



# Soil and Water Resource Management Program (ATCP 50)

Information about ATCP 50 rulemaking

WISCONSIN DEPARTMENT OF AGRICULTURE, TRADE AND CONSUMER PROTECTION

January 2022

# WISCONSIN'S SOIL AND WATER RESOURCE MANAGEMENT PROGRAM

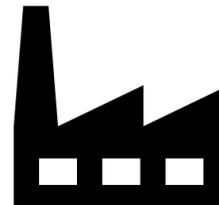
**Support agricultural operations. Protect soil health. Protect water quality.**



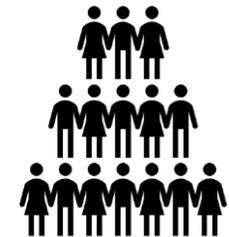
Agricultural  
productivity



Recreational  
resources



Industrial  
Base



Citizens



# WHAT IS IN ATCP 50?

- I. Definitions and General Provisions
- II. Soil and Water Conservation on Farms
- III. County Soil and Water Program
- IV. Grants to Counties
- V. Cost-share Grants to Landowners
- VI. Soil and Water Professionals
- VII. Local Regulation
- VIII. Standards for Cost-Shared Practices



# ATCP 50 & LANDOWNERS AND PRODUCERS

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Provides the framework to cost-share conservation practices including NM plans

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Describes the parameters for grants for conservation practices

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Identifies the costs to be included in cost-share grants to landowners

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Identifies conservation practice standards available for cost-sharing



# ATCP 50 & COUNTY CONSERVATION

Defines the requirements for a land and water resource management plan

Establishes the process and priorities for allocating grants to support county conservation efforts

Describes conservation compliance requirements for the farmland preservation program



# ATCP 50 & SOIL AND WATER PROFESSIONALS

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Describes the process to certify conservation engineering practitioners

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Establishes qualifications for nutrient management planners

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Allows for certification of soil and manure testing laboratories

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Ensures access to education and training opportunities



# STAKEHOLDERS

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Producers & landowners

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Farm service providers

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Government (local, state, federal)

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Nongovernmental organizations

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Public



## Overview of Administrative Rulemaking Process

### Statement of Scope

- Stakeholder input
- Preparation by agency staff
- Gubernatorial approval
- Publication in Administrative Register
- Possible public hearing and comment
- Approval by ATCP Board

~Time in stage: 3 months

### Initial Drafting

- Stakeholder input
- Initial drafting of rule by agency staff
- Preparation of Economic Impact and Regulatory Flexibility Analysis
- Small business review

~Time in stage: 12-18 months

### External Reviews

- Review by LWCB
- Review by Legislative Council Staff
- Approval by DATCP Board for public hearing
- Public hearings and public comment period

~Time in stage: 4 months

### Final Agency Review

- Agency responses to Legislative Council reviews and public comment
- Draft rule revisions and final drafting
- ATCP Board approval
- Gubernatorial approval

~Time in stage: 3 months

### Legislative Review

- Referral to standing committees
- 30-day standing committee passive review
- 30-day JCRAR passive review
- Opportunities for legislative objections

~Time in stage: 3 months

### Publication

- Secretary certifies rule
- Agency submits to Legislative Reference Bureau (LRB)
- Formatting and publication by LRB
- Rule usually takes effect on day after publication

