COMMONWEALTH of VIRGINIA

TOTAL MAXIMUM DAILY LOAD (TMDL) IMPLEMENTATION COST-SHARE

AGRICULTURAL AND RESIDENTIAL

BEST MANAGEMENT PRACTICE (BMP) GUIDELINES

Fiscal Year 2014

(July 1, 2013 – June 30, 2014)

Revised 9/19/2013

Virginia Department of Environmental Quality

Division of Water

629 East Main Street

Richmond, Virginia 23219

http://www.deq.virginia.gov/Programs/Water/WaterQualityInformationTMDLs/TMDL/TMDLImplementation.aspx

VIRGINIA DEPARTMENT OF ENVIRONMENTAL QUALITY

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TOTAL MAXIMUM DAILY LOAD (TMDL) IMPLEMENTATION COST-SHARE AGRICULTURAL AND RESIDENTIAL BEST MANAGEMENT PRACTICE (BMP) GUIDELINES - FISCAL YEAR 2014

TABLE OF CONTENTS (Revised 9/19/2013)

2013-2014 TMDL Cost-share Program Schedule

1/1/2013 – 06/30/2013	**Grant Agreements Start**: One and two year TMDL grants begin throughout the calendar year and/or may straddle multiple cost-share program years. Program allocations are provided at the start of each new grant
June 30, 2013	**End of Cost Share Program Year and End of Quarter:** Quarterly reports, including cost-share requests for reimbursements for the quarter due to Project Manager [(1)] by 07/15/2013[(2)]. All applications entered into BMP Tracking Program must be identified as either (1) completed; (2) canceled, or (3) carry over (if meets TMDL eligibility guidelines). All completed projects to be paid and marked as "complete" in the BMP Tracking Program by this date. No Approved or Requested practices may exist in PY13 after June 2013.
July 1, 2013	**2014 Cost-share Program Year begins for Tracking Program:** New TMDL contracts may begin at this time and will be assigned to FY 2014. All other TMDL projects that have grant agreements active prior to June 30, 2013 that will continue to be active after July 1, 2012 will continue to work with carry over practices in PY13 and new practices in PY14. Eligible unobligated funds left over in PY13 will become the PY14 allocation in the tracking program. Please work with your Project Manager and CDC to see that PY 14 allocations and balances are populated in the Tracking Program.
July 15, 2013	**Quarterly report due for April 1 – June 30 2013**. All BMP data must be entered in tracking program. Districts shall provide CDCs and DCR project managers a copy of the "2013 Cost-Share Program End of Program Year Cash On-Hand Balance" form that includes each TMDL program type, as well as a copy of the 2013 Cost-Share Program Carryover Report.
August 15, 2013	**New TMDL Program Allocations** for FY14 entered into Tracking Program by DCR.
September 30, 2013 for the	**End of Quarter**. Quarterly report including cost-share reimbursement requests quarter due to Project Manager by 10/15/2013[(2)].
December 31, 2013 for the	**End of Quarter**. Quarterly report including cost-share reimbursement requests quarter due to Project Manager by 01/15/2014[(2)]. For those contracts that terminated Dec 31st, the final cost-share report should be included in this report.
January 1, 2014 DCR.	**New grant agreements may start.** Allocations will be entered for FY2014 by
March 31, 2014	**End of Quarter**. Quarterly report including cost-share reimbursements for the quarter due to Project Manager by 04/15/2014[(2)].
June 30, 2014	End of Cost Share Program Year and **End of Quarter**. Quarterly and final report including cost-share reimbursement requests for the quarter due to Project Manager by 07/15/2014[(2)]. All applications entered into the BMP Tracking

	Program must be identified as (1) completed; (2) canceled, or (3) carry over (if meets TMDL eligibility guidelines). All completed projects to be paid and marked as “complete” in the BMP Tracking Program by this date.

(1) Project Managers: Project managers active in PY13 will remain managing the project. If a project manager has not been assigned (e.g. for agricultural Targeted TMDL projects or Southern Rivers LEI projects, the default project managers is a District’s assigned DCR Conservation District Coordinator). (2) All BMP payment data for a quarter must be entered into the Tracking Program by the 15th of the next month in order to qualify for reimbursement, disbursement or advance. All reimbursements and payments for cost-share practices must be recorded on the Attachment B and shall only include those practices with a status of “complete” and/or “complete not paid” by the end of the quarter. Practices with a status of "complete-not paid" will only be eligible for reimbursement if (at a minimum) the following information has been entered into the tracking program: completion date, extent installed, actual cost, cost share payment, check number, and payment date. Tracking program reports will be pulled by DCR on the 17th of the month.

SECTION I - VIRGINIA TOTAL MAXIMUM DAILY LOAD (TMDL) BMP COST-SHARE

Overview

The Virginia Total Maximum Daily Load (TMDL) Best Management Practice (BMP) Cost-Share assistance is jointly administered by the Virginia Departments of Conservation and Recreation (DCR) and Department of Environmental Quality (DEQ) through local Soil and Water Conservation Districts (SWCDs), local non-profits, planning district commissions, and local Health Departments to improve water quality in the state's streams, rivers, and the Chesapeake Bay. Cost-share provides assistance to landowners, homeowners, and agricultural operators as an incentive to those that voluntarily install specific BMPs in designated watersheds. The basis of the program is to encourage the voluntary installation of agricultural and residential on-site sewage disposal BMPs to implement TMDLs and meet Virginia's non-point source pollution water quality objectives. Although resource based problems affecting water quality can occur on all land uses, this assistance promotes efforts for corrective actions on agricultural and residential lands only. The geographic extents of eligible lands are identified in grant agreements administered by DCR and DEQ or in TMDL Implementation Plans (IPs).

This guidance document addresses cost-share assistance for agricultural BMPs that have been developed as a supplement to the regular **Virginia Agricultural Cost Share (VACS) BMP Manual (http://dswcapps.dcr.virginia.gov/htdocs/agbmpman/agbmptoc.htm).** The TMDL BMP cost-share is managed and implemented similarly to the Virginia agricultural cost-share. **This guidance is intended to address any differences between the two. Implementers should follow all aspects of the regular Agricultural BMP Cost-Share Program, unless specifically stated otherwise in these guidelines.** This guidance document also addresses cost-share assistance for residential septic BMPs and provides guidance and specifications for on-site sewage disposal systems. This guidance document provides a step-by-step comparison of the applicability of the VA Agricultural Cost Share BMP Manual for Virginia's TMDL Implementation Program.

The Virginia TMDL BMP Cost-Share can be subdivided into different types, based on the funding source. The funding source can determine unique aspects of how the funds are administered. The first can be identified as "319 TMDL Implementation" and must meet certain federal requirements. The second is identified as "WQIF or VNRCF Targeted TMDL" and is essentially the same as the regular agricultural BMP program except for a few minor differences.

The main difference between the TMDL BMP cost-share and the regular agricultural BMP cost-share is that cost-share allocations are given to Districts participating in the TMDL BMP cost-share to be utilized only in targeted watersheds and for specific BMPs. The geographic extent and actual BMPs are documented in a TMDL Implementation Plan and the Scope of Services in grant agreements. This targeted approach is different than the traditional broad-reaching programs Districts normally administer.

History

Virginia's goal is that all rivers, lakes, streams and tidal waters are healthy and attain the appropriate beneficial uses. These beneficial uses are described by the following use goals: drinking water, primary contact/swimming, fishing, shell fishing, and aquatic life. These uses are protected by application of the state's numeric and narrative water quality criteria. When the beneficial uses are not being met these waters are considered "impaired" and the state must take steps to meet water quality standards and ensure that water quality is restored. One very important step in restoring water quality in the impaired water bodies is the development and implementation of TMDLs. TMDL Reports and Implementation Plans are available on the Department of Environmental Quality's (DEQ) TMDL website at: http://www.deq.state.va.us/Programs/Water/WaterQualityInformationTMDLs/TMDL/TMDLImplementation/TMDLImplementationPlans.aspx. Information on DEQ's TMDL Implementation Program can be found at the website: http://www.deq.virginia.gov/Programs/Water/WaterQualityInformationTMDLs/TMDL/TMDLImplementation/TMDLImplementationProjects.aspx

The purpose of the TMDL BMP cost-share is to implement on-the-ground BMPs through TMDL watershed implementation plans that result in watershed restoration and increased water quality improvements, and ultimate delisting of impaired stream segments. The history of TMDL implementation in Virginia dates back to 2002 when DCR started three pilot TMDL implementation projects (Middle Fork Holston, Blackwater River and North River). Now the program consists of 26 active implementation projects receiving cost-share for BMPs, all funded through either federal 319(h) funds, or state WQIF/VNRCF Targeted TMDL Cost-share funds, or both (Table 1).

Table 1: TMDL Implementation Projects

Watershed Area	TMDL Segment	Grantee	Year Start	Lead Agency	Funds Used
Projects: 319 TMDL Implementation Program					
Willis River	VAC-H36R	Peter Francisco	2005	DEQ	§319(h)
Thumb, Great, Carter & Deep Runs	VAN-E01R, E02R & E10R	John Marshall	2006	DEQ	§319(h), VNRCF
Looney Creek	VAW-I26R	Mountain Castles	2009	DEQ	§319(h), VNRCF
Upper Hazel River	VAN-E03R, E04R, E05R	Culpeper	2009	DEQ	§319(h), VNRCF
Slate and North River, Rock Island, and Troublesome Creeks	VAC-H21R, H22R, VAV-H17R	Peter Francisco	2011	DEQ	§319(h)
Moores Creek	VAV-H28R	Thomas Jefferson	2012	DEQ	§319(h), VNRCF
Craig, Brown and Marsh Runs	VAN-F08R	John Marshall	2012	DEQ	§319(h), VNRCF
Guest River	VAS-P11R	Lonesome Pine and Upper Tennessee River Roundtable	2012	DEQ	§319(h), VNRCF
Lewis Creek	VAS-P04R	Clinch Valley	2012	DEQ	§319(h), VNRCF
Smith Creek	VAV-1347R	Shenandoah Valley	2012	DEQ	§319(h) (non-agriculture)
Upper York River	VAN-F06R, F07R	Culpeper	2012	DEQ	§319(h), VNRCF
Hays, Moffatts, Otts and Walker Creeks	VAV-I34R	Natural Bridge	2012	DEQ	§319(h), VNRCF
Knox and Paw Paw Creeks	VAS-Q03R	Big Sandy	2012	DEQ	§319(h), VNRCF
Spout Run	VAV-B57R	Lord Fairfax	2013	DEQ	§319(h)
Lower Banister River, Polecat Creek, and Sandy River	VAW-L45R, L46R	Tri-County Community Action Agency, Inc.	2013	DEQ	§319(h) (non-agriculture)
South Mayo River, South Fork Mayo River, North Fork Mayo River	VAC-L67R, L70R, L71R	West Piedmont Planning District Commission	2013	DEQ	§319(h) (non-agriculture)
Greenvale, Paynes, and Beach Creeks	VAN-E25,E-28	Northern Neck	2013	DEQ	§319(h)
North Fork, South Fork and Rockfish River	VAV-H15R, H16R	Thomas Jefferson	2013	DEQ	§319(h)
Upper Middle Fork Holston River	VAS-O03R	Evergreen	2013	DEQ	§319(h)
Projects: VNRCF Targeted TMDL Cost-Share Program					
Falling River	VAW-L34R	Robert E Lee	2006	DCR	WQIF/VNRCF
Mossy & Naked Creeks, Long Glade Run	VAV-B19R, B24R, B28R	Headwaters	2006	DCR	WQIF/VNRCF
Pigg River Area	VAW-L14R, L15R, L16R, L17R	Blue Ridge	2006	DCR	WQIF/VNRCF
Flat, Nibbs, Deep, West Creeks	VAP-J08R, J09R, J11R	Piedmont	2006	DCR	WQIF/VNRCF
Moffett Creek, Middle River, Polecat Draft	VAV-B10, B13, B15; JU72-JU73	Headwaters	2006	DCR	WQIF/VNRCF
Christians Creek & South River	VAV-B14, B30; PO08-09, PS27;	Headwaters	2006	DCR	WQIF/VNRCF
Spring Creek, Little Sandy River, Busch River, Briery and Saylers Creeks	VAC-J02R-J06R	Piedmont	2006	DCR	WQIF/VNRCF
North Fork and South Fork Mayo River	VAW-L45R, L46R	Patrick	2012	DCR	VNRCF
Lower Banister River, Polecat Creek, and Sandy River	VAC-L67R, L70R, L71R	Halifax	2012	DCR	VNRCF
Upper Banister River, Bear Creek, Cherrystone Creek, Stinking Creek, and Whitethorn Creek	VAC-L65R, L66R, L68R, L69R	Pittsylvania	2012	DCR	VNRCF

Funds Used: §319(h) = Section 319 EPA Nonpoint Source Implementation Grant; WQIF = Water Quality Improvement Fund; VNRCF=Virginia Natural Resources Commitment Fund

Funding Sources and interest income earned (VACS Manual I-4)

There are several sources of funding for the TMDL cost-share program. These include federal Section 319(h) grants DEQ has received from the Environmental Protection Agency (EPA); deposits for DCR in the Water Quality Improvement Fund (WQIF), as well as a sub-fund of the WQIF called the Virginia Natural Resources Commitment Fund (VNRCF). Currently, twenty Soil and Water Conservation Districts are managing one or more TMDL Implementation Projects and will be provided an allocation of one or several of the above referenced funds to implement BMPs.

