

Name of Practice: MAINTENANCE OF STREAM EXCLUSION FENCING
DCR Specifications for NO. WP-2D

This document specifies terms and conditions for the Virginia Department of Conservation and Recreation's maintenance of stream exclusion fencing best management practice, that are applicable to all contracts, entered into with respect to that practice.

A. Description and Purpose

To maintain fencing along streams to reduce erosion, sedimentation, and the pollution of water from livestock access to streams, and to provide an incentive to maintain stream-exclusion fencing damaged by flooding.

B. Policies and Specifications

1. Tax credit is authorized:
 - i. For the repair or replacement of permanent fencing to deny livestock access to the stream.
 - ii. For wire, posts, fence chargers, and couplers to reestablish permanent stream fencing.
2. Tax credit is not authorized for:
 - i. Temporary fencing.
 - ii. Interior cross fencing that does not exclude livestock from the stream.
3. TMDL areas will be given priority consideration.
4. This practice is subject to NRCS Standards 382 Fence and 472 Access Control.
5. All practice components implemented must be maintained for a minimum of 5 years following the calendar year of installation. The lifespan begins on Jan. 1 of the calendar year following the year of implementation. By accepting a state tax credit for this practice the participant agrees to maintain all practice components for the specified lifespan. This practice is subject to spot check by the SWCD throughout the lifespan of the practice and failure to maintain the practice may result in reimbursement of cost share and/or tax credits.

C. Rate(s)

1. As set forth by Virginia Code § 58.1-339.3 and §58.1-439.5, Virginia law currently provides a tax credit for implementation of certain BMP practices. The current tax credit rate, which is subject to change in accordance with the Code of Virginia, is 25% of the total eligible cost not to exceed \$17,500.00.

2. The Tax Credit rate is 25% of the total eligible cost not to exceed \$17,500.00. If a cooperator receives cost-share, only the cooperators share of the project is used to determine the tax credit.

D. Technical Responsibility

Technical and administrative responsibility is assigned to qualified technical DCR and SWCD staff in consultation, where appropriate and based on the controlling standard, with DCR, Virginia Certified Nutrient Management Planner(s), NRCS, DOF, and VCE. Individuals certifying technical need and technical practice installation shall have appropriate certifications as identified above, and/or Engineering Job Approval Authority (EJAA), for the designed and installed component(s). All practices are subject to spot check procedures and any other quality control measures.

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