

Peaks of Otter Soil and Water Conservation District
AGRICULTURAL BMP COST-SHARE POLICY

I. The Peaks of Otter Soil and Water Conservation District supports and assists the implementation of those plans that meet local and state water quality guidelines. Practices in conservation dealing with treatment of animal waste, cropland, pasture and forested land shall be recruited and monitored by District staff and affiliated partner agencies. All practices installed by State cost-share money will be approved according to those specifications outlined in the Virginia Agricultural BMP Manual.

II. Since funding restrictions do not allow for all requests to be satisfied, a priority ranking system will be used to ensure that all monies are spent wisely. Projects will be ranked according to the following secondary considerations: projects with the lowest Conservation Efficiency Factor as compared with other like BMPs will be given priority, practices that exclude livestock from live water, proximity of practice to live water, density and number of livestock present, percentage of a total conservation plan to be implemented in a given year, and history of successful implementation of conservation practices according to established specifications and deadlines and maintenance of those practices for their lifespan. The Cost-Share Evaluation Worksheet (Attachment A) for that fiscal year's priorities will be used to evaluate practices for approval. The cap per participant is \$50,000 in cost-share per fiscal year.

III. Cover crops will be ranked on a field by field basis. All cover crop applications will be ranked and approved at the September meeting of the District's Board.

IV. Applicants will be required to self-certify that their project meets the eligibility criteria of the program before applications will be considered by the District. With practices that involve pasture management or exclusion of livestock from water features, participants must meet the eligibility criteria solely considering the livestock involved, see eligible livestock under VI, below.

V. All practices, including their components, must be signed up for by applicants before implementation in order to be considered for funding approval.

VI. Requests for cost-share assistance to assist operations that are primarily for recreational purposes now or intended to be in the future or have qualifying livestock that are solely for personal consumption will not be considered by the District. Qualifying livestock are those that are raised for breeding, food, or fiber and not those that will be used recreationally.

VII. Fences considered to exclude livestock from water features must meet NRCS specifications as a permanent fence for the type of livestock that will be excluded. Specialty fencing is ineligible for assistance for any purpose, which includes but is not limited to 2x4 woven wire, coated high-tensile wire, vinyl tape, or barbless wire.

VIII. Fencing may be installed as the perimeter of a field in conjunction with rotational grazing systems only if that fence protects an adjacent natural resource from destructive grazing or livestock traffic in the absence of water features. Cost-share will not be authorized if that fence will be placed within 100 ft of a property boundary for any reason except exclusion of livestock from an adjacent water feature. The intent of this program is not to bring new fields into production or install fence that will act as a new property or field boundary.

IX. Cost-share and tax credit rates will coincide with the NRCS Average Cost List or actual receipts, whichever is less. Additional cost-share or tax credit for unforeseen circumstances will be considered on a case by case basis by the District Board only if the eligible actual cost per component exceeds the estimated eligible cost by at least 5%.

X. All applications that involve construction of structural practices approved by the Peaks of Otter SWCD Board will be given a three month expiration notice. Applicants may request a deadline extension only if they have begun construction of approved practices. All projects must be completed within 12 months of the application approval by the District Board; additional deadline extensions past this 12-month period due to extenuating circumstances, such as death or serious illness, will be taken on a case-by-case basis.

XI. Applicants whose requests for cost-share assistance are cancelled or are not approved by the Board shall be welcome to reapply for the following fiscal year funding, which will again be ranked according to those priority considerations as set forth in the Virginia Agricultural BMP Manual and established as secondary considerations or cost-share policy by the District for that fiscal year.

XII. The District will only write nutrient management plans on agricultural land that has been approved for a conservation practice under the Virginia Agricultural BMP Program requiring such a plan, excluding nutrient management (NM-1, 2, 3, 3B, and 4) and cover crop (SL-8B, 8C, and 8H) conservation practices. In keeping with USDA Tract designations, all appropriate agricultural production acres within Tracts will be included in each plan. All soil and/or animal waste samples required will be provided to the District by the producer to complete nutrient management plans. The District reserves the right to discontinue this service at any time.

XIII. All Nutrient Management Plans written by or submitted to the District must specify application of nutrients in accordance with conservation practices a producer has been approved to implement. For cover crops, the deadline for submission of nutrient management plans to the District is December 15th.

XIV. All cost-share practices are subject to inspection for program compliance during the life span of the practice. Maintenance of all practices are the responsibility of the applicant for the life span of the practice. If all or part of a practice is destroyed or ceases to function, the applicant will return cost-share funds based on a straight-line pro-rated basis to the District. In the event of practice failures due to unusual weather conditions, such as drought or severe storms that are beyond the control of the applicant, the Board may grant an exception.

XV. If ownership or leasehold of the property where the cost-share practice is located has changed, the original applicant is the individual responsible for maintenance of the practice, and failing that, for the return of the cost-share funds. Upon the transfer of ownership or leasehold of the property, the original applicant must present to the District either an executed copy of the, "*Agricultural Best Management Practice Maintenance Agreement Transferring Responsibility for Best Management Practice*" transferring legal responsibility for maintenance of the practice to the new property owner/lessee or (2) a pro-rated return of cost-share funds.

XVI. The District will provide copies of this policy, in addition to specific cost-share program guidelines and eligibility certification to all cost-share program participants. Program participants will be required to sign a copy of this document acknowledging that they have read and have received these program documents.

All programs and services are offered on a non-discriminatory basis without regard to race, color, national origin, religion, sex, age, marital status or handicap.

I acknowledge that I have received a copy of this cost-share policy.

Participant Signature

Date