-4, WP4B, and WP-L practices for which Cost-Share would exceed the current cap per applicant, per program year. District staff must submit the request for variance to their District Board for approval. The variance request must include:

*Narrative outlining the Resource Concerns (AWMS Plan-System Description and Resource Concerns)
*Contract Number
*Tract #
*BMP Specification
*Conservation Plan
*Animal Type(s)
*Animal #
*Quantity Waste Treated
*Sizing Calculations
*Size of Storage Facility
*If Feeding Facility: What Feeding, How being fed, % Confinement Used for Sizing
*Needs Determination Worksheet or Risk Assessment Form
*Copy of Topo with proposed location of facility
*Plan Map with proposed location of facility and all associated components
*Detailed Total Estimated Project Cost
*Estimated Cost-Share and Tax Credit
*Other Sources of Funding (Partner Agencies)
*Additional documentation (such as pictures) to support the request is encouraged.
*The DCR Variance Committee may request additional information if needed.

Once approved by the District Board, the request for variance to include the above information shall be submitted to the DCR Variance Committee for consideration. The DCR Variance Committee will consist of the Agriculture Incentives Program Manager, a Conservation District Coordinator, and a DCR Agricultural BMP Engineer. This committee will review the request and will respond to the District Board regarding their request for variance.

Name of Practice: Manure Injection
DCR Specification for No. NM-6

This document specifies terms and conditions for the Virginia Department of Conservation and Recreation's manure injection best management practice that are applicable to all contracts entered into with respect to that practice.

A. Description and Purpose

This practice will encourage manure injection on pasture and cropland, which will reduce nutrient transport to waterways and other environmentally sensitive features. Applications must be based upon the Nutrient Management Plan (NMP).

B. Policies and Specifications

1. Definition:

Manure injection is defined as placing manure below the surface of the ground using direct manure injection equipment as determined by the Soil and Water Conservation District.

2. Eligibility:
   i. This practice is limited to applicants with a current Nutrient Management Plan on file with the District before manure injection application payment/tax-credit is made.
   ii. Application rates of manure shall be consistent with NMP recommendations
   iii. Only cropland and pasture owned or rented by the applicant is eligible
   iv. Applicants must use no-till planting methods that follow NRCS defined No-till Management on all fields receiving manure injection application.
   v. Applicants must provide written verification (such as a work order or bill) to the District within 30 days of the injection application. Invoice/Work Order or Bill must indicate:
      a. Fields and acreages injected
      b. Application rates
      c. Type of injection equipment used
      d. Person applying manure (contractor, etc.)
   vi. In order to be eligible for cost-share or tax credit, producers must be fully implementing a current Nutrient Management Plan (NMP) on all agricultural production acreage contained within the field that this practice will be implemented on. The NMP must comply with all requirements set forth in the Nutrient Management Training and Certification Regulations, (4VAC50-85 et seq.) and the Virginia Nutrient Management Standards and Criteria (revised July 2014), must be prepared and certified by a Virginia certified nutrient management planner, and must be on file with the local District before any cost-share payment is made to the participant. Plans shall also contain any specific production management criteria designated in the BMP practice (4VACV50-85-130G).

3. The maximum acres eligible for the manure injection shall not exceed the acres specified in the nutrient management plan.

4. Checks to ensure compliance with this practice may be conducted by the District or appropriate agency personnel and failure to comply may result in forfeiture of cost-share funds.

5. Cost-share is available for all acres with application rates in compliance with the NMP Spreading Schedule. Acres that receive application rates above NMP are not eligible for cost-share.

6. This is an annual practice.

C. Rate(s)

1. As set forth by Virginia Code § 58.1-339.3 and §58.1-439.5, Virginia currently provides a tax credit for implementation of certain BMP practices. The current tax credit rate, which is subject to change in accordance with the Code of Virginia, is 25% of the total eligible cost not to exceed $17,500.00.

2. For participants who certify in writing that they will not utilize the tax credit set forth above with regard to the implementation of this practice and who are not receiving payments for manure injection from another source on the same acreage, a cost-share rate of **$45** per acre is available.

3. Eligible equipment purchased for Manure Injection may qualify for a state tax credit through the Virginia Equipment Tax Credit Program.

D. Technical Responsibility

Technical and administrative responsibility is assigned to qualified technical DCR and District staff in consultation, where appropriate and based on the controlling standard, with DCR, Virginia Certified Nutrient Management Planner(s), NRCS, DOF, and VCE. Individuals certifying technical need and technical practice installation shall have appropriate certifications as identified above and/or Engineering Job Approval Authority (EJAA) for the designed and installed component(s). All practices are subject to spot check procedures and any other quality control measures.

Certification from an Agricultural Best Management Practice Participant that a Tax Credit will not be Utilized

I,_____, hereby certify that I will not claim the tax credit which is available for participation in the Manure Injection, NM-6 practice, and therefore I am eligible for cost-share funding available under that practice for participants who do not wish to utilize the tax credit. I understand that any cost-share funds received must be returned should I claim the tax credit.

Signed: _____

Date: _____

Name of Practice:
NUTRIENT MANAGEMENT PLAN WRITING and REVISIONS
DCR Specification for No. NM-1A

This document specifies terms and conditions for the Virginia Department of Conservation and Recreation's nutrient management plan writing and revision best management practice that are applicable to all contracts entered into with respect to that practice.

A. Description and Purpose

The development of a new nutrient management plan or the revision of a plan is needed to assure that implemented plans are accurate and up to date to minimize the impact of nutrients used in crop, pasture, and hay production to the environment.

The purpose of this practice is to offer financial assistance to farmers and private certified nutrient management planners for the development or revision of nutrient management plans. Participants are provided an incentive to annually revise plans to accurately reflect field conditions so that farmers can maintain eligibility for other cost-share practices.

B. Policies and Specifications

Plans receiving cost share funding for development and revision under this practice must be implemented at, not to exceed, recommended nutrient application rates on all agricultural production acres in the FSA Tract to be in compliance with this specification.

