

**NORTH CAROLINA SOIL AND WATER CONSERVATION COMMISSION  
 RALEIGH, NORTH CAROLINA  
 WORK SESSION AGENDA  
 DRAFT**

**WORK SESSION**

NC Farm Bureau Office  
 5301 Glenwood Avenue  
 3<sup>rd</sup> Floor Boardroom  
 Raleigh, NC 27612  
 May 14, 2019  
**6:00 p.m.**

**BUSINESS SESSION**

NC Farm Bureau Office  
 5301 Glenwood Avenue  
 3<sup>rd</sup> Floor Boardroom  
 Raleigh, NC 27612  
 May 15, 2019  
**9:00 a.m.**

**I. CALL TO ORDER**

The State Government Ethics Act mandates that at the beginning of any meeting the Chair reminds all the members of their duty to avoid conflicts of interest and inquire as to whether any member knows of any conflict of interest or potential conflict with respect to matters to come before the Commission. If any member knows of a conflict of interest or potential conflict, please state so at this time.

**II. PRELIMINARY – Business Meeting**

Welcome

Chairman John Langdon

**III. BUSINESS**

1. Approval of Agenda

Chairman John Langdon

2. Approval of Meeting Minutes

Chairman John Langdon

A. March 19, 2019 Work Session Meeting Minutes

B. March 20, 2019 Business Session Meeting Minutes

3. Division Report

Mr. David Williams

4. Association Report

Mr. Myles Payne

5. NRCS Report

Mr. Tim Beard

6. Consent Agenda

A. Supervisor Appointments

Mr. Eric Pare

B. Supervisor Contracts

Ms. Kelly Hedgepeth

C. Technical Specialist Designation

Mr. Jeff Young

7. SWCC Hurricane Florence Disaster Response Program Allocation Update

Ms. Julie Henshaw

- 8. Agriculture Cost Share Program Policy Revisions
  - A. Agrichemical Pollution Preventions Measures
  - B. Waste Management Measures

Ms. Kelly Hedgepeth

- 9. Job Approval Authority Update

Mr. Jeff Young

- 10. Supervisor Appointments Deferred for Training Requirements

Mr. Eric Pare

- 11. Agricultural Water Resources Assistance Program (AgWRAP)  
Regional Application Considerations

Mr. Joshua Vetter

- 12. Agriculture Reports for Nutrient Sensitive Waters

Mr. Joey Hester

**IV. PUBLIC COMMENTS**

**V. ADJOURNMENT**

DRAFT

**NORTH CAROLINA SOIL AND WATER CONSERVATION COMMISSION**  
**RALEIGH, NORTH CAROLINA**  
**BUSINESS SESSION AGENDA**  
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3. Division Report

Mr. David Williams

A. Policy Waivers

4. Association Report

Mr. Myles Payne

5. NRCS Report

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12. Agriculture Reports for Nutrient Sensitive Waters

Mr. Joey Hester

13. Ammons Inquiry from Rutherford County

Mr. Phillip Reynolds

**IV. PUBLIC COMMENTS**

**V. ADJOURNMENT**

DRAFT



**NORTH CAROLINA  
SOIL & WATER CONSERVATION COMMISSION  
WORK SESSION MEETING MINUTES  
May 14, 2019**

NC Farm Bureau  
5301 Glenwood Avenue  
3<sup>rd</sup> Floor Boardroom  
Raleigh, NC 27612

Commission Members	Guests	Guests
John Langdon	David Williams	Ken Parks
Wayne Collier	Jeff Young	Lisa Fine
Dietrich Kilpatrick	Eric Pare	Keith Larick
Myles Payne	Helen Wiklund	Rick McSwain
Derek Potter	Ralston James	Kristina Fischer
Mike Willis	Josh Vetter	David Harris
	Michael Shepherd	Bryan Blinson
Commission Counsel	Tom Hill	Joey Hester
Phillip Reynolds	Tom Ellis	Chester Lowder

Chairman John Langdon called the meeting to order at 6:00 p.m. Chairman Langdon inquired whether any Commission members need to declare any conflict of interest, or appearance of conflict of interest, that may exist for agenda items under consideration, as mandated by the State Ethics Act.

- 1. Approval of Agenda:** Chairman Langdon asked for comments on the agenda. Mr. Reynolds stated after the Public Comments, the meeting will go into a closed session to discuss the inquiry from Rutherford Soil & Water Conservation District from Mr. Del Ammons due to legal action, and Item 13 will be added to the Business Session Agenda.

Chairman Langdon welcomed everyone to the meeting and thanked all those in attendance. Chairman Langdon inquired about Commissioner Green's health. Mr. Williams and Mr. Harris provided an update and a get-well card will be circulated tomorrow.

- 2. Approval of Meeting Minutes:** Chairman Langdon asked for comments on the minutes. Commissioner Collier stated the minutes are in order.

**2A. March 19, 2019 Work Session Meeting Minutes**

**2B. March 20, 2019 Business Meeting Minutes**

- 3. Division Report:** Chairman Langdon recognized Deputy Director David Williams to present. A copy of the report is included as an official part of the minutes. Mr. Williams provided the following highlights:
- Chairman Langdon and Mr. Williams were asked to participate in a meeting convened by Congressman Rouzer to discuss the concerns and challenges of stream debris removal
  - Chairman Langdon stated the meeting brought awareness to the issue and Congressman Rouzer was impressed with the need to have Town Hall Meetings at the local level
  - Review of the Commission's Policy for Extension of Previous Program Year Contracts and ask the Commission to waive some of the existing policies
    - Division recommends waiving the requirement for the supervisor to appear before the Commission in the following situations
      - All the 2016 and 2017 pond construction and pond repair contracts
      - Any contract where engineering approval is provided less than 12 months prior to expiration
      - Any 2017 contract for which hurricanes or chronic rainfall have prevented implementation
  - The Division recommends if the contract should have been canceled under the Interim Performance Milestones, and it was not canceled, the supervisor must appear in person before the Commission to explain why the district needs an extension.

There was discussion with regards to the circumstances when a district would have to come before the Commission and explain why the district requires an extension. The Commission could delegate to the Chairman, whether those exceptions apply and allow some districts not to appear in person. Commissioner Collier stated instead of the district providing a letter, a form can be filled out. Chairman Langdon stated the decision would be on a case-by-case basis; not a blanket approval. Deputy Director Williams stated the extension requests must be submitted by June 30. Under the policy, if the contract is completed prior to July Commission Meeting, the Division is delegated to approve the extension request automatically. The Division is proposing a waiver of the policy for this one meeting, due to the vast number of contract extension requests expected. The Commission will motion to request to recommend a waiver of the Policy for Extension of Previous Program Years Extensions, adding Item A under Agenda Item 3.

- 4. Association Report:** Chairman Langdon recognized Commissioner Payne to present. A copy of the report is included as an official part of the minutes. Commissioner Payne stated the report will be presented at the Business Meeting tomorrow.
- 5. NRCS Report:** Chairman Langdon stated Mr. Tim Beard, State Conservationist, will be present at the Business Meeting tomorrow.
- 6. Consent Agenda:** Chairman Langdon recognized Mr. Eric Pare, Ms. Lisa Fine, and Mr. Jeff Young to present. A copy of the reports is included as an official part of the minutes.

**6A. Supervisor Appointments:**

- Andrew M. Allison, Iredell SWCD, filling the expired appointed term of Brian Harwell for 2018-2022
- Tracy R. Jenkins, Iredell SWCD, filling the unexpired elected term of Andrew M. Allison for 2016-2020 with an attached resignation letter
- Bradley Johnson, Mecklenburg SWCD, resigning from an unexpired elected term for 2016-2020 (postponed until a supervisor is recommended for appointment)
- William Bradley Boyd, Surry SWCD, filling the unexpired elected term of David Branch for 2018-2022 with an attached resignation letter
- Charles S. Sink III, Wilkes SWCD, filling the unexpired appointed term of Gwen Minton for 2016-2020 with an attached resignation letter

**6B. Supervisor Contracts:** 6 contracts; totaling \$23,939

**6C. Technical Specialist Designation:** Mr. Stephen Bishop, Cleveland SWCD, for Waste Utilization Planning/Nutrient Management (WUP/NM) category

- 7. SWCC Hurricane Florence Disaster Response Program Allocation Update:** Chairman Langdon recognized Ms. Julie Henshaw to present. A copy of the report is included as an official part of the minutes. Ms. Henshaw was absent, and Deputy Director Williams provided an update of the allocations that were made by the Division. The Commission delegated the authority to the Division Director to make allocations under the Disaster Response Program and report back to the Commission, when the allocations were made since the March Commission Meeting.
- 8. Agriculture Cost Share Program Policy Revisions:** Chairman Langdon recognized Ms. Kelly Hedgepeth to present. A copy of the report is included as an official part of the minutes. Ms. Hedgepeth was absent, and Ms. Fine provided an update. The Technical Review Committee (TRC) put together a workgroup to review the Best Management Practices (BMPs) and update the policies that are no longer valid or removed from the program. The first two categories to review are below, which will be added to the Commission's web site and implemented into the programs. Commissioner Payne stated the content is fine. Deputy Director Williams stated it is a cleanup of old language, updating policies, and removing references to Section .0200, since it no longer exists.

**8A. Agrichemical Pollution Preventions Measures:**

**8B. Waste Management Measures:**

- 9. Job Approval Authority Update:** Chairman Langdon recognized Mr. Jeff Young to present. A copy of the report is included as an official part of the minutes. Mr. Young stated the Job Approval Authority (JAA) Workgroup reconvened on April 26 and worked on crafting and developing a JAA system. The members provided a framework and guidelines to develop for the Commission's consideration. The goal is to bring forth what constitutes the JAA System, and what BMPs are being used across the state. Currently, NRCS has a Job Approval Authority Policy in place, and the workgroup's intent is to replicate the system, i.e., the needs for the districts, the processes, the practices, and the quality assurance process. In 2018, NRCS prepared a report of their top 10 conservation practices. The information was reviewed by the Division and

run through the CS2 System from 2012 to the present. The direction is for the Commission to adopt their own Job Approval Authority System.

Chairman Langdon thanked Commissioner Collier for serving on the committee and Mr. Young for the quality work, his talent, work ethics and dedication to get the job done. Commissioner Collier stated Mr. Young has done a great job.

- 10. Supervisor Appointments Deferred for Training Requirements:** Chairman Langdon recognized Mr. Eric Pare to present. A copy of the report is included as an official part of the minutes. Mr. Pare stated at the March Commission Meeting, three newly-appointed supervisors did not meet the training requirements. These three individuals started in December 2018 and the training was offered in February 2019. Mr. Pare was directed to contact the three supervisors and get explanation letters from each, as to why they did not attend the training and correct the matter.

District	First Name	Last Name	Start Date
Alb/Perquimans	Allen	Stallings	Letter attached
Franklin	Patrick	Ray	Letter attached
Swain	Philip	Carson Sr.	Letter attached

Mr. Pare reiterated that Deputy Director Williams had stated the supervisor appointments were conditional upon attending the training and that the Commission may have to extend their conditional appointment once a letter is submitted. Mr. Pare recommends the Commission extend their conditional appointment based on them attending the training in February 2020.

**11. Agricultural Water Resources Assistance Program (AgWRAP) Regional Application**

**Considerations:** Chairman Langdon recognized Mr. Joshua Vetter to present. A copy of the report is included as an official part of the minutes. Mr. Vetter stated the recommendation is for the Commission to take action to approve funding for the 20 projects. The recommended funding totals \$510,000. This has been reviewed by district staff and the Division and was presented to the AgWRAP Committee for concurrence. A more-detailed presentation on the AgWRAP regional application process will be presented tomorrow.

- 12. Agriculture Reports for Nutrient Sensitive Waters:** Chairman Langdon recognized Mr. Joey Hester to present. A copy of the report is included as an official part of the minutes. Mr. Hester stated there are four nutrient strategies in the state and meeting all the targets.

**Public Comments:** Commissioner Collier stated he went to Washington, DC, in April and spoke to some representatives and specifically talked to Representative Holding. Commissioner Collier discussed the need for NRCS to have more field staff and engineers. The number of allocated employees in North Carolina had diminished compared to other states, and Representative Holding was unaware of this fact. Commissioner Collier will follow-up with one of Representative Holding's aides.

Mr. Bryan Blinson appreciated all the efforts that were used with the Hurricane Florence recovery efforts, since so much of the pastureland was saturated. Mr. Blinson aided with the Emergency Management Operations. Those involved in the operations, helped people move to dry ground, due to their homes being flooded, and move their animals to dry ground. A text was sent out the morning after

the rain stopped, to assess the damage. The people's needs were assessed, and temporary fencing and hay was provided for those animals. It was a challenge to deliver the hay, due to the rising water levels.

Chairman Langdon thanked Mr. Blinson. The Farm Bureau paid for the trucking of the 103 bales of hay donated by Chairman Langdon. The Farm Bureau, Cattleman's Association and NC Department of Agriculture came together to help.

Mr. Young thanked Mr. Vetter for the changes of how the applications are reviewed. The changes implemented and considerable reduction in the workload in AgWRAP for our engineers. The Division expects to have higher-quality applications due to the changes.

Commissioner Potter moved that the Commission go into closed session pursuant to N.C.G.S. 143-318.11(a)(3) to discuss the threat of legal action with Commission Counsel. Commissioner Collier seconded. Motion carried.

At the end of the closed session, Chairman Langdon asked for a motion. Commission Potter motioned to go back into open session and Commissioner Payne seconded. Motion carried.

**Adjournment:** Meeting adjourned at 7:34 p.m.



David B. Williams, Deputy Director  
Division of Soil & Water Conservation, Raleigh, N.C.



Helen Wiklund, Recording Secretary

***These minutes were approved by the North Carolina Soil & Water Conservation Commission on July 17, 2019.***



**NORTH CAROLINA  
SOIL & WATER CONSERVATION COMMISSION  
BUSINESS SESSION MEETING MINUTES  
May 15, 2019**

North Carolina Farm Bureau  
5301 Glenwood Avenue  
3<sup>rd</sup> Floor Boardroom  
Raleigh, NC 27612

<b>Commission Members</b>	<b>Guests</b>	<b>Guests</b>
John Langdon	<b>Ralston James</b>	Lisa Fine
Wayne Collier	Eric Pare	Odessa Armstrong
Dietrich Kilpatrick	Helen Wiklund	Rafael Vega
Myles Payne	Kristina Fischer	Gayle Horner
Derek Potter	Michael Shepherd	Brad Moore
Mike Willis	Tom Hill	Jason Byrd
<b>Commission Counsel</b>	Josh Vetter	Rodney Wright
Phillip Reynolds	Rick McSwain	Christie Watkins
<b>Guests</b>	David Harris	Chester Lowder
David Williams	Tim Beard	Tom Ellis
Julie Henshaw	Joey Hester	Michelle Raquet
Jeff Young	Bryan Blinson	Sandra Weitzel
Kelly Hedgepeth	Ken Parks	Bryan Evans

Chairman John Langdon called the meeting to order at 9:02 a.m. Chairman Langdon inquired whether any Commission members need to declare any conflict of interest, or appearance of conflict of interest, that may exist for agenda items under consideration, as mandated by the State Ethics Act.

Chairman Langdon thanked the Farm Bureau staff for their hospitality and welcomed everyone to the meeting.

- 1. Approval of Agenda:** Chairman Langdon asked for a motion to approve the amended agenda with the addition of Item 13. Commissioner Potter motioned to approve the amended agenda and Commissioner Kilpatrick seconded. Motion carried.
- 2. Approval of Meeting Minutes:** Chairman Langdon asked for a motion to approve the minutes.

**2A. March 19, 2019 Work Session Meeting Minutes**

**2B. March 20, 2019 Business Meeting Minutes**

Commissioner Collier motioned to approve the January minutes and Commissioner Potter seconded. Motion carried.

- 3. Division Report:** Chairman Langdon recognized Deputy Director David Williams to present. A copy of the report is included as an official part of the minutes. Deputy Director Williams presented the report in addition to the following:

Mr. Williams stated the Technical Training Workgroup, includes the Division, NRCS, the NC Association of Soil & Water Conservation Districts, and district employees. A series of trainings were held in February and March to help district employees make progress for Certified Conservation Planner (CCP) status. The next series of trainings are scheduled for July and August and will focus on technical trainings for specific practices with regional significance.

Mr. Williams stated Congressman Rouzer convened a meeting yesterday to discuss stream debris removal in the state. There was much discussion and frustration expressed about how the debris being removed from the streams is being placed on land near to the stream, making it likely to be washed back into the stream in future flood events. The debris is not being pulled far enough away from the streams. A better job needs to be done to keep the debris from washing back into the streams. In some situations where the stream is accessible to load removed debris, debris is being hauled away. There are several projects where inaccessibility is an issue, which makes it impractical. The Division will investigate opportunities to remove more of the debris from the vicinity of the stream channel. Mr. Williams stated Commissioner Kilpatrick suggested marking the Hurricane Matthew debris and seeing how much is going back into the streams after Hurricane Florence.

Congressman Rouzer is interested in going throughout his district and having smaller group meetings. There is a lack of awareness with regards to stream debris removal, and the landowners need to be educated. NRCS plans to provide some assistance. Commissioner Potter stated there is a lot at risk, and the waterways need to be open, so we are prepared for the next storm.

Mr. Williams stated NRCS continues to reduce their staff, and they are well below their cap, and cannot fill their vacancies.

**3A. Review of Policy for Extension of Previous Program Year Contracts:** Mr. Williams stated the Commission needs to review the Policy for Extension of the Previous Program Year Contracts and move to adopt the policy waivers as recommended. Last year, there were some late decisions about whether district supervisors had to appear before the Commission. This year, it is recommended that a variance be provided, and the waiver for district supervisors to appear be granted to 2017 and earlier contract years for pond/pond repair contracts, any contract for which engineering approval was received less than 12 months prior to contract expiration, and 2017 contracts for which the hurricanes/chronic rainfall prevented implementation. Some landowners had other issues that delayed the implementation of their contract, and the Division recommends following the Commission's full policy and bringing those contracts before the Commission, presented by a district supervisor. The waiver would not apply, if the contract should have been canceled under the Commission's Interim Performance Milestones in the Cost Share Program Contracts Policy. Under that policy, once the contract is fully approved, the

cooperator has 12 months to complete one third of the work, if the district recommends more time, the cooperator will have six additional months.

Chairman Langdon stated the Commission is firm about staying on task with these programs, yet it remains flexible to consider common sense concerns.

Chairman Langdon asked for a motion. Commissioner Collier motioned to adopt the waiver recommendation as outlined by Deputy Director Williams and Commissioner Kilpatrick seconded. Motion carried.

- 4. Association Report:** Chairman Langdon recognized Commissioner Payne to present. A copy of the report is included as an official part of the minutes. Commissioner Payne presented the report in addition to the following:

- Annual Meeting scheduled for January 5-7, 2020; hotel reservations are open
- NC Foundation for Soil & Water Conservation held a Strategic Planning Session in Raleigh
- State Envirothon was held May 3-4, 2019

- 5. NRCS Report:** Chairman Langdon recognized Mr. Tim Beard to present. Mr. Beard presented the report and highlighted the following:

- Personnel Updates
- Conservation Stewardship Program (CSP) Updates; applications due May 10, 2019
- Emergency Watershed Protection Program – Floodplain Easement (EWP-FPE) Update; deadline to sign up is May 20, 2019
- Emergency Watershed Protection (EWP) Program has 40-45 approved projects totaling over \$2M
- Environmental Quality Incentives Program (EQIP) Update
- 2018 Farm Bill was open for public comments until April 25, 2019
- Under Secretary for USDA, Bill Northey, will be in North Carolina May 21-22 to look at EWP sites and projects
- In support of the North American Envirothon, NRCS will donate almost \$110,000 with the assistance from the states in the southeast region

Commissioner Payne thanked Mr. Beard for the donation to the North American Envirothon.

Chairman Langdon called a break at 9:56 a.m. The meeting reconvened at 10:06 a.m.

- 6. Consent Agenda:** Chairman Langdon asked for a motion to approve the Consent Agenda.

**6A. Supervisor Appointments:**

- Andrew M. Allison, Iredell SWCD, filling the expired appointed term of Brian Harwell for 2018-2022
- Tracy R. Jenkins, Iredell SWCD, filling the unexpired elected term of Andrew M. Allison for 2016-2020 with an attached resignation letter

- William Bradley Boyd, Surry SWCD, filling the unexpired elected term of David Branch for 2018-2022 with an attached resignation letter
- Charles S. Sink III, Wilkes SWCD, filling the unexpired appointed term of Gwen Minton for 2016-2020 with an attached resignation letter

**6B. Supervisor Contracts:** 6 contracts; totaling \$23,939

**6C. Technical Specialist Designation:** Mr. Stephen Bishop, Cleveland SWCD, for Waste Utilization Planning/Nutrient Management (WUP/NM) category

Commissioner Payne motioned to approve the Consent Agenda and Commissioner Potter seconded. Motion carried.

- 7. SWCC Hurricane Florence Disaster Response Program Allocation Update:** Chairman Langdon recognized Ms. Julie Henshaw to present. A copy of the report is included as an official part of the minutes. Ms. Henshaw presented the informational report of the allocations for the Lagoon Management Incentive, Pasture Renovation, and Winter Forage Crop Incentive. Eight districts have received allocations from March 12 - May 5. For the Lagoon Management Incentive Practice, all lagoon liquids need to be moved by June 1, and those contracts will expire this fiscal year.
- 8. Agriculture Cost Share Program Policy Revisions:** Chairman Langdon recognized Ms. Kelly Hedgepeth to present. A copy of the report is included as an official part of the minutes. Ms. Hedgepeth stated the changes and summary of each Best Management Practices are included and comply with the new Rule.

**8A. Agrichemical Pollution Prevention Measures:**

**8B. Waste Management Measures:**

Chairman Langdon asked for a motion to approve the Agriculture Cost Share Program Policy Revisions for Best Management Practices in the Agrichemical Pollution Prevention and Waste Management Measures. Commissioner Potter motioned to approve the revisions and Commissioner Collier seconded. Motion carried.

- 9. Job Approval Authority Update:** Chairman Langdon recognized Mr. Jeff Young to present. A copy of the report is included as an official part of the minutes. Mr. Young presented the informational report with regards to the development of the Job Approval Authority (JAA) system. The NC Association of Soil and Water Conservation Districts requested a Job Approval Authority system to be authorized by the NC Soil and Water Conservation Commission and requested a workgroup to be formed. The Job Approval Authority (JAA) system will be dependent upon legislation, the Commission adopting rules, and providing training. The workgroup recommends adopting a mirror image of the NRCS Job Approval Authority (JAA) conservation standards.

**10. Supervisor Appointments Deferred for Training Requirements:** Chairman Langdon recognized Mr. Eric Pare to present. A copy of the report is included as an official part of the minutes. Mr. Pare stated at the March Commission Meeting, Chairman Langdon asked Mr. Pare to contact the three newly-appointed supervisors to provide a letter of explanation, as to why they did not meet the Commission's requirement to attend the UNC School of Government training. Due to the training requirements, the appointments will be conditionally extended until they complete the training in February 2020.

District	First Name	Last Name	Start Date
Alb/Perquimans	Allen	Stallings	Letter attached
Franklin	Patrick	Ray	Letter attached
Swain	Philip	Carson Sr.	Letter attached

Chairman Langdon asked for a motion to approve. Commissioner Potter motioned to approve the conditional appointments based upon the supervisors attending the training in February 2020 and Commissioner Payne seconded. Motion carried.

**11. Agricultural Water Resources Assistance Program (AgWRAP) Regional Application**

**Considerations:** Chairman Langdon recognized Mr. Joshua Vetter to present. A copy of the report is included as an official part of the minutes. Mr. Vetter presented the report in addition to the following:

- Projects were reviewed and ranked from 0-91 out of 100
- Recommend funding 20 projects from 14 districts totaling \$510,000
  - 8 projects; West
  - 10 projects; Central
  - 2 projects; East

Chairman Langdon suggested working together with the districts to do an analysis/inventory of our water needs, what areas need improvement, and generate a 10-year strategic plan.

Chairman Langdon asked for a motion to approve the funding for the AgWRAP regional applications. Commissioner Willis motioned to approve the funding for the projects and Commissioner Collier seconded. Motion carried.

**12. Agriculture Reports for Nutrient Sensitive Waters:** Chairman Langdon recognized Mr. Joey Hester to present. A copy of the report is included as an official part of the minutes. Mr. Hester provided an update of the Nutrient Sensitive Waters Rules, which were developed by the Department of Environmental Quality (DEQ) to help meet the Clean Water Act (CWA). The Rules are designed to manage pollution and specifically aimed at nutrients, i.e., nitrogen and phosphorus. The Clean Water Act (CWA) requires identifying the problem in the watershed, running an analysis, understanding how to fix it, and implementing Rules to correct it.

**13. Ammons Inquiry from Rutherford SWCD:** Chairman Langdon recognized Commission Counsel, Phillip Reynolds, to present. Mr. Reynolds stated this is a follow up to the correspondence the NC Soil and Water Conservation Commission received in July 2018, and the response Counsel has been asked to provide for potential legal action. Prior to the March 2019 Work Session, Mr.

Reynolds received a response from Rutherford County Watershed Commission. The letter stated the structure is located on Mr. Ammons' property and partially on a neighboring property. The construction was funded through Public Law 566, which is the Watershed Protection and Flood Prevention Act. The Soil Conservation Service, now known as NRCS, provided funds to construct these structures in different watersheds. As required, the Rutherford County Watershed Commission had to agree to and be responsible for the Operation and Maintenance Agreement. Mr. Reynolds contacted the attorney for the Rutherford County Watershed Commission and their response has been provided to the Commissioners.

Mr. Ammons is not alleging the structure itself is causing sediment to go onto his property, nor is he alleging the dam has not been maintained properly. Mr. Ammons is asking for the structure to be removed from his property, and the easement to revert, which is something neither the NC Soil and Water Conservation Commission nor the local Rutherford County Watershed Commission do.

As part of the Rutherford County Watershed Commission's response, they asked for an environmental consulting firm to perform an independent assessment. They concluded the type of erosion and sedimentation is common in the foothills and in the Piedmont of North Carolina, none of which is related to the dam or shows evidence the dam is not being properly maintained or causing the sediment to accumulate in the easement. Mr. Ammons wants the NC Soil and Water Conservation Commission to invoke the Commission's authority under N.C.G.S. 139-41.2(e) which authorizes the Commission to conduct further hearings into this matter, if they have reason to believe the watershed improvement structure is not being maintained properly. The Commission does not have authority to remove the easement nor to have the structure removed. However, if after further hearings, the Commission concluded that the Rutherford County Watershed Commission is not maintaining the structure as provided for in the Operation and Maintenance Agreement, the Commission could order the County to take further actions. Mr. Reynolds recommends the Commission to decline to exercise its authority to hold further hearings on this matter.

Chairman Landon asked for comments. Commissioner Willis motioned to accept Counsel's recommendation to decline to exercise the Commission's authority to hold further hearings and Commissioner Payne seconded. Motion carried.

Mr. Reynolds will send a letter to Mr. Ammons noting the Commission's decision and respond to the letter received from Mr. Ammons dated May 7 about legal action; it is without legal merit and there is nothing the Commission can do to be involved in legal action.

**Public Comments:** Deputy Director David Williams thanked the Farm Bureau for hosting the meeting and supporting our activities. Chairman Langdon thanked Mr. Lowder and Mr. Wooten. Mr. Lowder stated the space is always available. Mr. Williams stated Mr. Larick and Mr. Lowder helped with many aspects and thanked them for all their work and contributing and implementing our programs. Mr. James thanked Tiffany and Mr. Larick and Mr. Lowder. Chairman Langdon thanked the staff.

**Adjournment:** Meeting adjourned at 11:31 a.m.

*David B. Williams*

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David B. Williams, Deputy Director  
Division of Soil & Water Conservation, Raleigh, N.C.

*Helen Wiklund*

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Helen Wiklund, Recording Secretary

***These minutes were approved by the North Carolina Soil & Water Conservation Commission on July 17, 2019.***



**NORTH CAROLINA  
SOIL & WATER CONSERVATION COMMISSION  
WORK SESSION MEETING MINUTES  
March 19, 2019**

NC State Fairgrounds  
Gov. James G. Martin Building – Gate 9  
1025 Blue Ridge Road  
Raleigh, NC 27607

Commission Members	Guests	
John Langdon	Vernon Cox	Lisa Fine
Wayne Collier	David Williams	Ken Parks
Samuel Green	Julie Henshaw	Bryan Evans
Dietrich Kilpatrick	Kelly Hedgepeth	Rick McSwain
Myles Payne	Jeff Young	Josh Vetter
Derek Potter	Eric Pare	Tom Ellis
Mike Willis	Helen Wiklund	Blount Knowles
Commission Counsel	Ralston James	Rob Baldwin
Phillip Reynolds	Michael Shepherd	Gwen Minton
	Tom Hill	

Chairman John Langdon called the meeting to order at 6:11 p.m. Chairman Langdon inquired whether any Commission members need to declare any conflict of interest, or appearance of conflict of interest, that may exist for agenda items under consideration, as mandated by the State Ethics Act. Chairman Langdon declared a conflict of interest for Agenda Item 8 and will recuse himself from that item.

Chairman Langdon welcomed everyone to the meeting and thanked the Commission members and Division staff.

- 1. Approval of Agenda:** Chairman Langdon recognized Commission Counsel. Mr. Reynolds stated an item will be added to the end of the agenda to recommend the Commission go into close session to discuss potential litigation involving a matter in Rutherford County and the Commission's authority over watershed improvement projects. Chairman Langdon stated the closed session will be discussed after Agenda Item 15 and before the Public Comments. Director Cox suggested revising the Business Meeting Agenda and to move Agenda Item 10 to after Agenda Item 15. Both Director Cox and Deputy Director Williams must leave the Business Meeting by 11 a.m. tomorrow to attend Ag Awareness Day in Raleigh. Mr. Reynolds stated Agenda Item 10 will be discussed in the Work Session, and if further discussion is warranted, Agenda Item 10 can be moved to the May Commission Meeting.

2. **Reading of Statement of Economic Interest Evaluation:** Chairman Langdon recognized Mr. Phillip Reynolds. Mr. Reynolds stated Commissioner Green's Statement of Economic Interest Evaluation has been received and welcomed Commissioner Green to the Commission. Mr. Reynolds stated, as required, a portion of the evaluation will be read into the minutes at tomorrow's meeting.
3. **Approval of Meeting Minutes:** Chairman Langdon asked for comments on the minutes. Commissioner Collier stated the minutes will be ready to be approved as written at tomorrow's meeting.

