

Watershed Agricultural Program Guideline

1.1.06

CONCENTRATED ANIMAL FEEDING OPERATION (CAFO) GUIDELINE

The purpose of this guideline is to determine the level of assistance the WAP will provide to regulated CAFO designated farms. Farms requiring a Notice of Intent (NOI) or permit as defined by the Concentrated Animal Feeding Operation (CAFO) regulations must file their NOI or permit to NYS DEC and provide confirmation of such to maintain active status with WAP. The CAFO designated farms will be responsible for all fees associated with the NYS CAFO permitting process.

LEVEL OF ASSISTANCE:

1. It is the responsibility of the participant with a designated CAFO farm operation to hire a certified CAFO planner as required under the NYS CAFO regulations.
2. WAP will cost-share the development of the CNMP not to exceed \$3,000 per year or 50% of the cost for the CNMP and its yearly updates, whichever is lower. All NM planning will be included in the responsibilities of the CAFO planner. WAP will annually require a complete updated copy of the CNMP before cost share assistance is released.
3. WAP will pay for soil analysis for all fields within the NYC watershed, soil sampling will be the responsibility of the CAFO planner. WAP will require a copy of all soil analysis with field & tract locations identified with supporting lab invoice(s) before cost share assistance will be released.
4. The design and implementation costs of the BMPs that are required by CAFO regulations will be the sole responsibility of the participant.
5. WAP staff will provide the following support to CAFO farms:
 - Environmental assessments of potential water quality issues not covered by the CNMP and CAFO permit (this refers to only issues not covered in the NRCS NY 312 standard). This includes planning, eligibility for funding, engineering and full implementation of WAP identified/ coded BMPs. WAP will identify, plan and implement these BMPs not required by the CNMP and CAFO permit through normal prioritized planning and implementation processes.
 - Guide and support Participants with applications for any external funding available for all applicable BMPs.
 - WAP staff will assist planning, sizing and location of new facilities or BMPs.
 - Technical assistance.
 - Quality Management Assistance (QMA) projects.
 - WAP provide full participant status and all rights thereto.
 - Participant farms will continue to be eligible for the NM Credit Program.

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REPAIR & REPLACEMENT

1. WAP will Repair or Replace WAC funded BMP's, according to the Repair and Replacement and BMP Prioritization guidelines. The BMPs needing repair or replacement can be identified by either the CAFO planner or WAP staff. The participant will be responsible for the proportional costs associated with increasing the size and scope of the BMP from its original design as it relates to their current CAFO sized operation. The participant must comply with all BMP Procurement Procedures.
2. WAP can't guarantee that a BMP will be repaired or replaced within any timeframe set by CAFO regulations.
3. WAP will not be responsible for repairing or replacing non-WAP funded BMPs, these will be the responsibility of the participant.

Waste Management System NRCS NY 312 Standard - Attachment A