

Policy and Procedure 18-4
Logger BMP Cost-Share Program

Issued By:	Robert W. Farrell, State Forester	<small>DocuSigned by:</small> <i>Robert W. Farrell</i>	11/6/2023
Effective Date:	October 15, 2023		
Codes/Mandates:	Virginia Water Quality Improvement Act of 1997 Code of Virginia: §10.1-2118 ; §10.1-2128B		
References:	Virginia’s Forestry Best Management Practices for Water Quality Technical Guide Virginia’s Forestry Best Management Practices for Water Quality Field Guide		
Forms:	Form 3.9 Forestry Cost-Share or Grant Program Certification of Work Completed Form 3.11 Cost-Share/AMP Project Amendment Form 18.11 Logger BMP Cost-Share Program Application Form W-9 Request for Taxpayer Identification Number(s) and Certification		

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PURPOSE

To provide guidance for the administration of the Logger BMP Cost-Share Program.

POLICY

It shall be the policy of the Virginia Department of Forestry to manage the Logger BMP Cost-Share Program in accordance with the requirements of the program. Funding for the program is from the Virginia Water Quality Improvement Fund, provided by the Department of Conservation and Recreation (DCR) to the Department of Forestry.

DEFINITIONS

“Agency” and “DOF” means the Virginia Department of Forestry.

“Commonwealth” means the Commonwealth of Virginia.

"Operator" means any person that operates or has operated or exercises or has exercised control over any silvicultural activity.

"Owner" means any person that (i) owns or leases land on which silvicultural activity occurs or has occurred or (ii) owns timber on land on which silvicultural activity occurs or has occurred.

PROCEDURES

Program Overview

Who Qualifies for Logging BMP Cost-Share Assistance

Forest harvesting operators who:

- ◆ Are certified under the SFI SHARP Logger Program administered by Virginia Forestry Association (VFA) and Virginia Tech (or equivalent if not in Virginia).
- ◆ Have no current debt for either civil penalty or past due bills owed to DOF.
- ◆ Do not have an active water quality impairment (Water Quality Recommendations, Special Orders or Emergency Special Orders) open on any tracts on which they are currently operating.

Qualifying Cost-Share Practices

This program has two components:

- ◆ Installation of forestry Best Management Practices (BMPs) that are associated with approved stream crossings. This would include such things as culvert purchase; equipment time for installation of BMPs at the DOF rate for DOF bulldozer plus operator, and material such as grass seed, lime, fertilizer, silt fence, etc. All BMPs approved for cost-share must be constructed to the standards set out in the publication [Virginia's Forestry Best Management Practices for Water Quality Fifth Edition](#).
- ◆ Purchase of a portable bridge to be used at the site of the stream crossing.

Location

Program participation will be based upon use of the funds on projects in watersheds designated as “Impaired” by Department of Environmental Quality (DEQ) as listed on their website at <https://apps.deq.virginia.gov/EDM/> or in watersheds with identified “Areas of Special Interest”.

Maximum Allowance

Cost-share is based upon receipts and statement of actual expenses incurred.

- ◆ A maximum of 75% of the actual cost for implementation of the forestry Best Management Practices (BMPs) on the approved stream crossing(s) not to exceed \$6,000 per parcel, or
- ◆ A maximum of 75% of the cost of the project not to exceed \$12,000 per project if the project includes the purchase of a portable bridge.
- ◆ Total cost-share not to exceed \$18,000 per program year per tax identification entity.

Application

Application Dates

The program year runs from July 1-June 30 each year until all program funds are expended. Sign up will be on a first come, first serve basis (continuous basis) within each region until all money is allocated for the program.

Fund Distribution

Money will be allocated among regions until used. Shifting of unallocated money from region-to-region will be determined by the Logger BMP Cost-Share manager. Water quality engineers and specialists will track the number of projects and amounts at the regional level. The Logger BMP Cost-Share manager will track projects statewide.

