



FARM CONSERVATION PRACTICES – ATCP50

A Work in Progress

EXECUTIVE SUMMARY

- DNR responsible for adopting “performance standards” to prevent runoff from farms s. 281.16
- DATCP must prescribe conservation practices to implement the DNR performance standards as well as soil conservation and nutrient management requirements (ATCP 50.04)
- Counties play a major role in implementing the standards on farms
- Conservation requirements are contingent on cost-sharing (ATCP 50.08)

ATCP 50.04 FARM CONSERVATION STANDARDS

- **Nonpoint Source Pollution Control** – A landowner shall implement practices to achieve compliance with DNR performance standards (NR 151.02)
- **Soil Erosion Control** – Cropped and pastured soils must not exceed “T-value”
- **Nutrient Management Plan** – A landowner shall have and follow an annual nutrient management plan when applying nutrients to any field including pastures.
- **Tillage Setback** – A minimum tillage setback of 5 feet to stream bank with a maximum distance of 20 feet

ATCP 50.08 COST-SHARING REQUIRED

- A bona fide offer of cost-sharing is normally required to compel:
 - Modification of cropping practices on “existing” cropland
 - Modification of “existing” livestock facilities or operations
- A cost-share offer shall cover at least 70% of landowner’s cost to install and maintain each required practices or 90% in case of economic hardship
- Land taken out of agricultural production (>1/2 acre) shall be recompensed AND riparian land taken out of production (>1/2 acre) shall be recompensed at an amount at least equal to offers made in CREP program

ATCP 50.08 COST-SHARING EXEMPTIONS

- The cost-share requirement does not apply if:
 - a conservation practice has already been cost-shared for 10 years, typically capital practices like manure storage systems
 - “agronomic practices” such as contour farming, nutrient management, cover cropping, etc. has been cost-shared for 4 years
 - Practices are required to remedy criminal or grossly negligent discharges
 - Practices required by WPDES permit
- A cost-share offer can come from a combination of public and private sources

ATCP 50.06 INSTALLING PRACTICES

- The standards for Cost-shared practices are listed in Subchapter VIII of ATCP50.
- Counties have land and water resource management plans to promote compliance with farm conservation requirements
- Counties will seek voluntary compliance and will offer information, cost-sharing, and technical assistance to help landowners comply
- As a last resort, a county may seek enforcement action against a landowner who refuses to implement required practices.