

**State Conservation Commission Meeting  
PA Department of Agriculture Building – Room 309**

**September 12, 2023**

**Hybrid (Virtual/In-Person) Meeting**

**Agenda – SCC COPY**

**Briefing Session – 10:30 a.m. – 11:30 a.m.**

1. Review of Public Meeting agenda items
2. NMP/NBS Spreadsheet Updates
3. PA Sustainable Forestry Initiative (SFI) State Implementation Committee (SIC) Update

**Business Session – 1:00 p.m. – 3:00 p.m.**

**A. Opportunity for Public Comment**

**B. Business and Information Items**

1. Approval of Minutes
  - a. July 19, 2023, Public Meeting (A)
  - b. August 15, 2023, Conference Call (A)
2. Nutrient and Odor Management Program
  - a. Racetrack Op Co – Parx Racing, Bucks County - OMP – Karl Dymond, SCC (A)
  - b. Lowell Nolt – Fredericksburg Farm, Lebanon County – OMP – Karl Dymond, SCC (A)
  - c. Act 38 Nutrient Management Program – Nutrient Management Planning Tool Version 9.0 Brady Seeley, SCC (A)
  - d. Act 38 Nutrient Management Program – Nutrient Balance Sheet – Planning Tool Version – 7.0 – Brady Seeley, SCC (A)
  - e. Act 38 Nutrient Management Program Technical Manual – Version 12 Record of Change – Brady Seeley, SCC (A)
  - f. Act 38 Nutrient Management Program and Chapter 91 Manure Management Administrative Manual – Version 6.0 – Record of Change – Brady Seeley, SCC (A)
3. ACAP Update – Justin Challenger, SCC (NA)
4. CEG – EPA Most Effective Basin Funding Revision – Justin Challenger, SCC (A)
5. 22-23 CDFAP Funding – Venango Conservation District – Karen Books, Jaci Kerstetter, DEP (A)

**C. Written Reports**

1. Program Reports
  - a. Nutrient and Odor Management Program Measureables
  - b. Regulatory Revisions Updates

- c. Nutrient Management Plan Actions
  - d. September 2023 Status Report on Facility Odor Management Plan Reviews/OMP Actions
2. Ombudsman Program Reports – Southern Allegheny Region (Blair County Conservation District) and Lancaster County Conservation District.

**D. Cooperating Agency Reports**

**E. Adjournment**

Next Public Meetings/Conference Calls:

October 10, 2023 - Conference Call

November 14, 2023 – In-Person (and Virtual) Meeting – PDA, Harrisburg

**STATE CONSERVATION COMMISSION  
MEETING – JOINT ANNUAL CONFERENCE  
HOIDAY INN GRANTVILLE**

**In-Person Only**

**Wednesday, July 19, 2023 – 2:15 p.m.**

***Draft Minutes***

Members Present: Executive Deputy Secretary Greg Hostetter for Secretary Russell Redding, PDA; Deputy Secretary Bevin Buchheister for Secretary Rich Negrin, DEP; Mike Flinchbaugh; Daryl Miller; Ron Rohall; Ron Kopp; Don Koontz; Denise Coleman, NRCS; Chris Houser, Penn State; Drew Gilchrist, DCNR; Colin Parry, DCED; and Kelly Stagen, PACD.

**A. Public Input** – Chris Thompson, Lancaster County, reported that landowners are integral in the success of the Chesapeake Bay clean up. This good news story should be shared with everyone, as well as the message to promote clean water.

**B. Business and Information Items**

Doug Wolfgang, Executive Secretary, noted that an Executive Session was held to address Nutrient Management Program compliance and other program legal issues.

1. Approval of Minutes –May 9, 2023 - Public Meeting and June 13, 2023 –Conference Call.

*Don Koontz moved to approve the May 9, 2023, public meeting minutes. Motion seconded by Daryl Miller. Motion carried. Ron Kopp moved to approve the June 13, 2023 conference call minutes. Motion seconded by Ron Rohall. Motion carried.*

2. Nutrient Management and Odor Management Program

a. Odor Management Plan (OMP) Darren R. Martin – Turkey Farm – Amend A, Union County. Karl Dymond, SCC, reported that Darren R. Martin, Turkey Farm, is located at 1535 Red Bank Road, Mifflintown, PA 17844; West Buffalo Township, Union County. The original OMP for this site was approved on January 30, 2019. The approved plan did not include any regulated animal housing facilities. The regulated facility in the January 30, 2019, plan includes a dual-use roofed manure stacking shed. A property line setback waiver is not required to meet the nutrient management program regulations. The confirmed Odor Site Index value for this regulated manure storage facility indicates a high potential for impacts with a score of 116.3. Due to the high potential for impacts, the appropriate Level II Odor BMPs for a turkey operation are required and are properly identified in the plan. The proposed plan provides adequate detail and direction for facilitating the operator's Implementation and Operation & Maintenance of these required Level II Odor BMPs, as well as the necessary documentation needed to demonstrate compliance with the plan and regulations. Karl presented the proposed amendment to this plan for Commission approval.

*Ron Rohall made a motion to approve the Darren R. Martin Odor Management Plan. Motion seconded by Daryl Miller. Motion carried.*

- b. Odor Management Plan (OMP) LHF Enterprises, LLC – Egolf Swine Farm – Amend A, Bedford County. Karl Dymond, SCC, reported that this farm is located at 1971 Faupel Road, Schellsburg, PA 15559; Napier Township, Bedford County. The original OMP for this site was approved on April 11, 2017. The approved and constructed facilities include: a Swine Finishing Barn and Under-Barn Concrete Manure Storage Facility. This Amendment “A” is for redefining the Site. The April 11, 2017, approved OMP had the Site defined as the entire land parcel; this amendment redefined the Site as roughly half (southern half) of the land parcel, due to the operator choosing to submit a new OMP for the proposed duck barn with manure storage facility, for the northern half of the land parcel. There are no new animal housing facilities or manure storage facilities proposed. Karl presented the proposed amendment to this plan for Commission approval.

*Bevin Buchheister made a motion to approve the LHF Enterprises, LLC – Egolf Swine Farm Odor Management Plan. Motion seconded by Ron Kopp. Motion carried.*

- c. Odor Management Plan (OMP) LHF Farms, LLC and LHF Enterprise, LLC – Egolf Duck Farm, Bedford County. Karl Dymond, SCC, reported that this farm is located at 955 Turner Camp Road, Schellsburg, PA 15559; Napier Township, Bedford County. This site does not include any existing animal housing facilities. The plan proposes the expansion of the operation with 19,800 starter ducks (13.4 AEUs) and 19,800 finisher ducks (72.2 AEUs) in 63’ x 648’ and 40,000 capacity duck barn. This site does not include any existing manure storage facilities. The plan proposes the expansion of the operation to include a regulated manure storage facility 114’ x 16’ deep – 1,106,362-gallon capacity. In addition, a property line setback waiver is not required to meet the Nutrient Management Program regulations. Karl presented this odor management plan for Commission approval.

*Ron Kopp made a motion to approve the LHF Farm, LLC, and LHF Enterprise, LLC – Egolf Duck Farm Odor Management Plan. Motion seconded by Don Koontz. Motion carried.*

- d. Update on the Request to Remove Title 25. Environmental Protection – Chapter 83. State Conservation Commission: Subchapter E; Nutrient Management Funding Program – Statement of Policy from Regulations. Frank Schneider, SCC, reported that the Commission approved the removal of the Nutrient Management Fund (NMF) Statement of Policy (SOP) from the Pennsylvania Code at their November 15, 2022, public meeting. Staff provided the required documents, through the Department of Environmental Protection, to the Legislative Reference Bureau (LRB) to process the removal. The LRB responded that this SOP should not be removed from the Code since it relates to the disbursement of funds and should continue to be readily available for the regulated community and public to reference. Frank provided an update.

*Action: No action required.*

3. CEG Update and Budget. Eric Cromer, SCC, reported that the Conservation Excellence Grant (CEG) program was created under the 2019 PA Farm Bill to fund best management



practices (BMPs) on farms in Tier 1 and 2 counties. To date, \$11.4 million in funds have been dispersed to benefit 131 eligible farm operations for practices that reduce nitrogen, phosphorus and sediment losses on farms. Eric presented a brief update on the program to seek approval for the FY 23/24 budget, which includes \$4.2 million in transfers from the nutrient management fund (both regular line and ARPA funds). The program will also be receiving an additional \$2 million in EPA Most Effective Basin funds in October 2023, which will be used for special projects and public-private partnerships under the framework of CEG.

*Don Koontz made a motion to approve the FY 2023/24 CEG budget of \$4.2 million. Motion seconded by Mike Flinchbaugh. Motion carried.*

4. ACAP Update. Justin Challenger, SCC, and Jen Fetter, PSU, reported that historic funding approval under the Clean Streams Fund that provided \$154 million for the new Agricultural Conservation Assistance Program (ACAP) has now reached its one-year anniversary. Justin and Eric provided an update on current funding commitments, including the new round of allocations, regional staff hired by the Commission, and the Penn State Center for Ag Conservation Assistance training.

*Action: No action required.*

5. Conservation District Fund Allocation Program (CDFAP)

- a. Leadership Development. Justin Challenger, SCC, reported that The ‘Building for Tomorrow’ Leadership Development Program (LD Program) is a collaborative effort of Pennsylvania’s Conservation Partnership, including the Commission, PA Department of Environmental Protection, PA Department of Agriculture, USDA Natural Resource Conservation Service, PSU Cooperative Extension, PACD and conservation districts. This professional development program for conservation district directors and staff was created by the Partnership with a collective goal to create a training program that provides the necessary information for conservation district directors and staff to effectively develop and manage conservation district activities and programs. Justin presented the proposed budget, which is a special project line under CDFAP, for Commission approval.

*Ron Rohall made a motion to approve the Leadership Development budget for \$188,400. Motion seconded by Don Koontz. Motion carried.*

- b. CDFAP Allocations. Jaci Kerstetter, DEP, reported that the proposed CDFAP allocations for manager, technician, ACT, Non-Specific Program Element Funds, and Statewide Special Projects are contingent on the passage of the State budget. As of the date of this briefing, the State budget has not been enacted. The funding scenarios are based on proposed appropriations to the Conservation District Fund (CDF) in the Governor’s proposed budget from March 2023 and HB611, that passed the State House of Representatives on July 5, 2023. The proposed FY 23/24 state budget provides for level conservation district funding through appropriations from the General Fund, through a transfer to the Conservation District Fund (CDF) and an 4.7% increase in the annual transfer of funds from the Unconventional Gas Well fund under Act 13.

*Daryl Miller made a motion to approve the CDFAP allocations, Scenario 1. Motion seconded by Ron Rohall. Motion carried.*

6. Envirothon Update. Karen Books, DEP, provided an update on this year's successful State Envirothon, held in May 2023 at Camp Mount Luther in Union County. The update included background information on the program, this year's winners, and a video with event highlights.

Action: No action needed.

7. MMM Revision. Kate Bresaw, DEP, provided an update on the proposed revisions to the Manure Management Manual, as directed by the PA Clean Streams Law. The presentation included a timeline and summary of stakeholder engagement, summary of the proposed changes, and opportunities for supporting tools and resources in the future.

