



Abbreviated Outline of the Accepted Agricultural Practices



The purpose of the outline is to give a quick overview of the practices and some common sense input. This outline was created by the SoVt Nutrient Management Program from the Accepted Agricultural Practices Regulations. It is your responsibility to know the AAP's in their entirety and how they effect your operation. The Conservation Districts and the SoVt Nutrient Management Program are available to help.

A full copy of the AAPs' can be found online at www.vermontagriculture.com If you do not have a computer to access this information please contact one of the following people and request that a copy be sent to you.

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- 1) No direct discharge into the surface or ground waters from discrete conveyances (ie: ditch, pipe, conduit etc) without a permit from ANR.
- 2) Barnyards, manure storage areas, animal holding areas and production areas shall be managed/controlled to prevent runoff into surface waters, ground waters or across property boundaries.
- 3) Adequate vegetative cover shall be maintained on streambanks by limiting livestock trampling and equipment damage, except at defined crossings, to protect streambanks from excessive erosion.
- 4) The area from top of bank to the actual water surface shall be left in their natural state.
- 5) Manure, fertilizer and pesticide storage structures shall not be constructed w/in a floodway area as represented on National Flood Insurance maps or within a Fluvial Erosion Hazard Zone as designated by municipal ordinance. Any manure, fertilizer or pesticide storage structure built within a flood plain must conform to National Flood Insurance Standards.
- 6) **Manure cannot be applied/stacked/handled in such a way as to enter surface water.**

*** There is NO size criterion for who has to follow the AAP's!***

For the purpose of the AAP's livestock means: cattle, sheep, goats, equines, fallow deer, red deer, American Bison, Swine, Water Buffalo, Poultry, Pheasant, Chukar Partridge, Coturnix Quail, Camelids, ratites (ostriches, rheas, and emus) and cultured trout propagated by commercial trout farms.

7) Vegetative Buffer Zones and Streambanks

- a. Shall be maintained between annual cropland and adjoining surface water
 - i. Adjoining surface waters shall be buffered from croplands **by at least 10 feet** of perennial vegetation.
 - ii. An **additional 15 feet** of buffer is required at points of runoff to adjoining surface waters (so a 25' radius back from that point of run off)
- b. No manure can be applied to the perennial buffer (Bacterial risk to water)
(Compost can be applied.)
- c. Fertilizer can be applied for establishment and maintenance only.
- d. Buffer can be harvested.
- e. Livestock Exclusion
 - i. Livestock shall be managed in such a manner to limit trampling of buffer strip except at designated crossings
- f. Equipment damage and erosion shall be limited on buffer except at designated crossings.

- g. The area from the top of the bank to the edge of water shall be left in its natural state.
- h. Tillage of buffer area shall not occur except for the creation or maintenance thereof.
- i. Buffers are not required along intermittent stream channels such as those occurring in annual croplands or along drainage ditches.
(FYI: If a "drainage ditch" has water in it for ten months out of the year, and it looks and acts like a brook, then consider it a brook and put a buffer on it. Don't split hairs)

Keep in mind what will work on your establishment. It might not make economic sense to harvest a 10ft buffer but it would make economic sense to harvest a 25ft buffer. Try not to think of the restrictions, think instead of how to make the laws work for you!



Construction of New Farm Structures

- a. If construction disturbs one or more acres of land then approval must be given by ANR. *This means the whole construction site not just the size of the building being constructed.*
 - i. ANR will give approval when it receives a Notice of Intent, which certifies that adequate measures for the control of erosion and sedimentation will be used during the land disturbance and construction efforts.
 - ii. Water Quality Division – 802-241-3770
 - iii. Must notify the zoning administrator or town clerk in writing of proposed construction, including sketch and setback from property lines and road rights-of-way.
 - iv. New construction that are not additions to existing structures shall be constructed so that a minimum of **50'** is maintained between the top of the bank of adjoining waters and the structure
 - 1. Irrigation, drainage or fencing is exempt
 - v. ***All waste storage facilities constructed or expanded after July 1, 2006 shall be designed and constructed according to NRCS standards and specifications or an equivalent standard certified by a professional engineer licensed in Vermont.***



Manure stacking/spreading

- a. No manure can be stored within 100 ft of property boundaries unless it can be demonstrated to the Secretary of Ag that no suitable alternative site available.
- b. Stacking or storing of manure shall not occur on lands subject to annual overflow from adjacent waters unless it can be proven that no suitable alternative site is available.
- c. Manure shall not be field stacked on unimproved site within 100 feet of surface water unless it can be proven that no suitable alternative site is available.
- d. Manure spread on annual cropland that is subjected to annual overflow from adjacent surface waters shall be incorporated w/in 48 hrs.
 - i. Not applicable to no-till land or land planted to cover crop
- e. Manure shall not be spread within 10' of adjoining surface water or within 25 ft of adjoining surface water at points of runoff or **applied in such a way to enter surface water.** (This includes field drainage ditches as well)
- f. Manure shall not be spread between December 15 and April 1st unless granted an exemption from the Secretary of Ag.
- g. Waste management systems shall be managed and maintained so as to prevent discharges or structural failures.

Record Keeping, Record Keeping, Record Keeping. This subject can't be stressed enough. When, Where, How Much, is the bare bones minimum record keeping that you should doing for your nutrient dispersal. A FREE Nutrient Spreading Workbook is available from SoVtNMP.