1. Definitions

i. A new plan is a nutrient management plan on acres that have never been planned or that were part of a previous plan that has been expired for over 18 months.
ii. An **amended** Nutrient Management Plan is a current NMP that has been updated to accurately match current field crops and/or pasture management practices.
iii. For this practice only, a **verified** nutrient management plan requires the planner and farmer review the plan and verify that the plan accurately matches current field crops, hay or pasture management practices.
iv. A **revised** Nutrient Management Plan is a plan that has expired within the last 18 months, and has been rewritten to accurately match actual field crops and management practices.
v. **Cropland** is defined in the Nutrient Management Training and Certification Regulations as land used for the production of grain, oilseeds, silage, or industrial crops.
vi. **Hay** is defined as a grass, legume, or other plants, such as clover or alfalfa, which is cut and dried for feed, bedding, or mulch.
vii. **Pasture** is defined as land that supports the grazing of animals for forages.

2. Eligibility

i. This practice applies to crop, hay and pasture lands. Permanent pasture acres are eligible for cost-share under this practice.

ii. The plan must cover at least twelve months of crop and management practices after the signature date on the NMP cover sheet.

iii.

~~iii.~~ NMP's approved by DCR as part of a VPA or VPDES permit meet the NMP component of this practice. ~~Nutrient management plans developed for farms having or requiring VPA or VPDES animal waste permits qualify for cost-share at the rates listed. These plans must include special instructions required to meet VPA or VPDES permit requirements and must be approved by DCR as required by the VPA or VPDES permit. Cost-share payment cannot be made until the plan is approved by DCR. Nutrient Management Plans written as part of a VPA or VPDES permit must address requirements of applicable regulations to the operation in addition to meeting requirements stated in this section.~~

iv. To be eligible for cost-share funding, nutrient management plans must contain an aerial photograph, and scaled map. Such map shall include FSA Tract and Field numbers, and field acreages as outlined in (4VAC50-85-130 D. 2 & 3).

v. Cropland, which may receive applications of pelletized Class A biosolids that do not require a permit, is eligible as these products are considered commercial fertilizer.

vi. New plans shall be written for a period of one to three years. Plans shall be verified at one-year intervals for the life of the plan as needed to assure an accurate and up to date match of actual field crops or pasture management practices. Before cost-share payment can be made the following items must be submitted:

a. A complete copy of the nutrient management plan, containing the planner's Virginia Nutrient Management Certificate number;
b. An invoice for planning services of the private certified planner;
c. A completed Imported Manure Supplier Verification form (if applicable); and
d. The acreage receiving (i) mechanically applied on-farm generated animal manure or a combination of mechanically applied on-farm generated animal manure and commercial fertilizer and (ii) the acreage receiving only commercial fertilizer and/or imported animal manure must be submitted to the District before cost share reimbursement for writing the plan can be disbursed.

vii. Plans must be developed based on soil analyses taken within a three year period prior to the start date of the plan and must be performed by soil testing laboratories approved by DCR.

viii. Participants may redirect their cost-share payment to their private certified nutrient management planner by signing a written statement to that effect. A sample statement is attached to this specification.

ix. In order to be eligible for cost-share or tax credit, producers must be fully implementing a current Nutrient Management Plan (NMP) on all

agricultural production acreage contained within the field that this practice will be implemented on. The NMP must comply with all requirements set forth in the Nutrient Management Training and Certification Regulations, (4VAC50-85 et seq.) and the Virginia Nutrient Management Standards and Criteria (revised July 2014), must be prepared and certified by a Virginia certified nutrient management planner, and must be on file with the local District before any cost-share payment is made to the participant. Plans shall also contain any specific production management criteria designated in the BMP practice (4VACV50-85-130G).

x. An applicant is eligible to apply for NM-1A in conjunction with RMP-1 for the development of a new NM plan or for revision of an expired plan.

xi. In order to verify implementation of the NMP, an applicant must provide to the District:

a. a completed verification form (DCR199-~~231~~244) (04/18); or

~~b.~~ a statement signed by the Nutrient Management Planner and producer that nutrients were applied during this period according to a NMP; ~~or~~

~~c. nutrient application records for the preceding 12 months (before the cover sheet signature date).~~

For acres that have not had a NMP written for them within the last 12 months this requirement is waived.

3. Ineligible

i. The preparation of nutrient management plans as a component of biosolids (sewage sludge) application permitting is **NOT ELIGIBLE** for cost-share. Land that is permitted for biosolids applications is eligible for payment except for the year that the biosolids application occurs.

ii. Planners will not be paid for plans that are developed without the collaboration and support of the operator. The plan must be reviewed and signed by the certified planner when amended or revised as needed to match planned crop rotations and management practices of the operator.

iii. Any amended NMP that is included as part of a Resource Management Plan that receives cost-share funds from the RMP-1 BMP may not also receive cost-share funds under the NM-1A.

This is an annual practice. The Cost-share payment will be issued annually. Applicants may reapply for NM-1A cost-share funding each year. There is no guarantee that cost-share funds will be approved by the local District.

C. Rate(s)

1. The cost share rate is **$2.00 per acre** for all eligible acres on a Tract that receive only commercial fertilizer, or a combination of **imported** animal manure and commercial fertilizer. Any manure applied must be from a farm within Virginia to receive cost share payment. Any Tract that receives only commercial fertilizer or a combination of imported animal manure and commercial fertilizer during the

planning period should be paid **$2.00**/acre for those acres that are newly planned, modified or revised.

2. The cost share rate is **$4.00 per acre** for all acres on a Tract. Eligible acres include crop, hay, or pasture fields that receive the participant's mechanically applied **on-farm generated** animal manure, or a combination of the participant's mechanically applied on-farm generated manure and commercial fertilizer. Any Tract that receives mechanically applied on-farm generated animal manure or a combination of mechanically applied on farm generated animal manure and commercial fertilizer during the planning period should be paid **$4.00**/acre for those acres that are newly planned, modified or revised. Participants must provide the District a copy of the current plan, which includes amendments or revisions that match all management practices to be implemented in the cropping year to the District to receive the annual payment.

D. Technical Responsibility

Technical and administrative responsibility is assigned to qualified technical DCR and District staff in consultation, where appropriate and based on the controlling standard, with DCR, Virginia Certified Nutrient Management Planner(s), NRCS, DOF, and VCE. Individuals certifying technical need and technical practice installation shall have appropriate certifications as identified above and/or Engineering Job Approval Authority (EJAA) for the designed and installed component(s). All practices are subject to spot check procedures and any other quality control measures.

Revised March, 2018

Planner/Producer Statement of Nutrient Management Plan Implementation for NM-1A

Using a written, or digital record keeping system, I have diligently recorded all nutrient applications to the fields using the materials and rates at or below those stated in my nutrient management plan for the period (month/year) through (month/year) to the crops specified in my nutrient management plan.

