



AGENCY OF AGRICULTURE, FOOD & MARKETS
Water Quality Division
Laura DiPietro, Director

www.agriculture.vermont.gov

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Joe Allen
Allendale Farm LLC
2357 Jersey Street
Panton, VT 05491

March 13, 2019

Winter Agricultural Waste Spreading Ban Exemption – Approval

Dear Mr. Allen,

On March 13, 2019, Agency of Agriculture Water Quality Specialist Steven Cash met with you to discuss whether there was an opportunity on your farm for an exemption to the Winter Agricultural Waste Spreading Ban. It is the Agency's understanding that this exemption is necessary because you were not able to complete manure spreading due to the significant rainfall and early snowfall that covered Vermont and that you are currently working with NRCS to obtain additional manure storage.

The Agency believes you are near an emergency situation and in order to prevent overtopping, we are providing a limited exemption to remove 5 days worth of manure generation.

Section 6.06(a) of the Required Agricultural Practices Regulations (RAPs) states "In granting an emergency exemption, the Secretary shall establish requirements so that manure will be applied on fields in a manner with the least likelihood of generating runoff to surface waters."

You are authorized to land apply up to 5 days worth of manure generation at a rate not to exceed 5,000 gallons per acre. This spreading exemption will be in effect for a period of 30 days from the execution date.

The following restrictions apply to the land application of manure:

- ▶ Do not apply within 150 feet of any surface waters or ditches.
- ▶ Do not apply within 100 feet of private water supplies, property boundaries, or roads.
- ▶ Do not apply within 200 feet of public water supplies.
- ▶ Do not exceed the application rate of 5,000 gallons per acre.
- ▶ Do not apply during a rain event or when rain or snow melt is actively running off the intended area of application.
- ▶ In general, take all precautions necessary to prevent the entry of manure into surface waters.
- ▶ **Please be advised that if you hire a spreading contractor, you must inform the Agency and you are responsible for ensuring that the contractor understands and complies with all of the conditions of this exemption.**

You must contact Steven Cash, your medium farm inspector, to inform them of when you intend to spread manure using this exemption. You must also submit field maps showing the location of where you applied

manure under this manure spreading exemption and the rates of manure application. Please submit these to Laura DiPietro at either: laura.dipietro@vermont.gov; text 802-595-1990 or mail to 116 State Street, Montpelier, VT 05620.

Once you have started spreading, if there are any complications with the weather that will prevent you from being able to spread due to the restrictions listed above, please stop spreading and resume when conditions are appropriate for spreading.

Please note that as a Medium Farm Operation (MFO) you are required to take a sample of the manure and have it analyzed for nutrient content. This information should be taken into account when reconciling the implementation of your nutrient management plan.

This agricultural waste spreading ban exemption does not exempt you from any other portion of the MFO General Permit, the Required Agricultural Practices Regulations (RAP's), or any other laws or regulations that may pertain to your operation.

If you have any questions on the manure exemption process, please contact Laura DiPietro at 802-595-1990 or Ryan Patch at 802-272-0323.

Sincerely,

A handwritten signature in black ink, appearing to read "Anson B. Tebbetts". The signature is fluid and cursive, with the first name "Anson" being more prominent.

Anson B. Tebbetts
Secretary