

Peaks of Otter Soil and Water Conservation District  
**RESIDENTIAL TMDL COST-SHARE POLICY**

I. The Peaks of Otter Soil and Water Conservation District administers the Big Otter River TMDL Cost-Share Assistance Program for On-Site Sewage Disposal Systems. This program is funded through a grant with the Virginia Department of Conservation and Recreation. All practices installed using cost-share funds under this program will be approved according to the specifications outlined in the Virginia Agricultural Cost-Share BMP Manual and the Program Design and Guidelines for this program.

II. 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 prioritized for funding according, but not limited to the following criteria: location within a priority watershed (RU49-Upper Big Otter River, RU51-Elk Creek, RU54-Little Otter River, RU56-Buffalo Creek), straight pipe, and location of malfunction on-site sewage disposal system within 300 feet of a perennial stream. Applicants will only be eligible for one residential BMP per fiscal year.

III. All practice applications, including their components must be signed by applicants before funding approval.

IV. The Program's percentage of cost-share assistance will be based on applicant's annual income in relation to the current median family income of the applicant's residence locality. An applicant shall provide income documentation when the applicant feels that their taxable family income is below the median family income of their residence locality and wish to apply to receive more than 50% cost-share assistance. Acceptable proof of income will be the applicant's most current Federal Income Tax return or other proof of income such as Social Security, Veterans Administration, or Disability Benefits Statement.

V. Before an application is reviewed for approval, **applicants must provide a copy of** either a septic tank – soil absorption system construction permit or a septic tank – soil absorption system repair permit, as issued by the local Health Department, including engineering design, and a copy of at least one estimate for the work to be completed including reseeding of the project area. No health department permit is required in instances where the RB-2 practice is to be implemented.

VI. It is the responsibility of the applicant to obtain necessary permits required for construction. The applicant shall comply with the engineering designs and requirements of the permits and only those projects completed to those specifications are eligible for cost-share assistance. With regard to the RB-2 practice, all work shall comply with local building codes.

VII. In the case of RB-2 (Connection to Public Sewer) practice implementation, the District will inspect the connection to public sewer before the ditch is backfilled and verify that the original pipe outlet has been terminated or connected to the new sewer pipe.

VIII. All disturbed areas associated with project construction must be reseeded in accordance with Virginia Erosion and Sediment Control Standards and Specifications 3.31 (Permanent Seeding) and 3.35 (Mulching) before projects will be considered to be complete. For slopes of 3:1 or greater, Standard 3.36 (Blankets and Matting) will be followed. Seeding will be inspected by District staff to verify implementation in accordance with the Standards.

IX. Upon project completion, the participant will provide copies of the final bills, which include reseeded of the project area, and a copy of the Completion Statement and/or Sewage Disposal System Operation Permit, as issued by the local Health Department when required, to the District.

X. All applications approved by the Peaks of Otter Soil and Water Conservation District Board of Directors will be given a two month expiration notice once the project is approved unless funding restrictions constrain otherwise. Applicants may request a deadline extension only if adequate progress is shown before the current deadline and the need is due to extenuating circumstances. Extensions will be taken on a case-by-case basis by the Board and are not automatically granted.

XI. Actual cost-share received will be calculated by multiplying the eligible practice costs as outlined within the Virginia Agricultural BMP Cost-Share Manual for each practice by the percentage of cost-share the applicant is eligible to receive. Maximum cost-share payment amounts (caps) exist for each practice and not all participants will receive the full cost-share percentage they may be eligible to receive. Actual costs will be verified by submission of actual bills by the participant for the completed project. Participants will receive the percentage of cost-share for which they qualified, up to the practice cap amount, whichever amount is less. In the instances where actual eligible practice costs exceed the caps, only those participants, whose actual eligible practice costs exceed the eligible cost cap by 10% or more and qualify for 60% or more cost-share assistance, may request additional cost-share funds in order to receive their full cost-share percentage. These projects will be reviewed on a case-by-case basis. There will be no automatic increase above the stated cost-share cap amounts.

XII. Applicants whose request for cost-share assistance is cancelled are not eligible to reapply for the same project that was cancelled. Applicants whose request for cost-share assistance is not approved by the Board shall be welcome to reapply for funding in the following quarter. All applications will be ranked according to the priority considerations for this program as outlined in II, above.

XIII. The lifespan of all residential cost-share practices is 10 years following the calendar year of installation. All cost-share practices are subject to inspection by the District for program compliance during the lifespan. Maintenance of all practices is the responsibility of the program participant 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 that are beyond the control of the applicant, the Board may grant an exception.

XIV. 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 or a pro-rated return of cost-share funds.

XV. The District will provide copies of this policy in addition to applicable cost-share practice specifications to all cost-share program participants. Program participants must sign a copy of this document acknowledging that they have received a copy of this Policy.

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