Action: No action needed.

### **C. Written Reports – Self Explanatory**

1. Program Reports
  - a. Nutrient and Odor Management Program Measurables Report
  - b. Regulatory Revisions Updates
  - c. Nutrient Management Plans – Update Report
  - d. July 2023 Status Report on Facility Odor Management Plan Reviews/OMP Actions
  - e. Nutrient Management Plan Actions
2. Ombudsman Program Reports – Southern Allegheny Region (Blair County Conservation District) and Lancaster County Conservation District.

### **D. Cooperating Agency Reports – PACD, NRCS, Penn State, DEP, DCNR, DCED, PDA**

1. **PACD** – Kelly Stagen thanked everyone for coming to the meeting. At 4:30 p.m. today (July 19), PACD will have a meeting on subgrants and more. On July 20, 2023, there will be a breakfast and the PACD Executive Meeting. As this is Kelly's last Commission meeting as PACD President, she thanked the Commission and Karl Brown for their support over the years.
2. **NRCS** – Denise Coleman reported that NRCS is in the middle of obligating 2023 money. Seventy percent of all monies are already obligated, which includes many EQIP contracts. The Conservation Stewardship Program (CSP) is ranked as one of the highest in the nation for the number of CSP projects available. NRCS is planning to use technical assistance money to partner with other agencies for "Boots on the Ground" projects.
3. **PSU** – Chris Houser reported that the interim Penn State Extension director is Katherine Cason. The interim associate director of Penn State Extension is Jeffrey Catchmark. The number of attendees at programs is going back up to pre-Covid numbers. Ag Progress Days will be held on August 8-10, 2023. Penn State appreciates and thanks all of its partners.
4. **DEP** – The emphasis at the Joint Annual Conference was on partnerships. Without all of our agencies (PDA, DEP, PSU, NRCS, DCED, DCNR, and PACD) working together, nothing would run as smoothly. One example that was shared was with the train derailment

in Eastern Ohio. Teamwork promotes good results. Jill Whitcomb added information about the Chesapeake Bay Watershed Restoration program and Nonpoint Source Management. A detailed PowerPoint presentation was shared.

5. **DCNR** – Drew Gilchrist reported the following:

- Watershed Forestry summit was held in Altoona in June—great turnout and positive feedback.
- Urban and Community forestry conference was held in May in Philadelphia with a focus on equity. Again a great turnout with many unique partners engaging in the work.
- DCNR is currently reviewing C2P2 applications to support community and watershed forestry best practices (buffers, lawn conversions, tree plantings). 16 applications under consideration, with a total request of almost \$1.7 M
- Also, the Watershed Forestry Team will be attending the Conservation District Watershed Specialist Annual Conference on October 4<sup>th</sup> to talk to all CDWS personnel about partnership opportunities, and to meet & greet/network.
- New contract position with BRC is currently being advertised by WPC, to support DCNR’s community and watershed forestry work funded by federal funding, the Community and Watershed Forestry Grant Manager. The purpose of this position is to build administrative capacity within DCNR – Bureau of Recreation and Conservation to handle an increasing amount of funding directed at installing community and watershed forestry best management practices. This position will manage grants to partner organizations to support the installation of such practices within the Commonwealth: namely, riparian forest buffers, lawn conversions and community tree plantings. [Current Job Openings - Western Pennsylvania Conservancy \(waterlandlife.org\)](https://www.waterlandlife.org) There is also a Regional Advisor position open in BRC for the South-central region of the state. <https://www.governmentjobs.com/careers/pabureau/jobs/newprint/4121674>

6. **DCED** – no report.

7. **PDA** – Executive Deputy Secretary Greg Hostetter congratulated Bevin Buchheister in her new role as Deputy Secretary at DEP. Last week was the Urban Ag Tour across Pennsylvania from Pittsburgh to Philadelphia. There have been no new HPAI detections. A biosecurity program was announced for farms – operating expenses are not covered. The annual budget has not yet been approved. Monies won’t be able to be spent until there is an approved budget and fiscal code. PDA and DEP are unique in their partnership, as they share authority over the SCC. Greg congratulated all PACD/SCC award winners.

**Adjournment:** Meeting adjourned at 4:16 p.m.

Next Public Meetings: August 15, 2023 – Conference Call  
September 12, 2023 -- Harrisburg

## STATE CONSERVATION COMMISSION CONFERENCE CALL

Microsoft Teams Conference Call  
Tuesday, August 15, 2023 @ 8:30 am

### *DRAFT MINUTES*

**Members Present:** Secretary Russell Redding, PDA; Bevin Buchheister for Secretary Rich Negrin, DEP; Mike Flinchbaugh; Ron Rohall; Ron Kopp; Don Koontz; Daryl Miller; Denise Coleman, NRCS; Dennis Beck, PACD; Tree Zuzzio, DCED; and Katherine Cason, Penn State.

**A. Public Input:** None.

**B. Agency/Organization Updates**

1. DCNR – No report.
2. DEP – Bevin Buccheister

**Environmental Education Grants Application Round Open:**

This year's Environmental Education Grants Program **Application period opened Aug. 1 and will close Nov. 15, 2023.** The Funding Priorities supports projects that address Water and/or Climate Change and engage people living, working and/or going to school within Environmental Justice areas. **Water -** Education programs promoting effective ways to reduce non-point source and source water pollution to improve water quality. **Climate Change -** Education projects that increase the audience's understanding of how human activities contribute to climate change impacts (floods, pests, groundwater changes, agricultural disruptions, etc.) and potential threats to human health. -

**Environmental Justice -** Water and/or Climate Change education programs designed to engage audiences (youth and/or adults) living, working and/or attending school within Environmental Justice (EJ) areas. **Program Award Amounts**

- **Mini Grants up to \$5,000** for local (school, county, municipality or other defined area) environmental education projects.
- **General Grants (Level I): up to \$30,000** for large-scale, regional and/or statewide environmental education projects.
- **General Grants (Level II): up to \$65,000** for non-formal environmental education programs designed to widely\* engage teachers and youth at three (3) levels: county, state and national (\*Teachers and students from at least 60 Pennsylvania counties must directly participate in the project) AND at least 30% of the EE program participants live, work, and/or attend school within an Environmental Justice Area.

**A Live Webinar** will be held September 26, 2023: Noon-1:30.

All potential applicants are encouraged to attend. Please register for this event by September 22, 2023. The session will be recorded and posted on the EE Grants Homepage.

**2024 Environmental Education Grants Program**

**Manual**, can be found on the DEP Environmental Education webpage. :

<https://www.dep.pa.gov/Citizens/EnvironmentalEducation/Grants/Pages/default.aspx> This includes all required application documents, and other pertinent information.

**Questions** may be directed to the Environmental Education & Information Center: [RA-epEEgrants@pa.gov](mailto:RA-epEEgrants@pa.gov)

**Final SOP for Chapter 102 Inspections** - DEP's Bureau of Clean Water (BCW) posted the final SOP for Chapter 102 Inspections in Clean Water Academy in late June. The Final SOP can be found on Chapter 102 Resource Center Page (posted to [Compliance and Enforcement Resources](#) and [Chapter 102 SOPs](#), click on [Compliance SOPs](#)). Some of the updates made to the draft SOP include: 1) the addition of procedures for inspecting contaminated sites and PennDOT/Turnpike projects; 2) the identification of the specific violation that should be cited on the inspection report anytime the SOP indicates a condition is a violation; and 3) improved guidance in Table 1 (categorizing the severity of violations for follow-up inspections). **The effective date of the SOP was July 1, 2023.** The SOP itself is about 30 pages long. The Program encourages district staff to read it in its entirety. Program evaluations starting in July 2024 will consider performance in implementing this SOP for the compliance-related components of the evaluations. The Program will begin monthly webinars in September to train districts on the components of the SOP.

**MBE/WBE Letter of Mutual Consent Email from DEP Grants Center** –

Tuesday, July 18, DEP Grants Center notified DEP Programs that utilize EPA federal grants and provide match for EPA grants that there had been an amendment to the reporting requirements, which is retroactive to October 2022. Specifically, EPA has amended the MBE/WBE (Minority Business Enterprise/Women Business Enterprise). utilization and reporting as a condition of their grants to DEP which in turn is passed down to our subrecipients to require their procurement information to be captured for inclusion in DEP's submission. This requirement is retroactive to 2022, therefore the Grants Center sent out a Letter of Mutual Consent (LOMC) to grantees informing them of their requirement to meet these reporting obligations. which are outlined in the updated Attachment F under section 6.C. 1-3 as well as in the LOMC. This letter was sent to any grantee who has a grant that is currently still open, regardless of start date, that is funded by federal EPA funds or state funds used as match to an EPA grant. The MBE/WBE has always been part of the grant agreements. The update that EPA passed down to the State is that our grantees must report quarterly on their MBE/WBE process as it related to procurement of services. On July 31, 2023, DEP-

BWRNSM held a Listening/Q&A Session related to MBE/WBE. The session was recorded to develop an FAQ document that will be shared once completed. Any additional questions should be directed to [RA-EPMBEWBE@pa.gov](mailto:RA-EPMBEWBE@pa.gov).

3. NRCS – Denise Coleman

Ag Progress Days was a great event, and there was a lot of interest at the conservation tent. Four out of five engineering positions that NRCS has jointly with SCC, either have tentative offers or are already working. They are working on ACAP/EQIP. Clarion County is the only open position. NRCS is finishing this cycle of funding for EQIP and will be starting new allocations in October 2023. Next year, the funds will be increasing from \$50M to \$100M. NRCS is always looking for additional agreements to help get work done.

4. Penn State University – Katherine Cason

Ag Progress Days occurred last week with a record of attendance of 50,000 plus. New demonstrations and education sessions were held. The Center for Ag Conservation Assistance Training started offering training in Spring 2023, after receiving initial seed funding. Two-hundred fifteen conservation professionals have already been trained on: riparian buffers, ag landscape, navigating ag conservation funding, and also becoming more literate in farming equipment and function. The core function of the Center will include ag literacy and technical assistance. The Center should soon have full staffing. This includes six new educators. Penn State Extension will be working closely with the SCC and NRCS as partners to ensure best practice on farms throughout the Commonwealth.

5. PACD – Dennis Beck

Thank you to all for attending the Joint Annual Conference. Thanks to NRCS and SCC for the certified planner program. This is a partnership with the SCC and NRCS and is currently in the process of finalizing contracts. Six new individuals will be hired. These people will be planners and/or technicians who can help planners. They will be based regionally throughout Pennsylvania. This will help the Districts with landowners. PACD will soon be adding a part-time administrative assistant to its staff. The Fall Region meetings will be held in late September through October.

