

Animal Waste Management System (AWMS) 319 Funding Fact Sheet

February 2014

Use of Section 319 funds to construct animal waste management systems (AWMS) is limited to small and medium Animal Feeding Operations (AFO). Table 1 outlines the number of animals by type of animal that define small, medium, and large feeding operations. All systems that receive 319 funding must be built to NRCS Specifications and have a comprehensive nutrient management plan developed.

The following highlights the requirements that must be followed when working with AWMS and 319 funds.

Conventional (Open Lot) System, Clean Water Diversion, Vegetative Treatment Area, Stacking Pads, Etc.: The NRCS Environmental Quality Incentives Program (EQIP) should be used as a funding source prior to awarding 319 funds for an AWMS. Doing so maximizes the number of systems a project can participate with. EQIP funding cannot exceed \$200,000 per system.

Systems funded through EQIP can also receive 319 funds. However, the combined funding cannot exceed \$200,000 or 60% of the total project.

If no funding is coming from EQIP for the construction of the system, then 319 funding is limited to \$200,000 not to exceed 60% of the total project. DENR's "Guidelines for 319 Funded Feedlots" must be followed (**Appendix B**). This document covers checklists and criteria required from the Engineer. If you have questions contact Jeremy Schelhaas. (605.362.3548).

Producer Contribution: The minimum producer contribution is 40 to 50 percent of the cost for the system. The contribution can be a combination of cash and in-kind services/materials from the producer. The producer contribution for an EQIP funded system, which is eligible for funding through 319, can be captured as match for the 319 project even if 319 funds were not spent on the system. In contrast, if 319 is not eligible to cost share a part or portion of a facility, it also cannot count as match. For example, if a facility is expanding in animal units, the cost associated with the expansion would not count as match.

Roofed Structures: EQIP funding for Roofed Structures (hoop barns, and mono-slope barns) is capped at \$200,000. Roofed Structures funded through EQIP can also receive 319 funds. However, the combined funding cannot exceed \$200,000 or 50% of the total project. Structures funded with only 319 costshare must follow the EQIP docket rates for current capacity using 35 ft² per head and are capped at \$200,000 or 50% of the total cost.

Expansion: Expanding feeding operations can receive 319 cost share funds to construct an AWMS, even if the expansion will increase capacity above the numbers listed for a large CAFO (Table 1). Assistance is limited to the amount it would cost to construct the AWMS for current capacity. Current capacity is not the number of animal units that occupy the facility, but rather the number the facility could realistically hold. For example, if a facility houses 500 head of steers but has capacity for 750, and will expand to 1,100 head, 319 can cost share what it would cost to construct a system for 750 head. This applies to both design and construction. The additional expense associated with expansion beyond 750 head cannot be captured as match for the project.

Relocation & Reclamation: The 319 program can provide cost share on expenses associated with the relocation and reclamation if a producer is required to relocate a facility in order to improve water quality (not for the only reason being that the producer wants it moved). These costs include construction of foundations for any buildings moved from the current location to the new location. If a building cannot be moved without damaging the integrity of the structure, the cost of constructing a structure of the same size can be cost shared. The former site must be abandoned and reclaimed using such water quality protection best management practices (BMPs) as determined necessary to reduce nonpoint source pollution from the site. It is understood that, at a minimum, the reclamation shall include removal of fences, pens, feed bunks, manure stockpiles, and re-vegetation of the site. Cost associated with the reclamation of the old site is not included in the funding for the new system. This should be considered a separate project for the producer.

When cost share assistance is provided to relocate an AFO, a legal agreement prohibiting the future use of the abandoned animal feeding site for that purpose and requiring reclamation of the site to protect water quality must be signed by the producer. The sponsor should also consider requiring a deed restriction or other use-limiting document be filed with the county register of deeds.

Operation & Maintenance: Operation and Maintenance (O&M) requirements must be continued over the life of the practice. A list of suggested lifespan practices is located on the NRCS eFOTG website under Section 1-C. Cost Data-Lifespan Table at: <http://efotg.nrcs.usda.gov/references/public/SD/LifeSpan-NoticeSD-195.pdf>

If O&M requirements are not followed on a 319 funded system, measures for the producer to repay cost share received for the system must be initiated, unless the failure of the facility was beyond the control of normal O&M and the producer.

System Design: If 319 is used to fund the design of a system, the system must be completed within five years from the date the design is completed or by the completion of the implementation project. If the construction is not completed by that time, funds expended for that project must be paid back in full.

Cultural Resources: Construction of any type of a waste storage, clean water diversion, or basin is considered an undertaking that must be reviewed by the State Historical Preservation Office (SHPO) if federal funds or technical assistance are

involved. If NRCS has the larger financial or technical involvement in a system, NRCS will be designated the lead agency for the system and complete the cultural resource review. If 319 funding has the larger federal contribution, the 319 project sponsor must complete the cultural resource review through DENR. Contact DENR Watershed Protection Program (605.773.4254) for information regarding the cultural resource consultation process.

Compliance Action / Complaint: Operations that are considered a large CAFO are not eligible for 319 funding. Producers with operations that do not meet the criteria of a large CAFO, but have formal compliance action taken against them are ineligible for 319 funding. The project should quantify the pollution reductions from installation of AWMS for these operations, but cannot claim match from producer, state, or local funds to design or construct the system.

Table 1. Number of Animals to Define Large, Medium, and Small Concentrated Animal Feeding Operations			
Type of Animal Feeding Operation	Concentrated Animal Feeding Operations		
	Large Animal numbers equal to or more than:	Medium Animal numbers equal to:	Small Animal numbers less than:
Dairy cows (mature – milked or dry)	700	200 to 699	200
Veal Calves	1,000	300 to 999	300
Cattle other than mature dairy cows or veal calves ¹	1,000	300 to 999	300
Swine (weighing more than 55 pounds)	2,500	750 to 2,499	750
Swine (weighing less than 55 pounds)	10,000	3,000 to 9,999	3,000
Horses	500	150 to 499	150
Sheep or Lambs	10,000	3,000 to 9,999	3,000
Turkeys	55,000	16,500 to 54,999	16,500
Laying hens or broilers ²	30,000	9,000 to 29,999	9,000
Chickens, other than laying hens ³	125,000	37,500 to 124,999	37,500
Laying hens ³	82,000	25,000 to 81,999	25,000
Ducks ²	5,000	1,500 to 4,999	1,500
Ducks ³	30,000	10,000 to 29,999	10,000
Geese	30,000	10,000 to 29,999	10,000

¹ Cattle includes but is not limited to heifers, steers, bulls and cow/calf pairs.

² Animal feeding operations use a liquid manure handling system.

³ Animal feeding operation uses other than a liquid manure handling system.

Procurement of Services and Bid Policies: Due to construction requirements associated with manure management facilities, **all must follow a Bid Process (see guideline on Bid requirements)**. Local project coordinators should review all the approved procurement methods with the producer and assist them with the selection of the most applicable method.