

Animal Waste Management System (AWMS) Fact Sheet

Use of Riparian Buffer Initiative HB1256 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 funds must be built to Natural Resources Conservation Service (NRCS) specifications and have a comprehensive nutrient management plan developed. Eligibility is based on the facilities hydrologic connection to a qualifying river/stream listed in ARSD 74:51:03:07 or lake in the Big Sioux River watershed listed in ARSD 74:51:02:04. Priority will be given to AFOs within one mile or less of a qualifying stream or lake; however, facilities outside of one mile may be considered for funding using the following criteria:

- AFO drainage network exhibits a clear conveyance to a qualified waterbody.
- High ranking systems that provide the greatest water quality benefit in accordance with NRCS screening tools.
- Final approval required by the DANR.

The following highlights the requirements that must be followed when working with AWMS and Riparian Buffer Initiative (RBI) funds:

Conventional (Open Lot) System, Roofed Structures, Vegetative Treatment Area, Stacking Pads, ETC: Producers seeking RBI funds must work with the NRCS for construction and design of AWMS in the county where the facility will be built. RBI funding is to be used for expansion and relocation of AWMS. New AWMS are **not** eligible. RBI funding is not to exceed \$250 per Animal Unit (AU) up to \$250,000 per system.

Producer Contribution: RBI funds require a minimum producer contribution of 25 percent. The contribution can be a combination of cash and in-kind services/materials from the producer. The producer contribution for an NRCS funded system, which is eligible for funding through RBI, can be captured as match for the 319 project even if Project funds were not spent on the system.

Expansion: Expanding feeding operations can receive RBI 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 current capacity AU. Current capacity is not the number of AU that occupy the facility, but rather the maximum carrying capacity the facility can hold. For example, if a facility houses 500 AU of steers but has capacity for 750 AU, and will expand to 1,100 AU, funding for the system can be set for 750 AU.

Relocation & Reclamation: The RBI program can provide cost share on expenses associated with feedlot relocation and reclamation if a producer is required to relocate a facility in order to improve water quality. 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 and not to exceed 75% cost share.

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 Department of Agriculture and Natural Resources (DANR) will require a deed restriction or other use-limiting document be filed with the county register of deeds.
(Example in Appendix A)

Operation & Maintenance: Operation and Maintenance (O&M) requirements must be continued over the life of the practice.

If O&M requirements are not followed on an RBI 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 RBI funds are used to fund the design of a system, the system must be completed within two years from the date the design is completed or by the completion of the Riparian Buffer Initiative Program. If the construction is not completed by that time, funds expended for that project must be paid back in full.

Compliance Action / Complaint: Operations that are considered a large CAFO are not eligible for RBI 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 RBI funding.

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.

APPENDIX A

Agreement for Reclaiming an Abandoned Animal Feeding Operation

In order to improve water quality, the abandoned feedlot located in _____ will be reclaimed. To qualify for RBI cost share assistance, the landowner and operator of the abandoned open feedlot agrees to the following conditions:

1. At a minimum, the reclamation shall include removal of fences, pens, feed bunks and manure stockpiles.
2. The entire feedlot must have a permanent vegetative grass cover established and maintained within two years. The existing feedlot area may be hayed or grazed in a manner, which maintains adequate residual plant growth (4-6 inches) to prevent erosion or excessive runoff.
3. Routine feeding, bedding or confinement in the reclaimed feedlot area, regardless of the time frame, which allows an accumulation of nutrients subject to removal by runoff events will be considered a violation of this cost share agreement.
4. When cost share assistance is provided to reclaim an animal feeding operation (AFO), a legal agreement prohibiting the future use of the abandoned animal feeding site for that purpose must be signed by the producer. DANR will require a deed restriction or other use-limiting document be filed with the county register of deeds.

This agreement shall be in effect for a ten-year period. Failure to adhere to all the above requirements will require forfeiture and repayment of the cost share received on an equally adjusted ten-year basis (10% for each year remaining in agreement).

This agreement has been accepted by:

State- Hunter Roberts, Secretary
South Dakota Department of Agriculture and Natural Resources

Date

Landowner or Facility Operator

Date