AGRICULTURE COST SHARE PROGRAM

Technical Review Committee

February 26, 2025 - 1:30 PM

Meeting Minutes

Attendees

TRC Members: John Beck, David Harris, Dewitt Hardee, Benjy Strope, Rodney Wright, Rachel Smith, Jim Kjelgaard, Erin Rivers, Rick McSwain, Alex Jones, Anne Coan, Niroj Aryal
Guests: Lisa Fine, Allie Dinwiddie, David Williams

AGENDA

1) Welcome and Introductions
    a) Call to Order at 1:31 PM
    b) Welcome New Members Alex Jones, replacing Dianne Farrer from the NCDA & CS, and Charlie Deaton replacing Anne Deaton from the Division of Marine Fisheries.
    c) December Meeting Minutes
        i) Dewitt Hardee motioned to approve, and Rachel Smith seconded.
            - Motion is approved, no objections or abstentions.

2) Waste Management BMP Workgroup Updates (ACTION ITEMS)
    a) Odor Control Management Systems
        i) John Beck reviewed workgroup recommendations. The committee provided revisions to include the addition of the cost share rates of 75/90% to actual cost statements. The "shall be developed" language in the statement because the waste management Plan (WMP) statement was revised because the WMP could already exist. John Beck revised the WMP language to match that in the previously updated Insect Control BMP. The maintenance period duration will be determined by the TRC Waste Management Subcommittee depending on the type of practice installed.
        ii) The committee would also like to add CPS 629 Waste Treatment to the NRCS Standard reference list.
        iii) Dewitt Hardee motioned to approve the changes and Benjy Strope seconded.
            - Motion approved, no abstentions or objections.
    b) Storm Water Management System
        i) John Beck reviewed workgroup recommendations, including the DWR design approval requirement for permitted facilities and explained

the JAA requirement has been modified to include PE or existing JAA on a case-by-case basis with Division approval to ensure system component functionality and/or create special design components. The TRC recommended adding the same language regarding the WMP requirement (referenced in 2.a.i. above) to every relevant BMP in the Waste Management category.

ii) Benjy Strope motioned to approve the changes and Anne Coan seconded.
- Motion approved, no abstentions or objections.

c) Waste Treatment Lagoon/Storage Pond
   i) John Beck reviewed the difference between a lagoon and a storage plan, along with the workgroup recommendations. Reference BMPs, permitting and preconstruction conference requirements and WMP requirements were added. There was some discussion by the committee on if/when PLAT was run. John Beck clarified that PLAT should be run before any work is done.
   ii) Rick McSwain motioned to approve, and Dewitt Hardee seconded.
   - Motion approved, no abstentions or objections.

d) Manure Composting Facility
   i) The committee asked if the policy assumed that all waste on the farm will be composted and if not, do they need a new WMP. And, if they add a Composter do they need a new WMP. Members agreed to take the discussion back to the workgroup.

3) Continued Discussion on Adding Flash Grazing to the ACSP
   a) John Beck met with eighteen district staff for their input between TRC meetings and provided a summary of their comments. The updated flash grazing provisions were renewed.
   b) Discussion continued on the timeframe of the practice (# hours per period) and how that would vary across the state. The committee thinks a more definitive statement on the purpose should be created. The committee wants to clarify language pertaining to “control vegetation” and temporary fencing. Committee members have stated the temporary fencing to exclude surface waters should be required. Policy #6 should include all dams and not just pond dams. The committee wants the Emergency Provision to be reworded to just include “temporary water supply failure” and remove the word “Emergency”. The committee suggested the BMP should be retroactive and that it be a separate contract from any already existing fencing contract to better manage them. Cost Share staff will respond to the recommendations and prepare an updated draft for the next TRC meeting in April.

4) ACSP Updates

a) Commission Meeting Update – The Concentrated Nutrient Source Management System, Insect Control System, and Solids Separation from Tank/Raceway Based Aquaculture Production BMPs were approved at the January SWCC meeting.
b) Supplemental Allocations and Voluntary Returns – allocation funds will be split 60% going to Hurricane Helene and 40% for the whole state regular allocation to be allocated at the March SWCC meeting.
c) Division Update Meetings – 5 meetings were held across the state with good participation and feedback.
d) Average Cost List Update – average cost list will be updated using a mixed approach of Producer Price Index data and current average cost information for PY26.

5) Member Items
    a) None

Motion by Benjy Strope to adjourn the meeting was seconded by Rachel Smith. Meeting adjourned at 4:00 p.m.