Other funds from local, state and federal sources may support TMDL BMPs. TMDL cost-share funds will be administered based upon signed cost-share grant agreements issued either by DEQ or DCR. These grant agreements will be issuing itemizing DCR/DEQ and District deliverables associated with TMDL Implementation. Any funds issued by DCR/DEQ to Districts are dedicated to the implementation of TMDL Implementation Projects.

No interest may be earned on federal 319 funds, and all cost-share issued to Districts for 319 must be placed in a non-interest-bearing account. Districts may earn interest on state VNRCF/WQIF TMDL cost-share funds. All interest money earned on cost-share funds issue to each District must be used solely for cost-share purpose. Interest monies may be devoted to reasonable program expenses such as fees charged for bank services that are related to VNRCF/WQIF TMDL program monies. Ideally the interest income earned is dedicated to additional approved VNRCF/WQIF TMDL BMPs.

Cost Share Program Funding Allocations

Districts are provided program allocations specific to the type and source of funding. SWCDs will obligate funds emphasizing high priority watersheds identified in the TMDL Implementation plans along with specific cost-effective BMPs.

319 or VNRCF TMDL BMP Cost-Share Allocations – Agriculture

Districts receive either federal 319(h) or VNRCF allocations for agricultural practices. Each District is given an allocation for agricultural BMPs for the specific watershed project(s) they are managing. These allocations are specified in the grant agreements with the Districts. Only the agricultural BMPs specified in the associated TMDL Implementation Plan (IP) are eligible for cost-share funding. Districts should manage cost-share funds to put in place the most effective and cost-efficient practices available while meeting the implementation goals set in the TMDL IP. Cost-share funds will only be available for the specific agricultural practices that are specified in each District's grant agreement.

319 BMP Cost-Share Allocations – Residential

Districts receive federal 319(h) for residential on-site sewage practices. Each District is given an allocation for residential septic BMPs for the specific watershed project(s) they are managing. These allocations are specified in the grant agreements with the Districts.

Only the BMPs specified in the associated TMDL Implementation Plan (IP) are eligible for cost-share funding. Districts should manage cost-share funds to put in place the most effective and cost-efficient practices available while meeting the implementation goals set in the TMDL IP. Cost-share funds will only be available for the specific residential septic practices that are specified in each District's grant agreement.

Technical Assistance Funding (Operations and Assistance Funding) (VACS BMP I-6)

This does not apply to the TMDL BMP Cost-Share. Districts are not allowed to utilize any TMDL BMP Cost-Share allocations for technical assistance. Districts involved in the TMDL program have received technical assistance in the form of grant agreements with DCR or DEQ.

Re-obligation of Cost-share Allocations

VNRCF/WQIF Targeted TMDL Cost-Share

- In the third quarter of the program year a districts' unobligated cost-share funds will be assessed and may be re-allocated to other districts based on identified BMP needs.

319 TMDL Implementation Program

- At the end of each quarter an assessment will be made of cost-share funds status. This assessment will be based upon the financials reported in the Attachment B and a TMDL completed practices report pulled from the Tracking Program after the 15th of the month following the end of a quarter using an appropriate report. The District should submit a financial status report of cost-share expenditures.
- Re-obligation of cost-share allocations of federal funds will be dependent on the program limitations and will be handled on a case-by-case basis. The use of federal funds carries with it more restrictions for re-obligation then does state cost-share funds. Unlike state cost-share funds, Federal 319 funds do expire and the use of those funds after the period of the federal grant award period is not allowed.

Participant Recruitment and BMP Approval (VACS-Manual I-7)

This applies with the following exceptions: Districts should follow any prioritization recommendations in the determination of recruitment priorities and the selection of participants based on the TMDL IP. If a TMDL IP is not yet finalized, a district should prioritize recruitment and participant selection based on maximizing the water quality benefits as stated in any contractual documents with DCR or DEQ.

Priority Considerations (VACS-Manual I-8)

This does not apply to the TMDL BMP Cost-Share

Secondary Considerations (VACS-Manual I-9)

This does not apply to the TMDL BMP Cost-Share

Virginia's Healthy Waters Initiative (VACS-Manual I-10)

This does not apply to the TMDL BMP Cost-Share

Conservation Efficiency Factor (VACS-Manual I-9)

This section is applicable for all TMDL program areas except residential septic practices; reference Agricultural BMP Manual.

Cost-Share Funding Restrictions (VACS-Manual I-11)

The Virginia Agricultural Cost-Share Program (VACS) has an applicant cost-share limit or "cap" of $50,000/applicant/year with the exception of WP-4 and WP-4B practices. These practices individually or any aggregation with other practices may be approved to receive up to $70,000 in cost-share funds in any program year. For any single or aggregation of WP-4 and/or WP-4B practices that receive greater than $50,000 in cost-share funds but less than $70,000, the unused cap amount may be used to fund any other additional practices. SL-6 is not subject to the $70,000 cap as the practice shall be paid at 100%; however, participants receiving cost-share funds for SL-6 in excess of $70,000 in PY 2014 shall not be eligible for any additional cost-share funds for any other cost-share practices.

In TMDL implementation areas, as identified in Table 1 on page 2, districts are encouraged not to establish reduced BMP cost-share caps that are not in the BMP specifications. The rationale is based on the level of federal (319) and state cost-share funds that are available and the increased level of participation that is needed in the TMDL areas to attain water quality objectives. The agricultural TMDL cost-share program for PY 2014 has a $70,000/applicant/year limit for individual practices or any aggregation with other eligible practices funded with either 319 or VNRCF TMDL funds.

Eligible Practices (VACS Manual I-13)

There are specific BMPs eligible under the TMDL Implementation Cost-Share Program depending on what type of impairment(s) a project area has (benthic and/or bacteria). All practices listed below may be available to Districts with the TMDL BMP Cost-Share funds; a specific list of BMPs will be listed in the TMDL Implementation Plan or contractual agreements with DCR or DEQ. Districts cannot make modifications or changes to standards and specifications without prior approval from DEQ and DCR.

BMPs Category 1- Stream Exclusion/Improve Riparian Areas/Remove Livestock Bacteria Sources

- FR-3 woodland buffer filter area,
- LE-1T livestock exclusion with riparian buffers, * **
- LE-2T livestock exclusion with reduced setback*,
- SL-1 permanent vegetative cover on cropland
- SL-6T stream exclusion with grazing land management, ** ***
- SL-6AT small acreage grazing system,

SL-7T extension of CREP watering systems,

- SL-10T pasture management

BMPs Category 4 – Reduce Sediment

- FR-1 reforestation of erodible crop & pastureland,
- SL-1 permanent vegetative cover on cropland,
- SL-8B small grain cover crop for nutrient mgmt,
- SL-10T pasture management
- SL-11 permanent vegetative cover on critical areas,
- WP-2A stream bank stabilization,
- WP-3 sod waterway,

· WP-2B stream crossing & hardened access, · WP-4B loafing lot management system, · WP-2T stream protection*, · WP-2A stream bank stabilization (in conjunction with WP-2T), · WQ-11 agricultural sinkhole protection. ***BMPs Category 2 – Remove Human Bacteria Sources*** · RB-1 septic tank pump-out, · RB-2 septic connection to public sewer system, · RB-3 septic system repair, · RB-4 septic system installation/replacement, · RB-4P septic system installation/replacement with pump, · RB-5 alternative waste treatment system. ***BMPs Category 3 – Animal Waste Management*** · WP-4 animal waste control facility	· WQ-1 grass filter strips. · ***BMPs Category 5 – Reduce Nutrients*** · NM-1 nutrient management. plan writing, · NM-3 sidedress application of nitrogen on corn, · SL-8B small grain cover crop for nutrient mgmt, · WP-4D soil test in support of nutrient mgmt. plan, · WQ-4 legume cover crop. · NM-3B manure app. to corn using pre-sidedress nitrate test, · NM-4 late winter split application of nitrogen on small grain,
* Eligible for all livestock types/operations as identified in the TMDL Implementation Plan ** Not to be used with CREP *** **Must qualify as an agricultural producer in accordance with VA Agricultural Cost-share Program policy** Note: If CREP is funding the stream fencing, use CRSL-6. The SL-7T Practice may be used in addition.	

Guidance on volunteer hours and the cost-share program (VACS Manual I-13)

This section is applicable for all TMDL program areas; reference Agricultural BMP Manual.

State Environmental Laws Compliance (VACS Manual I-13)

This section is applicable for all TMDL program areas; reference Agricultural BMP Manual.

Food Security Act Compliance (VACS Manual I-14)

This section is not applicable to 319 funded TMDL BMPs, however VNRCF and WQIF Targeted TMDL funding must comply with this section, please reference Agricultural BMP Manual.

Conservation Plan Requirements (VACS Manual I-15)

This section is applicable for all TMDL program areas; reference Agricultural BMP Manual.

Land Conservation Easements and BMP Cost-Share Program Eligibility (VACS Manual I-17)

TMDL BMP Cost-share does not currently pay for Land Conservation Easements. If identified as corrective action for NPS loads reductions in the implementation plan then it may be eligible.

Cost-Share Rates

This section is applicable for all TMDL program areas in general. However, occasionally additional funds from other organizations may be available to enhance cost share rates within specific TMDL program areas.

Participant Notification (VACS Manual I-18)

This section is applicable for all TMDL program areas; reference Agricultural BMP Manual Please substitute Virginia TMDL BMP Cost-Share for the Agricultural BMP Cost-Share program in the sample language.

Payment (VACS Manual I-18)

This section is applicable for all TMDL program areas; reference Agricultural BMP Manual, except where noted below.

Government Owned/Managed Land (VACS Manual I-19)

This section is applicable for all TMDL program areas; reference Agricultural BMP Manual, except where noted below.

Documentation (VACS Manual I-19)

This section is applicable for all TMDL program areas; reference Agricultural BMP Manual. However there are additional requirements for the TMDL Cost-Share.

319 TMDL Implementation Program

- The District agrees to retain all books, records and other documents for a minimum of five years after final payment (longer if specified in the Agricultural BMP Manual or as stated in the contractual agreement with DEQ).

VNRCF Targeted TMDL Program

- The reporting and documentation requirements stated in the contractual agreement with DCR are the minimums by which the District must abide. Any additional requirements stated in the Agricultural Cost-Share Manual must also be followed.

Data Reporting (VACS Manual I-20)

This section is applicable for all TMDL program areas; reference Agricultural BMP Manual except as noted below. Districts are to submit a quarterly budget report and quarterly report to DCR/DEQ project manager. All data for completed practices for a specific quarter must be entered into the tracking program by the 15th day following the end of a quarter. Any additional reporting requirements for the TMDL BMP Cost-Share will be stated in the contractual agreement with DCR or DEQ. Districts are to report information to their assigned Project Manager.

