

Name of Practice: CONSTRUCTED WETLANDS
VACS Program Specifications for No. WQ-6

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

A. Description and Purpose

This practice will promote the construction of a wetland for the treatment of animal waste runoff or stormwater runoff.

The purpose of this practice is to improve water quality by using a constructed wetlands to remove nutrients from animal waste or sediments and nutrients from stormwater runoff.

B. Policies and Specifications

1. Tax credit is authorized:
 - i. For land shaping to develop proper hydrology.
 - ii. For aquatic vegetation that promote wetland development.
 - iii. For fencing to protect the newly constructed wetland from damage by livestock.
 - iv. For material to construct dams and dikes to retain water.
2. Tax credit is not authorized for wetlands for recreational or promotion of wildlife.
3. For the treatment of stormwater runoff, the wetland shall be sized according to the contributing watershed drainage.
4. For treatment of animal waste runoff, 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. 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).
5. Tax credit is not authorized for any wetland activity associated with the creation, enhancement or preservation of a wetland that is part of or that becomes part of a wetland mitigation bank or is required by any state or federal permit or local ordinance during the life of the practice.

6. This practice is subject to NRCS Standards; 342 Critical Area Stabilization, 356 Dike, 382 Fence, 587 Structure for Water Control, 634 Waste Transfer, 658 Wetland Creation, and 644 Wetland Wildlife Habitat Management.
7. All practice components implemented must be maintained for a minimum of 10 years following the calendar year of installation. The lifespan begins on Jan. 1 of the calendar year following the year of implementation. By accepting 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 verification 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. 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.
2. If a participant receives cost-share from any source, only the participant's share of the project 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.

Revised April 2023