ACSP Technical Review Committee

February 26, 2025

Technical Review Committee Meeting Agenda

1. Welcome – Approval of Minutes
2. Waste Management BMP Workgroup Updates
3. Adding Flash Grazing to the ACSP
4. ACSP Updates
5. 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

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

TRC Agenda

- Odor Control Management System
- Storm Water Management System
- Waste Treatment Lagoon/ Storage Pond
- Manure Composting Facility

Workgroup Approved

- Heavy Use Area Protection

In-Progress

- Feeding/ Waste Storage Structure
- Livestock Mortality Management System

Odor Control Management System

- Updated cost guidance for items not on the Average Cost List
- Added standard WMP requirement language
- Maintenance period to be addressed in Subcommittee letter
- Updated JAA to include PE or NRCS JAA

Action requested: *Approve the Odor Control Management System BMP revisions*

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. ~~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.~~
   Elements and items already a part of the Average Cost List may include grading, vegetation, pipe drops and surface inlets, animal guards, pipe and fittings. Components not listed on the average cost list shall be paid at 75/90% of actual cost with receipts up to the cap approved by the TRC Subcommittee.

3. Each odor control BMP or a contract with an odor control BMP must be approved by the ~~Technical Review Committee~~TRC Subcommittee for Waste Management Measures. The NCSU Animal and Poultry Waste Management Center must approve unproven technology or techniques prior to submission to the TRC for approval.

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

ODOR CONTROL MANAGEMENT SYSTEM	
Maintenance Period	1 to 10 years depending on practices installed (documented in TRC Subcommittee approval letter)
BMP Units	EACH
Required Effects	ACRES_AFFECTED ANIMAL TYPE ANIMAL UNITS
JAA~~/NRCS standards unless otherwise noted~~	Professional Engineer Or Applicable ~~NRCS~~ BMP such as: ~~E~~NRCS - 380 - Windbreak/Shelterbelt Establishment ~~E~~NRCS - 422 - Hedgerow Planting
NRCS Standards and Reference Materials	NRCS Standards as required NRCS - 380 - Windbreak/Shelterbelt Establishment NRCS - 422 - Hedgerow Planting NRCS – 629 – Waste Treatment

(May 2019, July 2012)

CS2 Reference Materials	NC-ACSP-11 Signature Page Map with BMP location, fields, and roads~~.~~ ~~NC-WMP Form~~Waste Management Plan TRC Subcommittee approval letter NCSU Animal and Poultry Waste Management Center approval letter (if applicable)
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.

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)

Storm Water Management System

- Added standard WMP requirement language
- Added DWR design approval requirement for permitted facilities
- Updated JAA to include PE or applicable existing JAA on a case-by-case basis with Division approval
  - Division approval needed to create special components for systems not on the average cost list

Action requested: *Approve the Storm Water Management System BMP revisions*

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~~ current NCACSP policies and NRCS standards.

2. Storm Water Management Systems may be included in contract(s) for retrofitting animal operations (see Retrofit of On-going Animal Operations BMP), 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.

~~—~~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 List includes the costs of labor and installation.~~

4. An approved waste management plan that meets NRCS standards is required for all 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.~~5. Any system that is a component of a waste collection system associated with a permitted animal facility, shall submit the design to Division of Water Resources (DWR) Animal Feeding Operations (AFO) and receive approval prior to start of construction.

STORMWATER MANAGEMENT SYSTEM	
Maintenance Period	10 years
BMP Units	EACH
Required Effects	ANIMAL TYPE
	ANIMAL UNIT ACRES_AFFECTED N and P Waste Managed
JAA~~/NRCS standards unless otherwise noted~~	Professional Engineer Or JAA for Applicable Stormwater Management BMP(s). Division approval required. ~~NRCS - ENG - 558 - Roof Runoff Structure~~ ~~NRCS - ECS- 362 - Diversion~~ ~~NRCS - ENG - 367 - Roofs and Covers~~ ~~Division or NRCS Area Office approval required.~~
NRCS Standards and Reference Materials	Applicable NRCS Field Office Technical Guide standards, including: NRCS - ENG - 558 - Roof Runoff Structure NRCS - ECS- 362 - Diversion NRCS - ENG - 367 - Roofs and Covers NRCS – ENG – 554 - Drainage Water Management NRCS – ENG – 570 – Stormwater Runoff Control NRCS – ENG – 620 - Underground Outlet NRCs – ENG - 410 – Grade Stabilization Structure
CS2 Reference Materials	NC-ACSP-11 Signature Page
	Map with BMP location, fields, and roads~~.~~ ~~NC-WMP form~~Waste Management Plan Division or NRCS Area Office approval letter
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.