Completion Dates and Approved Practices under Construction during the next Program Year (VACS Manual I-21)

TMDL projects are administered using grants and whose allocations will be associated with an initial Program Year in the Tracking Program. Practices should be tracked and maintained in the Tracking Program until the grant ends, is canceled, or all funds are expended.

Districts shall set completion dates for practices in order to authorize funds from canceled practices to other requests. All authorized practices must be completed by funding deadlines as established by DCR or DEQ based on grant termination dates (*i.e.*, 319) and deadlines. **Practices not started within nine months of SWCD Board approval should be cancelled.** When appropriate, cancelled practices may be reconsidered for a new program year. Structural practices under construction or awaiting final vegetative establishment should be maintained in the BMP Tracking Program, in the program year that the practice received approval.

Practices will be monitored by district staff until completion of the practice. The District must set a completion date for approved practices and inform the applicant of that date. Practices not completed by that date should be canceled; however the SWCD board may extend the completion date if justified. All practices should be completed within two years of Board approval. Practices canceled for lack of completion effort will not be eligible for funding in future program years. BMPs may need more than one year to complete and should be maintained in the BMP Tracking Program under the initial program year until certified as complete. It is the responsibility of each SWCD to monitor progress with approved BMPs and communicate the preceding expectations to all affected participants.

TMDL Implementation Program

- Districts are required to track BMP progress (percent completed) to help determine status of projects.
- Districts are encouraged to expend all disbursements (cash-on-hand) during the time frame of the current, active grant agreement. At the end of a grant agreement period, any disbursements (cash-on-hand) must be reported to DCR or DEQ along with a formal request to apply those funds to work during the next grant agreement if the funds are needed (this may not be an option for Section 319 grants). Districts are encouraged to track funding (including 319) on the "End of Program Year Cash On-Hand Balance" form provided to CDCs and include this in the appropriate quarterly report with the 319h or VNRCF grant agreements. Approval of such request will be dependent on overall program funding needs as well as the constraints and restrictions associated to the funds on the part of EPA. Any unobligated cost-share balances may be carried forward or they may no longer be available based on whether the EPA grant that provided such funding is closing.
- Unlike state cost-share funds, Federal 319 funds do expire and the use of those funds after the period of the federal award period is not allowed. Funds not expended during the Federal EPA award period must be given back to DEQ to be returned to EPA. This is important to remember as DEQ may provide a 'drop dead' date for the full completion and pay out of practices so all funds are 'used' and no funds need to be returned to EPA.

An Extreme Act of Nature (EAN) for SL-8B Practice only - Definition and Process (VACS Manual I-22)

This section is applicable for all TMDL program areas; reference Agricultural BMP Manual.

Practice Failures (VACS Manual I-23)

This section is applicable for all TMDL program areas; reference Agricultural BMP Manual.

Transfer of Responsibility Agreement (VACS Manual I-25)

This section is applicable for all TMDL program areas; reference Agricultural BMP Manual.

Hardship (VACS Manual I-26)

This does not apply to the TMDL BMP Cost-Share

VA's Soil and Water Conservation District Map

This section is applicable for all TMDL program areas; reference Agricultural BMP Manual.

NWBD Agricultural Non Point Source Assessment Rankings by 6th Order Units. (VACS Manual I-29)

This section is applicable for all TMDL program areas; reference Agricultural BMP Manual.

Hydrologic Unit Geography, Reporting, Unit Codes, County Codes and City Codes (VACS Manual I-43-51)

This section is applicable for all TMDL program areas; reference Agricultural BMP Manual.

Location and Environmental Information (VACS Manual I-54)

This section is applicable for all TMDL program areas; reference Agricultural BMP Manual.

Lists of Conservation Districts/Localities by Program Area (VACS Manual I-54)
This section is applicable for all TMDL program areas; reference Agricultural BMP Manual.

Eligible State Cost-share BMPs (VACS Manual I-60)

This section is applicable for all TMDL program areas; reference Agricultural BMP Manual, with the addition of other TMDL program specific BMPs (see TMDL Practice specifications and TMDL BMP Table).

Evaluation Worksheets (VACS Manual I-62)

This does not apply to the TMDL BMP Cost-Share. At this time priority considerations are those that are outlined in the TMDL IP or the DEQ or DCR contract.

Cost-Share Program Bid Procedures (VACS Manual I-71)

This section is applicable for all TMDL program areas; reference Agricultural BMP Manual.

Spot-Check Procedures, Administrative Review and Spot Check Report Form (VACS Manual I-74)

This section is applicable for Agricultural TMDL program areas; reference Agricultural BMP Manual.

Biosecurity Considerations (VACS Manual I-76)

This section is applicable for all TMDL program areas; reference Agricultural BMP Manual.

Biosecurity Procedures for Poultry and Livestock (VACS Manual I-76-79)

These sections are applicable for all TMDL program areas; reference Agricultural BMP Manual.

Response to Suspected or Confirmed FMD Outbreak (VACS Manual I-79)

These sections are applicable for all TMDL program areas; reference Agricultural BMP Manual.

Additional Biosecurity Procedures to Consider (VACS Manual I-80)

This section is applicable for all TMDL program areas; reference Agricultural BMP Manual.

Revised July 2013

Program Design and Guidelines
TMDL – Cost-Share Assistance Program for On-Site Sewage Disposal Systems

Overview

The Program Design and Guidelines for the Virginia TMDL Cost-Share Assistance Program for On-Site Sewage Disposal Systems, administered by the Department of Environmental Quality or Department of Conservation and Recreation will outline the application and review process; selection criteria, and administrative procedures for providing cost-share assistance to property owners.

This program will address septic tank pump-outs, connection to public sewer, repair and or replacement of failing on-site sewage disposal systems, elimination of straight pipes, and the installation of alternative waste treatment systems.

Grantees who receive grant funds to provide cost-share assistance for on-site sewage disposal systems shall use this program guidance and modify it to identify the specific local areas where these funds are being utilized (note bolded text). A copy of the completed guidance shall be submitted to the DEQ or DCR project manager within 30 days of the grant agreement effective date.

I. Targeting Participation

A. **Geographical Area of Program:** The program will be available to homeowners of property located in the (**list impaired watersheds**) in (**County or Counties**), Virginia.

B. **Solicitation of Participants:** Cost-share applications will be sought through the following means:

1. Health Department Referrals – The Virginia Department of Health, through the local Health Department, issues Notices of Alleged Violations (NOAV) to property owners whose on-site systems are in violation of health and environmental regulations. Property owners under NOAV may contact the (**Grantee**) for application.

2. Referrals from Local Governments, Other Agencies – Homeowners often contact the locality when they have a malfunctioning on-site system. Localities and other local, state, and federal agencies serving the area will be notified of the Program and will be able to refer clients to the Program.

3. Educational Activities – News releases, fliers at public locations, mailings to watershed property owners, workshops, public meetings, etc.

C. **Income Guidelines:** All Program participants are eligible to receive a minimum of 50% cost-share. An increased assistance rate up to 75% will be available based on the household income of the property owner(s) for connection to public sewer and the

repair/replacement of a failing on-site sewage disposal systems, and installation of alternative waste treatment systems. The cost share rate of 50% to 75% is applied to the total eligible cost and has a maximum payment amount (cap) based on the upper end of the practice reimbursable amount (see Table 1 below). The percentage of cost-share awarded per applicant will be based on the current median family income for the subject county, as published by the U.S. Department of Housing and Urban Development or US Census Data. Applicants cost-share assistance rates will be based on the guidance below:

Percent of Median Income	Percent of Cost-Share
< 40%	75%
40 - 60%	70%
61 - 80%	60%
81 – 100%	50%

D. **Scope of Work:** The TMDL Cost-Share Assistance Program for On-Site Sewage Disposal Systems will consider any repair or replacement approved by the Virginia Department of Health, and not prohibited by any local ordinance to be suited for cost-share assistance under this Program for dwellings that are occupied or may be temporarily unoccupied between leases. When an applicant agrees to carry out the on-site system repair or replacement, the applicant is responsible for maintaining the repair/replacement for the specified life span requirement.

Examples of on-site sewage disposal systems which may be funded under this program include septic tank – soil absorption, aerobic treatment units, low pressure distribution systems, drip distribution systems, sand filters, elevated sand mounds, constructed wetlands, peat filters, vault privies, incinerator toilets, and composting toilets. The following are general estimates of cost ranges for practices/systems that are eligible for cost-share.

Table 1. Practices/systems that are eligible for cost-share.

Systems	Cost	Cost-Share Caps
Septic Tank Pumpout (RB-1)	$150 - $300	$150, all participants
Connection to Sewer (RB-2)	$3,500 - $9,000	$4,500 (50%) $5,400 (60%) $6,300 (70%) $6,750 (75%)
Septic Tank System Repair (RB-3)	$300 - $4,000	$3,000, all participants
Septic Tank System Installation/Replacement (RB-4)	$3,000 - $8,000	$4,000 (50%) $4,800 (60%) $5,600 (70%) $6,000 (75%)
Septic Tank System with Pump (RB-4P)	$4,500 - $9,000	$4,500 (50%) $5,400 (60%) $6,300 (70%) $6,750 (75%)
Alternative Waste Treatment Systems include: Aerobic Treatment Units, Low Pressure	$1,500 - $20,000	$10,000 (50%) $12,000 (60%) $14,000 (70%)

Distribution Systems, Drip Irrigation Distribution Systems, Sand Filters, Elevated Sand Mounds, Constructed Wetlands, Peat Filters, Vault Privies, Incinerator Toilets, Composting Toilets (RB-5)		$15,000 (75%)

Alternative waste treatment systems are often needed for older homes that have a straight pipe or a failing septic tank system and there is not enough space with setback requirements or suitable soils for replacing with a septic tank system. Older homes often have antiquated plumbing that creates challenges in dealing with gray water discharges. Because of these factors, local programs are encouraged to work with the Virginia Department of Housing and Community Development and the Southeast Rural Community Assistance Project. Both have Indoor Plumbing and Rehabilitation Programs that offer grants/loans to homeowners to modernize plumbing and to replace straight pipes and failing on-site sewage disposal systems. DCR has communicated with both about the TMDL – Cost-Share Assistance Program for On-Site Sewage Disposal Systems and they are interested in working with low income homeowners that need assistance. Practices requiring permits are generally not eligible for cost-share. Therefore, alternative waste treatment systems that discharge to state waters and require a permit from DEQ are considered ineligible for cost-share. **DEQ is determining situations where they may be allowable and the granting of a waiver by DEQ could be appropriate.**

II. Cost-Share Application and Review

A. Application Guidelines:

1. Continuous Sign-Up – Applications will be accepted on a continual basis.

2. Income Eligibility – An applicant shall complete an Income Eligibility worksheet to determine income qualification for an increased cost-share rate. Applicants shall demonstrate income qualification based on local program guidance. This may include a requirement that the applicant must provide a copy of the most recent state or federal tax return.

3. Place and Time of Application – Applications will be available at the (**Grantee**) office at (**address**) between the hours of (**operating hours/days**).

B. Review Guidelines:

1. Staff Review – The (**Grantee**) staff will review each application for completeness. Staff will verify income eligibility. Staff will verify that the on-site disposal system is in need of deficiency correction through a repair permit or installation permit issued by the Department of Health or consultation with the local Health Department. A site visit should be made by Grantee staff.

2. Selection Committee– The (**Grantee**) will designate a committee to review, and approve the completed applications. The Committee will recommend the applicants to receive cost-share assistance to the (**Grantee**) Board of Directors for approval. The Committee shall consider the following in determining cost-share funding priorities when the number of applicants and requested cost-share exceed available funding :
    a. Quantity of Residential Program control measures identified in the TMDL implementation plan;
    b. Cost of correcting on-site deficiency;
    c. Correction of on-site waste disposal deficiency, impact on water quality;
    d. Repair permit issued by Department of Health;
    e. Proximity of deficiency to impaired stream;
    f. Local geological features on-site (e.g. karst, rock outcroppings, etc.),
    g. Method of correcting on-site deficiency – probability of successfully functioning system, including ease of maintenance.

III. Administrative Procedures:

A. On-Site Sewage Disposal System Repair/Replacement Specifications

The property owner shall obtain a Department of Health permit for repair and replacement of on-site system and any other permit as required for construction of the on-site system. The property owner shall obtain and comply with any engineering designs as required in the Department of Health permit.