6. DCED – No report.

7. PDA – Secretary Russell Redding

Secretary Redding thanked Dean Roush and the team at Penn State for a successful Ag Progress Days. The Federal Farm Bill is in its fifth year. GT

Thompson is fully engaged in the Farm Bill...conservation, funding, and the Chesapeake Bay are main areas of interest. The budget has been accepted, and it's a great one for Agriculture. HPAI has been on pause since the Spring; however, birds will migrate soon. Biosecurity is of utmost importance. Executive Deputy Secretary Greg Hostetter reported that the biosecurity grant program is out and will close on October 5, 2023. It will cover losses, and there are \$25,000 available per premise. There are \$500,000 available in Youth and Ag grants – they will close on September 29, 2023. Bicentennial and century farm awards were given. Governor Shapiro has said that he learns something new from Secretary Redding every time he speaks. Doug Wolfgang added that PDA will be updating Food Waste Manuals. Thanks to all partnerships who helped with Boot Camp, which was funded through CDFAP. There was a lot of interest in conservation at Ag Progress Days. Recently, the SCC participated in Soil Health Field Days. There are currently talks and meetings about starting a conservation district in Philadelphia.

### **C. Information and Discussion Items**

1. **Nutrient Management Technical Manual and Nutrient and Manure Management Administrative Manuals Update – (Frank Schneider) –(NA)** Typically, the SCC requests comments on technical and administrative manuals on a 2-year cycle. 2023 would be the year of an official review / comment / and manual update. However, considering that the Act 38 regulation and all three certification program regulations are in the review process, staff made the decision that a record of change was warranted versus a new manual version. New Manuals will be produced when the regulatory revisions are completed. The records of change will be presented to the Nutrient Management Advisory Board (NMAB) at their August meeting. It is anticipated that staff will provide the records of change at the September SCC meeting for approval and if approved, the records of change will be published in October (Planning year for Crop Year 2024) with educational meetings on the changes in November 2023.
2. **Nutrient Management Planning Tools (Spreadsheets) – (Frank Schneider) – (NA)** SCC staff, along with PSU Extension, are planning to release the next versions of the Nutrient Management Planning (NMP) and Nutrient Balance Sheets (NBS) planning tools (Excel and Word files). These planning tools and their release are timed with the Nutrient Management Technical Manual release. The major change with this version is the removal of Total N planning, as PSU has removed from the agronomy guide and since most Mid-Atlantic states have stopped using it. The N Fractions method of planning will be the only planning used for Nitrogen and will produce more accurate recommendations (and solve some other minor planning issues). The planning tools will be presented to the Nutrient Management Advisory Board (NMAB) at their August meeting. It is anticipated that staff will provide the planning tools at the September SCC meeting for approval and if approved, the planning tools will be published in October (Planning year for Crop Year 2024) with educational meetings on the changes in November 2023.

- 3. 2023 Appointments to the Nutrient Management Advisory Board – Brady Seeley – (A)** SCC staff is recommending three (3) individual and two (2) reappointments to fill vacancies on the Nutrient Management Advisory Board. Staff will present the names for commission to approve at this meeting. The Nutrient and Odor Management Act (Act 38 of 2006) created the NMAB with the duty of reviewing and commenting on proposed Nutrient Management Program regulations, interim guidelines, and interim criteria. The Commission has also chosen to have the NMAB weigh in on policy issues as they arise.

Mike Flinchbaugh made a motion to approve three individual and two reappointments to fill vacancies on the Nutrient Management Advisory Board. Motion seconded by Don Koontz. Motion carried.

- 4. Agriculture Conservation Assistance Program update – ACAP (Justin Challenger) – (NA)** – The second round of payments to conservation districts have begun with the new fiscal year. To date, total payments to districts total \$46.7 million, with \$141 fully committed through signed delegation agreements. In addition, the PSU Center for Agriculture Conservation Assistance is up and running, with trainings and education efforts under way. The Center will be developing a financial tracking tool for the program, while best management practice (BMP) information must be entered into Practice Keeper, DEP’s tool for tracking BMPs. Training for Practice Keeper ACAP entry is set to take place in partnership with DEP in September.
- 5. Chesapeake Bay Program - Charting a Course to 2025 Draft report – Doug Wolfgang – (NA)** Staff will brief the Commission members on the recent Chesapeake Bay Program’s “Charting a Course to 2025” draft report, published for public comment on July 22. Last year, the Chesapeake Executive Council charged the Principals’ Staff Committee with recommending a path forward that prioritizes and outlines the next steps for meeting goals in the Chesapeake Bay Watershed Agreement up to and beyond 2025.
- 6. Sustainable Ag Board – Mike Roth or Doug Wolfgang – (NA)** Staff provided an update on the timeline for creating and convening the board. The board will use funding from EPA’s Most Effective Basin (MEB) program to award grants for sustainable agriculture projects and to create a statewide soil health program. The administration has included creation of a soil health program as priority under the Conservation Title of the upcoming federal Farm Bill. The Chesapeake Bay WIP 3 also identifies soil health as a priority for achieving water quality targets. In addition, soil health measures align with climate change adaptation, resiliency, and mitigation goals for agriculture.
- 7. Next Meeting – September 12, 2023 – Hybrid/In-Person, PDA Building, Conference Room 309**
- 8. Adjournment at 9:23 a.m.**





COMMONWEALTH OF PENNSYLVANIA  
**STATE CONSERVATION COMMISSION**

**DATE:** August 16, 2023

**TO:** Members  
State Conservation Commission

**FROM:** Karl J. Dymond, OM Program Coordinator  
State Conservation Commission

Handwritten signature of Karl J. Dymond in black ink.

**THROUGH:** Douglas M. Wolfgang, Executive Secretary  
State Conservation Commission

**SUBJECT:** Odor Management Plan Amendment “D” Review  
Racetrack Op Co – Parx Racing, Bucks County

**Action Requested**

Action to approve is requested on the Racetrack Op Co – Parx Racing odor management plan Amendment “D”; Joseph Wilson is operator and authorized representative.

**Background**

This farm is located at 2848 – 2816 Galloway Road, Bensalem, PA 19020; Bensalem Township, Bucks County.

I have completed the required review of the subject odor management plan (OMP) Amendment “D” (plan amendment) listed above. Final corrections to the plan amendment were received by the State Conservation Commission on August 11, 2023. The plan amendment is considered to be in its final form for consideration of action.

The operation described in this plan is considered the following designations:

- A Concentrated Animal Operation (CAO) under the PA Nutrient and Odor Management Act
- A Voluntary Agricultural Operation (VAO) under the PA Nutrient and Odor Management Act
- A Concentrated Animal Feeding Operation (CAFO) under the Department of Environmental Protection Chapter 92 National Pollution Discharge Elimination System permitting, monitoring and compliance program

A brief description of the operation, concluding with the staff recommendation, is attached. Also attached is a copy of the complete odor management plan for the operation.

## Request for Action Memo: Racetrack Op Co – Parx Racing – Amend D OMP

**Farm Description**

The Racetrack Op Co – Parx Racing agricultural operation is an existing horse operation. Special agricultural land-use designations for this operation include the following:

- Agricultural Security Area.
- Agricultural Zoning.
- Preserved Farm status under Pennsylvania’s Farmland Preservation Program.
- This operation does not meet any special agricultural land-use designations.

Distance to Nearest Property Line – The shortest distance to the nearest property line is 248 feet for the animal housing facility (Barn # 27 – Geo-Center #3) and 273 feet for the Roofed Manure Storage Facility (Geo-Center #4).

- A property line setback waiver is not required to meet the Nutrient Management Program regulations.

Other Livestock Operations – There are not any Other Livestock Operations ( $\geq 8$  AEU) within the Evaluation Distance Area of this plan.

Surrounding Land Use – The surrounding land use for this area is Urban including the predominant terrain features of open flat land for the defined Site, with homes, businesses, churches, and public use facilities all around the Site.

**Assessment**Amendment Changes:

The original OMP for this operation was approved on August 13, 2010, and includes the following constructed facilities: Horse Barns # 2 – 12 & Roofed Manure Storage Facility.

The OMP Amendment “A” for this operation was approved on November 7, 2011, and includes the following constructed facilities: Horse Barn # 13

The OMP Amendment “B” for this operation was approved on November 19, 2012, and includes the following constructed facilities: Horse Barns # 14 – 27.

The OMP Amendment “C” for this operation gave after-the-fact approval on May 11, 2017, for the following constructed facilities: Horse Barns # 32 & 33; they were approved in Amendment “B”, but they were not constructed within the required 3-year timeframe (as per §83.771(d)), thus requiring Amendment “C”.

This OMP Amendment “D” does not propose any new animal housing or manure storage facilities. Amendment “D” is however for the after-the-fact transfer of the plan due to a legal business entity change. Also, due to the housing development that was constructed near the southeastern corner of the Site, this Amendment “D” is now a Required Level II Odor BMP plan.

## Request for Action Memo: Racetrack Op Co – Parx Racing – Amend D OMP

Animal Housing Facilities:

*Existing Facilities* – This site includes 252 Horses of the original 1428 Horses (1500.0 AEU's) in the following existing animal housing facilities; all but these last 252 Horses have been Transferred into the regulated Horse Barns:

- Horse Barns # 1, 28 – 31 – 260' x 50' – 42 horse capacity per barn
- Pony Barn – 240' x 30' – 42 horse capacity
- Note – As of the 8/13/2010 original approved OMP, 5 existing Horse Barns were torn down and not rebuilt; they have been removed as potential odor sources.

*Currently Regulated Facilities* – The August 13, 2010, approved plan, the November 7, 2011, approved OMP Amend A, the November 19, 2012, approved OMP Amend B, and the May 11, 2017, approved OMP Amend C Transferred 1008 Horses of the original 1428 Horses (1500.0 AEU's) into the following regulated animal housing facilities:

- August 13, 2010, approved OMP: Horse Barns # 2 – 12 – 260' x 50' – 42 horse capacity per barn
- November 7, 2011, approved OMP Amend A: Horse Barn # 13 – 260' x 50' – 42 horse capacity per barn
- November 19, 2012, approved OMP Amend B: Horse Barns # 14 – 27 – 260' x 50' – 42 horse capacity per barn
- May 11, 2017, approved OMP Amend C: Horse Barns # 32 & 33– 260' x 50' – 42 horse capacity per barn

*Proposed Regulated Facilities* – This plan Amendment “D” does not include a proposed expansion of the animal housing facilities at this site.

Manure Storage Facilities:

*Existing Facilities* – This site does not include any existing manure storage facilities.

- Note – Since the original 8/13/2010 approved OMP, 81 existing manure storage facilities (3-sided stacking pads; 25' x 25' x 3') were torn down and not rebuilt; they have been removed as potential odor sources.

*Currently Regulated Facilities* – The regulated facilities since the August 13, 2010, approved plan includes the following manure storage facility:

- Roofed Manure Storage Facility – 150' x 75' x 26.5' – 51,750 ft<sup>3</sup> capacity

*Proposed Regulated Facilities* – This plan amendment does not include a proposed expansion of the manure storage facilities for this site. A property line setback waiver is not required to meet the Nutrient Management Program regulations.

Odor Site Index

Due to this plan being properly implemented since the original August 13, 2010 approval, with no odor complaints, I did not conduct a pre-plan submission on-site meeting.

- I did however discuss via phone and email, the concept of a Vegetative Buffer for Filtering with the operator, the plan writer and Dr. Mikesell, PSU OM Program Technical Advisor. Since the OM Program has seen good implementation (& no complaint history)

Request for Action Memo: Racetrack Op Co – Parx Racing – Amend D OMP

for another racetrack casino operation (The Meadows Racetrack & Casino, Washington County) with required Level II Odor BMP requirements, of which they are implementing a 3-row Windbreak Shelterbelt (the equivalent of the Vegetative buffer for Filtering) we all felt confident that the Racetrack Op Co – Parx Racing could also successfully implement this Odor BMP.

