Name of Practice: RELOCATION OF CONFINED FEEDING OPERATIONS FROM ENVIRONMENTALLY SENSITIVE AREAS
DCR Specification for No. WP-8

This document specifies terms and conditions for the Virginia Department of Conservation and Recreation's relocation of confined feeding operations from environmentally sensitive areas best management practice, that are applicable to all contracts, entered into with respect to that practice.

A. Description and Purpose

The relocation of confined feeding operations from areas that have an increased chance of contaminated runoff entering the state's stream, rivers and estuaries.

The purpose of the practice is to improve water quality by relocating confined feeding operations away from environmentally sensitive areas such as sinkholes, streams and rivers to reduce or eliminate the amount of pollution-laden runoff reaching these areas.

B. Policies and Specifications

1. Tax Credit is authorized for:
   i. For using engineered plans for feeding structures available from the MidWest Plan Service (MWPS), the Natural Resources, Agriculture, and Engineering Services (NRAES), or a professional engineer (P.E.).
   ii. For the construction of new facilities of equal volume.
   iii. For the construction of access to the relocated facility.
   iv. For demolition (only when necessary) and stabilization of the existing facility.

2. The replaced facility must not be used for animal confinement feeding or any other operation that would increase the amount of polluting runoff entering sensitive areas.

3. Tax Credit is not authorized for new startup facilities or expanded portion of any existing or relocated facility.

4. The relocation of a facility must substantially reduce the amount of runoff entering streams, rivers and/or estuaries.

5. A management plan and best management practice design is to be developed with consultation from a VCE Agent, NRCS, and/or SWCD. For a tax credit on feeding structures that exceed $5,000 in cost, plans from MWPS, NRAES, or a P.E. must be used.

6. This practice is subject to NRCS Standards 313 Waste Storage Facility, 327 Conservation Cover, 342 Critical Area Planting, 350 Sediment Basin, 356 Dike,

359 Waste Treatment Lagoon, 362 Diversion, 382 Fencing, 393 Filter Strip, 412 Grassed Waterway, 472 Access Control, 516 Pipeline, 558 Roof Runoff Structure, 560Access Road, 561 Heavy Use Area Protection, 574 Spring Development, 587 Structure for Water Control, 590 Nutrient Management, 614 Watering Facility, 633 Waste Utilization, and 642 Water Well.

7. All practice components implemented must be maintained for a minimum of 10 years following the calendar year of installation. The lifespan begins on Jan. 1 of the calendar year following the year of certification of completion. 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 percent of the total cost of the project that the cooperator contributed 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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