_____ / /

(producer signature) (date signed)

I have reviewed application records kept by (producer name) and *I here by certify that* those records have supplied sufficient information to show the producer has applied the proper materials and nutrient rates to at least 85% of the field acres as specified in the nutrient management plan covering (month/year) through (month/year).

_____ / / *NMP Cert. No.*_____

(planner signature, that wrote the plan) (date signed)

Imported Manure Supplier Verification
(Required for NM-1A)*

_____ , located at _____ is the
(Name of supplier) (Address of manure location)

source of _____ and can supply
(List type of manure as used in the nutrient management plan)

_____ for plan years beginning
(List the total amount of manure for all plan years)

_____ through _____. I understand it is my responsibility
(List season/year) (List season/year)

to apply this manure in the designated fields at the rates and times of year as stated in my

Nutrient Management Plan.

_____ (Name of Contact Person for Manure Supply)

_____ (Phone Number of Contact Person for Manure Supply)

_____ _____
(Receiving farmer/participant's signature) (Date)

* (Complete this form for NM-1A, ONLY when imported manure is part of the plan recommendations.)

ASSIGNMENT OF NUTRIENT MANAGEMENT PLAN WRITING AND REVISIONS (NM-1A)
COST-SHARE PAYMENT AUTHORIZATION

I _____, do hereby direct
Name

the _____District to pay any and all cost-share funds disbursed under the

NUTRIENT MANAGEMENT PLAN WRITING and REVISIONS (NM-1A) to

_____, of
Name

_____ for
Business

services provided during development of my Nutrient Management Plan. It is further acknowledged that an IRS form 1099 in the amount of the payment will be sent directly to the above identified contractor.

_____
Signature

_____
Date

Neither the local District nor the Virginia Department of Conservation and Recreation (DCR) is providing tax advice; the program participant may wish to consult with an independent tax advisor regarding potential tax consequences.

Name of Practice: LONG TERM VEGETATIVE COVER ON CROPLAND
DCR Specifications for No. SL-1

This document specifies terms and conditions for the Virginia Department of Conservation and Recreation's long term vegetative cover on cropland best management practice, that are applicable to all contracts, entered into with respect to that practice.

A. Description and Purpose

Grass and/or legume vegetation will be established on cropland with existing cover of less than 60% converting it to pasture or hay land to reduce soil erosion and enhance water quality.

State cost-share is intended to promote conversion of cropland to fields with a healthy, well-maintained sod.

B. Policies and Specifications

1. In order to be eligible for cost-share or tax credit, producers must be fully implementing a current Nutrient Management Plan (NMP) during the year of establishment on all agricultural acreage contained within the field that this practice will be implemented on to ensure proper nutrient application for successful practice installation. A Nutrient Management Plan for the following years of practice lifespan is optional.
~~on all agricultural production acreage contained within the field that this practice will be implemented on. The NMP must comply with all requirements set forth in the Nutrient Management Training and Certification Regulations, (4VAC50-85 et seq.) and the Virginia Nutrient Management Standards and Criteria (revised July 2014), must be prepared and certified by a Virginia certified nutrient management planner, and must be on file with the local District before any cost-share payment is made to the participant. Plans shall also contain any specific production management criteria designated in the BMP practice (4VACV50-85-130G).~~

~~1.~~2. Soil loss rates must be computed for all applications for use in establishing priority considerations and reflect at minimum a 3-year cropping history.

3. This practice is not intended to be used to reseed or improve hay or pastureland.

4. Pastures and hay lands that are planted under this practice will be grazed or harvested and maintained in accordance with NRCS Standard 512 for the lifespan. Cost-share will be refunded if the cover is destroyed during the lifespan. This practice is subject to spot-check by the District throughout the life of the practice and failure to comply may result in the forfeiture of the funds.

5. State cost-share and tax credit will be provided only one time per field, while that field is under the same ownership.

6. State cost-share or tax credit will not be approved for fields with more than 60% cover with the exception of crop fields that have a row crop or small grain residue in which case cover in excess of 60% is permissible.

7. State Cost-share is allowable only for BMP installations that are not receiving cost-share from other sources.

8. Cost-share and tax credit are not authorized for obstruction removal, fencing, or watering facilities.

9. Fertility - Lime and fertilizer ~~will~~ can be applied for ~~establishment~~ maintenance purposes ~~in~~ but must be done in accordance with current soil test recommendations (~~at~~ using ~~VPI~~ Virginia ~~Tech~~ cooperative extension ~~establishment~~ maintenance rates for the appropriate sod species~~) and are eligible components for cost-share~~. Maintenance applications are the obligation of the participant. If biosolids or manure is used, the material must be properly sampled and tested for nutrient content and given credit in fertilizer recommendations. Test results must be part of practice documentation. ~~Nutrient application should not exceed the recommendations the Department of Conservation and Recreation Nutrient Management Handbook.~~

10. Cost-share and tax credit are not authorized for the planting of pure stands of alfalfa.

11. This practice is subject to NRCS Standard 512 Forage and Biomass Planting.

12. All practice components implemented must be maintained for a minimum of 5 years and a maximum of 10 years following the calendar year of certification of completion. The lifespan begins on Jan. 1 of the calendar year following the year of certification of completion. By accepting either a cost-share payment or a state tax credit for this practice the participant agrees to maintain all practice components for the specified lifespan. This practice is subject to spot check by the District throughout the lifespan of the practice and failure to maintain the practice may result in reimbursement of cost share and/or tax credits.

C. Rate(s)

The state cost-share rate is 75% of the eligible component costs, in addition to a one-time incentive payment of $25 per acre for a 5 year contract or $75 per acre for a 10 year contract.

1. Eligible components are as follows:
   i. Eligible seed
   ii. Minerals (fertilizer, lime, manure*); *If manure (litter) is purchased from off farm, a bill and nutrient analysis must be presented.
   iii. Herbicides
   iv. Pesticides

v. Labor

2. As set forth by Virginia Code § 58.1-339.3 and §58.1-439.5, Virginia currently provides a tax credit for implementation of certain BMP practices. The current tax credit rate, which is subject to change in accordance with the Code of Virginia, is 25% of the total eligible cost not to exceed $17,500.00.

3. If a participant receives cost-share, only the participant's eligible out-of-pocket share of the project cost is used to determine the tax credit.

