

Runoff Management Update

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Permits & Field Staff Meeting

Oshkosh, WI

September 21, 2010

Key Topics

- I. Changes to Nonpoint Rules
- II. AFO and CAFO Activities
- III. Expanding Storm water Activities



Changes to Nonpoint Rules

- Rules through legislative review
 - Expect effective date Jan/Feb 2011



- Ag performance standards & prohibitions
 - New Standards
 - Modifications to Existing Standards



Changes to Ag Nonpoint Rules

- There are currently 10 agricultural performance standards & prohibitions
- Compliance with these standards will reduce discharges of nonpoint pollution to waters of the state
- These performance standards are enforceable under state laws & local ordinances



Changes to Ag Nonpoint Rules: Tillage Setback



Stream in Grant County



Elvers Creek in Dane County



Changes to Ag Nonpoint Rules: Phosphorus Index Standard

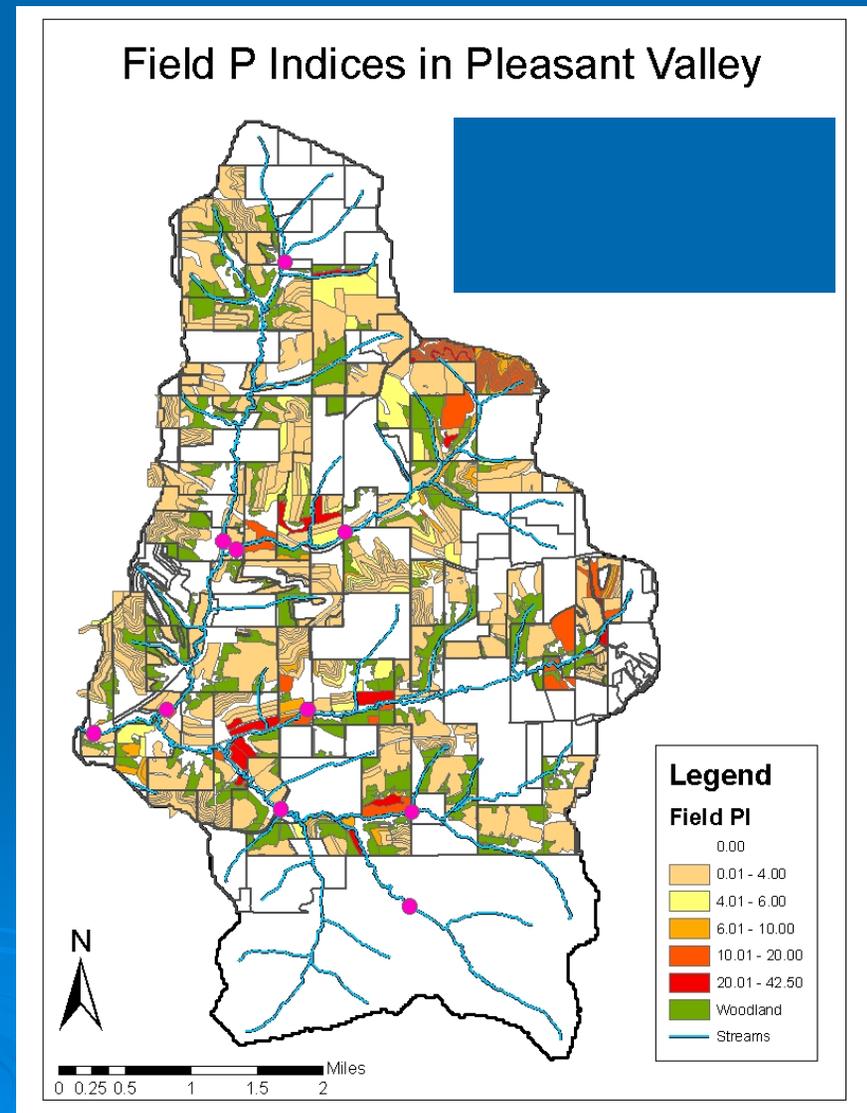


Phosphorus Index Standard

Average P- Index Values

Average: 4
Minimum: 0.1
Maximum: 45

16% of Fields PI > 6
84% of Fields PI < 6



Changes to Nonpoint Rules: TMDL Performance Standard

WPDES Permitted Point Sources and Municipalities

Existing NR 217
requirements

Alternative limits

Existing NR 151
requirements

Automatically
placed in Permits



Agriculture and Nonpoint Sources

Existing NR 151
With
Cost Sharing

Alternative
NR 151
Performance
Standards
Through Rule
Making



Baseline Statewide
Requirements

Implementation
of TMDL
Allocations

Water Quality Standards

Pollutant Levels



Changes to Ag Nonpoint Rules: Process Wastewater Standard



Milk house waste



Feed storage leachate



Changes to Ag Nonpoint Rules

- Other Modifications to Ag standards
 - Expands definition of “Direct Runoff”
 - Regulates pastures & feed bunk areas
 - Clarifies NM requirements for applications of co-mingled manure



