Name of Practice: STREAM EXCLUSION WITH WIDE WIDTH BUFFER AND GRAZING LAND MANAGEMENT
VACS Program Specifications for No. SL-6W

This document specifies terms and conditions for the Virginia Agricultural Best Management Practices Cost-Share Program's Stream Exclusion with Grazing Land Management best management practice which are applicable to all contracts entered into with respect to that practice.

A. Description and Purpose

This is 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.

Livestock watering systems and fencing improve water quality control erosion and eliminate direct access to or a direct runoff input to all live streams or live water. **Stream exclusion fencing and an off-stream watering facility (existing or concurrently installed) 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 Grazing Management Plan and Operation and Maintenance plan that includes all acres in the grazing system must be prepared, implemented and followed if more than three new grazing units are created by the installation of interior fencing. Factors to be addressed in the management plan should include water sources, environmental impacts, soil fertility maintenance, access lanes, fencing needs, wetlands, minimum cover or grazing heights, carrying capacity of the land and rotational schedules. Plans may be prepared using VA Graze, NRCS FOTG, Forage Balance Sheet, or other applicable resources.

4. The buffer must be maintained as perennial species for the practice lifespan. Grazing (including flash grazing) and haying are not allowed in the protected riparian area during the lifespan of this practice. If at any time during the practice lifespan the participant is found to be grazing (including flash grazing) their livestock in the buffer, as documented by photographic evidence, the District shall require the repayment of the entire buffer payment (i.e. non-prorated).
    i. When both sides of the stream are under the same ownership livestock must be excluded from both sides of the stream.

5. The intent of this stream exclusion practice is for the fields adjacent to the buffer to remain in pasture for the length of the contract lifespan. If any part of this practice is damaged or destroyed during contract lifespan, the participant shall be subject to prorated repayment per the Practice Failures section of the VACS Guidelines. If the fields adjacent to the buffer are converted to any other land use during contract lifespan, those fields will be ineligible for any VACS Program funding until the stream exclusion practice lifespan expires or the prorated repayment has been made.

6. To protect stream banks, state cost-share and tax credit are authorized for:
    i. Permanent fencing to restrict stream access in connection with newly developed or existing watering facilities. The minimum fence setback from the stream must be either (i) at least 35 feet or (ii) at least 50 feet, except as designed in areas immediately adjacent to livestock crossings and controlled hardened accesses.
        a. Wetlands, intermittent springs, seeps, ponds connected to streams, sensitive karst features, and gullies adjacent to streams should be included in the buffer area.
        b. Isolated seeps, springs, wetlands, and 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.

7. 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 are allowed. The payment for the selected

pump, provision of power, 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;
   d. Capable of being moved in a timely manner from one location to another within the acreage for which the system is designed.

8. 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.

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.

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 for emergency use 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 or 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 either 10 years or 15 years, as indicated in the table below, 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 shall be based on the approved estimated cost or eligible actual cost, whichever is less, and shall vary by the minimum fence setback and lifespan of the practice. The buffer payment rates shall be provided for a maximum of 15 acres. The VACS payment rates including the buffer payment rates are:

Minimum fence setback (from the top of streambank)	Lifespan	VACS payment rate	Buffer payment rate	Buffer payment cap
50'	15 years	100%	$80 per acre per year	$18,000 per contract
	10 years	95%	$80 per acre per year	$12,000 per contract
35'	15 years	90%	$80 per acre per year	$18,000 per contract
	10 years	85%	$80 per acre per year	$12,000 per contract

NOTE: The buffer payment cap is the maximum a participant can be paid per tract even when multiple practices with buffer payments are approved in a given program year (for example, but not limited to, FR-3, SL-6F, SL-6W, WP-2W and WQ-1).

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 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.