D. Technical Responsibility

Technical and administrative responsibility is assigned to qualified technical DCR and District staff in consultation, where appropriate and based on the controlling standard, with DCR, Virginia Certified Nutrient Management Planner(s), NRCS, DOF, and VCE. Individuals certifying technical need and technical practice installation shall have appropriate certifications as identified above and/or Engineering Job Approval Authority (EJAA) for the designed and installed component(s). All practices are subject to spot check procedures and any other quality control measures.

Revised March, 2018

NM 6V
Nutrient Management Plan Verification Practice

This document specifies the terms and conditions for the Va DCR's verification procedure used for compliance with required verification of Virginia nutrient management plans by Virginia Nutrient Management Certified Planners.

Description & Purpose

A. The implementation of nutrient management plans is needed to indicate how primary nutrients are to be managed on farm fields and other land for crop production and in ways which protect groundwater and surface water from excessive nutrient enrichment. Completion of the nutrient management verification form is accepted documentation to prove how well the farmer is following a nutrient management plan.

The purpose of this practice is to provide financial assistance to farmers and private certified nutrient management planners that follow the procedures to complete the nutrient management verification form (DCR 199-244) which includes a review of nutrient application records of each field in the plan. The expectation is that the field records will match the field recommendations shown on the plan "balance sheet". (4VAC50-85-130.D)

B. Policies & Specifications

1. Eligibility

i. This practice applies to cropland regardless of the nutrient source. Hay and pasture land are also eligible for cost-share under this practice. ii. In order to be eligible for cost share, nutrient management plans must be prepared by Virginia certified nutrient management planners. Nutrient Management Plans must be written to comply with all requirements as set forth in the Nutrient Management Training and Certification Regulations 4VAC 50-85-et seq.

iii. Cropland which may receive applications of biosolids is eligible.

iv. A copy of the completed verification form will be required for payment. Payments will be made based on total number of acres indicated on the verification form(s).

v. A producer is only eligible for one payment for this practice per program year (one instance).

vi. For this cost-share practice the nutrient management plan must include all eligible acreage of the tract for which the plan is written.

vii. Participants may redirect their cost-share payment to the private certified nutrient management planner by signing a written statement to that effect. A sample statement is attached to this specification.

2. Ineligible

i. Nutrient management plans implemented for farms having or requiring VPA or VPDES or other required federal, state, or local animal waste permits do not qualify for cost-share for completing the verification process.

ii. Cost-share payments for plan verification will not be made until a completed verification form (DCR 199-244) and a copy of the "balance sheet" used for the plan verification have been received by the SWCD.
iii. This practice can not be used for acres that have not had a NMP written for them within the last 12 months.
iv. Any plan that is part of a DCR contract for RMP or NMP verification ~~contract~~ is not eligible for payment under this practice.

3. The time period of the plan reviewed represents a previous-12 month period, usually four seasons of a plan. (spring, summer, fall, winter)

4. A copy of the Balance Sheet of the plan showing a previous 12 months reviewed, a copy of the signed Plan Identification sheet (4VAC50-85-130.B), and a completed nutrient management verification form (DCR 199-244), for each plan must be submitted to the SWCD to receive cost-share payment.

C. Rates for completed nutrient management verification forms (DCR 199-244)

The Cost Share payment will be based on the following scale *of total planned acres per producer, regardless of the number of individual plans*:

100*-399 acres - $225.00 *(* a combination of plans less than 100 acres* may be combined to meet the 100 acre minimum, *only*.)

400-999 acres - $400.00

1,000+ acres - $600.00

Under 100 acres, $1 per acre

D. Technical Responsibility

Technical and administrative responsibility is assigned to qualified technical DCR and District staff in consultation, where appropriate and based on the controlling standard, with DCR, Virginia Certified Nutrient Management Planner(s), NRCS, DOF, and VCE. Individuals certifying technical need and technical practice installation shall have appropriate certifications as identified above and/or Engineering Job Approval Authority (EJAA) for the designed and installed component(s). All practices are subject to spot check procedures and any other quality control measures.

ASSIGNMENT OF NUTRIENT MANAGEMENT PLAN VERIFICATION PRACTICE (NM-6V)
COST-SHARE PAYMENT AUTHORIZATION

I _____, do hereby direct
Producer Name

the _____District to pay any and all

cost-share funds disbursed under the Nutrient Management Plan Verification Practice (NM-6V) to

_____, of
Name

_____ for
Business

services provided during development of my Nutrient Management Plan. It is further acknowledged that an

IRS form 1099 in the amount of the payment will be sent directly to the above identified contractor.

_____
Signature

_____
Date

Neither the local District nor the Virginia Department of Conservation and Recreation (DCR) is providing tax advice; the program participant may wish to consult with an independent tax advisor regarding potential tax consequences.

Name of Practice: SHORELINE STABILIZATION
DCR Specification for No. SE-2

This document specifies terms and conditions for the Virginia Department of Conservation and Recreation's agricultural shoreline stabilization practice that are applicable to all contracts entered into with respect to that practice.

A. Description and Purpose

Structures and/or vegetative measures will be designed and implemented to stabilize shoreline areas of tidally-influenced streams and rivers, estuaries, bays, and the ocean.

The purpose of this practice is t~~T~~o improve water quality by stabilizing shoreline areas that are being eroded because of waves, boat wake, or overland flow.

B. Policies and Specifications

1. Cost-share and t~~T~~ax c~~C~~redit are~~is~~ authorized:
   i. For land shaping to achieve a stable slope.
   ii. For the construction of ~~bulkheads,~~ riprap revetments, sills (riprap or oyster shell bags), groins, break-waters, and gabion systems.
   iii. For the establishment of vegetation.
   iv. For engineering and design assistance.
   v. For shorelines bordering only agricultural and forestall lands. Other lands such as recreational, urban and built-up or residential lots are not eligible.
   ~~iv.~~vi. For tidally-influenced waters only.

2. To qualify for cost-share and/or tax credit, all designs must be reviewed by DCR's~~the~~ Shoreline Erosion Advisory Service (SEAS) and meet the intent of ~~the~~ SEAS program guidelines.

3. All appropriate local, state, and federal permits must be obtained before cost-share or tax credit is authorized.

4. This is a one-time incentive payment and not eligible for reapplication on the same site. Lifespan requirements can be waived if damaged by acts of nature.

