STATE OF WISCONSIN
DEPARTMENT OF ADMINISTRATION
DOA-2049 (R09/2016)

DIVISION OF EXECUTIVE BUDGET AND FINANCE
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ADMINISTRATIVE RULES
Fiscal Estimate & Economic Impact Analysis

1. Type of Estimate and Analysis
☐ Original ☒ Updated ☐ Corrected

2. Date
2/7/23

3. Administrative Rule Chapter, Title and Number (and Clearinghouse Number if applicable)
Ch. ATCP 50, Soil and Water Resource Management Program

4. Subject
Implementation of Silurian bedrock performance standard, adoption of Verification of Depth to Bedrock technical standard DATCP 01, adopt conservation practices, and other rule changes to update and clarify provisions and simplify language.

5. Fund Sources Affected
☒ GPR ☐ FED ☐ PRO ☐ PRS ☒ SEG ☐ SEG-S

6. Chapter 20, Stats. Appropriations Affected
20.115 (7) (c), 20.115 (7) (qe), 20.115 (7) (qf), 20.866 (2) (we)

7. Fiscal Effect of Implementing the Rule
☐ No Fiscal Effect ☐ Increase Existing Revenues ☒ Increase Costs ☐ Decrease Costs
☐ Indeterminate ☐ Decrease Existing Revenues ☐ Could Absorb Within Agency's Budget

8. The Rule Will Impact the Following (Check All That Apply)
☐ State's Economy ☒ Specific Businesses/Sectors
☒ Local Government Units ☐ Public Utility Rate Payers
☒ Small Businesses **(if checked, complete Attachment A)**

9. Estimate of Implementation and Compliance to Businesses, Local Governmental Units and Individuals, per s. 227.137(3)(b)(1).
$Approximately $207,695 (landowner and agricultural producers + local government)

See question 14 for a detailed explanation of the cost estimate.

10. Would Implementation and Compliance Costs Businesses, Local Governmental Units and Individuals Be $10 Million or more Over Any 2-year Period, per s. 227.137(3)(b)(2)?
☐ Yes ☒ No

11. Policy Problem Addressed by the Rule
In 2018, the Wisconsin Department of Natural Resources (DNR) promulgated a targeted performance standard related to Silurian bedrock in ch. NR 151.075, Wis. Adm. Code, designed to minimize the risk for pathogen delivery to groundwater. The performance standard applies within parts of 16 counties in the Silurian bedrock area (Brown, Calumet, Dodge, Door, Fond du Lac, Kenosha, Kewaunee, Manitowoc, Milwaukee, Outagamie, Ozaukee, Racine, Sheboygan, Walworth, Washington, and Waukesha). The performance standard sets forth manure spreading rates and practices for mechanical manure application that vary according to the soil depth and texture. The most restrictive practices apply to those limited areas of the highest risk for pathogen delivery. Less restrictive requirements apply in areas with 5 to 20 feet to bedrock.

The Department of Agriculture, Trade and Consumer Protection (department) is responsible for developing and disseminating technical standards to implement the ch. NR 151 performance standards and prohibitions. The proposed revisions to ch. ATCP 50 adds Silurian bedrock as a farm conservation practice and describes the requirements farmers and landowners must meet to implement the performance standard. The rule adds DATCP 01 Verification of Depth to Bedrock Technical Standard as a voluntary tool farmers and landowners can use to verify the depth to bedrock. The rule also allows counties to cost-share the use this technical standard and to update a nutrient management plan to comply with the Silurian bedrock performance standard. It establishes a delayed date of implementation.

In addition to adding provisions to implement the Silurian bedrock performance standard, the rule does the following:

- Makes language updates and changes, including corrections to outdated provisions.
- Updates and adds definitions to clarify the meaning of important terms.
- Updates provisions related to soil and water conservation on farms.

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- Updates requirements for administration of the soil and water resource management grant program.
- Updates and clarifies the process for counties to receive grants from the department.
- Adds options for providing financial assistance to landowners.
- Updates and adds maximum rates of financial assistance for some cropping practices.
- Clarifies and updates requirements and eligibility related to engineering certification and nutrient management planning.
- Adds a process for development of technical standards.
- Updates conservation practices and adds new conservation practices.

12. Summary of the Businesses, Business Sectors, Associations Representing Business, Local Governmental Units, and Individuals that may be Affected by the Proposed Rule that were Contacted for Comments.

