



# Nutrient Management Fact Sheet: Texas

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*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.

## Nutrient Management Plans

Topic	Summary
Coverage	<p>AFOs that are not CAFOs can meet state regulatory requirements by having an NRCS approved Comprehensive Nutrient Management plan, but it is not required.</p> <p>Under Texas Water Quality permitting, large CAFOs must obtain a permit and develop an NMP under the <a href="#">General Permit</a> or the <a href="#">Individual Permit</a>. NMPs are developed in accordance with the TX NRCS 590 Practice Standard and approved by the Executive Director of the Texas Commission on Environmental Quality.</p> <p>Additionally, some dairies, including CAFOs located in a major <a href="#">sole-source impairment zone</a> must develop a Nutrient Utilization Plan (an NRCS 590 plan meets this requirement).</p> <p>Some dairies may also be required to complete a Pollution Prevention Plan (PPP). A PPP describes and ensures the implementation of practices including the design and certification of retention control structures and other requirements.<sup>1</sup></p> <p>All CAFOs are required to have a water quality permit<sup>2</sup>. State information on requirements can be found <a href="#">here</a>.</p> <p>State definitions of Large, Medium, Small and State-only CAFOs can be found <a href="#">here</a>.</p>
Content	<p>Dairies not defined as CAFOs must meet <a href="#">regulatory requirements</a> and a <a href="#">CNMP</a> certified by the Texas Soil and Water Conservation Board or NRCS meets these requirements. The requirements include:</p> <ul style="list-style-type: none"> <li>- Protecting surface and water quality, preventing nuisance conditions and minimizing odor.</li> <li>- Not expanding operations until amending or enlarging the manure handling procedures and structures to accommodate additional animals.</li> <li>- Retention control structures must be located outside the 100-year flood plain unless they have the appropriate protection from a 100-year flood event and meet the retention control structure requirements outlined below.</li> <li>- Land application of manure is done in accordance with a nutrient management plan or meet the requirements set out in the <a href="#">regulations</a>.</li> <li>- Wellhead buffers.</li> <li>- And additional requirements.</li> </ul>



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	The NPDES permits have additional requirements that can be found on page 38 of the <a href="#">General Permit</a> .
Frequency of Updates	NPDES permits are for 5 years and require annual reports.
Paperwork	The General Permit include reporting requirements. Details can be found on page 50 of the <a href="#">General Permit</a> .
Planner Qualifications	A certified CNMP ensures compliance with state regulatory requirements, but is not required, unless subject to a permit.

### Manure Storage and Application

Topic	Summary
Overview	The Retention Control Structures (RCS) and land application of manure requirements are the same for all animal feeding operations. <sup>3</sup>
Storage Storage Length	<p><a href="#">Facility Siting / Setback</a></p> <p>All control facilities, including holding pens and RCSs shall be located outside the 100-year flood plain, unless additional measures are implemented. Additionally, control facility of an animal feeding operation must be 100 – 500 feet from wells, depending on the type of well.<sup>4</sup></p> <p><a href="#">Structure</a></p> <p>Each RCS shall be designed and constructed in accordance with the technical standards developed by NRCS, American Society of Civil Engineers, American Society of Testing Materials, American Society of Agricultural and Biological Engineers, or other technical standards approved by the Executive Director, that are in effect at the time of construction. Information used in the design includes:</p> <ul style="list-style-type: none"> <li>- Planned rainfall event.</li> <li>- Minimum capacity for chronic rainfalls.</li> <li>- Design requirements for evaporation systems and those using irrigation.</li> </ul> <p>Structures built according to site specific NRCS plans are in compliance.</p> <p>CAFOs in major sole-source impairment zones have additional requirements.<sup>5</sup></p>
Application	<p><a href="#">Spreading</a></p> <p>For AFOs land application is permitting according to a Nutrient Management Plan, or based on location, crops, yields, nutrient budgets and additional considerations.<sup>6</sup></p>



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Land application shall not occur when the ground is frozen or saturated or during rainfall events unless in the RCS is in danger of overflow (and additional requirements apply).

Additional land application requirements for [CAFOs \(Large, Medium, Small, State-Only\)](#) can be found [here](#).

### Testing

Under the General Permit, soil sampling is required, and additional information can be found [here](#).

### Technical Assistance

Topic	Summary
Software Tools	<p>The <a href="#">Texas Animal Manure Management Issues (TAMMI)</a> provides agricultural waste management education and information including:</p> <ul style="list-style-type: none"> <li>- <a href="#">Milk Disposal Estimator</a>.</li> <li>- Tarleton State University, part of the Texas A&amp;M System, offers a <a href="#">Nutrient Tracking Tool (NTT)</a>.</li> </ul>
Guides / Handbooks	<p>Texas NRCS provides producers with written <a href="#">resources</a> for developing their own CNMP.</p> <p>Texas A&amp;M's AgriLife Extension provides:</p> <ul style="list-style-type: none"> <li>- <a href="#">Pre-made presentations and written resources</a> on Texas' conservation practice standard for nutrient management, nutrient management plans for chemical fertilizers and soil testing and nutrient recommendations.</li> <li>- A library of <a href="#">dairy publications</a>.</li> </ul>
Classes / Trainings	<p>Texas A&amp;M offers the following:</p> <ul style="list-style-type: none"> <li>- Nutrient Management <a href="#">website</a> with information and training resources to become a state certified nutrient management specialist.</li> <li>- Extension plans with a <a href="#">Dairy Outreach Program Area Training and Continuing Education Program</a>.</li> </ul>
Tailored Expert Assistance	<p>Through the Texas State Soil &amp; Water Conservation Board (TSSWCB), an individual can request <a href="#">Water Quality Management Plan Program (WQMP)</a> planning assistance via their <a href="#">county TSSWCB regional office</a> (the WQMP website provides all material for application and certification).</p> <p>Texas A&amp;M provides:</p> <ul style="list-style-type: none"> <li>- <a href="#">Directory</a> of certified manure, soil, water quality and feed testing laboratories in Texas.</li> <li>- <a href="#">Directory</a> of specialized environmental engineers, consultants and testing laboratories in Texas.</li> </ul>



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- Contact list of [extension dairy specialists](#) through the Department of Animal Science.

### Financial Assistance

#### Summary

Texas NRCS provides the following assistance:

- Environmental Quality Incentives Program ([EQIP](#))- offers financial cost-share assistance to farmers for the adoption of conservation practices and development of nutrient management plans.
  - o Also offers state-specific initiatives [here](#).
    - Instructions on how to view priority resource concerns in Texas can be found [here](#).
- Conservation Stewardship Program ([CSP](#)), which provides producers with financial assistance to adopt conservation management practices on their operation.

TSSWCB offers:

- An [application](#) to request cost-share incentive funding.
- An additional [application](#) to request eligibility of cost-share incentive funding.
- Technical and financial [assistance](#) to local stakeholder groups to develop and implement watershed protection plans (WPPs).

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<sup>1</sup> [Texas Administrative Code \(state.tx.us\)](#)

<sup>2</sup> [Texas Administrative Code \(state.tx.us\)](#)

<sup>3</sup> [Texas Administrative Code \(state.tx.us\)](#)

<sup>4</sup> [Texas Administrative Code \(state.tx.us\)](#)

<sup>5</sup> [Texas Administrative Code \(state.tx.us\)](#)

<sup>6</sup> [Texas Administrative Code \(state.tx.us\)](#)