**3A. January 6, 2019 Work Session Meeting Minutes**

**3B. January 6, 2019 Business Meeting Minutes**

4. **Division Report:** Chairman Langdon recognized Director Vernon Cox to present. A copy of the report is included as an official part of the minutes. Director Cox stated the report will be presented at the Business Meeting tomorrow.
  - Disaster Response Update and Hurricane Matthew Recovery Update
  - Last March, Nutrient Strategy Rule Revisions Updated for the Neuse and Tar-Pamlico River Basins; currently open for public comment
    - Identified two changes: all Agriculture Rule progress reports will be submitted to the Director of DWR and accounting for lands permanently lost to development indicates this will hinder our ability to meet our reduction goals
  - The N.C. Association of Soil & Water Conservation Districts adopted a resolution in January with regards to Job Approval Authority (JAA) and urged the Commission to consider adoption
    - A Job Approval Authority (JAA) policy for district technicians would require statutory authority and exception to the PE law; this will appear in the Farm Act being released on March 20, 2019
  - Established a JAA Workgroup including Jeff Young, Rick McSwain, Patrick Baker, Jason Byrd, and Commissioner Collier
  - Mr. Young provided a brief update from the JAA Workgroup's first meeting. Mr Young stated that the Workgroup has gotten off to a good start. Specific recommendations will be made to the Commission at a later date for establishing a system for granting JAA to qualified district and Division staff. The general process will be similar to that already implemented by NRCS. As previously mentioned, proposed legislation will need to be adopted to fully implement the proposed system for issuing JAA.
5. **Association Report:** Chairman Langdon recognized Commissioner Payne to present. Commissioner Payne stated the report will be presented at the Business Meeting tomorrow. A copy of the report is included as an official part of the minutes.
6. **NRCS Report:** Chairman Langdon asked if Mr. Tim Beard, State Conservationist, will be present at the Business Meeting tomorrow. Director Cox stated Mr. Beard will be in attendance to present and provided the report.

**7. Consent Agenda:** Chairman Langdon recognized Mr. Eric Pare, Ms. Kelly Hedgepeth, and Mr. Jeff Young to present. A copy of the reports is included as an official part of the minutes.

**7A. Supervisor Appointments:**

- Johnny H. Denton, Gaston SWCD, filling the unexpired appointed term of Robin Armstrong for 2016-2020 with an attached resignation letter from Ms. Armstrong
- Danon J. Lawson, Gaston SWCD, filling the unexpired appointed term of Kevin Mauney for 2018-2022 with an attached resignation letter from Mr. Mauney
- Donna Jones, Madison SWCD, filling the unexpired appointed term of Jeremy Fox for 2016-2020 with an attached resignation letter from Mr. Fox
- Larry A. McDermott, Rutherford SWCD, filling the unexpired appointed term of Bill Eckler for 2016-2020 with an attached resignation letter from Mr. Eckler
- Jimmy R. South, Watauga SWCD, filling the unexpired appointed term of Rob Hunt for 2018-2022 with an attached resignation letter from Mr. Hunt

Mr. Rob Baldwin, director of the Wilkes Soil & Water Conservation District, stated Mr. Zach Myers, an appointed supervisor, moved to Pennsylvania. Ms. Gwen Minton has resigned as district chair, which opens Ms. Minton’s elected seat. The Wilkes Board accepted Ms. Minton’s resignation and recommends Ms. Minton fill the unexpired appointed term of Zach Myers for 2016-2020.

**Supervisor Reappointments:** At the January 2019 Commission Meeting, it was discussed that a total of six supervisors had been reappointed at the November Commission Meeting on the condition that they attend the UNC School of Government training to be offered in February 2019. One of the six, Mr. Kevin Mauney with the Gaston Soil & Water Conservation District, resigned. The other five supervisors (listed below) attended one of the UNC School of Government regional training events and had, therefore, fulfilled the Commission’s requirement for reappointment. Director Cox stated that the Clay Soil & Water Conservation District requested an interpreter for Mr. Salvador Moreno. The NC Forest Service provided a Spanish-speaking employee to assist Mr. Moreno at the training event in Morganton, NC.

SWCD Name	First Name	Last Name
Buncombe	Louise	Scruggs
Haywood	William	Morrow
Hoke	Matthew	Lindsay
Jackson	Boyce	Deitz
Clay	Salvador	Moreno

**7B. Supervisor Contracts:** 10 contracts; totaling \$65,065

**7C. Technical Specialist Designation:** Mr. Jacob Giddens, USDA, NRCS Area Resource Conservationist, for Runoff Control (RC) category.

**8. Commission Member Contract:** Chairman Langdon recused himself and Vice Chairman Collier presided over Agenda Item 8. Ms. Kelly Hedgepeth presented Form 1A for Commission member

Contract #51-2019-407-09 for Non-Field Farm Road Repair for \$4,556 for Chairman Langdon under the Disaster Program. The contract is in order.

Chairman Langdon resumed presiding over the meeting.

**9. SWCC Hurricane Florence Disaster Response Program Allocation Update:** Chairman Langdon recognized Ms. Julie Henshaw to present. A copy of the report is included as an official part of the minutes. Ms. Henshaw provided an update from the January Meeting and reminded the Commission that Director Cox was authorized by the Commission to approve allocations in between meetings. The Division has allocated almost \$400,000. One action item will be a Division recommendation for approval of the following technical assistance payment scale based on the type of BMP:

- \$500 for Agricultural Pond Repairs and Non-Field Farm Road Repairs
- \$300 for Disaster Repairs and Renovations
- \$100 for Disaster Pasture Renovations, Disaster Winter Forage Crop Incentive, and Disaster Lagoon Management Incentive

**10. Agriculture Cost Share Program Policy Revisions:** Chairman Langdon recognized Ms. Kelly Hedgepeth to present. A copy of the report is included as an official part of the minutes. Ms. Hedgepeth stated in July 2018 the Technical Review Committee (TRC) began an effort to review every policy with regards to the BMPs, especially the animal waste practices. Many of the proposed policy changes, particularly waste management practices, are due to subsequent rule changes. Our practice policies need to match the current rules. The updates are shown in the track changes section of each policy.

**10A. Agrichemical Pollution Preventions Measures:**

There are no significant changes in this section.

**10B. Waste Management Measures:**

The change under Policy #4 is with regards to the design requirements. It must be stipulated on the design, if it is being made larger; it must be documented and in compliance with State requirements to meet the current rules.

The next set of BMPs will be discussed at the May Commission Meeting for the next program year and can be approved at the July Commission Meeting.

Chairman Langdon requested a conference call to be scheduled between now and May, to act upon the policy revisions presented today to discuss the second set of BMPs prior to the May Commission Meeting. The Technical Review Committee will continue to review these policies and Ms. Hedgepeth will schedule a conference call for late April or early May with the Commission.

Agenda Item #10 will be removed from the Business Meeting's agenda.

- 11. CREP Contract Post-Approvals:** Chairman Langdon recognized Deputy Director Williams to present. A copy of the report is included as an official part of the minutes.

The Division recently became aware of three Conservation Reserve Enhancement Program (CREP) projects involving three local districts that had not submitted the appropriate cost share paperwork necessary to fund the planned conservation practices. The three districts have very limited experience implementing CREP program contracts. The districts were not aware that they needed to request an allocation of CREP earmark funds and develop an ACSP contract to fund the state portion of cost share for installing planned practices. There was a miscommunication in the handoff between the CREP staff, FSA, and each district. The Division is taking steps to assure that this will not happen again and will incorporate CREP training in the upcoming Cost Share Training. The Division is asking the Commission to approve these post approvals, and to waive the appearance requirement of a district supervisor to appear in person at the Business Meeting tomorrow.

Chairman Langdon asked if the Commissioners is agreeable to waive the appearance requirement of the three district supervisors at the Business Meeting tomorrow. All Commissioners were agreeable to a waiver of the appearance requirement for this specific instance.

Chairman Langdon called a break at 7:49 p.m. The meeting reconvened at 8 p.m.

- 12. Cost Share Program Rules Technical Corrections:** Chairman Langdon recognized Ms. Julie Henshaw to present. A copy of the report is included as an official part of the minutes.

Ms. Henshaw highlighted a few of the Rules that had technical corrections and asked for an effective date of January 1, 2020. As a result, the Division will not use the new allocation parameters in July 2019. Instead, the new allocation parameters will be effective for the FY 2021 allocation.

Ms. Henshaw also noted that the Commission's statutory authority with regards to the Detailed Implementation Plan (DIP) has some minor rewording to meet the recommendations of the Rules Review Commission, but there would be no substantive changes to the implementation of the program.

- 13. Supervisor Appointments:** Chairman Langdon recognized Mr. Eric Pare to present. A copy of the report is included as an official part of the minutes.

**13A. Newly-Appointed Supervisors Where Training Requirement Has Not Been Met:** The three newly-appointed supervisors listed below have not met the Commission's requirement to attend the UNC School of Government training. Commissioner Collier stated Mr. Ray attended the Area 4 Meeting and apologized to him for not attending the training. Mr. Stallings planned to attend the training, but he has not provided a reason. Mr. Carson stated the Morganton class was full, and he was unable to attend. Chairman Langdon directed Mr. Pare to notify the supervisors in writing and express that the Commission is sympathetic to their situation, however, the supervisor must provide a letter to the Commission before the May 15<sup>th</sup> Commission Meeting explaining why the supervisor missed the training and their plans to attend

a future training event. Deputy Director Williams stated the supervisor appointments were conditional upon attending the training and that the Commission may have to extend their conditional appointment once a letter is submitted.

District	First Name	Last Name	Start Date
Alb/Perquimans	Allen	Stallings	Dec 2018
Franklin	Patrick	Ray	Letter attached
Swain	Philip	Carson Sr.	Dec 2018

**14. District Issues:** Chairman Langdon recognized Ms. Kelly Hedgepeth to present. A copy of the report is included as an official part of the minutes.

**14A. Consideration of Post-Approval Contract:** This is a post-approval Cover Crop Contract from Currituck SWCD. A supervisor and staff member plan to present at the Business Meeting tomorrow. The issue is a staff person left the district and, after the changeover, the district technician did not know what to look for in CS2 and did not realize the contract had not been approved. A previous district employee had submitted a contract for review, which was pended by the Cost Share staff, as incomplete. The employee had e-mail conversations with the Cost Share staff prior to leaving her employment, but she did not make the necessary corrections for the contract to be approved.

**14B. Request for Approval for a Contract on Government-Owned Property:** This request is from the Orange district. This property is owned by NC State University and managed by the NC Cooperative Extension Service. It is a State-owned property, and based on the Commission's rules, the district must come before Commission to ask for approval of contracts on State or Federal lands. It is recommended for approval.

**15. Impact of Salt Build Up on Cropland:** Chairman Langdon recognized Ms. Julie Henshaw.

**15A. Pamlico Contracts:** Ms. Henshaw deferred to Commissioner Potter to present. Commissioner Potter explained that the cooperators has abandoned the farm because of salt water intrusion caused by Hurricane Florence. The farmer subsequently asked the district to cancel the contract. The district is concerned that their future cost share allocations will be reduced due to the cancellation of the contract.

Mr. Reynolds stated the Commission does not have the authority to waive their allocation formula that is established by rule. Ms. Henshaw stated the new parameters for the Ag Cost Share Program effective in 2021 will be based on the percentage of program funds that are actually expended for installed BMPs in the highest three of the most recent seven-year period. As a result, there should be little or no impact to the Districts allocation, as a result of one canceled contract. Commissioner Potter stated that the district did not want to get penalized for something that was clearly out of its control.

Commissioner Willis asked if the Commission can hear hardship cases and make an exception in emergency situations? Mr. Reynolds stated the Commission must have another rule spelling out

the factors that the Commission must consider, to waive any rule. There is no such provision in the current cost share rules.

**Public Comments:** Mr. Rob Baldwin stated Area 1 and Area 2 have held District Issues Committee meetings to discuss district issues with regards to the Western Stream Initiative, which is an NRCS Stream Restoration Project with 59 projects in the western area of the State. A division of the State Government called Program Evaluation Division (PED) did an evaluation of the Western Stream Initiative projects and found some instances where the Division of Water Resources and the Clean Water Management Trust Fund were both invoiced, and subsequently paid for the State's portion of the project. NC Policy Watch wrote an article about the findings and duplicate payments. The Program Evaluation Division (PED) found discrepancies and wrote a 45-page summary. Mr. Baldwin's direct concern is the Wilkes Soil and Water Conservation District has received an \$865,000 National Water Quality Initiative Grant from NCRS and some of those funds could possibly be used to address Stream Restoration Issues. The district would like to see these pools of money stay intact to encourage the landowners to participate in the Western Stream Initiative. The Program Evaluation Division (PED) interviewed Mr. Baldwin, and the recommendation of Mr. Baldwin is that the funds should be channeled through the districts, and the districts could possibly be given an administrative fee, but the program should not be eliminated. Mr. Baldwin encouraged the Commissioners to talk to their legislators and request that the funds continue to be available and sent through the districts.

Chairman Langdon asked for a motion to go into closed session at 8:32 p.m.

Commissioner Collier moved that the Commission go into closed session pursuant to N.C.G.S. 143-318.11(a)(3) to consult with legal counsel regarding potential litigation and a complaint received pursuant to the Commission's authority to review compliance with watershed work plans. Commissioner Potter seconded. Motion carried.

Mr. Reynolds stated by a motion and vote, the Commission has come out of closed session. During the closed session, the Commission discussed the complaint received from Mr. Del Ammons in Rutherford County regarding a PL-566 structure located partially on his property. By consensus, the Commission has instructed Mr. Reynolds to seek more information from the attorney for the Second Broad River Watershed Commission, as well as to work with staff to bring forward more information to determine whether there is a need to review the watershed workplan applicable for that structure.

At the end of the closed session, a motion was made by Commissioner Willis to go back into open session prior to adjourning the meeting and Commissioner Payne seconded. Motion carried.

**Adjournment:** Meeting adjourned at 8:48 p.m.



Vernon N. Cox, Director  
Division of Soil & Water Conservation, Raleigh, N.C.



Helen Wiklund, Recording Secretary

***These minutes were approved by the North Carolina Soil & Water Conservation Commission on May 15, 2019.***



**NORTH CAROLINA  
SOIL & WATER CONSERVATION COMMISSION  
BUSINESS MEETING MINUTES  
March 20, 2019**

NC State Fairgrounds  
Gov. James G. Martin Building – Gate 9  
1025 Blue Ridge Road  
Raleigh, NC 27607

Commission Members	Guests	
John Langdon	Kelly Hedgepeth	Joe Hudyncia
Wayne Collier	Jeff Young	Josh Vetter
Samuel Green	Eric Pare	Bill Yarborough
Dietrich Kilpatrick	Helen Wiklund	Rodney Wright
Myles Payne	Kristina Fischer	Tom Gerow, Jr.
Derek Potter	Ralston James	Rick McSwain
Mike Willis	Michael Shepherd	Ken Parks
Commission Counsel	Lisa Fine	Gail Hughes
Phillip Reynolds	Sandra Weitzel	Tim Beard
Guests	Manly West	Tom Ellis
Vernon Cox	Will Creef	Chris Hogan
David Williams	Tom Hill	Rob Baldwin
Julie Henshaw	Jason Byrd	

Chairman John Langdon called the meeting to order at 9:02 a.m. Chairman Langdon inquired whether any Commission members need to declare any conflict of interest, or appearance of conflict of interest, that may exist for agenda items under consideration, as mandated by the State Ethics Act. Chairman Langdon declared a conflict of interest for Agenda Item 8 and will recuse himself from that item.

Chairman Langdon welcomed everyone to the meeting and thanked the Commissioners and the Division staff. Chairman Langdon stated Agenda Item 10 has been removed from the agenda.

1. **Approval of Agenda:** Chairman Langdon asked for a motion to approve the agenda. Commissioner Payne motioned to approve the amended agenda with the removal of Item 10 and Commissioner Green seconded. Motion carried.
2. **Reading of Statement of Economic Interest Evaluation:** Chairman Langdon recognized Commission Counsel. Mr. Reynolds stated the Statement of Economic Interest has been received for newly-appointed Commission member, Mr. Green. The Governor's Office sent the

paperwork to the Division where it will be kept on file. By statute, portions of the letter must be read into the minutes and available upon request.

From the State Ethics Commission to Governor Cooper for the Evaluation of Statement of Economic Interest filed by Mr. Samuel Green, Jr., for the Soil and Water Conservation Commission, the State Ethics Commission determined the following:

*Dear Governor Cooper: Our office has received Mr. Samuel Green's 2019 Statement of Economic Interest as a prospective appointee to the Soil and Water Conservation Commission. We have reviewed it for actual and potential conflicts of interest pursuant to Chapter 163A of the North Carolina General Statutes ("N.C.G.S."), also known as the Elections and Ethics Enforcement Act.*

*We did not find an actual conflict of interest, but found the potential for a conflict of interest. The potential conflict identified does not prohibit service on this entity.*

*Mr. Green would fill the role of a member on the Commission who is the First Vice President of the North Carolina Association of Soil and Water Conservation Districts. Because Mr. Green serves on the NCASWCD and represents the Vance County Soil and Water Conservation District, he has the potential for a conflict of interest. Accordingly, Mr. Green should exercise appropriate caution in the performance of his public duties should issues involving his district come before the Commission for official action.*

- 3. Approval of Meeting Minutes:** Chairman Langdon asked for a motion to approve the amended minutes.

**3A. January 6, 2019 Work Session Meeting Minutes**

**3B. January 6, 2019 Business Meeting Minutes**

Commissioner Collier motioned to approve the January amended minutes and Commissioner Kilpatrick seconded. Motion carried.

- 4. Division Report:** Chairman Langdon recognized Director Vernon Cox to present. A copy of the report is included as an official part of the minutes.

- Personnel Update: Two positions filled and five vacancies remaining
- NCDA&CS Hurricane Florence Disaster Response Update, as of March 8, 2019
  - 1,438 payments totaling \$90,375,425.17
- Hurricane Matthew Recovery Update: Stream Debris, Non-Field Farm Roads, Pasture Renovation, and Pond Repair
- District Supervisor Training Update: a total of 101 supervisors attended one of the three regional training events
- Nutrient Strategy Rule Revisions remains open for public comments until April 16, 2019
  - Changes the reporting requirements such that all Agriculture Rule progress reports will be submitted to the Director of DWR rather than publicly presented to the EMC
  - DSWC has concern about the proposed rule change to require that the baseline nitrogen loss for agriculture must be adjusted annually to account for lands that are permanently lost to development.

- Summaries of Total Precipitation due to Hurricane Florence and Tropical Storm Michael were presented as requested at the January 6, 2019 meeting of the Commission
- Overall 2018 Precipitation Accumulation in North Carolina above normal
  - 99% of the State had rainfall totals that exceeded normal precipitation
  - 56% of the State had precipitation totals that exceeded normal precipitation by 20 inches or more
- May Commission Meeting will be in Raleigh but not at the State Fairgrounds; meeting location to be announced

Chairman Langdon emphasized the importance of the Supervisor Training Program and encourages all supervisors to continue to sign up for the training given the regional locations. Director Cox stated it is important to be an effective supervisor and encourages all supervisors to take the training.

**5. Association Report:** Chairman Langdon recognized Commissioner Payne to present. A copy of the report is included as an official part of the minutes.

- North American Envirothon Update
- Today is Ag Awareness Day at the General Assembly
- Area Meetings completed; attendance is up
- Supervisor Training is well attended
- Proposed legislative NC House Bill 294 was introduced last week to turn most county boards including Soil & Water District Boards into partisan elected boards
  - Legislators need to be informed to oppose the Bill
  - The Executive Committee of the NC Association of Soil & Water Conservation Districts voted to send a letter to members of the General Assembly in opposition to HB 294.

**6. NRCS Report:** Chairman Langdon recognized Mr. Tim Beard. A copy of the report is included as an official part of the minutes.

- 2018 Farm Bill passed and NRCS submitted a press release seeking public comments on existing national conservation practice standards with the period ending April 25, 2019
- State budget allocation is pending
- This year there were 3 EQIP sign ups; 2 more sign ups were added due to the hurricanes
  - Requested an additional \$4M and received only \$2M in October; waiting for \$2M more
  - Received over 2,000 EQIP applications; normally receive 500-600 per year
- Deadline to submit applications to the ACEP (Agricultural Conservation Easement Program) is April 5, 2019
- EWP (Emergency Watershed Protection) Program has over 50 sponsors and evaluated 300 sites
  - Requested to add Columbus and Montgomery counties to the Limited Resource Area; receiving 90%/10% cost share rate instead of 75%/25% cost share rate
  - Working to get the DSRs (Damage Survey Reports) completed so recovery projects can be funded; 75-100 reports mailed daily

- Press release issued for the Flood Plain Easement (FPE) Program accepting requests from sponsors and landowners with a deadline of April 19, 2019; deadline may be extended for 30 more days and an additional 30 days for a total of 90 days

**7. Consent Agenda:** Chairman Langdon asked for a motion to approve the Consent Agenda.

**7A. Supervisor Appointments:**

- Johnny H. Denton, Gaston SWCD, filling the unexpired appointed term of Robin Armstrong for 2016-2020 with an attached resignation letter from Ms. Armstrong
- Danon J. Lawson, Gaston SWCD, filling the unexpired appointed term of Kevin Mauney for 2018-2022 with an attached resignation letter from Mr. Mauney
- Donna Jones, Madison SWCD, filling the unexpired appointed term of Jeremy Fox for 2016-2020 with an attached resignation letter from Mr. Fox
- Larry A. McDermott, Rutherford SWCD, filling the unexpired appointed term of Bill Eckler for 2016-2020 with an attached resignation letter from Mr. Eckler
- Jimmy R. South, Watauga SWCD, filling the unexpired appointed term of Rob Hunt for 2018-2022 with an attached resignation letter from Mr. Hunt
- Gwen Minton, Wilkes SWCD, resigning from elected term for 2016-2020 with an attached resignation letter from Ms. Minton to fill the vacated unexpired appointed term of Zack Myers for 2016-2020 with an attached resignation letter from Mr. Myers

**7B. Supervisor Contracts:** 10 contracts; totaling \$65,065

**7C. Technical Specialist Designation:** Mr. Jacob Giddens, USDA, NRCS Area Resource Conservationist, for Runoff Control (RC) category.

Commissioner Collier motioned to approve the Consent Agenda and Commissioner Payne seconded. Motion carried.

**8. Commission Member Contract:** Chairman Langdon recused himself and Vice Chairman Collier presided over Agenda Item 8. Ms. Kelly Hedgepeth presented Commission member Contract #51-2019-407-09 for Non-Field Farm Road Repair in the amount of \$4,556 for Chairman Langdon. Form 1A was filled out, and the contract is in order. A copy of the report is included as an official part of the minutes.

Vice Chairman Collier asked for a motion to approve Commission Member Contract #51-2019-407-09. Commissioner Green motioned to approve the contract and Commissioner Willis seconded. Motion carried.

Chairman Langdon resumed presiding over the meeting.

**9. SWCC Hurricane Florence Disaster Response Program Allocation Update:** Chairman Langdon recognized Ms. Julie Henshaw to present. A copy of the report is included as an official part of the minutes.

The Commission's Cost Share Program is tied to the counties shown on the map. This is a different map than the area that is eligible for the Department's Agricultural Disaster Program of 2018 and for the NRCS Emergency Watershed Program (EWP) and Environmental Quality Incentives Program (EQIP).

The Commission revised the allocation of funding among BMPs at the January Commission Meeting and gave authority to Director Cox to approve additional BMP allocations in between meetings. The highlighted BMP allocations are: Lagoon Management Incentive, Pasture Renovation, and Winter Forage Crop Incentive.

- Thirty-two allocations were approved based on available funding, which totaled almost \$400,000 going to 14 districts for these different BMPs
- To date, almost 50% of the funding goes to the Lagoon Management Program with 36% of the funding going to Pasture Renovation, and 11% of funding still available
- Highlighted the proposed Technical Assistance to districts per BMP with payment made after the BMP is installed
- Will require approximately \$100,000 to support the proposed Technical Assistance allocation, with the amount increasing based on need
- Request Commission approval of the Technical Assistance allocation payment scale

Chairman Langdon asked for a motion to approve the Technical Assistance per BMP allocation payment scale. Commissioner Kilpatrick motioned to approve the BMP allocation payment scale and Commissioner Green seconded. Motion carried.

**10. Agriculture Cost Share Program Policy Revisions:** *This item has been removed from the agenda.*

**10A. Agrichemical Pollution Preventions Measures:**

**10B. Waste Management Measures:**

**11. CREP Contract Post-Approvals:** Chairman Langdon recognized Deputy Director Williams to present. A copy of the report is included as an official part of the minutes.

There are three CREP contracts that require post approvals from three districts, i.e., Onslow, Rockingham, and Washington counties.

The CREP program involves a variety of partners at the federal, state and local levels. A step-by-step flow chart has been distributed to the districts to navigate the process, with Step 25 detailing the district requesting cost share funds. The district staff is new and inexperienced with regards to CREP. The Division CREP staff did not inform the district staff of the importance of Step 25, to make a request for cost share funding, when entering into cost share agreements. CREP involves conservation easements and acquiring conservation easements and establishing planned conservation practices. In this case, the three districts failed to request an allocation out of the CREP earmark. Although there is a cost share contract for the federal portion of the practice cost, the corresponding State cost share contract was never requested.

This was a miscommunication issue. The Division is taking steps to correct this with training and emphasizing the CREP connection through the Cost Share Program.

Chairman Langdon asked for a motion to approve the three CREP Contract Post-Approvals. Commissioner Potter motioned to approve the CREP Contract Post-Approvals and Commissioner Payne seconded. Motion carried.

Chairman Langdon thanked Deputy Director Williams and emphasized the districts need to sign up for the Cost Share training workshop.

- 12. Cost Share Program Rules Technical Corrections:** Chairman Langdon recognized Ms. Julie Henshaw to present. A copy of the report is included as an official part of the minutes.

The Rules Review Commission (RRC) General Counsel provided technical corrections to the rules. The Division is working with Commission Counsel to comply with the requirements of the RRC. The proposed revisions to Rule 02 NCAC 59D.0106 involve the Detailed Implementation Plan (DIP) and the Commission's statutory authority. Rather than adopt the DIP each year, the Commission will approve a list of BMPs that are acceptable for cost sharing. The list of approved BMPs will be published annually in the DIP. This revision will not cause any substantive changes to the implementation of the program. There are also a variety of formatting revisions. The Division is recommending approval of the rules with an effective date of January 1, 2020. The Commission will continue to use the existing allocation formula to make allocations in July of 2019. The new allocation formula will be used for the first time on July 1, 2020.

Mr. Phillip Reynolds stated the Division has worked with the General Counsel to the Rules Review Commission. The General Counsel will object to the rules now, but it is a timing issue. Mr. Reynolds will attend the Rules Review Commission Meeting tomorrow and the RRC will take final action in April.

Chairman Langdon asked for a motion to approve the Cost Share Program Rules Technical Corrections. Commissioner Green motioned to approve the Technical Corrections and Commissioner Collier seconded. Motion carried.

- 13. Supervisor Appointments:** Chairman Langdon recognized Mr. Eric Pare to present. A copy of the report is included as an official part of the minutes.

**13A. Newly-Appointed Supervisors Where Training Requirement Has Not Been Met:** It is a Commission requirement that a newly-appointed supervisor attend the first available UNC-SOG training. Three supervisors did not attend the training that were appointed in December 2018. Mr. Patrick Ray, Franklin SWCD, provided a letter of explanation. Mr. Pare will follow-up with the other two supervisors to submit letters as to why they did not attend, what they intend to do to meet the requirements, and will present it at the May Commission Meeting.

Mr. Reynolds stated due to their conditional appointments to take the training, it will be necessary to extend the conditional appointments to give the supervisors more time attend the training and to provide the circumstances why they did not attend the training. It is

recommended the Commission defer action until the May Commission Meeting and extend their conditional appointments.

Chairman Langdon asked for a motion to approve the extension of the conditional appointments. Commissioner Collier motioned to approve the extension of the conditional appointments until the May Meeting with the assumption the Division will receive these letters and provide it to the Commission and Commissioner Payne seconded. Motion carried.

**14. District Issues:** Chairman Langdon recognized Ms. Kelly Hedgepeth to present. A copy of the report is included as an official part of the minutes.

**14A. Consideration of Post-Approval Contract:** Ms. Hedgepeth introduced Mr. Manly West and Mr. Will Creef to present the issue. Mr. West stated the request is for a post approval on Cover Crop Contract #27-2018-001. The contract was submitted by a recently-retired administrator, and the district staff thought the information was inputted into CS2. The contract was incomplete, and the new administrator and technician did not realize the clerical error in the paperwork. Mr. Creef stated the practice was put in on the ground correctly.

Chairman Langdon asked for a motion to approve the Post-Approval Contract. Commissioner Payne motioned to approve the Post-Approval Contract #27-2018-001 and Commissioner Potter seconded. Motion carried.

Mr. West interjected before leaving the podium to comment about the recent change in the supervisor training requirement from six hours every year to six hours every four-year term. Mr. West stated that training is important and expressed his belief that it was a mistake to reduce the training requirement.

**14B. Request for Approval for a Contract on Government-Owned Property:** Ms. Hedgepeth stated a contract from Orange SWCD is being presented. The property is on government-owned property, and according to Rule 02 NCAC 59D.0105, cost share contracts on government-owned property must be approved by the Commission.

Mr. Chris Hogan and Ms. Gail Hughes were introduced to present. Mr. Hogan stated this is a farm that a deceased supervisor, Col. William Breeze, donated to NC State University and the land was broken up into two parcels. One parcel of land, NCSU and Orange County are using as an incubator farm for new and beginning farmers. The second parcel of land is rented and farmed by a current Orange County supervisor and farmer, Mr. R. Clay Parker. The property has steep slopes and needs road stabilization to access the back 20-acre field. There are erosion issues in the field, and Mr. Parker will pay for the improvements, but the roads need repairing. Mr. Parker has asked Orange SWCD for help. Mr. Parker is looking at a ten-year maintenance contract on this no-till farm.

Ms. Hughes stated there are erosion problems on the road with sedimentation entering the streams, since it crosses two blue-lined streams. The plan is to put in grading and water berms to divert the water down the steep slope into the woodland and stabilize the road.

Chairman Langdon asked for a motion to approve the Request for a Contract on Government-Owned Property. Commissioner Willis motioned to approve Contract #68-2019-005 and Commissioner Green seconded. Motion carried.

**15. Impact of Salt Build Up on Cropland:** Chairman Langdon recognized Ms. Julie Henshaw.

**15A. Pamlico Contracts:** Ms. Henshaw stated a letter from the Pamlico SWCD was received regarding impacts related to Hurricane Florence. Mr. Reynolds stated Pamlico SWCD is asking for an exception related to the funding allocation formula for districts. However, the Commission does not have rules in place that would allow it to vary its allocation formula or to make exceptions to the rule.

**Public Comments:** Commissioner Kilpatrick thanked Mr. Beard for working to speed up the EWP process. Craven County has hired a consultant to fly over streams in the county and the county has put together a committee to identify potential sites. Eligible sites have been located and approved at the local level. The county is now waiting for approval at the National level. Craven County has agreed to serve as the local sponsor for these Federal contracts, and Patrick Baker is doing a great job.

**Adjournment:** Meeting adjourned at 10:37 a.m.



\_\_\_\_\_  
Vernon N. Cox, Director  
Division of Soil & Water Conservation, Raleigh, N.C.