B. Permits, Inspections and Sign-Off

The Department of Health will issue the on-site sewage disposal system repair/replacement permit, and conduct the final inspection of the system. The *Virginia Residential TMDL BMP Cost-Share Request Form* must be signed and dated by the property owner(s) a Grantee representative; a Department of Health representative, and a professional engineer (when applicable) and attached to the Virginia BMP Incentives Programs Contract.

C. Variance Requests

The (**Grantee**) staff can potentially provide more than the cap amount allowable by practice and the various cost-share assistance rates applied to RB-2, RB-4, RB-4P, and RB-5. To submit a variance request the applicant must be eligible for more than 50% cost-share. All requests should be forwarded by the Grantee to the DEQ central office TMDL Implementation Coordinator. Only those applicants eligible for >50% cost-share will be considered for a variance to allow increased cost-share above the cap.

D. Assignment of Residential Cost-Share Funds

The Grantee can assign the cost-share payment for residential septic practices to a third party contractor/installer upon request by the participant. An "Assignment of Residential Septic Practice (RB-2, 3, 4, 4P, and 5) Cost-Share Authorization" form must be completed and provided to the Grantee. In order for this payment to be made the contractor must provide a completed Form W-9, Request for Taxpayer Tax Identification and Certification to the Grantee.

Revised June 2013

LIVESTOCK EXCLUSION WITH RIPARIAN BUFFERS
FOR TMDL IMPLEMENTATION AREAS
DCR Specifications for No. LE-1T

This document specifies terms and conditions for the Total Maximum Daily Load (TMDL) stream exclusion with riparian buffers best management practice, that are applicable to all contracts, entered into with respect to that practice in targeted TMDL implementation project areas.

A. Description and Purpose

A structural and/or management practice that will restrict access to surface waters to reduce sediment, nutrients, and bacteria loadings to streams, and reduce NPS pollution associated with grazing livestock on pastures, within identified TMDL Implementation Areas only.

Provide livestock watering systems and fencing that will improve water quality by eliminating direct access to surface waters, establishing riparian buffers, and by improving pasture management by establishing rotational grazing to control erosion. **Stream exclusion fencing is a required component of this practice**. When cost-share funds for establishing rotational grazing are provided participants must develop and implement a rotational grazing plan.

B. Policies and Specifications

1. The majority of the water quality improvement achieved by implementing this practice is associated with excluding livestock from surface waters and establishing riparian buffers. The least cost alternative that best resolves the resource concern must be utilized.

2. A written management plan, and operations and maintenance plan including a rotational schedule when more than one grazing unit is planned must be prepared and followed for all grazing units contained in the system in accordance with NRCS FOTG. Factors to be addressed must include water sources, environmental impacts, fencing needs, wetlands, minimum cover and grazing heights. Additional concerns addressed should include soil fertility, and system maintenance, access lanes, carrying capacity of the land and paddock rotational grazing schedules.

3. To protect stream banks, cost–share and tax credit are authorized for:

   i. Fencing, both temporary and stream exclusion (permanent), for grazing distribution and to restrict stream access in connection with newly developed watering facilities. The stream exclusion fence must be placed a minimum of 35 feet away from the stream, except as designed in areas immediately adjacent to livestock crossings and controlled hardened accesses. Stream exclusion fencing selection must meet the minimum NRCS permanent fence standard for the livestock being excluded.
   ii. Stream crossings for grazing distribution, as long as the crossing restricts access to the stream.
   iii. Fence chargers used to electrify permanent or temporary fencing.

4. To supply water, cost-share and tax credit are authorized for:

   i. Construction or deepening of wells if it is the only technically feasible alternative for a water source.
   ii. Development of springs or seeps, including fencing of the area, where needed, to protect the development from pollution by livestock.
   iii. Construction or repair of dugouts, dams, pits, or ponds (if the only technically feasible alternative for water source), including fencing of the area, where needed, to protect water source from pollution by livestock.
   iv. Installing pipelines, storage facilities, cisterns, and troughs.
   v. A water supply system can be a portable system to meet the management requirements necessary for systems operation rather than a large number of permanent water facilities.
   vi. Wells must be provided with pumping equipment (except for artesian wells) and adequate facilities. Cost share is authorized in connection with wells for pipe installed in the well (including the casing), pumps, pumping equipment, and well houses. Districts may approve 85% cost-share for dry wells and/or well location studies (geotechnical surveys) for the development of an alternative watering system on a case by case basis and at the discretion of the SWCD Board.
   vii. Pumps and equipment associated with portable and permanent watering systems. Pumps may operate on purchased electrical current or alternative energy sources such as solar, battery, mechanical or hydraulic energy. The selected pump 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.
   viii. Watering facilities that distribute grazing to improve water quality when an existing livestock exclusion of an adjacent stream or sensitive feature fails to protect water quality.

5. To establish pasture management, cost-share and tax credit are authorized for:

   i. Interior fencing or intensive rotational grazing systems that distribute grazing to improve water quality when the existing livestock exclusion of an adjacent stream or sensitive feature fails to protect water quality.
   ii. Prescribed grazing systems may be installed where judged appropriate and feasible by the local technical authority. Consideration must be given, in such cases, to the additional management requirements of such systems.

6. 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.

7. No cost-share and tax credit are authorized under the practice for any installation that is:

   i. PRIMARILY for recreation, 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 purpose of providing water for the farm or ranch headquarters.

8. 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. Exception to this may be granted only in cases of severe environmental degradation occurring in and around features such as, seeps, ponds, wetlands, sinkholes, etc.

9. Wells constructed under this practice must meet appropriate state and local ordinances and permit requirements for wells supplying water to livestock as a minimum.

10. A portable water supply system is any system or component (i.e. trough, pipe, etc.) that is:

    i. Commercially available or farmer constructed
    ii. 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.
    iii. Capable of being maintained in a stable position and protected from any damage while the system or component is in use, and (iv) capable of being moved in a timely manner from one location to another within the acreage for which the system is designed.

11. The primary water use of the components which were installed with cost-share assistance must be for the purpose of providing water for livestock; however, incidental usages may be permitted but is subject to review and approval of the SWCD Board of Directors. Cost-share assistance 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, in advance of BMP implementation the District Board should consider the applicant's intent before approving the request. When a need for incidental use arises following practice implementation approval is subject to a decision of the SWCD Board of Directors. Failure to follow this guidance may result in a re-payment of some portion of the cost share funds provided.

12. Soil loss rates must be computed for all applications for use in establishing priority considerations.

13. Flash grazing (allowing livestock to graze the excluded riparian area) is not allowed as a management alternative during the lifespan of this practice.

14. This practice is subject to NRCS Standards 528 Prescribed Grazing, 382 Fence, 390 Riparian Herbaceous Cover, 512 Pasture and Hay Planting, 561 Heavy Use Area Protection, 574 Spring Development, 614 Watering Facility, 516 Pipeline, 472 Access Control, 642 Water Well, 580 Stream Bank and Shoreline Protection, and 378 Pond (water supply only).

15. All practice components implemented must be maintained for a minimum of 10 years following the calendar year of installation. The lifespan begins on January 1 of the calendar year following the year of implementation. 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 SWCD throughout the lifespan of the practice and failure to maintain the practice may result in reimbursement of cost share and/or tax credits.

16. The conservation planning process for developing an alternative watering system for livestock should include consideration some means of providing water to the livestock during emergency conditions. Generators may not receive cost-share.

C. Rate(s)

1. A cost-share rate based on 85% of the lesser of the estimated or actual cost of all eligible components has been established. Cost-share may be from state or federal funds or a combination of state, federal, and other sources. The maximum cost-share payment for this practice is not to exceed $70,000 per landowner per year.

2. The tax credit rate is 25% of the total eligible cost not to exceed $17,500.

3. If a cooperator receives cost-share, only the percent of the total cost of the project that the cooperator contributed is used to determine the tax credit.

D. Technical Responsibility

Technical responsibility is assigned to NRCS due to the standards listed above. Any individual with appropriate NRCS job approval authority can allow authorization. All practices are subject to spot check procedures and any other quality control measures.

Revised June 2013

LIVESTOCK EXCLUSION WITH REDUCED SETBACK
FOR TMDL IMPLEMENTATION
DCR Specifications for No. LE-2T

This document specifies terms and conditions for the stream exclusion with reduced setback best management practice that are applicable to all contracts entered into with respect to that practice in targeted TMDL project areas.

A. Description and Purpose

This practice will promote structural and/or management practice(s) that will enhance or protect vegetative cover to reduce runoff of nutrients, sediment, and bacteria from existing pastureland within TMDL implementation areas and therefore reduce NPS pollution associated with grazing livestock.

The purpose of this practice is to provide alternative livestock watering systems and fencing that will improve water quality by eliminating direct access to surface waters and by improving pasture management by establishing rotational grazing to control erosion. When cost-share funds for establishing rotational grazing are provided participants must develop and implement a rotational grazing plan. **Stream exclusion fencing is a required component of this practice.**

B. Policies and Specifications

1. The majority of the water quality improvement achieved by implementing this practice is associated with excluding livestock from surface waters. The least cost alternative that best resolves the resource concern must be utilized.

2. A written management plan, to include a rotational grazing component, operations and maintenance plan must be prepared and followed in accordance with NRCS FOTG. Factors to be addressed should include water sources, environmental impact of runoff, soil fertility maintenance, access lanes, fencing needs, wetlands, minimum cover or grazing heights, carrying capacity of the land, and rotational schedules.

3. Flash grazing (allowing livestock to graze the excluded riparian area) is not allowed as a management alternative during the lifespan of this practice.

4. To supply water, cost-share and tax credit are authorized for:
   i. Development of springs or seeps, including fencing of the area, where needed, to protect the development from pollution by livestock.
   ii. Construction or deepening of wells if it is the only technically feasible alternative for a water source.
   iii. Construction or repair of dugouts, dams, pits, or ponds (if the only technically feasible alternative for water source), including fencing of the area, where needed, to protect the development from pollution by livestock.

iv. Installing pipelines, storage facilities, cisterns, troughs, and artificial watersheds.
v. A water supply system can be a portable system to meet the management requirements necessary for systems operation rather than a large number of permanent water facilities.
vi. Wells must be provided with pumping equipment (except for artesian wells) and adequate facilities. Cost sharing is authorized in connection with wells for pipe installed in the well (including the casing), pumps, pumping equipment, and well houses. Districts may approve 50% 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 SWCD's Board.
vii. Pumps and equipment associated with a portable and permanent watering system. Pumps may operate on purchased electrical current or alternative energy sources such as solar, battery, mechanical or hydraulic energy. The selected pump 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.

5. To establish pasture management, state cost-share and tax credit are authorized for:
i. Permanent stream exclusion fence that must be placed a minimum of 10 feet away from the stream, except as designed in areas immediately adjacent to livestock crossings and controlled hardened accesses. Stream exclusion fencing selection must meet the minimum NRCS permanent fence standard for the livestock being excluded.
ii. Permanent or temporary fencing, for grazing distribution, in connection with newly developed watering facilities.
iii. Interior fencing, watering facilities and/or intensive rotational grazing systems that distribute grazing to improve water quality are allowed when combined with the livestock exclusion component of this practice on an adjacent stream or sensitive feature.
iv. Stream crossings for grazing distribution, as long as the crossing restricts access to the stream.
v. Fence chargers used to electrify permanent or temporary fencing.

6. 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. A portable water supply system is any system or component (i.e. trough, pipe, etc.) that is:

i. Commercially available or farmer constructed,
ii. 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,
iii. Capable of being maintained in a stable position and protected from any damage while the system or component is in use, and

iv. Capable of being moved in a timely manner from one location to another within the acreage for which the system is designed.

7. No state cost-share and 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 the purpose of providing water for the farm or ranch headquarters.

8. The participant is responsible to inspect and maintain fencing. In the event the fencing is damaged or destroyed it is the responsibility of the participant to repair or replace fencing to original location and condition with no additional cost share funding. Participants may not simultaneously receive any incentives associated with the WP-2T practice when implementing this practice.

