

## **Summary of Agricultural Subsurface Tile Drainage Revision to the Required Agricultural Practices**

### **Why is there a new RAP amendment for tile drainage?**

Act 64 of 2015 laid out requirements for the Vermont Agency of Agriculture, Food & Markets (VAAFM) whereby on or before January 15, 2018, the Secretary of Agriculture, Food and Markets was required to amend by rule the Required Agricultural Practices in order to include requirements for reducing nutrient contribution to waters of the State from subsurface tile drainage.

### **When do the new rules go into effect?**

The RAP Rule Amendment was adopted on November 8, 2018 and **took effect on November 23, 2018.**

### **New Definitions:**

Subsurface Tile Drainage means a conduit installed in cropland beneath the ground surface to collect and/or convey water to an outlet.

### **What are the new RAP requirements?**

- Field Stacking of Manure: On non-NRCS approved manure stacking sites, manure or ag waste cannot be stacked within 100 feet of subsurface tile drainage without a variance from the Secretary of Agriculture.
- Tile Drain NMPs: All LFO, MFO, and CSFO farms which have cropland with soil analyses demonstrating greater than 20 parts per million (ppm) phosphorus must apply nutrients at less than UVM phosphorus crop removal rates on those fields with 'pattern tile drainage' (*applicable only to operations required to obtain a 590 Nutrient Management Plan: CSFO, MFO, and LFO*).
- Barnyards and Tile Drains: Concentrated feeding areas of unimproved barnyards and unimproved feedlots shall not be sited over subsurface tile drainage unless other site-specific standards are approved by the Secretary.
- VTA's and Tile Drains: New vegetative treatment areas for agricultural wastes shall not be installed within 200 feet upslope of a subsurface tile drain and new subsurface drainage shall not be installed within 200 feet downslope from the edge of an existing vegetative treatment area.
- Rodent Guards and Tile Drains: Subsurface tile drainage installed or modified after January 1, 2019 shall have a rodent guard installed at the outlet of the subsurface tile drainage system.
- Surface Inlet Requirements: For all farming operations subject to this Rule, no new installations of surface inlets shall be located within or adjacent to cropland. For the purposes of this section, surface inlets do not include drainage controls such as diversion structures or grade stabilization practices approved by the Secretary.

### **Who does this Rule apply to?**

All Vermont agricultural operations that meet thresholds of a farm under the Required Agricultural Practices. These include all SFO, CSFO, MFO and LFO operations, or persons engaged in farming whose operation meets any of the following thresholds: farm 4.0 contiguous acres or more; have an annual gross income of \$2,000 or more from the sale of agricultural products; or have filed a 1040(F) in the past 2 years.

*Please reference the full RAP Rule for more information at [agriculture.vermont.gov/rap](http://agriculture.vermont.gov/rap) or call 802-828-2431.*