This rule will mostly impact landowners and agricultural producers, many of whom qualify as small businesses. This rule may also impact agricultural service providers, such as certified crop consultants or agricultural engineers. This rule may also have an impact on county government, specifically the county land conservation departments.

Landowners and Agricultural Producers

The proposed rule does not add any additional requirements beyond what DNR already passed in 2018 for agricultural producers. Instead, the rule focuses on identifying mechanisms for landowners to implement agricultural performance standards established by DNR, specifically the Silurian bedrock performance standard promulgated in 2018. The proposed rule incorporates Silurian bedrock as a farm conservation practice. The primary conservation practice to meet this agricultural performance standard is implementation of a nutrient management plan written to account for the Silurian bedrock performance standard. The rule identifies various tools to support landowners in implementing this performance standard including cost-sharing, delayed implementation, and access to a voluntary tool to determine if the agricultural performance standard applies or to determine which spreading restrictions apply. Additional changes in the proposed rule add options for meeting soil and water conservation needs by adding additional conservation practices and allow landowners to receive financial assistance in a form other than cost-sharing.

Agricultural Service Providers

The rule may impact businesses other than agricultural producers including nutrient management planners, certified crop consultants, farm supply organizations, manure haulers, agricultural engineering practitioners and consultants, and contractors. Proposed changes in the rule will likely lead to requests for assistance to update nutrient management plans and potential requests for assistance to verify depth to bedrock in cropland. Nutrient management plans may lead to farm management changes that require assistance or products from farm supply organization, agricultural engineering practitioners and consultants, contractors, certified crop consultants and manure haulers. Additional changes in the rule will enable architects to sign off on roof structure designs.

County government

The rule will affect local government, specifically county land conservation departments. The proposed rule updates the dates of conservation practice standards, which are used when state cost-share is used to fund a project. Counties may need to update local ordinances to reference the updated dates. However, ordinance updates occur with some regularity, and updating ch. ATCP 50 would not mandate any counties to update their ordinances. Local government will likely experience temporary, additional staff time demands related to understanding, communicating and operationalizing proposed changes in the rule and related changes to local ordinances. There is also a potential for reduced staff demand related to the Farmland Preservation Program (FPP) if individual landowners opt out of participation of the program due to required changes in manure application practices resulting from implementation of the Silurian bedrock performance standard.

Individuals

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This rule will impact individuals, but it is estimated that most individuals are also agricultural producers or agricultural service providers, many of whom qualify as small businesses. See Landowners and Agricultural Producers and Agricultural Service Providers.

13. Identify the Local Governmental Units that Participated in the Development of this EIA.

NA

14. Summary of Rule's Economic and Fiscal Impact on Specific Businesses, Business Sectors, Public Utility Rate Payers, Local Governmental Units and the State's Economy as a Whole (Include Implementation and Compliance Costs Expected to be Incurred)

Landowner and Agricultural Producer - $187,965

The changes to the proposed rule related to the implementation of the Silurian bedrock performance standard apply to a subset of landowners and agricultural producers. Chapter ATCP 50 establishes that a landowner can achieve compliance with the Silurian bedrock performance standard through implementation of a nutrient management plan written to the nutrient management standard that accounts for the Silurian bedrock performance standard.

The rule's economic and fiscal impact to landowners and agricultural producers is anticipated to be low to moderate based upon the analysis provided below.

· The Silurian bedrock performance standard only applies within the Silurian bedrock area - 16-county area in eastern Wisconsin.

o Impacted counties include Brown, Calumet, Dodge, Door, Fond du Lac, Kenosha, Kewaunee, Manitowoc, Milwaukee, Outagamie, Ozaukee, Racine, Sheboygan, Walworth, Washington, and Waukesha

o Of these 16 counties, Kewaunee County already requires compliance with the Silurian bedrock performance standard through a local ordinance adopted by referendum. Therefore, acres in Kewaunee County are not included in this analysis.

o The Silurian bedrock performance standard has the highest impact is on farms in areas with soil depth ranges over Silurian bedrock at the following depths: 0-2 feet, 2-3 feet, 3-5 feet, and 5-20 feet where manure is mechanically applied.