- On June 23, 2023, I performed a site assessment of the surrounding houses and businesses in the ‘Evaluation Distance Area’ to confirm the buildings identified on the plan map.

The confirmed Odor Site Index values for the four Geographic Centers indicate both low & high potentials for impacts with the following scores:

- Geo-Center #1 8.5; Horse Barns # 2 – 11
- Geo-Center #2 5.0; Horse Barns # 12 – 20
- Geo-Center #3 106.5; Horse Barns # 21 – 27, 32 & 33
- Geo-Center #4 138.5. Roofed Manure Storage Facility

Due to the high potential for impacts, the appropriate Level I Odor BMPs for a horse operation are required and are properly identified in the plan. The proposed plan provides adequate detail and direction for facilitating the operator’s Implementation and Operation & Maintenance of these required Odor BMPs, as well as the necessary documentation needed to demonstrate compliance with the plan and regulations.

Also due to the high potential for impacts, one or more specialized Level II Odor BMPs are required, in addition to the Level I Odor BMPs. This plan amendment includes the following required Level II Odor BMPs:

- Solid Manure Storage Systems Management – Was implemented in 2011 with the construction of the first regulated Horse Barn.
- Vegetative Buffer for Filtering – There will be 3 groups of Vegetative Buffers for Filtering placed around the northwest corner of the housing development (southeast section of the defined Site).

**Recommendation**

**Based on staff reviews, the Amendment “D” OMP for the Racetrack Op Co – Parx Racing operation meets the planning and implementation criteria established under the PA Nutrient & Odor Management Act and Facility Odor Management Regulations. I therefore recommend the plan for State Conservation Commission approval.**

The Commission acted to			approve / disapprove	this odor management plan submission at	
the public meeting held on _____.					
_____			_____		
Douglas M. Wolfgang, Executive Secretary			Date		

# Odor Management Plan Amendment (D)

*Prepared For:*

## Racetrack Op Co. – Parx Racing

2848-2816 Galloway Road

Bensalem, PA 19020

215-639-9000

County/ Municipality: Bucks/Bensalem Twp.

**Mailing Address (if Different from Site Address)**

2999 Street Road

Bensalem, PA 19020

*Prepared By:*

**Sara Hamann**

**OM Certification #179-OMC**

3050 Yellow Goose Road

Lancaster, PA 17601

717.666.2329

sarah@redbarnag.com

For Official Use Only	
<b>Date of Plan Submission:</b>	<u>June 22, 2023</u>
<b>Date of Plan Approval:</b>	_____
<b>Date(s) of Plan Updates (not requiring SCC action):</b>	

# Table of Contents

## Racetrack Op Co. – Parx Racing - Odor Management Plan

Planner and Operator Commitments & Responsibilities ..... 4

    Plan Development Requirements ..... 4

    Planner Signature & Agreement ..... 4

*OMP Amendment Name: Racetrack Op Co. - Parx Racing* ..... 5

    Operator Requirements ..... 5

**Odor Management Plan Signature Requirements**..... 5

    Operator Signature & Agreement ..... 5

**Plan Summary**..... 6

**A. Operation Summary (see Appendix 1 to view complete Operation Information)** ..... 6

        Proposed Facilities:..... 6

        Currently Regulated Facilities:..... 6

**B. Odor Site Index Summary (see Appendix 3 to view complete Index)**..... 7

**C. Odor BMP Implementation, Operation & Maintenance Schedule** ..... 8

        Level I Odor BMPs Principles ..... 8

        Level I Odor BMPs to be Implemented ..... 8

        Level II Odor BMPs to be Implemented: ..... 10

**D. Documentation Requirements** ..... 16

        Level I Odor BMP Documentation Requirements ..... 16

        Level II Odor BMP Documentation Requirements ..... 17

Odor BMP Implementation Commitment Statement..... 19

    OMP Amendment Name: **Racetrack Op Co. - Parx Racing** ..... 19

    Level I Odor BMPs Principles..... 19

    Odor Management Plan Requirements ..... 19

    Level I Odor BMPs – Maintenance Log   YEAR ..... 20

    Level II Odor BMPs – Quarterly Observation Log   YEAR..... 21

LEVEL II ODOR BMP NAME: Vegetative Buffer for Filtering ..... 21

    Level II Odor BMPs – Quarterly Observation Log   YEAR..... 22

LEVEL II ODOR BMP NAME: Solid Manure Storage Systems Management ..... 22

Appendix 1: Operation Information..... 23

    Part A: Odor Source Factors ..... 23

        Existing Facilities Description: ..... 23

Currently Regulated Facilities:..... 24

Proposed Regulated Facility(ies) Description: ..... 25

Part B: Site Land Use Factors ..... 27

Part C: Surrounding Area Land Use Factors ..... 28

Appendix 2: Operational Maps ..... 29

    Topographic Map ..... 29

    Site Map ..... 29

Appendix 3: Plan Evaluation – OSI ..... 34

Racetrack Op Co. – Parx Racing Amendment D ..... 34

Appendix 4: Biosecurity ..... 43

    Biosecurity Protocol Contact Information ..... 43

Appendix 5: Supporting Documentation ..... 44

## Planner and Operator Commitments & Responsibilities

### Plan Development Requirements

This odor management plan (OMP) has been developed to meet the requirements of Pennsylvania's Nutrient and Odor Management Act, Act 38 of 2005 (Act 38), for the State Conservation Commission's (Commission) Odor Management Program for the following farm type(s): **NOTE: Select all check-boxes that apply.**

- Pennsylvania Act 38 Concentrated Animal Operation (CAO)
- Pennsylvania CAFO (Concentrated Animal Feeding Operation (CAFO) program
- Odor Management Program Volunteer Animal Operation (VAO)

### Planner Signature & Agreement

The planner's signature below certifies that this plan was developed in conjunction with, and reviewed by the operator, prior to submitting it for review. The plan cannot be submitted until the operator understands and agrees with all the provisions of the plan. If the reviewer finds that the planner has not reviewed at least the Plan Summary with the farmer, then the plan reviewer is to relay that information to the certification program staff for their consideration.

The planner's signature and below date(s) certifies that a site visit(s) was conducted **by an Act 38 Certified Odor Management Specialist** to verify the criteria within the evaluation distance area at the time of developing the plan, specifically for the odor source(s), for locating houses, churches, businesses and public use facilities within the evaluation distance, as well as for the site land use and the surrounding land use factors.

The information contained in this plan is accurate to the best of my knowledge. This plan has been developed in accordance with the criteria established for the Act 38 Odor Management Program indicated above. I affirm the foregoing to be true and correct, and make these statements subject to the penalties of 18 Pa. C.S. § 4904, relating to unsworn falsification to authorities.

Planner Name: Sara Hamann

Certification number: 179-OMC

Signature of Planner: 

Date: 5/14/23

Date(s) Evaluation Distance Area Site Visit Conducted: 5/14/23



**OMP Amendment Name:** Racetrack Op Co. - Parx Racing

**Operator Requirements**

**Plan Implementation & Documentation:** Odor Management Plans developed under Act 38 are required to be implemented as approved in order to maintain compliance. Implementation includes: adherence to installation of listed Odor Best Management Practices (Odor BMPs) within implementation schedule timeframes and conditions; maintenance of the Odor BMPs consistent with the operation and maintenance schedule timeframes; conditions contained in this plan; and record keeping obligations of the program. Agricultural operations are also required to keep and maintain accurate records of the Odor BMPs consistent with the schedules and are required to allow the Commission access to those records in order to determine the compliance status.

**Post Construction Inspection:** Prior to utilizing a new or expanded animal housing facility or manure storage facility addressed in this plan, the operation must receive written approval from the Commission confirming implementation of the plan. **In order to obtain this written approval the operator, upon completion of construction activities, must inform the Commission in writing via certified mail of their desire to begin using the new or expanded regulated facilities.** At that time the Commission will send out a representative to assess and verify the implementation of the approved Odor Management Plan.

**Compliance Inspections:** Plans developed under this program also require agricultural operations to allow periodic access by the Commission for status review and complaint inspections, in order to determine the status of the operation's compliance and whether a plan amendment is required. Inspections will be scheduled at least annually. Agricultural operations will provide the operation's biosecurity contact and protocols to the Commission.

**Odor Management Plan Signature Requirements**

In accordance with §83.741(i), plans shall be signed by the *Operator/ Authorized Representative* of the agricultural operation indicating concurrence with the information in the plan and acceptance of responsibilities under the plan. The following signature requirements apply:

- (i) For sole proprietorships, the proprietor.
- (ii) For partnerships, a general partner.
- (iii) For corporations, a vice president or president. For any other authorized representative, the plan must contain an attachment, executed by the secretary of the corporation, which states that the person signing on behalf of the corporation is authorized to do so.


**NOTE:** *When using a business name for the plan, the business name must be registered with the Pennsylvania Department of State.*

**Operator Signature & Agreement**

In accordance with §§83.751 (content of plans) and 83.762 (operator commitment statement), the *Signature of Operator/ Authorized Representative* below certifies that I was involved with the development of this plan, that the plan writer reviewed the plan with me, and that I am agreeable to the provisions outlined in this plan. All the information I provided in this odor management plan is accurate to the best of my knowledge and I will implement the practices and procedures outlined in the odor management plan in order to manage the potential for impacts from the offsite migration of odors associated with the operation for which this OMP is written.

Indicate business entity type: Sole Proprietor  Partnership/ LP/ LLP  Corporation/ LLC

*Signature of Operator/ Authorized Representative:*

 Date: 5/1/23

*Print Name of Operator/ Authorized Representative:* Joseph Wilson

*Title of Operator/ Authorized Representative:* Chief Operating Officer - Racing Operations

*Business Legal Name of the Operation:* Racetrack Op Co.

## Plan Summary

Clearly detail why an amendment to the approved plan is required.

Amendment "D" is being submitted due to after-the-fact notification of change in legal entity of the operator to Racetrack Op Co. which requires a new amendment (Amendment D).

### A. Operation Summary (see Appendix 1 to view complete Operation Information)

#### Proposed Facilities:

*Detail the Animal Type associated with the Proposed Facilities and consistent with the Animal Type detailed in the OSI. If animal numbers (AEUs) from existing facilities are voluntarily being added to the plan, detail the AEUs number; otherwise state "None", "Zero (0)" or "Not Applicable".*

**NOTE:** AEU calculations and AEUs per acre calculation must reflect those in the most current Act 38 NMP, otherwise explain the difference and submit the calculations in Appendix 5: Supporting Documentation.