Changes to Nonpoint Rules

New urban standards



Changes to Urban Nonpoint Rules: Construction Sites



Commercial Buildings
Transfer of COMM 60



EPA Non-Numeric Effluent
Limit Guidelines



Photos by Jim Bertolacini



Changes to Urban Nonpoint Rules: Redevelopment



Remove “No Increase” Exemption

Remove Rural X-Section to
Urban X-Section Exemption



Photos by Jim Bertolacini



Changes to Urban Nonpoint Rules: Developed Urban Areas

March 2013						
Su	M	Tu	W	Th	F	Sa
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

Time Extension Beyond March 2013 for MS4s if
Following a Storm Water Management Plan

No Credit for In-stream Ponds
in Perennial Waters



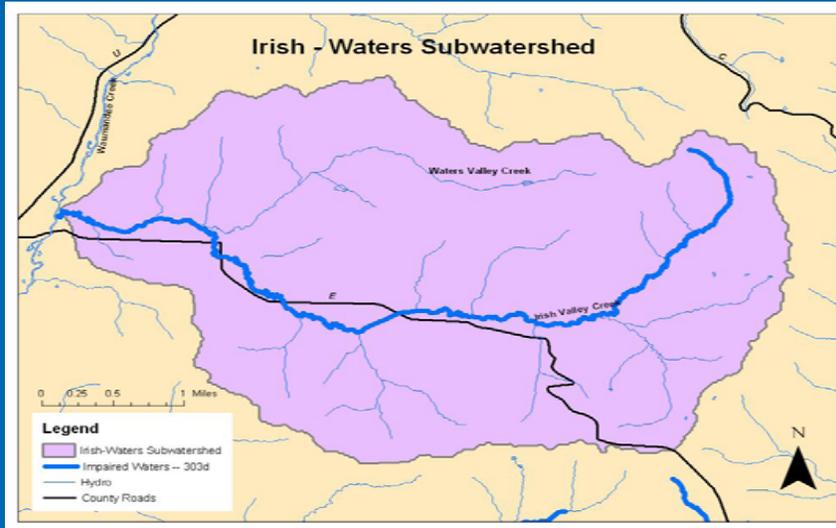
Photo by Nick Vande Hey

Changes to Nonpoint Rules

Grants

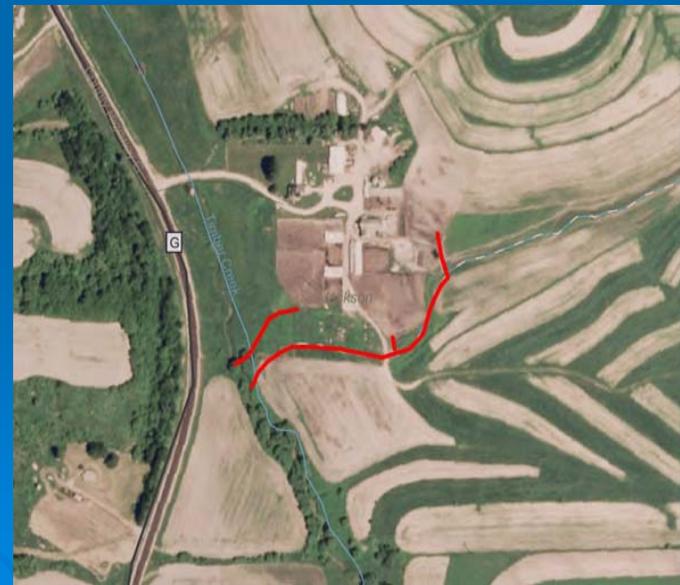


Changes to Nonpoint Rules: Refocus Grant Program



Watershed scale projects

Single farm projects



Changes to Nonpoint Rules: NOD Grants

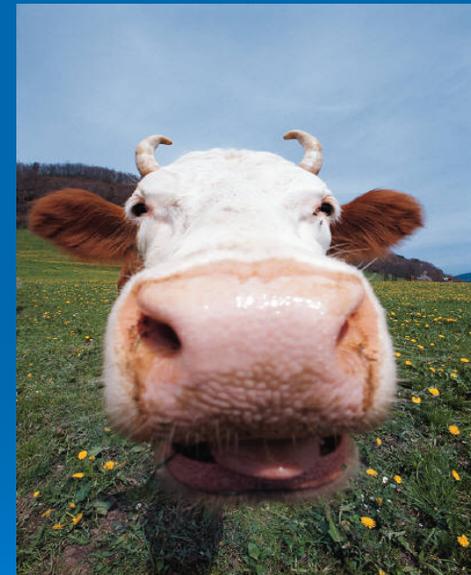
➤ Create NOD Funding Program

- Provides cost sharing for small and medium livestock facilities that receive a Notice of Discharge under NR 243
- Allows funding outside of TRM process
- Requires funding application from governmental unit
- Cost share rate is 70% with provision for economic hardship



AFO Activities (NR 243 – Small to Medium)

- Ramping up use of “Notices of Discharge”
- Since 2002
 - Notices Issued: 59 notices
 - Project completed or on track: 41
 - Delinquent projects in negotiation: 9
 - Delinquent and problematic; unknown: 9
- Since 2008
 - Notices Issued: 33
 - Funded: 27 (\$2.7 million)