· The department estimates that approximately 180,000 acres of cropped land is on soils with <20' depth to Silurian bedrock in the area where the Silurian bedrock performance standard applies (these data were pulled using the National Land Cover Database for Wisconsin and the DNR's Thickness of Unconsolidated Materials Over Silurian Bedrock dataset)

o The analysis excludes acres in Kewaunee since the county already requires compliance

o Farms that are permitted by the DNR through the Wisconsin pollutant discharge elimination system (WPDES) program, are not included in these acres since they are required to meet the standard as part of their permit.

o Milwaukee and Kenosha are not included in this analysis because they do not have any cropped land on soils with <20' depth to Silurian bedrock.

· It is estimated that 48.5% of the acres of agricultural cropland in the area are already covered by a nutrient management plan based upon annual reporting to the department.

o Counties report nutrient management acres to the department annually, and 2021 coverage percentages were averaged from the counties identified in the 180,000-acre analysis above.

o Nutrient management plan coverage for counties included in analysis: Brown (75%), Calumet (74%), Dodge (41%), Door (94%), Fond du Lac (73%), Manitowoc (88%), Outagamie (30%), Ozaukee (61%), Racine (9%), Sheboygan (46%), Walworth (23%), Washington (53%), and Waukesha (12%). These percentages include acres in a nutrient management plan that may be covered by a WPDES permit. The average percent of the nutrient management plan coverage is 48.5% across the Silurian area.

o 180,000 acres x 48.5% = 87,300 acres covered by a nutrient management plan.

· Chapter ATCP 50 proposes a one-time cost share of $5 per acre for updating an existing nutrient management plan. There are no additional requirements for farmers to write a nutrient management plan if they do not currently have one.

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o The department estimates that it costs ~$7.15 per acre to update a nutrient management plan. Landowners can receive 70% cost-sharing which equals $5/acre. This leaves $2.15 per acre of cost to landowners and producers to update their existing nutrient management plan.

o $2.15 x 87,300 acres = $187,965 of cost to update an nutrient management plan

This economic impact analysis considers the cost to update an existing nutrient management plan to account for the restrictions and prohibitions in the Silurian bedrock performance standard. This economic impact analysis does not consider the operational and management changes that may be required to implement the nutrient management plan. These changes are not possible to estimate without gathering information from individual farms about their management choices to meet the Silurian bedrock performance standard (s. NR 151.075). These management decisions may include:

- Renting additional cropland
- Pre-tillage
- Increased hauling
- Manure storage construction
- Pathogen treatment facilities
- Purchase of commercial fertilizer

Estimates of costs for an individual associated with each of these management decisions was compiled by the DNR in a preliminary economic impact analysis completed as part of their rule process to write the Silurian bedrock performance standard.

Landowners that participate in the FPP will be required to meet the Silurian bedrock performance standard, if the Silurian bedrock performance standard applies to them, to continue to claim the Farmland preservation tax credit. The proposed rule provides delayed implementation for meeting this standard. It is estimated that there are 75,000 acres eligible for the FPP program as of January 1, 2022 that may be affected by the Silurian bedrock performance standard. These acres are included in the 180,000 acres calculated above, but it is impossible to estimate which of the eligible acres are participating in the program.

The proposed rule also incorporates the DATCP 01 Verification of Depth to Bedrock technical standard and allows cost-share to landowners to verify field soil depth over bedrock. This verification process is voluntary, and landowners are not required to use this technical standard. The department anticipates that individuals most likely to use DATCP 01 are those who have shallow soils with depths less than 2 ft above bedrock. It is estimated that using the intrusive hand probe method costs about $25/acre to check depth to bedrock. Cost-sharing will be available up to 70% or 90% in cases of economic hardship. It is unknown how many landowners will seek to use this voluntary technical standard. At this time, no reliable data exists on how many acres have shallow soils with depths less than 2 ft above bedrock, and it is not possible to estimate cost of verification.

The proposed rule also includes updating conservation practice standard effective dates, which may lead to increased costs to design and implement a project, which landowners must follow when installing practices through local ordinances and/or receiving state cost-share dollars. While a reliable estimate for these costs is not possible, the landowner or producer can enter into a contract with the county to receive up to 70% of the costs, or 90% of the costs in the case of economic hardship.

The rule also proposes grant funds that counties receive from the state to provide financial assistance to landowners and agricultural producers in forms other than cost-sharing.

The proposed rule changes the method of financial assistance for some conservation cropping practices from a maximum rate to a 70% cost-share. These adjustments are expected to increase the amount of financial assistance available to landowners and producers.