9. The conservation planning for developing an alternative watering system for livestock should include consideration for some means of providing water to the livestock during emergency conditions. Generators may not receive cost-share.

10. State cost-share and tax credit for implementing this practice are limited to pastureland that borders a live stream only. Exception to the (live stream requirement) may be granted in cases of severe environmental degradation occurring in and around features such as, seeps, ponds, wetlands, concentrated flow channels with evidence of pollution, or sinkholes, etc.

11. All permits or approvals necessary are the responsibility of the applicant.

12. The primary water use of the components which were installed with cost-share and state tax credit must be for the purpose of providing water for livestock; however, incidental use is not prohibited. 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.

13. Soil loss rates must be computed for all applications for use in establishing priority considerations.

14. This practice is subject to NRCS Standards 528 Prescribed Grazing, 382 Fence, 390 Riparian Herbaceous Cover, 533 Pumping Plant, 512 Pasture and Hay Planting, 561 Heavy Use Area Protection, 574 Spring Development, 575 Animal Trails and Walkways, 578 Stream Crossing, 580 Stream Bank and Shoreline Protection, 614 Watering Facility, 516 Pipeline, 472 Access Control, 642 Water Well.

15. 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 either a cost-share payment or a 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 SWCD throughout the lifespan of the practice and failure to maintain the practice may result in reimbursement of cost share and/or tax credit.

C. Rate(s)

1. A cost-share rate based on 50% of the lesser of the estimated or actual cost of all eligible components has been established for this practice. Cost-share may be from state or federal funds. The maximum cost-share payment for this practice is not to exceed $70,000 per landowner per year.

2. The Tax Credit rate is 25% of the total eligible cost not to exceed $17,500.00. If a cooperator receives Cost-Share, only the percent of the total cost of the project that the cooperator contributed is used to determine the Tax Credit.

D. Technical Responsibility

Technical responsibility is assigned to NRCS due to the standards listed above. Any individual with appropriate NRCS job approval authority can allow authorization. All practices are subject to spot check procedures and any other quality control measures.

Revised June 2013

Name of Practice: SMALL ACREAGE GRAZING SYSTEMS
FOR TMDL IMPLEMENTATION
DCR Specifications for No. SL-6AT

A. Description

This practice is cost-share eligible in TMDL targeted implementation areas.
It is designed to reduce soil erosion in pastures and to prevent those areas exposed to heavy alternative livestock (non-bovine) traffic from experiencing excessive manure and soil losses due to the destruction of ground cover, and eliminate direct access to or a direct runoff input to live streams. Alternative livestock are addressed as pollutant sources in TMDLs.

B. Purpose

Small acreage grazing systems frequently require the use of a heavy use area to remove livestock from pastures in wet conditions or when the pastures need to rest and recover. These sacrifice area paddocks quickly become denuded of vegetation and may harbor undesirable plants. Conditions in these paddocks are often unfavorable to livestock as well as the surrounding environment due to the build-up of manure in the paddock and the erosion and runoff transporting bacteria that may take place on denuded soil.

The intent of this practice is to prevent manure and sediment runoff from a heavy use area and pastures from entering watercourses and to capture a portion of the manure as a resource for other uses such as fertilizer. This is accomplished by dividing the pasture into grazing paddocks. Livestock is rotated from paddock to paddock as is necessary to maintain a permanent vegetative cover. One lot is stabilized and designated as a heavy use area for use in periods of wet weather and when the grass in the grazing paddocks needs to rest and re-grow to the appropriate grazing height.

C. Policies and Specifications

1. Cost-share and tax credit are authorized to protect surface water, supply water troughs, and stabilize a heavy use area.

   i. No structural or management practice is capable of compensating for the damage to soil and water quality from extreme over stocking of livestock; therefore, cost-share and tax credit will not be authorized for any operation where the stocking rate exceeds one (1) animal unit (1,000-pound equivalent) per acre on the existing pastures.

   ii. A stocking rate of no greater than one (1) animal unit (1,000-pound equivalent) per acre must be maintained throughout the 10 year life span of the practice.

   iii.. Operation must have a minimum of (3) animal units.

2. A grazing management plan, practice design, and operation and maintenance (O & M) plan are to be developed with consultation from a VCE Agent specializing in the alternative livestock (if available) and NRCS and/or SWCD. An animal waste management system plan shall be developed as required by NRCS standard 561-Heavy Use Protection.

3. A minimum of three grassed grazing paddocks is required.

4. A heavy use area is required.

    i. Manure, hay, bedding, and other organic materials must be removed from the sacrifice area at intervals outlined in the operation and maintenance plan. The sacrifice area must be maintained in a sanitary condition that does not allow for the accumulation of manure or the creation of mud.

    ii. The sacrifice area should be sized to allow 600 to 1,000 square feet per animal unit (1,000-lb. equivalent). Consideration should be given to the age, sex, breed, and behavioral characteristics of the animals when determining the final size and number of sacrifice areas needed. The heavy use area shall be sloped not to exceed 10% maximum.

    iii. Divert surface water and roof runoff away from the sacrifice area.

    iv. Provide filtering of runoff from the heavy use area.

    v. The primary use of the heavy use area shall be within the purpose of establishing a small acreage grazing system. Design considerations shall not be given to its use as a riding or exercise area or any purpose other than to perform its water quality benefit.

5. Each grassed grazing paddock will be sized based on soil type, topography and herd size and be maintained in at least 80% coverage of permanent forage.

6. Livestock must be excluded from all streams. A minimum 35-ft.wide vegetated buffer shall be maintained directly adjacent to all streams, ponds, and other watercourses.

7. Walkways may be installed to facilitate herd movement from the barn to the heavy use area and grazing paddocks. Walkways are to be designed in accordance with NRCS standard 575 (Animal Trails and Walkways).

8. In order for the forage in the grass paddocks to take up nutrients such as nitrogen it must be managed for growth and harvested for hay or pasture.

9. Critical eroding and sensitive areas will be fenced out and permanent cover established.

10. The small acreage grazing system must remain in place and operated according to the O & M plan for a period of ten years.

11. Cost-share and tax credit are authorized for: watering facilities, stream exclusion and interior paddock fencing, excavation, and site preparation, geotextile fabric, stone, pipeline, and watering troughs. Cost-share and tax credit are not authorized for heavy use sacrifice areas that exceed the allowable sizing limitation as outlined in (4) (i), or the designated use requirement in 4 (v).

12. This practice is subject to the requirements of applicable NRCS Standards. These may include 561 Heavy Use Area Protection, 590 Nutrient Management 342 Critical Area Planting, 362 Diversion, 575 Animal Trails and Walkways, 382 Fence, 391 Riparian Herbaceous Cover, 393 Filter Strip, 412 Grassed Waterway, 516 Pipeline, 574 Spring Development, 580 Streambank and Shoreline Protection, 558 Roof Runoff Structures and 614 Watering Facilities, 528 Prescribed Grazing.

13. All practice components implemented must be maintained for a minimum of 10 years following the calendar year of installation. The lifespan begins on January 1 of the calendar year following the year of implementation. 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 SWCD throughout the lifespan of the practice and failure to maintain the practice may result in reimbursement of cost share and/or tax credits.

E. Rate(s)

1. A rate based on 50% of the cost of all eligible components has been established. Cost-share may be from state funds or a combination of state and other sources. The cost-share payment amount will not exceed $15,000.

2. The Tax Credit rate is 25% of the total eligible cost not to exceed $7,500. If a cooperator receives cost-share payment(s) from another source(s), only the percent of the total cost of the project that the cooperator contributed is used to determine the Tax Credit.

F. Technical Responsibility

Technical responsibility is assigned to NRCS due to the standards listed above. Any individual with appropriate NRCS job approval authority can allow authorization. All component practices used in the installation of this BMP must be entered into the NRCS reporting system and are subject to spot check procedures and any other quality control measures.

March, 2012

Name of Practice: STREAM EXCLUSION WITH GRAZING LAND MANAGEMENT FOR TMDL IMPLEMENTATION
DCR Specifications for No. SL-6T

This document specifies terms and conditions for the Total Maximum Daily Load (TMDL) stream protection with grazing land management best management practice. These terms and conditions are applicable to all contracts entered into with respect to this practice in targeted TMDL implementation areas.

A. Description and Purpose

A structural and/or management practice that will enhance or protect vegetative cover to reduce runoff of sediment, nutrients, and bacteria from existing pastureland and reduce NPS pollution associated with grazing livestock.

Provide livestock water systems, fencing and/or a hardened pad for winter-feeding that will improve water quality by establishing rotational grazing to control erosion and eliminate direct access to or a direct runoff input to live streams where there is a defined water quality problem. **Stream exclusion fencing is a required component of this practice**. The 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. 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. Exception to this may be granted in cases of severe environmental degradation occurring in and around features such as, seeps, ponds, wetlands, or sinkholes, etc.

2. To protect stream banks, cost sharing and tax credit are authorized for:

   i. Fencing, both temporary and stream exclusion *(*permanent), for grazing distribution and to restrict stream access in connection with newly developed watering facilities. The stream exclusion fence must be placed a minimum of 35 feet away from the stream, except as designed in areas immediately adjacent to livestock crossings and controlled hardened accesses.
   ii Stream crossings for grazing distribution, as long as the crossing restricts access to the stream.
   iii. Fence chargers used to electrify permanent or temporary fencing.

3. An applicant may not apply for or receive cost-share funds for SL-6T and SL-7 on the same field.

4. A written management plan*, to include a rotational grazing component if applicable, and operations and maintenance plan must be prepared and followed*

in accordance with NRCS FOTG. Factors to be addressed should include water sources, environmental impact of winter-feeding pad location, runoff from the feeding pad area, soil fertility maintenance, access lanes, fencing needs, wetlands, minimum cover or grazing heights, carrying capacity of the land and rotational schedules.

Flash grazing (allowing livestock to graze the excluded riparian area) is not allowed as a management alternative during the lifespan of this practice.

5. To supply water, state cost-share and tax credit are authorized for:

   i. Construction or deepening of wells if it is the only technically feasible alternative for a water source.
   ii. Development of springs or seeps, including fencing of the area, where needed, to protect the development from pollution by livestock.
   iii. Construction or repair of dugouts, dams, pits, or 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.
   iv. Installing pipelines, storage facilities, cisterns, and troughs.
   v. A water supply system can include a portable system to meet the management requirements necessary for systems operation rather than a large number of permanent water facilities.
   vi. Wells must be provided with pumping equipment (except for artesian wells) and adequate facilities. Cost sharing is authorized in connection with wells for pipe installed in the well (including the casing), pumps, pumping equipment, and well houses. Districts may approve 75% cost-share for dry wells and/or well location studies (geotechnical surveys) for the development of an alternative watering system on a case by case basis and at the discretion of the SWCD's Board. vii. Pumps and equipment associated with portable and permanent watering systems. Pumps may operate on purchased electrical current or alternative energy sources such as solar, battery, mechanical or hydraulic energy. The selected pump 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.

6. To establish pasture management, state cost-share is authorized for:

   i. Intensive rotational grazing systems may be installed where judged appropriate and feasible by the local technical authority. Consideration must be given, in such cases, to the additional management requirements of such systems.
   ii. Interior fencing, watering facilities and/or intensive rotational grazing systems that distribute grazing to improve water quality are allowed when

combined with the livestock exclusion component of this practice on an adjacent stream or sensitive feature.

7. To develop a hardened pad for winter-feeding of livestock state cost-share and tax credit are authorized for:

   i. Grading and shaping, geotextile fabric, gravel, concrete or bituminous concrete.
   ii. The winter-feeding hardened pad will be cost shared based upon the existing herd size and cannot consider expansion of herd size with cost share funds.
   iii. All other means of reducing the environmental impact of the winter-feeding operation must be explored and rejected, due to economic inefficiency or lack of space for relocation, before cost-share or tax credit can be approved.
   iv. Cost-share funding for a hardened winter-feeding pad will only be authorized after the "Needs Determination Worksheet" has been completed, and all other methods of resolving the water quality degradation have been considered.
   v. A nutrient management plan is required to properly manage the manure collected from around the feeding pad that addresses all enriched runoff and manure accumulations associated with the winter-feeding pad.

