ATCP 50 and the 590 Nutrient Management Standard

NR 151 Technical Advisory Team Meeting
October 28, 2016
Sara Walling, Chief
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DATCP’s Statutory Authority
Wis. Stat. § 281.16(3)

• DATCP is directed to do the following:
  • Develop and disseminate technical standards to implement the performance standards and prohibitions set by DNR
  • Disseminate alternative technical standards for situations in which more than one method exists to implement the performance standards and prohibitions set by DNR

• DATCP conservation practices and technical standards shall at a minimum cover animal waste management, nutrients applied to the soil and cropland sediment delivery

• Cost-Sharing: Farms in existence before October 14, 1997 are not required to comply with the performance standards, prohibitions, conservation practices, or technical standards unless cost-sharing is available
Administrative Rule
Chapter ATCP 50, Soil and Water Resource Management Program

• ATCP 50.04 Farm Conservation Practices
  • Nonpoint source pollution control
  • Soil erosion control
  • Nutrient management plan (NMP)
  • Tillage setback

• ATCP 50.06 Installing Conservation Practices

• ATCP 50.08 Cost-Sharing Required

• ATCP 50.10 County Program

• ATCP 50.12 Land and Water Resource Management
Who needs a NMP?

- All farms,
  - When offered [70%] cost-share for NM
  - When accepting manure storage cost-share
  - When participating in farmland preservation program
  - When regulated under a county ordinance for manure storage or livestock siting
  - When regulated under a DNR WPDES permit
  - If issued a notice of discharge
NRCS 590 NM Standard

- Divided into 3 areas
  - Criteria for all sites
  - Criteria to protect groundwater (N)
  - Criteria to protect surface water (P)

- Updated in 2015
  (2005 was previous version)

- Proposed to incorporate into ATCP 50
590 Standard Revision Team Members

**Joe Bragger**, Bragger Family Dairy, UW Discovery Farms

**John Koepke**, Koepke Farms, UW Discovery Farms

**Kevin Masarik**, Groundwater Education Specialist, UW – Steven’s Point

**Laura Chern**, Hydrogeologist, WDNR

**Andrew Craig**, Nutrient Management Specialist, WDNR

**Terrence Kelly**, State Agronomist, Wisconsin NRCS

**Pat Murphy**, State Resource Conservationist, NRCS

**Carrie Laboski**, Associate Professor and Soil Scientist, UW - Madison

**Todd Schaumberg**, CCA, Polenske Agronomic Consulting

**Nikki Wagner**, CAFO NM Specialist, Frontier-Servco FS

**Sue Porter**, Nutrient Management Specialist, DATCP

**Sara Walling**, Nutrient Management and Water Quality Section Chief, DATCP

**Tony Smith**, Resource Conservationist, Manitowoc Soil & Water Conservation Dept.

**Matt Zoschke**, County Conservationist, Clarke County LCD
What Didn’t Change

• A2809 limits N and P application rates to crop need

• Soil testing

• Restriction mapping

• Meeting T

• Meet the PI or Soil Test P

• No spreading on saturated soils, no ponding, or runoff
What Didn’t Change

- No spreading on:
  - Saturated soils
  - Concentrated flow channels
  - Non-harvested buffers
  - Land where vegetation is not removed
  - Fields exceeding T
- No ponding or runoff during application
590 Changes – Winter Spreading Plan

Current:
• 7,000 gal/ac limit
• No manure spreading
  • Within SWQMAs
  • On locally identified areas (ex. Sinkholes)
  • Within 200 ft upslope of direct conduits to groundwater
  • On slopes >12%

New:
• 7,000 gal/ac limit or 60 lbs P$_2$O$_5$, whichever is less
• No manure spreading
  • Within SWQMAs
  • Within 300 ft of direct conduits to groundwater, not just upslope
• No liquid manure application in February and March on:
  • DNR Well Compensation Areas for manure contamination
  • Soils with 5 ft or less to Silurian dolomite
590 Changes – Winter Spreading Plan

Current:
- Requires a winter spreading plan that identifies:
  - Areas of fields that don’t have a winter restriction
  - ID Fields with low slope and erosion, high roughness, farthest from surface waters

New:
- A Winter Spreading Plan identifies:
  - Quantity of manure and/or organic by-products spread during periods of frozen or snow-covered soil, or generated in 14 days, whichever is greater
  - Capacity of storage for each manure type generated
  - Capacity for stacking manure that is $\geq 16\%$ dry matter without permanent storage.
590 Changes – Winter Spreading Plan

Current:

• 7,000 gal/ac limit

• No manure spreading
  • Within SWQMAss
  • On locally identified areas (ex. Sinkholes)
  • Within 200 ft upslope of direct conduits to groundwater
  • On slopes >12%
590 Changes – Winter Spreading Plan

New:

- Do not apply on slopes greater than 6% unless 2 of the following are implemented:
  - Contour buffer strips or contour strip cropping
  - Leave all crop residue and no fall tillage
  - Apply manure in intermittent strips on no more than 50% of the field
  - Apply manure on no more than 25% of the field during each application - minimum of 14 days between applications
  - Reduce application rate to 3,500 gallons or 30 lbs. of $\text{P}_2\text{O}_5$
590 Changes – Winter Spreading Plan

New:

- Do not apply to fields where concentrated flow channels are present unless 2 of the following are implemented:
  - ANY of the previous five options, or
  - No manure application within 200 ft of all concentrated flow channels;
  - Fall tillage is on the contour and slopes are less than 6%
Current:

- Incorporate manure within 200’ upslope of direct conduits to groundwater
- No manure within 50’ of drinking well, unless grazing

New:

- No nutrients:
  - Within 50’ of direct conduits to groundwater (within 300” in winter), unless grazing
  - Within 8’ of irrigation wells
- Only manure that is treated to substantially eliminate pathogens can be applied:
  - Within 1,000’ of a Community potable water well
  - Within 100’ of a Non-Community potable water well (church, school, and restaurant)
590 Revisions – Groundwater

New:

• No manure can be applied to:

  • Areas identified by the Land Conservation Committee or in a conservation plan as areas contributing runoff to direct conduits to groundwater unless manure is substantially buried within 24 hours of application.
590 Changes – Fall Nitrogen Restrictions

**Current:**

- When manure is applied to N restricted soil types, rate limits based on soil temps (50° or Sept. 15)

**New:**

- Practices are different depending on the soil type impairment
- Applications in the fall are limited to either 120 lbs N/acre or 90 lbs N/ac (~ half the crop need)
- Rate limits based on soil temps (50° or October 1st)
Misc. Additions and Changes

- No nutrient applications on areas of active snow melt
- Show the farm has adequate land for manure produced
ATCP 50 Timeline for Current Revision

- **February 2016** – Scope statement approved
- **Currently** – Preparing hearing draft and related documents
- **November 2016** – DATCP Board to request approval to go to public hearing
- **January 2017** – Conduct public hearings
- **May 2017** – Present final draft rule to DATCP Board
- **Late 2017/Early 2018** – Rule becomes effective
NR 151 Revisions into ATCP 50?

- A new scope statement would need to be drafted and approved by DATCP Secretary, ATCP Board, and Governor – s. 227.135(2)

- Without knowing the changes and additions to NR 151, it is too early to know where, what and how to amend ATCP to reflect NR 151 changes

- Anticipate 2+ years to revise ATCP 50