In addition, the rule proposes to add new conservation practices, which will enable landowners and producers to receive financial assistance for a wider range of conservation practices.

These changes are anticipated to have a net positive effect on small businesses and individuals.

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Agriculture Service Providers

The rule may have a small positive impact on businesses other than agricultural producers including nutrient management planners, certified crop consultants, farm supply organizations, manure haulers, agricultural engineering practitioners, and contractors. Proposed changes in the rule will likely lead to requests for assistance to update nutrient management plans and potential requests for assistance to verify depth to bedrock in cropland. Nutrient management plans may lead to farm management changes that require assistance or products from farm supply organization, agricultural engineering practitioners and consultants, contractors, certified crop consultants and manure haulers. Additional changes in the rule will enable architects to sign off on roof structure designs. It is not possible for the department to speculate on potential increased revenue to private industry.

Local Government - $20,000

The rule's economic and fiscal impact to local government is anticipated to be low. The primary impact will be the potential for increased workload because of the proposed changes.

The proposed rule updates the dates of conservation practice standards used when project funding is provided from the state. Local ordinances, primarily local animal waste ordinances, that reference the rule may need to be updated following promulgation to the 2017 Natural Resources Conservation Service (NRCS) conservation practice standard 313 waste storage. The department anticipates that the cost to local government will be minimal. A review of animal waste ordinances across the state identified only three counties that are not currently referencing the 2017 version of the NRCS Conservation practice standard 313 waste storage. Some of these counties may seek to update their ordinance once changes to ch. ATCP 50 are promulgated or are already designing to the updated standard. Professional engineers have been designing to the 2017 standard since enacted five years ago as the updated standard results in a better, more resilient conservation practice.

The proposed rule updates requirements for Land and Water Resource Management planning and the administration of the Soil and Water Resource Management Grant Program. The updated language is clearer and better reflects the current process, improving program administration and is expected to reduce the time local government will spend developing the plan.

The proposed changes to the rule requires FPP participants in the Silurian bedrock area to meet the Silurian bedrock performance standard to continue to receive a tax credit. County staff review landowner compliance with the FPP. It is anticipated that additional staff time will be required as more landowners seek to update and implement their nutrient management plans to account for the Silurian bedrock performance standard. This additional staff time includes outreach and education, additional training on SnapPlus nutrient management software, extra compliance reviews, additional time to update certificates of compliance or issue notices of noncompliance with the FPP. There is a potential that the requirement to meet the Silurian bedrock performance standard may result in lower participation in FPP. If this happens, the proposed changes may lead to decreased county staff time. Counties that may have additional workload due to increased FPP requirements include Brown, Calumet, Dodge, Fond du Lac, Kewaunee, Manitowoc, Fond du Lac, Racine, Sheboygan, and Walworth. The department estimates the additional workload at 40 hours a year, and the average technician being paid $50 per hour. $50 x 40 hours x 10 counties = $20,000.

15. Benefits of Implementing the Rule and Alternative(s) to Implementing the Rule

Implementation of the proposed rule will assist landowners with compliance with the Silurian bedrock performance standard which will ultimately protect groundwater from pathogen contamination and protect public health.

Implementation of the proposed rule will provide landowners with a tool to verify the depth to bedrock in a field to best comply with nutrient management requirements.

Updating standards and expanding the list of conservation practices that are eligible for cost share benefits producers, counties, and other small businesses in the agricultural sector by allowing state funds to be used more widely and for innovative projects. Updating the standards will result in increased consistency with practice implementation since some

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counties are requiring the most updated standards, while the state uses outdated standards. Stakeholders also benefit from updates in the rule that clarify definitions and processes, including adding a technical standard to verify depth to bedrock, adding a process for development of future technical standards if needed to implement the agricultural performance standards, and updating requirements and eligibility related to engineering certification and nutrient management planning.

The alternative is to leave the rule as is. Without the rule, landowners will not have access to information and tools necessary to comply with state agricultural performance standards. Counties will not be able to incorporate or enforce state performance standards. The rule will be more difficult to understand than necessary, it will reference outdated conservation practice standards, and will conflict with the existing DNR administrative rule. Water quality may not be adequately protected from pathogen contamination in the Silurian bedrock area of the state.