\_\_\_\_\_  
Helen Wiklund, Recording Secretary

***These minutes were approved by the North Carolina Soil & Water Conservation Commission on May 15, 2019.***

# Personnel

- **New Hires:**
  - **Envir. Specialist (CREP – Western Region) – Bryan Colvard**
  - **Engineer II (Raleigh) – Robert Moore (Starts June 10)**
- **Vacancies:**
  - **Engineer Tech. I (Fletcher) – Recommendation Submitted**
  - **Regional Coordinator (Louise Hart) – Recommendation Submitted**
  - **Admin Specialist I (David Hurley) – Recommendation Submitted**
  - **Engineer Tech. I (Raleigh – Jason Lee) – Re-Advertise**
- **Retirement (June 1):**
  - **Regional Coordinator (Davis Ferguson) - Advertising**



# NCDA&CS Disaster Response Program Update (5/6/19)

- 6,840 Paid Claims
- Paid to Date: \$101,366,837.56
- 2<sup>nd</sup> Round Payments start: mid-May



# Hurricane Matthew Recovery Update: Stream Debris

## ● PROGRESS TO DATE (5/14/19)

- 57 Local Sponsors
- 10,254,422 Feet Planned
- 4,856,654 Feet Completed (47%)
- 543 Beaver Dams Removed
- \$22,922,983 Contracted
- \$8,001,922 Completed (35%)

## ● 2019 PROJECTIONS

- DWR offering \$1.5M to supplement
- Potential Phase V allocation
- Projecting 75% complete
- Project 1-year extension for 20 +/- contracts

NCDA&CS Division of Soil and Water  
Conservation  
David Williams, Deputy Director  
May 15, 2019



# Hurricane Florence Recovery EWP/Stream Debris Requests

- \$10 Million available (state funds) - \$52.8M requested
- 56 Local Sponsors
- Priorities
  - Non-federal match for EWP
  - Vegetative Debris Removal (\$13.4M requested)
  - Vegetative + Sediment Removal (\$32.8M requested)
  - Streambank Stabilization/Restoration (\$5.4M requested)
  - Other (\$1.2M requested)
- SB447 – Disaster Resiliency/Emergency Mgmt
  - Includes \$2M for Stream Debris Removal for counties affected by Hurricanes Florence or Michael
  - \$2M to UNC Policy Collaboratory to study flooding and resiliency against future storms



# 2019 Farm Act (SB 315)

- Assigned to Senate Ag. Environment & Natural Resource (AgENR) Committee
- Authorize the SWCC to implement JAA
- Includes exception for licensing by the P.E. Board.
- Awaiting consideration by Senate AgENR Committee
- Other topics including:
  - Industrial Hemp
  - Sweet Potato Marketing
  - Utility Easements, etc.



# July SWCC Meeting

- Location: Raleigh (Martin Building)
- Work Session: July 16<sup>th</sup>
- Meeting: July 17<sup>th</sup>



# Review of Policy for Extension of Previous Program Year Contracts

- Recommend waiving requirement to supervisor to appear for:
  - 2016 and 2017 Pond/Pond Repair contracts
  - Any contract for which engineering approval was received less than 12 months prior to expiration
  - 2017 contracts for which hurricanes/chronic rainfall prevented implementation
- Waiver would not apply if contract should have been cancelled under the Commission's Interim Performance Milestones in Cost Share Program Contracts Policy



## Association Report to the Commission

May 15, 2019

### Legislative Actions

On March 20, there was an Ag Awareness Day held at the Legislature. Soil and Water Conservation Districts from across the state came to Raleigh to discuss our needs with Legislators. We had a good showing, with over 30 District representatives participating.

The House budget has been released, and it along with the Governor's budget, has no increases for our cost share programs. We have been working hard to get this need in front of Legislators and partners. We will continue to push for increased funding.

House Bill 294, which would make Soil and Water Supervisors partisan positions, was introduced and referred to the Elections Committee. At this time, it has not been put on the committee calendar to be heard. Some of the information we have heard is that it will likely not pass, but we continue to follow it.

We are anticipating the release of the 2019 Farm Act from the NC Senate. We will also be following this as it moves through the Legislature.

### 2020 Annual Meeting

We will soon be planning for the 2020 Annual meeting which will be held at the University Hilton in Charlotte, NC. As with the past meeting, topics will center around training for Supervisors to assist with meeting credit hours training requirement.

### Training Workgroup

The training workgroup collectively developed a list of the most common best management practices per Association area. Through an agreement between NC USDA/NRCS, Pilot View RC&D is delivering training for Certified Conservation Planner (CCP) and Job Approval Authority (JAA). The JAA training to be delivered will be done per area and based on the common practices identified by the Training Workgroup and will start being given in June.

### **Strategic Planning/Long Range Visioning**

We completed our last Leadership Retreat on April 24 and 25. We are thankful for all the participation and input from the many partners. We look forward to delivering the final report and starting the implementation of directions developed in this process.

### **2019 North American Envirothon**

Fund raising efforts are continuing. The dates are July 28 – August 2 and will be on the campus of NC State University. Volunteers are being recruited at this time. We encourage District Supervisors to assist if possible and to allow their employees to volunteer.

### **NC Foundation for Soil and Water Conservation**

Our Association is encouraging Districts to support the Foundation through contributions at the Area Spring meetings. The Foundation has brought over 15 million dollars into Conservation Districts and leveraged an additional 16 million.

### **Conservation Education License Plate**

The Association is still collecting applications for a new specialty license plate for North Carolina. We did not make our goal of 500 by this month, but will continue this effort. Additional information on the plate can be found at:

[www.ncaswcd.org/index.php/conservation-education/specialty-conservation-license-plate/](http://www.ncaswcd.org/index.php/conservation-education/specialty-conservation-license-plate/)



# Natural Resources Conservation Service

## North Carolina - The Update



### State Updates

#### Personnel Updates

Odessa Armstrong is now serving as the assistant state conservationist for management and strategy in North Carolina. Odessa began her career with Natural Resources Conservation Service (NRCS) as a soil conservation technician career intern in St. Matthews, South Carolina. She has worked in five field offices serving ten counties throughout South Carolina. Odessa has held several positions with NRCS: soil and district conservationist in South Carolina, conservation financial program specialist and acting assistant state conservationist for field operations in Florida, acting planning specialist, acting state conservationist, and assistant state conservationist for management and strategy in Maryland.

Milton Cortes, has been promoted to North Carolina state soil scientist. Milton started his career as a soil scientist with NRCS in 1990. He has served in various soil scientist positions throughout his career, including a detail as a soil scientist in Honduras. In North Carolina, Milton has served as the assistant state soil scientist since 2013.

Channa Smalls, joined the North Carolina NRCS State Office as the executive assistant for the state conservationist. Channa served in the US Marine Corps for more than 20 years. She has worked for various federal agencies including Department of Interior and the Department of Homeland Security.

April Smith joined NRCS as the Area 2 office administrative assistant. to our NC Area 2 Team. She has been in the National Guard for 19 years and worked the last 16 years as the administrative assistant for the Army Aviation Support Facility #2 in Salisbury, NC. April served on two deployments to Iraq and parts of Kuwait.

### State Program Updates

#### Conservation Stewardship Program

The next deadline for Conservation Stewardship Program (CSP) applications to be considered for funding in fiscal year (FY) 2019 is May 10, 2019. USDA's NRCS plans to invest up to \$700 million for new enrollments and contract extensions in fiscal year 2019. The 2018 Farm Bill made several changes to this critical conservation



program, which helps agricultural producers take the conservation activities on their farm or ranch to the next level.

CSP continues to be a very effective tool for private landowners working to achieve their conservation and management goals. It is the largest conservation program in the United States with more than 70 million acres of productive agricultural and forest land enrolled.

While applications are accepted throughout the year, interested producers should submit applications to their local NRCS office by May 10, 2019, to ensure their applications are considered for 2019 funding.

#### Emergency Watershed Protection Program —Floodplain Easement (EWP-FPE)

Public and private landowners have until May 20, 2019, to sign up for the Emergency Watershed Protection – Floodplain Easement (EWP-FPE) program. The USDA NRCS in North Carolina has funding available through the EWP-FPE program to purchase easements on public or private North Carolina agricultural and residential properties damaged from natural flooding events. Eligible applicants may be awarded the fair market value of land and structures, and NRCS will cover the cost of restoration of the easement, including the demolition or removal of structures present on the property.

EWP-FPE allows NRCS to purchase easements on lands flooded in the past 12 months or at least twice in the previous 10 years. Under the floodplain easement option, a landowner voluntarily sells NRCS a permanent conservation easement that provides the NRCS with the full authority to restore and enhance the floodplain's functions and values. In exchange, a landowner receives the least of one of the three following values as an easement payment: a geographic rate established by the NRCS state conservationist; a value based on a market appraisal analysis for agricultural uses or assessment for agricultural land; or the landowner offer. For more information of EWP-FPE, contact Brian Loadholt at [Brian.Loadholt@usda.gov](mailto:Brian.Loadholt@usda.gov).

#### Emergency Watershed Protection (EWP) Program

As of April 22, 2019, North Carolina NRCS has received 51

**North Carolina  
Natural  
Resources  
Conservation  
Service**

[WWW.NC.NRCS.USDA.GOV](http://WWW.NC.NRCS.USDA.GOV)



requests from local sponsors for assistance through the Emergency Watershed Protection (EWP) program. 308 damage survey reports (DSR) have been assigned. Thus far, 138 partial DSR forms and Environmental Evaluations have been received, and 109 DSR forms have been reviewed for final construction costs. There have been 39 Environmental Evaluations that require consultation, and NRCS is working with federal and state agencies to complete those consultations.

### Environmental Quality Incentives Program (EQIP) - Update

Below are program numbers as of April 22, 2019, for the General EQIP, EQIP Hurricane, and EQIP Resource Conservation Partnership Program (RCPP-EQIP).

Funding Pool	# of Contact	Total FA
<b>2019 EQIP General</b>		
Applications received	1730	
Applications in Pending Status	124	
Eligible Applications	708	\$22,016,649.01
Pre-approved Applications	470	\$13,644,676.21
Approved Applications	16	\$107,885.00
<b>Hurricane Florence</b>		
Applications Received	26	
Applications in Pending Status	1	
Pre-approved Applications	1	
Contracts	14	\$1,085,681.79
<b>Hurricane Florence/Michael</b>		
<i>(As of April 22, applications were still being taken)</i>		
Applications Received	86	
Eligible Applications	46	\$902,336.00
<b>RCPP-EQIP</b>		
Applications Received	185	
Approved Applications	4	\$16,702.00
Eligible Applications	89	\$6,986,987.00
Pre-approved Applications	26	\$3,459,863.61

## National News

### Public Input

USDA’s Natural Resources Conservation Service (NRCS) announced in March that the public had until April 25, 2019, to provide input on its existing national conservation practice standards as part of implementing the 2018 Farm Bill. NRCS offers 150-plus conservation practices to America’s farmers, ranchers and forest landowners to help them meet their business and natural resource needs on their working lands.

“With the help of NRCS, agricultural producers across the country are taking voluntary steps to improve their operations while benefiting natural resources,” NRCS Chief Matthew Lohr said. “As part of our process of implementing the 2018 Farm Bill, we asked agricultural producers, conservation partners and others to provide feedback on our practice standards in an effort to refine and enhance them.”

NRCS requested public comments on how to improve conservation practice standards that support programs such as the Environmental Quality Incentives Program and Conservation Stewardship Program, which help producers cover part of the costs for implementing these practices. The comment period ended April 25, 2019. All public comments will become part of the official record and will be accessible through the Federal Register. The Federal Register can be found at [www.regulations.gov](http://www.regulations.gov).

**Contacts:**  
State Conservationist—Timothy A. Beard  
(Tel) 919.873.2100  
State Public Affairs—Stuart Lee  
(Tel) 919.873.2107  
(Email) [Stuart.Lee@nc.usda.gov](mailto:Stuart.Lee@nc.usda.gov)





**DIVISION OF SOIL AND WATER CONSERVATION**  
 North Carolina Department of Agriculture & Consumer Services  
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 919.707.3770 • www.ncagr.gov/swc/

INTERNAL USE ONLY:  
Appointed / Elected Seat  
 Current Term: 18-22

*BP*

**RECOMMENDATION FOR APPOINTMENT OF SUPERVISOR**

Complete and submit online on your district's SharePoint page; keep original for your file

The supervisors of the Iredell Soil and Water Conservation District of Iredell County, North Carolina have recommended the individual listed below for APPOINTMENT as a district supervisor in accordance with N.C.G.S. 139-7 for a term of office commencing 04/2019 and ending 12/2022 to fill the expired or un-expired term of Brian Harwell 5/2019

Name of nominee: Andrew M. Allison  
 Address of nominee, City, State, Zip: 320 N. Oakwood Drive Statesville, NC 28677  
 Email address of nominee: an.drew28677@gmail.com  
 Home phone: 704.873.1468  
 Mobile phone: 704.657.1525  
 Business phone: 704.657.1525  
 Occupation: Allison Woods Family Limited Partnership - Pres  
 Age: 61  
 Education: NCSU  
 Positions of leadership NOW held by nominee: Iredell Soil & Water Co. Supervisor  
 Former occupations or positions of leadership contributing to nominee's qualifications: \_\_\_\_\_

Other pertinent information: \_\_\_\_\_

Dates of previous attendance at UNC School of Government training, if applicable: \_\_\_\_\_

Is nominee willing to attend a training session at the UNC School of Government within the first year after appointment? Check for "Yes"

Has the nominee been contacted to determine their willingness to serve? Check for "Yes"

Has the program and purpose of the soil and water conservation district been explained to the nominee? Check for "Yes"

Is the nominee willing to attend and participate in local district meetings? Check for "Yes"

Is the nominee willing to attend and participate in Area meetings? Check for "Yes"

Is the nominee willing to attend and participate in State meetings? Check for "Yes"

**Signatures**

I hereby certify that the board of supervisors considered the Guiding Principles for Supervisor Nomination for Appointment shown on the reverse of this nomination form when selecting the above supervisor candidate for nomination. I also certify that this recommendation has been considered and approved by a majority of the members of the board of supervisors and entered in the official minutes of the board.

X James K. Howard  
 SWCD Chair (or Vice Chair if Chair is being nominated)  
 Printed name: James K. Howard

Date 4/9/19

I hereby certify that the above information is true and accurate.

X Andrew M. Allison  
 Individual recommended for appointment  
 Printed name: Andrew M. Allison

Date 4/9/19





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 Current Term: 16-20

**RECOMMENDATION FOR APPOINTMENT OF SUPERVISOR**

Complete and submit online on your district's SharePoint page; keep original for your file

The supervisors of the Iredell Soil and Water Conservation District of Iredell County, North Carolina have recommended the individual listed below for APPOINTMENT as a district supervisor in accordance with N.C.G.S. 139-7 for a term of office commencing 4/2019 and ending 12/2022 to fill the expired or un-expired term of Andrew M. Allison 5/2019 12/2018.

Name of nominee: Tracy R Jenkins  
 Address of nominee, City, State, Zip: 242 Westward Rd Stone Point NC 28678  
 Email address of nominee: 242 Westward Farm Co gmail.com  
 Home phone: \_\_\_\_\_  
 Mobile phone: 904 902-1778  
 Business phone: \_\_\_\_\_  
 Occupation: Farmer  
 Age: 51  
 Education: 2yr degree  
 Positions of leadership NOW held by nominee: Planning board / Farm Surveil board  
 Former occupations or positions of leadership contributing to nominee's qualifications: \_\_\_\_\_

Other pertinent information: \_\_\_\_\_

Dates of previous attendance at UNC School of Government training, if applicable: \_\_\_\_\_  
 Is nominee willing to attend a training session at the UNC School of Government within the first year after appointment? Check for "Yes"   
 Has the nominee been contacted to determine their willingness to serve? Check for "Yes"   
 Has the program and purpose of the soil and water conservation district been explained to the nominee? Check for "Yes"   
 Is the nominee willing to attend and participate in local district meetings? Check for "Yes"   
 Is the nominee willing to attend and participate in Area meetings? Check for "Yes"   
 Is the nominee willing to attend and participate in State meetings? Check for "Yes"

**Signatures**

I hereby certify that the board of supervisors considered the Guiding Principles for Supervisor Nomination for Appointment shown on the reverse of this nomination form when selecting the above supervisor candidate for nomination. I also certify that this recommendation has been considered and approved by a majority of the members of the board of supervisors and entered in the official minutes of the board.

X James K Howard  
 SWCD Chair (or Vice Chair if Chair is being nominated) Date 4-9-19  
 Printed name: James K. Howard

I hereby certify that the above information is true and accurate.

X Tracy R Jenkins  
 Individual recommended for appointment Date 4-9-19  
 Printed name: Tracy R Jenkins

To Members of the NC Commission,

May 13, 2019

This letter is to state my resignation from my elected position from the Iredell SWCD Board of Supervisors in order to change to an appointed position, vacated by Mr. Brian Harwell.

Please accept my request.

Sincerely,

A handwritten signature in black ink, appearing to read "Andrew Allison", with a long horizontal flourish extending to the right.

Andrew Allison



Brad Johnson  
Associate Professor and Chair of Environmental Studies  
Davidson College  
Davidson, NC 28035  
704-894-2096  
[brjohnson@davidson.edu](mailto:brjohnson@ davidson.edu)

3/25/19 3:00pm

Mecklenburg Soil and Water Conservation District,

I hereby resign from my position on the Mecklenburg County Soil and Water Conservation District Board of Supervisors effective immediately.

Sincerely,

A handwritten signature in black ink, appearing to read "BS Johnson".

Brad Johnson





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INTERNAL USE ONLY:  
 Appointed / Elected Seat  
 Current Term: 18-22 *8.*

**RECOMMENDATION FOR APPOINTMENT OF SUPERVISOR**

Complete and submit online on your district's SharePoint page; keep original for your file

The supervisors of the Surry Soil and Water Conservation District of Surry County, North Carolina have recommended the individual listed below for APPOINTMENT as a district supervisor in accordance with N.C.G.S. 139-7 for a term of office commencing Dec 2018 and ending Dec 2022 to fill the expired or un-expired term of David Branch MAY 19-19

Name of nominee: William Bradley Boyd  
 Address of nominee, City, State, Zip: 220 Brentwood Dr Mt. Airy NC 27030  
 Email address of nominee: Brad.Boyd@ncags.gov  
 Home phone: NA  
 Mobile phone: (866) 648-9779  
 Business phone: (919) 280-4777  
 Occupation: Pesticide Inspector I  
 Age: 35  
 Education: B.S. in Turfgrass Management  
 Positions of leadership NOW held by nominee: Board of Directors of Mt. Airy CC  
 Former occupations or positions of leadership contributing to nominee's qualifications:

Other pertinent information:

Dates of previous attendance at UNC School of Government training, if applicable: No  
 Is nominee willing to attend a training session at the UNC School of Government within the first year after appointment? Check for "Yes"   
 Has the nominee been contacted to determine their willingness to serve? Check for "Yes"   
 Has the program and purpose of the soil and water conservation district been explained to the nominee? Check for "Yes"   
 Is the nominee willing to attend and participate in local district meetings? Check for "Yes"   
 Is the nominee willing to attend and participate in Area meetings? Check for "Yes"   
 Is the nominee willing to attend and participate in State meetings? Check for "Yes"

**Signatures**

I hereby certify that the board of supervisors considered the Guiding Principles for Supervisor Nomination for Appointment shown on the reverse of this nomination form when selecting the above supervisor candidate for nomination. I also certify that this recommendation has been considered and approved by a majority of the members of the board of supervisors and entered in the official minutes of the board.

X Gordon Holden 4-19-19  
 SWCD Chair (or Vice Chair if Chair is being nominated) Date  
 Printed name: Gordon Holden

I hereby certify that the above information is true and accurate.  
 X Brad Boyd 4-18-19  
 Individual recommended for appointment Date  
 Printed name: Brad Boyd

February 4, 2019

To: Surry County Soil & Water

From: David Branch

A handwritten signature in black ink, appearing to read 'D B', positioned to the right of the 'From:' field.

Subject: District Board

I would like to resign my position on the Surry County Soil & Water Board effective immediately. My trucking company has changed the way that we operate, and I am now on the road most week days. I regret that I cannot able to fulfill my duties as a board member. Thank you for the opportunity to serve.



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Current Term: 16-20

**RECOMMENDATION FOR APPOINTMENT OF SUPERVISOR**

Complete and submit online on your district's SharePoint page; keep original for your file

The supervisors of the Wilkes Soil and Water Conservation District of Wilkes County, North Carolina have recommended the individual listed below for APPOINTMENT as a district supervisor in accordance with N.C.G.S. 139-7 for a term of office commencing June 2019 and ending December 2020 to fill the expired or un-expired term of Gwen T. Minton MAY 6

Name of nominee: Charles S. Sink III "Charlie Sink"  
Address of nominee, City, State, Zip: 701 8th St, North Wilkesboro, NC 28659  
Email address of nominee: charles@charlessinkappraisal.com  
Home phone: \_\_\_\_\_  
Mobile phone: 336-984-8003  
Business phone: \_\_\_\_\_  
Occupation: Real Estate Appraiser  
Age: 67  
Education: UNC-Chapel Hill BS & MA in Recreation & Administration  
Positions of leadership NOW held by nominee: Clerk of Session @ North Wilkesboro Presbyterian Church  
Former occupations or positions of leadership contributing to nominee's qualifications: Former County Commissioner, Wilkes County Joint Planning Board, Wilkes Economic Development Corporation  
Other pertinent information: Attended Wilkes SWCD meetings since Jan. 2001;

Dates of previous attendance at UNC School of Government training, if applicable: N/A  
Is nominee willing to attend a training session at the UNC School of Government within the first year after appointment? Check for "Yes"   
Has the nominee been contacted to determine their willingness to serve? Check for "Yes"   
Has the program and purpose of the soil and water conservation district been explained to the nominee? Check for "Yes"   
Is the nominee willing to attend and participate in local district meetings? Check for "Yes"   
Is the nominee willing to attend and participate in Area meetings? Check for "Yes"   
Is the nominee willing to attend and participate in State meetings? Check for "Yes"

**Signatures**

I hereby certify that the board of supervisors considered the Guiding Principles for Supervisor Nomination for Appointment shown on the reverse of this nomination form when selecting the above supervisor candidate for nomination. I also certify that this recommendation has been considered and approved by a majority of the members of the board of supervisors and entered in the official minutes of the board.

X Gwen T. Minton 5/10/19  
SWCD Chair (or Vice Chair if Chair is being nominated) Date  
Printed name: Gwen T. Minton

I hereby certify that the above information is true and accurate.

X Charlie Sink 5/10/19  
Individual recommended for appointment Date  
Printed name: Charlie Sink

**Wilkes Soil & Water Conservation District**

416 Executive Drive, Suite A • Wilkesboro, NC 28697 • (336) 838-3622 Ext. 3

**WILKES COUNTY**



**— SOIL & WATER —  
CONSERVATION DISTRICT**

**BOARD OF SUPERVISORS**

**GWEN T. MINTON  
CHAIR**

**DR. BILL H. DAVIS, JR.  
VICE CHAIR**

**CLAUDE SHEW, JR.  
SEC. - TREASURER**

**BRIAN PARKER  
MEMBER**

**STAFF**

**ROBERT BALDWIN  
DIRECTOR**

**BRYAN COLVARD  
NATURAL RESOURCE CONSERVATIONIST**

**BARRY GREER  
NATURAL RESOURCE CONSERVATIONIST**

**JULIA HARDY  
CONSERVATION EDUCATION SPECIALIST**

March 11, 2019

To Whom It May Concern,

I Gwen T. Minton respectfully tender my resignation from my current elected position on the Wilkes County Board of Soil and Water Supervisors. I do this in order to assume the vacated appointed seat on the Wilkes County Board of Soil and Water Supervisors, formerly held by Zack Myers. This change should be made effective March 20, 2019 upon the approval of the members of The North Carolina Soil and Water Commission.

Thank You,

Gwen T. Minton

**NC Cost Share Programs Supervisor Contracts  
Soil and Water Conservation Commission**

<b>County</b>	<b>Contract Number</b>	<b>Supervisor Name</b>	<b>BMP</b>	<b>Contract Amount</b>	<b>Comments</b>
Brunswick	10-2019-009	Robert Ward	Emergency Access Restoration	\$1,911	Disaster Response Program
Gates	37-2019-002	Rick Morgan	Grassed Waterway/Grade Stabilization	\$8,034	
Guilford	41-2019-014	George Teague	Disaster Lagoon Management	\$6,000	Disaster Response Program
Jones	52-2019-305	Nicholas Norris	Emergency Access Restoration	\$784	Disaster Response Program
Pender	71-2019-628	Don Rawls	Non-field Farm Road Repair	\$5,000	Disaster Response Program
Randolph	76-2019-312	Craig Frazier	Disaster Lagoon Management	\$2,210	Disaster Response Program

Total Number of Supervisor Contracts: 6

Total **\$23,939**



**NC Cost Share Programs Supervisor Contracts  
Soil and Water Conservation Commission**

<b>County</b>	<b>Contract Number</b>	<b>Supervisor Name</b>	<b>BMP</b>	<b>Contract Amount</b>	<b>Comments</b>
Brunswick	10-2019-009	Robert Ward	Emergency Access Restoration	\$1,911	Disaster Response Program
Gates	37-2019-002	Rick Morgan	Grassed Waterway/Grade Stabilization	\$8,034	
Guilford	41-2019-014	George Teague	Disaster Lagoon Management	\$6,000	Disaster Response Program
Jones	52-2019-305	Nicholas Norris	Emergency Access Restoration	\$784	Disaster Response Program
Pender	71-2019-628	Don Rawls	Non-field Farm Road Repair	\$5,000	Disaster Response Program

Total Number of Supervisor Contracts: 5

Total **\$21,729**

NCDA&CS  
DSWC

NC -CSPs-1B  
(11/2012)

## ADDENDUM TO APPLICATION FOR ASSISTANCE NORTH CAROLINA COMMISSION COST SHARE PROGRAMS

As a Soil and Water District Supervisor, for the     Brunswick     Soil and Water Conservation District, I have applied for, or stand to benefit\* from, a contract under a commission cost share program. I did not vote on the approval or denial of the application or attempt to influence the outcome of any action on the application. The proposed contract is for the installation of the following best management practices.

Program: Disaster Response Program

Best management practice: Emergency Access Restoration

Contract number: 10-2019-0009                      Contract amount: \$1911.00

Score on priority ranking sheet: N/A

Cost Share Rate : 75 %    If different than 75%, please list % percent:  
Reason:

Relative rank (e.g., ranked 8th out of 12 projects considered): N/A

Were any higher or equally ranked contracts denied? No

If yes, give an explanation as to why the supervisor's contract was approved over the other contracts:

Supervisor name: Robert Ward

Robert Gene Ward  
(District Supervisor's signature)

4/29/19  
Date

Approved by:

Samuel Child Vice Chair  
(District Chairperson's signature)

4-29-19  
Date

The Soil & Water Commission has approved the subject application for a contract.

\_\_\_\_\_  
(SWCC Chairperson's signature)  
(Pursuant G.S. 139-8(b)(2))

\_\_\_\_\_  
Date

\*Beneficiaries include but are not limited to applicant, landowner, and/or business partners.

NCDA&CS  
DSWC

NC-ACSPs-1B  
(01/2012)

### ADDENDUM TO APPLICATION FOR ASSISTANCE NORTH CAROLINA AGRICULTURE COST SHARE PROGRAMS

As a Soil and Water District Supervisor, for the Gates Soil and Water Conservation District, I have applied for, or stand to benefit\* from, a contract under the Agriculture Cost Share Program for Nonpoint Source Pollution Control or the Agricultural Water Resources Assistance Program. I did not vote on the approval or denial of the application or attempt to influence the outcome of any action on the application. The proposed contract is for the installation of the following best management practices.

Best Management Practices: Grassed Waterway and Grade Stabilization Structure

Contract Number: 37-2019-02 Contract Amount \$ 8,034.00

Score on priority ranking sheet: 60

Cost Share Rate: 75% 90% other \_\_\_\_\_ (circle one)

Relative Rank (e.g., ranked 8th out of 12 projects considered): 1<sup>st</sup> out of 6

Were any higher or equally ranked contracts were denied? NO

If yes, give an explanation as to why the supervisor's contract was approved over the other contracts.: \_\_\_\_\_

Supervisor Name: Rick H Morgan

Rick H Morgan  
(District Supervisor's Signature)

2-25-19  
Date

Approved by:

Jed Outland  
(District Chairperson's Signature)

2-28-19  
Date

The Soil & Water Commission has approved the subject application for a grant.

\_\_\_\_\_  
(SWCC Chairperson's Signature)  
(Pursuant G.S. 139-8(b)(2))

\_\_\_\_\_  
Date

\*Beneficiaries include but are not limited to applicant, landowner, and/or business partners.

NCDA&CS  
DSWCNC -CSPs-1B  
(11/2012)

## ADDENDUM TO APPLICATION FOR ASSISTANCE NORTH CAROLINA COMMISSION COST SHARE PROGRAMS

As a Soil and Water District Supervisor, for the Guilford Soil and Water Conservation District, I have applied for, or stand to benefit\* from, a contract under a commission cost share program. I did not vote on the approval or denial of the application or attempt to influence the outcome of any action on the application. The proposed contract is for the installation of the following best management practices.

Program: FLM

Best management practice: Disaster Lagoon Utilization Incentive.

Contract number: 41-2019-014 Contract amount: \$ 6000.00

Score on priority ranking sheet: 115, TIER 1

Cost Share Rate 100% If different than 75%, please list % percent:

Reason: INCENTIVE - FLAT RATE

Relative rank (e.g., ranked 8th out of 12 projects considered): RANKED 3 out of 3 projects.

Were any higher or equally ranked contracts denied? NO

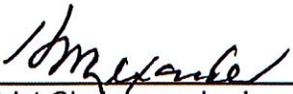
If yes, give an explanation as to why the supervisor's contract was approved over the other contracts:

Supervisor name: GEORGE TEAGUE

  
(District Supervisor's signature)

4-22-19  
Date

Approved by:

  
(District Chairperson's signature)  
via Chairman

4-22-19  
Date

The Soil & Water Commission has approved the subject application for a contract.

\_\_\_\_\_  
(SWCC Chairperson's signature)  
(Pursuant G.S. 139-8(b)(2))

\_\_\_\_\_  
Date

\*Beneficiaries include but are not limited to applicant, landowner, and/or business partners.

NCDA&CS  
DSWC

NC -CSPs-1B  
(11/2012)

### ADDENDUM TO APPLICATION FOR ASSISTANCE NORTH CAROLINA COMMISSION COST SHARE PROGRAMS

As a Soil and Water District Supervisor, for the JONES Soil and Water Conservation District, I have applied for, or stand to benefit\* from, a contract under a commission cost share program. I did not vote on the approval or denial of the application or attempt to influence the outcome of any action on the application. The proposed contract is for the installation of the following best management practices.

Program: DRP - Hurricane Florence

Best management practice: Emergency Access Restoration

Contract number: 52-2019-305 Contract amount: \$ 784.00

Score on priority ranking sheet: 40

Cost Share Rate : % If different than 75%, please list % percent: 40%

Reason: Emergency Access Restoration BMP cost share shall not exceed 40% of average cost or actual cost with receipts.

Relative rank (e.g., ranked 8th out of 12 projects considered): All disaster contracts ranked and approved thus far.

Were any higher or equally ranked contracts denied? No

If yes, give an explanation as to why the supervisor's contract was approved over the other contracts: N/A

Supervisor name: Nicholas W. Norris

[Signature]  
(District Supervisor's signature)

4/18/19  
Date

Approved by:

[Signature]  
(District Chairperson's signature)

4/18/19  
Date

The Soil & Water Commission has approved the subject application for a contract.

\_\_\_\_\_  
(SWCC Chairperson's signature)  
(Pursuant G.S. 139-8(b)(2))

\_\_\_\_\_  
Date

\*Beneficiaries include but are not limited to applicant, landowner, and/or business partners.