Proposed OSI Animal Type:	Horses
Zero (0)	Zero (0)
Proposed AEUs <i>(per animal type)</i> :	Zero (0)
Voluntary Existing Animal Type:	None
Voluntary Existing AEUs <i>(per animal type)</i> :	Zero (0)
Regulated AEUs under Previous Plan(s):	
<i>(Associated with Currently Regulated Facilities below)</i>	Zero (0)
<b>Total</b> AEUs Covered by this Plan:	1500 AEUs/acre
AEUs per acre for the operation:	1500 AEU/acre

Is there an approved Act 38 NMP for this operation?  Yes  No

**NOTE:** If No, explain in Appendix 5: Supporting Documentation.

#### Currently Regulated Facilities:

*Detail in the tables below, each regulated animal housing facility and/or manure storage facility that was previously approved and is already constructed. Detail the Dates and AEUs separately (copy & paste) for each previously approved plan or amendment.*

Plan Approval Date: 8/13/2010 Initial OMP    Currently Regulated AEUs: 0 AEUs

Plan Approval Date: 11/03/11 OMP Amend. A    Currently Regulated AEUs: 0 AEUs

Plan Approval Date: 11/19/12 OMP Amend. B    Currently Regulated AEUs: 0 AEUs

Plan Approval Date: 5/11/17 OMP Amend. C    Currently Regulated AEUs: 0 AEUs

Animal Housing Facility <input type="checkbox"/> None	Dimensions	Livestock Capacity
Horse Barns 2-27	260' X 50'	42 horses per barn

--	--	--

Manure Storage Facility <input type="checkbox"/> None	Dimensions	Usable Capacity
Manure storage	150' X 75' X 26.5'	51,750 cu ft

**B. Odor Site Index Summary (see Appendix 3 to view complete Index)**

*NOTE: If multiple Geographic Centers are used, you must provide scores for each geographic center. Scores listed here must match the final scores in the OSI.*

*OSI Score animal housing facilities 2-11 (Geographic Center 1)*

V 3.0

Score:

8.5

*OSI Score animal housing facilities 12-20 (Geographic Center 2)*

V 3.0

5

Score: \_\_\_\_\_

*OSI Score animal housing facilities 21-27, 32 &33 (Geographic Center 3)*

V 3.0

106.5

Score: \_\_\_\_\_

*OSI Score manure storage facility (Geographic Center 4)*

V 3.0

138.5

Score: \_\_\_\_\_

### C. Odor BMP Implementation, Operation & Maintenance Schedule

**NOTE: All Required Odor BMPs from previous approved plans or plan amendments, which are still applicable to its associated regulated facility, must be identified below in addition to any proposed Odor BMPs associated with this plan amendment. If specific Odor BMPs that were previously approved no longer apply to this site specific scenario, contact Odor Management program staff to identify and discuss this operational change prior to submitting the plan amendment.**

#### Level I Odor BMPs Principles

1. Steps taken to reduce dust and feed accumulation in pens, aisles, and on animals.
2. Manage ventilation to provide sufficient fresh airflow throughout the facility to keep animals and facility surfaces clean and dry.
3. Manage manure to minimize damp, exposed manure that contributes to odor generation.
4. Remove mortalities daily and manage appropriately.
5. Manage feed nutrients to animal nutrient requirements in order to avoid excess nutrient excretion.
6. Manage manure storage facility to reduce exposed surface area and off-site odor transfer.

**Definitions:**

- **Required Odor BMPs** – In accordance with §§83.771, 83.781-83.783, Required Odor BMPs are the Odor BMPs required for implementation when there is a neighboring facility or a public use facility in the evaluation distance area, or when the OSI score is 50 or more points (Level I Odor BMPs), and when the OSI score is 100 or more points (Level II Odor BMPs).
- **Voluntary Odor BMPs** – The operator has voluntarily chosen to include Odor BMPs in the plan. Voluntary Odor BMPs must meet the same program standards that Required Odor BMPs do for implementation, operation, maintenance, and documentation.
- **Supplemental Odor BMPs** – In accordance with §83.781(e), Supplemental Odor BMPs are implemented in addition to the approved Odor BMPs in the plan and are also associated with plan updates.

**NOTE: Odor BMPs must be relevant to the site specific situation and must be maintained for the lifetime of the regulated facility unless otherwise approved.**

#### Level I Odor BMPs to be Implemented

Select each check-box that applies; if more than one category applies, clearly detail the respective Level I Odor BMPs criteria with each respective category. Detail below all Level 1 Odor BMPs Principles, adapted from the PA Odor BMP Reference List, that are applicable to the site specific factors of this animal operation and the regulated facilities.

- None Required
- Voluntary Level I Odor BMP:
- Required Level I Odor BMP:
- Supplemental Level I Odor BMP:

**Level 1 BMP NOTE:**

The individual horse operators renting the regulated Horse Barns are responsible to implement all the Level I Odor BMPs detailed below except the following: annual Building Maintenance, annual Cleaning and Sanitation and manure storage maintenance which will be performed by the Racetrack Op Co. Staff per Jay Scanlon (Facilities Shift Supervisor).

1. Steps taken to reduce dust and feed accumulation in pens, aisles, and on animals.
  - a. Feed Cleanup – Spilled feed will be removed promptly.

- b. Feed Wastage – Unconsumed feed will be removed from around stalls and feeders daily
  - c. Cleaning and Sanitation – The entire inside of the facility will be dry cleaned at least once annually after racing season (\*Responsibility of Racetrack Op Co. Staff per Jay Scanlon, Facilities Shift Supervisor)
  - d. For confined horses, bedding will be added as needed to minimize excess manure from sticking to horses.
2. Ventilation is managed to provide sufficient fresh airflow throughout the facility to keep animals and facility surfaces clean and dry.
- Ventilation Components – each barn has windows and doors that can be opened to provide sufficient Airflow.
- a. Ventilation is adjusted to provide adequate air distribution on a daily basis
3. Manure will be managed to minimize damp, exposed manure that contributes to odor generation.
- a. Controlling Accumulated Manure – Stalls and aisles will be kept free of accumulated manure in all phases by removing manure daily.
  - b. Moisture Control – Water delivery system will be checked daily for functionality and leakage to minimize moisture accumulation in the stalls.
  - c. Building Maintenance – The entire inside of the facility will be dry cleaned annually (after racing season).  
\*Responsibility Racetrack Op Co. Staff
4. Mortalities will be removed daily and managed appropriately.
- a. Mortalities will be removed and sent for rendering, tenants are responsible to arrange for this service when needed.
5. Feed nutrients will be matched to animal nutrient requirements to avoid excess nutrient excretion.
- a. Professional nutritionist formulates diets to match animal nutrient requirements.
6. Manage Manure Storage Facilities to reduce exposed surface area and off-site odor transfer.
- a. Minimize Storage Volume – Minimize or eliminate solid manure storage through frequent manure export. Manure will normally be removed daily from the Roofed MSF, but may take 2 or 3 days to be removed for holiday timeframes, etc.
  - b. Manage Surface Water - Keep surface water from entering manure storage area - Grade surrounding area to avoid run on. Keep moisture/leachate from leaving the manure storage area - Manage to avoid runoff of liquid from bottom of the stack by covering or mixing in dry material to absorb rainwater.

- c. Manure Storage Area Cleanliness - A visual inspection of the manure storage area and the Manure Handling Areas will be completed daily to ensure that any manure scattered during transport activities is cleaned up in a timely manner.

### Level II Odor BMPs to be Implemented:

Select each check-box that applies; if more than one category applies, clearly detail the respective Level II Odor BMPs criteria with each respective category. Detail below all Level II Odor BMPs criteria addressing the following:

1. the general construction and implementation criteria
2. the corresponding timeframes of when each Odor BMP will be implemented
3. all operation and maintenance procedures for each Odor BMP along with the corresponding timeframes for carrying out those procedures
4. the lifespan of each Odor BMP.

**NOTE:** NRCS Conservation Practice Standards and Job Sheets that are in existence for the Level II Odor BMP are encouraged to be used for construction, implementation, and operation and maintenance criteria.

- None Required
- Voluntary Level II Odor BMP:
- Required Level II Odor BMP:
- Supplemental Level II Odor BMP:

**Solid Manure Storage Systems Management – Designs have proven effective in reducing odor concentrations from solid manure due to wind stripping, when the manure storage facility is enclosed by at least 3 walls and covered with a roof or a tarp, to prevent precipitation from soaking the manure pile.**

1. Implementation:
  - a. Materials – Facility constructed of:
    - i. Floor – Concrete
    - ii. Walls – Concrete
    - iii. Cover – Trusses and Steel Roof
  - b. Dimensions & Capacity –
    - i. Dimensions : 150' X 75' X 26.5'
    - ii. Usage capacity : 51,750 cu ft
  - c. Implementation Timeframe – already constructed. Was implemented in 2011 with the construction of the first several Horse Barns.
2. Operation & Maintenance:
  - a. Inspections – Inspections are conducted to verify the integrity of the facility (floor, walls, wall structural connections (e.g., bolts, gusset plates, truss, wall timbers, etc.), and roof/tarp). If any part of the structural integrity has been compromised, corrective actions to fix any issue will be taken immediately.
    - i. During inspections, look for signs of leaking, damage, etc., and determine if any maintenance activities are needed. If any maintenance is needed, corrective actions to fix any issue will be taken immediately.

- ii. Inspections will be conducted 1) (detail Frequency – Weekly, etc.), and 2) after a high wind or significant storm event. If any part of the structural integrity has been compromised as a result of severe weather, corrective actions to fix any issue will be taken immediately to remedy the issue.

b. Operation & Maintenance – Parts and/or components will be replaced as needed (within 3 weeks of the inspection) to maintain the integrity of the materials. If any maintenance if required, corrective actions will be taken immediately to rectify the situation.

- iii. To be checked after storms for structural integrity and damage. If any part of the structural integrity has been compromised as a result of severe weather, corrective actions to fix any issue will be taken immediately to remedy the issue

**C. Vegetative Buffer for Filtering**

*Vegetative Buffers for Filtering are three or more rows of fast-growing vegetation planted sufficiently to visually enhance and beautify the facility it is planted near. Vegetative Buffers also serve to increase turbulence and mixing with fresh air to help dilute odorous compounds before they travel downwind from the facility, and the foliage on some species has been shown to absorb certain compounds, including ammonia. Vegetative Buffers for Filtering are three or more rows of plant material which serve to reduce odor transport when they are situated so that the odor plume (from a concentrated source like the exhaust fans or a manure storage facility) must pass through the buffer before reaching the odor receptor.*

**Implementation**

**1. Planting Timeframe –**

- a. See Plant Material chart, Planting Dates column.

