AGRICULTURE COST SHARE PROGRAM

Technical Review Committee Meeting Minutes

May 28, 2025 - 1:30 PM

Join Microsoft Teams Meeting

Attendees

TRC Members: John Beck, David Harris, Dewitt Hardee, Benjy Strope, Rodney Wright, Rachel Smith, Erin Rivers, Rick McSwain, Alex Jones, Bill Moss for Brandon King, Anne Coan

Guests: Lisa Fine, Shelby Kaplan, Allie Dinwiddie, Teresa Furr, Quinton Cooper, Lorien Deaton, Julie Henshaw, Michael Shepherd, Bryan Evans, Josh Vetter

AGENDA

1. Welcome
    A. Call to Order at 1:31 PM (recording started)

2. Review and Approval of April Meeting Minutes
    A. Keith Larick was named as an alternate for Anne Coan and Benjy Strope's misspelled name was corrected.
    B. Benjy Strope makes a motion to approve, Dewitt Hardee seconds
    C. Motion passes

3. Commission Meeting Updates
    A. The Manure Composting Facility, Waste Impoundment Closure, and Retrofit of Ongoing Operations BMP revisions were approved by the Commission.
    B. The Use Exclusion Fencing BMP was approved with modifications including the removal of the 20 ft setback and addition of information on how the riparian area may be zoned when grazing.
        I. John Beck provided clarification on the setback requirements.
        II. 20ft setback still exists where there is concentration of livestock in close proximity to the stream. To a degree, it is up to the planner on how they recommend a setback for flash grazing, but the minimum is 10 ft with 20 ft minimum recommended.
        III. Erin Rivers asked if there is guidance provided on the stocking rate for the planner and cooperator.

1. ACSP materials do not have a stocking rate specified
2. Bill Moss (NRCS) states that their 528 Specification references the stocking rates (matching the supply and demand, number of animals and amount of grass). Varies across the state but is generally about 2.5 acres for a cow/calf pair.

4. Resolution to Reduce Maintenance Period on Vegetative/Agronomic Practices
   - Presented by Teresa Furr of Wake and Quinton Cooper of the Franklin Soil and Water Conservation Districts which originated from a resolution from Area IV and was adopted at the Association's Annual Meeting. The need arose from the increase in development in Area IV counties. With many land leases being verbal agreements a 10-year lease to match the BMP maintenance period is no longer practical. The districts are afraid that the 10-year maintenance period will prevent the implementation of BMPs that improve water quality. A reduction in the maintenance period will be more attractive to potential cooperators.
     - The list of BMPs being requested for reduction in maintenance period are:
       - Cropland Conversion to Grass
       - Critical Area Planting
       - Field Border
       - Filter Strip
       - Diversion
       - Grassed Waterways
     - A suggestion was made to include a policy that these practices are not eligible for cost share again for 10 years. The purpose of the change is to reduce the contract terms with the districts by creating a tracking system to make sure the practices are not contracted again during the 10 years.
     - Anne Coan asked about repairs, if it is only a 5-year period, would the person not be able to get a repair outside of that period?
       - Teresa Furr agrees that the policy developed should be clear that a disaster is a special consideration and how the damage impacted the practice and possibly allow for a repair that way.
       - John Beck showed the Pond Sediment Removal practice that states that cooperators are ineligible to apply for that same practice again for 10 years, unless natural disaster occurs. This clause could be added to other practices.
       - Dewitt Hardee agrees that the same issues occur in his District with land ownership. He would like to tie in the landowner, since they often will take away the land from renters or leasers when they get a better offer.

        - Julie Henshaw explained that landowners are required to sign contracts with a maintenance period over 1 year. And a lot of the time during natural disasters, the Commission can waive policies.
    - Teresa Furr stated that the intent was to offer the same cost share rate as the 10-year practice because that's what it takes to install the practice.
    - Benjy Strope recommends surveying districts across the state to gauge need and impacts. There will be concerns regarding both the 10-year and 5-year plans and whether the 5-year plan is the best use of taxpayer dollars.
        - Teresa Furr suggested that adapting the maintenance period may help with farmland preservation as development increases. Transition in landowners is a problem due to new owners not wanting to have a 10-year maintenance period.
        - Rodney Wright says the 10-year period works for them in Rockingham County and this seems like the best use for the taxpayer dollars.
        - Julie Henshaw has been hearing this for a long time across the state and more so in Area 4 with a resulting request for change.
        - Allie Dinwiddie asks that since the BMPs are designed for 10-year maintenance would any design adjustments need to be made if it is decreased and asked if costs would be reduced. Allie also asked if there were concerns about justifying the ACSP to the legislature if these reductions in maintenance are adopted.
        - Bryan Evans wants to make sure the reduction benefits would still be maintained for the watersheds if the maintenance period is decreased.
            - The buffer rules would still have to be followed, so field borders and other vegetative practices. The change would still need to be maintained under the current buffer rules.
        - Anne Coan would be interested in the financial impact for the cost share program if there are a huge increase in cooperators.
            - John Beck shared numbers on contracts for these BMPs.
            - Some Districts are trying to get more people involved that do not have that many contracts in place, so this would be helpful to use up their funds where they now struggle.
            - These are popular BMPs so there will be impacts but prioritizing needs and working with cooperators will help.
        - Teresa Furr stated that if this decision is not approved now, it will be needed in the future to ensure a long-term future of the program.