Waste Treatment Lagoon/Storage Pond

Two types of animal waste ponds are combined in one policy:

- Lagoon: biological treatment and storage of animal waste
- Storage Pond: temporary storage of animal waste, wastewater and polluted runoff

- This BMP is not for expanded operations.
- Utilized where updates to the animal waste management system are need and the retrofit BMP does not apply.

Waste Treatment Lagoon/Storage Pond

Updates

- Design standard reference: Waste Treatment Lagoon (359) or Waste Storage Facility (313)
- Landowner permit requirement, Pre-construction conference
- O&M, Certificate of Completion, as-builts, DWR notification requirements
- Standard WMP requirement language
- References Retrofit of On-Going Animal Operations BMP for closing existing lagoons/ponds

Action requested: *Approve the Waste Treatment Lagoon/Storage Pond BMP revisions*

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~~wastewater and polluted runoff. (DIP)

Policies

1. Waste impoundments shall be designed according to NRCS Practice Standard, Waste Treatment Lagoon (359) or Waste Storage Facility (313). All designs and completed construction must be certified by a professional engineer or an individual with appropriate Job Approval Authority.

2. The landowner is responsible for acquiring any appropriate local, state and federal permits.

3. A pre-construction conference including the district technical representative, designer, contractor and landowner shall be held prior to commencement of construction.

~~1.~~4. All NRCS standards and NC Agriculture Cost Share Program (NCACSP) policies ~~relative~~related to vegetation must be followed.

~~2.~~5. The temporary seeding of a lagoon/storage pond is not a cost shared BMP ~~however~~. 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 cooperator will reseed to permanent vegetation as soon as it is practical; and

b. The cooperator will reimburse the cost ~~-~~-shared funds of the lagoon/storage pond if permanent vegetation is not established in the first suitable growing season.

~~3.~~6. ~~The Cost Share Program~~NCACSP 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.**

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

8. An Operation and Maintenance Plan is required.

9. A Certificate of Completion must accompany the Request for Payment.

(March 2025, May 2019, July 2012)

10. Upon completion of the project, copies of the as-built survey should be provided to the Soil and Water Conservation district, landowner and Division of Soil and Water Conservation.

11. Any waste impoundment associated with a permitted animal facility, shall submit the design to Division of Water Resources (DWR) Animal Feeding Operations (AFO) and receive approval prior to start of construction.

~~4.~~12. A Waste Management Plan shall be developed to address animal waste for the entire confined animal operation. The waste management plan shall be compliant with NRCS 590 Nutrient Management Standard 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 or Professional Engineer must approve the nutrient management plan. If 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 to be applied with associated setbacks is required. If waste is moved off the farm by a commercial contract hauler, the name and address of the hauler is required with the contract. ~~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.~~

13. If an existing waste storage pond/lagoon are to be closed as part of retrofitting the animal waste management system, the Retrofit of On-Going Animal Operations BMP shall be utilized.

~~5. The Waste Management Plan or separate closure plan must include all the criteria of NRCS' standard for closure.~~

WASTE TREATMENT LAGOON/STORAGE POND	
Maintenance Period	10 years
BMP Units	EACH
Required Effects	ANIMAL TYPE ANIMAL UNIT ACRES_AFFECTED N and P WASTE MANAGED
JAA	Professional Engineer Or NRCS CPS – 359 Waste Treatment Lagoon NRCS CPS – 313 Waste Storage Facility

(March 2025, May 2019, July 2012)

~~JAA/~~**NRCS S~~s~~tandards ~~unless otherwise noted~~& Reference Material**	ENG - 359 - Waste Treatment Lagoon ENG - 313- Waste Storage Facility ~~ENG - 360 - Waste Facility Closure~~ ECS - 590 - Nutrient Management
CS2 Reference Materials	NC-ACSP-11 Signature Page
	Map with BMP location, fields, and roads.
	~~NC-ACSP-WMP Form~~Waste Management Plan Waste Treatment Lagoon/Storage Pond Design and As-Built Operation and Maintenance Plan Certification of Completion Form (for RFP)
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.

