Livestock Exclusion Fencing

Definition/Purpose

A Livestock Exclusion Fencing means a system of permanent fencing (board, barbed, high tensile or electric wire) installed to exclude livestock from streams and critical areas not intended for grazing to improve water quality. Benefits may include reduced soil erosion, sedimentation, pathogen contamination and pollution from dissolved, particulate, and sediment-attached substances. (DIP)

Policies

1. Livestock exclusion requires permanent fence and the average cost includes the cost of all materials, gates, and labor for installation of fencing.

2. A cooperator may, as part of an ACSP contract for stream protection system, **provide fencing at their own cost.** All fencing installed at the cooperator's expense must meet NRCS Standards or technical staff with appropriate JAA can document the fencing does not meet standard but will serve the intended purpose for the duration of the contract. A statement confirming fence installation must accompany the RFP. The location of non-cost shared fencing must be indicated on the conservation plan map.

3. Technical staff shall have the responsibility for determining appropriate setbacks for cost shared fencing in accordance with Agriculture Cost Share Program policy (see Stream Protection Management Measures General Policy for setback requirements and documentation) and NRCS standards as follows:

    a. Cost shared fencing must be set back a minimum of ten (10) feet from the top of the stream bank unless other provisions (3.b, 4) apply. Maintenance flexibility may require additional setbacks.

    b. Livestock exclusion in conjunction with heavy use area protection measures (i.e. loafing lots, barns, feeding stations, watering facilities, stock trails), or if livestock are concentrated in the vicinity of the stream, or if runoff from areas of livestock concentration could reach the stream, then the cost shared fence is required to have a minimum setback of twenty (20) feet from the top of the stream bank. The only allowable exception to the 20-foot set back requirement for cost shared fencing is if the tank, heavy use area, etc. is located a minimum of one hundred (100) feet from the top of the stream bank, the minimum setback for cost shared fencing shall be ten (10) feet.

    c. 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.

    d. 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).

    e. For all cost shared BMPs which require fencing, a statement indicating the setback distance from all existing or planned practices or structures to the

stream bank must be included in the conservation plan, and distances must be indicated on the plan map (tank, heavy use area, barn etc.). (Note: "Meets set back requirements" is not acceptable. Actual set back distances must be indicated.)

4. Heavy use areas which are components of 15A NCAC 02T.1300 certified animal waste management plans must meet additional buffer requirements as included in SB 1217 interagency guidance documents.

5. **Allowing livestock re-entry to streams or stream banks at any time during the 10-year life-of-a-practice for stream bank protection systems is a violation of the maintenance agreement. Using livestock to mow stream banks is never allowed!**

6. Temporary water supply failures may include power outages, pump failures, or periods of severe to exceptional drought (according to the NC Drought Management Advisory Council) resulting in depletion of the existing water source. In cases of these or similar failures, cooperators may contact their district and request a temporary exception to ACSP fencing policies. The duration of the temporary exception will be determined by the district and supporting notes must be included in the contract file.

7. If cost share is received for cropland conversion to permanent vegetation the cooperator cannot receive cost share for livestock exclusion, watering facilities, etc., on the same field for the life of the contract.

8. If significantly less fencing than planned in the contract is installed, a statement signed by the technician must be submitted to the Division explaining why the fencing was canceled from the contract (see Stream Protection Management Measures General Policy). **Failure to install required fencing constitutes non-compliance for all BMPs in the stream protection system.**

9. ACSP funds shall not be used to cost share for fencing using used materials.

LIVESTOCK EXCLUSION FENCING	
Maintenance Period	10 years
BMP Units	LIN FT
Required Effects	ACRES_AFFECTED ANIMAL TYPE ANIMAL UNITS
JAA/NRCS Standard unless otherwise noted	ECS - 382 - Fencing
Supporting Practices	ECS - 472 - Access Control
CS2 Reference Materials	NC-ACSP-11 Signature Page Map with BMP location, fields, and roads.