

ATCP 50

Summary of Revisions to Conservation Practices

April 2024

Below is a summary of select revisions to definitions, eligible or ineligible costs and standards for design, construction, and maintenance. The main proposed revision is underlined.

Definitions

Reference	Definition	Revised language	Previous language
50.01 (2m)	Contaminated runoff	"Contaminated runoff" <u>means runoff, as defined in s. 151.002 (40), that comes into contact' with feed or manure.</u> "Contaminated runoff" includes the liquid and any sediment, manure feed, or other material carried in the liquid	"Contaminated runoff" means drainage that has come through or across a feed storage or manure storage area. "Contaminated runoff" includes the liquid and any sediment, manure, feed, or other material carried in the liquid.
50.68 (1)	Cover crop (formerly cropland cover)	In this section " <u>cover crop</u> " means close-growing grasses, legumes, or small grain grown for any of the following purposes: (a) <u>To control soil erosion.</u> (b) <u>To improve soil health.</u> (c) <u>To improve water quality.</u> (d) <u>To manage excess nutrients in the soil.</u>	In this section, "cropland cover" means close-growing grasses, legumes, or small grain grown for any of the following purposes: (a) To control erosion during periods when major crops do not furnish adequate cover. (b) To add organic matter to the soil. (c) To improve soil infiltration, aeration, or tilth.
50.70(1)	Diversion	In this section, "diversion" means a structure installed to divert excess surface runoff water to an area where it can be used, transported, or discharged without causing excessive soil erosion. <u>A "diversion" can also be used to divert surface runoff water around farmsteads or agricultural waste systems to prevent water from becoming contaminated runoff, or both.</u> "Diversion" includes a channel with a supporting earthen ridge on the	In this section, "diversion" means a structure installed to divert excess surface runoff water to an area where it can be used, transported, or discharged without causing excessive soil erosion. "Diversion" includes a channel with a supporting earthen ridge on the lower side, installed across the slope with a self-discharging and non-erosive gradient.

		lower side, installed across the slope with a self-discharging and non-erosive gradient.	
50.01 (28)	Nutrient management plan	<u>"Nutrient management plan" means a farm nutrient plan prepared or approved, by a qualified plan writer per s. ATCP 50.48 and meeting the requirements under s. ATCP 50.04 (3) or 50.62(5)(f).</u>	"Nutrient management plan" means any of the following: (a) A plan required under s. ATCP 50.04 (3) or 50.62 (5) (f). (b) A farm nutrient plan prepared or approved, for a landowner, by a qualified nutrient management planner.
50.84 (1) (a), (am), (b)	Roof	(a) <u>"Animal housing" means a building or structure used exclusively for the housing, raising, or bettering of animals.</u> (am) "Roof" means a weather-proof covering that shields an animal lot or manure storage structure from precipitation, and includes the structure supporting that weather-proof covering.	(a) "Roof" means a weather-proof covering that shields an animal lot or manure storage structure from precipitation, and includes the structure supporting that weather-proof covering. "Roof" does not include, except in the case of a manure storage structure, a covering over an enclosed structure if the sum of the length of the walls of the structure exceeds 50% of the perimeter of the covering. If a structure includes 2 or more square or rectangular areas, the ratio of wall length to covering perimeter shall be separately calculated for each square or rectangular area, excluding common sides. (b) "Wall" means a vertical expanse in which more than 50% of the opening from eave to floor or ground is composed of a solid building material. The building material need not be rigid.
50.88 (1)	Streambank or shoreline restoration	(cg) <u>Livestock fencing under s. ATCP 50.75.</u> (er) <u>Livestock watering facilities under s. ATCP 50.76</u> (em) <u>Stream crossing under s. ATCP 50.885.</u>	
50.885 (1)	Stream crossing	In this section, "stream crossing" means a road or pathway which confines or directs the movement of livestock, farm equipment, or vehicular traffic over <u>or through (ford crossing)</u> a stream, and which	In this section, "stream crossing" means a road or pathway which confines or directs the movement of livestock, farm equipment, or vehicular traffic over a stream, and which is designed and installed to