8. 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. A portable water supply system is any system or component (i.e. trough, pipe, etc.) that is:

   i. Commercially available or farmer constructed,
   ii. 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,
   iii. Capable of being maintained in a stable position and protected from any damage while the system or component is in use, and
   iv. Capable of being moved in a timely manner from one location to another within the acreage for which the system is designed.

9. 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 may not receive cost-share.

10. 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.

11. No cost-share and 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 the purpose of providing water for the farm or ranch headquarters.

12. Soil loss rates must be computed for all applications for use in establishing priorities for receiving cost share funds.

13. All permits or approvals necessary are the responsibility of the applicant.

14. This practice is subject to NRCS Standards 528 Prescribed Grazing, 382 Fence, 390 Riparian Herbaceous Cover, 533 Pumping Plant, 512 Pasture and Hay Planting, 561 Heavy Use Area Protection, 574 Spring Development, 575 Animal Trails and Walkways, 578 Stream Crossing, 580 Stream Bank and Shoreline Protection, 614 Watering Facility, 516 Pipeline, 472 Access Control, 642 Water Well.

15. 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 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 SWCD 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

1. The cost-share rate for state funds as the sole funding source is 100%. The federal funds cost-share rate will not exceed 75% of the total eligible cost. Federal funds can be combined with state funds to provide 100% cost-share. The maximum cost-share payment for this practice (using state, federal, or combination of state/federal) cannot exceed $70,000 per landowner per year.

2. The tax credit rate is 25% of the total eligible cost not to exceed $17,500.

3. If a cooperator receives cost-share, only the percent of the total cost of the project that the cooperator contributed is used to determine the tax credit.

D. Technical Responsibility

Technical responsibility is assigned to NRCS due to the standards listed above. Any individual with appropriate NRCS job approval authority can allow authorization. All practices are subject to spot check procedures and any other quality control measures.

Revised September 2013

Needs Determination Worksheet for Winter-Feeding Pad for _____ project

(To be completed by the conservationist; Use additional sheets as necessary)

This practice is not designed to be cost-shared as a stand-alone practice, but rather as a component to address a limited site specific situation, where an existing concentrated feeding location, due to its proximity to surface water or karst formations, concentrates manure and generates contaminated runoff that cannot be treated in a more cost-effective manner (including relocation of existing feeding site and fencing of stream buffers). All other potential more cost-effective approaches to reducing the water quality impact from the existing feeding operation must be implemented prior to consideration of construction of a winter-feeding pad (see Policies and Specification section B 6.)

Describe the current water quality problem? Have all other more cost-effective BMP approaches been implemented? If not do not provide cost-share. List approaches that have been considered.

Is there another location (further from the stream) that this feeding operation might be relocated to? If there is, relocate there and do not provide cost-share or provide environmental reasons why it cannot be relocated.

How many and what types of livestock will be fed at the facility? This facility should not be approved for cost-share unless a significant nutrient or bacterial contamination issue can only be cost-effectively resolved through the construction of the feeding pad. Explain the source and document the bacterial contamination being treated.

Is there an existing vegetated buffer between current the winter-feeding location and the closest waterway, are livestock excluded from the buffer and water feature? If animals have not been excluded from all water features on this tract, do not provide cost-share.

Describe the condition of the riparian area (starting at the top of the bank and proceeding upland for a minimum of 200 feet). If there is sufficient buffer width (200') that adequately treats contaminated run-off before it reaches the stream, do not provide cost-share.

How much pasture, hay land and cropland is available in this operation where the stored manure may be spread? If the available land cannot handle the anticipated amount of manure generated a plan must be developed for disposing of the manure in a manner consistent with existing nutrient management techniques.

Pasture acres _____ Hay acres _____ Cropland _____

What level of conservation planning has been accomplished on your operation?

What level of Conservation Plan implementation is in place on this operation?

Will the establishment of a winter-feeding pad in conjunction with stream fencing resolve all erosion, and bacterial contamination issues associated with this grazing system and feeding operation (including potential contaminated runoff from the winter feeding facility)? **If not, do not provide cost –share funds.**

Completed by:

_____	_____	_____
Signature	Date	Title

Name of Practice: TMDL SUPPORT FOR EXTENSION OF
CREP WATERING SYSTEMS
DCR Specifications for No. SL-7T
Only implemented in conjunction with CREP CRSL-6

This document specifies terms and conditions for the Total Maximum Daily Load (TMDL) Program extension of CREP watering systems best management practice. These terms and conditions are applicable to all contracts entered into with respect to this practice in targeted TMDL Implementation Areas.

A. Description and Purpose

This practice is designed to provide additional funding to Conservation Reserve Enhancement Program (CREP) projects to encourage full enrollment in all of Virginia's CREP areas. This practice must be planned, approved, and installed at the same time and in conjunction with a new CREP contract. This practice cannot be used with a CREP CP-21.

After utilizing all available CREP cost-share funds, additional TMDL cost-share funds may be authorized to extend the watering system installed with CREP funds, and to implement rotational grazing on those fields receiving watering facilities to increase forage cover through the proper grazing and forage management techniques that will allow a pasture to rest and re-grow its cover. The system receiving cost-share should reflect the least costly, most technically feasible, environmentally effective approach to resolve the existing water quality problem.

B. Policies and Specifications

1. Rotational grazing **must** be planned, installed and implemented in grazing units served by the CREP watering system and the extended watering system for which SL-7 funds were received.

2. Ineligible:
   i. An applicant may not apply for or receive cost share funds for SL-6T and SL-7T practices both funded by TMDL Implementation Funds on the same fields.
   ii. A producer may not apply for or receive cost share funds for SL-7T and CP-22B on the same acres.

3 A written management plan, including a rotational grazing component and operations and maintenance plan must be prepared and followed in accordance with NRCS FOTG. Factors to be addressed should include water sources, environmental impact, soil fertility maintenance, access lanes, fencing needs,

wetlands, minimum cover or grazing heights, carrying capacity of the land and rotational schedules.

4. Flash grazing (allowing livestock to graze the excluded riparian area) is not allowed as a management alternative during the lifespan of this practice.

5. To supply water, state cost-share and tax credit are authorized for:

   i. Installing pipelines, watering facilities, hardened pads around watering facilities, storage facilities, cisterns, and troughs (portable or fixed). When additional water is needed in CREP fields, the FSA CREP waiver process should be considered before authorizing TMDL cost-share.

   ii. A water supply system can include a portable system to meet the management requirements necessary for systems operation rather than a large number of permanent water facilities.

6. 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.

   A portable water supply system is any system or component (i.e. trough, pipe, etc.) that is:

   i. Commercially available or farmer constructed,
   ii. 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,
   iii. Capable of being maintained in a stable position and protected from any damage while the system or component is in use, and
   iv. Capable of being moved in a timely manner from one location to another within the acreage for which the system is designed.

7. 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.

8. To facilitate rotational grazing systems, cost-sharing and tax credit are authorized for temporary or permanent interior fencing and fence chargers (electric or solar) used to electrify permanent or temporary fencing that is

part of the grazing system.

i. Any installation of permanent fencing to bring previously unused fields or pastures into the grazing system is the responsibility of the participant, and cannot receive cost-share or tax credit assistance. Permanent fencing may be installed under this practice to divide existing pasture units only to better manage rotational grazing.

9. No cost-share and 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 the purpose of providing water for the farm or ranch headquarters.

10. This practice is subject to spot check by the Districts throughout the life of the practice and failure to comply may result in forfeiture of funds.

11. This practice is subject to NRCS Standards 528 Prescribed Grazing, 382 Fence, 512 Pasture and Hay Planting, 561 Heavy Use Area Protection, 614 Watering Facility, 516 Pipeline, and 472 Access Control.

12. The system shall be maintained for the lifespan of the CREP contract or a minimum of 10 calendar years, whichever is greater. By accepting payment for this practice the recipient agrees to maintain the practice for the specified lifespan. This practice is subject to spot check by the District throughout the lifespan of the practice and failure to comply may result in reimbursement of cost-share funds and/or tax credits.

C. Rate(s)

1. The cost-share payment will not exceed 75% of the total eligible cost. The maximum payment for this practice is not to exceed $50,000 per landowner per year.

2. As set forth by Virginia Code § 58.1-339.3 and §58.1-439.5, Virginia law 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.

3. If a cooperator receives cost-share, only the percent of the total cost of the project that the cooperator contributed is used to determine the tax credit.

D. Technical Responsibility

Technical responsibility is assigned to NRCS due to the standards listed above. Any individual with appropriate NRCS job approval authority can allow authorization. All practices are subject to spot check procedures and any other quality control measures.

Revised June 2013

Name of Practice: PASTURE MANAGEMENT
FOR TMDL IMPLEMENTATION
DCR Specification for No. SL–10T

This practice is only available for demonstration Soil and Water Conservation Districts for Program Year 2014

This document specifies terms and conditions for the Total Maximum Daily Load (TMDL) pasture management best management practice. These terms and conditions are applicable to all contracts entered into with respect to this practice.

Pasture are represented by those lands that have been seeded, usually with introduced species (i.e., tall fescue, legumes) or in some cases to native plants (e.g., switchgrass or other native warm season grasses), and which are managed using agronomy practices for grazing of livestock.

A. Description and Purpose

A system of pasture management techniques to improve the quantity, quality and utilization of forage for grazing animals, and reduce the risk of surface and groundwater contamination from nonpoint source pollution from pastures by maintaining an adequate stand of forage to absorb runoff and reduce pollutants.

To provide adequate vegetative protection from soil erosion, nutrients delivery, and pathogen loads in runoff water to adjacent surface waters and or sinkholes.

Promote better utilization of cost-shared infrastructure installed for grazing management systems.

B. Policies and Specifications

All fields that receive cost share under this practice must be perennial pasture and have had all livestock previously excluded from all surface waters and sink holes. A written grazing management plan, and operation and maintenance plan including all acres in the grazing system must be prepared and followed in accordance with NRCS 528 Prescribed Grazing standard.

1. This practice where applied must meet following requirements:

   i. Producers must be fully implementing a current nutrient management plan for the life of this practice. Cost share payments shall not be made until a current nutrient management plan is on file with the SWCD.
   ii. Maintain adequate nutrient and pH levels to improve or maintain desired forage species composition, plant vigor and persistence. Lime shall be applied in accordance with soil test recommendations.
   iii. The practice must be maintained for a minimum of three years.

2. Locate infrastructure to facilitate grazing management and manure distribution:

   i. Manage the type and number of grazing animals, length of grazing period, based on available forage and allowable utilization targets. Manage livestock rotation to new paddock subdivisions to maintain minimum grazing height recommendations and sufficient rest periods for plant recovery according to NRCS Table 1. Guidelines for Grazing Heights and Rest Periods (page SL-10T-4). Size pasture subdivisions and manage animal stock densities to minimize grazing periods and maximize manure and urine distribution throughout the pasture.
   ii. Maintain adequate and uniform plant cover ($\geq 60\%$) and pasture stand density to increase rainfall infiltration and decrease runoff from pasture lands for the lifespan of the practice.
   iii. Locate feeding and watering facilities away from sensitive areas such as wetlands, sink holes, streams/creeks and adjacent drainage swales etc.
   iv. Manage distribution of nutrients and minimize soil disturbance at hay feeding sites by unrolling hay across the upland landscape in varied locations throughout the pasture system where soils are well drained, or moving hay rings periodically.
   v. Designate a sacrifice lot/paddock to locate cattle for feeding when adequate forage is not available in the pasture system. A sacrifice lot is used during times of drought or during excessively wet soil conditions over the winter feeding season as a place to feed hay and supplements to livestock until pasture conditions are suitable for grazing or feeding without damaging the soil quality or reducing plant cover. Sacrifice lot/paddock should not drain directly into ponds, creeks or other sensitive areas and should not be more than 10% of the total pasture acreage.

3. Pastures must be mowed as needed no lower than indicated in NRCS Table 1. Guidelines for Grazing Heights and Rest Periods (page 4) to control woody vegetation and encourage forage re-growth. Consider wildlife nesting concerns and time appropriately.

4. Pastures not meeting minimum 60% cover criterion should be replanted in accordance to NRCS 512 Forage and Biomass Planting standard.