### ADDENDUM TO APPLICATION FOR ASSISTANCE NORTH CAROLINA COMMISSION COST SHARE PROGRAMS

As a Soil and Water District Supervisor, for the Pender Soil and Water Conservation District, I have applied for, or stand to benefit\* from, a contract under a commission cost share program. I did not vote on the approval or denial of the application or attempt to influence the outcome of any action on the application. The proposed contract is for the installation of the following best management practices.

Program: NC AgCostShare

Best management practice: Non farm field road repair

Contract number: 11-2019-628 Contract amount: \$ 5000.00

Score on priority ranking sheet: N/A

Cost Share Rate : 75% If different than 75%, please list % percent:  
Reason:

Relative rank (e.g., ranked 8th out of 12 projects considered): No ranking completed for disaster applications funded by date recieved.

Were any higher or equally ranked contracts denied? No

If yes, give an explanation as to why the supervisor's contract was approved over the other contracts:

Supervisor name: Don Rawls

Don M. Rawls  
(District Supervisor's signature)

4/29/19  
Date

Approved by:

[Signature]  
(District Chairperson's signature)

4/29/19  
Date

The Soil & Water Commission has approved the subject application for a contract.

\_\_\_\_\_  
(SWCC Chairperson's signature)  
(Pursuant G.S. 139-8(b)(2))

\_\_\_\_\_  
Date

\*Beneficiaries include but are not limited to applicant, landowner, and/or business partners.



## Technical Specialist Designation Recommendations

May 15, 2019

1. The Soil and Water Conservation Commission has authority to designate water quality technical specialists based upon specific criteria and procedures (02 NCAC 59G). This authority extends to individuals who have been assigned approval authority by USDA NRCS, professional engineers subject to the "The NC Engineering and Land Surveying Act", or individuals that have completed the training requirements and demonstrated proficiency in a technical specialist category. Individuals must submit an application with evidence of expertise, skills and training required for each designation category.

Mr. Stephen Bishop, Cleveland County Soil and Water Conservation District, has requested to be a designated technical specialist for the Waste Utilization Planning/Nutrient Management (WUP/NM) category. He has successfully completed the required training and technical proficiency has been verified by DSWC staff. Therefore, I recommend this designation for approval.

## Hurricane Florence Disaster Response Program Allocations

March 12 - May 5, 2019

<b>District</b>	<b>BMP</b>	<b>Amount</b>
Robeson	Lagoon Management Incentive	\$ 7,000
Wayne	Lagoon Management	\$ 14,449
Chatham	Pasture Renovation	\$ 8,550
Cumberland	Pasture Renovation	\$ 10,463
Johnston	Pasture Renovation	\$ 9,469
Moore	Pasture Renovation	\$ 15,000
Stanly	Pasture Renovation	\$ 1,500
Wayne	Pasture Renovation	\$ 3,600
Cumberland	Winter Forage Crop Incentive	\$ 284
Moore	Winter Forage Crop Incentive	\$ 700

Best Management Practice (BMP)	Proposed Change	Reason for the Proposed Change
Precision Agrichemical Application	Policy 10	Remind staff to not exceed the cap on the practice
	Standard	To reference the appropriate JAA and standards needed
Abandoned Tree Removal	Definition/Purpose	More precise to reference perennial vegetation
	Policy 4	Better specify types of vegetation
	Policy 10	Remind staff to not exceed the cap on the practice
Agrichemical Containment and Mixing Facility	Definition/Purpose	Move cap statement into the policy to be consistent
	Policy 2	Remind staff to not exceed the cap on the practice
	policy 3	Reference health and safety equipment
Agrichemical Handling Facility	Policy 2	Remind staff to not exceed the cap on the practice
Chemigation Backflow Prevention	Policy 7	Remind staff to not exceed the cap on the practice
	Standard	Correct Standard reference
Fertigation Backflow Prevention	Policy 5	Remind staff to not exceed the cap on the practice
	Standard	Correct Standard reference
Portable Agrichemical Mixing Station	Policy 2	Remind staff to not exceed the cap on the practice
	Standard	Correct Standard reference
Waste Management Measures	Policy 2	Correct rule reference
	Policy 3	Removed reference to old cost share manual
	Policy 4	Updated because of the new waste management rules terminology
	Policy 5	Reduced wording
	Policy 6	Grammar
	Policy 7	Correct rule reference
	Policy 10 e	Reduced wording
	Policy 11	Update to match current BMP polies
Lagoon Bio solids Removal Practice	Policy 3 d	Removed "next"
	Policy 7	Changed "may be" to "are still"
	Policy 8	Language clarification
	Policy 9	Clarify agency
	Policy 12	Added "waste"
Addendum to NC-ACSP-2	Number 3	Change language based on attorney recommendation
Closure-Waste Impoundments	Policy 1 c, d, g	Clarified language, agency changes, Remind staff to not exceed the cap on the practice
	Policy 4	Clarified language
Concentrated Nutrient Source Management System	Definition/Purpose	Clarified language
	Standard	Clarify JAA
Constructed Wetlands	Policy 1	Updated because of the new waste management rules terminology
	Policy 2/Standard	Added Division Technical Services
Dry Stack	Policy 4	Clarified policy due to compliance issues
	Policy 6	Added a records requirement for non-producing (litter) farms
	Policy 7	Clarify terminology
	Standard	Clarify terminology
Feeding/Waste Storage Structure	Policy 4	Clarified policy due to compliance issues
	Policy 7	Clarified policy due to compliance issues

Best Management Practice (BMP)	Proposed Change	Reason for the Proposed Change
	Policy 10	Added Division Technical Services
Heavy Use Area Protection	Policy 4	Updated rule reference
Insect Control Practice	Policy 3, 5	Clarified language
Livestock Mortality Management System	Definition/Purpose	Added refrigeration units, removed gasification system
	Definition/Purpose	Added "for"
	Policy 5	Added the division
	Policy 6	Clarified language
	Policy 7	Changed rule reference
	Policy 10	Clarified Language
	Policy 15	Added "waste"
	Policy 16	Added refrigeration units, removed gasification system
	Standard	Updated statute references
Manure Composting Facility	Policy 4 & 5	Added the division, Added language for animal emergency guidance
	Policy 6	Clarified policy due to compliance issues
	Policy 7 & Standard	Updated rule reference, Added language for animal emergency guidance
Manure/Litter Transportation Incentive	Definition/Purpose	Clarified cap
	Policy 6	Clarified Language
	Policy	Clarified Language
Odor Control Management System	Policy 4	Clarification
	Reference	Added legal reference
Retrofit of On-Going Animal Operations	Policy 1 a	Removed old version of software
	Policy 2	Removed manual reference
	Policy 4	Clarified Language
	standard	Updated standard references
Solids Separation from Tank-Based Aquaculture	Policy 1	Changed CPO to contract
	Policy 2	Clarification
	Policy 3	Clarification
	Policy 7	Added Waste
	Standard	Updated standard references
Storm Water Management System	Policy 1	Added the division
	Policy 2	Changed CPO to contract
	Policy 3	Clarified policy due to compliance issues
	Policy 6	Added Waste
	Standard	Updated standard references
Waste Application System	Definition/Purpose	Added Compost
	Policy 1,2	Changed CPO to contract
	Policy 4	Clarified/Updated to match new rules and policy
	Policy 6	Clarified/Updated to match new rules and policy
	Policy 8	Added Waste
	Standard	Updated standard references
	Policy 1	Removed because not needed according to engineering staff

Best Management Practice (BMP)	Proposed Change	Reason for the Proposed Change
Waste Treatment Lagoon/Storage Pond	Policy 2	Clarification
	Policy 3	Clarification
	Policy 5	Updated rule reference
	Policy 6, 7	Updated standard references, Clarified "waste"
	Standard	Updated standard references



## **AGRICHEMICAL POLLUTION PREVENTION MEASURES**

Agrichemical Pollution Prevention Measures means a planned system to prevent chemical delivery to water courses for water quality improvement.

### Policies

1. A WIN-PST environmental risk evaluation of the interactions of predominant farm soil types and selected pesticides (or active ingredients) may be considered to assess potential water quality impacts.
2. Producers are encouraged to develop a Pest Management Plan utilizing the NC NRCS 595 Pest Management Job Sheet.
3. Information on the use of WIN-PST is available on the NC NRCS website at: <http://www.nc.nrcs.usda.gov/technical/TechRef/techref-water.html> and in the NC NRCS 595 Pest Management Standard

**Agriculture Cost Share Program****Precision Agrichemical Application****Definition/Purpose**

Precision Agrichemical Application means using a system of components that enable reduction and greater control of fertilizer and pesticide application. This is accomplished through avoidance of excessive overlapping, unnecessary application to end/turn rows, and more precise control of application rates (DIP).

**Policies**

1. Cost share for this practice shall be based upon actual cost with a cap. The cap for each tier is additive upon the previous tier. It is acceptable for an applicant who has already adopted a lower tier to receive cost share to adopt higher tiers and receive cost share up to the incremental cap(s).
2. This practice can be used to either retrofit existing application equipment or to replace existing equipment with new equipment with precision technology.
3. The applicable cost share cap for this practice shall be based upon the capabilities of the system according to the following tiers (To qualify for the higher tiers, the applicant must also implement or have already adopted all of the lower tiers):
  - a. Tier 1: GPS guidance system
    - i. Guidance system must have at least sub-meter pass-to-pass accuracy
    - ii. System must include capability to compensate for tilt if used on slopes > 4%.
  - b. Tier 2: Automatic Application Rate Control
    - i. Rate control system must be capable of recording application rate data and producing application map
    - ii. Must include automatic correction for ground speed and number of boom sections being used.
  - c. Tier 3: Boom section control
    - i. Guidance system must have at least sub-meter pass-to-pass accuracy
    - ii. The system must have enough controls that the average length of each independently-controlled section is no more than 12 feet.
4. Before applicant can receive payment for this practice, he must demonstrate operation of properly calibrated equipment while applying agrichemicals.
5. For spot checks the district staff should either observe the cooperator using the equipment for agrichemical application or view the data stored or downloaded by the control system to insure the system is being used.
6. The cooperator may upgrade any component of the precision application system without additional cost share during the maintenance period, as long as the upgraded system has components that are equivalent or better than the system originally cost shared.

**Agriculture Cost Share Program**

7. This practice is limited to one system per cooperator. However, a cooperator is free to utilize components of the system on multiple pieces of equipment, provided the cooperator can produce the cost shared components for spot checks with adequate advance notice.

8. Cooperator is eligible to receive the precision nutrient management incentive while using this practice.

9. The life of the practice is 5 years.

10. Total charge to NCACSP is restricted to no more than the maximum cost share for the practice listed in the NCACSP average cost list.

**Standards Specifications**

The applicant must supply manufacturer documentation to verify system components must meet ISO 12188 Tractors and machinery for agriculture and forestry — Test procedures for positioning and guidance systems in agriculture. We need to better define how JAA is determined. Nutrient Management (#590) and manufacturer specifications showing the equipment meets the policy.

## Agriculture Cost Share Program

**Abandoned Tree Removal**Definition/Purpose

Abandoned Christmas and/or Apple Tree Removal means removal of Christmas and/or Apple tree fields for integrated pest management and for reducing sedimentation. An abandoned tree field can be of any size or age trees where standard management practices (e.g., maintaining groundcover, insect and disease control, fertilizer applications and annual shearing practices) for the production of the trees are discontinued or abandoned. The field must have been abandoned for at least 5 years. Abandonment leads to adverse soil erosion formations such as gullies and to production of disease inoculums and increased pest population. Conversion to perennial vegetation ~~grass, hardwoods, or white pine~~ on abandoned fields further protects soil loss by preventing runoff on steep slopes due to a better groundcover thereby providing additional water quality protection. Benefits include water quality protection, prevention of soil erosion, and wildlife habitat establishment.

Policies

1. Trees are not to be completely removed but cut to an appropriate level, not to exceed 3 inches. All side branches are to be removed.
2. Debris is to be processed onsite by chipping, windrowing and/or burning as deemed legal by the Division of Air Quality. Windrowing is not allowed when applicable diseases would remain onsite. Onsite disposal is not allowed in drainage ways.
3. Offsite processing or disposal costs will not be covered under this BMP.
4. Re-vegetation with grasses, forbs, perennial wildlife plantings or trees ~~pin~~~~es~~ ~~or hardwoods~~ is required and needs to correspond to species specific planting date guides. Temporary seeding is allowed on an as needed basis. All NRCS Standards and ACSP policies relative to vegetation are to be followed. ~~(See Section V for guidance).~~
5. Payments will be based on actual costs per acre for clearing, chipping/wind rowing), not to exceed the cap. Receipts are required. See conservation cover and cropland conversion for reseeding costs.
6. If a cooperator is going to graze livestock on cost shared fields, then he/she must provide at his or her own cost livestock exclusion, watering facilities, stream crossings, etc., to protect water quality. The cooperator must not allow cost shared fields to be overgrazed.
7. When determining acreage for which payment can be made, only the acreage actually planted shall be considered. ~~The entire abandoned stand must be removed to be eligible for cost share assistance. The area occupied by farm roads, road ditches, etc. shall be included in the cropland conversion. This includes stabilizing existing ag roads.~~
8. An operator shall only receive cost share for this practice once on the same acreage. Minimum life of BMP is 10 years.

## Agriculture Cost Share Program

9. The abandoned tree fields cannot be replanted into Christmas and/or Apple Trees within the maintenance period. The BMP is considered out of compliance if the land-use changes out of the replanted trees or grasses to another use within the maintenance period.

9.10. Total charge to NCACSP is restricted for all components to no more than the maximum cost share for this practice listed in the NCACSP average cost list.

### Standards

N. C. Natural Resources Conservation Service (NRCS) Field Office Technical Guide (FOTG), Section IV Conservation Cover #327, Pasture and Hay Planting #512, Critical Area Planting #342, Tree / Shrub Establishment #612 and Tree / Shrub Site Preparation #490, Brush Management #314.

The seeding rates and nutrient requirements as listed in the FOTG, Section 4 under Pasture and Hay Planting (Code 512) or as recommended by N.C. State University will be used.

## Agrichemical Containment and Mixing Facility

### Definition/Purpose

Agrichemical Containment and Mixing Facility means a system of components that provide containment and a barrier to the movement of agrichemicals. The purpose of the system is to provide secondary containment to prevent degradation of surface water, groundwater, and soil from unintentional release of pesticides or fertilizers. ~~Cost share for this practice is limited to the amount listed in the NCACSP average cost list.~~ (DIP)

### Policies

- ~~1.~~ This practice applies where current methods of storage, loading, and mixing of agrichemicals and rinsing of equipment have the potential to impair soil, water, air, plant, and animal resources.
- ~~2.~~ Total charge to NCACSP is restricted to no more than the maximum cost share for the practice listed in the NCACSP average cost list.
- ~~4.~~
  - ~~2-3.~~ Components must include those components necessary to properly handle chemical mixtures and prevent pollution of the environment. Components of a complete facility may include:
    - a. Secondary containment for fertilizer and pesticide storage areas.
    - b. A curbed, sealed concrete chemical mixing and loading pad
    - c. All weather access pad/lane to the containment facility
    - d. A chemical collection sump and sump pump, including safety devices
    - ~~e.~~ An adequate water supply for mixing chemicals, rinsing tanks, and containers, and for emergency health and safety needs including water supply pump, pipeline, hoses, backflow prevention devices and other hardware as needed.
    - ~~e.f.~~ Emergency response health and safety equipment must be on site and accessible per the NRCS standard.
    - ~~f.g.~~ Tanks for storage of rinsate and potentially contaminated runoff.
  - ~~3-4.~~ Secondary containment for pesticides shall be separate from containment for fertilizers.
  - ~~4-5.~~ Operation and Maintenance Plan Statement (NC-ASCP-OMP) is required.
  - ~~5-6.~~ BMP acres affected are required on the contract.
  - ~~6-7.~~ Minimum life of BMP is ten (10) years.

Agriculture Cost Share Program

~~7.8.~~\_\_\_\_\_ This practice is limited to one facility per cooperator.

Standards

N. C. NRCS Technical Guide, Section IV, Standard #309 (AgriChemical Handling Facility).

## Agrichemical Handling Facility

### Definition/Purpose

An Agrichemical Handling Facility means a permanent structure that provides an environmentally safe means of mixing agrichemicals and filling tanks with agrichemicals for the application and storage of agrichemicals to improve water quality. Benefits may include prevention of accidental degradation of surface and ground water.

### Policies

1. Limited to one facility per cooperator.
- ~~2. \_\_\_\_\_ Receipts are required for reimbursement for those components for which reimbursement is based on 75% or 90% of actual cost. Total charge to NCACSP is restricted to no more than the maximum cost share for the practice listed in the NCACSP average cost list. Total charge to NCACSP is restricted to amount listed on the NCACSP average cost list.~~
2. \_\_\_\_\_
3. Operation and Maintenance Plan Statement (NC-ACSP-OMP) is required.
4. BMP acres affected are required on the contract.
5. Minimum life of BMP is ten (10) years.

### Standards

N. C. NRCS Technical Guide, Section IV, Standard #309 (Agrichemical Handling Facility).

## Chemigation Backflow Prevention

### Definition/Purpose

Chemigation Backflow Prevention is a combination of devices (valves, gauges, injectors, drains, etc.) to safeguard water sources from contamination by chemicals used during the irrigation of agricultural crops. The practice is intended to modify or improve chemical injection systems with components necessary to prevent backflow or siphoning of contaminants into the water supply thereby improving and protecting the state's waters.

### Policies

1. NCACSP will only fund chemigation systems conforming to North Carolina Pesticide Board regulations.
2. Injection point on any chemigation system shall be downstream of the filtration system.
3. As a minimum, systems will include the following components:
  - a. Double Check Valves installed between the pump discharge and the point of injection.
  - b. Inspection Port located between the irrigation pump and check valves.
  - c. Vacuum Relief Valve located between the pump and check valves.
  - d. Automatic Low Pressure Drain located between the pump and check valves.
  - e. Flow Interruption Device installed on the pesticide supply line.
  - f. Check Valve located on the pesticide injection line.
  - g. Functional Systems Interlock (capable of shutting down the pesticide injection unit when irrigation water flow stops.)
4. Other BMPs such as critical area planting, field border, filter strip, grassed waterway and nutrient management may further support this practice.
5. ACSP funds can be used to fund retrofitting or installing injection equipment, check valves, gauges, drains and vacuum breakers.
6. Items that are unrelated to backflow prevention (e.g., tanks, mixers, or filters) are not eligible for funding.
7. Funding is limited to 75% of actual costs. Receipts are required for reimbursement. ~~Total charge to NCACSP is restricted to a total listed in NCACSP average cost list per system~~ Total charge to NCACSP is restricted to no more than the maximum cost share for the practice listed in the NCACSP average cost list.-

Agriculture Cost Share Program

8. Systems must be designed by a technical specialist with an "I" designation or a professional engineer.
9. Approval of installation shall be limited to NRCS, Division or District technical specialist with an "I" designation.
10. BMP acres affected are required on the contract.
11. Minimum life of BMP is ten (10) years.

Standards

N. C. NRCS Technical Guide, Section IV, Standard #441 (Irrigation System, Microirrigation), #449 (Irrigation Water Management), #430 (Irrigation Pipeline), ~~ASAE EP409.1 MAR1989 (R2013) Safety Devices for Chemigation~~, ~~ASAE EP409.1 MAR1989 (R2013) Safety Devices for Chemigation~~, ~~ASAE Engineering Practice Standard #EP 409.1 (Backflow Safety Devices for Chemigation)~~.

## Fertigation Backflow Prevention

### Definition/Purpose

Fertigation Backflow Prevention is a combination of devices (valves, gauges, injectors, drains, etc.) to safeguard water sources from contamination by fertilizers used during the irrigation of agricultural crops. The practice is intended to modify or improve fertilizer injection systems with components necessary to prevent backflow or siphoning of contaminants into the water supply thereby improving and protecting the state's waters.

### Policies

1. Other BMPs such as critical area planting, field border, filter strip, grassed waterway and nutrient management may further support this practice.
2. As a minimum, systems will include the following components:
  - a. **Check Valve** installed between the pump discharge and the point of injection.
  - b. **Vacuum Relief Valve** located between the pump and check valve.
  - c. **Automatic Low-Pressure Drain** located between the pump and check valves.
3. ACSP funds can be used to fund retrofitting or installing injection equipment, check valves, gauges, drains and vacuum breakers.
4. Items that are unrelated to backflow prevention (e.g., tanks, mixers, or filters) are not eligible for funding.
5. Funding is limited to 75% of actual costs. Receipts are required for reimbursement. ~~Total charge to NCACSP is restricted to no more than the maximum cost share for the practice listed in the NCACSP average cost list.~~ ~~Total charge to NCACSP is restricted to a total listed on the NCACSP average cost list.~~
6. Systems must be designed by a technical specialist with an "I" designation or a professional engineer.
7. Approval of installation shall be limited to NRCS, Division or District technical specialist with an "I" designation.
8. BMP acres affected are required on the contract.
9. Minimum life of BMP is ten (10) years.

### Standards

N. C. NRCS Technical Guide, Section IV, Standard #441 (Irrigation System, Microirrigation), #449 (Irrigation Water Management), #430 (Irrigation Pipeline), [ASAE EP409.1 MAR1989 \(R2013\) Safety Devices for Chemigation. ASAE Engineering Practice Standard #EP 409.1 \(Backflow Safety Devices for Chemigation\).](#)

|

## Portable Agrichemical Mixing Station

### Definition/Purpose

A portable device to be used in the field to prevent the unintentional release of agrichemicals to the environment during mixing and transferring of agrichemicals. Benefits may include prevention of accidental degradation of surface and ground water.

### Policies

1. Limited to one station per cooperator.
2. Receipts are required for reimbursement for those components for which reimbursement is based on 75% or 90 % of actual cost. ~~Total charge to CACSP is restricted to a total listed in the NCACSP average cost list.~~ Total charge to NCACSP is restricted to no more than the maximum cost share for the practice listed in the NCACSP average cost list.
3. Operation and Maintenance Plan Statement (NC-ACSP-OMP) is required. ~~(Under development)~~
4. ACSP funds can be used to fund retrofitting or installing check valves, gauges, drains, vacuum breakers and mixing cones as part of a complete system.
5. BMP acres affected are required on the contract.
6. Minimum life of BMP is five (5) years.

### Standards

~~Alabama NRCS Technical Guide, Section IV, Code #703 (Interim Standard Portable Agrichemical Mixing Station).~~ N. C. NRCS Technical Guide, Section IV, Standard #309 (Agrichemical Handling Facility)



## **AGRICHEMICAL POLLUTION PREVENTION MEASURES**

Agrichemical Pollution Prevention Measures means a planned system to prevent chemical delivery to water courses for water quality improvement.

### Policies

1. A WIN-PST environmental risk evaluation of the interactions of predominant farm soil types and selected pesticides (or active ingredients) may be considered to assess potential water quality impacts.
2. Producers are encouraged to develop a Pest Management Plan utilizing the NC NRCS 595 Pest Management Job Sheet.
3. Information on the use of WIN-PST is available on the NC NRCS website at: <http://www.nc.nrcs.usda.gov/technical/TechRef/techref-water.html> and in the NC NRCS 595 Pest Management Standard

## Precision Agrichemical Application

### Definition/Purpose

Precision Agrichemical Application means using a system of components that enable reduction and greater control of fertilizer and pesticide application. This is accomplished through avoidance of excessive overlapping, unnecessary application to end/turn rows, and more precise control of application rates (DIP).

### Policies

1. Cost share for this practice shall be based upon actual cost with a cap. The cap for each tier is additive upon the previous tier. It is acceptable for an applicant who has already adopted a lower tier to receive cost share to adopt higher tiers and receive cost share up to the incremental cap(s).
2. This practice can be used to either retrofit existing application equipment or to replace existing equipment with new equipment with precision technology.
3. The applicable cost share cap for this practice shall be based upon the capabilities of the system according to the following tiers (To qualify for the higher tiers, the applicant must also implement or have already adopted all of the lower tiers):
  - a. Tier 1: GPS guidance system
    - i. Guidance system must have at least sub-meter pass-to-pass accuracy
    - ii. System must include capability to compensate for tilt if used on slopes > 4%.
  - b. Tier 2: Automatic Application Rate Control
    - i. Rate control system must be capable of recording application rate data and producing application map
    - ii. Must include automatic correction for ground speed and number of boom sections being used.
  - c. Tier 3: Boom section control
    - i. Guidance system must have at least sub-meter pass-to-pass accuracy
    - ii. The system must have enough controls that the average length of each independently-controlled section is no more than 12 feet.
4. Before applicant can receive payment for this practice, he must demonstrate operation of properly calibrated equipment while applying agrichemicals.
5. For spot checks the district staff should either observe the cooperator using the equipment for agrichemical application or view the data stored or downloaded by the control system to insure the system is being used.
6. The cooperator may upgrade any component of the precision application system without additional cost share during the maintenance period, as long as the upgraded system has components that are equivalent or better than the system originally cost shared.

7. This practice is limited to one system per cooperator. However, a cooperator is free to utilize components of the system on multiple pieces of equipment, provided the cooperator can produce the cost shared components for spot checks with adequate advance notice.

8. Cooperator is eligible to receive the precision nutrient management incentive while using this practice.

9. The life of the practice is 5 years.

10. Total charge to NCACSP is restricted to no more than the maximum cost share for the practice listed in the NCACSP average cost list.

**Standards**

The applicant must supply manufacturer documentation to verify system components meet ISO 12188 Tractors and machinery for agriculture and forestry — Test procedures for positioning and guidance systems in agriculture. Nutrient Management (#590) and manufacturer specifications showing the equipment meets the policy.

## Abandoned Tree Removal

### Definition/Purpose

Abandoned Christmas and/or Apple Tree Removal means removal of Christmas and/or Apple tree fields for integrated pest management and for reducing sedimentation. An abandoned tree field can be of any size or age trees where standard management practices (e.g., maintaining groundcover, insect and disease control, fertilizer applications and annual shearing practices) for the production of the trees are discontinued or abandoned. The field must have been abandoned for at least 5 years. Abandonment leads to adverse soil erosion formations such as gullies and to production of disease inoculums and increased pest population. Conversion to perennial vegetation on abandoned fields further protects soil loss by preventing runoff on steep slopes due to a better groundcover thereby providing additional water quality protection. Benefits include water quality protection, prevention of soil erosion, and wildlife habitat establishment.

### Policies

1. Trees are not to be completely removed but cut to an appropriate level, not to exceed 3 inches. All side branches are to be removed.
2. Debris is to be processed onsite by chipping, windrowing and/or burning as deemed legal by the Division of Air Quality. Windrowing is not allowed when applicable diseases would remain onsite. Onsite disposal is not allowed in drainage ways.
3. Offsite processing or disposal costs will not be covered under this BMP.
4. Re-vegetation with grasses, forbs, perennial wildlife plantings or trees is required and needs to correspond to species specific planting date guides. Temporary seeding is allowed on an as needed basis. All NRCS Standards and ACSP policies relative to vegetation are to be followed.
5. Payments will be based on actual costs per acre for clearing, chipping/wind rowing), not to exceed the cap. Receipts are required. See conservation cover and cropland conversion for reseeding costs.
6. If a cooperator is going to graze livestock on cost shared fields, then he/she must provide at his or her own cost livestock exclusion, watering facilities, stream crossings, etc., to protect water quality. The cooperator must not allow cost shared fields to be overgrazed.
7. When determining acreage for which payment can be made, only the acreage actually planted shall be considered. The entire abandoned stand must be removed to be eligible for cost share assistance. The area occupied by farm roads, road ditches, etc. shall be included in the cropland conversion. This includes stabilizing existing ag roads.
8. An operator shall only receive cost share for this practice once on the same acreage. Minimum life of BMP is 10 years.
9. The abandoned tree fields cannot be replanted into Christmas and/or Apple Trees within the maintenance period. The BMP is considered out of compliance if the land-use

changes out of the replanted trees or grasses to another use within the maintenance period.

10. Total charge to NCACSP is restricted for all components to no more than the maximum cost share for this practice listed in the NCACSP average cost list.

Standards

N. C. Natural Resources Conservation Service (NRCS) Field Office Technical Guide (FOTG), Section IV Conservation Cover #327, Pasture and Hay Planting #512, Critical Area Planting #342, Tree / Shrub Establishment #612 and Tree / Shrub Site Preparation #490, Brush Management #314.

The seeding rates and nutrient requirements as listed in the FOTG, Section 4 under Pasture and Hay Planting (Code 512) or as recommended by N.C. State University will be used.

## **Agrichemical Containment and Mixing Facility**

### Definition/Purpose

Agrichemical Containment and Mixing Facility means a system of components that provide containment and a barrier to the movement of agrichemicals. The purpose of the system is to provide secondary containment to prevent degradation of surface water, groundwater, and soil from unintentional release of pesticides or fertilizers. (DIP)

### Policies

1. This practice applies where current methods of storage, loading, and mixing of agrichemicals and rinsing of equipment have the potential to impair soil, water, air, plant, and animal resources.
2. Total charge to NCACSP is restricted to no more than the maximum cost share for the practice listed in the NCACSP average cost list.
3. Components must include those components necessary to properly handle chemical mixtures and prevent pollution of the environment. Components of a complete facility may include:
  - a. Secondary containment for fertilizer and pesticide storage areas.
  - b. A curbed, sealed concrete chemical mixing and loading pad
  - c. All weather access pad/lane to the containment facility
  - d. A chemical collection sump and sump pump, including safety devices
  - e. An adequate water supply for mixing chemicals, rinsing tanks, and containers, and for emergency health and safety needs including water supply pump, pipeline, hoses, backflow prevention devices and other hardware as needed.
  - f. Emergency response health and safety equipment must be on site and accessible per the NRCS standard.
  - g. Tanks for storage of rinsate and potentially contaminated runoff.
4. Secondary containment for pesticides shall be separate from containment for fertilizers.
5. Operation and Maintenance Plan Statement (NC-ASCP-OMP) is required.
6. BMP acres affected are required on the contract.
7. Minimum life of BMP is ten (10) years.
8. This practice is limited to one facility per cooperator.

Standards

N. C. NRCS Technical Guide, Section IV, Standard #309 (AgriChemical Handling Facility).

## **Agrichemical Handling Facility**

### Definition/Purpose

An Agrichemical Handling Facility means a permanent structure that provides an environmentally safe means of mixing agrichemicals and filling tanks with agrichemicals for the application and storage of agrichemicals to improve water quality. Benefits may include prevention of accidental degradation of surface and ground water.

### Policies

1. Limited to one facility per cooperator.
2. Total charge to NCACSP is restricted to no more than the maximum cost share for the practice listed in the NCACSP average cost list.
3. Operation and Maintenance Plan Statement (NC-ACSP-OMP) is required.
4. BMP acres affected are required on the contract.
5. Minimum life of BMP is ten (10) years.

### Standards

N. C. NRCS Technical Guide, Section IV, Standard #309 (Agrichemical Handling Facility).

## Chemigation Backflow Prevention

### Definition/Purpose

Chemigation Backflow Prevention is a combination of devices (valves, gauges, injectors, drains, etc.) to safeguard water sources from contamination by chemicals used during the irrigation of agricultural crops. The practice is intended to modify or improve chemical injection systems with components necessary to prevent backflow or siphoning of contaminants into the water supply thereby improving and protecting the state's waters.