		is designed and installed to improve water quality, reduce erosion, protect an installed practice, or control livestock access to a stream.	improve water quality reduce erosion, protect an installed practice, or control livestock access to a stream.
50.93 (1)	Waste transfer system	In this section, "waste transfer system" means components such as pumps, pipes, conduits, valves, and other structures installed to convey manure, <u>feed storage</u> , and milking center wastes from buildings and animal feeding operations to a storage structure loading area, or treatment area.	In this section, "waste transfer system" means components such as pumps pipes, conduits, valves, and other structures installed to convey manure, and milking center wastes from buildings and animal feeding operations to a storage structure, loading area or treatment area
50.94 (1)	Wastewater treatment strip	In this section, "wastewater treatment strip" means an area of herbaceous vegetation that is used as part of an agricultural waste management system to remove pollutants from animal lot runoff or wastewater, such as runoff or wastewater from a milking center <u>or feed storage area</u> .	In this section, "wastewater treatment strip" means an area of herbaceous vegetation that is used as part of an agricultural waste management system to remove pollutants from animal lot runoff or wastewater, such as runoff or wastewater from a milking center.
50.98 (1)	Wetland development or restoration	In this section, "wetland development or restoration" means <u>creating or restoring hydrologic or other</u> conditions suitable for wetland vegetation <u>or other important wetland functions</u> . <u>Construction of berms, destroying of tile lines or drainage ditch functions, or excavating areas (scrapes) are among common practices</u> .	In this section, "wetland development or restoration" means the construction of berms, or the destruction of tile line or drainage ditch functions, to create or restore conditions suitable for wetland vegetation.

Eligible or Ineligible Costs

Reference	Practice	Revised language	Previous language
50.68(2)	Cover crop	<u>A cost-share grant under s. ATCP 50.40 may reimburse costs to cover crops on an agricultural field.</u>	A cost-share grant under s. ATCP 50.40 may reimburse costs to establish cropland cover on a field that contributes to water quality degradation when crop harvesting during the growing season

			leaves the field without enough residue to provide adequate surface runoff protection.
50.80 (2)	Grazing	<p>A cost-share grant under s. ATCP 50.40 may reimburse the cost of replacing animal lots or pastures, or establishing a prescribed grazing system on croplands, <u>or improving an existing prescribed grazing system</u> that contributes sediments, nutrients, or pesticides to a water resource. This may include any of the following costs:</p> <p>(a) The cost to establish or repair livestock access lanes and stream crossings to prevent instability and erosion.</p> <p>(b) The cost to establish permanent boundary and main paddock fences. This may include perimeter fencing, lane fencing, portable fencing, and gates.</p> <p>(c) The cost to establish, <u>or enhance through interseeding or weed management</u>, good seeding stands for pasture and hayland planting.</p> <p>(d) The cost to establish a livestock watering facility. This may include pipeline and pasture watering systems, wells, spring developments, <u>winter watering facilities such as geothermal or heated jug, heavy use area protection</u>, and portable watering systems such as pumps, pipes, and tanks.</p> <p>(e) The costs for practices that would remediate streambank erosion and streambank habitat degradation.</p> <p>(f) The costs for practices that would exclude livestock from woodlands, sensitive wildlife habitat, and recreational lands.</p>	<p>A cost-share grant under s. ATCP 50.40 may reimburse the cost of replacing animal lots or pastures, or establishing a prescribed grazing system on croplands, that contribute sediments, nutrients, or pesticides to a water resource. This may include any of the following costs:</p> <p>(a) The cost to establish or repair livestock access lanes and stream crossings to prevent instability and erosion.</p> <p>(b) The cost to establish permanent boundary and main paddock fences. This may include perimeter fencing, lane fencing, portable fencing, and gates.</p> <p>(c) The cost to establish good seeding stands for pasture and hayland planting.</p> <p>(d) The cost to establish a livestock watering facility. This may include pipeline and pasture watering systems, wells, spring developments, and portable watering systems such as pumps, pipes, and tanks.</p> <p>(e) The costs for practices that would remediate streambank erosion and streambank habitat degradation.</p> <p>(f) The costs for practices that would exclude livestock from woodlands, sensitive wildlife habitat, and recreational lands</p>
50.82 (2) (a)	Residue management	A cost-share grant under s. ATCP 50.40 may reimburse costs for any of the following residue management practices:	A cost-share grant under s. ATCP 50.40 may reimburse costs for any of the following residue management practices:

