PY21 VACS TAC

Animal Waste Subcommittee Meeting Summary

9/30/19

Department of Forestry

Charlottesville, VA

Voting Members Present:

- Ben Chester (Amanda Pennington's Proxy), DCR - Chair
- Eric Paulson, VA State Dairymen
- Josh Walker, Headwaters SWCD
- Kevin Dunn Peter Francisco SWCD
- Megen Dalton, Shenandoah SWCD
- Darrell Marshall, VDACS
- Sam Truban, Lord Fairfax SWCD
- Steve Escobar, Equine Council

The Subcommittee had quorum for the entire meeting, though no formal votes were taken.

- Mr. Walker stated that the Chesapeake Bay Foundation may have some questions for the subcommittee– Mr. Dunn stated that he has spoken with them and may have answered them already.
- Mr. Dunn suggested starting with the pad alone and working to the more complex options.
- Mr. Dunn and Ms. Dalton - In the 100% confinement option, do we get the credit for the SL-11 seeding in the model? Need to confirm with Roland once the spec is completed.
- Reviewed last meetings minutes to get back on the same page.
- Ms. Dalton brought up that she logs a wp-4 and wp-4B for each wp-4B to capture the manure stored within tracking.
- The committee started writing the specs directly following the existing outline of the WP-4 and WP-4B.
- Lunch Break.
- The committee continued the WP-4L specification writing.
- Public comment period 2:50PM
- Adjourn.

Fix WP-4 – Remove seasonal feeding

Fix SL-6 – Remove gravel pad

WP-4L

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 prevent those areas exposed to heavy livestock traffic from experiencing excessive manure and soil losses due to the destruction of ground cover and to manage liquid and/or solid waste from areas where livestock are concentrated. The intent of this practice is to improve water quality by preventing manure and sediment runoff from entering watercourses and sensitive karst areas and capturing a portion of the manure as a resource for other uses by storing and spreading waste at the proper time, rate, and location.

Option 1 – Hardened Feeding Pad

A gravel or concrete pad that provides a stable area for feeding livestock and allows for the capture of manure. Stream exclusion is required.

Option 2 – Seasonal Feeding Facility

A covered concrete facility that includes a feeding area as well as a manure storage area that allows for the capture and storage of manure during inclement weather. An approved rotational grazing plan and stream exclusion are required.

Option 3 – Sacrifice Lot or Feeding Facility with Loafing Lot Management System

A sacrifice lot or covered facility that includes a feeding area as well as a bedded or manure pack area with a manure storage area if needed. A minimum of three associated grassed lots are required. All streams must be excluded. Streams associated with the grassed lots require a 35' minimum buffer.

Option 4 – 100% Confinement

A covered facility that requires 100% confinement of livestock which includes a feeding area as well as a bedded or manure pack area with a manure storage area if needed. Permanent removal of livestock from grazed acres associated with confined livestock is required.

B. Policies and Specifications

1. Eligibility: Cost-share and tax credit are limited to solving the pollution problems where the livestock 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.

2. Practice Development

i. Before cost-share or tax credit can be approved all other means of reducing the environmental impacts of animal waste from the existing operation must be considered. Lack of space for relocation, economic inefficiency or other factors may be considered. A "Risk Assessment for Water Quality Impairment from heavy Use Areas/Animal Concentrated Areas" must be completed and a minimum score of 120 is required in order to be eligible.

ii. 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.

iii. 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.

Need eligibility requirements/practice development for each option.

3a. Cost-share and tax credit for is authorized (Option 1 – Hardened Feeding Pad):

i. The pad shall be sized based on the current herd size and planned feeding method, not to exceed 75 SF per animal unit.

ii. Gravel or concrete to provide a hardened feeding area. If concrete is utilized, it shall be curbed.

3b. Cost-share and tax credit is not authorized for (Option 1 – Hardened Feeding Pad):

i. Facilities that do not meet local or state regulations.

ii. Installation primarily for the operator's convenience.

iii. Operations that are planned or under construction.

4a. Cost-share and tax credit is authorized for (Option 2 - Seasonal Feeding Facility):

i. Feeding area sized based on the current herd size and planned feeding method, not to exceed 75 SF per animal unit.

ii. A dry stack manure storage area sized for up to six (6) months storage of existing need.

iii. Roofs over the feeding area and manure storage area and roof runoff system.

iv. For individual components of animal waste systems, only if:

a. 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.

4b. Cost-share and tax credit is not authorized for (Option 2 - Seasonal Feeding Facility):

i. Storage of manure generated outside of this facility.

ii. Troughs within the structure.

5a. Cost-share and tax credit is authorized for (Option 3 - Feeding Facility with Loafing Lot Management System):

i. Minimum of three grassed lots and a sacrifice lot, which may be a building or just a hardened lot. Must maintain 60% cover on grassed lots.

ii. Pack area sized based on the current herd size and planned feeding method, not to exceed 75 SF per animal unit. Pack area feeding or feed lane shall be sized based on the planned feeding method.

iii. When a feed lane is utilized, a dry stack manure storage area sized based on livestock time at feed bunks, up to six (6) months storage of existing need.

iv. Roofs over the feeding area and manure storage area and roof runoff system.

v. Fencing, walkways, and water system components to provide functional lots.

vi. For individual components of animal waste systems, only if:

a. 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.

5a. Cost-share and tax credit is not authorized for (Option 3 - Feeding Facility with Loafing Lot Management System):

i. Storage of manure generated outside of this facility.
ii. Operations with sufficient grazing acreage.

6a. Cost-share and tax credit is authorized for (Option 4 – 100% Confinement):

i. Pack area sized based on the current herd size and planned feeding method, not to exceed 75 SF per animal unit. Pack area feeding or feed lane shall be sized based on the planned feeding method.

ii. When a feed lane is utilized, a dry stack manure storage area sized based on livestock time at feed bunks, up to six (6) months storage of existing need.

iii. Water system components to provide a functional structure.

iv. Roofs over the feeding area and manure storage area and roof runoff system.

v. Establishment of permanent vegetative cover on acreage addressed by this practice.

vi. For individual components of animal waste systems, only if:

a. 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.

6a. Cost-share and tax credit is not authorized for (Option 4 – 100% Confinement):

i. Conversion to cropland of acreage addressed by this practice.

ii. Fencing and/or walkways.

iii. Storage of manure generated outside of this facility.

iv. Operations with sufficient grazing acreage.

7. The sizing calculations of the practice shall be reviewed and approved by the DCR Ag BMP Engineer (except for practices previously sized and engineered by NRCS) and shall be coordinated with the nutrient management plan so that adequate storage capacity is installed.

8. All appropriate local and state permits must be obtained before beginning construction.

9. Before cost-share or tax credits are provided, 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 and all associated livestock production acreage. 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. Plans shall also contain any specific production management criteria designated in the BMP practice (4VACV50-85-130G).

10. 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. **(need to duplicate for each option).**

11. All practice components implemented must be maintained for a minimum of 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 $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.