

**CHIPPEWA COUNTY
NR151 COMPLIANCE STATUS REPORT**

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T7938
22807-2912-00020000
22807-2912-04500000
22807-2913-00020000

Date of Initial Onsite: October 18, 2006

NR151 - AGRICULTURAL NONPOINT SOURCE POLLUTION CONTROL STANDARDS

EROSION CONTROL

NR151.02 **Sheet, rill and wind erosion.**

1. **Meets
Standard**

All land where crops or feed are grown shall be cropped to achieve a soil erosion rate equal to, or less than, the "tolerable" (T) rate established for that soil.

All areas of concentrated flow identified on the Chippewa County Soil Survey, located within the managed crop area, shall be treated or managed to prevent channelized rill and gully erosion.

Physical features including slope lengths, slope percentages and locations of areas of concentrated flow were determined through an onsite evaluation.

A soil erosion model was applied (USLE; AV Sems platform) using crop history of record. Estimates of existing soil erosion rates were verified using RUSLE 2 summary tables.

The location of cropland field boundaries and areas of concentrated flow are illustrated on Attachment 1.

Current Status:

A cropping system is in place which assures cropland erosion rates on all cropland fields are within prescribed state performance standards.

Areas of concentrated flow are currently managed to prevent channelized rill and ephemeral gully erosion by maintaining a protective sod cover, maintaining a permanent cover of crop residue, or other performance based measures sufficient to demonstrate that channelized rills will not form.

Corrective Measures: None.

MANURE STORAGE FACILITIES

NR151.05(2) New Construction and Alterations.

2. **Meets Standard** *New or altered manure storage facilities shall be designed and constructed to USDA NRCS standards.*

Current Status:

There are no manure storage facilities located on these tax parcels.

Corrective Measures: None.

NR151.05(3) Closure.

3. **Meets Standard** *Closure of a sub-standard manure storage facility shall occur when an operation where the facility is located ceases operations, or manure has not been added or removed from the facility for a period of 24 months.*

Current Status:

There are no manure storage facilities located on these tax parcels.

Corrective Measures: None.

NR151.05(4) Failing and Leaking Existing Facilities.

4. **Meets Standard** *Existing manure storage facilities that pose an imminent threat to public health or fish or aquatic life or are causing a violation of groundwater standards shall be upgraded, replaced or abandoned.*

Current Status:

There are no manure storage facilities located on these tax parcels.

Corrective Measures: None.

CLEAN WATER DIVERSIONS

NR151.06 Clean water diversions.

5. **Meets Standard** *Runoff shall be diverted away from contacting feedlots, manure storage areas and barnyard areas within water quality management areas (WQMA).*

Current Status:

There are no feedlots, manure storage areas or barnyards located on these tax parcels.

Corrective Measures: None.

NUTRIENT MANAGEMENT

NR151.07(3) Nutrient management.

6. **Needs Corrective Measure** *Manure, commercial fertilizer and other nutrients shall be applied in conformance with a nutrient management plan.*

Current Status:

Cropland is located in a watershed defined as "an impaired resource water" (Yellow River Watershed) and includes a class 303(d) waterbody (Paint Creek).
-Producer operates approximately 30 acres of cropland.
-No livestock on site.
-No current nutrient management plan on file.

Wis. Adm. Rule NR 151.07(4) requires that a nutrient management plan be developed and implemented before January 1, 2005.

At this time, no state or federal cost share funds are available for nutrient management. Wisconsin Administrative Code does not allow for the enforcement of the nutrient management standard unless cost share is provided.

Corrective Measure:

The requirement to meet this standard will be deferred. A new and separate cost share agreement will be developed at such time state funding becomes available to offset the costs of nutrient management planning.

Estimated Cost:

Approximately \$6/acre assuming costs of annual soil sampling program and field by field nutrient accounting and recommendations.

MANURE MANAGEMENT PROHIBITIONS

NR151.08 Manure management prohibitions.

7. **Meets Standard** *A livestock operation shall have no overflow of manure storage facilities.*

Current Status:

There are no manure storage facilities located on these tax parcels.

Corrective Measures: None.

NR151.08 A livestock operation shall have no unconfined manure piles in WQMA's.

8. **Meets Standard**

Current Status:

Currently there are no unconfined manure piles located in water quality management areas (WQMA's).

Corrective Measures: None.

- NR151.08** ***A livestock operation shall have no direct runoff from feedlots or stored manure into waters of the state.***
9. **Meets Standard** Current Status:
There are no feedlots, manure storage areas or barnyard areas located on these tax parcels.
- Corrective Measures: None.
- NR151.08** ***A livestock operation may not allow unlimited access to waters of the state in a location where high concentrations of animals prevent the maintenance of adequate cover or self-sustaining vegetative cover.***
10. **Meets Standard** Current Status:
Parcel #22807-2912-00020000, #22807-2912-04500000, and #22807-2913-00020000 have wetlands present. Paint Creek is also located on these tax parcels. Currently there are no livestock located on these tax parcels.
- Corrective Measures: None.

CHIPPEWA COUNTY STANDARDS

11. **Meets Standard** ***Conduct agricultural activities without draining, filling, flooding, or otherwise altering the hydrology of mapped wetlands.***
- Current Status:
Mapped wetlands or hydric soils are located on parcel #22807-2912-00020000, #22807-2912-04500000, and #22807-2913-00020000.
- Corrective Measure: None.
- Note 1: The locations of areas of state designated WQMA's and the location of other areas subject to standards including areas of concentrated flow, wetlands and streams administered by the Chippewa County Land Conservation Committee are illustrated on Attachment 1.
- Note 2: Compliance with county standards is only applicable in circumstances where applicant voluntarily applies for local or state funds administered by the county Land Conservation Committee. This requirement for compliance with county standards extends only for 10 year maintenance period of the cost-share contract.
- Note 3: The following public funding sources are available for cost share to install or adopt management practices to meet agricultural performance standards requiring corrective measures: DATCP Farmer's Fund, WDNR TRM Grants, USDA EQIP.