~Time in stage: 2 months

Total time to get to Legislature from scope approval may not exceed 30 months

# SCOPE OF ATCP 50 REVISION

1

Implementation of the Silurian  
bedrock performance standard

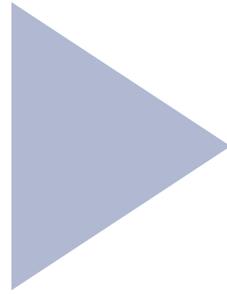
2

Update, simplify and clarify to  
support conservation activities



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Adopted  
by DNR in  
2018

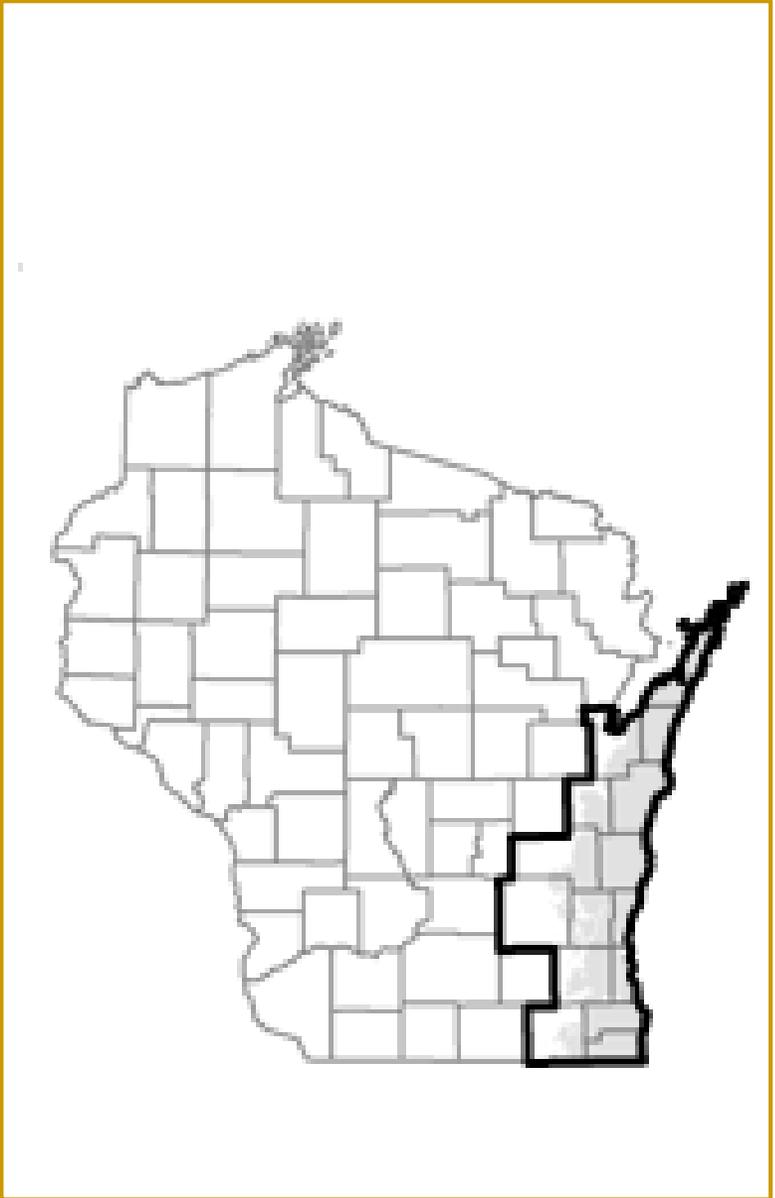
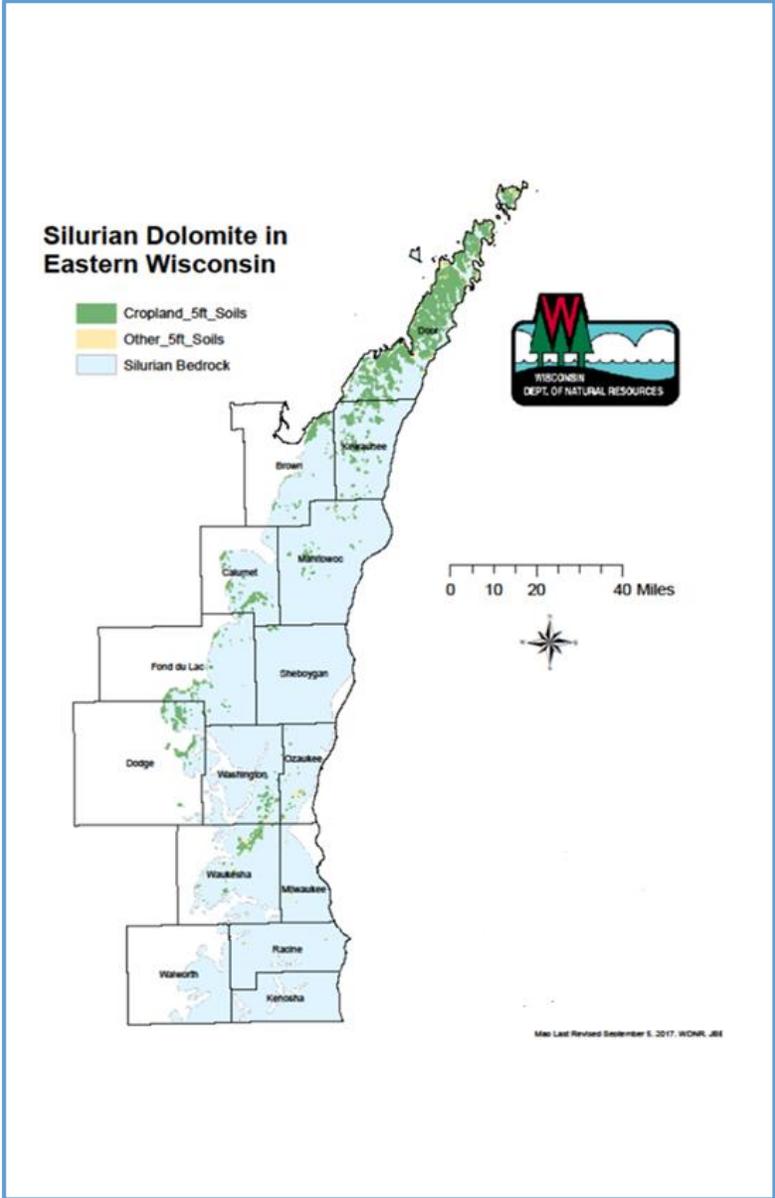


