

# ATCP 50, the 590 Standard, and Nutrient Management in WI

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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

# What is a Nutrient Management Plan?

A Whole Farm Crop Management Plan which accounts for ALL crops, management decisions, and N-P-K nutrients for the crop rotation

- Requires soil testing
  - Sets restrictions on nutrient application rates, timing and method where sensitive landscape features exist (Similar to the 4 R's)
- UW Soils Sampling Soils for testing, uses UW soil analysis protocols, DATCP certified laboratories
- UW Ex Pub A2809 Nutrient Application Guidelines for Field, Vegetable, and Fruit Crops in WI
- Based on USDA Soil Surveys, considers numerous soil profile characteristics, 1,000s of field trials on corn yields, etc.

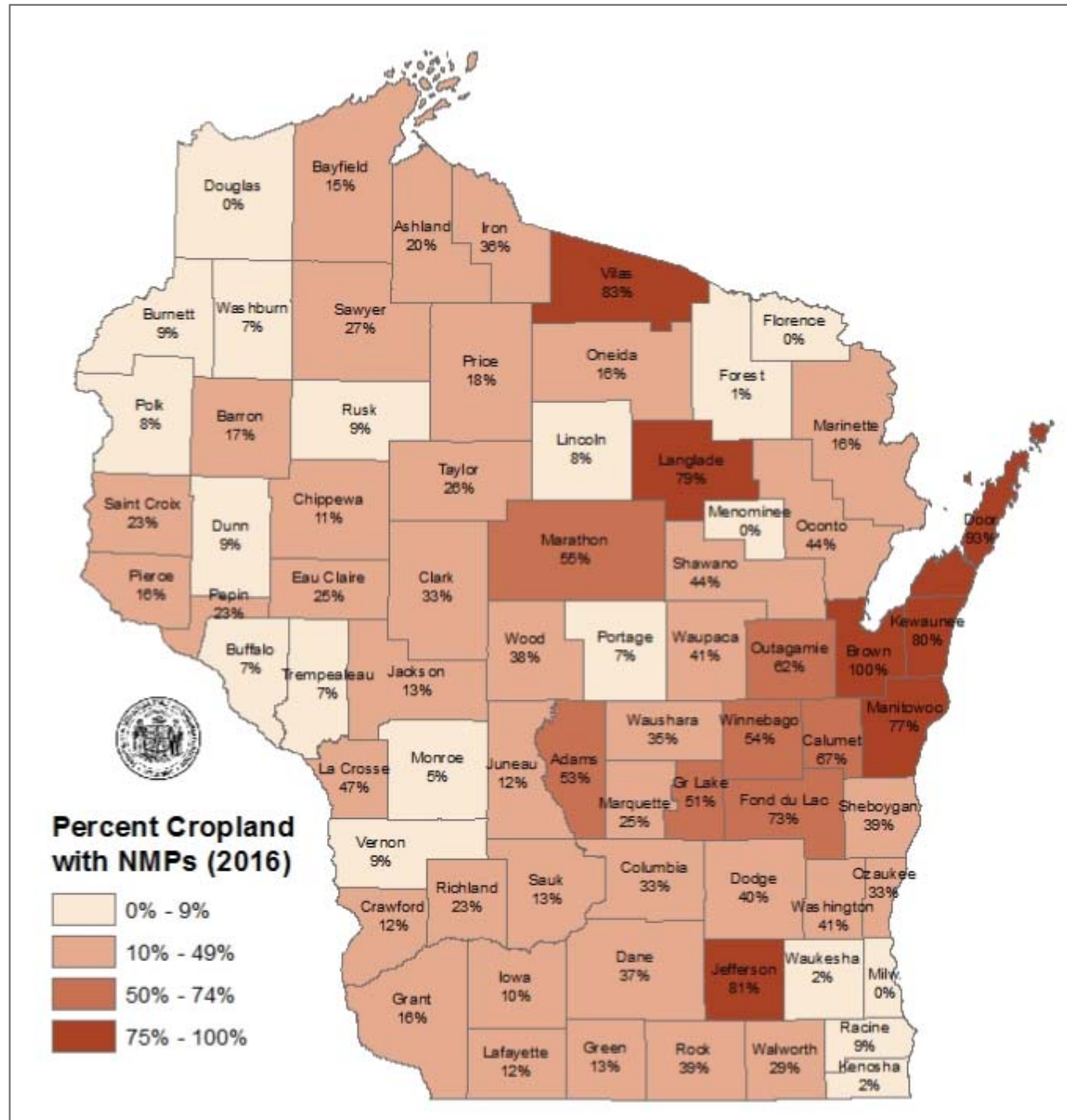
# Who needs a NMP?