Manure Composting Facility

- Minor technical updates
- Added reference to the Veterinary Division's Composter Guidelines
  - Will link on BMP page
- Modified JAA and reference materials

Action requested: *Approve the Manure Composting Facility BMP revisions*

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 cooperator on any land under ~~his/her~~their 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 meeting the NRCS Roofs and Covers (367) standard to prevent nutrient runoff from the processing, treatment, or storage of compost materials. Runoff from the compost~~er~~ system must be collected and disposed of properly according to NRCS Waste Transfer (634) 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. Secondary uses related to

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

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.

~~7.~~8. All deemed permitted composting systems according to 15A NCAC 02T .0113 (a)(12) shall be operated following the condition and stipulations in the NC Department of Agriculture & Consumer Services Veterinary Division's Poultry & Swine Composter Approval Guidelines.

MANURE COMPOSTING FACILITY	
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~~	Professional Engineer Or NRCS – ENG – 317 – Composting Facility NRCS – ENG – 367 – Roofs and Covers NRCS – ENG – 634 – Waste Transfer ~~ECS - 590 - Nutrient Management~~ ~~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.~~
NRCS Standards and Reference Materials	NRCS - ENG - 317 - Composting Facility NRCS – ENG – 367 – Roofs and Covers NRCS - ECS - 590 - Nutrient Management NC Department of Agriculture & Consumer Services Veterinary Division's Poultry & Swine Composter Approval Guidelines

	NC NRCS CPS – 368 Emergency Animal Mortality Management NC GS 106-403 “Disposition of dead domesticated animals”. Administrative code 02 NCAC 52C .0102 “Disposal of Dead Animals”.
CS2 Reference Materials	NC-ACSP-11 Signature Page Map with BMP location, fields, and roads ~~NC-ASCP-WMP Form~~Waste Management Plan NC-ACSP-OMP 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.


Flash Grazing Discussion

Flash Grazing Update

Updates from last meeting:

- Reviewed TRC comments
- Include NRCS state grazing specialist recommendations
- Met in small groups with 18 District staff

→Revised flash grazing provisions incorporate ideas from each

Flash Grazing Update

NRCS State Grazing Specialist recommendations:

- Flash grazing should be allowed for a period of 2 weeks a year
- Limit the flash grazing to two open windows. One after spring flush of vegetation and again in early fall
- Recommended 20ft set-back if flash grazing

Flash Grazing Update

Summary of General Comments from District Staff

- General preference for seasonal access. Specific dates are limiting.
- Proposed 24–48-hour duration is appropriate.
- Asked about stocking density: no stocking guidance is provided.
- How would it work retroactively? Does it need to be contracted?

Flash Grazing Update

Summary of General Comments from District Staff

- This would have to be assessed on a case-by-case basis. There were concerns about allowing it for some producers and not others.
- Most were limited by the 20-foot fence setback. Ten-foot setbacks are common and extending it would limit pasture space.
- Temporary fencing: some suggested requiring it, some prefer the recommendation. In many cases it is not possible and would exclude participation.

Flash Grazing Update

Summary of General Comments from District Staff

- Additional spot check requirements were discussed with little objection
- Discussed potential financial incentive payment for the practice.
  - General preference was for allowance with no additional funding.
- Some questioned allowing flash grazing. Conflicts with the water quality intent of the program.

Updated Policies

1. Flash grazing to control vegetation within excluded riparian areas is permitted at the discretion of the District board and conservation planner. Field offices unwilling to assist cooperators in achieving success and monitor flash grazing activities should not offer this practice to cooperators in their district.

2. Fencing must be located a minimum of 20 feet from the top of the streambank.

3. Temporary fencing is recommended/required to protect streambanks while using forage adjacent to the stream. Additional streamside fencing may be installed to exclude livestock from surface water.

Updated Policies

4. Flash grazing is permitted for one day each spring and/or early fall when soil is dry enough to minimize trampling damage, plant cover is abundant, and plants are not emerging or setting seed. Where the intent is to establish and maintain woody vegetation, grazing is not permitted until present vegetation is hardy enough to withstand browse. Grazing activities should be planned to allow growth and replenishment of root stocks.

5. Plans must include specifications for livestock type, livestock number, access timing, forage amounts, grazing duration, forage composition, and allowable grazing heights to prevent resource concerns. The height of forage residues following grazing should be based on environmental conditions and plant species. The forage residue stubble height must not average less than six inches.

Updated Policies

6. Flash grazing of restored streams and streambanks, forested riparian buffer, pond dams, critical area plantings or any other vegetative BMP established with cost share funds is not permitted during the maintenance period.

7. Consideration should be given to conserving wildlife when flash grazing is practiced.

8. Established watershed buffer rules and conservation easement agreements supersede ACSP policy and must be followed. Where conservation easements exist, documentation from the easement holder stating flash grazing as permissible must be retained with the contract.