### Policies

1. NCACSP will only fund chemigation systems conforming to North Carolina Pesticide Board regulations.
2. Injection point on any chemigation system shall be downstream of the filtration system.
3. As a minimum, systems will include the following components:
  - a. Double Check Valves installed between the pump discharge and the point of injection.
  - b. Inspection Port located between the irrigation pump and check valves.
  - c. Vacuum Relief Valve located between the pump and check valves.
  - d. Automatic Low-Pressure Drain located between the pump and check valves.
  - e. Flow Interruption Device installed on the pesticide supply line.
  - f. Check Valve located on the pesticide injection line.
  - g. Functional Systems Interlock (capable of shutting down the pesticide injection unit when irrigation water flow stops.)
4. Other BMPs such as critical area planting, field border, filter strip, grassed waterway and nutrient management may further support this practice.
5. ACSP funds can be used to fund retrofitting or installing injection equipment, check valves, gauges, drains and vacuum breakers.
6. Items that are unrelated to backflow prevention (e.g., tanks, mixers, or filters) are not eligible for funding.
7. Funding is limited to 75% of actual costs. Receipts are required for reimbursement. Total charge to NCACSP is restricted to no more than the maximum cost share for the practice listed in the NCACSP average cost list.

8. Systems must be designed by a technical specialist with an “I” designation or a professional engineer.
9. Approval of installation shall be limited to NRCS, Division or District technical specialist with an “I” designation.
10. BMP acres affected are required on the contract.
11. Minimum life of BMP is ten (10) years.

Standards

N. C. NRCS Technical Guide, Section IV, Standard #441 (Irrigation System, Microirrigation), #449 (Irrigation Water Management), #430 (Irrigation Pipeline), ASAE EP409.1 MAR1989 (R2013) Safety Devices for Chemigation.

## Fertigation Backflow Prevention

### Definition/Purpose

Fertigation Backflow Prevention is a combination of devices (valves, gauges, injectors, drains, etc.) to safeguard water sources from contamination by fertilizers used during the irrigation of agricultural crops. The practice is intended to modify or improve fertilizer injection systems with components necessary to prevent backflow or siphoning of contaminants into the water supply thereby improving and protecting the state's waters.

### Policies

1. Other BMPs such as critical area planting, field border, filter strip, grassed waterway and nutrient management may further support this practice.
2. As a minimum, systems will include the following components:
  - a. **Check Valve** installed between the pump discharge and the point of injection.
  - b. **Vacuum Relief Valve** located between the pump and check valve.
  - c. **Automatic Low-Pressure Drain** located between the pump and check valves.
3. ACSP funds can be used to fund retrofitting or installing injection equipment, check valves, gauges, drains and vacuum breakers.
4. Items that are unrelated to backflow prevention (e.g., tanks, mixers, or filters) are not eligible for funding.
5. Funding is limited to 75% of actual costs. Receipts are required for reimbursement. Total charge to NCACSP is restricted to no more than the maximum cost share for the practice listed in the NCACSP average cost list.
6. Systems must be designed by a technical specialist with an "I" designation or a professional engineer.
7. Approval of installation shall be limited to NRCS, Division or District technical specialist with an "I" designation.
8. BMP acres affected are required on the contract.
9. Minimum life of BMP is ten (10) years.

### Standards

N. C. NRCS Technical Guide, Section IV, Standard #441 (Irrigation System, Microirrigation), #449 (Irrigation Water Management), #430 (Irrigation Pipeline), ASAE EP409.1 MAR1989 (R2013) Safety Devices for Chemigation.

## **Portable Agrichemical Mixing Station**

### Definition/Purpose

A portable device to be used in the field to prevent the unintentional release of agrichemicals to the environment during mixing and transferring of agrichemicals. Benefits may include prevention of accidental degradation of surface and ground water.

### Policies

1. Limited to one station per cooperator.
2. Receipts are required for reimbursement for those components for which reimbursement is based on 75% or 90 % of actual cost. Total charge to NCACSP is restricted to no more than the maximum cost share for the practice listed in the NCACSP average cost list.
3. Operation and Maintenance Plan Statement (NC-ACSP-OMP) is required.
4. ACSP funds can be used to fund retrofitting or installing check valves, gauges, drains, vacuum breakers and mixing cones as part of a complete system.
5. BMP acres affected are required on the contract.
6. Minimum life of BMP is five (5) years.

### Standards

N. C. NRCS Technical Guide, Section IV, Standard #309 (Agrichemical Handling Facility)

## WASTE MANAGEMENT MEASURES

Waste Management System means a planned system in which all necessary components are installed for managing liquid and solid waste to prevent or minimize degradation of soil and water resources. (DIP)

### Policies

1. N. C. Soil and Water Conservation Districts are not authorized to approve contracts on agricultural operations that are not in place and therefore are not causing a water quality problem.

The N. C. Soil and Water Conservation Commission reserves the authority to approve contracts on new operations and will review each contract developed on operations that were established less than 3 years prior to the date of cost share application.

2. If a Confined Animal Operation (CAO) is not meeting the 15A NCAC 02T .13002H.0200 Non-discharge certification requirements and the most practical option is to move the animals off the present site to a completely new site where 15A NCAC 02T .1300.0200 can be met, this would not constitute a NEW operation under the Commission policy. This is considered —the same as providing a Waste Management System for the existing operation. However, if a confined animal operation which meets the 15A NCAC 02T .13002H.0200 Non-discharge certification requirements and the cooperator must move the operation because the property has been sold or the cooperator no longer is able to lease the property, then the operation is not eligible for cost share assistance.
3. **A statement, signed by the technician, certifying that the operation has an approved waste management plan is required for all contracts—(see section VI for form NC-ACSP-WMP).** An approved waste management plan means a plan, signed by the cooperator and the technician, to properly collect, store, treat, and/or apply animal waste to the land in an environmentally safe manner. The waste management plan must follow NRCS standards and must be revised, if necessary, to meet any changes in the operation which alter the waste management needs of the operation.
4. With regard to approved waste management plans for operations receiving cost –share funds the following requirements must be met:

- a. A contract waste applicator hauler is one who either buys the waste from the producer or is paid by the producer ~~and charges other landowners~~ to spread the waste on ~~their land~~ in the waste management plan. If waste is being applied by a contract waste applicator hauler, the name and address of the contract waste applicator, a copy of maps of the fields to be applied and soil loss of these fields hauler must be included in the waste management plan.
- b.—A ~~third party applicator~~ manure hauler is one who receives the waste from the producer and applies to someone else's land. If the waste is being applied by a manure hauler ~~third party applicator~~ for the cooperator, ~~a copy of maps of the fields to be applied and soil loss of these fields must be included in the waste~~

management plan, the name and address of the manure hauler must be included in the waste management plan.

b.

c. If sludge or waste is removed for closure or retrofitting by a ~~licensed~~-contractor who is paid for this service, the name and address of the contractor along with the operator in charge must be included in the waste closure/sludge management management plan.

5. By signing the Cost Share Agreement (NC-~~ACSP-2~~), the cooperator and/or landowner acknowledges and agrees that they are responsible for the maintenance and/or replacement of all equipment cost shared as a component of waste management measure-(s) at their expense and that any cost shared component will not be sold or used as collateral for the life of the practice. ~~must be included in the CPO CONTRACT.~~
6. To better coincide with the allowances under the ~~n~~Non-discharge rules, contracts for animal waste management systems can be pulled from the pending file in order to receive payment for one item in the contract (i.e. lagoons, holding ponds, dry stacks, etc.) even though a later ~~to~~ ~~be~~ installed ~~i~~item (i.e. irrigation system) is ~~p~~Pending approval of engineer, Area Office or other.
7. Waste Management Systems not subject to 15A NCAC 02T .1300-0200 certification will receive annual status reviews (spot checks) for five years following implementation. (See Rule 02 NCAC 59D .0107 -(e) 06E.0107 (e) in Section IV of this manual.)
8. Silt fences are to be used only in conjunction with Animal Waste Management facilities and Sediment Control Structures. Silt fences and any retained sediment must be removed from the site once vegetation has been established. All silt fence installation shall conform to standards and specifications contained in the North Carolina Sedimentation Control Commission manual, "Erosion and ~~Sediment Control Planning and Design Manual~~", section 6.62. Silt fence posts will be a maximum of 8 feet apart with fabric trenched in a minimum of 8 inches deep. All silt fences must be maintained in working order until satisfactory vegetation is established.
9. Cost share of earth fill is only allowed where it is necessary to haul fill material in ~~dump~~ trucks on public roads. It should not normally be used where fill is moved by scraper pans.
10. Technical staff shall have the responsibility for determining appropriate set-backs for cost shared fencing in accordance with Agriculture Cost Share Program policy and NRCS standards as follows:
  - a. Cost shared tank, heavy use area, etc. is located a minimum of one hundred (100) feet from the top of the stream bank, the set-back for cost shared fencing shall be ten (10) feet.
  - b. If stream riparian areas have been damaged or destroyed, then fencing should be set-back far enough to permit establishment of woody vegetation on the stream banks.

- c. If the stream bank or channel erosion is such that there exists the potential for the fence posts to be undermined by the stream during the life of the fence, then set-backs should be increased significantly (field determination).
- d. For all cost shared BMPs that require fencing, a statement indicating the set back distance from the stream bank must be included in the ~~CPOCONTRACT~~contract. Also, the fencing set-back distance should be indicated on the sketch included with the ~~CPOCONTRACT~~contract. The sketch should also indicate the distance from the top of the bank to the tank, heavy use area, etc., if applicable. (Note: "Meets set-back requirements" is not acceptable. Actual set-back distances must be indicated.)
- e. ~~If significantly less fencing than planned in the CPOCONTRACT is cancelled, expires \_\_\_\_\_ or is not installed, a statement signed by the technician must be submitted to the Division explaining why the fencing was not installed, why significantly less fencing was installed, or indicating that fencing was installed at the applicant's expense. The statement should indicate that a site visit was performed, along with the date of the site visit to establish the status of the required fencing. Failure to install required fencing constitutes non-compliance and procedure relative theto non-compliance policy must be followed.~~
11. For waste management measures that include vegetation the following policies are applicable:
- a. Fescue is used ~~as base vegetation~~ for establishing average cost. -Other vegetative types may be used if they meet site specifications but cannot be paid at more than average cost.~~but must use base average cost developed for fescue.~~
- ~~a.~~
- ~~b.~~ Cooperator may use other than 10-10-10 fertilizers and the NC Agriculture Cost Share Program will pay 75% of \$.22 per lb. of plant food based on soil test.
- ~~c.~~ Cost share payments for stripcropping or cropland conversion are limited to the bulk rate average cost.
- ~~d.~~ Mulch includes the cost of materials and labor for installing any approved mulch material from the NRCS Technical Guide, Section IV, standard 342-II, at a rate of 2 tons per acre. Use of clean small grain straw is highly recommended. The average cost used is based on 125 bales of small grain straw per acre at 32 lbs. per bale. Hydro mulch used by hydro seeders is not to be used as a substitute for small grain mulch at any rate.
- b.
- c. Where mulch netting is required, use as needed 10, 12, or 15 feet wide netting. ~~The Area Office will decide if respective NRCS Area is approved to use 10 foot wide netting and overlap in channels exceeding 10 feet (any overlap must exceed 18 inches).~~ Netting must be wide enough to cover at least 6 inches from the bottom of the waterway up the side slopes. Average cost includes cost of netting, staples, and labor for installation.
- ~~e.~~

- ~~f.d.~~ Where mulch is not required as a part of the vegetation, netting may be used at the discretion of the person planning the practice.
12. The ~~CPO~~CONTRACT contract must include a ~~map that detailed sketch of the structure/system that~~ indicates the location of the stream system being protected.
13. In addition, the following components, if utilized in the waste management measure, must meet the indicated conditions and/or policies:
- a. Collection tanks for temporary storage and transfer of liquid animal waste must meet state specifications.
  - b. Average cost is for pressure treated lumber and includes fasteners and labor.
  - c. Pumps and motors must be used for the intended purpose or CONTRACT contract will be out of compliance permanent set and are for waste handling only<sup>[K11]</sup>.
  - ~~d.~~ Pump housing protection should be fiberglass. Site built protection may be used in lieu of fiberglass housing- but the payment will be based average cost with approval from the Division of Soil and Water Conservation Technical Services or NRCS Area Office. Cost share shall be 75% of actual cost not to exceed the current rate for fiberglass pump housings.
  - ~~e.~~ Cost share for guttering for existing structures is limited to structures that were in place at least 3 years prior to the date of cost share application. Guttering for a new structure is limited to that listed in the plan that is cost shared at the time of construction. The average cost for guttering includes all material and labor.
14. For all structural practices, any additional volume needed to accommodate the producer's equipment and/or desires will be at the producer's expense. ~~Therefore, if the cooperator stores equipment (other than waste handling equipment) in the structure and the plan did not stipulate that the volume of the designed structure was increased at the producer's expense, then the cooperator is out of compliance.] The design must stipulate the additional volume that was increased at the producer's expense.~~
15. For other components required as an integral part of a BMP, use cost values for ~~the~~ appropriate component provided elsewhere in the average cost.

## Lagoon Biosolids Removal Practice

### Definition/Purpose

Lagoon Biosolids Removal means removing accumulated biosolids from active lagoons. The biosolids will be properly utilized on farmland or forestland or processed to a value-added product, including energy production, to reduce nutrient impacts from nitrogen only based planning and impacts of phosphorus accumulation on application land. (DIP)

### Policies

1. The *generator* of the waste product will be the applicant. A *generator* is an independent or contract poultry or livestock grower.
2. This practice shall only be used to remove biosolids when a biosolids survey indicates that accumulation needs to be managed.
3. This practice shall not be used to apply biosolids at a rate exceeding the following maximums:
  - a. No application is allowed for sites with a phosphorus loss potential (per PLAT) of high and very high.
  - b. For sites with a phosphorus loss potential (per PLAT) of low or medium, biosolids shall be applied in accordance to the Lagoon Biosolids Removal P Calculation Spreadsheet. This calculation limits the phosphorus application rate to 50% of what may be applied under a nitrogen based biosolids application plan, unless otherwise recommended by NCDA&CS soil test recommendations.
  - c. Planning shall project the impact of the biosolids application to heavy metal critical levels based on soil index.
  - d. In addition, the application shall not exceed the nitrogen requirement of the ~~next~~ receiving crop. If additional nitrogen is needed, consideration must be given to limit additional phosphorus application.
4. It is highly recommended that biosolids not be applied to fields that are used for continual animal waste application due to increases in metals and nutrient levels.
5. If required, a Manure/Litter Shared Responsibility Agreement must be used with each entity receiving transported biosolids.
6. Applicants who engage in value-added processing onsite are eligible for this practice. However, a cooperator who receives state cost share for any components of their value-added processing system (e.g., litter or manure compost, pelletizer) is not eligible for this practice.
7. An applicant may receive cost share for waste storage structures, waste treatment structures, and solids separation systems and remain eligible for this practice. An applicant, who received cost share for application systems previously, ~~are still~~ may be eligible for this practice.

8. An applicant ~~who may not~~ receives cost share for this BMP ~~and is not still be~~ eligible for the manure litter transport incentive BMP on the same operation.
9. Payments will be based upon the amount of biosolids transported for land application or processing. Requirements for payment include:
- a. The applicant must present a record of the amount of manure transported to each receiving entity using the appropriate ~~NC~~ form approved by the Division of Water Resources.
  - b. If the biosolids are being transferred to a manure hauler or other third party applicator or processor, the applicant must present:
    - i. NMP from each entity receiving biosolids for land application compliant with the NRCS Standard 590 and in accordance with the 1217 Interagency Committee Guidance and/or other applicable rules. A Technical Specialist with the Waste Utilization Planning/ Nutrient Management designation must approve the nutrient management plan.
    - ii. The receiving entity must also provide the applicant with records using appropriate ~~NC~~ forms approved by the Division of Water Resources indicating the fields to which biosolids has been applied and any other records required by 1217 Interagency Committee Guidance and/or other applicable rules. (Receiving entity must be in compliance with all applicable requirements)
    - iii. Certification from each entity receiving biosolids for processing that the waste has been processed and that the product has been transported from the processing facility for use.
- ~~10.~~ 10. Biosecurity measures outlined by the NC Department of Agriculture and Consumer Services must be followed for all transported biosolids.
- ~~10.~~ 11. BMP life is one year. Cooperators are ineligible to reapply for assistance for this practice on the receiving fields for 5 years and are not to exceed the cap per operation.
- ~~11-12.~~ 11-12. Soil loss is not required. Include the amount of ~~waste~~ nitrogen and ~~waste~~ phosphorous units that will be properly managed under the ~~transportation~~ incentive.

### Specifications

N.C. NRCS Technical Guide, Section IV, Specification #590 (Nutrient Management), 1217 Interagency Committee Guidance.

NCDA&CS  
ACSP-1C  
DSWC

\_\_\_\_\_ NC-

(03/2019~~12/2012~~)

**ADDENDUM TO NC-ACSP-2 (CONTRACT AGREEMENT)**

TO: DIVISION OF SOIL AND WATER CONSERVATION

FROM:

SUBJECT: ABANDONED CONFINED ANIMAL OPERATION

- 1. The abandoned system has a potential for creating a water quality problem, if the lagoon leaks or overflows or the dam is breached and the effluent is allowed to discharge directly into a water course of the state. The applicant has requested both technical and financial assistance from the District to ensure water quality protection.
- 2. The effluent will be applied at agronomic rates in accordance with all local, state, and federal requirements, and a waste analysis will be taken to determine the application rate. A waste management plan will be developed and followed in accordance with NRCS specifications. Any areas disturbed by the removal of effluent (liquid or sludge) will be seeded to permanent vegetation.
- 3. In signing this addendum, the applicant agrees that the lagoon/storage facility will not never again be used for storing or treating animal waste for the life of the contract.

\_\_\_\_\_

(Applicant Signature)

DATE: \_\_\_\_\_

\_\_\_\_\_

(District Chair Signature)

DATE: \_\_\_\_\_

## Closure - Waste Impoundments

### Definition/Purpose

A Closure of Waste Impoundments Practice means the safe removal of existing waste and waste water and the application of this waste on land in an environmentally safe manner. This practice is only applicable to waste storage ponds and lagoons. (DIP)

### Policies

1. The Commission agrees that both technical and financial assistance from the District may be appropriate to ensure water quality protection in situations where farmers are going out of business or where a landowner who was not an operator has an abandoned waste impoundment on his/her property.

Therefore, the District may enter into a contract to offer Cost Share Program financial assistance for a waste impoundment closure. Applicants must follow these guidelines:

- a. The District must verify the system is not under active maintenance requirements for an ACSP contract.
- b. The District demonstrates clearly in the contract provided to the Division that the waste impoundment is in a condition that is creating a water quality problem or presents a potential water quality problem if not corrected.
- c. Each ~~CPO~~CONTRACT contract must contain the following information and must be received by the Division prior to approval:
  - i. Length of time system has been abandoned.
  - ii. Indication of status with the Department of Environmental Quality with Division of Water Quality (i.e. has farm received a Notice of Violation.)
  - iii. Name of watershed in which system is located.
  - iv. Name of receiving waters (stream, river).
  - iv-v. Volume of system based on length, width, depth of liquid/sludge and slopes.
  - v. Volume of system based on length, width, depth of liquid/sludge and slopes.
  - vi. Number of contractors who can do the work available to the District.
  - vii-vi. Two estimates from established contractors, using entire volume of system as determined by the District and as included in the lagoon-waste impoundment closure plan. In situations where pumping is impractical because of consistency of sludge (i.e. solid), sludge may be excavated. Estimates should include information regarding how waste is to be removed (i.e. drag line, agitate and pump, etc.)

~~viii-vii.~~ Surface area (acres) of the lagoon.

~~ix-viii.~~ A profile of the dam and how it is to be breached, if applicable.

~~x-ix.~~ A statement signed by the applicant/landowner that he/she will not re-implement the system and that no confined animal operation will be restarted on that farm. The completion of **NC-ACSP-1C** (07/02) meets this requirement.

~~xi-x.~~ **A statement, signed by the technician, certifying that the operation has an approved waste management plan is required for all contracts (see section VI for form NC-ACSP-WMP and policies for additional guidance).**

- d. The District or a Technical Specialist shall prepare the waste impoundment closure plan in accordance with the current standards promulgated by the United States Department of Agriculture, Natural Resource Conservation Service and the State, using the latest version of NC Nutrient Management Software program, ~~version 3.0.9 or later~~. The plan must address removal of transfer pipes and installation of a spillway, if needed. The planned waste application may not cause excessive zinc or copper soil levels nor exceed the crops' timely nitrogen uptake.
- e. Cost Share Program funds will be used for the removal of waste and stabilization of site only (not for fill materials). Removal of foreign materials will be at the landowner's expense and must be removed according to state and federal guidelines.
- f. Breaching of any diked or dammed structures is optional; however all disturbed areas will be vegetated to permanent grass, trees, or wildlife plantings. NCACSP policies and NRCS Standards will apply to all vegetated areas.

1. Districts may write contracts for waste impoundment closures based on the lowest bid that is technically acceptable. Payments will be based on actual cost based on receipts. Total charge to NCACSP is restricted to no more than the maximum cost share for the practice listed in the NCACSP average cost list.

~~g.~~ Receipts and a copy of the waste analysis report must accompany Requests for Payment.

~~h.g.~~ A subcommittee of the TRC will review lagoon/pond closure contracts that exceed \$50,000. The District will be notified of the subcommittee's decision. Closure activities covered by the contract shall not begin until the District has received the approval ~~card~~ from the Division.

2. BMP soil impact is not required on this BMP. Include the amount of fresh manure in nitrogen and phosphorus units, which will be generated and properly managed under the waste management system. Also include the number of acres affected, animal type, and animal units.
3. Minimum life of BMP is ten (10) years.

4. If the ~~tract including the former~~ waste impoundment is converted to residential or commercial ~~structures uses~~ during the maintenance period, the cost share contract shall be considered out of compliance.

Standards

N. C. NRCS Technical Guide, Section IV, Standard #342 (Critical Area Planting), #633 (Waste Utilization), and # 360 (Closure of Waste Impoundments); DSWC Guidelines for Lagoon Closure Plan Development

## Concentrated Nutrient Source Management System

### Definition/Purpose

A Concentrated Nutrient Source Management System is a system of vegetative and structural measures used to manage the collection, storage, and/or treatment of areas where agricultural products may cause an area of concentrated nutrients. Examples could include sweet potato culls and silage leachate. (DIP)

### Policies

1. Concentrated Nutrient Source Management System components must adhere to existing policies and standards.
2. Elements and items already a part of the NCACSP Average Cost Guide will be paid at 75% of average cost; includes grading, vegetation, and pipe. Other approved BMPs (e.g., filter strip, critical area planting, and diversion) may be incorporated into the Concentrated Nutrient Source Management System. For components not found in the Average Cost Guide cost will be based on 75% of actual cost with area office approval required.
3. Where nutrients are land applied, the application must be in accordance with a nutrient management plan that conforms to the NRCS standard.
4. BMP soil impact is not required on this BMP. Include the amount of fresh manure in nitrogen and phosphorus units, which will be generated and properly managed under the waste management system. Also include the number of acres affected, animal type, and animal units.
5. Minimum life of BMP is ten (10) years.

### Standards

N. C. NRCS Technical Guide, Section IV, Standard #590 (Nutrient Management), ~~#393 (Filter Strip), #342 (Critical Area Planting), #362 (Diversion)~~. NRCS Area Office or Division of Soil and Water Conservation engineer must approve engineering designs.

Facilitating Practices: #393 (Filter Strip), #342 (Critical Area Planting), #362 (Diversion).

## Constructed Wetlands

### Definition/Purpose

A Constructed Wetlands for land application practice means an artificial wetland area into which liquid animal waste from a waste storage pond or lagoon is dispersed over time to lower the nutrient content of the liquid animal waste. (DIP)

### Policies

1. Cooperator is responsible for appropriate local, state and federal permits. Changes to an existing waste treatment system will require approval from the Division of Water Resources.
2. Division of Soil and Water Conservation Technical Services or Area office approval required until a final NRCS Standard is developed and approved.
3. Cost share payments will be based on actual cost and copies of invoices must be attached to the Request for Payment.
4. Waste Management Plan Statement (NC-ACSP-WMP) is required.
5. BMP soil impact is not required on this BMP. Include the amount of fresh manure in nitrogen and phosphorus units, which will be generated and properly managed under the waste management system. Also include the number of acres affected, animal type, and animal units.
6. Minimum life of BMP is ten (10) years.

### Standards

Contact the Division of Soil and Water Conservation or your ~~your~~ NRCS Area Office.

## Dry Stack

### Definition/Purpose

A Dry Stack means a fabricated structure for temporary storage of animal waste. (DIP)

### Policies

1. Waste Management Plan Statement (NC-ACSP-WMP) is required.
2. BMP soil impact is not required on this BMP. Include the amount of fresh manure in nitrogen and phosphorus units, which will be generated and properly managed under the waste management system. Also include the number of acres affected, animal type, and animal units.
3. Minimum life expectancy is ten (10) years.
4. Maximum size cost shared is based on storage volume required in waste —utilization plan, average stacking height of 5 feet. Additional volume needed to accommodate the producer's equipment and/or desires will be at the producer's expense and must be stipulated on the design and visually marked within the structure.-
5. If metal fabrication is utilized, the average cost includes all structural steel, concrete for footings, framing, grading, and all other necessary components of the dry stack.
6. Dry stacks ~~and composters~~ may be installed on non-producing (of litter) farms for applicants who plan to use litter on their crop or pasture lands but must obtain the litter from another individual that has poultry. Records must be kept verifying compliance with state requirements for the movement of litter.
7. A signed statement is required stating the cost shared portion of the dry stack will be used only for waste storage. (Waste handling equipment may be stored in the dry stack provided it does not cause a displacement of waste.)

### SpecificationsStandards

N. C. NRCS Technical Guide, Section IV, Specification Standard #313 (Waste Storage Facility).

## Feeding/Waste Storage Structure

### Definition/Purpose

The feeding/waste storage structure is designed for the purpose of improving the collection/storage of animal waste and to reduce runoff of nutrients and fecal coliform to adjacent water bodies. The practice is intended to be used where livestock feeding areas are in close proximity to streams and where relocation or rotation of feeding areas is infeasible due to physical limitations (e.g., slope) and where other stream protection measures are insufficient to address water quality concerns.

### Policies

1. Waste Management Plan Statement (NC-ACSP-WMP) is required.
2. BMP soil impact is not required on this BMP. Include the amount of fresh manure in nitrogen and phosphorus units, which will be generated and properly managed under the waste management system. Also include the number of acres affected, animal type, and animal units.
3. Minimum life expectancy is ten (10) years.
4. Maximum size cost shared is based on storage volume required in waste utilization plan, average stacking height of 5 feet and a feed area necessary to accommodate the current herd size. Additional volume needed for the producer's equipment and/or desires will be at the producer's expense and must be stipulated on the design.
5. If metal fabrication is utilized, the average cost includes all structural steel, concrete for footings, framing, grading, and all other necessary components of the feed/waste storage structure. Feeding panels or feeding wagons are not cost shareable components.
6. BMPs (stock trails, watering systems, etc.) that are offered in the NCACSP as standard practices are not included under the cap listed on the average cost list.
7. A signed statement is required stating the cost shared portion of the structure will be used only for animal feeding and waste storage.
8. This practice must be in conjunction with the exclusion of livestock and alternative watering sources, where applicable.
9. A 100 foot setback from streams, creeks and lakes will be required.
10. The installation of the feed/waste storage structure will be contingent on design approval from the Division of Soil and Water Conservation Technical Services -or NRCS area engineer.

### Standard

NRCS Technical Guide, Section IV, Standard #313 (Waste Storage Facility).

## Heavy Use Area Protection

### Definition/Purpose

A Heavy Use Area Protection means an area used frequently and intensively by animals which must be stabilized by surfacing with suitable materials to improve water quality. Benefits may include reduced erosion, sedimentation and pollution from dissolved, particulate, and sediment-attached substances. (DIP)

### Policies

1. When Heavy Use Protection Area is employed in conjunction with feeding areas and barn lots, a filter strip must be established before the practice is eligible for cost-sharing. **Heavy Use Area Protection is not approved for access roads.**
2. The requirement of fencing around a heavy use area is to be left to the technical staff as to whether it is needed.
3. Livestock exclusion in conjunction with heavy use area protection measures **(loafing lots, barns, feeding stations, watering facilities, stock trails, etc.) will be required to have a minimum set-back of 20 feet from the top of the stream bank.** A statement must be included on the contract indicating the established setback distance from the stream bank and must also indicate distance on sketch included with contract.
4. Heavy use areas that are components of ~~.0200~~ **15A NCAC 02T .1300** waste management plans must meet additional buffer requirements as prescribed in the **1217** Interagency Guidance Memorandum.
5. BMP soil impact is not required on this BMP. Include the amount of fresh manure in nitrogen and phosphorus units, which will be generated and properly managed under the waste management system. Also include the number of acres affected, animal type, and animal units.
6. Minimum life of BMP is ten (10) years.
7. Structural geotextiles shall meet the requirements of "Construction Specification 217 - Geotextiles" and "Interim Material Specification 592 - Geotextiles". Drainage geotextiles shall meet the requirements of N.C. Technical Guide, Section IV Practice Standard 606, as shown in paragraph 606-8-5.

### Standards

N. C. NRCS Technical Guide, Section IV, Standard #561 (Heavy Use Area Protection) and #382 (Fence).

## Insect Control Practice

### Definition/Purpose

An Insect Control system means a practice or combination of practices (planting windbreaks, pre-charging structures, incorporation of waste into soil, etc.) which manages or controls insects from confined animal operations, waste treatment and storage structures, and waste applied to agricultural land. (DIP)

### Policies

1. Unproven technology or techniques must be approved or recommended by the NCSU Animal and Poultry Waste Management Center.
2. Consideration will be given to practices to minimize insects as listed in Attachment 10 of the Fourth Guidance Memo dated January 2, 1997.
3. Each insect control BMP or ~~contract-GPO~~ with an insect control BMP must be approved by the Technical Review Committee ~~ee Subcommittee~~.
4. Life of BMP is five (5) years.
5. ~~The practice will be Average Cost Guide:~~ paid at the rate of 75% of actual costs with receipts.
6. BMP soil impact is not required on this BMP. Include the amount of fresh manure in nitrogen and phosphorus units, which will be generated and properly managed under the waste management system. Also include the number of acres affected, animal type, and animal units.

### Standards

NRCS Technical Guide as appropriate.

## Livestock Mortality Management System

### Definition/Purpose

A livestock mortality management system is a facility for managing livestock mortalities such as to minimize water quality impacts or to produce a material that can be recycled as a soil amendment and fertilizer substitute. Cost shareable mortality management system components include: composter, rotary drum composter, forced aeration static pile composter, mortality freezer/refrigeration unit and, mortality incinerator ~~and mortality gasification~~ system.

A composter means a facility for the biological treatment, stabilization and environmentally safe storage of organic waste material (such as manure from poultry and livestock and dead animal carcasses) to produce a material that can be recycled as a soil amendment and fertilizer substitute.

A freezer/refrigeration unit means a unit capable of freezing and storing poultry and other small animal carcasses until such time they can be moved offsite for rendering.

An incinerator ~~or gasifier~~ means a piece of equipment used to cremate dead poultry, swine, or other small animals.