5. Livestock must be excluded from the project area.

6. This practice is subject to the requirements of applicable NRCS Standards including 342 Critical Area Planting, 580 Streamb~~B~~ank and Shoreline Protection, and 612 Tree/Shrub Establishment. (add 382 FENCE)

~~3.~~

~~4.~~7. All practice components implemented must be maintained for a minimum of 15 ~~10~~ years following the calendar year of installation. The lifespan begins on Jan. 1 of the calendar year following the year of certification of completion~~implementation~~. By accepting either a cost-share payment or a state tax credit for this practice the participant agrees to maintain all practice components for the specified lifespan. This practice is subject to spot check by the District or SEAS throughout the lifespan of the practice and failure to maintain the practice may result in reimbursement of cost share and/or tax credits.

C. Rate(s)

1. The state cost-share rate, alone or if combined with any other cost-share program, will not exceed 75 ~~50~~% of the total eligible cost including all necessary components needed to implement shoreline stabilization. The maximum state payment for this practice is not to exceed $70,000 per landowner per year (unless further limited by the local District practice caps).

~~1.~~2. As set forth by Virginia Code §58.1-339.3 and §58.1-439.5, Virginia currently provides a tax credit for implementation of certain BMP practices. The current tax credit rate, which is subject to change in accordance with the Code of Virginia, is 25% of the total eligible cost not to exceed $17,500.00.

~~2.~~3. If a participant receives c~~C~~ost-s~~S~~hare, only the participant's eligible out-of-pocket share~~expense~~ of the project cost is used to determine the tax credit.

D. Technical Responsibility

Technical and administrative responsibility is assigned to qualified technical DCR and District staff in consultation, where appropriate and based on the controlling standard, with DCR, Virginia Certified Nutrient Management Planner(s), NRCS, DOF, and VCE. Individuals certifying technical need and technical practice installation shall have appropriate certifications as identified above and/or Engineering Job Approval Authority (EJAA) for the designed and installed component(s). All practices are subject to spot check procedures and any other quality control measures.

Revised March, 2017

Name of Practice: STREAM PROTECTION (FENCING)
DCR Specifications for NO. WP-2

This document specifies terms and conditions for the Virginia Department of Conservation and Recreation's stream protection best management practice that are applicable to all contracts entered into with respect to that practice.

A. Description and Purpose

Protection by fencing along all water bodies and streams in a field, to reduce erosion, sedimentation, and the pollution of water from agricultural nonpoint sources.

The purpose of this practice is to offer an incentive that will change land use or improve management techniques to more effectively control soil erosion, sedimentation, and nutrient loss from surface runoff to improve water quality.

B. Policies and Specifications

1. Cost-share and tax credit are authorized for:
   i. Permanent fencing to protect streambanks from damage by domestic livestock. Cost sharing may be authorized for fencing as a single eligible component that stands alone as a measure that will significantly improve water quality.
   ii. To provide access to water for livestock by installing livestock crossings that will limit sedimentation and pollution. When no other water source is feasible or exists, a controlled hardened access may be used to provide livestock access to the water. The installation of livestock crossings and controlled hardened accesses is limited to small streams. When required, permits must be obtained by the applicant from authorities before the practice will be approved.
   iii. Fencing may be authorized as a single eligible component only if all of the following apply:
      (a.) The fence is placed a minimum of 10' (feet) away from the stream, except as designed in areas immediately adjacent to livestock crossings and controlled hardened accesses.
      (b.) Wetlands, intermittent springs, seeps and gullies adjacent to streams should be included in the buffer area. Isolated seeps, springs or wetlands may be fenced as well.
      (c.) Upon completion of the practice, there will be adequate natural or planted vegetation between the fence and the stream to serve as an effective filter strip to improve water quality.

2. Grazing (including flash grazing) and haying ~~is~~ are not allowed in the protected riparian area during the lifespan of this practice. When both sides of the stream are under the same ownership ~~and/or management,~~ livestock must be excluded from both sides of the stream.

3. Cost-share and tax credit are not authorized for:
   i. Boundary fence if it is being used to bring new pasture into production. If the stream is the barrier currently confining the livestock, then fencing is allowed.
   ii. Interior cross fencing that does not exclude livestock from the stream.
   iii. Rebuilding of existing fence.
   iv. Temporary fencing.
   v. Hardened travel lanes that are not attached to a crossing or limited access.

4. The conservation planning process for developing an alternative watering system for livestock should include consideration of some means to provide water to the livestock during emergency conditions. Generators may not receive cost-share.

5. Wildlife, environmental and livestock shade considerations must be given when designing the practice.

6. This is a one-time incentive payment not eligible for reapplication on the same site. Life span requirements can be waived if damaged by flooding.

7. Soil loss rates must be computed for all practices for use in establishing priority considerations.

8. This practice phase is subject to NRCS Standards 342 Critical Area Planting, 382 Fence, 390 Riparian Herbaceous Cover, 472 Access Control, 575 Trails and Walkways and 578 Stream Crossing.

9. All practice components implemented must be maintained for a minimum of 5 years following the calendar year of installation. The lifespan begins on Jan. 1 of the calendar year following the year of certification of completion. By accepting either a cost-share payment or a state tax credit for this practice the participant agrees to maintain all practice components for the specified lifespan. This practice is subject to spot check by the District throughout the lifespan of the practice and failure to maintain the practice may result in reimbursement of cost share and/or tax credits.

C. Rate(s)

1. The cost share rate for this practice shall be 55% when stream exclusion fencing is installed at a minimum of 10' along all water bodies in a field, and 75% when exclusion fencing has been installed at a minimum of 35' along all water bodies in a field. In situations where the minimum exclusion distance is 10', any exclusion fencing within that same field that is installed at least 35' away from the stream is eligible for the 75% payment rate. For hardened crossings and limited access areas to receive the payment rate of 75%, the minimum exclusion distance in the field(s) associated with them shall be 35'. Payment shall be based upon the approved or actual cost, whichever is less. The maximum payment for this practice shall be $70,000. Cost-share may be from state funds or a combination of state and other sources.

2. As set forth by Virginia Code § 58.1-339.3 and §58.1-439.5, Virginia currently provides a tax credit for implementation of certain BMP practices. The current tax credit rate, which is subject to change in accordance with the Code of Virginia, is 25% of the total eligible cost not to exceed $17,500.00.