Targeted to  
areas with  
Silurian  
bedrock

OBJECTIVE I: SILURIAN BEDROCK AGRICULTURAL PERFORMANCE STANDARD  
(NR 151.075)



# SILURIAN DOLOMITE TARGETED AREA



## EXPECTED CONSIDERATIONS



Identify conservation practices



Provide for verification of depth to bedrock



**OBJECTIVE 2:  
UPDATE, SIMPLIFY  
AND CLARIFY TO  
SUPPORT  
CONSERVATION  
ACTIVITIES**

Review conservation practices to meet soil and water standards

Identifies strategies to meet the technical challenges of conservation

Review of grant programs, priorities and requirements

Review requirements for technical assistance for producers, landowners and service providers

Provide education and training on conservation topics

Coordinate soil and water conservation planning and activities



# TOPICS FOR DISCUSSION

Review requirements, eligibility and costs/rates related to cost-sharing

Review thresholds for recording and bidding

Review percentage allowed to pay for engineering services

Clarify length of cost-share requirements (4 yrs; 10 yrs) and requirements

Review cost-share rate for non-ag practices

Consider incentive payments as allowable use of funds

Review eligible costs

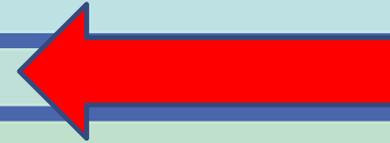
Review conservation practices and update or add practices if necessary

Review application and reporting requirements for counties

Update certification and training provisions



<b>Sept 2021</b>	• Scope published
<b>Oct 2022</b>	• Preliminary hearing on scope
<b>Nov 2021</b>	• Scope approved
<b>Dec 2021 – Oct 2023</b>	• Stakeholder engagement
<b>Winter 2022-23</b>	• Hearing draft to ATCP Board
<b>Spring 2023</b>	• Public hearings
<b>Summer 2023</b>	• Final draft to Board
<b>Fall 2023</b>	• Legislative review and approval consideration
<b>March 2024</b>	• Scope expires



## WHERE ARE WE AND WHAT IS NEXT



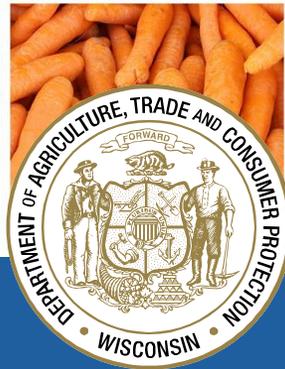
# HOW YOU CAN PARTICIPATE

- Stay informed
- Attend meetings
- Provide comments

[https://datcp.wi.gov/Pages/Programs\\_Services/ATCP50RuleChanges.aspx](https://datcp.wi.gov/Pages/Programs_Services/ATCP50RuleChanges.aspx)

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Bureau of Land and Water Resources

Division of Agricultural Resource Management

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