### Policies

1. ACSP funds will only be used to fund one mortality management system for each operation. Operations that have already received cost share for one mortality management system and are still in the required maintenance period for the practice have the option of repaying the prorated portion of their cost share to buy back eligibility. Recipients of cost share for composters have the additional option of converting the composter to a dry stack, provided the dry stack was of sufficient volume to meet NRCS standards. Cost share funds cannot be used to replace the same type of mortality management system.
2. A permit is required from the North Carolina Department of Agriculture, State Veterinarian for all composters, and all state regulations must be followed.
3. If a composter is approved, then a Waste Management Plan will be completed for the entire confined animal operation and not just the acreage associated with composter and compost. The Waste Management Plan must address storage of litter needs for the entire confined animal operation. If compost or waste is land applied by the cooperators on any land under his/her control (owned, rented, etc.), then a detailed site location map delineating the fields applied is required. If compost/waste is moved off the farm by a commercial contract hauler, the name and address of the hauler is required with the contract. Waste Management Plan Statement (NC-ACSP-WMP) is required.
4. A composter shared by landowners is eligible for cost share if a landowner agreement is being attached to the contract. This agreement must be signed and dated by all

landowners sharing the facility and must state that the facility may be used by each landowner for a minimum period of ten (10) years.

5. Landowners requesting commercial composters may receive 75% of treatment and storage volume. Payment will then be limited to the minimum volume required using the design criteria of the Division of Soil and Water Conservation, NRCS ~~and~~ the Cooperative Extension Service.
6. Payment will be made for the minimum volume required using NRCS and Extension Service design criteria for primary and secondary treatment, and/or storage of composted material in one structure. Storage volume is equal to a maximum of four (4) times the primary volume<sup>[K11]</sup>. Additional volume needed to accommodate the producer's equipment and/or desires will be at the producer's expense and must be indicated on the design.
7. Pursuant to 15A NCAC 02T .130315A-NCAC 2H.0100 and 2H.0200 regulations, poultry waste storage structures must be located at least 100 feet from perennial streams and groundwater wells.
8. All NRCS and NC Agriculture Cost Share Program standards and policies relative to vegetation of critical areas must be followed, if applicable.
9. North Carolina Division of Air Quality exempts incinerators used to dispose of dead animals or poultry under the following conditions:
  - a. The incinerator is located on a farm and is owned and operated by the farm owner or by the farm operator.
  - b. The incinerator is used solely to dispose of animals or poultry originating on the farm where the incinerator is located.
  - c. The incinerator is not charged at a rate that exceeds its design capacity.
  - d. The incinerator complies with visible emissions and odorous emissions requirements.
10. An Operation and Maintenance Plan Statement (NC-ACSP-OMP) is required for mortality incinerators, gasifiers and freezers.
11. A Waste Management Plan Statement (NC-ACSP-WMP) is required.
12. A mortality management system can only be used to dispose of mortalities associated with the planned operation(s).
13. Farmers with freezers must include in their waste management plans the name and telephone number of the rendering plant or recycling plant responsible for handling animal carcasses.

14. When a roof is installed on an incinerator, regardless of whether or not cost share is received, the size and other clearances as recommended by the incinerator manufacturer must be followed as described in the NRCS standard<sup>[K12]</sup>.
15. BMP soil impact is not required on this BMP. Include the amount of ~~fresh manure in waste~~ nitrogen and ~~waste~~ phosphorus units, which will be generated and properly managed under the waste management system. Also include the number of acres affected, animal type, and animal units.
16. Minimum life of BMP is ten (10) years for composters, rotary drum composters, forced aeration static pile composters ~~and~~, mortality freezers/~~refrigeration units, and mortality gasification systems~~. Minimum life of BMP is five (5) years for mortality incinerators.
17. Any additional area needed to accommodate the producer's equipment and/or desires will be at the producer's expense. **The additional area must be stipulated on the design and not receive cost share assistance.** For example, if the operator stores equipment other than waste handling equipment in the structure and the design plan did not stipulate that the area of the designed structure was increased at the producer's expense, then the operator is out of compliance.

#### Standards

North Carolina NRCS Technical Guide, Section IV, Standard #316 (Animal Mortality Facility). [NC GS 106-403 "Disposition of dead domesticated animals"](#). [Administrative code 02 NCAC 52C .0102 "Disposal of Dead Animals"](#).

## Manure Composting Facility

### Definition/Purpose

Composting is an aerobic biological process in which microorganisms and temperature convert manure and other organic matter (carbon) into a soil-like material with reduced pathogen content called compost. Compost can be applied as a soil amendment to improve soil ~~till~~health and plant growth. A composting facility is a facility for the biological treatment, stabilization and environmentally safe storage of organic waste material (such as manure from poultry and livestock) to minimize water quality impacts and to produce a material that can be recycled as a soil amendment and fertilizer substitute. (DIP)

### Policies

1. If a composter is approved, an Operation and Management Maintenance Plan must be developed to guide the user in the proper management of the composting facility. It should address carbon-nitrogen ratios of feedstocks, moisture management, pile configuration, composting period, temperature monitoring, pile aeration, nutrients, insect, odor and scavenger management, testing, curing and storage, and testing of finished compost.
- ~~2.~~ 2. A Waste Management System-Plan is required and should take into account the collection, treatment, storage, and end use of the compost. The plan will be completed for the entire animal operation and not just the acreage associated with the composter and compost. If compost is land applied by the cooperators on any land under his/her control (owned, rented, etc.), then a detailed site location map delineating the fields used should be in the Waste Management System-Plan. If compost is moved off the farm by a commercial contract hauler, the name and address of the hauler is required with the contract. If a third-party applicator is used to move compost off the site, then an agreement, including the name and address, must be maintained for the life of the practice. Pursuant to 15A NCAC 13B .1402, a permit from the NC Department of Environmental Quality, Solid Waste Section, may be required if the compost is offered for commercial or retail sale.
- ~~3.~~ 3. A composter must be covered with a roof to prevent nutrient runoff from the processing, treatment, or storage of compost or treated materials. Runoff from the composter system must be collected and disposed of properly according to NRCS standard #634 waste transfer.
4. A composter shared by landowners is eligible for cost shared if agreements are in place for the cost-shared landowner when he/she is under contract to receive compost from other landowners. a landowner~~The~~ agreement is~~should~~ being attached to the contract. This agreement must be signed and dated by all landowners sharing the facility and must state that the facility may be used by each landowner for a minimum period of ten (10) years. The sharing of composters should be suspended during animal health emergency situations to prevent spread of disease. To prevent the spread of disease in animal health emergency situations, the mixing of material from multiple operations should be suspended.

~~5.2. For rotary drum composters, the Division of Soil and Water Conservation Technical Services or NRCS State Engineer must approve the model.~~

~~6.3.~~ 5. Payment will be made for the minimum volume required using NRCS ~~and Extension Service~~ design criteria for primary and secondary treatment, and/or storage of composted material in one structure. Storage volume is equal to a maximum of four (4) times the primary volume. Additional volume needed to accommodate the producer's equipment and/or desires will be at the producer's expense and must be stipulated on the design.

~~7.~~ 6. Pursuant to ~~02 NCAC 59D.100 and 2H.0200-15A NCAC 02T~~ regulations, waste storage structures must be located at least 100 feet from ~~perennial~~ streams and groundwater wells. NRCS ~~specifications standards~~ require all waste structures to be ~~a minimum of 50-100~~ feet from ~~perennial wells,~~ streams or ~~groundwater wells~~ other water features. ~~This setback requirement also pertains to compost facilities.~~

~~8.~~ 7. All NRCS and NC Agriculture Cost Share Program standards and policies relative to vegetation of critical areas must be followed, if applicable.

~~9.~~ 8. A Waste Management Plan Statement (NC-ACSP-WMP) and an Operation and Maintenance Statement (NC-ACSP-OMP) are required.

~~10.~~ 9. BMP soil impact is not required on this BMP. Include the amount of fresh manure in nitrogen and phosphorus units, which will be generated and properly managed under the waste management system. Also include the number of acres affected, animal type, and animal units.

~~11.~~ Minimum life of BMP is ten (10) years.

## Standards

N. C. NRCS Technical Guide, Section IV, Standard #317 (Composting Facility), ~~and #590 (Nutrient Management), and #634 (Waste Transfer).~~ During animal health emergency situations, NC GS 106-403 "Disposition of dead domesticated animals". Administrative code 02 NCAC 52C .0102 "Disposal of Dead Animals" and NRCS Standard #368 (Emergency Animal Mortality Management) should be reviewed in order for this BMP to be used for disposal of animals.

## Manure/Litter Transportation Incentive

### Definition/Purpose

Manure/Litter Transportation means transporting dry litter and dry manure from livestock and poultry farms that lack sufficient land to effectively utilize the animal-derived nutrients. The litter/manure will be properly utilized on alternative land or processed to a value-added product, including energy production, to reduce nutrient impacts. Manure/Litter Transportation Incentive payments shall be limited to ~~3 years per applicant~~ ~~and~~ \$15,000 in a lifetime. (DIP)

### Policies

1. The *generator* of the waste product will be the applicant. A *generator* is an independent or contract poultry or livestock grower, in operation at least 3 years prior to the date of cost share application that produces poultry dry litter or dry manure.
2. To be eligible, the applicant must demonstrate that at least 50% of available cropland, pastureland, and hayland under his/her control has either:
  - a. a soil test phosphorus index greater than or equal to 200 or
  - b. a phosphorus loss potential (per PLAT) of high or very high.

Districts may propose alternative eligibility criteria, subject to approval by the Commission.

3. This incentive shall not be used to transport litter/manure for utilization on sites where the phosphorus loss potential (per PLAT) is rated high or very high.
4. A Manure/Litter Shared Responsibility Agreement must be used with each entity receiving transported litter/manure.
5. Applicants who engage in value-added processing onsite are eligible to receive the incentive. However, a cooperator who receives state cost share for any components of their value-added processing system (e.g., litter or manure composter, pelletizer) is not eligible for the incentive.
6. An applicant may receive cost share for waste storage structures, waste treatment structures, and solids separation systems and remain eligible to receive this incentive. An applicant, who received cost share for application systems previously, ~~are still may~~ ~~be~~ eligible to receive this incentive.
7. Payments will be based upon the amount of manure/litter transported for offsite use or processing. Requirements for payment include:
  - a. The applicant must present a record of the amount of litter/manure transported to each receiving entity using the DRY 1 form.
  - b. The applicant must present:

- i. NMP from each entity receiving litter/manure for land application compliant with the NRCS Standard 590 and in accordance with the 1217 Interagency Committee Guidance and/or other applicable rules. A Technical Specialist with the Waste Utilization Planning/ Nutrient Management designation must approve the nutrient management plan.
  - ii. The receiving entity must also provide the applicant with records using the DRY 2 & 3 forms indicating the fields to which litter/manure has been applied and any other records required by 1217 Interagency Committee Guidance and/or other applicable rules. (Receiving entity must be in compliance with all applicable requirements)
  - iii. Certification from each entity receiving litter/manure for processing that the waste has been processed and that the product has been transported from the processing facility for use.
8. Biosecurity measures outlined by the NC Department of Agriculture and Consumer Services must be followed for all transported manure/litter.
9. Minimum life of BMP is one (1) year.
10. BMP soil impact is not required on this BMP. Include the amount of ~~fresh manure in~~ waste nitrogen and waste phosphorus units, which will be generated and properly managed under the waste management system. Also include the number of acres affected, animal type, and animal units.

#### Standards

N.C. NRCS Technical Guide, Section IV, Standard #590 (Nutrient Management), 1217 Interagency Committee Guidance.

## Odor Control Management System

### Definition/Purpose

An Odor Control Management System means a practice or combination of practices (planting windbreaks, pre-charging structures, incorporation of waste into soil, etc.) which manages or controls odors from confined animal operations, waste treatment and storage structures and waste applied to agricultural land. (DIP)

### Policies

1. Cost share for odor control management systems is limited to structural and vegetative practices unless approved by the NCSU Animal and Poultry Waste Management Center.
2. BMP Life one to ten years, depending upon practice.
3. Average Cost Guide: elements and items already a part of Average Cost paid at 75% of average cost, includes grading, vegetation, pipe drops and surface inlets, animal guards, pipe and fittings.
4. Each odor control BMP or a ~~CPO~~~~CONTRACT~~~~CONTRACT~~contract with an odor control BMP must be approved by the ~~Technical Review Committee Subcommittee~~TRC. The NCSU Animal and Poultry Waste Management Center must approve unproven technology or techniques prior to submission to the TRC for approval.
5. BMP soil impact is not required on this BMP. Please report the number of acres affected, animal type, and animal units.

### Standards

N. C. NRCS Technical Guide, Section IV, Standard # 380 (Windbreak/Shelterbelt Establishment), Standard # 422 (Hedgerow Planting)

### Reference

[This best management practice was added to the ACSP as part of SB17 in 1995 to implement the findings of a Blue Ribbon Study Commission on Animal Waste Management. S.L. 1995-626 https://www4.ncleg.net/Sessions/1995/Bills/Senate/PDF/S1217v5.pdf. See p. 13 \(Section V\)](https://www4.ncleg.net/Sessions/1995/Bills/Senate/PDF/S1217v5.pdf)

## Retrofit of On-Going Animal Operations

### Definition/Purpose

Retrofits of On-Going Animal Operations are modifications of structures to increase storage or to correct design flaws to meet current standards. This practice may also be used to close waste impoundments on on-going operations, including the safe removal of existing waste and waste water and the application of this waste on land in an environmentally safe manner. (DIP)

### Policies

Existing, on-going operations which desire to close or retrofit existing **unlined** waste impoundments in order to meet current standards, regulations, or rules are eligible for cost share reimbursement under the following guidelines:

1. Closure/retrofit of waste impoundments must adhere to the following guidelines:
  - a. For waste impoundments, Cost Share Program funds will be used for the removal/disposal of waste only (not for fill materials), and for stabilization of site. Removal of foreign materials will be at the landowner's expense and must be removed according to state and federal guidelines. Costs for closure are limited to 75% of actual cost. Receipts and a copy of the waste analysis report must accompany Requests for Payments (NC-ACSP-3).

Breaching of any diked or dammed structures is optional; however all disturbed areas will be vegetated to permanent grass, trees, or wildlife plantings. NCACSP policies and NRCS Standards will apply to all vegetated areas.

The District or a Technical Specialist shall prepare the closure plan in accordance with the current standards promulgated by the United States Department of Agriculture, Natural Resource Conservation Service and the State, using the **most up to date** NC Nutrient Management Software program, **version 3.0.9 or later**. The plan must address removal of transfer pipes and installation of a spillway, if needed. The planned waste application may not cause excessive zinc or copper soil levels nor exceed the crops' timely nitrogen uptake.

- b. For retrofitted waste impoundments, Cost Share Program funds may be used for removal/disposal of waste and other components necessary to bring the lagoon/waste storage pond up to current NRCS Standards. A copy of the waste analysis report must accompany Requests for Payments (NC-ACSP-3). Funds may also be used to make the required structural upgrades (clay liner, emergency spillway, etc.) and for required compaction test.
2. A statement, signed by the technician, certifying that the operation has an approved waste management plan is required (~~see Section VI for form NC-ACSP-WMP~~ **and policies listed on Page V-17 of this manual for additional guidance**).
3. The removal of trees is a correction for a lack of maintenance and is not considered a retrofit.

4. BMP soil impact is not required on this BMP. Include the amount of fresh manure in waste nitrogen and waste phosphorus units, which will be generated and properly managed under the waste management system. Also include the number of acres affected, animal type, and animal units.
5. Minimum life for the retrofit of an on-going animal operation is ten (10) years.

Standards

N.C. NRCS Technical Guide, Section IV, #590 (Nutrient Management)-and #360 (Waste Facility Closure~~Closure of Waste Impoundments~~) #313 (Waste Storage Facility)-and #359 (Waste Treatment Lagoon)

## Solids Separation from Tank-Based Aquaculture Production

### Definition/ Purpose

A facility for the removal, storage and dewatering of solid waste from the effluent of intensive tank-based aquaculture production systems. (DIP)

To capture organic solids from the effluent stream of intensive fish production systems that would otherwise flow to effluent ponds for storage and further treatment. This waste comes from uneaten feed and feces generated by fish while being fed within a tank-or raceway based fish farm.

### Policies

1. By signing the Cost Share Agreement (NC-ACSP-2), the cooperators and/or landowner acknowledges and agrees that they are responsible for the maintenance or replacement of all equipment cost shared as a component of waste management measure(s) at their expense and that any cost shared component will not be sold or used as collateral for the life of the practice must be included in the ~~CPO~~CONTRACTcontract.
2. Items for reimbursement under the maximum are all equipment, materials, construction, installation, vegetation, and pumps. A maximum of two ~~90'~~ geotubes and a year supply of polymer per system will be eligible for reimbursement.
3. For all operations, cost share payments are limited to a \$15,000 lifetime cap. If a roof is required, it is not part of the lifetime cap.
4. Receipts must support reimbursable items.
5. Waste Management Plan Statement (NC-ACSP-WMP) is required.
6. Cost share will not pay for any motorized vehicles used in transporting/applying waste.
7. BMP soil impact is not required on this BMP. Include the ~~amount of fresh manure in~~ waste nitrogen and waste phosphorus units, which will be generated and properly managed under the waste management system. Also include the number of acres affected, animal type, and animal units.
8. Minimum life of the BMP is ten (10) years.

### Standards

N.C. NRCS Technical Guide, Section IV, Standards #632 (~~Solid/Liquid~~ Waste Separation Facility); #590 (Nutrient Management)

## Storm Water Management System

### Definition/Purpose

A Storm Water Management System means a system of collection and diversion practices (guttering, collection boxes, diversions, etc.) to prevent unpolluted storm water from flowing across concentrated waste areas on animal operations. (DIP)

### Policies

1. Storm Water Management System components must adhere to existing policies and standards. The Division of Soil and Water Conservation or Area Office approval ~~is~~ may ~~be~~ required.
2. Storm Water Management Systems may be included in ~~contract~~ GPO(s) for retrofitting animal operations, either as a new component to an existing waste management system when the existing waste management system lacks appropriate storm water management for certification or as a component to a new animal waste management system which requires storm water management for certification.
- ~~3.~~ Funds will not be allowed for roofing a gravel or concrete heavy use area in a pasture. For confined operations, a roof may be cost shared if the ~~engineer-designer~~ certifies that a roof is the most cost effective means of managing storm water runoff to the waste collection system and the pad or heavy use area to be roofed was built at least 3 years prior to the date of cost share application. ~~installed prior to November 7, 1996.~~
- ~~3.~~ 3. Guttering can be cost shared when it is to be installed on existing structures which were built at least 3 years prior to the date of cost share application or when it is to be installed on new cost shared structures included in the plan. The Average Cost Guide includes the costs of labor and installation.
5. The life of the BMP is ten (10) years.
6. BMP soil impact is not required on this BMP. Include the amount ~~of of fresh manure in~~ waste nitrogen and waste phosphorus units, which will be generated and properly managed under the waste management system. Also include the number of acres affected, animal type, and animal units.

### Standard

N. C. NRCS Technical Guide, Section IV, #558 (Roof Runoff Structure), #362??? (Diversion), ~~and~~ #367 (Roofs and Covers)

## Waste Application Systems

### Definition/Purpose

A Waste Application System means an environmentally safe system (such as solid set, dry hydrant, mobile irrigation equipment, etc.) for the conveyance and distribution of animal wastes from waste treatment and storage structures to agricultural fields as part of an irrigation and waste utilization plan. (DIP)

Mobile Application System means a portable conveyance system for the application of liquid animal waste from a waste storage pond or lagoon or a manure spreader for the application of dry waste [or compost](#).

Solid Set System means an in-ground sprinkler system which allows the conveyance of liquid waste from a waste storage pond or lagoon to allow land application of liquid wastes.

Underground Main and Hydrant System means an in ground system of pipes ending in hydrants which allows the conveyance of liquid waste from a waste storage pond or lagoon to facilitate the land application of animal wastes.

### Policies

1. Items for reimbursement under the maximum are all equipment, materials, construction, installation, vegetation, pumps, etc. from the waste structure to and including the delivery system. **The type of system must be specified on [contracts CPO](#)** (i.e. center pivot, traveling gun, solid set, etc.) Reimbursable items must be supported by receipts, including any previous payments to the cooperator for pipe, hydrants or other elements of a waste application system. **For all operations, cost share payments are limited to a \$35,000 lifetime cap.** Cost share will not pay for any motorized vehicles used in transporting/applying waste or for replacing worn out equipment that was previously cost shared on.
2. By signing the Cost Share Agreement (NC-ACSP-2), the cooperator and/or landowner acknowledges and agrees that they are responsible for the maintenance or replacement of all equipment cost shared as a component of waste management measure(s) at their expense and that any cost shared component will not be sold or used as collateral for the life of the practice must be included in the [contractCPO](#).
3. Above-ground mobile irrigation pipe may be used as a component of a waste application system for cost share with the following stipulations:
  - a. All pipe from the lagoon or waste storage pond to the field must be buried according to NRCS standards;
  - b. The waste application system must include a safety valve that will close in case pressure is lost; and
  - c. The use of above ground pipe must be approved by an engineer.

4. The following guidelines apply for poultry litter spreaders:
  - a. Before a cooperator can receive Cost Share assistance for a poultry litter spreader he/she must have a method for mortality disposal approved by the State Veterinarian and must have adequate litter storage ~~(i.e. storage for 25% of the volume of waste generated annually)~~. For purposes of the cost share program, storing covered or uncovered litter on the ground is not considered acceptable storage, nor is pit disposal acceptable for mortalities. ~~(unless approved in an emergency by the State Veterinarian)~~.
  - b. Only a commercially sold fan spinner, rotary type spreader with an adjustable door for calibration may be cost shared.
  - c. Cost share will be based on actual cost with receipts required not to exceed the amount on the average cost list for ACSP.
  - d. Non-producers are not eligible for litter or manure spreaders.
  - e. If a producer has a litter spreader, they are NOT eligible for cost share assistance irrespective of whether it was cost shared.

d. The following gu

5. Fencing was ruled to be a production practice by the TRC and **is not** an acceptable element of this BMP.
6. When 15A NCAC 02T .1300-0200 and Cost Share converge:
  - a. When Cost Share is used for a waste application system that meets the 15A NCAC 02T .1300-0200 certification requirements, and a new water quality problem associated with the waste application system is created through the actions of the farmer, Cost Share funds shall not be used to solve the new problem. The Soil and Water Conservation Commission compliance policies shall be followed if the waste application system was cost shared.
  - b. When a waste management system is certified with equipment that is not cost shared, the farmer will be eligible to upgrade the system with Cost Share assistance ~~as long as if~~ greater water quality benefits can be shown. All such contracts must be considered by a subcommittee of the Technical Review Committee.
  - c. Cost Share funds can be used to pay the difference between the current replacement value of a previously Cost Shared waste application system (e.g., a honey wagon) and a new system (e.g., solid set) ~~as long as if~~ the new system is shown to provide greater water quality improvements. All such contracts must be considered by a subcommittee of the Technical Review Committee.
  - d. ~~If a third party~~third-party applicator arrangement for an animal operation fails the producer would be eligible for cost share assistance to implement a waste application system. ~~application system. This example would be analogous to a system that breaks through no fault of the operator, and a repair contract would be allowable.~~

- d.
- e. Cost Share would be available to extend irrigation pipe when an existing Waste Management Plan (WMP) is updated and the operation will need to expand the waste application systems to take phosphorus or other nutrients into consideration or to base the application rates on more current realistic yield estimates. The operation would still be limited to the amount listed on the average cost list.
7. Waste Management Plan Statement (NC-ACSP-WMP) is required.
8. BMP soil impact is not required on this BMP. Include the amount ~~waste of fresh manure~~ waste in-nitrogen and waste phosphorus units, which will be generated and properly managed under the waste management system. Also include the number of acres affected, animal type, and animal units.
9. Minimum life of BMP is ten (10) years.

Standards specifications

N. C. NRCS Technical Guide, Section IV, ~~Specification Standard~~ Specification Standard #442 (Irrigation System, Sprinkler), #430 (Irrigation Pipeline), #449 (Irrigation Water Management), and #590 (Nutrient Management) ~~#634 (Waste Transfer) #533 (Pumping Plant) Check for others.~~

## Waste Treatment Lagoon/Storage Pond

### Definition/Purpose

A Waste Treatment Lagoon means an impoundment made by excavation or earthfill for biological treatment and storage of animal waste. (DIP)

A Waste Storage Pond means an impoundment made by excavation or earthfill for temporary storage of animal waste, waste water and polluted runoff. (DIP)

### Policies

~~1. The Cost Share Program will reimburse for the removal of clay from stockpiles to be used to form clay liners for lagoons. Costs for the clay liner are to be calculated on the amount of clay soil moved from the stockpile to the excavated area. Dam construction, pads, etc. are part of the excavation used as earth fill and are not considered as soil being handled twice.~~

2.1. All NRCS standards and NC Agriculture Cost Share Program policies relative to vegetation must be followed.

3.2. The temporary seeding of a lagoon/storage pond is not a cost shared BMP, ~~h.~~ However, it may be necessary to prevent dike erosion and to assure practice integrity. ~~P~~ payment for the lagoon construction may be made prior to the establishment of permanent vegetation based on the following conditions:

- a. The ~~area~~ engineer submits in writing the reason temporary seeding is necessary and assurance is made that the cooperators will reseed to permanent vegetation as soon as it is practical; and
- b. The cooperators will reimburse the cost shared funds of the lagoon/storage pond if permanent vegetation is not established in the first suitable growing season.

4.3. The Cost Share Program will pay for pumps to move waste to a lagoon or waste storage pond. Pumps needed to recycle water from the lagoon back to the house to flush the houses are a production requirement not eligible for cost share assistance. needed to pass health restrictions, etc. **The Cost Share Program will not pay for items/components which are not necessary for water quality benefits.**

5.4. Vegetation on the banks of the lagoon/storage pond is to be protected from livestock with permanent fencing, if applicable. Livestock are not to be used to mow the banks.

6.5. When existing lagoons are to be closed as part of retrofitting animal waste systems to meet 15A NCAC 02T .1300-0200 certification, the contract CPO for the retrofit must include information relative to the closing of the existing lagoon(s)/storage pond(s) and an explanation as to why closure of the lagoon/storage pond is necessary (instead of retrofitting the existing lagoon, a new lagoon is being built). Cost share for closure of lagoons/storage ponds which are part of a retrofit is limited to 75% of the cost to remove and land apply the volume of the lagoon/storage pond as determined by the District Office.

~~7.6.~~ The Waste Management Plan or separate closure plan must include all the criteria of NRCS' ~~interim~~ standard for closure. Waste Management Plan Statement (NC-ACSP-WMP) is required.

~~8.7.~~ BMP soil impact is not required on this BMP. Include the amount of ~~waste-fresh manure in~~ nitrogen and ~~waste~~ phosphorus units, which will be generated and properly managed under the waste management system. Also include the number of acres affected, animal type, and animal units.

~~9.8.~~ Minimum life of BMP is ten (10) years.

#### Standards

N. C. NRCS Technical Guide, Section IV, Standard #359 (Waste Treatment Lagoon), #313(Waste Storage Facility), ~~#360 (Waste Facility Closure)~~ and #590 (Nutrient Management).



## WASTE MANAGEMENT MEASURES

Waste Management System means a planned system in which all necessary components are installed for managing liquid and solid waste to prevent or minimize degradation of soil and water resources. (DIP)

### Policies

1. N. C. Soil and Water Conservation Districts are not authorized to approve contracts on agricultural operations that are not in place and therefore are not causing a water quality problem.

The N. C. Soil and Water Conservation Commission reserves the authority to approve contracts on new operations and will review each contract developed on operations that were established less than 3 years prior to the date of cost share application.

2. If a Confined Animal Operation (CAO) is not meeting the 15A NCAC 02T .1300 Non-discharge certification requirements and the most practical option is to move the animals off the present site to a completely new site where 15A NCAC 02T .1300 can be met, this would not constitute a NEW operation under the Commission policy. This is considered the same as providing a Waste Management System for the existing operation. However, if a confined animal operation which meets the 15A NCAC 02T .1300 Non-discharge certification requirements and the cooperator must move the operation because the property has been sold or the cooperator no longer is able to lease the property, then the operation is not eligible for cost share assistance.
3. **A statement, signed by the technician, certifying that the operation has an approved waste management plan is required for all contracts.** An approved waste management plan means a plan, signed by the cooperator and the technician, to properly collect, store, treat, and/or apply animal waste to the land in an environmentally safe manner. The waste management plan must follow NRCS standards and must be revised, if necessary, to meet any changes in the operation which alter the waste management needs of the operation.
4. With regard to approved waste management plans for operations receiving cost share funds the following requirements must be met:
  - a. A contract waste applicator is one who either buys the waste from the producer or is paid by the producer to spread the waste on land in the waste management plan. If waste is being applied by a contract waste applicator, the name and address of the contract waste applicator, a copy of maps of the fields to be applied and soil loss of these fields must be included in the waste management plan.
  - b. A manure hauler is one who receives the waste from the producer and applies to someone else's land. If the waste is being applied by a manure hauler for the cooperator, the name and address of the manure hauler must be included in the waste management plan.

- c. If sludge or waste is removed for closure or retrofitting by a contractor who is paid for this service, the name and address of the contractor along with the operator in charge must be included in the waste closure/sludge management plan.
5. By signing the Cost Share Agreement (NC-CSP-2), the cooperator and/or landowner acknowledges and agrees that they are responsible for the maintenance and/or replacement of all equipment cost shared as a component of waste management measure(s) at their expense and that any cost shared component will not be sold or used as collateral for the life of the practice.
6. To better coincide with the allowances under the non-discharge rules, contracts for animal waste management systems can be pulled from the pending file in order to receive payment for one item in the contract (i.e. lagoons, holding ponds, dry stacks, etc.) even though a later to be installed item (i.e. irrigation system) is pending approval of engineer, Area Office or other.
7. Waste Management Systems not subject to 15A NCAC 02T .1300 certification will receive annual status reviews (spot checks) for five years following implementation. (See Rule 02 NCAC 59D .0107 (e)).
8. Silt fences are to be used only in conjunction with Animal Waste Management facilities and Sediment Control Structures. Silt fences and any retained sediment must be removed from the site once vegetation has been established. All silt fence installation shall conform to standards and specifications contained in the North Carolina Sedimentation Control Commission manual, "Erosion and Sediment Control Planning and Design Manual", section 6.62. Silt fence posts will be a maximum of 8 feet apart with fabric trenched in a minimum of 8 inches deep. All silt fences must be maintained in working order until satisfactory vegetation is established.
9. Cost share of earth fill is only allowed where it is necessary to haul fill material in dump trucks on public roads. It should not normally be used where fill is moved by scraper pans.
10. Technical staff shall have the responsibility for determining appropriate setbacks for cost shared fencing in accordance with Agriculture Cost Share Program policy and NRCS standards as follows:
  - a. Cost shared tank, heavy use area, etc. is located a minimum of one hundred (100) feet from the top of the stream bank, the setback for cost shared fencing shall be ten (10) feet.
  - b. If stream riparian areas have been damaged or destroyed, then fencing should be setback far enough to permit establishment of woody vegetation on the stream banks.
  - c. If the stream bank or channel erosion is such that there exists the potential for the fence posts to be undermined by the stream during the life of the fence, then setbacks should be increased significantly (field determination).

