

# APPENDIX A

## DANE COUNTY CHECKLIST Agricultural Performance Standards and Prohibitions Chapter NR 151, Runoff Management Effective October 1, 2002

### Sheet, rill and wind erosion

1. Does cropland soil erosion meet tolerable rate (T) calculated by RUSLE 2? Y \_\_\_\_\_ N \_\_\_\_\_

### Manure Storage Facilities

2. Has a new manure storage facility been constructed? Y \_\_\_\_\_ N \_\_\_\_\_

2a. If yes, does the facility meet NRCS Standards? Y \_\_\_\_\_ N \_\_\_\_\_

3. Has an existing storage facility been substantially altered? Y \_\_\_\_\_ N \_\_\_\_\_

3a. If yes, does the altered facility meet NRCS Standards? Y \_\_\_\_\_ N \_\_\_\_\_

Note: A *substantially altered facility* means a change initiated by an owner or operator that results in a relocation of a structure or facility or significant changes to the size, depth, or configuration of a structure or facility including:

(a) Replacement of a liner in a manure storage structure.

(b) An increase in the volumetric capacity or area of a structure or facility by greater than 20%.

(c) A change in a structure or facility related to a change in livestock management from one species of livestock to another such as cattle to poultry.

4. Has an operation ceased where a manure storage facility is located? Y \_\_\_\_\_ N \_\_\_\_\_

4a. If yes, has the manure storage facility been abandoned according to NRCS Standards? Y \_\_\_\_\_ N \_\_\_\_\_

5. Has manure not been added or removed from the facility for a period of 24 months? Y \_\_\_\_\_ N \_\_\_\_\_

5a. If yes, has the manure storage facility been abandoned according to NRCS Standards? Y \_\_\_\_\_ N \_\_\_\_\_

6. If no to questions 4a, and 5a, does the facility meet *all* of the following conditions?

1. Does the facility meet NRCS Standards? Y \_\_\_\_\_ N \_\_\_\_\_

2. Is the facility designed to store manure for longer than 24 months? Y \_\_\_\_\_ N \_\_\_\_\_

3. Is the retention of the facility warranted based on anticipated future use? Y \_\_\_\_\_ N \_\_\_\_\_

7. Does a manure storage facility pose an imminent threat to public health or fish and aquatic life or is causing a violation of groundwater standards? Y \_\_\_\_\_ N \_\_\_\_\_

7a. If yes, has the manure storage facility been upgraded, replaced or abandoned according to NRCS Standards? Y \_\_\_\_\_ N \_\_\_\_\_

### Clean Water Diversions

8. Has runoff been diverted away from contacting feedlot, manure storage areas, and barnyard areas within water quality management areas (WQMA)? Y \_\_\_\_\_ N \_\_\_\_\_

Note (1): A *water quality management area* means the area within 1000 feet from the ordinary high water mark of navigable waters that consist of a lake, pond or flowage; the area within 300 feet from the ordinary high water mark of navigable waters that consist of a river or stream; and a site that is susceptible to groundwater contamination, or that has the potential to be a direct conduit for contamination to reach groundwater.

Note (2): A site that is susceptible to groundwater contamination means any of the following:

(a) An area within 250 feet of a private well. (where facility is upslope of well)

(b) An area within 1000 feet of a municipal well.

(c) An area within 300 feet upslope or 100 feet down slope of karst features. Note: A karst feature may include caves, enlarged fractures, mine features, exposed bedrock surfaces, sinkholes, springs, seeps or swallets.

(d) A channel with a cross-sectional area equal to or greater than 3 square feet that flow to a karst feature.

(e) An area where the soil depth to groundwater or bedrock is less than 2 feet.

(f) An area where the soil above groundwater or bedrock does *not* exhibit one of the following:

1. At least a 2-foot soil layer with 40% fines or greater.
2. At least a 3-foot soil layer with 20% fines or greater.
3. At least a 5-foot soil layer with 10% fines or greater.

**Nutrient Management**

9. Does the application of manure, commercial fertilizer and other nutrients conform with a nutrient management plan according to the following phasing:

1. A nutrient management plan is being applied on all new croplands as of October 1, 2003. Y \_\_\_\_\_ N \_\_\_\_\_
2. A nutrient management plan is being applied on all existing croplands as of January 1, 2005 that are located within watersheds containing outstanding waters, exceptional waters, impaired waters, or source water protection areas. Y \_\_\_\_\_ N \_\_\_\_\_
3. A nutrient management plan is being applied on all other existing croplands as of January 1, 2008. Y \_\_\_\_\_ N \_\_\_\_\_

**Manure Management Prohibitions**

1. Does the livestock operation have no overflow of manure storage facilities? Y \_\_\_\_\_ N \_\_\_\_\_

2. Does the livestock operation have no unconfined manure pile in a water quality management area (WQMA)? Y \_\_\_\_\_ N \_\_\_\_\_

Note (1): See note in No. 8 above for definition of WQMA.

Note (2): Unconfined manure pile means a quantity of manure that is at least 175 cu. ft. in volume and which covers the ground surface to a depth of at least 2 inches and is not confined within a manure storage facility or covered or contained in a manner that prevents storm water access and direct runoff to surface water or leaching of pollutants to groundwater.

3. Does the livestock operation have no direct runoff from a feedlot or stored manure into the waters of the state? Y \_\_\_\_\_ N \_\_\_\_\_

Note (1): Direct runoff means a discharge of a significant amount of pollutants to waters of the state resulting from any of the following practices:

- (a) Runoff from a manure storage facility.
- (b) Runoff from an animal lot that can be predicted to reach surface waters of the state through a defined or channelized path or man-made conveyance.
- (c) Discharge of leachate from a manure pile.
- (d) Seepage from a manure storage facility.
- (e) Construction of a manure storage facility in permeable soils or over fractured bedrock without a liner designed in accordance with NRCS Standards.

Note (2): Waters of the state means those portions of Lake Michigan and Lake Superior within the boundaries of Wisconsin, all lakes, bays, rivers, streams, springs, ponds, wells, impounding reservoirs, marshes, water courses, drainage systems and other surface water or groundwater, natural or artificial, public or private within the state or under its jurisdiction, *except those waters which are entirely confined and retained completely upon the property of a person.*

4. Does the livestock operation not allow unlimited access by livestock to waters of the state in a location where high concentrations of animals prevent the maintenance of adequate sod or self-sustaining vegetative cover? Y \_\_\_\_\_ N \_\_\_\_\_

Note: This prohibition does not apply to properly designed, installed and maintained livestock or farm equipment crossings.