3. If a participant receives cost-share, only the participant's eligible out-of-pocket share of the project cost is used to determine the tax credit.

D. Technical Responsibility

Technical and administrative responsibility is assigned to qualified technical DCR and District staff in consultation, where appropriate and based on the controlling standard, with DCR, Virginia Certified Nutrient Management Planner(s), NRCS, DOF, and VCE. Individuals certifying technical need and technical practice installation shall have appropriate certifications as identified above and/or Engineering Job Approval Authority (EJAA) for the designed and installed component(s). All practices are subject to spot check procedures and any other quality control measures.

Revised ~~March~~ November, 2018

Name of Practice: STREAM EXCLUSION WITH GRAZING LAND MANAGEMENT
DCR Specifications for No. SL-6

This document specifies terms and conditions for the Virginia Department of Conservation and Recreation's stream exclusion with grazing land management best management practice that are applicable to all contracts entered into with respect to that practice.

A. Description and Purpose

A structural and/or management practice that will enhance or protect vegetative cover to reduce runoff of sediment and nutrients from grazing livestock on existing pastureland through livestock exclusion.

Provide livestock water systems, fencing and/or a hardened pad for winter-feeding that will improve water quality control erosion and eliminate direct access to or a direct runoff input to live streams where there is a defined water quality problem. **Stream exclusion fencing and an off-stream watering facility are required components of this practice**. Rotational grazing is an optional enhancement of this practice. The exclusion and/or rotational grazing system receiving cost share should reflect the least cost, technically feasible, environmentally effective approach to resolve the existing water quality problem.

B. Policies and Specifications

1. State cost-share and tax credit on this practice are limited to pastureland that borders a live stream or Chesapeake Bay Preservation Act Resource Protection Area as defined by local ordinance. An exception to this may be granted in cases of severe environmental degradation occurring in and around features such as: springs, seeps, ponds, wetlands, or sinkholes, etc.

2. An applicant may not apply for or receive cost share funds for CRSL-6 and SL-6 practices funded by the Virginia Agricultural Best Management Practices Cost Share Program on the same fields.

3. A written management plan, to include a rotational grazing component if more than three new grazing units are created by the installation of interior fencing, and operation and maintenance plans must be prepared and followed in accordance with NRCS FOTG. Factors to be addressed in the management plan should include water sources, environmental impact of winter-feeding pad location, runoff from the feeding pad area, soil fertility maintenance, access lanes, fencing needs, wetlands, minimum cover or grazing heights, carrying capacity of the land and rotational schedules.

4. Grazing (including flash grazing) and haying ~~is~~ are not allowed in the protected riparian area during the lifespan of this practice. When both sides of the stream are under the same ownership livestock must be excluded from both sides of the stream.

5. To protect stream banks, state cost-share and tax credit are authorized for:
   i. Fencing to restrict stream access in connection with newly developed watering facilities. The stream exclusion fence must be placed a minimum of 35 feet away from the stream, except as designed in areas immediately adjacent to livestock crossings and controlled hardened accesses.
      a. Wetlands, intermittent springs, seeps, ponds connected to streams, or sensitive karst features and gullies adjacent to streams should be included in the buffer area.
      b. Isolated seeps, springs, wetlands or ponds without direct connection to a stream may be fenced as well but shall not be used as the sole criteria for determining eligibility for the SL-6 practice.
   ii. Stream crossings for grazing distribution or limited water access as long as the fencing adjacent to the crossing restricts access to the excluded area.
   iii. Fence chargers used to electrify permanent or temporary fencing.

6. To supply an alternative watering system to grazing livestock, state cost-share and tax credit are authorized for:
   i. Watering developments including:
      a. Wells, including a permanently affixed pump and pumping accessories;
         I) Districts may approve cost-share for dry wells and/or well location studies (geotechnical surveys) for the development of an alternative watering systems on a case by case basis and at the discretion of the District's Board.
         II) Pumps and equipment associated with portable and permanent watering systems. Pumps may operate on purchased electrical current or alternative energy sources such as solar, battery, mechanical or hydraulic energy. The selected pump and associated equipment should be the most cost effective for the specific site and application. The replacement costs of pumps and pumping equipment components which fail to function properly during the lifespan of the practice are considered maintenance expenses and are the responsibility of the participant.
      b. Connection to existing water supply
      c. Development of springs, seeps, or stream pickups, including fencing of the area, where needed, to protect the development from pollution by livestock;
      d. Ponds (if the only cost effective and technically feasible alternative for water source) including fencing of the area, where needed, to protect the development from pollution by livestock
      e. Pumps and equipment associated with permanent watering systems.
   ii. Watering facilities including:
      a. troughs,
      b. tanks/storage facilities/cisterns,
      c. hydrants
   iii. Pipelines to convey water to watering facilities.

iv. Stream crossings for limited water access as long as the fencing adjacent to the crossing restricts access to the excluded area.

v. Portable water supply system components such as troughs, pipe, etc. that are:
    a. Commercially available or farmer constructed,
    b. Large enough to provide a timely and sufficient volume of water for the livestock to be contained in a specific area for which the system is designed,
    c. Capable of being maintained in a stable position and protected from any damage while the system or component is in use, and
    d. Capable of being moved in a timely manner from one location to another within the acreage for which the system is designed.

7. To establish pasture management through rotational grazing, state cost-share and tax credit are authorized for:
    i. Interior fencing and watering facilities that distribute grazing to improve water quality, when combined with the livestock exclusion component of this practice on an adjacent stream or sensitive feature. Consideration must be given, in such cases, to the additional management requirements of such systems.
    ii. When more than three new grazing units are created by the installation of interior cross fencing, a written grazing management plan must be prepared and implemented. Input from the participant during the development of the plan is required.

8. To develop a hardened pad for winter-feeding of livestock state cost-share and tax credit are authorized for:
    i. Grading and shaping, geotextile fabric, gravel, concrete or bituminous concrete.
    ii. The winter-feeding hardened pad will be cost shared based upon the existing herd size. Cost-share funds cannot be used to accommodate expansion of the herd size.
    iii. All other means of reducing the environmental impact of the winter-feeding operation must be explored and rejected, due to economic inefficiency or lack of space for relocation, before cost-share or tax credit can be approved.
    iv. Cost-share funding for a hardened winter-feeding pad will only be authorized after the "Needs Determination Worksheet" has been completed, and all other methods of resolving the water quality degradation have been considered.
    v. A nutrient management plan is required to properly manage the manure collected from around the feeding pad that addresses all enriched runoff and manure accumulations associated with the winter-feeding pad.