- d. For all cost shared BMPs that require fencing, a statement indicating the setback distance from the stream bank must be included in the contract. Also, the fencing setback distance should be indicated on the sketch included with the contract. The sketch should also indicate the distance from the top of the bank to the tank, heavy use area, etc., if applicable. (Note: "Meets setback requirements" is not acceptable. Actual setback distances must be indicated.)
  - e. Failure to install required fencing constitutes non-compliance and the non-compliance policy must be followed.
11. For waste management measures that include vegetation the following policies are applicable:
  - a. Fescue is used for establishing average cost. Other vegetative types may be used if they meet site specifications but cannot be paid at more than average cost.
  - b. Mulch includes the cost of materials and labor for installing any approved mulch material from the NRCS Technical Guide, Section IV, standard 342-II.
  - c. Where mulch netting is required, use as needed 10, 12, or 15 feet wide netting. Netting must be wide enough to cover at least 6 inches from the bottom of the waterway up the side slopes. Average cost includes cost of netting, staples, and labor for installation.
  - d. Where mulch is not required as a part of the vegetation, netting may be used at the discretion of the person planning the practice.
12. The contract must include a map that indicates the location of the stream system being protected.
13. In addition, the following components, if utilized in the waste management measure, must meet the indicated conditions and/or policies:
  - a. Collection tanks for temporary storage and transfer of liquid animal waste must meet state specifications.
  - b. Average cost is for pressure treated lumber and includes fasteners and labor.
  - c. Pumps and motors must be used for the intended purpose or contract will be out of compliance.
  - d. Pump housing protection should be fiberglass. Site built protection may be used in lieu of fiberglass housing but the payment will be based average cost.
14. For all structural practices, any additional volume needed to accommodate the producer's equipment and/or desires will be at the producer's expense. The design must stipulate the additional volume that was increased at the producer's expense.
15. For other components required as an integral part of a BMP, use cost values for the appropriate component provided elsewhere in the average cost.

## Lagoon Biosolids Removal Practice

### Definition/Purpose

Lagoon Biosolids Removal means removing accumulated biosolids from active lagoons. The biosolids will be properly utilized on farmland or forestland or processed to a value-added product, including energy production, to reduce nutrient impacts from nitrogen only based planning and impacts of phosphorus accumulation on application land. (DIP)

### Policies

1. The *generator* of the waste product will be the applicant. A *generator* is an independent or contract poultry or livestock grower.
2. This practice shall only be used to remove biosolids when a biosolids survey indicates that accumulation needs to be managed.
3. This practice shall not be used to apply biosolids at a rate exceeding the following maximums:
  - a. No application is allowed for sites with a phosphorus loss potential (per PLAT) of high and very high.
  - b. For sites with a phosphorus loss potential (per PLAT) of low or medium, biosolids shall be applied in accordance to the Lagoon Biosolids Removal P Calculation Spreadsheet. This calculation limits the phosphorus application rate to 50% of what may be applied under a nitrogen based biosolids application plan, unless otherwise recommended by NCDA&CS soil test recommendations.
  - c. Planning shall project the impact of the biosolids application to heavy metal critical levels based on soil index.
  - d. In addition, the application shall not exceed the nitrogen requirement of the receiving crop. If additional nitrogen is needed, consideration must be given to limit additional phosphorus application.
4. It is highly recommended that biosolids not be applied to fields that are used for continual animal waste application due to increases in metals and nutrient levels.
5. If required, a Manure/Litter Shared Responsibility Agreement must be used with each entity receiving transported biosolids.
6. Applicants who engage in value-added processing onsite are eligible for this practice. However, a cooperator who receives state cost share for any components of their value-added processing system (e.g., litter or manure compost, pelletizer) is not eligible for this practice.
7. An applicant may receive cost share for waste storage structures, waste treatment structures, and solids separation systems and remain eligible for this practice. An applicant, who received cost share for application systems previously, are still eligible for this practice.

8. An applicant who receives cost share for this BMP is not eligible for the manure litter transport incentive BMP on the same operation.
9. Payments will be based upon the amount of biosolids transported for land application or processing. Requirements for payment include:
  - a. The applicant must present a record of the amount of manure transported to each receiving entity using the appropriate form approved by the Division of Water Resources.
  - b. If the biosolids are being transferred to a manure hauler or other third-party applicator or processor, the applicant must present:
    - i. NMP from each entity receiving biosolids for land application compliant with the NRCS Standard 590 and in accordance with the 1217 Interagency Committee Guidance and/or other applicable rules. A Technical Specialist with the Waste Utilization Planning/ Nutrient Management designation must approve the nutrient management plan.
    - ii. The receiving entity must also provide the applicant with records using appropriate forms approved by the Division of Water Resources indicating the fields to which biosolids has been applied and any other records required by 1217 Interagency Committee Guidance and/or other applicable rules. (Receiving entity must be in compliance with all applicable requirements)
    - iii. Certification from each entity receiving biosolids for processing that the waste has been processed and that the product has been transported from the processing facility for use.
10. Biosecurity measures outlined by the NC Department of Agriculture and Consumer Services must be followed for all transported biosolids.
11. BMP life is one year. Cooperators are ineligible to reapply for assistance for this practice on the receiving fields for 5 years and are not to exceed the cap per operation.
12. Soil loss is not required. Include the amount of waste nitrogen and waste phosphorous units that will be properly managed under the incentive.

### Specifications

N.C. NRCS Technical Guide, Section IV, Specification #590 (Nutrient Management), 1217 Interagency Committee Guidance.

## Closure - Waste Impoundments

### Definition/Purpose

A Closure of Waste Impoundments Practice means the safe removal of existing waste and waste water and the application of this waste on land in an environmentally safe manner. This practice is only applicable to waste storage ponds and lagoons. (DIP)

### Policies

1. The Commission agrees that both technical and financial assistance from the District may be appropriate to ensure water quality protection in situations where farmers are going out of business or where a landowner who was not an operator has an abandoned waste impoundment on his/her property.

Therefore, the District may enter into a contract to offer Cost Share Program financial assistance for a waste impoundment closure. Applicants must follow these guidelines:

- a. The District must verify the system is not under active maintenance requirements for an ACSP contract.
- b. The District demonstrates clearly in the contract provided to the Division that the waste impoundment is in a condition that is creating a water quality problem or presents a potential water quality problem if not corrected.
- c. Each contract must contain the following information and must be received by the Division prior to approval:
  - i. Length of time system has been abandoned.
  - ii. Indication of status with the Department of Environmental Quality (i.e. has farm received a Notice of Violation.)
  - iii. Name of watershed in which system is located.
  - iv. Name of receiving waters (stream, river).
  - v. Volume of system based on length, width, depth of liquid/sludge and slopes.
  - vi. Two estimates from established contractors, using entire volume of system as determined by the District and as included in the waste impoundment closure plan. In situations where pumping is impractical because of consistency of sludge (i.e. solid), sludge may be excavated. Estimates should include information regarding how waste is to be removed (i.e. drag line, agitate and pump, etc.)
  - vii. Surface area (acres) of the lagoon.
  - viii. A profile of the dam and how it is to be breached, if applicable.

- ix. A statement signed by the applicant/landowner that he/she will not re-implement the system and that no confined animal operation will be restarted on that farm. The completion of **NC-ACSP-1C** (07/02) meets this requirement.
  - x. **A statement, signed by the technician, certifying that the operation has an approved waste management plan is required for all contracts (see section VI for form NC-ACSP-WMP and policies for additional guidance).**
- d. The District or a Technical Specialist shall prepare the waste impoundment closure plan in accordance with the current standards promulgated by the United States Department of Agriculture, Natural Resource Conservation Service and the State, using the latest version of NC Nutrient Management Software program. The plan must address removal of transfer pipes and installation of a spillway, if needed. The planned waste application may not cause excessive zinc or copper soil levels nor exceed the crops' timely nitrogen uptake.
  - e. Cost Share Program funds will be used for the removal of waste and stabilization of site only (not for fill materials). Removal of foreign materials will be at the landowner's expense and must be removed according to state and federal guidelines.
  - f. Breaching of any diked or dammed structures is optional; however all disturbed areas will be vegetated to permanent grass, trees, or wildlife plantings. NCACSP policies and NRCS Standards will apply to all vegetated areas.
  - g. Districts may write contracts for waste impoundment closures based on the lowest bid that is technically acceptable. Payments will be based on actual cost based on receipts. Total charge to NCACSP is restricted to no more than the maximum cost share for the practice listed in the NCACSP average cost list. Receipts and a copy of the waste analysis report must accompany Requests for Payment.
  - h. A subcommittee of the TRC will review lagoon/pond closure contracts that exceed \$50,000. The District will be notified of the subcommittee's decision. Closure activities covered by the contract shall not begin until the District has received the approval from the Division.
- 2. BMP soil impact is not required on this BMP. Include the amount of fresh manure in nitrogen and phosphorus units, which will be generated and properly managed under the waste management system. Also include the number of acres affected, animal type, and animal units.
  - 3. Minimum life of BMP is ten (10) years.
  - 4. If the former waste impoundment is converted to residential or commercial structures during the maintenance period, the cost share contract shall be considered out of compliance.

Standards

N. C. NRCS Technical Guide, Section IV, Standard #342 (Critical Area Planting), #633 (Waste Utilization), and # 360 (Closure of Waste Impoundments); DSWC Guidelines for Lagoon Closure Plan Development

NCDA&CS  
DSWC

NC-ACSP-1C  
(03/2019)

**ADDENDUM TO NC-ACSP-2 (CONTRACT AGREEMENT)**

TO: DIVISION OF SOIL AND WATER CONSERVATION

FROM:

SUBJECT: ABANDONED CONFINED ANIMAL OPERATION

1. The abandoned system has a potential for creating a water quality problem, if the lagoon leaks or overflows or the dam is breached and the effluent is allowed to discharge directly into a water course of the state. The applicant has requested both technical and financial assistance from the District to ensure water quality protection.
2. The effluent will be applied at agronomic rates in accordance with all local, state, and federal requirements, and a waste analysis will be taken to determine the application rate. A waste management plan will be developed and followed in accordance with NRCS specifications. Any areas disturbed by the removal of effluent (liquid or sludge) will be seeded to permanent vegetation.
3. In signing this addendum, the applicant agrees that the lagoon/storage facility will not be used for storing or treating animal waste for the life of the contract.

\_\_\_\_\_  
(Applicant Signature)

DATE: \_\_\_\_\_

| \_\_\_\_\_  
(District Chair Signature)

DATE: \_\_\_\_\_

## Concentrated Nutrient Source Management System

### Definition/Purpose

A Concentrated Nutrient Source Management System is a system of vegetative and structural measures used to manage the collection, storage, and/or treatment of areas where agricultural products may cause an area of concentrated nutrients. Examples could include sweet potato culls and silage leachate. (DIP)

### Policies

1. Concentrated Nutrient Source Management System components must adhere to existing policies and standards.
2. Elements and items already a part of the NCACSP Average Cost Guide will be paid at 75% of average cost; includes grading, vegetation, and pipe. Other approved BMPs (e.g., filter strip, critical area planting, and diversion) may be incorporated into the Concentrated Nutrient Source Management System. For components not found in the Average Cost Guide cost will be based on 75% of actual cost with area office approval required.
3. Where nutrients are land applied, the application must be in accordance with a nutrient management plan that conforms to the NRCS standard.
4. BMP soil impact is not required on this BMP. Include the amount of fresh manure in nitrogen and phosphorus units, which will be generated and properly managed under the waste management system. Also include the number of acres affected, animal type, and animal units.
5. Minimum life of BMP is ten (10) years.

### Standards

N. C. NRCS Technical Guide, Section IV, Standard #590 (Nutrient Management), NRCS Area Office or Division of Soil and Water Conservation engineer must approve engineering designs.

Facilitating Practices: #393 (Filter Strip), #342 (Critical Area Planting), #362 (Diversion).

## Constructed Wetlands

### Definition/Purpose

A Constructed Wetlands for land application practice means an artificial wetland area into which liquid animal waste from a waste storage pond or lagoon is dispersed over time to lower the nutrient content of the liquid animal waste. (DIP)

### Policies

1. Cooperator is responsible for appropriate local, state and federal permits. Changes to an existing waste treatment system will require approval from the Division of Water Resources.
2. Division of Soil and Water Conservation Technical Services or Area office approval required until a final NRCS Standard is developed and approved.
3. Cost share payments will be based on actual cost and copies of invoices must be attached to the Request for Payment.
4. Waste Management Plan Statement (NC-ACSP-WMP) is required.
5. BMP soil impact is not required on this BMP. Include the amount of fresh manure in nitrogen and phosphorus units, which will be generated and properly managed under the waste management system. Also include the number of acres affected, animal type, and animal units.
6. Minimum life of BMP is ten (10) years.

### Standards

Contact the Division of Soil and Water Conservation or your NRCS Area Office.

## Dry Stack

### Definition/Purpose

A Dry Stack means a fabricated structure for temporary storage of animal waste. (DIP)

### Policies

1. Waste Management Plan Statement (NC-ACSP-WMP) is required.
2. BMP soil impact is not required on this BMP. Include the amount of fresh manure in nitrogen and phosphorus units, which will be generated and properly managed under the waste management system. Also include the number of acres affected, animal type, and animal units.
3. Minimum life expectancy is ten (10) years.
4. Maximum size cost shared is based on storage volume required in waste utilization plan, average stacking height of 5 feet. Additional volume needed to accommodate the producer's equipment and/or desires will be at the producer's expense and must be stipulated on the design and visually marked within the structure.
5. If metal fabrication is utilized, the average cost includes all structural steel, concrete for footings, framing, grading, and all other necessary components of the dry stack.
6. Dry stacks may be installed on non-producing (of litter) farms for applicants who plan to use litter on their crop or pasture lands but must obtain the litter from another individual that has poultry. Records must be kept verifying compliance with state requirements for the movement of litter.
7. A signed statement is required stating the cost shared portion of the dry stack will be used only for waste storage. (Waste handling equipment may be stored in the dry stack provided it does not cause a displacement of waste.)

### Standards

N. C. NRCS Technical Guide, Section IV, Standard #313 (Waste Storage Facility).

## Feeding/Waste Storage Structure

### Definition/Purpose

The feeding/waste storage structure is designed for the purpose of improving the collection/storage of animal waste and to reduce runoff of nutrients and fecal coliform to adjacent water bodies. The practice is intended to be used where livestock feeding areas are in close proximity to streams and where relocation or rotation of feeding areas is infeasible due to physical limitations (e.g., slope) and where other stream protection measures are insufficient to address water quality concerns.

### Policies

1. Waste Management Plan Statement (NC-ACSP-WMP) is required.
2. BMP soil impact is not required on this BMP. Include the amount of fresh manure in nitrogen and phosphorus units, which will be generated and properly managed under the waste management system. Also include the number of acres affected, animal type, and animal units.
3. Minimum life expectancy is ten (10) years.
4. Maximum size cost shared is based on storage volume required in waste utilization plan, average stacking height of 5 feet and a feed area necessary to accommodate the current herd size. Additional volume needed for the producer's equipment and/or desires will be at the producer's expense and must be stipulated on the design.
5. If metal fabrication is utilized, the average cost includes all structural steel, concrete for footings, framing, grading, and all other necessary components of the feed/waste storage structure. Feeding panels or feeding wagons are not cost shareable components.
6. BMPs (stock trails, watering systems, etc.) that are offered in the NCACSP as standard practices are not included under the cap listed on the average cost list.
7. A signed statement is required stating the cost shared portion of the structure will be used only for animal feeding and waste storage.
8. This practice must be in conjunction with the exclusion of livestock and alternative watering sources, where applicable.
9. A 100 foot setback from streams, creeks and lakes will be required.
10. The installation of the feed/waste storage structure will be contingent on design approval from the Division of Soil and Water Conservation Technical Services or NRCS area engineer.

### Standard

NRCS Technical Guide, Section IV, Standard #313 (Waste Storage Facility).

## Heavy Use Area Protection

### Definition/Purpose

A Heavy Use Area Protection means an area used frequently and intensively by animals which must be stabilized by surfacing with suitable materials to improve water quality. Benefits may include reduced erosion, sedimentation and pollution from dissolved, particulate, and sediment-attached substances. (DIP)

### Policies

1. When Heavy Use Protection Area is employed in conjunction with feeding areas and barn lots, a filter strip must be established before the practice is eligible for cost-sharing. **Heavy Use Area Protection is not approved for access roads.**
2. The requirement of fencing around a heavy use area is to be left to the technical staff as to whether it is needed.
3. Livestock exclusion in conjunction with heavy use area protection measures **(loafing lots, barns, feeding stations, watering facilities, stock trails, etc.) will be required to have a minimum set-back of 20 feet from the top of the stream bank.** A statement must be included on the contract indicating the established setback distance from the stream bank and must also indicate distance on sketch included with contract.
4. Heavy use areas that are components of 15A NCAC 02T .1300 waste management plans must meet additional buffer requirements as prescribed in the 1217 Interagency Guidance Memorandum.
5. BMP soil impact is not required on this BMP. Include the amount of fresh manure in nitrogen and phosphorus units, which will be generated and properly managed under the waste management system. Also include the number of acres affected, animal type, and animal units.
6. Minimum life of BMP is ten (10) years.
7. Structural geotextiles shall meet the requirements of "Construction Specification 217 - Geotextiles" and "Interim Material Specification 592 - Geotextiles". Drainage geotextiles shall meet the requirements of N.C. Technical Guide, Section IV Practice Standard 606, as shown in paragraph 606-8-5.

### Standards

N. C. NRCS Technical Guide, Section IV, Standard #561 (Heavy Use Area Protection) and #382 (Fence).

## **Insect Control Practice**

### Definition/Purpose

An Insect Control system means a practice or combination of practices (planting windbreaks, pre-charging structures, incorporation of waste into soil, etc.) which manages or controls insects from confined animal operations, waste treatment and storage structures, and waste applied to agricultural land. (DIP)

### Policies

1. Unproven technology or techniques must be approved or recommended by the NCSU Animal and Poultry Waste Management Center.
2. Consideration will be given to practices to minimize insects as listed in Attachment 10 of the Fourth Guidance Memo dated January 2, 1997.
3. Each insect control BMP or contract with an insect control BMP must be approved by the Technical Review Committee.
4. Life of BMP is five (5) years.
5. The practice will be paid at the rate of 75% of actual costs with receipts.
6. BMP soil impact is not required on this BMP. Include the amount of fresh manure in nitrogen and phosphorus units, which will be generated and properly managed under the waste management system. Also include the number of acres affected, animal type, and animal units.

### Standards

NRCS Technical Guide as appropriate.

## Livestock Mortality Management System

### Definition/Purpose

A livestock mortality management system is a facility for managing livestock mortalities such as to minimize water quality impacts or to produce a material that can be recycled as a soil amendment and fertilizer substitute. Cost shareable mortality management system components include: composter, rotary drum composter, forced aeration static pile composter, mortality freezer/refrigeration unit and mortality incinerator system.

A composter means a facility for the biological treatment, stabilization and environmentally safe storage of organic waste material (such as manure from poultry and livestock and dead animal carcasses) to produce a material that can be recycled as a soil amendment and fertilizer substitute.

A freezer/refrigeration unit means a unit capable of freezing and storing poultry and other small animal carcasses until such time they can be moved offsite for rendering.

An incinerator means a piece of equipment used to cremate dead poultry, swine, or other small animals.

### Policies

1. ACSP funds will only be used to fund one mortality management system for each operation. Operations that have already received cost share for one mortality management system and are still in the required maintenance period for the practice have the option of repaying the prorated portion of their cost share to buy back eligibility. Recipients of cost share for composters have the additional option of converting the composter to a dry stack, provided the dry stack was of sufficient volume to meet NRCS standards. Cost share funds cannot be used to replace the same type of mortality management system.
2. A permit is required from the North Carolina Department of Agriculture, State Veterinarian for all composters, and all state regulations must be followed.
3. If a composter is approved, then a Waste Management Plan will be completed for the entire confined animal operation and not just the acreage associated with composter and compost. The Waste Management Plan must address storage of litter needs for the entire confined animal operation. If compost or waste is land applied by the cooperator on any land under his/her control (owned, rented, etc.), then a detailed site location map delineating the fields applied is required. If compost/waste is moved off the farm by a commercial contract hauler, the name and address of the hauler is required with the contract. Waste Management Plan Statement (NC-ACSP-WMP) is required.
4. A composter shared by landowners is eligible for cost share if a landowner agreement is being attached to the contract. This agreement must be signed and dated by all landowners sharing the facility and must state that the facility may be used by each landowner for a minimum period of ten (10) years.

5. Landowners requesting commercial composters may receive 75% of treatment and storage volume. Payment will then be limited to the minimum volume required using the design criteria of the Division of Soil and Water Conservation, NRCS or the Cooperative Extension Service.
6. Payment will be made for the minimum volume required using NRCS and Extension Service design criteria for primary and secondary treatment, and/or storage of composted material in one structure. Storage volume is equal to a maximum of four (4) times the primary volume. Additional volume needed to accommodate the producer's equipment and/or desires will be at the producer's expense and must be indicated on the design.
7. Pursuant to 15A NCAC 02T .1303 regulations, poultry waste storage structures must be located at least 100 feet from perennial streams and groundwater wells.
8. All NRCS and NC Agriculture Cost Share Program standards and policies relative to vegetation of critical areas must be followed, if applicable.
9. North Carolina Division of Air Quality exempts incinerators used to dispose of dead animals or poultry under the following conditions:
  - a. The incinerator is located on a farm and is owned and operated by the farm owner or by the farm operator.
  - b. The incinerator is used solely to dispose of animals or poultry originating on the farm where the incinerator is located.
  - c. The incinerator is not charged at a rate that exceeds its design capacity.
  - d. The incinerator complies with visible emissions and odorous emissions requirements.
10. An Operation and Maintenance Plan Statement (NC-ACSP-OMP) is required.
11. A Waste Management Plan Statement (NC-ACSP-WMP) is required.
12. A mortality management system can only be used to dispose of mortalities associated with the planned operation(s).
13. Farmers with freezers must include in their waste management plans the name and telephone number of the rendering plant or recycling plant responsible for handling animal carcasses.
14. When a roof is installed on an incinerator, regardless of whether or not cost share is received, the size and other clearances as recommended by the incinerator manufacturer must be followed as described in the NRCS standard.

15. BMP soil impact is not required on this BMP. Include the amount of waste nitrogen and waste phosphorus units, which will be generated and properly managed under the waste management system. Also include the number of acres affected, animal type, and animal units.
16. Minimum life of BMP is ten (10) years for composters, rotary drum composters, forced aeration static pile composters and mortality freezers/refrigeration units. Minimum life of BMP is five (5) years for mortality incinerators.
17. Any additional area needed to accommodate the producer's equipment and/or desires will be at the producer's expense. **The additional area must be stipulated on the design and not receive cost share assistance.** For example, if the operator stores equipment other than waste handling equipment in the structure and the design plan did not stipulate that the area of the designed structure was increased at the producer's expense, then the operator is out of compliance.

#### Standards

North Carolina NRCS Technical Guide, Section IV, Standard #316 (Animal Mortality Facility). NC GS 106-403 "Disposition of dead domesticated animals". Administrative code 02 NCAC 52C .0102 "Disposal of Dead Animals".

## Manure Composting Facility

### Definition/Purpose

Composting is an aerobic biological process in which microorganisms and temperature convert manure and other organic matter (carbon) into a soil-like material with reduced pathogen content called compost. Compost can be applied as a soil amendment to improve soil health and plant growth. A composting facility is a facility for the biological treatment, stabilization and environmentally safe storage of organic waste material (such as manure from poultry and livestock) to minimize water quality impacts and to produce a material that can be recycled as a soil amendment and fertilizer substitute. (DIP)

### Policies

1. If a composter is approved, an Operation and Maintenance Plan must be developed to guide the user in the proper management of the composting facility. It should address carbon-nitrogen ratios of feedstocks, moisture management, pile configuration, composting period, temperature monitoring, pile aeration, , insect, odor and scavenger management, , curing and storage, and testing of finished compost.
2. A Waste Management Plan is required and should take into account the collection, treatment, storage, and end use of the compost. The plan will be completed for the entire animal operation and not just the acreage associated with the composter and compost. If compost is land applied by the cooperater on any land under his/her control (owned, rented, etc.), then a detailed site location map delineating the fields used should be in the Waste Management Plan. If a third-party applicator is used to move compost off the site, then an agreement, including the name and address, must be maintained for the life of the practice. Pursuant to 15A NCAC 13B .1402, a permit from the NC Department of Environmental Quality, Solid Waste Section, may be required if the compost is offered for commercial or retail sale.
3. A composter must be covered with a roof to prevent nutrient runoff from the processing, treatment, or storage of compost materials. Runoff from the composter system must be collected and disposed of properly according to NRCS standard #634 waste transfer.
4. A composter shared by landowners is eligible for cost share if agreements are in place for the cost-shared landowner when he/she is under contract to receive compost from other landowners. The agreement should be attached to the contract. This agreement must be signed and dated by all landowners sharing the facility and must state that the facility may be used by each landowner for a minimum period of ten (10) years. To prevent the spread of disease in animal health emergency situations, the mixing of material from multiple operations should be suspended.
5. Payment will be made for the minimum volume required using NRCS design criteria for primary and secondary treatment, and/or storage of composted material in one structure. Storage volume is equal to a maximum of four (4) times the primary volume. Additional volume needed to accommodate the producer's equipment and/or desires will be at the producer's expense and must be stipulated on the design.

6. Pursuant to 15A NCAC 02T regulations, waste storage structures must be located at least 100 feet from streams and groundwater wells. NRCS standards require all waste structures to be a minimum of 50 feet from wells, streams or other water features. This setback requirement also pertains to compost facilities.
7. All NRCS and NC Agriculture Cost Share Program standards and policies relative to vegetation of critical areas must be followed, if applicable.
8. A Waste Management Plan Statement (NC-CSP-WMP) and an Operation and Maintenance Statement (NC-CSP-OMP) are required.
9. BMP soil impact is not required on this BMP. Include the amount of fresh manure in nitrogen and phosphorus units, which will be generated and properly managed under the waste management system. Also include the number of acres affected, animal type, and animal units.
10. Minimum life of BMP is ten (10) years.

#### Standards

N. C. NRCS Technical Guide, Section IV, Standard #317 (Composting Facility), #590 (Nutrient Management), and #634 (Waste Transfer). During animal health emergency situations, NC GS 106-403 "Disposition of dead domesticated animals". Administrative code 02 NCAC 52C .0102 "Disposal of Dead Animals" and NRCS Standard #368 (Emergency Animal Mortality Management) should be reviewed in order for this BMP to be used for disposal of animals.

## Manure/Litter Transportation Incentive

### Definition/Purpose

Manure/Litter Transportation means transporting dry litter and dry manure from livestock and poultry farms that lack sufficient land to effectively utilize the animal-derived nutrients. The litter/manure will be properly utilized on alternative land or processed to a value-added product, including energy production, to reduce nutrient impacts. Manure/Litter Transportation Incentive payments shall be limited to \$15,000 in a lifetime. (DIP)

### Policies

1. The *generator* of the waste product will be the applicant. A *generator* is an independent or contract poultry or livestock grower, in operation at least 3 years prior to the date of cost share application that produces poultry dry litter or dry manure.
2. To be eligible, the applicant must demonstrate that at least 50% of available cropland, pastureland, and hayland under his/her control has either:
  - a. a soil test phosphorus index greater than or equal to 200 or
  - b. a phosphorus loss potential (per PLAT) of high or very high.

Districts may propose alternative eligibility criteria, subject to approval by the Commission.

3. This incentive shall not be used to transport litter/manure for utilization on sites where the phosphorus loss potential (per PLAT) is rated high or very high.
4. A Manure/Litter Shared Responsibility Agreement must be used with each entity receiving transported litter/manure.
5. Applicants who engage in value-added processing onsite are eligible to receive the incentive. However, a cooperator who receives state cost share for any components of their value-added processing system (e.g., litter or manure composter, pelletizer) is not eligible for the incentive.
6. An applicant may receive cost share for waste storage structures, waste treatment structures, and solids separation systems and remain eligible to receive this incentive. An applicant, who received cost share for application systems previously, are still eligible to receive this incentive.
7. Payments will be based upon the amount of manure/litter transported for offsite use or processing. Requirements for payment include:
  - a. The applicant must present a record of the amount of litter/manure transported to each receiving entity using the DRY 1 form.
  - b. The applicant must present:

- i. NMP from each entity receiving litter/manure for land application compliant with the NRCS Standard 590 and in accordance with the 1217 Interagency Committee Guidance and/or other applicable rules. A Technical Specialist with the Waste Utilization Planning/ Nutrient Management designation must approve the nutrient management plan.
  - ii. The receiving entity must also provide the applicant with records using the DRY 2 & 3 forms indicating the fields to which litter/manure has been applied and any other records required by 1217 Interagency Committee Guidance and/or other applicable rules. (Receiving entity must be in compliance with all applicable requirements)
  - iii. Certification from each entity receiving litter/manure for processing that the waste has been processed and that the product has been transported from the processing facility for use.
8. Biosecurity measures outlined by the NC Department of Agriculture and Consumer Services must be followed for all transported manure/litter.
9. Minimum life of BMP is one (1) year.
10. BMP soil impact is not required on this BMP. Include the amount of waste nitrogen and waste phosphorus units, which will be generated and properly managed under the waste management system. Also include the number of acres affected, animal type, and animal units.

Standards

N.C. NRCS Technical Guide, Section IV, Standard #590 (Nutrient Management), 1217 Interagency Committee Guidance.

## Odor Control Management System

### Definition/Purpose

An Odor Control Management System means a practice or combination of practices (planting windbreaks, pre-charging structures, incorporation of waste into soil, etc.) which manages or controls odors from confined animal operations, waste treatment and storage structures and waste applied to agricultural land. (DIP)

### Policies

1. Cost share for odor control management systems is limited to structural and vegetative practices unless approved by the NCSU Animal and Poultry Waste Management Center.
2. BMP Life one to ten years, depending upon practice.
3. Average Cost Guide: elements and items already a part of Average Cost paid at 75% of average cost, includes grading, vegetation, pipe drops and surface inlets, animal guards, pipe and fittings.
4. Each odor control BMP or a contract with an odor control BMP must be approved by the Technical Review Committee Subcommittee. The NCSU Animal and Poultry Waste Management Center must approve unproven technology or techniques prior to submission to the TRC for approval.
5. BMP soil impact is not required on this BMP. Please report the number of acres affected, animal type, and animal units.

### Standards

N. C. NRCS Technical Guide, Section IV, Standard # 380 (Windbreak/Shelterbelt Establishment), Standard # 422 (Hedgerow Planting)

### Reference

This best management practice was added to the ACSP as part of SB17 in 1995 to implement the findings of a Blue Ribbon Study Commission on Animal Waste Management. **S.L. 1995-626** <https://www4.ncleg.net/Sessions/1995/Bills/Senate/PDF/S1217v5.pdf>. See p. 13 (Section V)

## Retrofit of On-Going Animal Operations

### Definition/Purpose

Retrofits of On-Going Animal Operations are modifications of structures to increase storage or to correct design flaws to meet current standards. This practice may also be used to close waste impoundments on on-going operations, including the safe removal of existing waste and waste water and the application of this waste on land in an environmentally safe manner. (DIP)

### Policies

Existing, on-going operations which desire to close or retrofit existing waste impoundments in order to meet current standards, regulations, or rules are eligible for cost share reimbursement under the following guidelines:

1. Closure/retrofit of waste impoundments must adhere to the following guidelines:
  - a. For waste impoundments, Cost Share Program funds will be used for the removal/disposal of waste only (not for fill materials), and for stabilization of site. Removal of foreign materials will be at the landowner's expense and must be removed according to state and federal guidelines. Costs for closure are limited to 75% of actual cost. Receipts and a copy of the waste analysis report must accompany Requests for Payments (NC-ACSP-3).

