

## Required Agricultural Practices (RAP) Summary

- **1:** Establish whether you need to be certified as a Certified Small Farm Operation (CSFO), a Small Farm Operation (SFO) subject to the RAPs, or if your farm is a Non-RAP Operation (NRO).
- **STEP 2:** Review the RAP requirements.
- **STEP 3:** Decide what farm practices you already engage in, and what changes you will need to make under the RAP.

*“Persons engaged in farming who are in compliance with these conditions, restrictions, and operating standards, as applicable, shall be presumed to not have a discharge of agricultural wastes to waters of the State” (Section 3.1).*

### Section 1. General.

### Section 2. Definitions

### Section 3. Required Agricultural Practices Activities and Applicability

### Section 4. Small Farm Certification and Training Requirements

- Certified Small Farms (CSFO) shall **annually certify compliance** and are subject to inspections at any time and shall be scheduled for **inspections once every 7 years**.
- The secretary shall be notified of any change in ownership or lessee of an entire Certified Small Farm Operation (CSFO) within 30 days of the change.

### Section 5. Water Quality Training

- All LFO, MFO, CSFO shall obtain **4 hours of approved water quality training** at least once every 5 years.

### Section 6. RAP; Conditions, Restrictions, and Operating Standards

#### Section 6.01. Discharges

- No direct discharge of agricultural waste to surface water through a pipe, ditch, or conduit without a permit from ANR.
- Farm areas shall utilize runoff and collection systems, or **other management strategies** to prevent the discharge of agricultural waste to surface or groundwater.

#### Section 6.02. Storage of Wastes and Agricultural Inputs

- Prevent runoff or leaching of agricultural wastes into water or across property boundaries
- Prevent structural or mechanical failure in waste management system
- Waste storage facilities shall maintain structural integrity, prevent leaks or overflows, and provide adequate volume to prevent overflows. Any facility constructed, expanded or modified after July 1, 2006 are designed and constructed per USDA NRCS standards.
- \*Field stacked manure shall consist of stackable material that is no less than 20% solids and be able to stack 4 feet high and shall not be sited on land in a floodway or land subject to annual flooding, on exposed bedrock, not closer than 200 feet from the top of bank of surface waters or public or private water supply, 100 feet from property line or 100 feet from a ditch or in an area with concentrated runoff.
- Field stacked agricultural wastes shall be land applied, consistent with NMP, **over a 3-year period**, actively managed as a compost, or moved to an alternative location.
- Pesticides and fertilizer shall be managed per appropriate regulation.

#### Section 6.03. Nutrient Management Planning

- All CSFO, LFO, and MFO shall implement a **field by field nutrient management plan (NMP)** consistent with the requirements of the USDA NRCS Nutrient Management Practice Code 590.
- For all Small Farming Operations (SFO), all sources of nutrients should be accounted for when determining nutrient application rates and all fields receiving mechanical application of manure, agricultural wastes, or fertilizer shall be soil sampled once in every five years.
- Records of soil analysis and nutrient application shall be maintained for a period of 5 years.

#### Section 6.05. Manure and Waste Application Standards and Restrictions

- \*Manure and other agricultural waste shall not be applied between December 15 and April 1.
- \*Manure and other agricultural waste shall not be applied to land subject to frequent flooding, as described by the USDA Soil Survey Flooding Frequency Class, between October 16 and April 14.
- \*Manure or agricultural waste shall not be applied on annually tilled lands within buffer zones or fields where the slope exceeds 10%.
- \*Manure shall not be applied within 100 feet of a private water supply, or within 200 feet of a public water supply, and shall not be applied in exceedance of nutrient recommendations.

#### Section 6.07. Buffer Zones

- \*Adjacent surface waters shall be buffered by **25 feet of perennially vegetated buffers between fields and surface water banks, 10 feet between fields and ditches, and 25 feet between fields and inlets or inlets of open drains.**
- Buffers are harvestable and they can be grazed but the buffer cannot be tilled or have compost or fertilizer applied except for establishment or maintenance.

#### Section 6.08. Animal Mortality

- Animal mortalities should be properly taken care of (stored, handled, disposed) **within 48 hours.**
- Animal mortalities may be buried or composted in a manner which avoids adverse water quality impacts and follows siting requirement standards in the RAPs. (See full RAPs for siting requirements).

#### Section 7. Exclusion of Livestock from the Waters of the State

- Adequate vegetative cover shall be maintained on banks by limiting livestock trampling and equipment damage, and animal crossing and watering areas shall also be maintained to minimize erosion and protect surface water.
- **\*Livestock shall be excluded from surface waters in production areas except at livestock crossings or watering areas.**
- Livestock shall not have access to surface water in areas outside of production that contain unstable banks or where erosion is present, or in areas designated by the secretary to threaten water quality.
- Livestock shall not be pastured within 50 feet of a private water supply without permission from the water supply owner unless the water supply was incorrectly sited.

#### Section 8. Ground Water

- The Agency of Agriculture, Food and Markets can provide free ground water testing for agricultural contaminants.

#### Section 9. Farm Structures.

- The Agency of Agriculture has zoning authority for farm structures and setbacks exist. (See full RAPs for siting requirements).

*\*Variances and exemptions exist in site-specific contexts, please see full RAPs for more details.*