

## WASTE AND NUTRIENT MANAGEMENT MEASURES

The Agriculture Cost Share Program regards livestock operation byproducts as a valuable resource to be managed and utilized to support agricultural operations and protect water quality.

A Waste and Nutrient 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 Feeding Operation (CAFO) 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. The most recently updated approved waste management plan is required to be attached to all contracts. 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

## Agriculture Cost Share Program

cooperator, 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 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 kept on file with the closure and waste application records.

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.
6. To better coincide with the allowances under the 15A NCAC 02T .1300 non-discharge rules, contracts for animal waste management systems ~~can~~ may be ~~pulled temporarily approved 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 design 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 Cost Share Programs Spot Check Policy 1. b.)~~Rule 02 NCAC 59D .0107 (e).~~ The mandatory waste management spot check cannot make up the total 5% random spot check. After selecting 5% of active contracts, any remaining waste management systems not randomly chosen must be added and reviewed for five years following implementation. The technical review should not be completed by the person who developed the plan.
8. Silt fences are to be used only in conjunction with construction of 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 6.62.1. 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. The grading minimum is to be used in a cost share contract when the normal grading rate would not sufficiently cover the cost of equipment use at the site (i.e., covers the cost of transporting equipment to a site; only one minimum can be used per contiguous area).
10. 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.
- 9.11. Structural geotextiles shall meet the requirements of "Construction Specification 17 - Geotextiles". Drainage geotextiles shall meet the requirements of N.C. Technical Guide, Section IV Practice Standard 606, as shown in paragraph 606-8-5.
- 10.12. 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:

(February 2025, May 2019, July 2012)

## Agriculture Cost Share Program

- a. Cost shared fencing must be set back a minimum of ten (10) feet from the top of the stream bank unless other provisions (12.b, 12.c.) apply. Maintenance flexibility may require additional setbacks.
  - b. 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 shall be set back a minimum of twenty (20) feet from the top of the stream bank (i.e. heavy use area protection measures, loafing lots, barns, feeding stations, watering facilities, stock trails).
  - a-c. ~~If the C~~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 minimum.
  - b-d. ~~\_\_\_\_\_~~ 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.
  - e-e. ~~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-f. ~~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-g. ~~\_\_\_\_\_~~ Failure to install required fencing constitutes non-compliance and the non-compliance policy must be followed.
- 11-13. ~~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. Use of clean small grain straw is highly recommended.
  - 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~~conservation planner.

Agriculture Cost Share Program

~~12. The contract must include a map that indicates the location of the stream system being protected.~~

~~13.~~14. 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 the 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 t~~The payment ~~will be is~~ based average cost.

~~14.~~15. 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.~~16. For other components required as an integral part of a waste and nutrient management BMP, use cost values for the appropriate component provided elsewhere in the average cost list. All ACSP BMPs must be listed separately in the contract.