

Bristol Town Administrator

From: Vermont Local Roads Program <VT-LOCALROADS@LISTSERV.VERMONTLOCALROADS.ORG> on behalf of Johnson, Stu <Stu.Johnson@VERMONT.GOV>
Sent: Monday, February 1, 2021 11:21 AM
To: VT-LOCALROADS@LISTSERV.VERMONTLOCALROADS.ORG
Subject: FW: Agriculture & Roads! - an informational factsheet
Attachments: ROW RAP bifold_Final.pdf

This fact sheet was put together by the folks up at Orleans Natural Resource Conservation District. I'd suggest a read and save, maybe even print it.



Municipal Road Right of Way (ROW) and Required Agricultural Practices (RAP) Factsheet

Hello, we are happy to share with you an informational factsheet that we created with VAAFMM and VTDEC staff for town road foreman, select board members, town clerks and partners serving the municipal and agriculture sectors for clearing up common misconceptions by providing guidance on where the RAPs might intersect with town ROWs.

The factsheet can be found on our educational resources page on our [website](#) and is attached here.

Please help us share this factsheet far and wide – if you would like, feel free to put it on your agency's website, print out & share with your staff and clients, land owners and partners.

Thank you,
Sarah Damsell

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FARM STRUCTURES

The Vermont Agency of Agriculture, Food, & Markets is the statewide zoning authority for farm structures.

Prior to construction, the farmer must notify the zoning administrator or town clerk in writing.

Local setbacks must be observed.

All new farm structures must be built 50 ft from the top of bank of surface water.

New waste storage facilities must adhere to the following additional setbacks:

100 feet from the centerline of any public road

100 feet from any abutting property line

200 feet from the top of bank of any surface water

200 feet from public/private water supplies



Alternative setbacks for farm structures may be considered on a case-by-case basis.

See something you are concerned about?
Take Photos & Call the Agency of Agriculture, Food, and Markets
Water Quality Division at 802-828-2431

Want to learn more about the RAPs?
Go to <https://agriculture.vermont.gov/rap>
Check out the RAP Quiz at <https://www.vacd.org/rapquiz/>



Created by the Orleans County Conservation District with funding from the VT Clean Water Initiative Program in consultation with VAAFM, VTDEC, VTRANS & NVDA

WHERE THE RAPs MEET THE ROAD:

WHAT TOWN ROAD CREWS NEED TO KNOW



WHAT ARE THE REQUIRED AGRICULTURAL PRACTICES (RAPs)?

The RAPs - established and enforced by the Vermont Agency of Agriculture, Food & Markets - outline practices and management strategies to which all types of farms must be managed to reduce the impact of agricultural activities to water quality, including water quality in a municipal Right of Way.

MANAGEMENT OF MANURE & OTHER NUTRIENTS

- ⇒ No direct or indirect discharge of agricultural waste (including manure, sediment, pesticides, silage runoff and milkhouse waste) to surface water or a conveyance to surface water, including a pipe, ditch, or conduit is allowed
- ⇒ All farms must manage to control erosion to a specific standard, which is based on their soil type, what crop they grow, and how they grow it; gully erosion (below) is not allowed.



Manure spreading ban is from December 15 to April 1;
 October 16 to April 14 for frequently flooded areas.

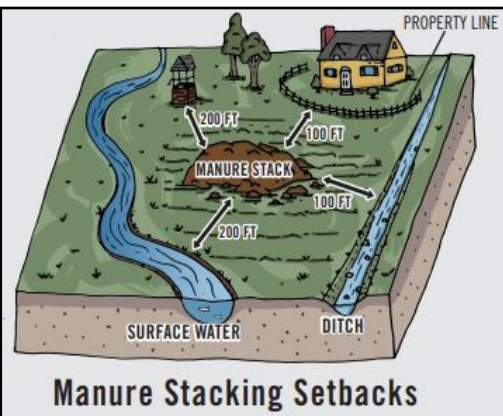
Farmers are not allowed to spread when fields are saturated, frozen, or snow-covered. Exemptions may be granted by the Agency of Agriculture, Food, & Markets on a rare case-by-case basis; if granted, farmers have to follow strict guidelines on where and how much they can spread.



BUFFERS AND SETBACKS

A buffer is permanently vegetated; no manure can be spread there, but it can be hayed.

- ⇒ 25 ft buffer from top of bank required on all surface water and ditches that lead to surface water, including road ditches
- ⇒ 10 ft buffer from top of bank required on all ditches, including road ditches
- ⇒ If the field has a slope of greater than 10%, the buffer must be 100 ft from the top of bank



Field stacks -

- No less than 20% solids
- Must be able to stack 4 ft high
- Stack can't be sited within areas subject to concentrated runoff

FREQUENTLY ASKED QUESTIONS

Q: A farmer recently dug a ditch in a field that drains to a town road ditch, and we have noticed a significantly higher volume of stormwater and sediment flowing into the road ditch that drains to a stream. Is this allowed?

A: No. The RAPs are meant to protect water quality including addressing increased sedimentation to surface waters via road drainage system.

Q: My crew has noticed an increase in erosion in a road ditch following the installation of tile drain. Can tile drains outlet into road ditches?

A: Tile drains can outlet to ditches, but according to the RAPs should be managed to control the loss of nutrients or sediment. If there is documented evidence of sediments, nutrients, or agricultural wastes leaving the field through the tile drain that outlets to a road ditch, that may be a RAP violation.

Q: Can a farmer grow corn right up to the edge of town ditch? Can a farmer spread manure right up to the edge of a town ditch?

A: No. According to the RAPs, the farmer must leave at least a 10ft wide buffer of perennial vegetation between the corn and the top of the bank of the ditch. For all crop fields (corn and hay) no manure can be spread in the 10ft buffer. If the ditch has potential to transport significant waste or nutrients to surface water the farmer must leave a 25ft wide buffer of perennial vegetation with no manure between the field and the top of the bank of the ditch.

Q: What are the regulations for farm vehicles traveling on town roads?

A: Regulations depend on whether the vehicle is considered a farm tractor, farm trailer, agricultural custom service vehicle, farm truck or ATV. All farm-related vehicles must also comply with any specific towns or villages road restrictions -example, towns may have increased restrictions during mud season. In addition, manure spilled on a road may be considered an Agency of Transportation violation and a RAP violation *if* nutrients get to surface water.

Q: A farmer recently installed or has an existing farm road that leads to a town road, and we have noticed sediment eroding from the farm road into the town road and ditches. Is this allowed?

A: The RAPs are meant to protect water quality including addressing farm road runoff. Farmers need to get permission from the town to access the town road and ditching system when installing a new road. This is when stormwater management practices can be discussed and designed. If a culvert is required, the farmer should follow the appropriate town and/or state driveway culvert policy. If the sediment from the farm road outlets in a town road segment that is hydrologically connected, the town and farmer can work together to address the erosion.