Applying for the Logging BMP Cost-Share Program

- ◆ An eligible operator must submit [Form 18.11 Logger BMP Cost-Share Application](#), which incorporates the identified stream crossing(s) and stream crossing(s) design criteria, approximate costs associated with the stream crossing(s), and an appropriate map, which locates the project as well as the latitude and longitude listings for each project component.
 - It is recommended that the regional water quality engineer or specialist assist the logger with completing the [Form 18.11](#) to ensure completeness and actual program eligibility for the operator.
- ◆ Regional staff are encouraged to promote this program within the course of their daily work.
- ◆ The operator/applicant must sign the application.
- ◆ The operator/applicant must submit a State [W-9 Request for Taxpayer Identification Number and Certification](#).
- ◆ Incomplete applications or failure to submit appropriate documents will not be considered.

Application Approval

- ◆ The water quality engineer or specialist must approve the application and send the application to the Logger BMP Cost-Share manager at the Headquarters Office for preliminary approval and assignment of the application number.
- ◆ The Logger BMP Cost-Share manager will return the approved application to the water quality engineer or specialist.
- ◆ At this point, work may begin on the project.

The Logger BMP Cost-Share manager will assign an Application Number to application in the following format:

- ◆ BMPXX-YYYY-ZZ with XX = Region (ER, CR, WR) Y = Program Year, and Z = Project # (consecutive number beginning at 01, 02, etc. and starting over with new program year).

Copies to be retained as follows:

- ◆ Original application to be retained by water quality engineer or specialist until project completion.
- ◆ A copy of the approved application form will be delivered or mailed to the program applicant by the water quality engineer or specialist.

Project Completion

- ◆ Upon completion of the project, the water quality engineer or specialist will inspect the project for compliance with the project proposal.

- ◆ The applicant will provide the water quality engineer or specialist with receipts for any material purchased and/or statements of expenses incurred.
- ◆ The water quality engineer or specialist will complete [Form 3.9 Forestry Cost-Share or Grant Program Certification of Work Completed](#), listing the expenses and have the operator sign and date the form, listing the address where they would like the payment sent.
- ◆ The water quality engineer or specialist will complete the lower portion of the [Form 18.11](#) Section 4 listing project cost and final cost-share amount, and sign the form.
- ◆ The water quality engineer or specialist will make a copy of both forms for their records and send the original [Form 18.11](#) and [Form 3.9](#) along with attached receipts to the Logger BMP Cost-Share manager at Headquarters Office for review, final signatures and recording.
- ◆ The Logger BMP Cost-Share manager will approve and forward to the Finance Office for payment.

Amendment or Cancellation of Project

Amendment or cancellation of project will be considered as requested by the applicant to the water quality engineer or specialist.

Cancellation

- ◆ The water quality engineer or specialist will immediately notify the Logger BMP Cost-Share manager of any cancellation via email so that funds may be released for another project.
- ◆ The water quality engineer or specialist will note cancellation and date of cancellation on the [Form 18.11](#), send the cancelled [Form 18.11](#) to the Logger BMP Cost-Share manager, and retain a copy on file.

Amendment

- ◆ The water quality engineer or specialist will complete a [Form 3.11 Cost-Share/AMP Project Amendment](#) and submit to the Logger BMP Cost-Share manager for approval.
- ◆ The Logger BMP Cost-Share manager will review, sign approval and return the approved [Form 3.11](#) to the water quality engineer or specialist.
- ◆ The [Form 3.11](#) amendment must accompany the final certified [Form 18.11](#) application when submitted for payment after completion of the project.

AUTHORITY

This policy and procedure is issued by the Virginia state forester.

INTERPRETATION

The logger BMP cost-share manager and deputy state forester is responsible for the interpretation of this policy and procedure.

APPROVAL

I certify that this policy and procedure is approved and ready for publication.

Rodney Newlin

Logger BMP Cost-Share Manager Name (Print)

DocuSigned by:

Rodney Newlin

10/17/2023

Logger BMP Cost-Share Manager Signature

Ed Zimmer

Deputy State Forester Name (Print)

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Ed Zimmer

10/18/2023

Deputy State Forester Signature