

Name of Practice: ANIMAL WASTE CONTROL FACILITY FOR CONFINED LIVESTOCK
OPERATIONS
VACS Program Specifications for No. WP-4LC

This document specifies terms and conditions for the Virginia Agricultural Best Management Practices Cost-Share Program's Animal Waste Control Facilities for Confined Livestock Operations best management practice which are applicable to all contracts entered into with respect to that practice.

A. Description and Purpose

This practice provides 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 environmentally sensitive features such as karst features, as well as capturing a portion of the manure as a resource for other uses by storing and spreading waste at the proper time, rate, and location.

Each covered facility 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 all acres associated with the confined livestock is required. All associated acres must be re-vegetated. This practice is not intended for grazing operations.

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. The District shall 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 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.
- iii. The applicant is required to sign a Dry Manure Storage Structure Agreement DCR199-86 (04/19) or similar District agreement which addresses the minimum criteria prior to receiving any funds.
- iv. Determination of the storage capacity of animal waste facilities shall be reviewed and approved by a DCR Agricultural BMP Engineer.
- v. The confinement structure shall be managed as either a:
 - a. Bedded Pack
 - The pack area must be maintained to ensure dry conditions for livestock. Dry material, tillage, ventilation and/or aeration may be needed to maintain proper bedding conditions.
 - Does not require a separate manure storage, but it must have walls a minimum of four feet high to contain bedded pack.
 - Manure storage for bedded pack area is not authorized, but storage for manure captured from feed lanes is an eligible component.
 - b. Manure Pack
 - The pack area shall be maintained to prevent any materials from migrating from the structure limits as to impact water quality. Regular scraping and/or the addition of bedding is required to stabilize the manure.
 - A separate storage component is required to store up to 6 months of manure production.
- vi. All associated acres shall be re-vegetated to ensure permanent grass cover (reference SL-11 practice specification) or shall be converted to cropland and managed to a soil loss of T and managed in compliance with the SL-15B practice specification. For backgrounding and finishing operations, only the acres associated with the concentrated feeding that contribute to the resource concern must be converted.
- vii. This practice is not applicable on the same acreage associated with an active stream exclusion contract that is under lifespan, winter feeding facility, or feeding pad.

3. Cost-share and tax credit is authorized for:

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

- ii. Feed lane for a bedded pack facility. When a feed lane is utilized, a 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;
 - b. Only where a no-discharge permit for a waste storage facility is not required.
 - vii. Appurtenances needed to contain manure within the facility.
- 4. Cost-share and tax credit is not authorized for:
 - 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. Grazing operations
 - v. Dry material, tillage, ventilation and/or aeration.
 - vi. Concrete floors for bedded pack facilities.
 - vii. Feed lane and associated manure storage for a manure pack facility.
- 5. Compliance checks are a required component of this practice and shall be performed in accordance with the schedule below:
 - i. Year 1 – All facilities and associated fields shall be checked to ensure compliance with this specification.
 - ii. If compliance is confirmed in Year 1, the facility shall be checked again in Years 4, 8 and 12.
 - iii. If the facility is found to be non-compliant, the identified Practice Failures Procedure in the VACS Manual shall be followed. Once found to be in compliance, the facility shall be checked one year after compliance is achieved. If compliance is confirmed, checks shall resume in Years 4, 8 and 12.
- 6. The sizing calculations of the practice shall be reviewed and approved by the DCR Agricultural 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.
- 7. All appropriate local and state permits must be obtained before beginning construction.

8. 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 on which this practice will be implemented (including all associated 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; 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).
9. This practice is subject to NRCS standards 313 Waste Storage Facility, 342 Critical Area Planting, 362 Diversion, 367 Roofs and Covers, 412 Grassed Waterway, 558 Roof Run Off Structure, 561 Heavy Use Protection, 620 Underground Outlet, 633 Waste Recycling and 634 Waste Transfer.
10. 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 VACS payment will not exceed 75% of the approved estimated cost or eligible actual cost, whichever is less.
2. As set forth by Virginia Code, the Commonwealth currently provides a tax credit for implementation of certain agricultural best management practices as discussed in the Tax Credit Guidelines of the VACS Manual.
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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