

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

This document specifies terms and conditions for the Virginia Agricultural Best Management Practices Cost-Share Program'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

This practice creates a planned system designed to manage liquid and/or solid waste from feeding facilities, hardened pads, or other areas where livestock and poultry are concentrated and from which manure can be collected. This practice is designed to provide facilities for the storage and handling of livestock and poultry waste and the control of surface runoff to permit the recycling of animal waste onto the land in a way that will abate pollution that would otherwise result from livestock or poultry operations.

Its purpose is to improve water quality by storing and spreading waste at the proper time, rate, location, and/or to control erosion and nutrient input caused by feeding operations located adjacent to riparian areas or other environmentally sensitive features.

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 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 applications for animal waste control facilities, including poultry operations, must have a "WP-4 Risk Assessment for Water Quality Impairment from Animal Concentrated Areas" completed and must receive a minimum score of 120 in order to be eligible. Furthermore, all associated livestock must be excluded from all streams in the tract before cost-share or tax credit is provided.

- 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 the DCR Agricultural BMP Engineer.
3. Cost-share and tax credit is authorized:
- i. For animal waste generated from any qualifying group of animals on the farm where the facility is to be located.
 - ii. For animal waste storage facilities, such as dry stacking storage, aerobic or anaerobic lagoons, liquid manure tanks, solid/liquid separation, 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 as outlined below:
 - a. Permanently installed equipment needed as an integral part of the system.
 - b. Solid/liquid separation is eligible when the manure storage is not adequate and this is the least cost, technically feasible alternative to a new liquid pit.
 - c. Vegetative cover (including mulching needed to protect the facility).
 - d. Leveling and filling to permit the installation of an effective system.
 - iii. Only if the facilities will contribute significantly to improving the soil or water quality by providing protected storage for on-site generated waste.
 - iv. 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.
 - v. For the waste storage facility as part of a livestock or poultry operation that is planned or under construction, only if the applicant provides a signed certification (Cost-Share Contract Appendix A) documenting the type, size, and number of animals to be placed on site within six months of completion of the waste storage facility. The applicant must also provide the feeding method and type, cleanout schedule, housing type, and any other information required to size and plan the facility. Planned or under-construction collection areas must be complete before cost-share and tax credit can be issued for the waste storage facility.
 - vi. For individual components of animal waste systems, only if:
 - a. A DCR Agricultural 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.
 - vii. For wastewater storage facilities as a stand-alone component with a minimum storage of 120 days.
 - viii. For a waste storage system to store manure produced for a consecutive period up to six months as calculated using current manure production worksheets. All components of a waste storage system (regardless of

funding source) must be designed to match the amount of manure storage capacity required.

Exceptions to the six month storage criteria are:

- a. Liquid storage which may provide storage for manure produced during a consecutive seven month period as calculated using current manure production worksheets.
 - b. Poultry layer/breeder operations may provide storage for manure produced for a consecutive period up to 12 months as calculated using current manure production worksheets.
 - c. For poultry operations with a flock length that exceeds 90 days, storage may be provided for up to two full flocks.
- ix. 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.
4. Cost-share and tax credit are not authorized:
- i. For operations that do not currently have a way to collect manure (i.e., existing feeding facilities, hardened pads, etc.), unless the waste storage facility is approved as part of an operation that is planned or under construction. Planned or under-construction collection areas must be complete before cost-share and tax credit can be issued for the waste storage facility.
 - ii. For measures primarily for the prevention or abatement of air pollution, unless the measures also have soil and water conserving benefits.
 - iii. For the following:
 - a. Portable pumps.
 - b. Pumping 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.
 - iv. For animal waste facilities that do not meet local or state regulations.
 - v. For installation primarily for the operator's convenience.
 - 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. The storage capacity calculations of animal waste facilities reviewed and approved by a DCR Agricultural BMP Engineer (except for practices previously sized and engineered by NRCS) and coordinated with the Nutrient Management Plan so that adequate storage capacity is installed.
6. All appropriate local and state permits must be obtained before cost-share and/or tax credits are authorized.
7. For facilities constructed as part of an operation that is planned or under construction,

cost-share and tax credit will not be issued until the type, size, and number of animals documented on the signed certification (Cost-Share Contract Appendix A) have been placed on site and all other aspects of the operation used to plan the facility are being implemented as outlined during the planning process. The placement of animals on site must occur within six months after the facility is technically certified.

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 under the producer's control receiving manure from the associated storage structure. 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, 359 Waste Treatment Lagoon, 362 Diversion, 367 Roofs and Covers, 558 Roof Runoff Structure, 561 Heavy Use Protection, 620 Underground Outlet, 632 Solid/Liquid Waste Separation Facility, 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

1. 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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Optional Animal Waste Control Facility Data Collection Worksheet

1. What type of operation do you have?
2. How long have you been in operation?
3. Have you expanded or enlarged your 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 waste 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 livestock per year or birds per flock do you normally raise? Their size, type, etc.
6. How many flocks/herds per year do you normally raise?
7. How often do you clean out or scrape in a year's period? When and how is the waste used and/or stored? Also give the number of partial and total clean outs for poultry.
8. What use do you make of the waste produced?
9. Is any waste disposed of off your farm? Explain.
10. How much pasture, hayland and cropland are available to spread waste on in your operation?

Pasture acres _____

Hay acres _____

Cropland _____

Completed by: _____
Signature Date Title