5. Chain harrow pastures at least twice a year to break-up manure piles after livestock are removed from a field to uniformly spread the manure load, or manage manure distribution through rotational grazing where livestock are moved to uniformly distribute manure and maximize forage.

6. The NRCS pasture condition score will be used to establish a benchmark for pasture evaluation and to document pasture condition and progress. This score will be tabulated annually at the same time of year as the initial scoring. The pasture condition score should not exceed 35 to be eligible for sign-up.
   The pasture condition score should increase each year as better pasture management techniques allow for better forage management and increased utilization.

7. Cost-share will be provided only one time per field.

8. Fields utilizing this practice must not have a NRCS 528 Prescribed Grazing contract on the same fields.

9. This practice is subject to the requirements of NRCS standards, 314 Brush Management, 512 Forage and Biomass Planting, 528 Prescribed Grazing, and 595 Pest Management.

10. By accepting payment for this practice the recipient agrees to maintain the practice for the 3 year lifespan beginning with practice approval by the District. This practice is subject to spot checks by the District throughout the lifespan of the practice and failure to comply may result in reimbursement of cost-share funds.

C. Rate

The cost-share rate is an incentive payment of $25 per acre per year over the three year lifespan of this practice (for a total of $75 per acre) and is limited to a maximum of **200 acres** per participant per year.

D. Technical Responsibility

Technical responsibility is assigned to NRCS due to the standards listed above. Any individual with appropriate job approval authority can allow authorization.

Revised June 2013

USDA NRCS
United States Department of Agriculture
Natural Resources Conservation Service

Grazing Height and Rest Guidelines by Forage

Appropriate grazing and recovery periods allow forages to renew energy reserves, improve plant vigor, maintain or improve plant diversity, and provide long-term persistence of a productive forage stand. The grazing period should be adjusted based on stage of growth or forage height. Rest period between grazing events will vary in length depending on growing conditions and forage recovery.

Table 1. Guidelines for Grazing Heights and Rest Periods

Forage Species	Height to Begin Grazing (inches)	Height to End Grazing (inches)	Recovery Time (days)[1]
Tall Fescue	6-8	3-4	14-45
Orchardgrass	8-10	4-5	14-45
Bluegrass	4-6	2	14-45
Reed Canarygrass	10	3-4	14-45
Small Grains (Wheat, Rye, Oats, etc.)	8	2-3	7-15
Annual Ryegrass	6-8	3-4	7-15
Alfalfa	10-16	3-4	14-30[2]
Sericea lespedeza	8-10	4-6	14-45
Caucasian Bluestem	8-10	3-4	14-45
Bermudagrass	6	2	7-15
Switchgrass	18-24	9-12	30-45
Eastern Gamagrass	18-24	9-12	30-45
Crabgrass	6-8	2-3	14-21
Pearl Millet	18-20	8-12	10-20
Forage Sorghum	20-30	5-7	10-20
Sorghum Sudan Hybrids	20-24	5-7	10-20
Sudangrass	20-24	5-7	10-20

[1]Recovery times are best based on regrowth. If pastures have not regrown, feed hay to animals in a sacrifice area.
[2]Grazing types of alfalfa can sustain with shorter recovery times under optimum growth conditions compared to hay types of alfalfa.

Name of Practice: TMDL SUPPORT FOR STREAM PROTECTION
DCR Specifications for NO. WP-2T

This document specifies terms and conditions for the Total Maximum Daily Load (TMDL) stream protection best management practice, that are applicable to all contracts entered into with respect to that practice.

A. Description and Purpose

Protection by fencing along all water bodies and streams in a field, to reduce erosion, sedimentation, and the pollution of water from agricultural nonpoint sources in TMDL implementation areas.

The purpose of this practice is to offer an incentive that will change land use or improve management techniques to more effectively control soil erosion, sedimentation, and nutrient loss from surface runoff to improve water quality.

B. Policies and Specifications

1. Cost-sharing and tax credit are authorized for:

   i. Permanent fencing to protect eroding banks from damage by domestic livestock. Cost sharing may be authorized for fencing as a single eligible component that stands alone as a measure that will significantly improve water quality.
   ii. To provide access to water for livestock by installing livestock crossings that will retard sedimentation and pollution. When no other water source is feasible or exists, a controlled hardened access may be used to provide livestock access to the water. The installation of livestock crossings and controlled hardened accesses is limited to small streams. When required, permits must be obtained by the applicant from authorities before the practice will be approved.
   iii. Fencing may be authorized as a single eligible component only if all of the following apply:

      (a) The fence is placed a minimum of 35’ (feet) away from the stream, except as designed in areas immediately adjacent to livestock crossings and controlled hardened accesses.
      (b) There is adequate natural or planted vegetation between the fence and the stream to serve as an effective filter strip to improve water quality.

2. Both sides of the stream are fenced, or if livestock is restricted from both sides.

3. Cost-share and tax credit are not authorized for:

   i. Boundary fence if it is being used to bring new pasture into production. If the stream is the barrier currently confining the livestock, then fencing is allowed.
   ii. Interior cross fencing that does not exclude livestock from the stream.
   iii. Rebuilding of existing fence.
   iv. Temporary fencing.

4. A one-time incentive fencing maintenance payment of $0.50 per linear foot is provided.

5. Consideration must be given to wildlife and environmental issues when designing the practice.

6. If during the required 10 year life span the practice is damaged or destroyed by flooding (or some other act of nature) the SWCD Board of Directors may authorize additional cost-share funding to replace or repair stream fencing subject to funding availability, and the program priorities established by the district. Acceptance of the additional cost-share assistance for replacement and/or repair will require the recipient to implement the BMP no less than the original 10-year life span maintenance requirement and no more than a new 10-year commitment for the restored BMP. Consideration of all factors including time remaining to fulfill the original contract period should be considered by the Board of Directors when they establish the implementation time commitment for a restored practice. Should replacement funding not be made available, the SWCD Board of Directors may waive the remaining life span requirement of this BMP.

7. Soil loss rates must be computed for all practices for use in establishing priority considerations.

8. Flash grazing (allowing livestock to graze the excluded riparian area) is not allowed as a management alternative during the lifespan of this practice.

9. The conservation planning for developing an alternative watering system for livestock should include consideration for some means of providing water to the livestock during emergency conditions. Generators may not receive cost-share.

10. This practice phase is subject to NRCS Standards 342 Critical Area Planting, 382 Fence, 390 Riparian Herbaceous Cover, 575 Animal Trails and Walkways, 578 Stream Crossing, and 472 Access Control.

11. 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 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 SWCD throughout the lifespan of the practice and failure to maintain the practice may result in reimbursement of cost share and/or tax credits. (unless conditions in item 6 above apply).

C. Rate(s)

1. A rate based on 75% of the cost of all eligible components has been established. Cost-share may be from state or federal funds. The maximum cost-share payment for this practice is not to exceed $70,000 per landowner per year.

2. As set forth by Virginia Code § 58.1-339.3 and §58.1-439.5, Virginia law 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. The Tax Credit rate is 25% of the total eligible cost not to exceed $17,500.00. If a cooperator receives cost-share, only the cooperators share of the project is used to determine the tax credit.

D. Technical Responsibility

Technical responsibility is assigned to NRCS due to the standards listed above. Any individual with appropriate NRCS job approval authority can allow authorization. All practices are subject to spot check procedures and any other quality control measures.

Revised June 2013

Name of Practice: SEPTIC TANK PUMPOUT
DCR Specifications for No. RB-1

A. Description

Maintenance of septic tank system by having septic tank pumped to remove solids and inspection of the septic tank.

B. Purpose

To maintain the operation and performance of septic tank systems and to improve water quality by identifying systems which are not functioning properly.

C. Policies

1. Cost-share is authorized:

    a. For the pumpout and removal of solids from the septic tank.
    b. Pumpouts can occur during: routine maintenance of a septic system, repair or replacement of a septic system, or the abandonment of a septic tank when a dwelling is connected to public sewer.

2. Septic waste must be handled by a contractor having a written sewage handling permit issued by the Virginia Department of Health.

3. Cost-share is limited to pumpouts that occur no more than once every five years.

D. Rate

The cost-share payment will not exceed 50% of the total eligible cost. The cost-share payment will not exceed $150.

Revised June 2013

Name of Practice: CONNECTION OF MALFUNCTIONING ON-SITE SEWAGE DISPOSAL SYSTEM OR STRAIGHT PIPE TO PUBLIC SEWER
DCR Specifications for No. RB-2

A. Description

Connecting a malfunctioning on-site sewage disposal system to public sewer, or replacing an identified straight pipe by a connection to public sewer, or replace a system not VDH-approved that can potentially impact water quality. A malfunctioning on-site sewage disposal system could be contributing raw or partially treated sewage on the ground's surface, or resulting in a direct source of sewage to adjacent ditches, or waterways, or ground water. A straight pipe delivers sewage directly to a stream, pond, lake, or river.

B. Purpose

To improve water quality by removing raw or partially treated sewage on the land surface that can enter surface water or ground water during storm events, or sewage that is a direct source of contamination to surface water or ground water. Sewage means water-carried and non-water-carried human excrement; kitchen, laundry, shower, bath, or lavatory wastes separately, or together.

C. Policies

1. Cost-share is authorized:

    a. For the connection fee, which is the fee allowing the dwelling to be connected to the public sewer system. This fee may be referred to as a tap fee.

    b. For the construction cost associated with connecting the dwelling to a sewer line. This cost is the expenses to pipe the waste from the dwelling to the sewer connection point.

    c. To re-stabilize disturbed areas by planting seed.

2. A distance from the public sewer that would make this practice economically competitive with other options should be specified for each local jurisdiction.

3. This cost-share practice is the preferred practice for replacing failing septic systems where sewer connections can be made.

4. Disturbed areas need to be stabilized by planting seed in accordance with the Virginia Erosion and Sediment Control Standard and Specifications

3.31 (Permanent Seeding) and Specification 3.35 (Mulching). For slopes of 3:1 or greater use 3.36 (Blankets and Matting).

5. Septic tank abandonment should be performed by a septic tank contractor or plumber. The septic tank is pumped out, tank lids are crushed and dumped in tank, and the tank is filled with sand or other suitable material.

6. Proper inspections and permitting need to be adhered to in accordance with local and state regulations.

D. Rate

The cost-share amount will not exceed 50% to 75% of the total eligible cost based on income levels in accordance with *Program Design and Guidelines, TMDL - Cost-Share Assistance Program for On-Site Sewage Disposal Systems*. The cost-share payment at 50% cost-share shall not exceed $4,500, $5,400 at 60% cost-share, $6,300 at 70% cost-share, and $6,750 at 75% cost-share

Revised June 2013

ASSIGNMENT OF ON-SITE SEWAGE DISPOSAL PRACTICES
COST-SHARE PAYMENT AUTHORIZATION

_____
Date

I _____, do hereby direct
Name

the _____Soil and

Water Conservation District (SWCD) to pay any and all cost-share funds disbursed under

the RB-2 to _____, of
Name

_____
Business

for services to connect my household sewage to public sewer.

In order for this payment to be made the recipient of the payment must provide a completed Form W-9, Request for Taxpayer Tax Identification and Certification to the District/Project Sponsor.

_____
Signature

Name of Practice: SEPTIC TANK SYSTEM REPAIR
DCR Specifications for No. RB-3

A. Description

Correction of a malfunctioning on-site sewage disposal system to remove the presence of raw or partially treated sewage on the ground's surface, or in adjacent ditches or waterways, or in ground water.

B. Purpose

To improve water quality by removing raw or partially treated sewage on the land surface that can enter surface water or ground water during storm events, or sewage that is direct source of contamination to surface water or ground water. Sewage means water-carried and non-water-carried human excrement; kitchen, laundry, shower, bath, or lavatory wastes separately, or together.

C. Policies

1. Cost-share is authorized:

    a. For inspection of the distribution box to determine if the effluent is being properly distributed to the drainfield, and to access if the system is functioning properly.

    b. For repair and partial replacement of the components of the on-site sewage disposal system including the septic tank, distribution box, and subsurface drainfield. Repairs include the re-leveling of tanks and distribution box, cleaning of distribution lines, and replacing component connection lines.

    c. For connecting a gray water discharge from a dwelling that is discharging on the ground, or in a wet/dry ditch, to the septic tank system. Any plumbing that is necessary inside the dwelling to make the connection is not eligible for cost-share.

    d. To re-stabilize disturbed areas by planting seed.