Without implementation of rule changes related to the grants to counties and financial assistance to landowners will be affected. Maximum rates of financial assistance will remain lower than what is available from partner agencies. Additional conservation practices will not be made available for cost-share.

16. Long Range Implications of Implementing the Rule

The protection of public health and avoidance of groundwater contamination is a long-term benefit. For farmers, changes in practice may be required. For non-permitted operators, those changes will be required only if accompanied by cost share dollars for those practices that are eligible for cost share.

The department expects the proposed rule to have a positive long-range impact on all stakeholders because it will give more flexibility for counties and landowners to cost share a variety of practices at appropriate market rates. It also allows for innovative projects to be funded like conservation crop rotation, conservation cover, habitat diversification, harvestable buffers, hydrologic restoration, nutrient treatment systems, stream restoration, and DATCP 01 Verification of depth to bedrock.

17. Compare With Approaches Being Used by Federal Government

NRCS has adopted conservation practice standards that receive financial assistance from NRCS. Current department rules incorporate many NRCS conservation practice standards by reference. In most cases, these standards apply only to conservation practices that receive financial assistance from the department funds. Enforcement of the standards is generally contingent on cost-sharing, with some limited exceptions.

The United States Department of Agriculture (USDA) administers several federal programs that offer voluntary conservation incentives to farmers. The Environmental Quality Incentives Program is a key program offering cost-sharing for conservation improvements, including nutrient management plans, manure storage improvements and other conservation practices. Other programs, such as the Conservation Reserve Program and the Conservation Reserve Enhancement Program also provide cost-sharing and other incentives for conservation practices.

The department attempts to coordinate state programs for conservation funding with relevant federal programs whenever possible. As a result of confidentiality requirements, federal cost-sharing provided to landowners through federal programs cannot be publicly disclosed and it is difficult to account for what role, if any, these funds may play meeting state agricultural performance standards.

18. Compare With Approaches Being Used by Neighboring States (Illinois, Iowa, Michigan and Minnesota)

A review of other states for requirements related to manure applications on shallow soils over bedrock found limited similarities with s. NR 151.075. There were similarities in technical standards and existing rules statewide that apply to timing of manure applications and setback distances to some direct conduits (wells, sinkholes).

Each state has a soil and water conservation program, and offer cost share grants, but Wisconsin is the only state that coordinates with land conservation departments within counties. Other states have conservation districts, which are established under state law. The goal of conservation districts and land conservation departments is to coordinate assistance from all available sources—public and private, local, state and federal—to develop locally-driven solutions to natural resources concerns.

Regardless of organization of the conservation departments across all states, the bulk of funding is acquired from NRCS. In Wisconsin is 2021, approximately $51.4 million was spent from the federal NRCS for conservation activities through the Environmental Quality Incentives Program ($30.5 million), the Conservation Stewardship Program ($18.1 million), and the Agricultural Conservation Easement Program ($2.8 million). In contrast in 2022, Wisconsin appropriated

approximately $9 to 11 million annually for county conservation staff. An additional amount equal to approximately $6 million annually was available for cost-share to producers to install conservation practices with county assistance. Wisconsin is only state where a FPP requires participants to comply to soil and water conservation standards.

Illinois
While Illinois has a statewide FPP in which landowners may restrict the use of their land to agricultural or related uses in exchange for tax credits, the program does not include conservation compliance requirements.
The Illinois Department of Agriculture offers Sustainable Agriculture grants to organizations, governmental units, educational institutions, non-profit groups and individuals to cost share a variety of conservation practices. Practices are funded at a 75% cost-share rate, but the list of eligible practices is much smaller than the number of practices in Wisconsin.

Iowa
Iowa nutrient management planning includes a nitrogen leaching index and, like Wisconsin, includes restrictions on manure applications near surface water, groundwater conduits, and frozen soil. Iowa requires 200 ft. setbacks from sinkholes and wells when manure is not incorporated and 0 ft. setback when manure is incorporated. There are no specific requirements for spreading manure over shallow bedrock soils in Iowa.
While Iowa operates a county-based statewide FPP in which landowners may restrict the use of their land to agricultural or related uses in exchange for tax credits, the program does not include conservation compliance requirements.
The Iowa Department of Agriculture and Land Stewardship offers both cost-sharing and incentive payment programs. Cost-sharing usually cannot exceed 50%, and they have an active watershed program similar to Wisconsin's old priority watershed program. Iowa also offers a revolving loan fund to fund conservation activities.

