

*Disclaimer:* This document does not constitute legal advice and is intended for educational purposes only. Readers and users are solely responsible for determining, and complying with, all federal, state and local laws, ordinances and regulations.

Торіс	Summary
Coverage	CAFOs subject to an <u>NPDES permit</u> must have a Nutrient Management Plan. <sup>1</sup> Operations with more than 200 dairy cows seeking to construct or modify waste control facilities must submit a Nutrient Management Plan with the application for a state <u>Construction and Operating Permit</u> . <sup>2</sup>
Content	<ul> <li>A Nutrient Management Plan includes:<sup>3</sup></li> <li>Drawings and maps of the operation.</li> <li>Estimates of the amounts of manure and process wastewater produced.</li> <li>A narrative description of the livestock waste control facilities.</li> <li>Types of animals and maximum animal capacity.</li> <li>Design calculations for the waste storage facilities and diversion of clean water from the production area.</li> <li>Depth and volume tables for all storage facilities.</li> <li>Procedures for the proper handling and disposal of dead animals.</li> <li>Protocols for a narrative or linear approach to land application of manure.</li> <li>Descriptions of fields used for land application of waste.</li> <li>Sampling and testing of manure, process wastewater and soils.</li> <li>Application rates of liquids that do not exceed the field capacity of the soil.</li> <li>Site-specific conservation practices to control runoff of pollutants.</li> <li>A filed phosphorus risk assessment.</li> </ul>
Frequency of Updates	Certain modifications to the nutrient management plan require notifying the Nebraska Department of Environmental Quality. If the changes qualify as major modifications under the Construction and Operating Permit, an application must be submitted.
Paperwork	NMPs must be filed with permit applications.
Planner Qualifications	NMPs must be developed and approved by a certified nutrient management planner.

## Nutrient Management Plans

## Manure Storage and Application

Торіс	Summary
Storage	Facility Siting/Setback
	Large CAFOs may not stockpile manure closer than 100 feet to any down-
	gradient surface waters, open tile line intake structures, wellheads, or other



	conduits to surface or groundwater. A 35-foot vegetated buffer may be substituted.
	<ul> <li>Waste Control facilities may not be constructed:<sup>4</sup></li> <li>Within 100 feet of any well used for domestic purposes.</li> <li>Within 1000 feet of a public drinking water supply well.</li> <li>Less than 4 feet above the seasonal high groundwater level.</li> </ul>
	- Additional requirements for areas near class A streams.
	<u>Structure</u> Nebraska has several requirements for the design criteria and construction of waste control structures based on the type of facility. The requirements are detailed in Chapter 8 of the Livestock Waste Control regulations found <u>here</u> .
	Large CAFOs are also subject to the Engineers and Architects Regulation Act.
Application	Spreading Large CAFOs may not apply manure or process wastewater closer than 100 feet to any down-gradient surface waters, open tile line intake structures, wellheads, or other conduits to surface or groundwater. A 35-foot vegetated buffer may be substituted.
	Incorporation Incorporation requirements are outlined in the Nebraska DEQ Field Phosphorus Risk Assessment document. <sup>5</sup>
	<i>Testing</i> <sup>6</sup> Manure and process wastewater must be tested annually for nitrogen and phosphorus content. The soil at application sites must be tested annually for nitrogen and once every five years for phosphorus. Irrigation water must be tested once every five years for nitrogen. Additional testing may be required depending on application rate calculations.

Technical Assistance	
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Торіс	Summary
Software Tools	NE NRCS provides the <u>Animal Waste Management Software (AWM Version 2.4)</u> to assist with the planning design of waste storage structures.
	The <u>Manure.unl.edu App</u> is an interactive platform for producers to find a manure applicator, broker, advisor, or resource person in their area, including access to the University of Nebraska–Lincoln (UNL) Manure Team that can help with environmental issues associated with animal production.



	<ul> <li>The <u>Ag Site Planner</u> website contains tools to identify potential environmental and social risks associated with a site based on geographic location and quickly identify regulatory requirements based on operation type and size.</li> <li>The <u>Odor Footprint Tool</u> estimates the frequency of odor events around an existing or proposed livestock facility and uses this information to determine minimum separation distances that should be maintained around those facilities and help in siting decisions.</li> <li>The <u>Livestock Siting Assessment Matrix</u> can provide direction on livestock development regarding separation distances, wind roses, definitions and animal units.</li> </ul>
	<u>Manure Management Planner (MMP)</u> is a software tool created by Purdue University that includes state-specific information for Nebraska producers to create manure management plans for crop and animal feeding operations.
Guides / Handbooks	<ul> <li>NE NRCS <u>590 nutrient management practice standard</u>.</li> <li>UNL Extension assists producers through: <ul> <li><u>Manure Related Extension Publications</u> on manure and nutrient management.</li> <li>Additional Agriculture-related Extension articles on the <u>Manure Impact on Soil Aggregation</u> and <u>Nutrient Management for Agronomic Crops in Nebraska</u>.</li> </ul> </li> </ul>
Classes / Trainings	UNL Extension offers <u>Land Application Training Days</u> for producers interested in properly managing, applying, and maximizing their manure resources, including Custom Manure Applicator training and certification.
Tailored Expert Assistance	<ul> <li>Nebraska Department of Environment and Energy (NDEE) maintains:</li> <li>A <u>directory listing</u> of Septic and Lagoon professionals certified to do on-site work for septic and private lagoon systems.</li> <li>A <u>list</u> of Professional Engineers and Technical Advisors for Livestock Waste Control Facilities consulting on various livestock waste matters.</li> <li>UNL Extension contributes a list of <u>NE Custom Manure Haulers</u>.</li> </ul>

## Financial Assistance

## Summary

NE NRCS provides assistance through:

- Environmental Quality Incentives Program (<u>EQIP</u>)- offers financial cost-share assistance to farmers for the adoption of conservation practices and development of nutrient management plans.



Conservation Stewardship Program (<u>CSP</u>), which gives producers financial assistance to implement \_ new conservation management practices and enhancements.

<sup>&</sup>lt;sup>1</sup> <u>Nebraska Legislature</u>

<sup>&</sup>lt;sup>2</sup> <u>Nebraska Legislature</u> <sup>3</sup> <u>Nebraska DEE (state.ne.us)</u>

 <sup>&</sup>lt;sup>4</sup> <u>Nebraska DEE</u>
 <sup>5</sup> <u>Title 130 - NEBRASKA DEPARTMENT OF ENVIRONMENTAL QUALITY</u>

<sup>&</sup>lt;sup>6</sup> Title 130 - NEBRASKA DEPARTMENT OF ENVIRONMENTAL QUALITY