		<p><u>1m. Strip-till practices.</u></p> <p><u>5. Other, similar practices</u></p>	<p>1. No-till practices.</p> <p>2. Chisel plowing.</p> <p>3. Disking.</p> <p>4. Till-planting practices.</p> <p>5. Other, similar practices.</p>
50.84 (4)	Roof	<p><u>A cost-share grant under s. ATCP 50.40 may not reimburse the costs to install a roof over feed storage, machinery storage, or animal housing areas, except as provided in sub. (3).</u></p>	<p>A cost-share grant under s. ATCP 50.40 may not reimburse any of the following:</p> <p>(a) Costs to install walls or to enclose a roofed area.</p> <p>(b) Costs to design or construct a building or structure other than a roof.</p> <p>(c) Costs to install a roof over feed storage, machinery storage, or animal housing areas, except as provided in sub. (3).</p>
50.88 (2) (a)	Streambank or shoreline protection	<p>Costs to install new soil bioengineering and structural treatments including rock riprap. Wood chunks, unsorted demolition material, brick, plaster, blacktop, and other materials that may produce leachates may not be used as riprap. A cost-share grant may reimburse costs for rock and timber riprap <u>or lunkers</u> used to establish fish habitat, in combination with the restoration of a riparian buffer and as part of a streambank or shoreline protection scheme, provided that reimbursement for fish habitat does not exceed 25% of the cost-share grant.</p>	<p>Costs to install new soil bioengineering and structural treatments including rock riprap. Wood chunks, unsorted demolition material, brick, plaster, blacktop, and other materials that may produce leachates may not be used as riprap. A cost-share grant may reimburse costs for rock and timber riprap used to establish fish habitat, in combination with the restoration of a riparian buffer and as part of a streambank or shoreline protection scheme, provided that reimbursement for fish habitat does not exceed 25% of the cost-share grant.</p>
50.90 (2)	Subsurface drains	<p>A cost-share grant under s. ATCP 50.40 may reimburse the cost of designing and constructing a subsurface drain as part of a manure storage system, barnyard runoff control system, <u>feed storage runoff control system</u>, erosion control system, <u>or as part of a nutrient treatment system.</u></p>	<p>A cost-share grant under s. ATCP 50.40 may reimburse the cost of designing and constructing an underground outlet as part of a manure storage system, barnyard runoff control system, or erosion control system.</p>

Design, Construction, Maintenance

Reference	Practice	Revised language	Previous language
50.62 (5) (f)	Manure storage systems	<p><u>1. The landowner must provide to the county a completed nutrient management checklist to receive cost-share payment for this practice.</u></p> <p><u>2. The landowner must provide an updated checklist for each year of the maintenance period.</u></p>	The landowner establishes a nutrient management plan, and agrees to comply with that plan and maintain the manure storage system for 10 years unless the landowner discontinues the animal feeding operation.
50.84 (5) (e)	Roofs	The landowner agrees not to convert a roofed animal lot structure, cost-shared under this chapter, for use other than as an animal lot <u>for the duration of the maintenance agreement.</u>	The landowner agrees not to convert a roofed animal lot structure, cost-shared under this chapter, for use other than as an animal lot.
50.88 (3) (a) 6., 7., 8., 9	Streambank or shoreline protection	<p><u>6. NRCS conservation practice standard 326 clearing and snagging (June, 2016).</u></p> <p><u>7. NRCS conservation practice standard 395 stream habitat improvement and management (September, 2021).</u></p> <p><u>8. NRCS conservation practice standard 582 open channel (September, 2021).</u></p> <p><u>9. NRCS conservation practice standard 584 channel bed stabilization (September, 2021).</u></p>	
50.90 (3) (a)	Subsurface drains	The subsurface drain is a necessary component of a manure storage system, barnyard runoff control system, <u>feed storage runoff control system, erosion control system or as part of a nutrient treatment system.</u>	The subsurface drain is a necessary component of a manure storage system, barnyard runoff control system, or erosion control system.