Michigan
Michigan's Generally Accepted Agricultural Management Practices (GAAMP) provide general recommendations to keep manure within the root zone of plants. GAAMPs have no specific manure setback recommendations from direct conduits (wells, sinkholes) and no recommendations for spreading manure in shallow bedrock soils.
While Michigan has a statewide FPP in which landowners may restrict the use of their land to agricultural or related uses in exchange for tax credits, the program does not include conservation compliance requirements.
The Michigan Department of Agriculture and Rural Development offers all 75 conservation districts base funding with the Michigan Agricultural Environmental Assurance Program (MAEAP). Cost-sharing is also available for MAEAP verification.

Minnesota
Minnesota has no specific requirements for manure applications on shallow soils over fractured bedrock. Minnesota recommends at least 2 ft. of soil between manure and fractured bedrock and avoid fall applications of manure (N loss).
While Minnesota has a statewide FPP in which landowners may restrict the use of their land to agricultural or related uses in exchange for tax credits, the program does not include conservation compliance requirements.
The Minnesota Department of Agriculture (MDA) offers grants via their Clean Water Fund, Agricultural Water Quality Certification Program (MAWQCP), and Revolving Loan Fund for Best Management Practices. The MAWQCP is designed to accelerate adoption of on-farm practices that protect Minnesota's waters, and the grant awards up to $5000.00 to eligible producers implementing agricultural best management practices. MAWQCP-certified producers may receive annual payments of $1,000 to help producers access new and reliable earned income streams for the environmental benefits they are providing. The MDA received $21.7 million from the Clean Water Fund in 2020-2021 and the legislature appropriated $20.24 million of Clean Water Funds for the MDA in 2022-2023. The MDA is using Clean Water Fund dollars to support a variety of programs, projects and activities.

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ATTACHMENT A

1. Summary of Rule's Economic and Fiscal Impact on Small Businesses (Separately for each Small Business Sector, Include Implementation and Compliance Costs Expected to be Incurred)

See section 14 above.

2. Summary of the data sources used to measure the Rule's impact on Small Businesses

Existing county ordinances, outreach to private agricultural businesses, county staff, nonprofits, and the public. Acre estimates were developed with GIS and data was pulled using the National Land Cover Database for Wisconsin and the DNR's Thickness of Unconsolidated Materials Over Silurian Bedrock dataset. Nutrient management plan estimates were developed with data from the department's annual nutrient management plan survey to counties.

3. Did the agency consider the following methods to reduce the impact of the Rule on Small Businesses?

☐ Less Stringent Compliance or Reporting Requirements
☒ Less Stringent Schedules or Deadlines for Compliance or Reporting
☐ Consolidation or Simplification of Reporting Requirements
☐ Establishment of performance standards in lieu of Design or Operational Standards
☐ Exemption of Small Businesses from some or all requirements
☒ Other, describe:

Allow cost-sharing for compliance

4. Describe the methods incorporated into the Rule that will reduce its impact on Small Businesses

Implementation of the proposed rule will assist landowners with compliance with the Silurian bedrock performance standard which was passed in 2018. The rule adds DATCP 01 Verification of Depth to Bedrock Technical Standard as a voluntary tool farmers and landowners can use to verify the depth to bedrock in fields prior to mechanical application of manure. The rule also allows for cost-sharing to use this technical standard and to update a nutrient management plan to comply with the Silurian bedrock performance standard and establishes a delayed date of implementation. The rule requires landowners who claim farmland preservation tax credits to comply with the Silurian bedrock performance standard beginning April 1, 2027, if applicable, which is a delayed implementation date.

Updating standards and expanding the list of conservation practices that are eligible for cost share benefits producers, counties, and other small businesses in the agricultural sector by allowing state funds to be used more widely and for innovative projects. Updating the standards will result in increased consistency with practice implementation since some counties are requiring the most updated standards, while the state uses outdated standards. Stakeholders also benefit from updates in the rule that clarify definitions and processes, including adding a technical standard to verify depth to bedrock, adding a process for development of technical standards, and updating requirements and eligibility related to engineering certification and nutrient management planning.

5. Describe the Rule's Enforcement Provisions

This is not a regulatory rule.

6. Did the Agency prepare a Cost Benefit Analysis (if Yes, attach to form)

☐ Yes ☒ No