

WI's NPS Regulatory Authority & TMDLs

Presented by: Corinne Billings
WDNR State TMDL Implementation
Coordinator



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NPS Implementation History

- ◆ Priority Watershed Program (Est. 1978)
 - NPS Control Plans
 - Cost-sharing & local support funds provided
 - Largely voluntary (exc. critical sites)
 - 10-digit HUC scale
- ◆ Legislative Audit Bureau Report (1994)
 - Recommended changes to NPS Program
 - Voluntary approach not effective!



NPS Implementation History, cont.

- ◆ Act 27 (1997)

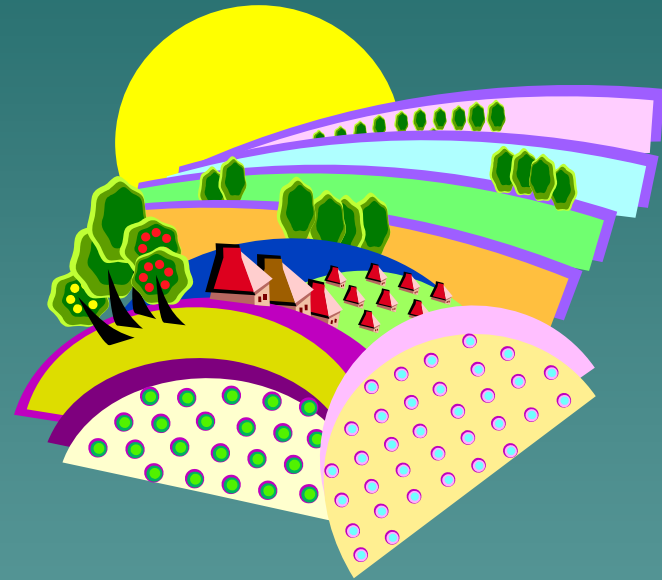
- Develop ag. & non-ag. performance standards
- Implement 4 manure management prohibitions from statutes
- Administer cost-sharing funds for compliance

- ◆ Act 9 (1999)

- Provided funding to facilitate the redesign of the NPS Program
 - ◆ Targeted Runoff Management Grant Program

Current Standards & Prohibitions

- ◆ Sections 281.16 & 281.65, Wisconsin Statutes
- ◆ Chapter NR 151, Wisconsin Administrative Code
 - October 1, 2002



Current Standards & Prohibitions

- ◆ Cropland Standards
 - Reduce sheet, rill, & wind erosion
 - Plan & implement nutrient management



Current Standards & Prohibitions

- ◆ Manure Storage Facility Standards
 - Build new manure storage facilities to minimum standards
 - Close abandoned manure storage facilities
 - Abandon or upgrade failing facilities
 - Provide clean water diversions for manure sources in the WQMA

WQMA = Water Quality Management Area

Current Standards & Prohibitions

- ◆ Manure Management Prohibitions
 - No manure storage facility overflows
 - No unconfined manure piles in the WQMA
 - No direct runoff from feedlot or stored manure
 - No unlimited livestock access to waters of the state

Cost-Share Requirement

- ◆ An offer of cost sharing must be made available for eligible costs to achieve required standards compliance for existing cropland practices or livestock facilities.



Compliance Maintenance Requirement

- ◆ Once compliance is achieved, the cropland/livestock facility must maintain compliance with the standard or prohibition in perpetuity regardless of future cost sharing.



Proposed New Standards

- ◆ Phosphorus Index
 - Establishes average & max. PI for cropland, pasture & winter grazing areas
- ◆ Tillage Setback
 - Creates riparian no-tillage zone
 - Specifies size & allowable activity
- ◆ Process Wastewater
 - No significant discharges of process wastewater to waters of the state
 - ◆ Ex.) milk house waste & feed storage leachate

Proposed Performance Standards for TMDLs

- ◆ Proposed s. NR 151.005, Wis. Adm. Code
 - Require implementation of BMPs designed to meet the load allocation in an approved TMDL
 - Statewide standards would still be required as minimum level of performance

Proposed Modifications to NR 153 Targeted Runoff Management Grants

- ◆ 4 project categories
- ◆ Grants for large-scale projects include funds for local assistance (staffing)
- ◆ More efficiently manage available funding (state & federal)

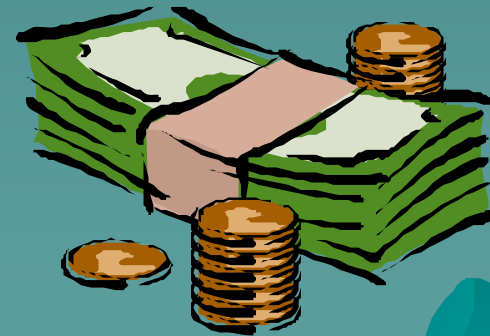
Large-Scale TMDL	Small-Scale TMDL
Large-Scale Non-TMDL	Small-Scale Non-TMDL

Proposed Modifications to NR 153 Targeted Runoff Management Grants

- ◆ Large Scale TMDL Projects
 - Draft or approved TMDL or plan
 - Agricultural NPS only
 - Flexible watershed scale (up to HUC-12)
 - Address high priority sources affecting TMDL
 - 3-4 years duration; mid-project evaluation
 - Staff support \$ (est. 10-15%)

Proposed Modifications to NR 153 Targeted Runoff Management Grants

- ◆ Small Scale TMDL Projects
 - Draft or approved TMDL or plan
 - Agricultural or small urban NPS
 - Single site focus
 - Address high priority sources affecting TMDL
 - 2-3 years duration
 - No staff support \$



Questions?

- ◆ Corinne Billings
 - Corinne.Billings@wisconsin.gov
- ◆ John Pfender
 - John.Pfender@wisconsin.gov
- ◆ Wisconsin Administrative Codes
 - <http://www.legis.state.wi.us/rsb/code.htm>
- ◆ Wisconsin Statutes
 - <http://www.legis.state.wi.us/rsb/stats.html>