9. Portable or temporary system components (fencing, etc.) cannot be utilized in other areas or moved from fields utilized in the system plan. The replacement costs of portable components which fail to function properly during the lifespan of the practice are considered maintenance expenses and are the responsibility of the participant.

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10. The conservation planning process for developing an alternative watering system for livestock should include consideration of some means to provide water to the livestock during emergency conditions. Generators may not receive cost share.

11. The primary water use of the components which were installed with state cost-share and tax credit must be for the purpose of providing water for livestock; however, incidental use is not prohibited. State cost-share and tax credit is not permitted for any electrical, structural, or plumbing supplies, including pipe, or associated construction costs for developing any incidental use. When an incidental use is anticipated, the District Board should consider the applicant's intent before approving the request. Incidental use will be documented in the applicant's file

12. No state cost-share and tax credit is authorized under the practice for any installation that is:
    i. PRIMARILY for wildlife, dry lot feeding, barn lots, or barns.
    ii. To make it possible to graze crop residues, field borders, or temporary or supplemental pasture crops.
    iii. For boundary fencing or water supply systems used to establish new pastures not currently in use.
    iv. For interior fencing and watering facilities to distribute grazing in fields not receiving exclusion fence. (Applicant may apply for SL-7)
    v. For the purpose of providing water for the farm or ranch headquarters.

13. Soil loss rates must be computed for all applications for use in establishing priorities for receiving cost share funds.

14. All permits or approvals necessary are the responsibility of the applicant.

15. This practice is subject to NRCS Standards, 382 Fence, 390 Riparian Herbaceous Cover, 472 Access Control, 516 Livestock Pipeline, 533 Pumping Plant, 561 Heavy Use Area Protection, 574 Spring Development, 575 Trails and Walkways, 578 Stream Crossing, 614 Watering Facility and 642 Water Well.

16. All practice components implemented must be maintained for a minimum of 10 years following the calendar year of installation. The lifespan begins on Jan. 1 of the calendar year following the year of certification of completion. By accepting either a cost-share payment or a state tax credit for this practice the participant agrees to maintain all practice components for the specified lifespan. This practice is subject to spot check by the District throughout the lifespan of the practice and failure to maintain the practice may result in reimbursement of cost share and/or tax credits.

C. Rate(s) subject to change pending State Board approval of TAC suggestions

1. The state cost-share payment shall not exceed 80% of the eligible actual or estimated cost, whichever is less.

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2. The maximum state cost-share payment for this practice will be $70,000. Multiple SL-6s may be funded in the same program year up to the $70,000 cap.

Participants receiving $70,000 in cost-share funds for SL-6 practices shall not be eligible for any additional cost-share funds for any other cost-share practices in the same program year.

3. Examples:
   i. If total SL-6 payments are equal to $70,000 then no additional VACS for any other cost-share practices is allowed.
   ii. If SL-6 payments are $60,000, then $10,000 would remain available for additional SL-6s, or $10,000 would remain available for WP-4 and/or WP-4B but $0 for other VACS practices.
   iii. If SL-6 payments are $40,000, then $10,000 would remain available for other VACS practices, or $30,000 for additional SL-6s, or WP-4 and/or WP-4B practices.

4. As set forth by Virginia Code § 58.1-339.3 and §58.1-439.5, Virginia currently provides a tax credit for implementation of certain BMP practices. The current tax credit rate, which is subject to change in accordance with the Code of Virginia, is 25% of the total eligible cost not to exceed $17,500.00.

5. If a participant receives cost-share from any source (state, federal, or private), only the percent of the total cost of the project that the applicant contributed is used to determine the tax credit.

D. Technical Responsibility

Technical and administrative responsibility is assigned to qualified technical DCR and District staff in consultation, where appropriate and based on the controlling standard, with DCR, Virginia Certified Nutrient Management Planner(s), NRCS, DOF, and VCE. Individuals certifying technical need and technical practice installation shall have appropriate certifications as described above and/or Engineering Job Approval Authority (EJAA) for the designed and installed component(s). All practices are subject to spot check procedures and any other quality control measures.

Revised. March, 2018

Needs Determination Worksheet for Winter-Feeding Pad for _____ project

(To be completed by the conservationist; Use additional sheets as necessary)

This practice is not designed to be cost-shared as a stand-alone practice, but rather as a component to address a limited site specific situation, where an existing concentrated feeding location, due to its proximity to surface water or karst formations, concentrates manure and generates contaminated runoff that cannot be treated in a more cost-effective manner (including relocation of existing feeding site and fencing of stream buffers). All other potential more cost-effective approaches to reducing the water quality impact from the existing feeding operation must be implemented prior to consideration of construction of a winter-feeding pad (see Policies and Specification section B 8.)

Describe the current water quality problem? Have all other more cost-effective BMP approaches been implemented? If not do not provide cost-share. List approaches that have been considered.

Is there another location (further from the stream) that this feeding operation might be relocated to? If there is, relocate there and do not provide cost-share or provide environmental reasons why it cannot be relocated.

How many and what types of livestock will be fed at the facility? This facility should not be approved for cost-share unless a significant nutrient or bacterial contamination issue can only be cost-effectively resolved through the construction of the feeding pad. Explain the source and document the bacterial contamination being treated.

Is there an existing vegetated buffer between current the winter-feeding location and the closest waterway, are livestock excluded from the buffer and water feature? If animals have not been excluded from all water features on this tract, do not provide cost-share.

Describe the condition of the riparian area (starting at the top of the bank and proceeding upland for a minimum of 200 feet). If there is sufficient buffer width (200') that adequately treats contaminated run-off before it reaches the stream, do not provide cost-share.

How much pasture, hay land and cropland is available in this operation where the stored manure may be spread? If the available land cannot handle the anticipated amount of manure generated a plan must be developed for disposing of the manure in a manner consistent with existing nutrient management techniques.

Pasture acres _____ Hay acres _____ Cropland _____

What level of conservation planning has been accomplished on your operation?

What level of Conservation Plan implementation is in place on this operation?