Updated Policies

9. Livestock access to excluded riparian areas outside of the approved access control plan is a violation of the 10-year maintenance agreement of all contracted stream protection measures. Any damage incurred during the approved grazing period must be repaired at the cooperator's expense in a timely manner.

Emergency Exception Provision

In cases of emergency, cooperators may contact their district and request a temporary exception to fencing policies. Duration of exception will be determined by the district and supporting notes will be included in the contract file. Emergencies may be defined as power outages, pump failures, extreme periods of drought and/or depletion or contamination of the existing water source.

Flash Grazing BMP Options

Option 1: Add to Existing Policy

- Flash grazing provisions would be added to the Livestock Exclusion Fencing Policy
- No additional funding for flash grazing management
- Revise the current compliance statement (#9 above)
- Include the new emergency exception provision
- Add additional JAA requirement for flash grazing (Access Control)

Option 2: New BMP

- New “Use Exclusion Fencing” policy would be created
- Includes everything from #1
- Provides a clear distinction of activities
  - Permanent exclusion vs. Temporary flash grazing

Flash Grazing Outstanding Questions

1. How to handle retroactive approval? Does it only apply to new contracts? Is contracting required or note changes in the file?
2. Are annual spot checks needed? How would this impact compliance?

Use 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 regular 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 cost of all materials, gates, and labor for installation of fencing.

2. A ~~landowner~~ cooperator may, as part of a stream protection system, **provide fencing at ~~his/her~~their own cost.** All fencing installed at the ~~applicant's~~ cooperator's expense must meet NRCS Standards or technical staff with appropriate JAA can document~~s~~ 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 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 ~~shall~~ is required to have ~~be set back~~ a minimum setback 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)~~. 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 the 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. Flash grazing to control vegetation within excluded riparian areas is permitted at the discretion of the District board and conservation planner. Field offices unwilling to assist cooperators in achieving success and monitor flash grazing activities should not offer this practice to cooperators in their district.

    a. Fencing must be located a minimum of 20 feet from the top of the streambank.

    b. Temporary fencing is recommended/required to protect streambanks while using forage adjacent to the stream. Additional streamside fencing may be installed to exclude livestock from surface water.

    c. Flash grazing is permitted for one day each spring and/or early fall when soil is dry enough to minimize trampling damage, plant cover is abundant, and plants are not emerging or setting seed. Where the intent is to establish and maintain woody vegetation, grazing is not permitted until present vegetation is hardy enough to withstand browse. Grazing activities should be planned to allow growth and replenishment of root stocks.

    d. Plans must include specifications for livestock type, livestock number, access timing, forage amounts, grazing duration, forage composition, and allowable grazing heights to prevent resource concerns. The height of forage residues following grazing should be based on environmental conditions and plant species. The forage residue stubble height must not average less than six inches.

    e. Flash grazing of restored streams and streambanks, forested riparian buffer, pond dams, critical area plantings or any other vegetative BMP established with cost share funds is not permitted during the maintenance period.

    f. Consideration should be given to conserving wildlife when flash grazing is practiced.

    g. Established watershed buffer rules and conservation easement agreements supersede ACSP policy and must be followed. Where conservation easements exist, documentation from the easement holder stating flash grazing as permissible must be retained with the contract.

6. Livestock access to excluded riparian areas outside of the approved access control plan is a violation of the 10-year maintenance agreement of all contracted stream protection measures. Any damage incurred during the approved grazing period must be repaired at the cooperator's expense in a timely manner.

~~7. Unapproved allowance of 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!**~~

~~4.~~8. In cases of emergency, cooperators may contact their district and request a temporary exception to fencing policies. Duration of exception will be determined by the district and supporting notes will be included in the contract file. Emergencies may be defined as power outages, pump failures, extreme periods of drought and/or depletion or contamination of the existing water source.

~~5.~~9. 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.

