

Name of Practice: PERMANENT VEGETATIVE COVER ON CRITICAL AREAS  
DCR Specifications for No. SL-11

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

A. Description and Purpose

This practice will promote land shaping and planting permanent vegetative cover on critically eroding areas.

The purpose of this practice is to improve water quality by stabilizing soil, thus reducing the movement of sediment and nutrients from the site.

B. Policies and Specifications

1. Cost-share and tax credit are authorized:
  - i. For measures needed to stabilize a source of sediment, such as grading, shaping, and filling, the establishment (including minerals) of grasses (including filter strips), trees or shrubs, and measures that are determined to be practical for the solution of the problem.
  - ii. For permanent fencing needed to protect vegetative cover. If cost-share is provided for permanent fencing, livestock exclusion is required through the lifespan of the practice.
  - iii. Only if the measures will significantly reduce erosion and maintain, or improve the quality of water in a stream, lake, pond, or other water source.
  - iv. For measures performed on public roadsides only where these measures are essential to solve a farm-based pollution or conservation problem.
2. Livestock must be excluded after planting for a minimum of 12 months.
3. Consideration should be given to wildlife and enhancing the appearance of the area when establishing the protective measures.
4. Soil loss rates must be computed for all applications for use in establishing priority considerations.
5. This practice is subject to NRCS Standard 342 Critical Area Planting, 382 Fence and 484 Mulching.
6. 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 state cost-share payment, alone or when combined with any other cost-share program will not exceed 75% of the total eligible costs.
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.

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