Will the establishment of a winter-feeding pad in conjunction with stream fencing resolve all erosion, and bacterial contamination issues associated with this grazing system and feeding operation (including potential contaminated runoff from the winter feeding facility)? **If not, do not provide cost –share funds.**

Completed by:

Signature	Date	Title

Name of Practice: EXTENSION OF WATERING SYSTEMS

DCR Specifications for No. SL-7

Aprvd 12/17/18 by subcomm

This document specifies terms and conditions for the Virginia Department of Conservation and Recreation's grazing land management best management practice that is applicable to all contracts entered into with respect to this practice. Pastures are represented by those lands that have been seeded, usually with introduced species (*i.e.*,tall fescue, legumes) or in some cases native plants (e.g. switchgrass or other native warm season grasses), and which are managed using agronomic practices for livestock.

A. Description and Purpose

A management system that will provide and insure adequate surface cover protection to minimize soil erosion. The system will reduce sediment, nutrients and pathogen loads in runoff.

This practice will improve the quantity, quality and utilization of forage for livestock and will reduce the risk of surface and groundwater contamination from nonpoint source pollution from pastures by assuring that an adequate stand of forage is available to absorb runoff and reduce pollutants.

B. Policies and Specifications

1. All fields that receive cost share under this practice must have had all livestock previously excluded or concurrently being excluded with a minimum 35' setback from all surface waters and sink holes. Any field that is part of a rotational grazing system is eligible.

2. This practice may be installed, in conjunction with a CREP CP-22 and CP-29 contracts, to implement rotational grazing on those fields receiving watering facilities to increase forage cover through the proper grazing and forage management techniques that will allow a pasture to rest and re-grow its cover. The system receiving cost-share should reflect the least costly, most technically feasible, environmentally effective approach to resolve the existing water quality problem. This practice cannot be used with a CREP CP-21~~,~~ or CP-23 ~~or CP-29~~ as these practices are applied on cropland only.

3 A written grazing management plan and operation and maintenance plan that includes all acres in the grazing system must be prepared, implemented and followed in accordance with NRCS Standard 528 Prescribed Grazing. Factors to be addressed should include water sources, environmental impact, soil fertility maintenance, access lanes, fencing needs, wetlands, minimum cover or grazing heights, carrying capacity of the land and rotational schedules. Districts will monitor for compliance.

4. Flash grazing (allowing livestock to graze the excluded riparian area) is not

allowed as a management alternative during the lifespan of this practice.

5. To supply water, state cost-share and tax credit are authorized for:

   i. Installing pipelines, watering facilities, hardened pads around watering facilities, storage facilities, cisterns, troughs (portable or fixed) and pumping plant (if needed to meet pressure system requirements). When additional water is needed in CREP fields, the FSA CREP waiver process should be considered before authorizing VACS cost-share.
   ii. A water supply system can include a portable system to meet the management requirements necessary for systems operation rather than a large number of permanent water facilities.

6. Portable or temporary system components (fencing, etc.) cannot be utilized in other areas or moved from fields utilized in the system plan. The replacement costs of portable components which fail to function properly during the lifespan of the practice are considered maintenance expenses and are the responsibility of the participant.

   A portable water supply system is any system or component (i.e. trough, pipe, etc.) that is:

   i. Commercially available or farmer constructed,
   ii. Large enough to provide a timely and sufficient volume of water for the livestock to be contained in a specific area for which the system is designed,
   iii. Capable of being maintained in a stable position and protected from any damage while the system or component is in use, and
   iv. Capable of being moved in a timely manner from one location to another within the acreage for which the system is designed.

7. The primary water use of the components which were installed with state cost-share and tax credit must be for the purpose of providing water for livestock; however, incidental use is not prohibited. State cost-share and tax credit is not permitted for any electrical, structural, or plumbing supplies, including pipe, or associated construction costs for developing any incidental use. When an incidental use is anticipated, the District Board should consider the applicant's intent before approving the request. Incidental use will be documented in the applicant’s file.

8. To facilitate rotational grazing systems, cost-share and tax credit are authorized for temporary or permanent interior fencing and fence chargers (electric or solar) used to electrify permanent or temporary fencing that is part of the grazing system.

9. Any installation of permanent fencing to bring previously unused fields or pastures into the grazing system is the responsibility of the participant, and cannot receive state cost-share or tax credit assistance. Permanent fencing may be installed under this practice to divide existing pasture units only to better manage

rotational grazing.

10. No state cost-share and tax credit is authorized under the practice for any installation that is:

i. PRIMARILY for wildlife, dry lot feeding, barn lots, or barns.
ii. To make it possible to graze crop residues, field borders, or temporary or supplemental pasture crops.
iii. For boundary fencing or water supply systems used to establish new pastures not currently in use.
iv. For the purpose of providing water for the farm or ranch headquarters.

11. This practice is subject to NRCS Standards 382 Fence, 472 Access Control, 516 Livestock Pipeline, 528 Prescribed Grazing, 533 Pumping Plant, 561 Heavy Use Area Protection, 575Trails and Walkways, and 614 Watering Facility.

12. All practice components implemented must be maintained for a minimum of 10 years following the calendar year in installation. The lifespan begins on Jan. 1 of the calendar year following the year of certification of completion. By accepting payment for this practice the recipient agrees to maintain the practice and the associated exclusion fencing for the specified lifespan. This practice is subject to spot check by the District throughout the lifespan of the practice and failure to comply may result in reimbursement of state cost-share funds and/or tax credits. The associated exclusion fence may be eligible for a Continuing Conservation Initiative practice.

C. Rate(s)

1. The state cost-share payment will not exceed 75% of the total eligible cost. The maximum state payment for this practice is not to exceed $50,000 per landowner per year.

2. As set forth by Virginia Code § 58.1-339.3 and §58.1-439.5, Virginia currently provides a tax credit for implementation of certain BMP practices. The current tax credit rate, which is subject to change in accordance with the Code of Virginia, is 25% of the total eligible cost not to exceed $17,500.00.

3. If a participant receives cost-share, only the participant's eligible out-of-pocket share of the project cost is used to determine the tax credit.

D. Technical Responsibility

Technical and administrative responsibility is assigned to qualified technical DCR and District staff in consultation, where appropriate and based on the controlling standard, with DCR, Virginia Certified Nutrient Management Planner(s), NRCS, DOF, and VCE. Individuals certifying technical need and technical practice installation shall have appropriate certifications as identified above and/or Engineering Job Approval Authority (EJAA) for the designed and installed component(s). All practices are subject to spot check procedures and any other quality control measures.

Revised March, 2017