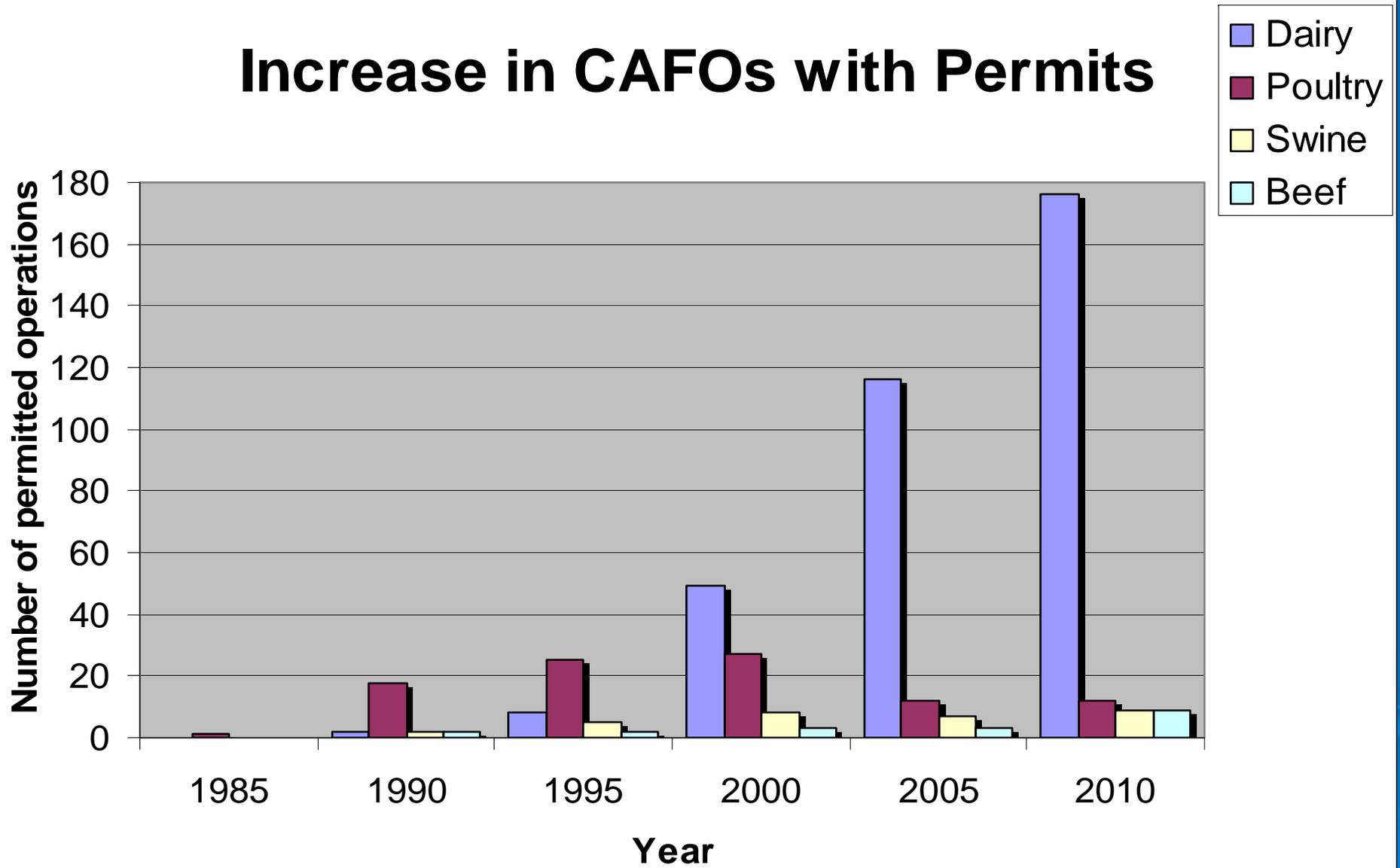


CAFO Activities (NR 243 - Large)

- Seeing continued increase in new CAFOs
- Enforcement a growing priority
- Increased monitoring of land application
- Proposed GP for large CAFOs



Increase in CAFOs with Permits



CAFO Activities (NR 243 - Large)

Trend in NOV Issuance for CAFOs: 2001 - 2010

Calendar Year	Number Issued
2001 - 2008	Ave. 5.4 (2 - 10)
2009	31
2010	11



CAFO Activities (NR 243 - Large)

- Increased Monitoring Land Application
 - Have added a NM specialist to staff
Andrew Craig (608-267-7695)
 - Field audits starting Fall 2010 to follow whether individuals are following their NM plans



CAFO Activities (NR 243 - Large)

➤ Proposed GP for CAFOs

- One for large dairy CAFOs (1,000 – 5,720 au)
- One for small- medium CAFOs (<1,000 au)

➤ Will still use Individual Permit for others



Expanding Storm Water Activity

- DNR assumed regulation of storm water runoff from Commercial Sites as of January 1, 2010
- Estimated workload: > 15 FTEs
- New positions appropriated: 2 FTE