- Allie is considering the idea of paying for practices and then the land is converted to residential property after 5 years, once the erosion is under control and if this is the best use of taxpayer dollars.
    - Increased flexibility may help if program effectiveness remains. It might pay to look at other states' programs.
    - Dewitt Hardee stated that we need a method of maintaining ownership. A possible option is to have the cooperator responsible for the first 5 years and the landowner for the second 5 years.
- Lorien Deaton suggested paying a reduced amount for the first 5 years and then another reduced amount for the second 5 years
    - This idea was discussed in a workgroup for Pasture Renovation. Essentially, the payment is only for installation of the BMP, so it is paid upfront and the impact to water quality is received for the duration of the maintenance period.
    - Erin Rivers stated the importance of considering how long it takes for these practices to mature, so the full water quality potential may not be realized in the first five years.
- Benjy suggests tabling this issue for now and collecting some more information and data to discuss further down the line.

5. Waste Management BMP Workgroup Updates
    A. Waste Management Measures General Policy (ACTION)
        I. John Beck presented updates to the measure policy, including the title to "Waste and Nutrient Management Measures", adding a value statement to the definition, revised Waste Management Plan guidance and aligning policies with other measures policies.
        II. The fencing setbacks were reviewed for consistency with other policies. The policy as written does not include reference to flash grazing.
        III. Anne Coan makes a motion for adoption, David Harris second
            1. Motion passes
    B. Heavy Use Area Protection (ACTION)
        I. John Beck reviewed the rationale for combining the Heavy Use Area Protection (HUAP) policies that are currently listed in each of the Waste & Nutrient Management and Stream Protection Measures with slight differences.
        II. It is now required that the NRCS Feeding Site Assessment Tool be used for planning.

III. Fencing setback requirements have been added as well as spot check requirements.

IV. Rachel states that from a design standpoint, the revisions make it easier to design for the engineers and improve clarity with having the same language.

V. Discussion ensued on what constitutes an "approved" Waste Management Plan (WMP).

1. Anne Coan asked if this is the same as a regulatory WMP and is it needed for permitted and deemed permitted operations.
2. Michael Shepherd explained that our program policies require that if there is a concentration of livestock and collection and land application of animal waste then there must be a plan developed to meet the NRCS standard for permitted and deemed permitted operations.
3. Anne Coan is concerned that the WMP may be a term of art.
    a. Must be careful how the term is used in the program due to the regulatory impact.
    b. Bill Moss mentions that from the NRCS perspective, the WMP is the design and how the waste is collected, handled, removed, applied etc. is covered in the comprehensive nutrient management plan guidance.
    c. The waste management plan that is approved for ACSP BMPs is approved to meet the NRCS standard and not to fulfill a regulatory requirement. Deemed permitted operations do not require a technical specialist signature on the plan. There are items in the WMP guidance document for permitted operations that are not required by NRCS standards. A new plan may be developed or an existing plan modified to incorporate ACSP BMP.
4. Michael Shepherd explained that the DSWC Waste and Nutrient Specialists created a guidance document for Commission members about the rules and requirements for needing a WMP for ACSP.
5. Anne Coan suggests any guidance document for ACSP policies versus Division of Water Resources waste plan definitions should be shared with the TRC members and reviewed by them.

VI. Benjy motions to approve and David Harris seconds

1. Motion passes. Anne Coan abstains

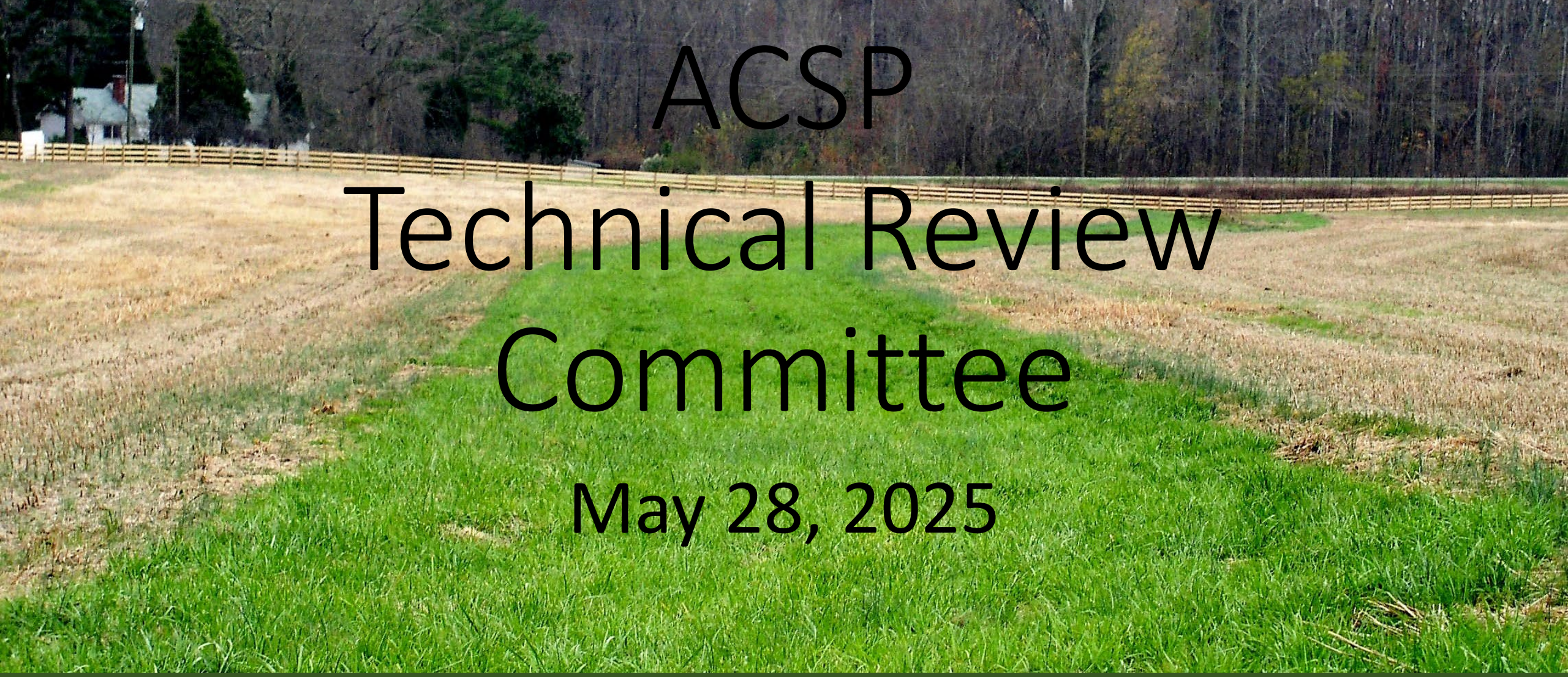
C. Feeding/Waste Storage Structure + Livestock Feeding Area (ACTION)