**2. Plant Materials Information Chart**

<b>Species/Cultivar</b>	<b>Kind of Stock</b>	<b>Planting Dates</b>	<b>Distance between plants w/in rows</b>	<b>Total Number of plants for the row</b>	<b>Distance between rows</b>
Row A: Blue Spruce (Botanical Name: Picea Pungens) and American Holly (Botanical Name: Illex Ocapa)	8ft tall Balled & Burlap	September 2023	16 feet staggered, see plan	A1: 7 A2: 5 A3: 12	20’ ave, See plan
Row B: Green Giant Arborvitae (Botanical Name: Thuja Standishii x Plicata)	8ft tall Balled & Burlap	September 2023	16 feet staggered, see plan	A1: 7 A2: 5 A3: 12	20’ave/ 10’ ave, see plan
Row C:	9 Gallon	September 2023	9 groups @ 32’ spacing	A1: 64 A2: 65	10’ ave, see plan

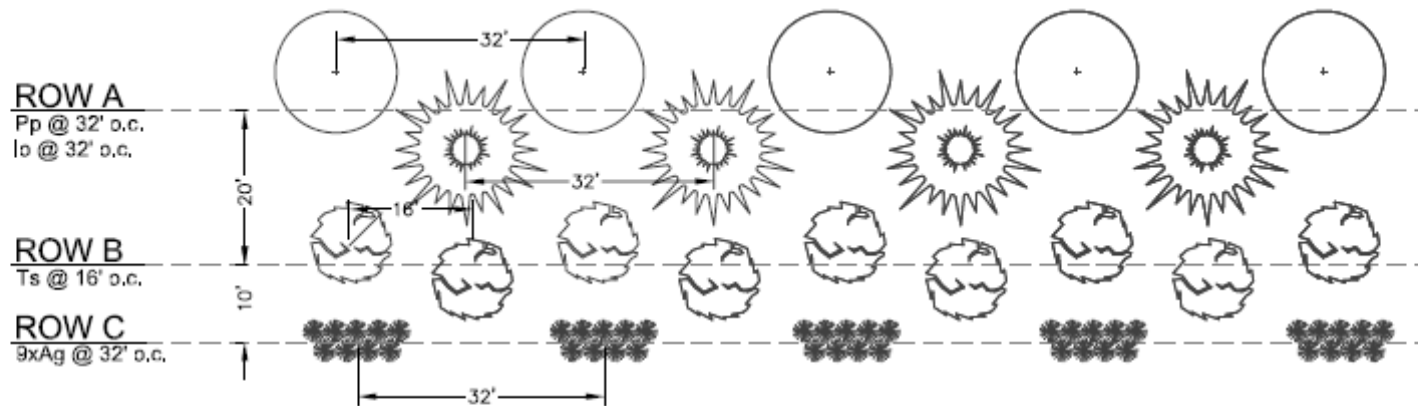
Big Bluestem (Botanical Name: Adropogon Gerardii)			on center, see plan	A3: 89	
---------------------------------------------------------	--	--	------------------------	--------	--

**3. Location and Layout (include drawing):**

Vegetative Buffer will consist of three rows of plant material. The row nearest the production building (row C) will consist of Big Bluestem planted in groups of 9 at 32 feet on center. The middle row B will consist of Green Giant Arborvitae planted at 16 feet on center. The outer row A will consist of alternating Blue Spruce and American Holly staggered and planted at 16 feet on center.



# LANDSCAPE BUFFER PLAN



LANDSCAPE BUFFER - PLANT SCHEDULE								
ROW	ABREV	SYMBOL	BOTANICAL NAME	COMMON NAME	SPACING	QUANTITY/ ROW	SIZE	PLANTING DATE
A	Pp		PICEA PUNGENS	BLUE SPRUCE	32	A1=7 A2=5 A3=12	8'	9/2023
A	lo		ILLEX OCAPA	AMERICAN HOLLY	32	A1=7 A2=5 A3=12	8'	9/2023
B	Ts		THUJA STANDISHII X PPLICATA	GREEN GIANT ARBORVITAE	16	B1=14 B2=13 B3=21	8'	9/2023
C	Ag		ANDROPOGON GERARDII	BIG BLUESTEM	9 @ 32'	C1=64 C2=65 C3=89	1 GAL	9/2023

# Racetrack Op Co. Facility Map: Level II BMP - Vegetative Buffer



#### 4. Site Preparation & Planting Methods Notes

- a. **Site Prep** – Remove debris and control competing vegetation to allow enough spots or sites for planting or planting equipment. Soil tests will be conducted, and soil amendments added, as to recommendations.
- b. **Irrigation System** – Installation of a trickle or emitter irrigation system is highly recommended for all plantings. Install and begin supplemental irrigation for a minimum of three years.
- c. **Weed Control Barriers** – Artificial weed control barrier cloth can be placed over the planting area, along with natural wood products. Apply mulch to a depth of 3” – 4”, at a minimum of 3’ wide mulch strip, or a 3’ diameter circle of mulch around each plant.
- d. **Planting Methods** – For container and bare root stock, plant stock to a depth even with the root collar in holes deep and wide enough to fully extend the roots. Pack the soil firmly around each plant. Cuttings are inserted in moist soil with at least 2 to 3 buds showing above ground.

#### Operation and Maintenance

1. **Inspections** –
  - a. **Year 1** – Inspect Vegetative Buffer components biweekly during the growing season (spring to fall). Identify damaged areas and protect plants from damage so proper function is maintained. Replant during growing season. A higher level of care is required until 3 years after plant establishment.
  - b. **Years 2 – 4** – Inspect Vegetative Buffer components monthly during the growing season (spring to fall). Identify damaged areas and protect plants from damage so proper function is maintained. Replant during growing season. A higher level of care is required until 3 years after plant establishment.
  - c. **Years 5 & on** – Inspect Vegetative Buffer components at least annually. Protect plants from damage so proper function is maintained. Replant during growing season.
2. **Maintenance Activities** –
  - a. **Irrigation & Watering** : Provide supplemental irrigation for a minimum of three years post plant-establishment. Ensure irrigation equipment is properly working; replace components as needed. During the establishment phase, it is important to provide sufficient water to the newly planted trees and shrubs. Regular watering is necessary, especially during dry periods, to help them establish a strong root system. The specific watering requirements will vary depending on the climate, soil conditions, and the species being planted.
  - b. **Weed control**: Control competing vegetation either mechanically, chemically, or with a mulch bed to allow proper establishment and growth. Replace woody mulch; reapply mulch to a depth of 3” – 4”. Controlling weeds is essential to prevent competition for nutrients, water, and sunlight. Regularly inspect the Vegetative Buffer and remove any weeds that may emerge within the planting area. Mulching can also be used to suppress weed growth and conserve soil moisture.
  - c. **Prune, Fertilize, Protect from Damage**: Prune to maintain function, only after plants are established. Apply nutrients based on soil test results. Protect plants from damage so proper function is maintained. Pruning helps shape the Vegetative Buffer and promote healthy growth. It involves removing dead, damaged, or diseased branches. Proper pruning techniques should be followed to avoid excessive or improper trimming that may negatively affect the Vegetative Buffer's structure and function.
  - d. **Pest and disease management**: Regular monitoring of the Vegetative Buffer is important to identify and address any pest or disease issues. Prompt action should be taken to mitigate

infestations or infections. Integrated pest management (IPM) practices, which emphasize preventive measures and eco-friendly pest control methods, are recommended.

- e. **Regular evaluation:** Ongoing evaluation of the Vegetative Buffer's performance is important. Assess its effectiveness in reducing wind speed, protecting crops or structures, and providing other desired benefits. If necessary, adjustments or additional maintenance activities can be implemented based on the evaluation results.
- f. **Replacement Activities:** The Vegetative Buffer should be regularly inspected for any signs of damage, such as broken branches, leaning trees, or soil erosion. Promptly addressing any damage can help prevent further deterioration and maintain the Vegetative Buffer's effectiveness.

Replace dead or dying plants as discovered or if discovered during the non-growing season, replace as soon as conditions permit during the next planting season.

Over time, some trees or shrubs within the Vegetative Buffer may die or become less productive. It is important to periodically assess the condition of the vegetation and consider replanting or rejuvenating the Vegetative Buffer by adding new plants or removing and replacing aging or declining ones.

- 3. **Odor BMP Lifespan** – The Vegetative Buffer will be implemented for the lifetime of the regulated facilities or until an approved amendment changes this requirement.

## D. Documentation Requirements

*The following information will be documented by the Operator for each Odor BMP to ensure compliance with the plan. Documentation is needed to demonstrate implementation of the plan as well as for corrective actions taken for significant maintenance activities needed to return an Odor BMP back to normal operating parameters.*

### Level I Odor BMP Documentation Requirements

*Select each check-box that applies; if more than one category applies, clearly detail each documentation criterion.*

**None Required** – *(NOTE: Delete the Odor BMP Implementation Commitment Statement and the Level I Maintenance Log)*

**Level I Odor BMPs – Odor BMP Implementation Commitment Statement Only**

*The Operator will annually complete the Odor BMP Implementation Commitment Statement.*

**Level I Odor BMP Documentation Criteria:**

*The Operator will annually complete the 'Odor BMP Implementation Commitment Statement'. The Operator will also complete the Level I Odor BMPs Maintenance Log upon any of the following occurrences:*

1. Feed Cleanup & Feed Wastage – Document the occurrences and corrective actions taken when the accumulation of spilled and unconsumed feed was not able to be addressed in a timely manner.
2. Dust Cleaning and Sanitation – Document discrepancies with the cleaning and sanitation Process and the corrective action taken. Document the dates of the between-groups maintenance activities actions taken.
3. Dust Control – Document any occurrences of damage to the drop tubes, and the corrective actions taken.



4. Ventilation System Management – Document any occurrences of the system components not working correctly, and the corrective actions taken. Document the between-groups maintenance activities actions taken.
5. Controlling Accumulated Manure – Document occurrences of when the accumulation of manure was not able to be addressed in a timely manner, and the corrective actions taken.
6. Manure Cleaning and Sanitation – Document discrepancies with the cleaning and sanitation Process and corrective action taken. Document the dates of the between-groups maintenance activities actions taken.
7. Mortality Management – Document any discrepancies with daily disposal, and the corrective actions taken. (Note – actual mortality numbers will be documented on the integrators required daily inspection chart; see that documentation for mortality numbers.)
8. Phase Feeding – Document any discrepancies with the phased feeding protocol, and the corrective actions taken.
9. Manure Storage Management – Document any discrepancies with proper manure storage management, and the corrective actions taken.

## Level II Odor BMP Documentation Requirements

*Select each check-box that applies; if more than one category applies, clearly detail each documentation criterion.*

**None Required – (NOTE: Delete the Level II Quarterly Observation Log)**

**Level II Odor BMP Documentation Criteria:**

*The Operator will complete the Level II Odor BMPs Quarterly Observation Log, at least on a quarterly basis, detailing the proper implementation of the Odor BMPs as identified in the Implementation, Operation & Maintenance Schedule. The Operator will also complete the Level II Odor BMPs Quarterly Observation Log upon any of the following occurrences:*

### 1. Solid Manure Storage System Management.

Key Documentation Activities – Keep documents of all repairs and maintenance made to the BMP.

- a. Inspections: Document that the required inspections were conducted and any discrepancies with the inspections and the corrective actions taken.
- a. Maintenance Activities: Keep records of any repair activities made to the BMP and document those repairs / maintenance activities in the quarterly log. Provide details in the Notes section of the Quarterly log.

### 2. Vegetative Buffer for Filtering:

Key documentation Activities – Document the health and growth of the vegetative buffer and to take corrective measures to address any issues immediately.