~~6.~~10. 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.**

~~7.~~11. 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	SWCC - Livestock Exclusion Fence NRCS - ECS - 382 Fence NRCS - ECS - 472 - Access Control
NRCS Standards and Reference Materials	NRCS - ECS - 382 - Fence NRCS - ECS - 472 - Access Control
CS2 Reference Materials	NC-ACSP-11 Signature Page Map with BMP location, fields, and roads

ACSP Updates

Commission Meeting Update

- All recommended Waste Management BMPs were approved
  A. Concentrated Nutrient Source Management System
  B. Insect Control Practice
  C. Solids Separation from Tank/Raceway-Based Aquaculture Production

Supplemental Allocations and Voluntary Returns

- The FY2025 supplemental allocation will be split to provide funds for both Hurricane Helene (60%) response and regular cost share (40%).
- Districts have until **March 1** to request or return CS/SFR or II funds
- Any funds returned by March 1, 2024 will not factor in the district's financial assistance allocation for FY2025.
- Supplemental requests will be allocated based on defined allocation parameters in the program rules.
- Spring allocation will be presented for approval at the March 12, 2025 Soil & Water Conservation Commission meeting.
- Districts may expect to receive approved funds at the end of March 2024.

Division Update Meetings

- Regional meetings are being held to provide program updates

Location	Date
Plymouth	February 4
Kenansville	February 12
Pittsboro	February 18
Statesville	February 25
Waynesville	February 26

Approach

- Utilize a combined approach to update cost for FY26
  1. Producer Price Index values will be applied to the bulk of components
  2. Receipts and Average Cost Calculations will be used where available

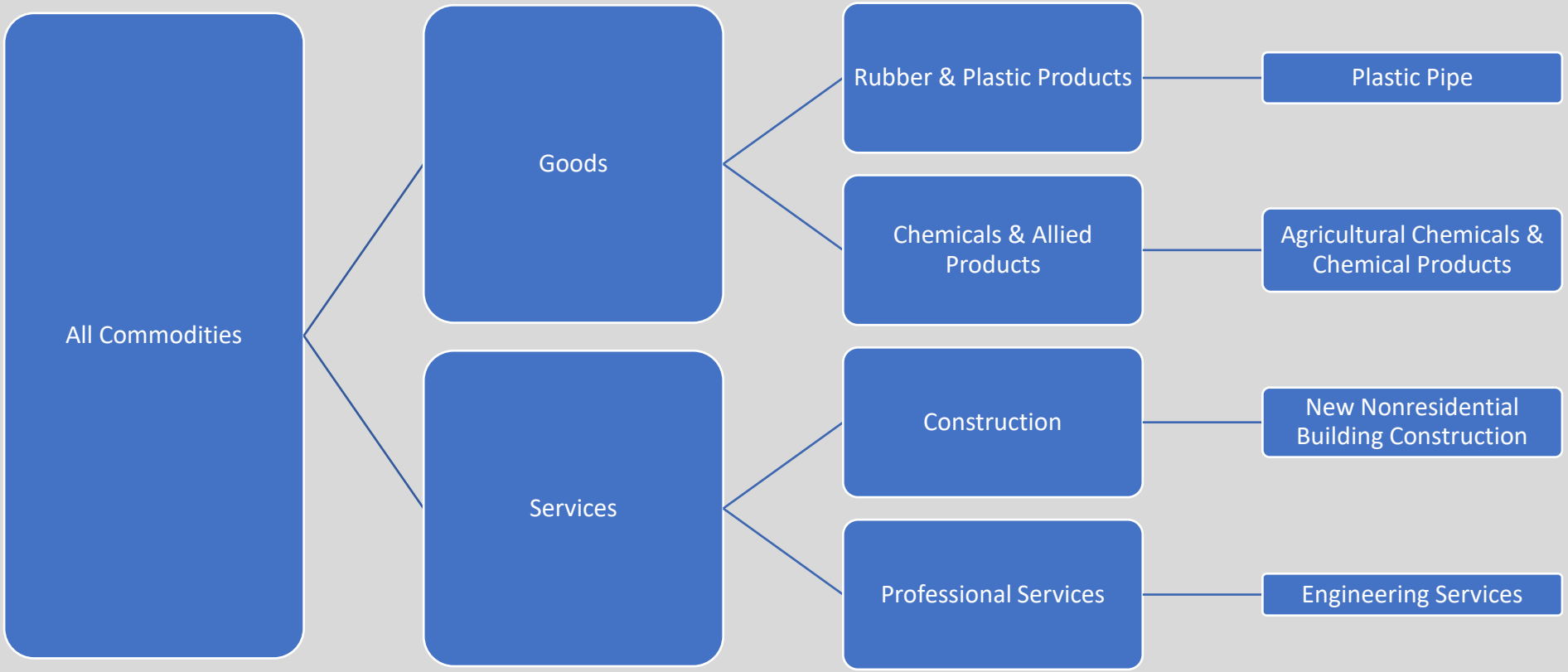
Producer Price Index

- Published monthly by U.S. Bureau of Labor Statistics
- PPI is a family of indexes that measures the average change over time in selling prices received by domestic producers of goods and services.
  - Includes over 16,000 establishments providing approximately 64,000 price quotations per month.
  - Commonly used in adjusting purchase and sales contracts.
  - May foreshadow subsequent price changes for business and consumers.