I. Deferred for discussion at the next meeting.

6. ACSP Average Cost List Update (tentative)
    A. Recorded slides were shared via email. Discussion will occur at the next meeting.

7. Member Items
    A. None

Adjourned: 3:37PM



ACSP Technical Review Committee

May 28, 2025

Technical Review Committee Meeting Agenda

1. Welcome
2. Approval of February Meeting Minutes
3. Commission Meeting Update
4. ACSP Use Exclusion Fencing Policy
5. Waste Management BMP Policy Updates
6. ACSP Average Cost List Update (tentative)
7. Member Items

TRC Membership

John Beck, Chair	Division of Soil and Water Conservation
Erin Rivers	Cooperative Extension Service/ NC State University
Niroj Aryal	School of Agriculture, NC A & T State University
Alex Jones	N. C. Department of Agriculture and Consumer Services
Starla Harwood	Farm Service Agency
Anne Coan	N. C. Farm Bureau Federation
Dewitt Hardee	N. C. State Grange
Brandon King	State Resource Conservationist, NRCS
Jim Kjelgaard	State Conservation Engineer, NRCS
Rachel Smith	Division of Soil and Water Conservation
Rick McSwain	Division of Soil and Water Conservation
Charlie Deaton	Division of Marine Fisheries
Benjy Strope	Wildlife Resources Commission
Rodney Wright	Rockingham Soil and Water Conservation District Employee
David Harris	Durham Soil and Water Conservation District Supervisor

April Meeting Minutes

- Review and approve the April 23, 2025 TRC meeting minutes

Commission Meeting Update

- Four BMPs were approved
  1. Manure Composting Facility
  2. Waste Impoundment Closure (revision)
  3. Retrofit of On-going Animal Operations (revision)
  4. Use Exclusion Fencing (new BMP)
- Policies will be active for FY2026

Resolution to Reduce Maintenance Period on Vegetative/Agronomic Practices

May 28, 2025

Teresa Furr, District Director
Wake Soil and Water Conservation District

WAKE COUNTY
NORTH CAROLINA

Background

New Growth

North Carolina is experiencing significant population growth, adding nearly 1 million residents in the last 10 years, causing rapid development, and reducing acres of farmland by 286,620 acres.

Leased Land

2022 Census of Agriculture notes there are over 3.3 million acres of farmland leased in the state and that this can be through a verbal non-binding agreement.

Farmland Loss

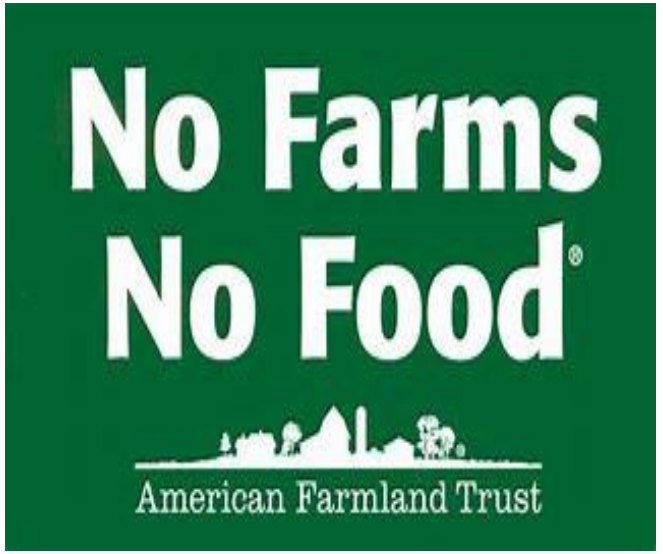
North Carolina ranks second in the nation for farmland loss with American Farmland Trust projecting an estimated 1.2 million acres of farmland to be converted to urban use by 2040.

Land Transition

American Farmland Trust estimates that 40% of America's agricultural land will be in transition within the next 15 years.

Contributing Factors

- The average age of North Carolina farmers is 58 years old and the number of farms in the state continue to decrease.
- 10-year land ownership or lease is no longer practical due to land transitions and increasing development pressure across North Carolina
- Increasing concern that a long maintenance period combined with pressures on farmland may prevent implementation of BMPs that protect land and water resources across the state.