#### a. Implementation:

- i. Document when all plant material are planted.
- b. Operation & Maintenance:
  - i. **Inspections**
    1. Maintain Quarterly records that document the Operation and Maintenance Inspections were conducted and document any discrepancies with the inspections and the

corrective actions taken to address those discrepancies for the following inspection schedule:

- a. Year 1, Biweekly,
- b. Years 2-4, Monthly
- c. Year 5 Annually

**ii. Maintenance Activity:**

1. Irrigation & Watering:
  - a. Keep records of maintenance to irrigation equipment and any replacement or repairs made to the irrigation equipment.
  - b. Document irrigation activity in the quarterly report. Provide details in the Notes section of the Quarterly log.
2. Weed Control:
  - a. Keep records of weed control.
  - b. Document weed control activity in the quarterly report. Provide details in the Notes section of the Quarterly log.
3. Pruning, Fertilize, Protect from Damage:
  - a. Keep records of pruning, fertilizing and protecting planting material.
  - b. Document pruning, fertilizing and protection in the quarterly report. Provide details in the Notes section of the Quarterly log.
4. Pest and Disease Management:
  - a. Keep records of Pest and disease management
  - b. Document Pest and Disease Management in the quarterly report. Provide details in the Notes section of the Quarterly log.
5. Regular Evaluation:
  - a. Keep records of all evaluations.
  - b. Document evaluations in the quarterly report. Provide details in the Notes section of the Quarterly log.
6. Replacement Activity:
  - a. Keep records of all buffer replacement plantings. Documentation should include how damage occurred, what type of planting that is being replaced, type of replacement planting, location of replacement, and date.
  - b. Document replacement activity in the quarterly report. Provide details in the Notes section of the Quarterly log.

## Odor BMP Implementation Commitment Statement

*To be completed and signed annually by operators which have a neighboring facility or a public use facility in the evaluation distance area. This form is an attestation of the operator for the daily implementation of the Odor BMPs, and in accordance with §83.791, it is to be kept on site for at least 3 years.*

**(Copy This Page For Future Use)**

OMP Amendment Name: **Racetrack Op Co. - Parx Racing** \_\_\_\_\_

### Level I Odor BMPs Principles

1. Steps were taken to reduce dust and feed accumulation in pens, aisles, and on animals.
2. Ventilation was managed to provide sufficient fresh airflow throughout the facility to keep animals and facility surfaces clean and dry.
3. Manure was managed to minimize damp, exposed manure that contributes to odor generation.
4. Mortalities were removed daily and managed appropriately.
5. Feed nutrients were matched to animal nutrient requirements to avoid excess nutrient excretion.
6. Manage manure storage to reduce exposed surface area and off-site odor transfer.

### Odor Management Plan Requirements

In accordance with §§83.762 operator commitment statement), 83.771 (managing odors), 83.781 – 83.783 (Odor BMPs and schedules), 83.791 – 83.792 (documentation requirements) and 83.802 (plan implementation), I affirm that all the information I provided in the odor management plan is accurate to the best of my knowledge.

In order to manage the potential for impacts from the offsite migration of odors associated with the operation, I affirm that I have implemented the specific practices and procedures detailed in the odor management plan Odor BMP Implementation, Operation & Maintenance Schedule (principles identified above) from DATE: \_\_\_\_\_ to DATE: \_\_\_\_\_ (CY/ FY, etc.).

I affirm the foregoing to be true and correct, and make these statements subject to the penalties of 18 Pa. C.S. § 4904, relating to unsworn falsification to authorities.

Signature of Operator: \_\_\_\_\_

Date: \_\_\_\_\_

Name of Operator: \_\_\_\_\_

Title of Operator: \_\_\_\_\_

Level I Odor BMPs – Maintenance Log      YEAR \_\_\_\_\_

*(NOTE: The operator will record occurrences of mechanically related maintenance activities or for any corrective actions taken.)*

**(Copy This Page For Future Use)**

<i>List ODOR BMPs</i>	<i>DATE</i>	<i>NOTES</i>
Steps taken to reduce dust and feed accumulation in pens, aisles, and on animals.		
Manage ventilation to provide sufficient fresh airflow throughout the facility to keep animals and facility surfaces clean and dry.		
Manage manure to minimize damp, exposed manure that contributes to odor generation		
Remove mortalities daily and manage appropriately.		
Manage feed nutrients to animal nutrient requirements in order to avoid excess nutrient excretion.		
Manage manure storage facility to reduce exposed surface area and off-site odor transfer.		



Level II Odor BMPs – Quarterly Observation Log YEAR \_\_\_\_\_

*(NOTE: The operator will record observations relating to 1) the implementation of each Level II Odor BMP at least on the first day (approximately) of each quarter of the year or in accordance with the Implementation, Operation & Maintenance Schedule, and 2,) for mechanically related maintenance activities, as soon as possible upon the observation that maintenance is needed, or upon each occurrence of any corrective actions taken.)*

**(Copy This Page For Future Use)**

Select Quarter:

1<sup>st</sup> Quarter (January)

2<sup>nd</sup> Quarter (April)

3<sup>rd</sup> Quarter (July)

4<sup>th</sup> Quarter (October)

**LEVEL II ODOR BMP NAME: Vegetative Buffer for Filtering**

List ACTIVITIES	DATE	NOTES
Irrigation & Watering (make sure there is proper irrigation)		
Weed Control (proper care for weeds)		
Pruning, Fertilize, Protect from Damage (pruning of planted materials to maintain health)		
Pest and disease management		
Regular Evaluation: (Monitoring for damage (manage to maintain plant health)		
Replacement Activity (Replant dead stock when needed)		

--	--	--

**Level II Odor BMPs – Quarterly Observation Log**      YEAR \_\_\_\_\_

*(NOTE: The operator will record observations relating to 1) the implementation of each Level II Odor BMP at least on the first day (approximately) of each quarter of the year or in accordance with the Implementation, Operation & Maintenance Schedule, and 2,) for mechanically related maintenance activities, as soon as possible upon the observation that maintenance is needed, or upon each occurrence of any corrective actions taken.)*

**(Copy This Page For Future Use)**

**Select Quarter:**

<input type="checkbox"/> 1 <sup>st</sup> Quarter (January)	<input type="checkbox"/> 2 <sup>nd</sup> Quarter (April)	<input type="checkbox"/> 3 <sup>rd</sup> Quarter (July)	<input type="checkbox"/> 4 <sup>th</sup> Quarter (October)
------------------------------------------------------------	----------------------------------------------------------	---------------------------------------------------------	------------------------------------------------------------

**LEVEL II ODOR BMP NAME: Solid Manure Storage Systems Management**

<i>List ACTIVITIES</i>	<i>DATE</i>	<i>NOTES</i>
Inspections Conducted – regular inspections with corrective measure taken when needed		
Maintenance Activities – Corrective Measures Taken		

## Appendix 1: Operation Information

### Part A: Odor Source Factors

1. **Site Livestock History:** Maximum amount within last three years. Horse: 1500 AEUs matches the current NMP. Details of the livestock history for this operation is difficult because animals come and go frequently. The maximum AEUs is based on every barn at max capacity which is 42 horses.

*Detail the Maximum AEUs of Livestock on this site (which may also include any animals from regulated facilities) within the past 3 years.*

#### Existing Facilities Description:

*NOTE: If the facilities or animal information differ from the most current Nutrient Management Plan, detail the differences in Appendix 5: Supporting Documentation.*

**Definitions:** Existing facilities are those animal housing facilities or manure storage facilities constructed before February 27, 2009, and are not subject to Odor Management program requirements. These are the baseline facilities which were identified in the originally approved OMP.

2. **List the Existing Animal Types:** Horses **Existing Animal Numbers:** 252

3. **Existing Animal Equivalent Units (AEUs) per Animal Type:** 1500

4. **Existing Animal Housing Facility(ies):**

*Describe all existing animal housing facilities including their dimensions, capacity and existing Odor BMPs used to address potential impacts.*

Animal Housing Facility	Dimensions	Livestock Capacity	Existing Odor BMPs
Horse Barn 1, 28-31	260' X 50'	42/barn	Conventional bedding
Pony Barn	240' X 30'	42/barn	Conventional bedding

5. **Existing Manure Storage Facility(ies) and Manure Handling Systems:**

- a. *Describe all existing manure storage facilities and manure treatment technology facilities, including their dimensions, capacity and existing Odor BMPs used to address potential impacts.*

Manure Storage Facility	Dimensions	Usable Capacity	Existing Odor BMPs
None			

- b. *Provide a narrative description detailing the manure handling systems, including manure storage facilities, manure stacking areas, and manure treatment technology facilities.*

Horse manure is comingled with straw or shavings and moved from the horse barns to a dedicated dumpster located outside the barn (straw manure for one dumpster and shavings manure in another dumpster). The dumpsters are emptied at the regulated manure storage facility and the manure is either exported for use in the mushroom industry or for composting.

**Currently Regulated Facilities:**

*Detail the information below for each constructed regulated facility, clearly indicating what was previously approved in the original plan and then separately (copy & paste) for each approved plan amendment.*

OMP Approval Date: 8/13/2010 Previous OSI Score: 25.8 /30/ 63 Currently Regulated AEU's: 0  
 OMP A Approval Date: 11/3/11 Previous OSI Score: 25.8/30/63 Currently Regulated AEU's: 0  
 OMP B Approval Date: 11/19/12 Previous OSI Score: 25.8/30/63 Currently Regulated AEU's: 0  
 OMP C Approval Date: 5/11/17 Previous OSI Score: 25.8/30/63 Currently Regulated AEU's: 0

**6. Currently regulated animal housing facility(ies):  None Regulated**

a. Population Date(s): 1/13/2017\*

*\*Note: All of the facilities covered by the original plan, Barns 2-27, 32 & 33 from amendment A & B, were populated as of this date. The population of barn 2-27, 32 & 33 has been occurring as constructed from 8/13/10 to 1/13/2017. Detail the dates that each regulated animal housing facility was populated.*

b. *Provide a detailed description of all currently regulated animal housing facilities including their dimensions and livestock capacity.*

Animal Housing Facility	Dimensions	Livestock Capacity
Horse Barn 2-27	260' X 50'	42 horses per barn

**7. Currently regulated manure storage facility(ies):  None Regulated**

a. Storage Use Date(s): 9/16/2011 *Detail the dates that each regulated animal housing facility was utilized.*

b. *Provide a detailed description of all currently regulated manure storage facilities, manure stacking areas and manure treatment technology facilities including their dimensions and storage capacity.*

Manure Storage Facility	Dimensions	Useable Capacity
Manure storage facility	150' X 75' X 26.5'	51,750 cu ft

**8. Required Odor BMPs for the currently regulated facility(ies):  Yes/ None Required**

*Detail in the Plan Summary, C. Odor BMP Implementation, Operation & Maintenance Schedule, all Required Odor BMPs from previous approved plans or plan amendments which are still applicable to its associated regulated facility. If specific Odor BMPs that were previously approved no longer apply to this site specific scenario, contact Odor Management program staff to identify and discuss this operational change prior to submitting the plan amendment.*

a. Previous Approved Odor BMPs are no longer applicable and are not part of the OMP.  Yes/  No

*This is only applicable when the Plan Amendment is either 1) changing Odor BMPs and that the new Odor BMPs are detailed in the Plan Summary, or that 2) due to a change from the newest evaluation for the Plan Amendment, the OSI allows for this change in Odor BMP requirement.*

**Proposed Regulated Facility(ies) Description:**

*Detail the information below, clearly indicating:*

- 1) The animals that will be housed in the proposed animal housing facility(ies), which include expansions onto existing facilities;*
- 2) The manure type (animal type detailed in the OSI ) that will be stored in the proposed storage facility and identifying the Act 38 Nutrient Management Program requirements that must be followed for the proposed manure storage facility(ies);*
- 3) If Voluntary Existing Animal Numbers and AEU's or Transferred Existing AEU's do not apply, state "None", "Zero (0)" or "Not Applicable" for that criterion.*

**NOTE:** *The Animal Type associated with the Proposed Facilities must be consistent with the Animal Type detailed in the OSI.*

**NOTE:** *If the proposed facilities, animal information, and AEU calculations differ from the most current Nutrient Management Plan (NMP), detail the differences in Appendix 5: Supporting Documentation.*

**Definitions:**

- **Proposed AEU's** are the new additional AEU's associated with the proposed regulated animal housing facility(ies).
- **Voluntary Existing AEU's** are the AEU's associated with the existing animal housing facility(ies).
- **Proposed AEU's** and **Voluntary Existing AEU's** are used for determining the Odor Site Index evaluation distance area.
- **Transferred Existing AEU's** are existing AEU's on the site that will be transferred into the animal housing facility being evaluated.
- **Total AEU's** are used for determining significant change of the regulated facility(ies); a significant change will require an amendment to the plan. A significant change is defined as a net increase of equal to or greater than 25% in AEU's, as measured from the time of the initial plan approval.