Source: https://www.bls.gov/ppi/overview.htm

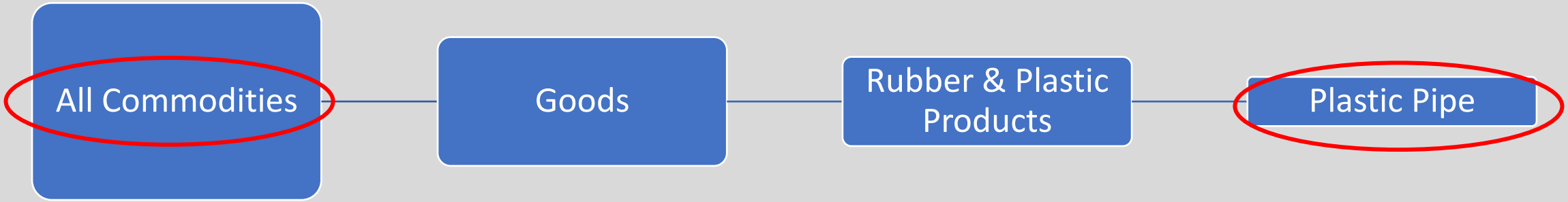
Producer Price Index

- Highest level is All Commodities
- Indexes are broken out into service groupings and individual items