Key Barriers Identified

1. **Short-Term Land Tenure**
   Farmers with short-term land leases, such as those under 10 years, are less likely to invest in conservation practices due to the limited time frame to realize benefits. This is especially true for tenant farmers who may not see a return on investment within the contract period .

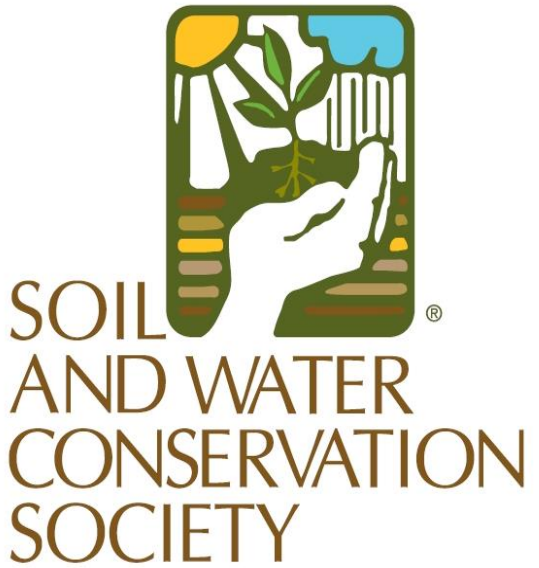
2. **Risk Aversion and Uncertainty**
   The uncertainty associated with long-term contracts, including potential changes in land ownership or lease terms, can deter farmers from committing to conservation practices. This is compounded by the financial risks and the possibility of not recouping investment costs within the contract duration .

3. **Financial Constraints**
   The upfront costs of implementing conservation practices can be a significant barrier, particularly for farmers with limited financial resources. While cost-share programs can alleviate some financial burdens, the duration of contracts may still be a deterrent if farmers perceive the benefits as insufficient or too distant .

4. **Program Design and Flexibility**
   Offering shorter contract periods or more flexible terms can make conservation programs more appealing to farmers, especially those on rented land.

Soil and Water Conservation Society

- How to Build Better Agricultural Conservation Programs to Protect Water Quality: The National Institute of Food and Agriculture – Conservation Effects Assessment Project Experience
  - Chapter 3 - Conservation Practice Implementation and Maintenance: D.L. Osmond, D.W. Meals, A.N. Sharpley, M.L. McFarland, and D.E. Line
  - “Nonfarmer landowners may be an impediment to conservation practice adoption in urbanizing landscapes. Additionally, development pressures in rapidly urbanizing watersheds, such as Eagle Creek in Indiana, may discourage conservation practice adoption because of the encumbrance of long-term (e.g., 10 year) contracts.”

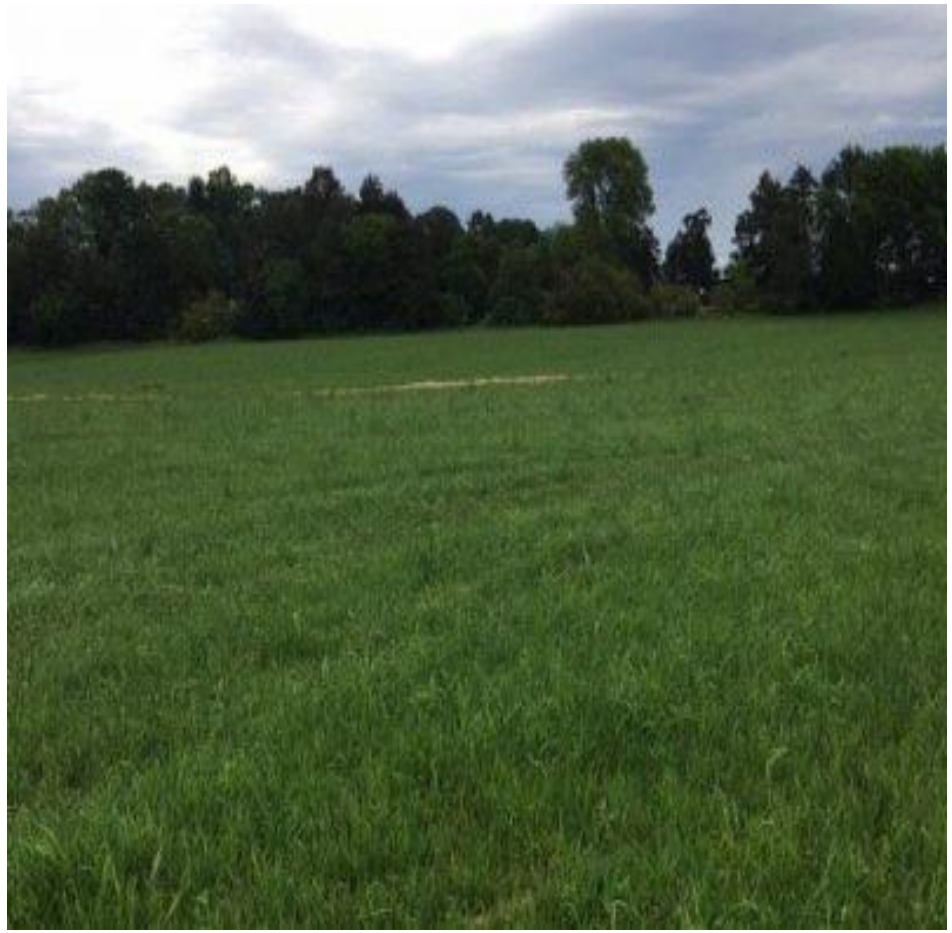


Goal of Conservation on the ground

Reducing the Contract Maintenance Period to 5 Years Will:

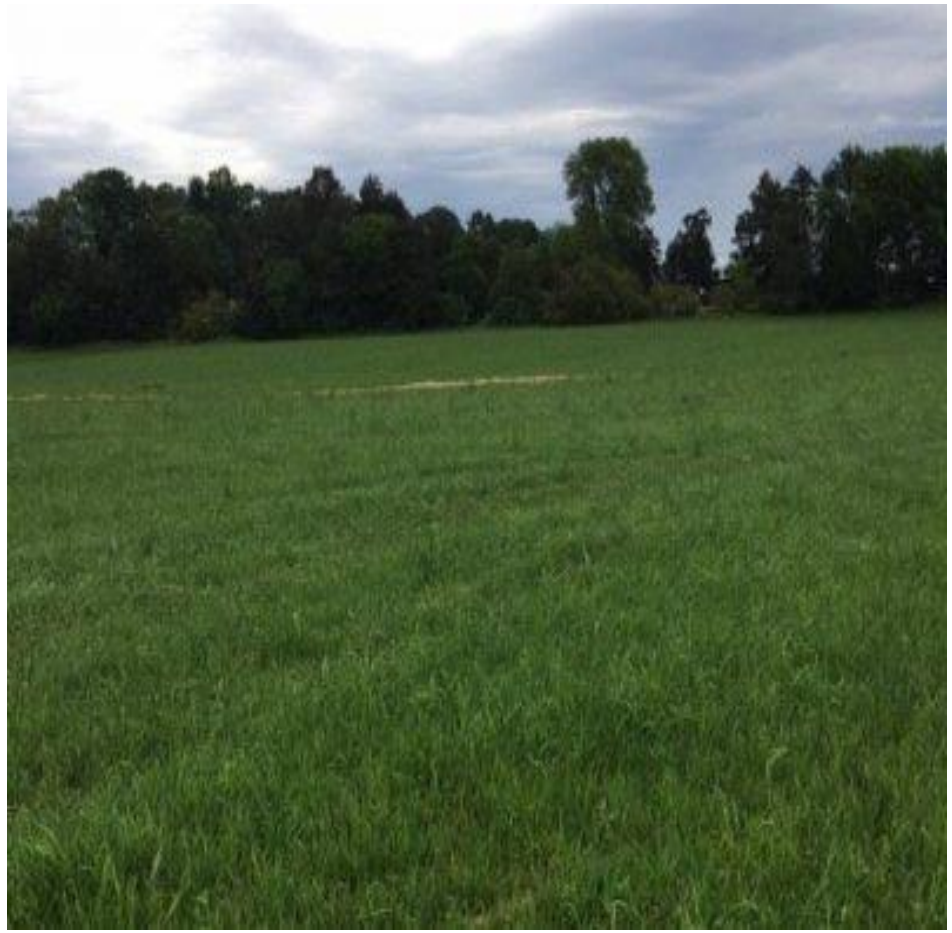
- **Encourage Greater Participation:** Shorter commitment periods can attract more landowners who may be hesitant to commit to long-term agreements.
- **Lower Commitment Risk:** Landowners are more likely to enroll in programs when the required commitment is reduced from 10 years to 5, making the decision less daunting.
- **Reduce Hesitation:** Some landowners are reluctant to implement conservation practices due to concerns about long-term legal or financial obligations. A shorter contract period helps alleviate these concerns.
- **Minimize Financial Risk:** A reduced maintenance period lessens anxiety about potential non-compliance and associated repayment penalties.
- Overall, shortening the maintenance period can increase adoption rates, reduce barriers to entry, and encourage more flexible and dynamic participation—ultimately advancing the implementation of conservation practices.

Conservation Practices



- Cropland Conversion –to establish and maintain a conservation cover of grasses, trees, or wildlife plantings on fields previously used for crop production to improve water quality. Benefits may include reduced soil erosion, sedimentation and pollution from dissolved and sediment-attached substances.
- Critical Area Planting - an area of highly erodible land that cannot be stabilized by ordinary conservation treatment on which permanent perennial vegetative cover is established and protected to improve water quality. Benefits may include reduced soil erosion and sedimentation.
- Field Border - a strip of perennial vegetation established at the edge of the field that provides a stabilized outlet for row water to improve water quality. Benefits may include reduced soil erosion, sedimentation and pollution from dissolved and sediment-attached substances.

Conservation Practices



- Filter Strip - an area of permanent perennial vegetation for removing sediment, organic matter, and other pollutants from runoff and wastewater to improve water quality. Benefits may include reduced soil erosion, sedimentation, pathogen contamination and pollution from dissolved, particulate, and sediment-attached substances.
- Diversion - a channel constructed across a slope with a supporting ridge on the lower side to control drainage by diverting excess water from an area to improve water quality. Benefits may include reduced soil erosion, sedimentation and pollution from dissolved and sediment-attached substances.
- Grass-waterway - a natural or constructed channel that is shaped or graded to required dimensions and established in suitable vegetation for the stable conveyance of runoff to improve water quality. Benefits may include reduced soil erosion, sedimentation and pollution from dissolved and sediment-attached substances

PRACTICES	MINIMUM LIFE EXPECTANCY (years)	PRACTICE TYPE
Cropland Conversion to Grass	5	Agronomic
Critical Area Planting	5	Agronomic
Field Border	5	Agronomic
Filter Strip	5	Agronomic
Grass-waterway	5	Design
Diversion	5	Design

How does it work?