2. Septic tank system repair must be in accordance to a written construction permit from the Virginia Department of Health and inspection from the Virginia Department of Health, or an Authorized On-Site Soil Evaluator.

3. Disturbed areas need to be stabilized by planting seed in accordance with the Virginia Erosion and Sediment Control Standard and Specifications 3.31 (Permanent Seeding) and Specification 3.35 (Mulching). For slopes

of 3:1 or greater use 3.36 (Blankets and Matting).

4. The repair must be maintained for a minimum of 10 years following the calendar year of installation.

5. If the old septic tank is not useable it should be properly abandoned by a septic tank contractor or plumber. The septic tank is pumped out, tank lids are crushed and dumped in tank, and the tank is filled with sand or other suitable fill material.

D. Rate

The cost-share payment will not exceed 50% to 75% of the total eligible cost based on income levels in accordance with *Program Design and Guidelines, TMDL – Cost-Share Assistance Program for On-Site Sewage Disposal Systems*. The cost-share payment for all income levels will not exceed $3,000.

Revised June 2013

ASSIGNMENT OF ON-SITE SEWAGE DISPOSAL PRACTICES
COST-SHARE PAYMENT AUTHORIZATION

_____
Date

I _____, do hereby direct
Name

the _____Soil and

Water Conservation District (SWCD) to pay any and all cost-share funds disbursed

under the RB-3 to _____, of
Name

_____ for
Business

services to repair my on-site sewage disposal system.

In order for this payment to be made the recipient of the payment must provide a completed Form W-9, Request for Taxpayer Tax Identification and Certification to the District/Project Sponsor.

_____
Signature

Name of Practice: SEPTIC TANK SYSTEM INSTALLATION/REPLACEMENT
DCR Specifications for No. RB-4

A. Description

Installation of a septic tank system to replace an identified straight pipe which delivers sewage directly to a stream, pond, lake, or river; or an installation to correct a malfunctioning on-site sewage disposal system, or replace a system not VDH-approved that can potentially impact water quality. A malfunctioning system could be contributing raw or partially treated sewage on the ground's surface, or resulting in a direct source of sewage to adjacent ditches or waterways, or into ground water.

B. Purpose

To improve water quality by removing raw or partially treated sewage on the land surface that can enter surface water or ground water during storm events, or sewage that is direct source of contamination to surface water or ground water. Sewage means water-carried and non-water-carried human excrement; kitchen, laundry, shower, bath, or lavatory wastes separately, or together.

C. Policies

1. Cost-share is authorized:

    a. For the pumpout and removal of solids from the septic tank.

    b. For the installation of a septic tank, installation of subsurface drainfield, and components needed to install or replace a septic system.

    c. For connecting a gray water discharge from a dwelling that is discharging on the ground or in a wet/dry ditch to the newly constructed septic system. Any plumbing that is necessary inside the dwelling to make the connection is not eligible for cost-share.

    d. To provide adequate access to the septic tank for inspection and sludge removal by installing septic tank risers extending to the finished ground surface. Risers shall be provided at both inlet and outlet ends of the septic tank and at a minimum shall be 18 inches in diameter.

    e. To re-stabilize disturbed areas by planting seed.

2. The contractor shall obtain a written construction permit from the Virginia Department of Health.

3. The contractor shall obtain any other permit as required for the installation/replacement of the septic tank system.

4. The contractor shall obtain and comply with any engineering designs as required in the Health Department permit.

5. The installation/replacement must be inspected by the Health Department.

6. Disturbed areas need to be stabilized in accordance with the Virginia Erosion and Sediment Control Standard and Specifications 3.31 (Permanent Seeding) and Specification 3.35 (Mulching). For slopes of 3:1 or greater use 3.36 (Blankets and Matting).

7. If the old septic tank is not useable an abandoment should be performed by a septic tank contractor or plumber. The septic tank is pumped out, tank lids are crushed and dumped in tank, and the tank is filled with sand or other suitable material.

8. By accepting payment for this practice, the recipient agrees to maintain the system for a minimum of 10 years unless the system is eliminated by connection to public sewer. This practice will be subject to spot checks for up to 10 years.

D. Rate

The cost-share amount will not exceed 50% to 75% of the total eligible cost based on income levels in accordance with *Program Design and Guidelines, TMDL – Cost-Share Assistance Program for On-Site Sewage Disposal Systems*. The cost-share payment for installation costs at 50% cost-share shall not exceed $4,500, $5,400 at 60% cost-share, $6,300 at 70%, and shall not exceed $6,750 for recipients eligible for 75% cost-share.

Revised June 2013

ASSIGNMENT OF ON-SITE SEWAGE DISPOSAL PRACTICES
COST-SHARE PAYMENT AUTHORIZATION

_____
Date

I _____, do hereby direct
Name

the _____Soil and Water Conservation District (SWCD)

to pay any and all cost-share funds disbursed under the RB-4 to _____,
Name

of _____ for
Business

services to install a septic tank system.

In order for this payment to be made the recipient of the payment must provide a completed Form W-9, Request for Taxpayer Tax Identification and Certification to the District/Project Sponsor.

_____
Signature

Name of Practice: SEPTIC TANK SYSTEM INSTALLATION/REPLACEMENT with PUMP
DCR Specifications for No. RB-4P

A. Description

Installation of a septic tank system to replace an identified straight pipe which delivers sewage directly to a stream, pond, lake, or river; or an installation to correct a malfunctioning on-site sewage disposal system, or replace a system not VDH-approved that can potentially impact water quality. A malfunctioning system could be contributing raw or partially treated sewage on the ground's surface, or resulting in a direct source of sewage to adjacent ditches or waterways, or into ground water.

B. Purpose

To improve water quality by removing raw or partially treated sewage on the land surface that can enter surface water or ground water during storm events, or sewage that is direct source of contamination to surface water or ground water. Sewage means water-carried and non-water-carried human excrement; kitchen, laundry, shower, bath, or lavatory wastes separately, or together.

C. Policies

1. Cost-share is authorized:

    a. For the pumpout and removal of solids from the septic tank.

    b. For the installation of a septic tank, installation of subsurface drainfield, and components needed to install or replace a septic system.

    c. For the installation of a pump to move the septic tank effluent to a higher elevation in order to replace a straight pipe, install a new septic system, or eliminate a gray water discharge.

    d. For connecting a gray water discharge from a dwelling that is discharging on the ground or in a wet/dry ditch to the newly constructed septic system. Any plumbing that is necessary inside the dwelling to make the connection is not eligible for cost-share.

    e. To provide adequate access to the septic tank for inspection and sludge removal by installing septic tank risers extending to the finished ground surface. Risers shall be provided at both inlet and outlet ends of the septic tank and at a minimum shall be 18 inches in diameter.

    f. To re-stabilize disturbed areas by planting seed.

2. The contractor shall obtain a written construction permit from the Virginia Department of Health.

3. The contractor shall obtain any other permit as required for the installation/replacement of the septic tank system.

4. The contractor shall obtain and comply with any engineering designs as required in the Health Department permit.

5. The installation/replacement must be inspected by the Health Department.

6. Disturbed areas need to be stabilized in accordance with the Virginia Erosion and Sediment Control Standard and Specifications 3.31 (Permanent Seeding) and Specification 3.35 (Mulching). For slopes of 3:1 or greater use 3.36 (Blankets and Matting).

7. If the old septic tank is not useable an abandonment should be performed by a septic tank contractor or plumber. The septic tank is pumped out, tank lids are crushed and dumped in tank, and the tank is filled with sand or other suitable material.

8. By accepting payment for this practice, the recipient agrees to maintain the system for a minimum of 10 years unless the system is eliminated by connection to public sewer. This practice will be subject to spot checks for up to 10 years.

D. Rate

The cost-share amount will not exceed 50% to 75% of the total eligible cost based on income levels in accordance with *Program Design and Guidelines, TMDL – Cost-Share Assistance Program for On-Site Sewage Disposal Systems*. The cost-share payment for installation costs at 50% cost-share shall not exceed $4,500, $5,400 at 60% cost-share, $6,300 at 70%, and shall not exceed $6,750 for recipients eligible for 75% cost-share.

Revised June 2013

ASSIGNMENT OF ON-SITE SEWAGE DISPOSAL PRACTICES
COST-SHARE PAYMENT AUTHORIZATION

_____
Date

I _____, do hereby direct
Name

the _____Soil and Water Conservation District (SWCD)

to pay any and all cost-share funds disbursed under the RB-4P to _____,
Name

of _____ for
Business

services to install a septic tank system with pump.

In order for this payment to be made the recipient of the payment must provide a completed Form W-9, Request for Taxpayer Tax Identification and Certification to the District/Project Sponsor.

_____
Signature

Name of Practice: ALTERNATIVE ON-SITE WASTE TREATMENT SYSTEMS
DCR Specifications for No. RB-5

A. Description

Installation of an alternative on-site waste treatment system to correct a malfunctioning on-site sewage disposal system or to replace an identified straight pipe in situations where the installation/replacement of a septic tank system cannot be permitted.

B. Purpose

To improve water quality by removing raw or partially treated sewage on the land surface that can enter surface water or ground water during storm events, or sewage that is direct source of contamination to surface water or ground water. Sewage means water-carried and non-water-carried human excrement; kitchen, laundry, shower, bath, or lavatory wastes separately, or together.

C. Policies

1. Cost-share is authorized:

   a. For the pumpout and removal of solids from the septic tank.

   b. For the installation of alternative on-site waste treatment systems that include the following: aerobic treatment units, low pressure distribution systems, drip distribution systems, sand filters, elevated sand mounds, constructed wetlands, peat filters, vault privies, incinerator toilets, and composting toilets. **Discharging systems are not eligible for cost-share unless a waiver is granted (by grantor).**

   c. For the initial one to two year monitoring and maintenance contract for recipients of 60%, 70%, or 75% cost-share.

   d. To re-stabilize disturbed areas by planting seed.

   e. For the cost associated with engineering design of the system.

2. The contractor shall obtain a written construction permit as required by the Virginia Department of Health.

3. The contractor shall obtain any other permit(s) as required for installation of an alternative on-site waste treatment system and comply with local

building codes.

4. The contractor shall obtain and comply with any engineering designs as required in the Health Department permit.

5. The installation of the alternative on-site waste treatment system must be inspected by the Health Department and the system designer.

6. Disturbed areas need to be stabilized in accordance with the Virginia Erosion and Sediment Control Standard and Specifications 3.31 (Permanent Seeding) and Specification 3.35 (Mulching). For slopes of 3:1 or greater use 3.36 (Blankets and Matting).

7. If the old septic tank is not useable it should be properly abandoned by a septic tank contractor or plumber. The septic tank is pumped out, tank lids are crushed and dumped in tank, and the tank is filled with sand or other suitable fill material.

8. By accepting payment for this practice, the recipient agrees to maintain the on-site wastewater treatment system. This practice will be subject to spot checks for up to 10 years.

D. Rate

The cost-share amount will not exceed 50% to 75% of the total eligible cost based on income levels in accordance with *Program Design and Guidelines, TMDL - Cost-Share Assistance Program for On-Site Sewage Disposal Systems*. The cost-share payment at 50% shall not exceed $10,000, $12,000 at 60% cost-share, $14,000 at 70%, and shall not exceed $15,000 at 75%.

Revised June 2013

ASSIGNMENT OF ON-SITE SEWAGE DISPOSAL PRACTICES
COST-SHARE PAYMENT AUTHORIZATION

_____
Date

I _____, do hereby direct
Name

the _____Soil and

Water Conservation District (SWCD) to pay any and all cost-share funds disbursed under

the RB-5 to _____, of
Name

_____
Business

for services to install a alternative waste treatment systems.

In order for this payment to be made the recipient of the payment must provide a completed Form W-9, Request for Taxpayer Tax Identification and Certification to the District/Project Sponsor.

_____
Signature