Breaching of any diked or dammed structures is optional; however, all disturbed areas will be vegetated to permanent grass, trees, or wildlife plantings. NCACSP policies and NRCS Standards will apply to all vegetated areas.

The District or a Technical Specialist shall prepare the closure plan in accordance with the current standards promulgated by the United States Department of Agriculture, Natural Resource Conservation Service and the State, using the most up to date NC Nutrient Management Software program. The plan must address removal of transfer pipes and installation of a spillway, if needed. The planned waste application may not cause excessive zinc or copper soil levels nor exceed the crop's timely nitrogen uptake.

- b. For retrofitted waste impoundments, Cost Share Program funds may be used for removal/disposal of waste and other components necessary to bring the lagoon/waste storage pond up to current NRCS Standards. A copy of the waste analysis report must accompany Requests for Payments (NC-ACSP-3). Funds may also be used to make the required structural upgrades (clay liner, emergency spillway, etc.) and for required compaction test.
2. A statement, signed by the technician, certifying that the operation has an approved waste management plan is required (form NC-ACSP-WMP)
3. The removal of trees is a correction for a lack of maintenance and is not considered a retrofit.

4. BMP soil impact is not required on this BMP. Include the amount of fresh manure in waste nitrogen and waste phosphorus units, which will be generated and properly managed under the waste management system. Also include the number of acres affected, animal type, and animal units.
5. Minimum life for the retrofit of an on-going animal operation is ten (10) years.

Standards

N.C. NRCS Technical Guide, Section IV, #590 (Nutrient Management), #360 (Waste Facility Closure) #313 (Waste Storage Facility), and #359 (Waste Treatment Lagoon)

## **Solids Separation from Tank-Based Aquaculture Production**

### Definition/ Purpose

A facility for the removal, storage and dewatering of solid waste from the effluent of intensive tank-based aquaculture production systems. (DIP)

To capture organic solids from the effluent stream of intensive fish production systems that would otherwise flow to effluent ponds for storage and further treatment. This waste comes from uneaten feed and feces generated by fish while being fed within a tank-or raceway based fish farm.

### Policies

1. By signing the Cost Share Agreement (NC-ACSP-2), the cooperators and/or landowner acknowledges and agrees that they are responsible for the maintenance or replacement of all equipment cost shared as a component of waste management measure(s) at their expense and that any cost shared component will not be sold or used as collateral for the life of the practice must be included in the contract.
2. Items for reimbursement under the maximum are all equipment, materials, construction, installation, vegetation, and pumps. A maximum of two geotubes and a year supply of polymer per system will be eligible for reimbursement.
3. For all operations, cost share payments are limited to a \$15,000 lifetime cap. If a roof is required, it is not part of the lifetime cap.
4. Receipts must support reimbursable items.
5. Waste Management Plan Statement (NC-ACSP-WMP) is required.
6. Cost share will not pay for any motorized vehicles used in transporting/applying waste.
7. BMP soil impact is not required on this BMP. Include the waste nitrogen and waste phosphorus units, which will be generated and properly managed under the waste management system. Also include the number of acres affected, animal type, and animal units.
8. Minimum life of the BMP is ten (10) years.

### Standards

N.C. NRCS Technical Guide, Section IV, Standards #632 (Waste Separation Facility); #590 (Nutrient Management)

## Storm Water Management System

### Definition/Purpose

A Storm Water Management System means a system of collection and diversion practices (guttering, collection boxes, diversions, etc.) to prevent unpolluted storm water from flowing across concentrated waste areas on animal operations. (DIP)

### Policies

1. Storm Water Management System components must adhere to existing policies and standards. The Division of Soil and Water Conservation or Area Office approval is required.
2. Storm Water Management Systems may be included in contract(s) for retrofitting animal operations, either as a new component to an existing waste management system when the existing waste management system lacks appropriate storm water management for certification or as a component to a new animal waste management system which requires storm water management for certification.
3. Funds will not be allowed for roofing a gravel or concrete heavy use area in a pasture. For confined operations, a roof may be cost shared if the engineer certifies that a roof is the most cost effective means of managing storm water runoff to the waste collection system and the pad or heavy use area to be roofed was built at least 3 years prior to the date of cost share application.
4. Guttering can be cost shared when it is to be installed on existing structures which were built at least 3 years prior to the date of cost share application or when it is to be installed on new cost shared structures included in the plan. The Average Cost Guide includes the costs of labor and installation.
5. The life of the BMP is ten (10) years.
6. BMP soil impact is not required on this BMP. Include the amount of waste nitrogen and waste phosphorus units, which will be generated and properly managed under the waste management system. Also include the number of acres affected, animal type, and animal units.

### Standard

N. C. NRCS Technical Guide, Section IV, #558 (Roof Runoff Structure), #362 (Diversion), and #367 (Roofs and Covers)

## Waste Application Systems

### Definition/Purpose

A Waste Application System means an environmentally safe system (such as solid set, dry hydrant, mobile irrigation equipment, etc.) for the conveyance and distribution of animal wastes from waste treatment and storage structures to agricultural fields as part of an irrigation and waste utilization plan. (DIP)

Mobile Application System means a portable conveyance system for the application of liquid animal waste from a waste storage pond or lagoon or a manure spreader for the application of dry waste or compost.

Solid Set System means an in-ground sprinkler system which allows the conveyance of liquid waste from a waste storage pond or lagoon to allow land application of liquid wastes.

Underground Main and Hydrant System means an in-ground system of pipes ending in hydrants which allows the conveyance of liquid waste from a waste storage pond or lagoon to facilitate the land application of animal wastes.

### Policies

1. Items for reimbursement under the maximum are all equipment, materials, construction, installation, vegetation, pumps, etc. from the waste structure to and including the delivery system. **The type of system must be specified on contracts** (i.e. center pivot, traveling gun, solid set, etc.) Reimbursable items must be supported by receipts, including any previous payments to the cooperator for pipe, hydrants or other elements of a waste application system. **For all operations, cost share payments are limited to a \$35,000 lifetime cap.** Cost share will not pay for any motorized vehicles used in transporting/applying waste or for replacing worn out equipment that was previously cost shared on.
2. By signing the Cost Share Agreement (NC-ACSP-2), the cooperator and/or landowner acknowledges and agrees that they are responsible for the maintenance or replacement of all equipment cost shared as a component of waste management measure(s) at their expense and that any cost shared component will not be sold or used as collateral for the life of the practice must be included in the contract.
3. Above-ground mobile irrigation pipe may be used as a component of a waste application system for cost share with the following stipulations:
  - a. All pipe from the lagoon or waste storage pond to the field must be buried according to NRCS standards;
  - b. The waste application system must include a safety valve that will close in case pressure is lost; and
  - c. The use of above ground pipe must be approved by an engineer.

4. The following guidelines apply for poultry litter spreaders:
  - a. Before a cooperator can receive Cost Share assistance for a poultry litter spreader he/she must have a method for mortality disposal approved by the State Veterinarian and must have adequate litter storage. For purposes of the cost share program, storing covered or uncovered litter on the ground is not considered acceptable storage, nor is pit disposal acceptable for mortalities.
  - b. Only a commercially sold fan spinner, rotary type spreader with an adjustable door for calibration may be cost shared.
  - c. Cost share will be based on actual cost with receipts required not to exceed the amount on the average cost list for ACSP.
  - d. Non-producers are not eligible for litter or manure spreaders.
  - e. If a producer has a litter spreader, they are **NOT** eligible for cost share assistance irrespective of whether it was cost shared.
5. Fencing was ruled to be a production practice by the TRC and **is not** an acceptable element of this BMP.
6. When 15A NCAC 02T .1300 and Cost Share converge:
  - a. When Cost Share is used for a waste application system that meets the 15A NCAC 02T .1300 certification requirements, and a new water quality problem associated with the waste application system is created through the actions of the farmer, Cost Share funds shall not be used to solve the new problem. The Soil and Water Conservation Commission compliance policies shall be followed if the waste application system was cost shared.
  - b. When a waste management system is certified with equipment that is not cost shared, the farmer will be eligible to upgrade the system with Cost Share assistance if greater water quality benefits can be shown. **All such contracts must be considered by a subcommittee of the Technical Review Committee.**
  - c. Cost Share funds can be used to pay the difference between the current replacement value of a previously Cost Shared waste application system (e.g., a honey wagon) and a new system (e.g., solid set) if the new system is shown to provide greater water quality improvements. **All such contracts must be considered by a subcommittee of the Technical Review Committee.**
  - d. If a third-party applicator arrangement for an animal operation fails the producer would be eligible for cost share assistance to implement a waste application system.
  - e. Cost Share would be available to extend irrigation pipe when an existing Waste Management Plan (WMP) is updated and the operation will need to expand the waste application systems to take phosphorus or other nutrients into

consideration or to base the application rates on more current realistic yield estimates. The operation would still be limited to the amount listed on the average cost list.

7. Waste Management Plan Statement (NC-ACSP-WMP) is required.
8. BMP soil impact is not required on this BMP. Include the amount waste nitrogen and waste phosphorus units, which will be generated and properly managed under the waste management system. Also include the number of acres affected, animal type, and animal units.
9. Minimum life of BMP is ten (10) years.

Standards

N. C. NRCS Technical Guide, Section IV, Standard #442 (Irrigation System, Sprinkler), #430 (Irrigation Pipeline), #449 (Irrigation Water Management), and #590 (Nutrient Management) #634 (Waste Transfer) #533 (Pumping Plant).

## Waste Treatment Lagoon/Storage Pond

### Definition/Purpose

A Waste Treatment Lagoon means an impoundment made by excavation or earthfill for biological treatment and storage of animal waste. (DIP)

A Waste Storage Pond means an impoundment made by excavation or earthfill for temporary storage of animal waste, waste water and polluted runoff. (DIP)

### Policies

1. All NRCS standards and NC Agriculture Cost Share Program policies relative to vegetation must be followed.
2. The temporary seeding of a lagoon/storage pond is not a cost shared BMP however, it may be necessary to prevent dike erosion and to assure practice integrity. Payment for the lagoon construction may be made prior to the establishment of permanent vegetation based on the following conditions:
  - a. The engineer submits in writing the reason temporary seeding is necessary and assurance is made that the cooperators will reseed to permanent vegetation as soon as it is practical; and
  - b. The cooperators will reimburse the cost shared funds of the lagoon/storage pond if permanent vegetation is not established in the first suitable growing season.
3. The Cost Share Program will pay for pumps to move waste to a lagoon or waste storage pond. Pumps needed to recycle water from the lagoon back to the house to flush the houses are a production requirement not eligible for cost share assistance. **The Cost Share Program will not pay for items/components which are not necessary for water quality benefits.**
4. Vegetation on the banks of the lagoon/storage pond is to be protected from livestock with permanent fencing, if applicable. Livestock are not to be used to mow the banks.
5. When existing lagoons are to be closed as part of retrofitting animal waste systems to meet 15A NCAC 02T .1300 certification, the contract for the retrofit must include information relative to the closing of the existing lagoon(s)/storage pond(s) and an explanation as to why closure of the lagoon/storage pond is necessary (instead of retrofitting the existing lagoon, a new lagoon is being built). Cost share for closure of lagoons/storage ponds which are part of a retrofit is limited to 75% of the cost to remove and land apply the volume of the lagoon/storage pond as determined by the District Office.
6. The Waste Management Plan or separate closure plan must include all the criteria of NRCS' standard for closure. Waste Management Plan Statement (NC-ACSP-WMP) is required.
7. BMP soil impact is not required on this BMP. Include the amount of waste nitrogen and waste phosphorus units, which will be generated and properly managed under the waste

management system. Also include the number of acres affected, animal type, and animal units.

8. Minimum life of BMP is ten (10) years.

Standards

N. C. NRCS Technical Guide, Section IV, Standard #359 (Waste Treatment Lagoon), #313(Waste Storage Facility), #360 (Waste Facility Closure) and #590 (Nutrient Management).

# Job Approval Authority Update

NC Soil & Water Conservation Commission – May 2019

## Objectives of Job Approval Authority (JAA)

- Quality control and quality assurance
- Standardization (safe, durable, efficient designs)
- Accountability
- Measure of employee technical ability
- Expand technical capacity

## JAA System Will...

- Identify qualified personnel
- Document their capabilities
- Authorize their design approval

## Components of a JAA System

- Policy
- Conservation Practice Standard
- Technical Competency
- Review Process of Technical Competency for Granting JAA
- Quality Assurance

## JAA Policy

- General Overview
- Scope
- Technical Quality (minimum documentation, standards)
- Compliance with Laws and Regulations
- Definition of JAA Job Classes
- Documentation of JAA on Designs, Specifications, and Calculations
- Conditions Requiring a Review

## JAA Policy (cont.)

- Reviewing Design Work by Others
- Job Classes
- Quality Assurance Reviews (spot checks)
- Liability
- Eligibility to Receive JAA
- Process for Obtaining JAA
- Process for Rescinding JAA
- Periodic Review of an Individual's JAA Sheet
- Description of Practice Phases (I&E, D, C&C)

## Conservation Practice Standard

- Engineering (ENG)
- Ecological Sciences (ECS)

## Technical Competency

- Prerequisites
- Knowledge, Skills, Abilities (KSA)
- Practice Phases (I&E, D, C&C)
- Job Classes/Controlling Factor(s)

### Review Process of Technical Competency for Granting JAA

- Verification of Working Knowledge
- Required Coursework; Certification of Completion
- Knowledge of Supporting Practices
- Review of Design (including plans, specifications, O&M, job sheets, as-builts, etc.)

### Quality Assurance

- Spot Checks / Compliance Reviews
- Part of Program Review Conducted by Division
- Yearly, 2-years, 5-years

## Necessary Resources to Implement a JAA System

- Database to house JAA sheets for every district and division employee
- Website for JAA policies, current practice standards, process, requirements, application, design submittals, list of recipients
- Technical staff
  - Review designs
  - Perform spot checks
  - Update and maintain database
  - Provide training
- Process for regular spot checks for quality assurance and program integrity
- Training Program/Mentoring
- Modified legislation (Chapter 89C – 25)

Perquimans Soil & Water  
601 A Edenton Road Street  
Hertford, N.C. 27944  
252-426-5545 FAX 252-426-1646

Perquimans County Soil & Water District

April 10, 2019

Soil and Water Conservation Commission  
NCDA & CS Division of Soil and Water Conservation  
1614 Mail Service Center  
Raleigh, North Carolina 27699-1614

RE: School of Government Supervisor Training

Dear Sirs:

As an elected district supervisor, I understand that training is now mandatory. I was unable to attend the last training of School of Government for Supervisors due to obligations with my family farm operation.

I will plan to fulfill my obligations as quickly as possible and according to policy. It is with great appreciation that the pilot districts have come up with a more flexible opportunities to reach the training mandate.

If you have any questions or need more information, please do not hesitate to contact me.

Sincerely,



Allen W. Stallings  
District Supervisor

Wayne Hurdle, Chairman  
Thomas Roach, Vice- Chairman  
Richard Saunders, Sec/Tres.  
Allen Stallings, Supervisor

.....

14 Brodie Privette Rd  
Zebulon NC 27597

NC Soil & Water Commission  
Raleigh NC 27699-1614

April 15, 2019

Subject: UNC School of Government Supervisor Training

Dear Commissioners:

In reference to the above, I was regrettably unable to attend the training offered on February 26 of this year. Although I was registered to attend, I had unexpected business on my farm which I had to handle. My farm, PCR Farms LLC, is solely owned and operated by me. It was absolutely necessary for me to be there to accept a delivery on that day. This delivery had been repeatedly postponed due to the weather and the company called that morning to say they would be able to make the delivery that day.

I am aware that I am required by law to attend the Supervisor training in order to serve as a District Supervisor. Therefore, I fully intend to attend the next School of Government training offered in order to fulfill this requirement.

I appreciate any and all consideration the Commission will extend in allowing me to continue my service to the Franklin SWCD board. Please feel free to contact me at 919-671-4733 if you need to speak to me or have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Patrick C Ray", written in a cursive style.

Patrick C Ray



ATTACHMENT 10  
USDA Service Center  
100 Brendle Street  
Bryson City, NC 28713  
828.488.2684 ext. 3

April 3<sup>rd</sup>, 2019

NC Soil and Water Conservation Commission  
1614 Mail Service Center  
Raleigh, NC 27699-1614

Dear North Carolina Soil and Water Conservation Commission Board,

As a newly appointed member of the Swain Soil & Water Conservation District Board of Supervisors, I understand that my appointment is contingent on attendance of the NC School of Government Basic Training Course for Soil and Water Conservation Supervisors. I have attended training held by NC School of Government in the past, during my time as a Swain County Commissioner, so I can appreciate how integral these trainings are to best serve my community.

I was unable to attend this year's training, offered in Morganton on Tuesday, February 19th because the class was full. We are extremely grateful that the course was offered in a closer part of the state, and I plan to attend the next available training.

Thank you for your understanding regarding this matter.

Sincerely,

A handwritten signature in blue ink that reads "Phillip Barry Carson, Sr." The signature is written in a cursive style.

Phillip Barry Carson, Sr  
Board Member  
Swain Soil & Water Conservation District



# Agricultural Water Resources Assistance Program (AgWRAP)

## Regional Application Considerations

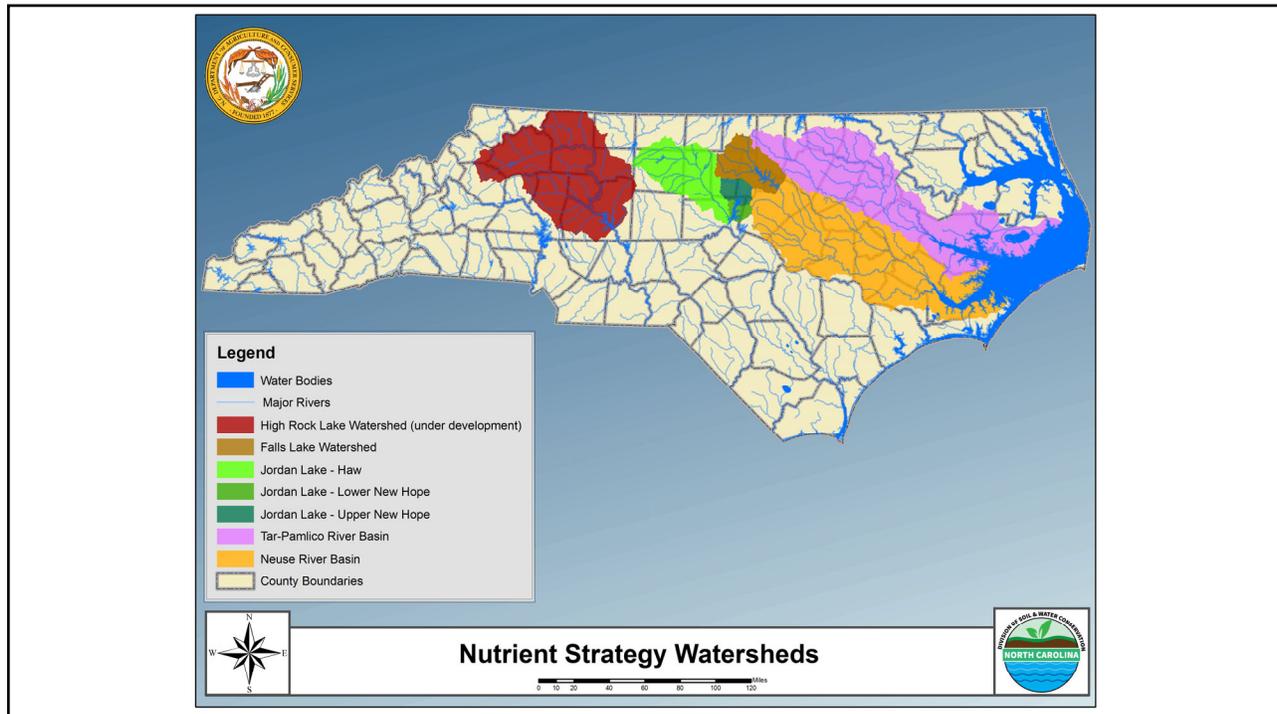
COOPERATOR	COUNTY	PRACTICE	OPERATION	BMP REQUEST	ENGINEERING REQUEST
WESTERN					
Franklin B Ramsey	Buncombe	Agricultural Pond Repair/Retrofit	Livestock - Beef	\$ 25,000	-
Kenneth Ward	Cleveland	Agricultural Pond Repair/Retrofit	Livestock - Dairy	\$ 25,000	-
Larry Boyles	Forsyth	Agricultural Pond Repair/Retrofit	Irrigation - Nursery	\$ 25,000	-
John M. Pace	Henderson SWCD	Agricultural Water Supply/Reuse Pond	Irrigation - Orchard	\$ 25,000	-
Larry Cagle	Lincoln	Agricultural Pond Repair/Retrofit	Irrigation - Grapes	\$ 25,000	-
Thomas Brown	Lincoln	Agricultural Water Supply/Reuse Pond	Irrigation - Blackberries	\$ 25,000	-
Timothy Murray	Lincoln	Agricultural Water Supply/Reuse Pond	Irrigation - Blueberries	\$ 25,000	-
Applefield Farms, LLC	Rockingham	Conservation Irrigation Conversion	Irrigation - Corn	\$ 25,000	-
CENTRAL					
Marshall Sink	Davidson	Agricultural Water Supply/Reuse Pond	Irrigation - Vegetables	\$ 25,000	-
Cammie Kirk	Davidson	Agricultural Pond Repair/Retrofit	Irrigation - Melons	\$ 25,000	-
Herman Wood	Fishing Creek	Agricultural Pond Repair/Retrofit	Irrigation - Corn	\$ 25,000	-
Cliff Freeman	Franklin Co.	Agricultural Pond Repair/Retrofit	Irrigation - Fescue Hay	\$ 25,000	-
Doug Torn	Guilford	Agricultural Pond Repair/Retrofit	Irrigation - Nursery	\$ 25,000	-
B. J. Roberts	Guilford	Conservation Irrigation Conversion	Irrigation - Corn	\$ 25,000	-
Aaron Sink	Guilford	Agricultural Water Supply/Reuse Pond	Irrigation - Tobacco and Hemp	\$ 25,000	\$ 10,000
Greg Overcash	Rowan	Agricultural Water Supply/Reuse Pond	Irrigation - Alfalfa Hay	\$ 25,000	-
Correl Farms, LLC	Rowan	Micro-Irrigation System Conversion	Irrigation - Vegetables	\$ 25,000	-
Neuma Elmo Finch Jr.	Wake	Agricultural Pond Repair/Retrofit	Irrigation - Tobacco	\$ 25,000	-
EASTERN					
Robert Sutton Jr.	Lenoir	Agricultural Water Supply/Reuse Pond	Irrigation - Tobacco	\$ 25,000	-
Dwight Houston	Onslow SWCD	Agricultural Pond Repair/Retrofit	Irrigation - Corn	\$ 25,000	-
				\$ 500,000	\$ 10,000
<b>TOTAL</b>				\$	<b>510,000</b>

# Nutrient Sensitive Watersheds

Annual Progress Reporting for Agriculture Rule Implementation in the Falls Lake, Jordan Lake, Neuse, and Tar-Pamlico Watersheds

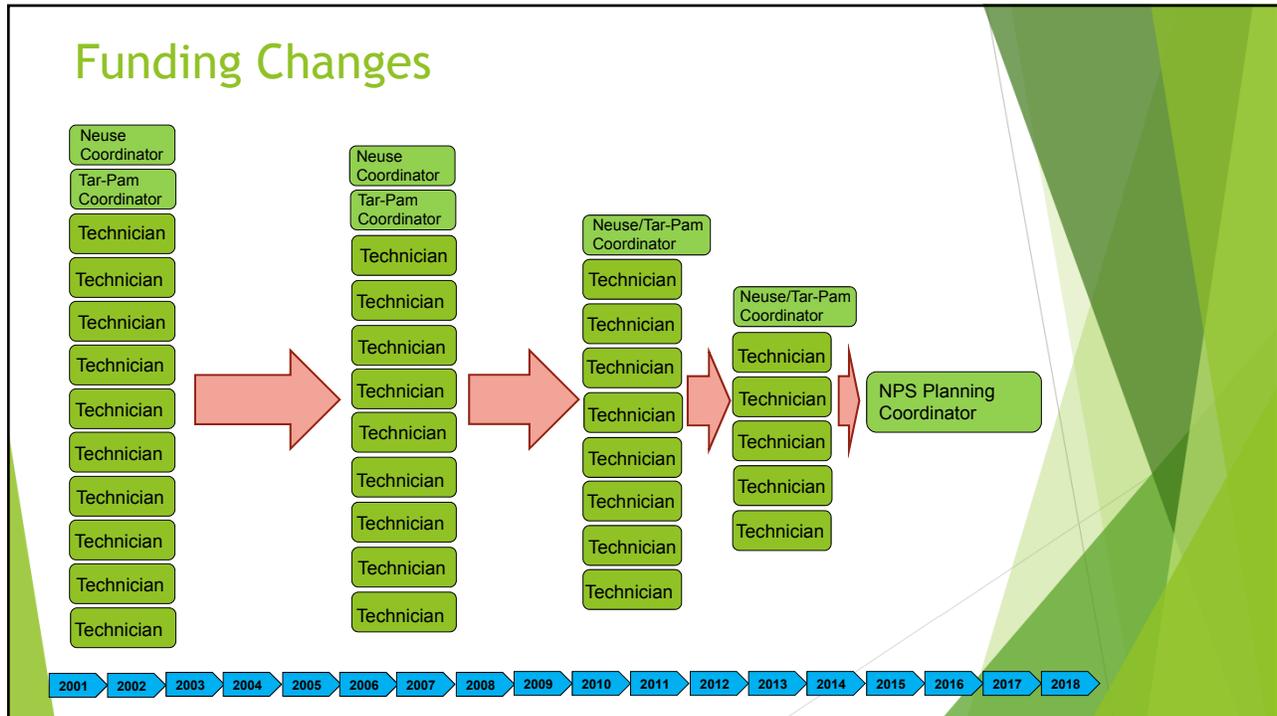
## Agriculture Rules

- ▶ Neuse River Basin (1998)
  - ▶ 1991-1995 baseline
  - ▶ 30% nitrogen loss reduction
- ▶ Tar-Pamlico River Basin (2001)
  - ▶ 1991 baseline
  - ▶ 30% nitrogen loss reduction
  - ▶ No net increase in phosphorus loss risk
- ▶ Jordan Lake Watershed (2009)
  - ▶ 1997-2001 baseline
  - ▶ 3 subwatershed reduction goals
- ▶ Falls Lake Watershed (2011)
  - ▶ 2006 baseline
  - ▶ Stage I - 20% nitrogen loss reduction from cropland and pastureland, 40% phosphorus loss reduction
  - ▶ Stage II - 40% nitrogen loss reduction from cropland and pastureland, 77% phosphorus loss reduction



## Reporting Hierarchy

- ▶ Local Advisory Committees
  - ▶ 25 counties
  - ▶ Includes DSWC, NRCS, SWCD, CES, NCDACS, and 2 farming interests
- ▶ Basin Oversight Committees
  - ▶ Neuse and Tar-Pamlico River Basins
  - ▶ Includes DSWC, NRCS, NCDACS, CES, DWR, environmental interest, scientific expert, and 1-3 agriculture interests
- ▶ Watershed Oversight Committees
  - ▶ Falls and Jordan Lake Watersheds
  - ▶ Includes DSWC, NRCS, NCDACS, CES, DWR, 3 environmental interests, scientific expert, and 4 agriculture interests



- ## Crop Year 2017
- ▶ Neuse River Basin
    - ▶ 54% nitrogen loss reduction from baseline (30% mandate)
  - ▶ Tar-Pamlico River Basin
    - ▶ 60% nitrogen loss reduction from baseline (30% mandate)
    - ▶ No net increase in phosphorus loss risk
  - ▶ Falls Lake Watershed
    - ▶ 76% cropland nitrogen loss reduction from baseline (20% mandate)
    - ▶ 32% pastureland nitrogen loss reduction from baseline (20% mandate)
    - ▶ No net increase in phosphorus loss risk (there is currently no approved methodology for actual percentage calculation)
  - ▶ Jordan Lake Watershed
    - ▶ Haw - 55% cropland, 29% pastureland nitrogen loss reduction from baseline (8% mandate)
    - ▶ Upper New Hope - 64% cropland, 48% pastureland nitrogen loss reduction from baseline (35% mandate)
    - ▶ Lower New Hope - 73% cropland, 39% pastureland nitrogen loss reduction from baseline (no increase mandate)

## Nutrient Reduction Best Management Practices

- ▶ Nutrient Scavenger Crops
- ▶ Buffers
  - ▶ Riparian buffers
  - ▶ Filter strips
  - ▶ Field borders (only if adjacent to a blue line stream)
- ▶ Water Control Structures
  - ▶ Half round
  - ▶ In-line
- ▶ Livestock Exclusion Systems
  - ▶ Falls Lake & Jordan Lake only

## Current Status

- ▶ Rules Review Commission
  - ▶ Public comment period closed April 16, 2019 for Neuse and Tar-Pamlico
  - ▶ Jordan Lake and Falls Lake up for revision in 2019 and 2022, respectively
  - ▶ Jordan Lake:
    - ▶ Policy Collaboratory
    - ▶ Jordan Lake One Water (JLOW)
  - ▶ Falls Lake:
    - ▶ Model Program (UNRBA)
- ▶ Nutrient Offsets/Trading
  - ▶ Trading scheme under development
  - ▶ Nutrient Offset rule expansions proposed
- ▶ High Rock Lake Watershed
  - ▶ Model finalized (2005-2009 data)
  - ▶ Stakeholder process initiated, stalled
  - ▶ Rules still must be developed and approved

## Interactive Experiment

- ▶ Stick around after the close of this meeting to learn more about how we report nitrogen reductions to DEQ and the Environmental Management Commission. For this activity each participant will be a cropland farmer in a virtual “river basin”, and you will pick a crop and fertilize it for a growing season. You may even be selected to receive cost share assistance for a BMP on your virtual “farm”. Once you decide how much fertilizer to apply we’ll talk about how well your crops performed and how much nitrogen you lost to the environment.

May 7<sup>th</sup>, 2019

Dear Sirs,

An ongoing investigation concerning the activities of the Rutherford County Soil and Water Conservation District has concluded after 15 years. The overwhelming evidence proves a bait and switch fraud scheme has been carried out against the citizens of RC. We hope to resolve this matter outside of a court of law.

**The District has been unwilling to mediate this matter.** Your assistance is needed in order to facilitate a settlement without legal action being taken.

For more info go to [www.disway.us/home](http://www.disway.us/home) - click on Operation JusticeRC.

Time is of the essence- May 31<sup>st</sup> is the deadline.

Sincerely,

Richard D Ammons

**828 290 2877**