Cost Share Policy

A policy shall be established stating that these practices are not eligible for cost sharing again for a period of 10 years.

- The purpose is only to reduce the contract terms not to reinstall conservation practices every 5 years.
- District staff are currently responsible for ensuring that practices are not approved for cost sharing again within the contract maintenance period.

District Tracking System

Each District is responsible for developing a tracking system to ensure that these practices are not re-cost shared within the 10-year period.

- Additionally, Districts may incorporate a policy in their strategic plans to perform spot checks throughout the 10-year period to ensure that re-cost sharing does not take place.

Questions?

WAKE COUNTY
NORTH CAROLINA

Waste Management BMP Policy Updates

Waste Management BMPs

SWCC Approved

- Dry Stack
- Lagoon Biosolids Removal
- Waste Impoundment Closure
- Manure/Litter Transport
- Retrofit of On-going Animal Operations
- Constructed Wetlands
- Waste Application System
- Concentrated Nutrient Source Management System
- Insect Control Practice
- Solids Separation from Tank/Raceway-based Aquaculture Production
- Odor Control Management System
- Storm Water Management System
- Waste Treatment Lagoon/ Storage Pond
- Manure Composting Facility

TRC Agenda

- Waste Management Measures General Policy
- Heavy Use Area Protection
- Feeding/ Waste Storage Structure

Workgroup Agenda

- Livestock Mortality Management System

Waste Management Measures
General Policy

Waste Management Measures policy

General Policy Updates

- Changed name to Waste and Nutrient Management Measures
  - Division staff are now “Nutrient Management Specialists”
- Added a values statement with the definition
- Replaced the WMP certification statement with an upload requirement (already applied to BMPs)
- Modified the temporary contract approval rule prevent delays

Waste Management Measures policy

General Policy Updates

- Spot checks: changed reference to the commission policy and copied additional instructions
- Added grading minimum (cost list component) and geotextile references from Stream Protection Management general policy
- Expanded fence setback and vegetation policies to reflect Stream Protection Management general policy
- Removed requirement to show the stream on maps—not required in other measures

Heavy Use Area Protection

Heavy Use Area Protection

- Waste management and stream protection HUAP policies are slightly different

  → attempting to combine in a single policy

  - The goal is to reduce confusion. A single reference is easier to maintain.
  - This does require additional references where requirements differ.

Heavy Use Area Protection

<u>Updates</u>

- Added the NRCS Feeding Site Assessment Tool and setback requirement for feeding areas.
- Used the concrete pad recommendation from the Trough and Tank policy.
- Split out the statement that HUAP is not approved for access roads to a standalone item.

Heavy Use Area Protection

Updates

- Setback requirements now refer to the relevant measure general policy.
- Added the stable access reference from the stream protection version.
- Added a standard WMP reference.
- Added a clarifying statement the additional spot checks are only for waste & nutrient management BMPs.

Feeding/Waste Storage Structure + Livestock Feeding Area

Feeding Areas

- ACSP has two feed pad BMPs
    1. Livestock Feeding Area is a Stream Protection Management Measure
    2. Feeding/Waste Storage Structure is a Waste Management Measure

Feeding Area BMP Connection

- Intent is the same:

  "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."

- Use depends on the operation, waste utilization and funding

Livestock Feeding Area	**Feeding/Waste Storage Structure**
• "A sized concrete pad where feeders are located, surrounded by a Heavy Use Area"	• Livestock feeding pad with a waste storage component

Combining BMPs

- Livestock Feeding Area and Feeding/Waste Storage Structure are similar BMPs where combining them may improve clarity and use in the program → all feeding area policies in one place.
- Merge Livestock Feeding Area and Feeding/Waste Storage Structure policies together called Livestock Feeding Area
- Overlapping policies are listed first (Policies 1-5).
- If storage/covering and management of waste is required, additional provisions apply (Policy 6).
  - Similar to the waste impoundment closure breach/backfill vs. pond conversion

New Definition

Livestock Feeding Area

The Livestock Feeding Area is a sized concrete pad where feeders are located, surrounded by a Heavy Use Area. The Livestock Feeding Area is designed for the purpose of improving the lifespan of the heavy use area and to reduce the runoff of nutrients and fecal coliform to adjacent water bodies. Where accumulation of waste is a concern, the livestock feeding area may be designed with a waste storage facility (feeding/waste storage structure) for the added purpose of improving the collection/storage of animal waste. The practice is intended to be used where livestock feeding areas are in close proximity to streams or where relocation or rotation of feeding areas is infeasible due to physical limitations (e.g., slope) or where other measures are insufficient to address water quality concerns.

Costs

Current cost components – with a slight naming adjustment – are still appropriate for the BMP

Component	Unit	Cost Type	Cost
LIVESTOCK FEEDING AREA (Concrete and Grading – NO EXCAVATION (Average of each per SQ YD))	SqYd	Actual	$82.50/ $99.00 max
LIVESTOCK FEEDING AREA - Pushwall including concrete waste blocks, No. 57 stone and geotextile	Each	Average	$2760/ $3312 max
LIVESTOCK FEEDING AREA - Feeding/Waste Storage Structure (Waste & Nutrient Management Measure)	Each	Actual	$40,500/ $48,600 max

Member Items

Open Discussion

TRC Meeting Schedule

- June 25, 2025

<u>End of Year Items</u>

  - ✓ Detailed Implementation Plan
  - ✓ Average Cost List

- 4th Wednesday of the month (except December)
- 1:30 – 3:30 PM

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

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:

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.