The Compliance Status Report documents the NR151 agricultural performance standards and prohibitions that were in effect at the time of the evaluation, and are applicable to the property. The Compliance Status Report also identifies which of the performance standards and prohibitions were met on the date of the evaluation, and which standards have yet to be met.

It is the obligation of the landowner to continue to manage the agricultural operation in conformance with state performance standards and prohibitions once compliance has been met without the offer of future cost share.

- I have reviewed and agree with the findings of the Evaluation Report.
- I have reviewed and disagree with facts contained with the Evaluation Report. I request a re-evaluation of _____ through an administrative appeal to the Land Conservation Committee.

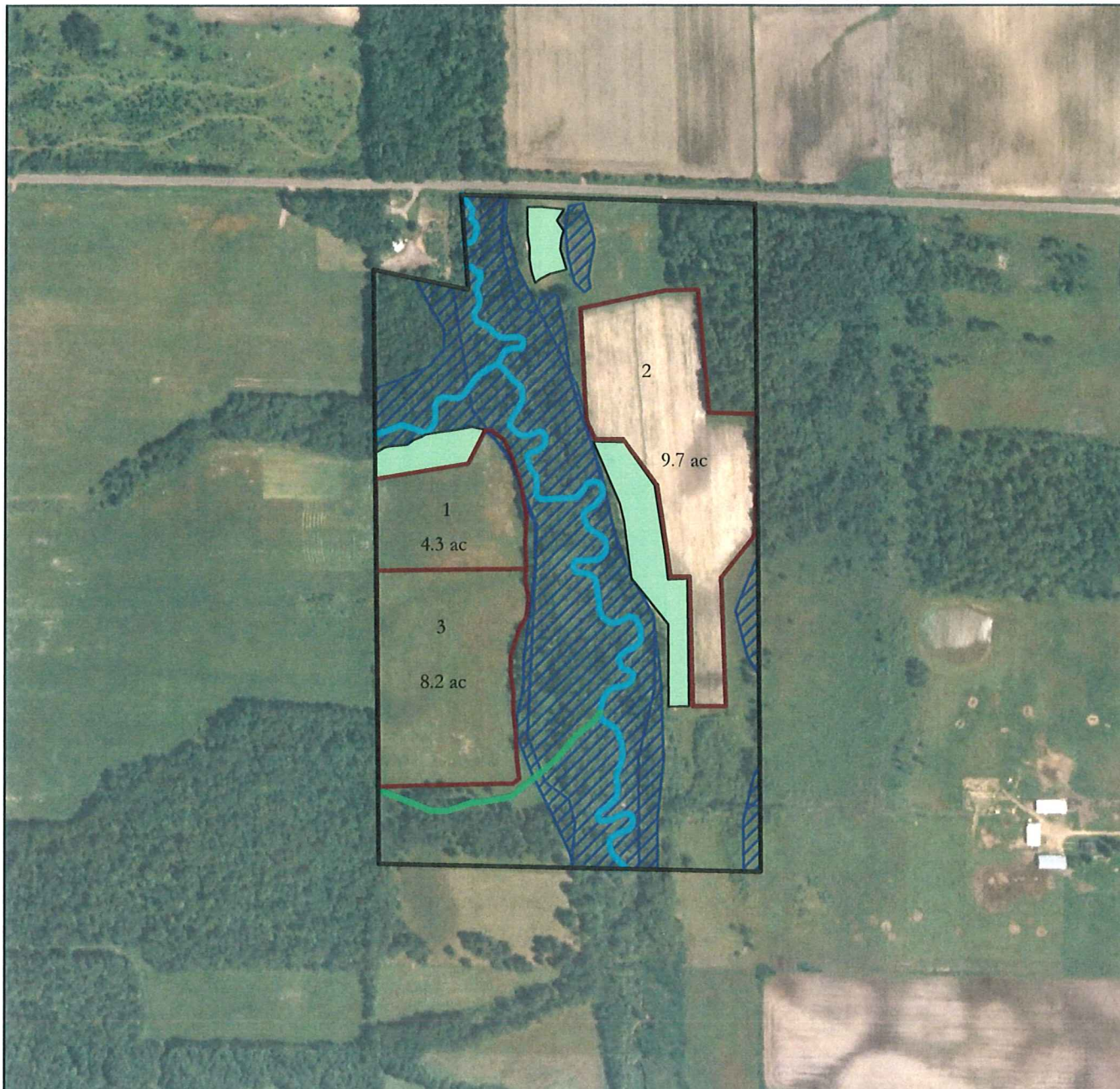
Landowner/Operator

Date

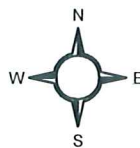
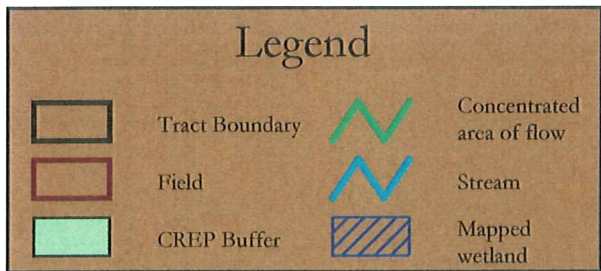
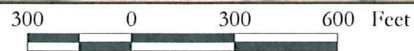
Brian Phillips NR151 Compliance Status Report Map

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T28N R7W Sec 29



2005 USDA Aerial Photo



Note: acres are estimates