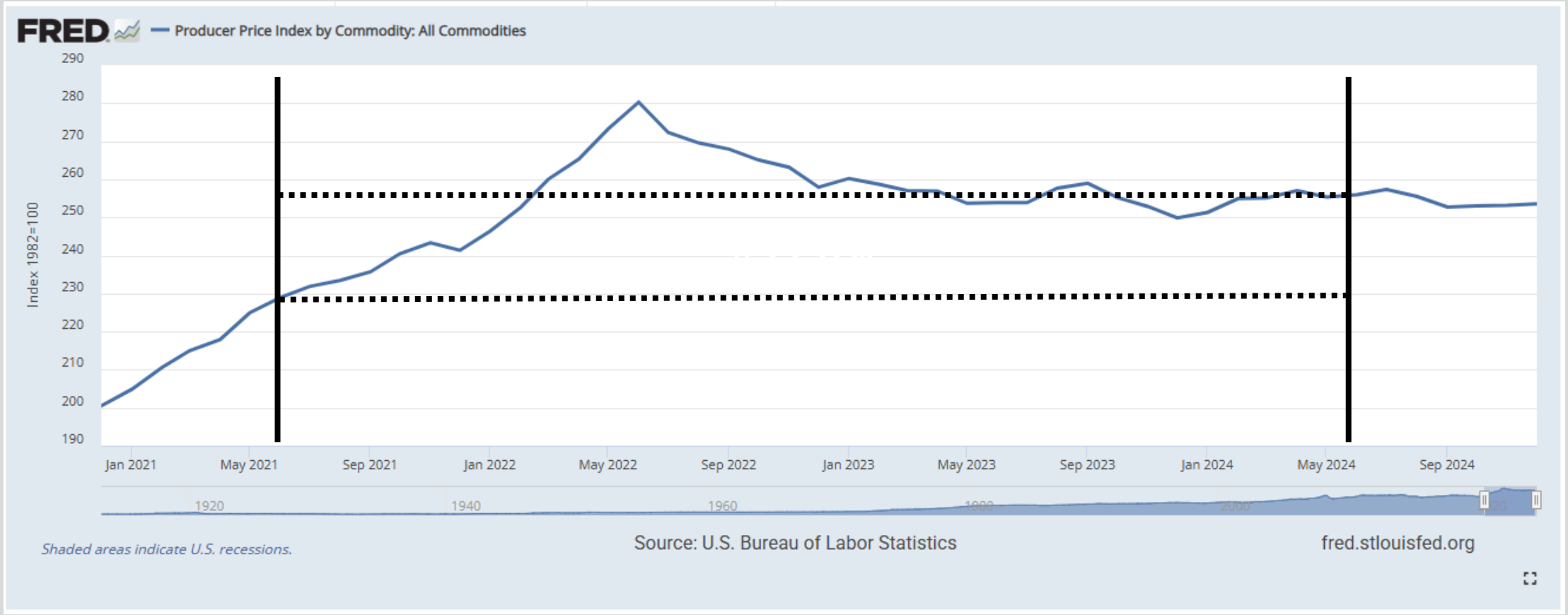


Producer Price Index

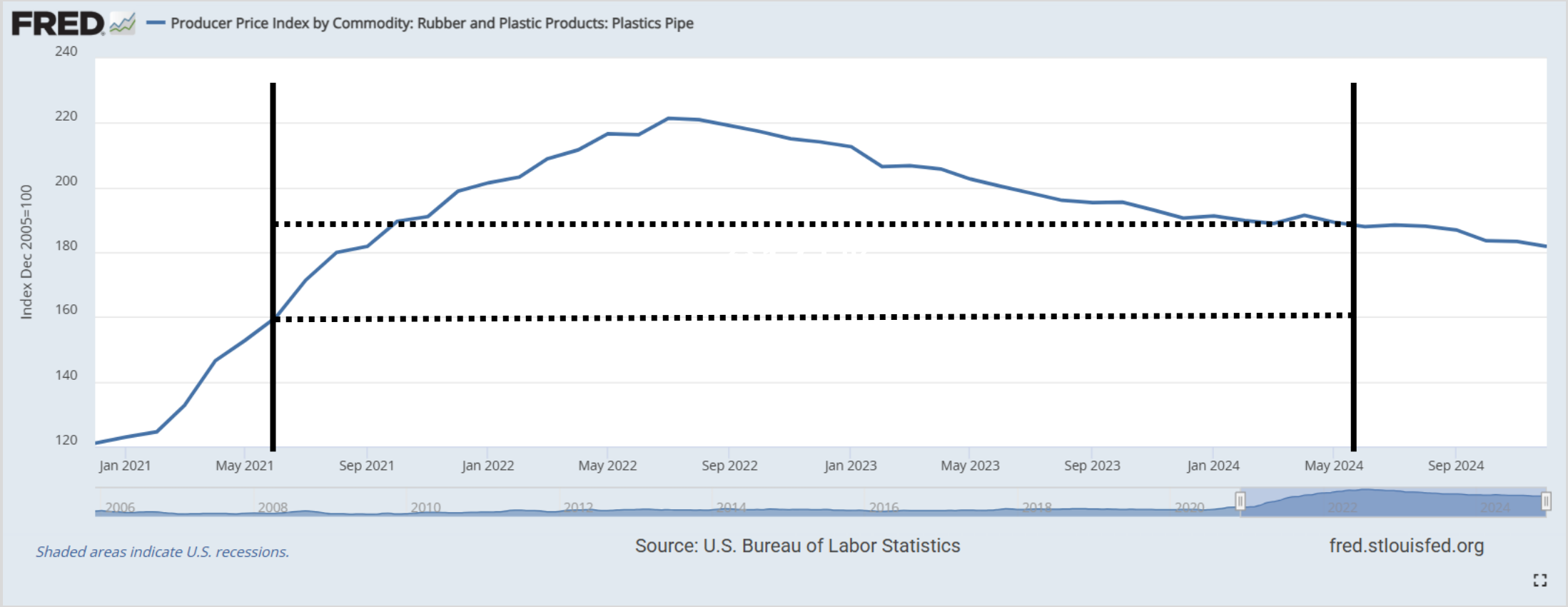
- Calculations are based on the percent increase from June 2021 – June 2024
- When available, individual items are considered
  - Ex: PIPE-Polyvinyl Chloride 1 1/2"or less (does not include excavation)
    - Compare cost increases for All Commodities vs. Plastic Pipe



Producer Price Index – All Commodities



Producer Price Index – Plastic Pipe



Producer Price Index

- All Commodities = 11.6% increase
- Plastic Pipe = 17.5% increase

Component	Unit	Current Cost	All Commodities Index Increase	New Amount - All Commodities	Plastic Pipe Index Increase	New Amount – Plastic Pipe
PIPE-Polyvinyl Chloride 1 1/2"or less (does not include excavation)	Linear Foot	$3.75	$0.44	$4.19	$0.66	$4.41

Actual Cost Items

- Receipts are used for actual cost items when available
  - Receipts received since June 2021 may be included in calculations
- Average cost calculations are compiled when necessary (when PPI and/or receipts are not available)
  - Based on published retail costs

5. Member Items

Open Discussion

TRC Meeting Schedule

- April 23, 2025
- May 28, 2025
- June 25, 2025

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