- 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



# Percent of County Cropland covered by a 590 NMP

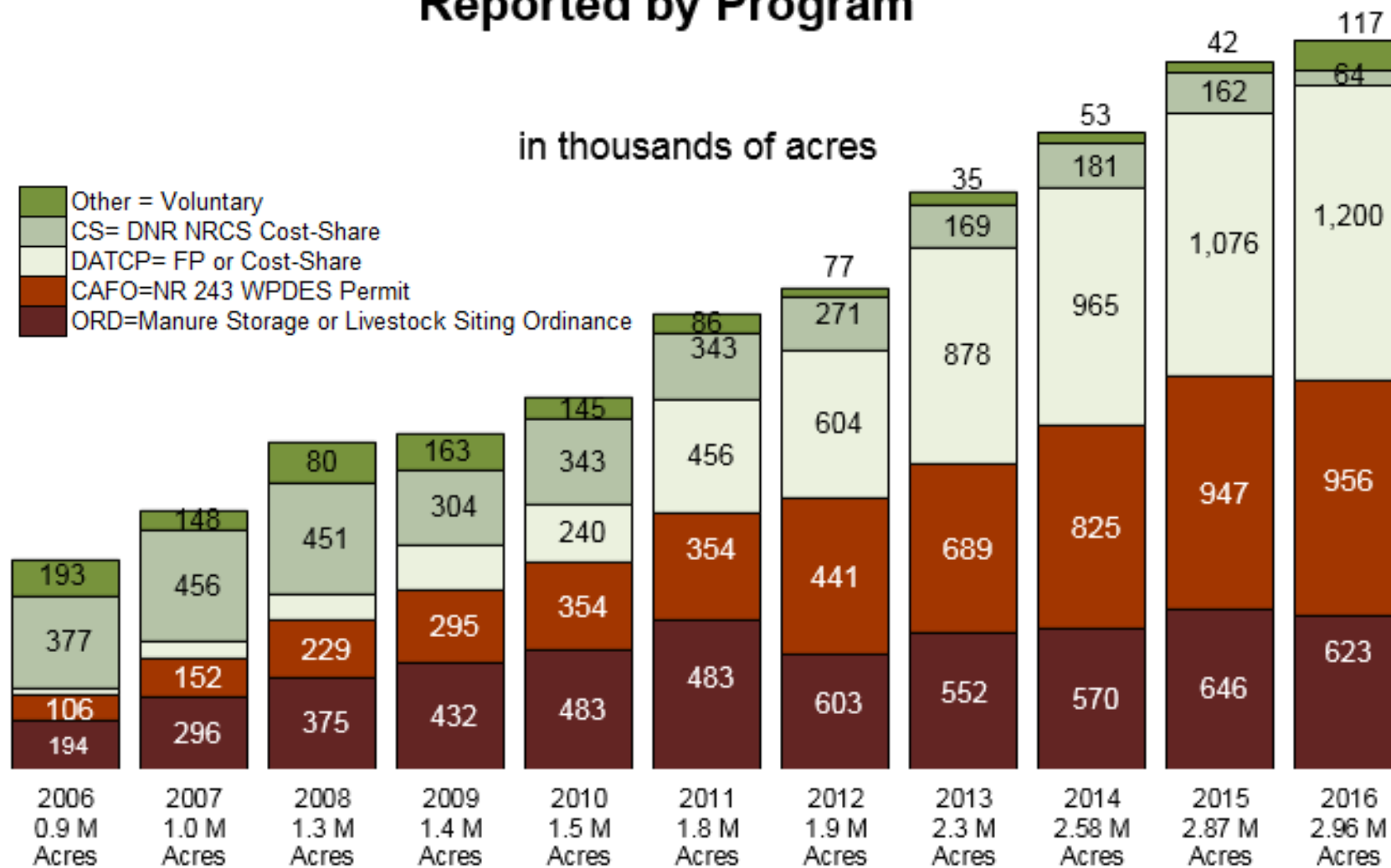
- Based on NM checklists submitted to DATCP by county LCDs, NRCS, DNR and NM planners



## 2006-2016 Nutrient Management Plan Acres Reported by Program

in thousands of acres

- Other = Voluntary
- CS= DNR NRCS Cost-Share
- DATCP= FP or Cost-Share
- CAFO=NR 243 WPDES Permit
- ORD=Manure Storage or Livestock Siting Ordinance



# 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

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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<sub>2</sub>O<sub>5</sub>, 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.

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# 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 P<sub>2</sub>O<sub>5</sub>



# 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%





# 590 Revisions – Groundwater

## Current:

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



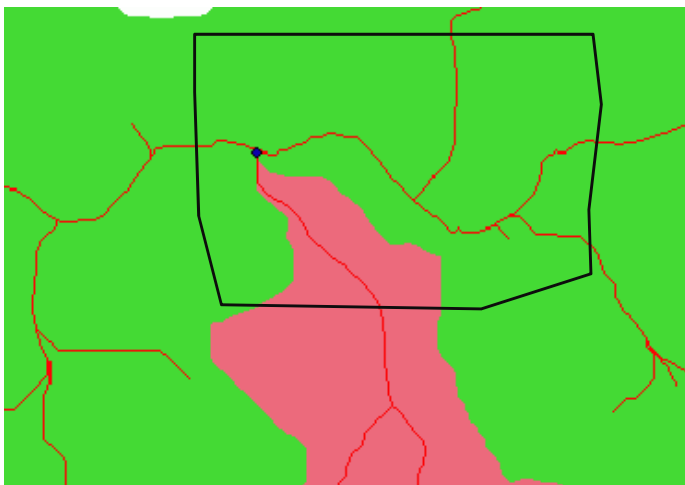
## New:

- 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

