

## Watershed Agricultural Program Guideline

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### 2.1.23

#### **UNDER BARN WASTE STORAGE BMP – For New Livestock Housing Facilities**

The purpose of this guideline is to provide the eligibility criteria and participant requirements for an Under Barn Waste Storage (UBWS) BMP to be included on a Landowner/Producer WFP. In addition it provides program guidance for approval and implementation of this BMP.

The WAP will only fund the construction and components directly related to the UBWS. The cost of the animal housing structure, and all associated components is the sole responsibility of the Landowner/ Producer.

#### **Eligibility Criteria:**

1. To be eligible for an UBWS, a farm must be planning to construct a new animal housing structure and Waste Storage must be identified as a resource concern in the WFP.
2. The Landowner/ Producer must be ready and able to construct the animal housing structure above the UBWS as soon as the storage has been constructed. The requirement to show this ability are provided below.
3. The UBWS will be sized based on the current number of animals on the farm, unless the proposed animal housing is part of a farm expansion. In the case of farm expansion, further justification must be provided as this represents an exception to *Guideline 1.1.07 Farm Construction and Expansion*.

#### **Participant Requirements:**

The Landowner/Producer must provide a written proposal stating their intention to build a new facility that includes an UBWS. The following must be provided in the proposal:

1. A business plan for the new animal housing with under barn waste storage, that includes a description of how this new structure will be incorporated into the farm operation, number of animals, available land resources and financing of the structure will be required. The plan must be prepared by or in consultation with a qualified or accredited third party. The Landowner/Producer may be requested to discuss the business plan directly with the WAP managers as needed.
2. In the case of farm expansion, the business plan must also show how the increased number of animals will impact the farm business and farm resources.

## Watershed Agricultural Program Guideline

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3. The Landowner/Producer shall provide documentation showing they have adequate funding in place to cover the designed cost of the animal housing structure. This documentation may include a loan commitment letter from a bank or lending institution, or another form of proof that shows the ability to complete the structure. All financial documentation must be provided prior to the WAP bidding of the UBWS, these documents shall be reviewed and approved by the Procurement Coordinator and the Ag Program Manager.
4. The Landowner/Producer must provide design drawings showing the layout of the proposed animal housing structure that is compatible with the UBWS. A layout of the building footprint will be required for the WFP revision, and the complete engineer design drawings will be required prior to the bidding of the UBWS. All costs associated with designing and engineering the animal housing structure are the responsibility of the Landowner/Producer.
5. The Landowner/Producer acknowledges the safety hazards associated with the UBWS concerning human and animal health, agrees to design the animal housing with proper ventilation to prevent harmful gas buildup and will sign a hold harmless agreement releasing WAC, its agents or assigns and the City of New York from all claims of liability.
6. The Landowner/Producer will develop and maintain a Health and Safety Plan to mitigate hazards associated with the UBWS structure and provide a copy to the WAP.
7. The Landowner/Producer agrees not to use sand or straw bedding. Entry into the storage is prohibited and silage leachate cannot be added to the storage due to harmful gas potential.

### **WAP Approval and Implementation:**

The WAP managers will review the proposal and business plan to determine eligibility. If eligible, they will direct the WF Planner to set the timeline for the WFP revision to include the under barn waste storage and needed component BMPs.

1. Funding for the UBWS and associated BMPs will be approved through the whole farm plan revision process. BMP funding is dependent on the availability of funds and guideline *3.1.01 BMP Prioritization and Workload Development*.
2. Components eligible for WAP funding:
  - a. Design and construction of the UBWS.
  - b. Pump/Agitation Equipment.
  - c. Access roads around the storage to facilitate agitation and manure removal.
  - d. Milkhouse waste and/or milking parlor waste transfer systems if needed.
3. Barn floor and support system funding:
  - a. Costs to design and construct the entire floor support structure **are** eligible for WAP finding.

## Watershed Agricultural Program Guideline

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- b. Costs of the slatted portion of the floor **are** eligible for WAP funding and will be included in the WFP as a manure transfer BMP.
  - c. Costs of the non-slatted portion of the floor **are not** eligible for WAP funding. This includes any area of the floor system that are not slatted, cow beds, feed alleys etc. The portion of the suspended floor system not funded by WAP will be included as a separate bid item in the bid package for the slatted floor, and the Landowner/ Producer will pay WAC for the costs of the non-slatted flooring.
4. The animal housing structure **is not** eligible for WAP funding, therefore it will not be a component of the contract for the waste storage BMP. This includes any structural or non-structural components necessary or related to the operation of the livestock housing facility i.e. curtains, doors, gates, headlocks, stall dividers, feeding or watering systems. The Landowner/Producer is responsible for all costs associated with the design and construction of the animal housing structure.
5. The animal housing structure is integral to completing the UBWS system, and must be built for the system to operate. If the animal housing is not built after the WAC funded waste storage portion has been installed, the Landowner/Producer will be expected to utilize it as a waste storage to meet the requirements of the WFP. In addition the Ag Committee may move to impose further actions such as delaying future BMP implementation, withholding NMCredit funds, or suspension from the WAP. If at any time during the planning, design, or implementation of the UBWS, circumstances arise on the farm that will prevent the completion of the animal housing structure, the Landowner/Producer **MUST** immediately notify the WAP.
6. All parties agree that the contract between the landowner and contractor for the animal housing, will not create any contractual relationship between the WAC, its agents or assigns and the City of New York, and releases any and all claims of liability arising out of any portion of any work performed under said Contract.
7. The WAC shall procure the WAP funded portion of the UBWS BMP project as per the BMP Procurement policy.
8. The WAP will develop and monitor an O&M agreement following the recommended NRCS lifespan and template for Waste Storage Facilities. The WAP will develop and monitor a Manure Emergency Action Plan (MEAP) in consultation with the Landowner/Producer.