

US EPA ARCHIVE DOCUMENT

Wisconsin's rules to control polluted runoff from farms, as well as other sources, went into effect October 1, 2002. The state Legislature passed the rules to help protect Wisconsin's lakes, streams and groundwater.

DNR rule NR 151 sets performance standards and prohibitions for farms. It also sets urban performance standards to control construction site erosion, manage runoff from streets and roads, and manage fertilizer use on large turf areas.

DATCP rule ATCP 50 identifies conservation practices that farmers must follow to meet performance standards. The DATCP rule also sets out the requirements for nutrient management plans. Your County LCD has primary responsibility for implementing the agricultural runoff standards.

What does this mean for you?

See the details inside...

Wisconsin's Runoff Rules: What Farmers Need to Know



Wisconsin Department of Natural Resources (DNR)

Wisconsin Department of Agriculture, Trade,
and Consumer Protection (DATCP)

In cooperation with:

USDA Natural Resources Conservation Service (NRCS)

University of Wisconsin-Extension (UWEX)

County Land Conservation Departments (LCD)



AGRICULTURAL STANDARDS & PROHIBITIONS

For farmers who grow agricultural crops

- Meet tolerable soil loss ("T") on cropped fields.
- Follow a nutrient management plan designed to limit entry of nutrients into state waters (groundwater and surface water)

Note: Nutrient management plans must be in place by Oct. 1, 2003 for new croplands; Jan. 1, 2005 for high priority waters (e.g., impaired, exceptional/outstanding resource waters, source water protection areas) and Jan. 1, 2008 for all others.

For farmers who raise, feed, or house livestock

- Prevent direct runoff from feedlots or stored manure into state waters.
- Limit livestock access to state waters to avoid high concentrations of animals and maintain adequate or self-sustaining sod cover along waterways.
- Follow a nutrient management plan for manure application.

For farmers who have, or plan to build, a manure storage structure

- Maintain structures to prevent overflow.
- Repair or upgrade any failing or leaking structures that pose an imminent health threat or that violate groundwater standards.
- Close abandoned structures according to accepted standards.
- Meet technical standards for newly constructed or substantially altered structures.

Livestock operations planning to expand might need to apply for a permit from DNR. Contact your DNR Service Center for more information.

For farmers with land in a Water Quality Management Area

(300 feet from a stream, 1,000 feet from a lake, or in areas susceptible to groundwater contamination)

- Do not stack manure in unconfined piles.
- Divert clean water away from feedlots, manure storage areas, and barnyards located within this area.

NUTRIENT MANAGEMENT PLANS

To meet the new nutrient management standards, farmers may hire an agronomist or prepare their own nutrient management plans if they complete a DATCP-approved training course or otherwise demonstrate that they are qualified. These plans must:

- Rely on soil nutrient tests from a DATCP-certified laboratory.
- Comply with current NRCS Nutrient Management Standard 590.
- Follow the recommendations for nutrient applications in the Soil Test Recommendations for Field, Vegetable and Fruit Crops, UWEX publication A-2809, unless there are circumstances that justify more than the recommended application.
- Include additional management practices to reduce runoff of phosphorus or other nutrients if the farms have Wisconsin Pollutant Discharge Elimination System (WPDES) permits, or have fields near high priority waters (see note in left column).





COST SHARING

Many farmers voluntarily install conservation practices on their farms to help improve water quality and wildlife habitat and to help prevent soil erosion. Cost sharing is available for many practices.

Farmers can expect counties to continue to offer voluntary cost sharing. They may negotiate voluntary cost share contracts that:

- Pay for selected conservation practices, or selected costs.
- Pay for installation or maintenance, or both.
- Pay for some practices if a farmer agrees to install others without cost sharing.
- Pay alternative flat rates per acre for annual practices such as nutrient management and contour farming.
- Make payments for a specified number of years in return for a farmer's commitment to continue annual practices (such as nutrient management or contour farming).

Agricultural performance standards and prohibitions went into effect on October 1 2002, except for nutrient management (see note on page 2). Farmers who are in compliance on or after that date do not have a right to cost sharing if they later fall out of compliance. Farmers who establish new facilities (e.g., build new livestock housing or manure storage) may be eligible for cost sharing, but cost sharing is not required for compliance. Those covered by WPDES permits are not eligible for state cost sharing to meet performance standards and prohibitions required under their permits. They may be eligible

for federal cost sharing under certain NRCS programs unless they have received a notice of violation or are under an enforcement action.

In most cases, farmers cannot be required to change an existing cropland practice or livestock facility on a farm to meet the new standards, unless they are offered cost sharing. Farmers are eligible for at least 70% cost sharing — more if there is an economic hardship.

Contact your county Land Conservation Department for current funding sources. Rates may change from year to year. Practices available for cost sharing and cost-share rates may also vary by county. Cost-share dollars through the USDA Natural Resources Conservation Service (NRCS) may be combined with other state or local cost-share programs, as long as the total does not exceed 100% of the cost.

COST SHARING COMPARISON

COVERED COSTS	STATE includes (CREP)	NRCS (EQIP)
Standard Rates	70%	50%
Economic Hardship	Up to 90%	Up to 75%
Flat Rates for some practices (nutrient management)	Yes	Yes
Installation	Yes	Yes
Farmer's contribution of labor, equipment, and supplies	Yes	Yes
Livestock facility expansion	Yes (with limits)	Yes
Maintenance	Varies	No
Mowing	Varies	No
Land taken out of production	Varies	No

CREP Conservation Reserve Enhancement Program
 EQIP Environmental Quality Incentives Program

TWO REMINDERS . . .

FARMLAND PRESERVATION PROGRAM

Even if cost sharing is not available, a farmer must comply with state standards to receive the Farmland Preservation Tax Credit. The requirement applies to farmers whose land is either located in a district zoned as exclusive agricultural use or who signed a contract after county standards were in effect. If a farmer has had time to come into compliance but problems have not been corrected, the county may seek to suspend a farmer's tax credits.



COUNTY LAND CONSERVATION DEPARTMENTS

Each county LCD will develop an implementation strategy including cost sharing and enforcement. Counties will use their DATCP-approved land and water resource management (LWRM) plans to identify local conservation needs and set priorities in a county. The LWRM plan will also outline the implementation strategy, including enforcement procedures.

The cooperating agencies are EEO / Affirmative Action employers and provide equal opportunities in employment and programs including Title IX and ADA requirements.

FOR MORE INFORMATION ...

For more information on runoff management in Wisconsin and topics found in this brochure please visit:

runoffinfo.uwex.edu

Contact your county Land Conservation Department for more information.



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Bureau of Land & Water
Resource Management

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Wisconsin DNR
Runoff Management
Section

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IN COOPERATION WITH:



County Land Conservation Departments