



Wisconsin Department of Agriculture, Trade and Consumer Protection

*Division of Agricultural Resource Management*

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GUIDANCE DOCUMENT

## **DATCP 01 TECHNICAL STANDARD – VERIFICATION OF DEPTH TO BEDROCK VOLUNTARY USE GUIDANCE**

*This guidance document is based on Wis. Stat. Ch. 281 and chapter(s) ATCP 50. Wis. Admin. Code. This document is intended solely as guidance, and does not contain any mandatory requirements except where requirements found in statute or administrative rule are referenced. This guidance does not establish or affect legal rights or obligations, and is not finally determinative of any of the issues addressed.*

This guidance document is a companion document to support the use of the Wisconsin Department of Agriculture, Trade and Consumer Protection (Department or DATCP) technical standard, DATCP Technical Standard 01 – Verification of Depth to Bedrock (DATCP 01). The standard was developed under authority in ch. 281.16(3)(c), Wis. Stats. The purpose of the standard is to provide criteria, methodology, and qualification for verification of depth to bedrock to support implementation of the Wisconsin Department of Natural Resources (DNR) Wis. Admin. Code s. NR 151.075 in areas where the bedrock consists of Silurian dolomite with a depth to bedrock of 20 feet or less.

Individuals interested in voluntarily collecting depth to bedrock verification data are encouraged to use the process identified in DATCP 01.

### **I. DATA COLLECTION AND MANAGEMENT**

1. Qualified Individuals. DATCP 01 identifies the following individuals as qualified to perform depth to bedrock verification for purposes that include compliance with NR 151.075 and for updating Wisconsin depth to bedrock maps.
2. Certified professional crop consultant (CPCC) by the National Alliance of Independent Crop Consultants; or Certified crop adviser (CCA) or certified professional agronomist (CPAg) by the American Society of Agronomy, Wisconsin Certified Crop Advisers board; or
3. Certified professional soil scientist (CPSS) by the Soil Science Society of America; or
4. Licensed professional geologist, professional hydrologist, professional soil scientist, or professional engineer by Wisconsin Department of Safety and Professional Services (DSPS); or
5. Persons with DATCP Conservation Engineering Practitioner Certification for DATCP Technical Standard 01 – Verification of Depth to Bedrock. See Section II below.
6. Landowners, operators or others not meeting the above criteria may also qualify based on completion of Department-approved training appropriate for the individual verification method, if they also have related field experience or education. See Section II below.

Data Collection and Management. Following publication, DATCP 01 is open to voluntary use by qualified individuals. To facilitate data consistency, the following process should be followed.

A qualified individual will:

1. Collect a standard set of data (Listed in Attachment 3 of DATCP 01).
  - a. Include geodata for latitude and longitude of verification points and the depth to bedrock of those points.
  - b. Use of a standard data collection form available on the Department website to collect and submit data is preferred.
2. Interpolate and draw boundaries of the depth for bedrock categories (0-2 feet, 2-3 feet, 3-5 feet, and 5-20 feet).
3. Submit the geodata and boundaries to the DATCP.

DATCP will:

1. Accept the data from the qualified individual(s).
2. Review the data.
3. Compile data submitted from the qualified individual(s) into one submittal.
4. Transfer data to the map maintainer to update the statewide data layer.
5. Serve as regulatory agency to resolve discrepancies and disputes (see Disputes part III).

Note: Some counties may choose to do a local review. DATCP will collaborate with these counties.

## II. CERTIFICATION AND TRAINING

DATCP will establish requirements for conservation engineering practitioners who voluntarily seek certification to use intrusive methods identified in DATCP 01. Interested individuals will be required to successfully complete a Department approved training course to obtain certification. DATCP's Conservation Engineering Practitioner Certification is only available to state and other government employees.

DATCP will develop a training course for individuals interested in becoming qualified to collect depth to bedrock verification data for the purposes of compliance with NR 151.075. The training course will be open to landowners, operators or others as indicated in the above qualification criteria item #6, and include training on the intrusive verification methods identified in DATCP 01. Training on the geophysical methods will not be offered and will be left to the qualified individuals who know how to use this equipment and interpret the data output.

Once qualified through the training course, this individual must work with DATCP to get approval of the verification plan before starting any work. Verification may only be completed on an individual's own land or on rented land with landowner approval.

For state and government employees seeking certification through the DATCP's Conservation Engineering Practitioner Certification program, training will cover the intrusive verification methods identified in DATCP 01. Training on the geophysical methods will not be offered and will be left to the qualified individuals who know how to use this equipment and interpret the data output. DATCP will also provide training to those county staff interested in accepting a qualified individual's verification plan prior to verification and training on review of the verification data submitted by qualified individuals.

## III. DISPUTES

In the event of disagreement regarding data collected by a qualified individual, DATCP will work with appropriate entities to resolve the dispute. However, until ATCP 50 is updated to incorporate DATCP 01, there is not an enforceable process for DATCP to issue a determination regarding what data to use to determine compliance with NR 151.075.

Sara Walling – Administrator	July 6, 2021
Division of Agricultural Resource Management	Date

Contributors:
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