

Nutrient Management and Planning

The Department of Agriculture, Trade and Consumer Protection (DATCP) adopted administrative rule ATCP 50 to implement the Department of Natural Resources' (DNR) agricultural performance standards found in administrative rule NR 151. In ATCP 50, conservation practices for managing nutrients are established. These practices require that farmers follow an annual nutrient management plan for every field on which the farmer mechanically applies nutrients. Nutrients include N (nitrogen), P (phosphorus), and K (potassium) from manure, legumes, organic byproducts, and commercial fertilizer. The nutrient management plan must comply with the 590 nutrient management standard established by the Natural Resources Conservation Service (NRCS). The NRCS 590 nutrient management standard is available at the following web address: http://www.datcp.state.wi.us/arm/regulation/soil_water.jsp.

DATCP staff provides assistance with nutrient management planning by:

- Conducting training on nutrient management planning
- Approving nutrient management planning training courses
- Certifying soil testing laboratories
- Conducting compliance checks for quality assurance purposes
- Answering questions about the 590 standard and DATCP rule requirements
- Providing cost-share dollars to the counties for assistance with nutrient management planning

County Involvement in Nutrient Management and Nutrient Management Planning

Local governments can require farming operations to implement nutrient management for all operations after January 1, 2008.

In most cases, a local government must make an offer of cost-share when the farmer is required to implement nutrient management practices. The cost-share offer must cover at least 70% of the farmer's annual cost to implement nutrient management (90% if there is an economic hardship). The farmer may accept an alternative flat payment of \$7 per acre per year for a four year period. If a county or local government cost-shares nutrient management for at least 4 years, it may then require the farmer to continue this practice at the farmer's expense.

Cost-sharing is not required in situations when: the farmer needs a WPDES permit under NR 243; a farmer voluntarily constructs a manure storage facility and needs a permit under a local ordinance; a farmer needs a permit for a new or expanded livestock facility with 500 or more animal units; or when the farmer participates in the Farmland Preservation Program.

Nutrient management plans must also include a plan to control sheet and rill soil erosion to tolerable levels (T) and to provide treatment of ephemeral and gully soil erosion. This conservation plan should also identify high risk fields where runoff concentrates to reduce runoff events if manure is applied in the winter. A conservation plan approved by the farmer and the county conservation committee or their representative will be provided by the county when designating additional winter spreading restrictions other than those listed in this standard.

County governments can apply for cost-share dollars from DATCP to help fund nutrient management planning in the county. The funds are allocated through the Soil and Water Resource Management Grants (SWRM) program.

Statutory and Administrative Rule References

ATCP 50.04, 50.08, 50.34 – 50.42, 50.48, 50.50, 50.78, NR 151