~~c.~~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.

~~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.

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 the Heavy Use Protection Area is employed as or in conjunction with feeding areas and barn lots, it must be located 100 feet from surface water and a vegetated filter ~~strip~~ must be established before the practice is eligible for cost-sharing. The NRCS NC Feeding Site Assessment Tool shall be used to determine appropriate feeding site location. A concrete heavy use area is recommended for feeding sites, but depending on site conditions, cloth and gravel may be substituted.

~~1.~~2. **Heavy Use Area Protection is not approved for access roads.**

~~2.~~3. The requirement of fencing around a heavy use area is to be left to the technical staff as to whether it is needed.

4. Livestock exclusion fencing in conjunction with heavy use area protection measures (waste storage structures, loafing lots, barns, feeding stations, watering facilities, stock trails, etc.) will be required to have a minimum ~~set-back~~setback 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.~~Refer to Stream Protection Management or Waste and Nutrient Management Measures General Policy for fencing setback requirements and documentation.

~~3.~~5. Conservation planners should consider stable access to the heavy use area.

6. ~~—~~An approved waste management plan that meets NRCS standards is required for all waste and nutrient management measure contracts. The plan must be revised, if necessary, to meet any changes in the operation which alter the waste management needs of the operation.

~~4.~~7. Heavy use areas that are components of 15A NCAC 02T .1300 waste management plans must meet additional buffer requirements, if required, as prescribed in the 1217 Interagency Guidance ~~Memorandum~~Document.

HEAVY USE AREA PROTECTION	
Maintenance Period	10 years
BMP Units	EACH
Required Effects	ACRES_AFFECTED ANIMAL TYPE ANIMAL UNITS N and P Waste Managed (for Waste and Nutrient Management Measures)
JAA	ENG - 561 - Heavy Use Area Protection
NRCS Standards and Reference Materials	ENG - 561 - Heavy Use Area Protection ENG - 382 - Fence National Engineering Handbook, Construction Specification 217 - Geotextiles and Material Specification 592 - Geotextiles
CS2 Reference Materials	NC-ACSP-11 Signature Page Map with BMP location, fields, and roads. ~~NC-WMP Form~~ Waste Management Plan (for Waste and Nutrient Management Measures)
Additional Spot-check Requirements	• All waste and nutrient management systems for operations not permitted by the Division of Water Resources must be spot-checked annually for five years following implementation. • Heavy Use Area Protection BMPs for Stream Protection Management do not have additional spot-check requirements.

Active Stream Protection Measure Policy

Heavy Use Area Protection

Definition/Purpose

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 soil erosion, sedimentation and pollution from dissolved, particulate, and sediment-attached substances. (DIP)

Policies

1. When Heavy Use Area Protection 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.** (see Stream Protection Measures General Policy for setback requirements and documentation).

4. Conservation planners should consider stable access to the heavy use area.

5. 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.

HEAVY USE AREA PROTECTION	
Maintenance Period	10 years
BMP Units	EACH
Required Effects	ACRES_AFFECTED ANIMAL TYPE ANIMAL UNITS
JAA/NRCS Standard unless otherwise noted	ENG - 561 - Heavy Use Area Protection
Supporting Practices	ECS - 382 - Fencing National Engineering Handbook, Construction Specification 217 - Geotextiles and Material Specification 592 - Geotextiles
CS2 Reference Materials	NC-ACSP-11 Signature Page Map with BMP location, fields, and roads.

(May 2019, March 2013, July 2012)

Active Waste Management Measure Policy

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.

HEAVY USE AREA PROTECTION	
Maintenance Period	10 years
BMP Units	EACH
Required Effects	ACRES_AFFECTED ANIMAL TYPE ANIMAL UNITS N and P Waste Managed
JAA/NRCS standards unless otherwise noted	ENG - 561 - Heavy Use Area Protection ENG - 382 - Fence National Engineering Handbook, Construction Specification 217 - Geotextiles and Material Specification 592 - Geotextiles
CS2 Reference Materials	NC-ACSP-11 Signature Page Map with BMP location, fields, and roads. NC-WMP Form
Additional Spot-check Requirements	All waste management systems for operations not permitted by the Division of Water Resources must be spot-checked annually for five years following implementation.

(May 2019, March 2013, July 2012)

Livestock Feeding Area
~~Feeding/Waste Storage Structure~~

Definition/Purpose

The Livestock Feeding Area is a sized concrete pad where feeders are located, surrounded by a Heavy Use Area. The Livestock Feeding Area is designed for the purpose of improving the lifespan of the heavy use area and to reduce the runoff of nutrients and fecal coliform to adjacent water bodies where accumulation of waste is a concern. ~~T~~the ~~feeding/waste storage structure~~ livestock feeding area may ~~is~~be designed with a waste storage facility (feeding/waste storage structure) for the added 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~~ or where relocation or rotation of feeding areas is infeasible due to physical limitations (e.g., slope) ~~and~~ or where other ~~stream protection~~ measures are insufficient to address water quality concerns.