Soil Testing and Cultivation

- h. All fields receiving mechanical application of nutrients shall have their soil tested every 5 years.
- i. **Nutrient application shall be based on soil testing by field.**
- j. All sources of nutrients shall be accounted for when determining recommended application rates for crops.(crop residue etc)
- k. Records of soil test shall be maintained for 5 years
- l. **Nutrient applications shall be consistent with university recommendations, standard agricultural practices or a nutrient management plan for the farm approved by the Secretary**
- m. Recommendations and applications may be adjusted based on manure testing and/or leaf Analysis
- n. Cropland shall be cultivated in such a manner as to limit soil loss (loss less than or equal to 2 times the soil loss tolerance (2T) according to RUSLE)

An indicator for soil loss can be sheet and/or rill erosion, if these are evident you most likely have a higher than acceptable soil loss.

With the ever rising costs of fertilizer, it is in your best economic interest to find out what your fields really need for nutrients. You may be surprised to find that you can reduce nutrient inputs and still have reasonable yields. Record keeping plays a significant role in nutrient management.



Well set backs

- a. Livestock shall not be pastured w/in 50' of a private well with out the permission of the owner
- b. Manure shall not be applied with 50' of a private well unless there is a legal document which provides for a different isolation distance
- c. Manure shall not be stacked/stored within 100' of a private well
- d. Fertilizer shall not be stored within 100' of a private well unless stored in a structure that minimizes leaching and runoff potential.
 - i. Exclusion to a, b, c and d: If a private well is placed in a location that is inconsistent with state law or regulation
(Currently 50' adjoining Ag land, otherwise 10' (802-241-3400))
- e. Farms need to be aware of the locations of surface drinking water source intakes and appropriately manage agricultural activities to reduce potential negative impacts.



Animal mortalities and agricultural waste:

- a. Animal mortalities **buried** on the farm shall be sited so as to be:
 - i. At least 150' from the property lines, wells and surface water
 - ii. At least 3' above the seasonal high water table
 - iii. Covered with a minimum of 24" of soil
- b. Animal Mortalities **composted** on farm property shall be sited so as to be:
 - i. At least 100 ft from property lines, wells and surface waters
 - ii. Not in land subject to annual overflow from adjoining surface water.
 - iii. At least 300' from neighboring domiciles
- c. All waste including but not limited to chemicals, petroleum products, containers, and carcasses shall be properly stored, handled and disposed of in such a manner to limit adverse water quality impacts.



Streambank Stabilization

- a. Stabilization of farm field streambanks shall be constructed in accordance with the NRCS standards and specification or other standards approved by the Natural Resources and Agriculture secretaries.
- b. Wherever feasible, stabilization of farm field streambanks shall recognize the need to reduce fluvial erosion hazards.

Remember to check with your local Vt-DEC River Management Division to see if you will need a permit!



Ground water

- a. Concentration of waste in ground water shall not reach or exceed the primary or secondary ground water quality standards
- b. Farm operations shall be conducted with the goal to reduce the concentration of wastes in groundwater to the preventive action levels (PAL)
- c. The Secretary may conduct groundwater quality monitoring to assess the impact of agricultural practices and farm operations on the quality of drinking water and groundwater.

The Farm-A-Syst program offers FREE well water testing. Contact your local Agricultural Resource Specialist (ARS) or Conservation District for the ARS in your area.



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Definitions:

- 1) Production area means any part of a farm that includes:
 - a. Animal confinement area
 - b. Manure storage area
 - c. Feed storage area
 - d. Waste containment areas
 - e. Washing or processing areas
 - f. Fertilizer and pesticide storage areas
 - g. Area used for the storage, handling, treatment or disposal of mortalities

- 3) Intermittent Waters:
 - a. Waters of the state where the presence of water is not continuous and may occur periodically and infrequently such as during and immediately following a rain or snowmelt event.

- 4) Fluvial Erosion Hazard (FEH)
 - a. A corridor within which structures and investments are most likely to be at a high to extreme risk of loss due to the erosion associated with channel slope adjustments. FEH zones are derived by the ANR through stream geomorphic assessments, mapped as part of the FEMA flood hazard program, and adopted through municipal plans and zoning ordinances pursuant to 24 V.S.A. §4424

- 5) Practices governed by the AAP's, **but are not limited to:**
 - a. The confinement, feeding, fencing and water of livestock
 - b. The storage and handling of livestock wastes and by-products
 - c. The collection of maple sap and production of maple syrup
 - d. The preparation, tiling, fertilization, planting, protection, irrigation and harvesting of crops.
 - e. Ditching and subsurface drainage of farm fields and the construction of farm ponds
 - f. The stabilization of farm field stream banks
 - g. The construction and maintenance of farm structures
 - h. Onsite production of fuel or power from agricultural products produced on the farm
 - i. On site storage preparation and sale of agricultural products principally produced on the farm
 - j. The onsite storage of agricultural inputs including, but not limited to lime, fertilizer and pesticides.
 - k. The handling of livestock mortalities

The Accepted Agricultural Practices are designed to **reduce** non-point source pollution, such as sediments, nutrients and agricultural chemicals, by improved farming techniques rather than investments in structure and equipment (BMP Program). Practices include, but are not limited to: Erosion Control, Sediment Control, Animal Waste Management, Fertilizer Management, and Pesticide Management

“Implementation of AAP’s by Vermont agricultural operators creates a rebuttable presumption of compliance with Vermont Water Quality Standards and Vermont Wetland Rules. The presumption that the use of AAP practices complies with Vermont Water Quality Standards may be overcome by water quality data or results from a water quality study deemed conclusive by the Secretary of ANR. These rules, however, do not exempt farmers from the obligation to comply fully with the Vermont Surface and Ground Water Quality Standards, the Vermont Wetland Rules and the applicable provisions of the Federal Clean Water Act.”