Policies

1. Feeding areas will be employed in conjunction with heavy use area protection and a filter strip.
2. The maximum size cost shared is based on the area necessary to accommodate current herd size.
3. This practice must be in conjunction with the exclusion of livestock from streams and alternative watering sources, where applicable.
4. Maximum cost share for this practice as listed on the ACSP average cost list does not include the cost of other BMPs (stock trails, watering systems, etc.) offered in the NCACSP that are used in conjunction with the livestock feeding area.
5. A 100-foot setback from wells, areas of concentrated flow and surface water including streams, creeks, ponds and lakes is required. The NRCS NC Feeding Site Assessment Tool shall be used to determine appropriate feeding site location.
6. Where collection, storage and application of animal waste is required (for waste and nutrient management measure contracts) the following provisions apply:

    a. The Waste Management Plan shall address the land application of all waste stored in the structure compliant with the NRCS Standard 590 and in accordance with the 1217 Interagency Committee Guidance Document and/or other applicable rules.

    ~~1.~~b. Maximum size cost shared is based on storage volume required in the ~~w~~Waste ~~utilization~~ Management ~~p~~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.~~

    c. 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. Secondary uses related to agriculture may be temporarily permitted provided they do not prevent the structure from being used for its primary purpose.

~~a.~~d. 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.

~~2.~~e. Stockpiled waste shall not be allowed to be stored outside the structure.

LIVESTOCK FEEDING AREA ~~FEEDING/WASTE STORAGE STRUCTURE~~	
Maintenance Period	10 years
BMP Units	EACH
Required Effects	ACRES_AFFECTED ANIMAL TYPE ANIMAL UNITS N and P Waste Managed (for Waste and Nutrient Management Measures)
JAA~~/NRCS standards unless otherwise noted~~	Professional Engineer OR NRCS - ENG - 313 -Waste Storage Facility and NRCS – ENG – 561 – Heavy Use Area Protection and NRCS – ENG – 367 – Roofs and Structures ~~Contact the Division of Soil and Water Conservation TechnicalEngineering Services or your NRCS Area Office.~~
NRCS standards	NC NRCS ~~CPS~~ 313 Waste Storage Facility NC NRCS 561 Heavy Use Area Protection NC NRCS 367 Roofs and Covers
CS2 Reference Materials	NC-ACSP-11 Signature Page Map with BMP location, fields, and roads NC-ACSP-WSS Form ~~NC-ACSP-WMP Form~~ Waste ~~Utilization~~Management Plan (for Waste and Nutrient Management Measures)
Additional Spot-check Requirements	• All waste and nutrient management systems for operations not permitted by the Division of Water Resources must be spot-checked annually for five years following implementation. • Livestock Feeding Area BMPs for Stream Protection Management do not have additional spot-check requirements.

(March 2020, March 2019, March 2013, July 2012)

Active Stream Protection Measure Policy

Livestock Feeding Area

Definition/Purpose:
The Livestock Feeding Area is a sized concrete pad where feeders are located, surrounded by a Heavy Use Area. The Livestock Feeding Area is designed for the purpose of improving the lifespan of the heavy use area and to reduce the runoff of nutrients and fecal coliform to adjacent water bodies. The practice is to be used to address water quality concerns 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 protect water quality.

Policies:

1. Feeding areas will be employed in conjunction with heavy use area protection and a filter strip.

2. Maximum size cost shared is based on the area necessary to accommodate current herd size.

3. Maximum cost share per pad does not include the cost of other practices that are used in conjunction with the livestock feeding area.

4. A 100-foot setback from streams, creeks, and lakes shall be required.

5. This practice must be in conjunction with the exclusion of livestock from streams and alternative watering sources.

6. The installation of the Livestock Feeding Area will be contingent on the design approval from the NRCS area engineer, division engineer, or a professional engineer.

7. Water must leave the site as diffuse flow.

8. 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. Secondary uses related to agriculture may be temporarily permitted provided they do not prevent the structure from being used for its primary purpose.

LIVESTOCK FEEDING AREAS	
Maintenance Period	10 years
BMP Units	EACH
Required Effects	ACRES_AFFECTED ANIMAL TYPE ANIMAL UNITS
JAA/NRCS Standard unless otherwise noted	Practice must be designed by a Professional Engineer. ENG - 561 - Heavy Use Area Protection ECS - 393 - Filter Strip
Supporting Practices	ECS - 342 - Critical Area Planting ECS - 382 - Fencing ECS - 590 - Nutrient Management ENG - 575 - Animal Trails and Walkways ENG - 574 - Spring Development ENG - 578 - Stream Crossing ENG - 614 - Watering Facility ENG - 642 - Water Well
CS2 Reference Materials	NC-ACSP-11 Signature Page Map with BMP location, fields, and roads

Active Waste Management Measure Policy

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. 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.

2. 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.

3. 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.

4. 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. Secondary uses related to agriculture may be temporarily permitted provided they do not prevent the structure from being sued for its primary purpose. Stockpiled waste shall not be allowed to be stored outside the structure.

5. This practice must be in conjunction with the exclusion of livestock and alternative watering sources, where applicable.

6. A 100 foot setback from streams, creeks and lakes will be required.

(March 2020, March 2019, March 2013, July 2012)

FEEDING/WASTE STORAGE STRUCTURE	
Maintenance Period	10 years
BMP Units	EACH
Required Effects	ACRES_AFFECTED ANIMAL TYPE ANIMAL UNITS N and P Waste Managed
JAA/NRCS standards unless otherwise noted	ENG - 313 -Waste Storage Facility Contact the Division of Soil and Water Conservation Technical Services or your NRCS Area Office.
CS2 Reference Materials	NC-ACSP-11 Signature Page Map with BMP location, fields, and roads. NC-ACSP-WSS Form NC-ACSP-WMP Form
Additional Spot-check Requirements	All waste management systems for operations not permitted by the Division of Water Resources must be spot-checked annually for five years following implementation.