9. (a) **Proposed Facility OSI Animal Types:** Horse

**Proposed Animal Numbers per animal type:** 0 (zero)

**Proposed AEU's per animal type:** 0 (zero)

(b) **Voluntary Existing Animal Types:** none

**Voluntary Existing Animal Numbers:** 0 (zero)

**Voluntary Existing AEU's per animal type:** 0 (zero)

(c) **Regulated AEU's under Previous Plan(s)** *(Associated with Currently Regulated Facilities):* 0 AEU's

(d) **Total AEU's Covered by this Plan:** 0 AEU's

(e) **Acres for the operation associated with an approved Act 38 NMP or acres utilized for the CAO calculation:** 1 ac

(f) **Total AEU's/ Acre for the operation:** 1500 AEU's

**NOTE:** *The AEU's per acre calculation is only used to verify CAO status. AEU's per acre calculation must reflect the calculations in the most current NMP, otherwise explain the difference and submit the calculations in Appendix 5: Supporting Documentation.*

(g) **Transferred Existing Animal Types:**  Check only when Applicable

**NOTE:** Detail the following information in Appendix 5: Supporting Documentation when 0 "Proposed AUEs" are proposed due to transferring existing animals on the site into the animal housing facility being evaluated:

- 1) The OSI Animal Type associated with the Proposed Facilities,
- 2) The numbers of animals transferred, and
- 3) The AUEs. This information will be used for determining a significant change which will require an amendment to the plan.

**10. Proposed new or expanded animal housing facility(ies):**

Detail all proposed animal housing facilities, or portions thereof, including their dimensions and livestock capacity.

**NOTE:** If the proposed facilities differ from the most current NMP, detail the differences in Appendix 5: Supporting Documentation.

Animal Housing Facility	<input checked="" type="checkbox"/> None Proposed	Dimensions	Livestock Capacity

**11. Proposed new or expanded manure storage facility(ies):**

**NOTE:** If the proposed facilities differ from the most current NMP, detail the differences in Appendix 5: Supporting Documentation.

- (a) Provide a narrative description detailing all manure handling systems (including all manure storage facilities, manure stacking areas, and manure treatment technology facilities) after the addition of the proposed facilities.

Horse manure is comingled with straw or shavings and moved from the horse barns to a dedicated dumpster located outside the barn (straw manure for one dumpster and shavings manure in another dumpster). The dumpsters are emptied at the regulated manure storage facility and the manure is either exported for use in the mushroom industry or for composting.

- (b) Detail all proposed manure storage facilities, manure stacking areas, and manure treatment technology facilities.  
**NOTE:** If a waiver is required, it must be attached in Appendix 5: Supporting Documentation for the plan to be administratively complete.

Manure Storage Facility	<input checked="" type="checkbox"/> None Proposed	Dimensions	Usable Capacity

**Act 38 NM Program Setback Requirements Verification**

**NOTE:** When manure storage facilities are proposed, N/A cannot be detailed for both c & d

- (c) **Existing Operations**  Not Applicable.

Select all check-boxes that apply for Existing Operations proposing manure storage facilities.

In accordance with planning provisions of the Commission’s Nutrient Management Program regulations, the proposed manure storage(s) is part of an existing operation (operation that produced livestock or poultry on or before October 1, 1997) and will be located having a minimum setback distance of the following:

- i. 100’ minimum setback distance (in accordance with **§83.351(a)(2)(v)(A)-(E)**) from wetlands, water bodies and wells (public and private).  Yes  Not Applicable
- ii. 100’ minimum setback distance (in accordance with **§83.351(a)(2)(v)(F)**) a from the property line; otherwise an executed Manure Storage Setback Waiver from the Neighboring Landowner, must be attached.  
 Yes  Not Applicable

- iii. 200' minimum setback distance (in accordance with **§83.351(a)(2)(v)(G)** from wetlands, water bodies and wells (public and private) for a manure storage facility of 1.5 million gallons or larger capacity or that is located on slopes exceeding 8%.  Yes  Not Applicable
  - iv. 200' minimum setback distance (in accordance with **§83.351(a)(2)(v)(H)** from the property line for a manure storage facility of 1.5 million gallons or larger capacity or that is located on slopes exceeding 8% and the slope is toward the property line; otherwise an executed Manure Storage Setback Waiver from the Neighboring Landowner, must be attached.  Yes  Not Applicable
- (d) **New Operations/ New Animal Enterprises**  Not Applicable.

*Select all check-boxes that apply for New Operations/ New Animal Enterprises proposing manure storage facilities.*

If the proposed manure storage(s) is part of a new operation (operation that produced livestock or poultry after October 1, 1997), or a new animal enterprise (an existing operation that expanded after October 1, 1997, via producing different livestock or poultry than what was previously produced – see NM Tech Manual, Section III) and in accordance with planning provisions of the Commission’s Nutrient Management Program regulations the proposed storage will be located having a minimum setback distance of the following:

- i. 100' minimum setback distance (in accordance with **§83.351(a)(2)(vi)(A)-(E)** f from wetlands, water bodies and wells (public and private).  Yes  Not Applicable
- ii. 200' minimum setback distance (in accordance with **§83.351(a)(2)(v)(F)** from the property line; otherwise an executed Manure Storage Setback Waiver from the Neighboring Landowner, must be attached.  Yes  Not Applicable
- iii. 200' minimum setback distance (in accordance with **§83.351(a)(2)(v)(G)** from wetlands, water bodies and wells (public and private) for a manure storage facility of 1.5 million gallons or larger capacity or that is located on slopes exceeding 8%.  Yes  Not Applicable
- iv. 300' minimum setback distance (in accordance with **§83.351(a)(2)(v)(H)** from the property line for a manure storage facility of 1.5 million gallons or larger capacity or that is located on slopes exceeding 8% and the slope is toward the property line; otherwise an executed Manure Storage Setback Waiver from the Neighboring Landowner, must be attached.  Yes  Not Applicable

**12. Construction activities of the proposed regulated facilities:**

*NOTE: Construction activities must be started within 3 years of the plan approval date.*

*a. Detail the proposed construction sequence timeframes for each proposed regulated facility (or portions thereof)*

*b. Have construction activities started on any of the proposed regulated facilities?*  Yes  No *If yes, please detail:*

No construction activities proposed for this plan amendment.

**Part B: Site Land Use Factors**

*1) Select the applicable check-box below for each special agricultural land use designation, and*

*2) Provide written verification in Appendix 5: Supporting Documentation for each agricultural land use designation claimed.*

*NOTE: Documentation verifying each claimed land use must be attached for the plan to be administratively complete.*

Agricultural land use designations applicable to the site being evaluated:

- 1. Agricultural Security Area  Yes / No
- 2. Agricultural Zoning  Yes / No
- 3. Preserved Farm  Yes / No

## Part C: Surrounding Area Land Use Factors

**NOTE:** Detail applicable criteria for 1 and 2 on the Operational Map in Appendix 2.

1. Other Livestock Operations ( $\geq$  8 AEUs) within the evaluation distance area  Yes / No

*If yes, then list the type of operation, the direction (N, S, E, W) and quadrant (distance range from the facility). \_\_\_\_\_*

2. Distance to nearest property line measurements:

**NOTE:** Measured from nearest corner of the proposed animal housing facility and/or manure storage facility to the property line. Measurements must also be detailed on the Operational Map in Appendix 2.

- a. Animal Housing Facility (Horse Barns 2-11) measurement 324(ft.)  Not Applicable
- b. Animal Housing Facility (Horse Barns 12-20) measurement 504(ft.)  Not Applicable
- c. Animal Housing Facility (Horse Barns 21-27, 32 & 33) measurement 248(ft.)  Not Applicable
- d. Manure Storage Facility measurement 273(ft.)  Not Applicable

3. If nearest property (from the nearest property line measurements indicated in "2" above) is less than 300', is this neighboring property a Preserved Farm?  Yes / No

**NOTE:** Documentation verifying this claimed status must be attached for the plan to be administratively complete.

- (a) *If "Yes" is indicated, detail the name and address in Appendix 5: Supporting Documentation of the nearest neighboring property owner who has a Preserved Farm.*



## Appendix 2: Operational Maps

### Topographic Map

Odor Management Plans must include a topographic map drawn to scale with a map legend, identifying:

- Operation boundaries;
- Location of existing and proposed animal housing and manure storage facilities on the operation;
- Location of operation-related neighboring facilities;
- Location of neighboring facilities (normally occupied homes, active businesses and churches) and public use facilities within the evaluation distance area;
- Local topography (as indicated by the topographic lines);
- Geographic center with concentric circles drawn at 600' intervals for the entire evaluation distance area;
- Identification of the various map quadrants to include North, South, East and West;
- Distance to nearest property line from the nearest facility;
- Road names within the evaluation distance area; and
- All neighboring facilities and public use facilities that are being given credit for the Intervening Topography and Vegetation Factor.

In order to distinguish the following criteria from the other neighboring facilities and public use facilities, the Operational Map and the associated map legend must have separate symbols detailing the following:

- All operation-related neighboring facilities, and
- All neighboring facilities and public use facilities which are being given credit for the Intervening Topography and Vegetation Factor.

**NOTE:** *The scale chosen must be reasonable and practical for use in evaluating the OMP. For example:*

- *A scale of 1" = 600' is an example of a scale that is reasonable for use in determining evaluation distances, setbacks, etc., but may not be practical for larger evaluation distance areas for fitting the map on one 8 ½' x 11' sheet of paper.*
- *A scale of 1.37" = 267.5' is an example of a scale that may be practical for fitting on one 8 ½' x 11' sheet of paper, but in a scale that is not reasonable or very useful.*
- *Maps need to be to a scale that shows sufficient detail to be reasonable and useful. Planners are encouraged to use a scale that can be divided evenly by, or into, 600' by a round whole number*
- *Multiple maps are encouraged to be provided for the purpose of facilitating specific details, i.e. aerial maps, etc.*

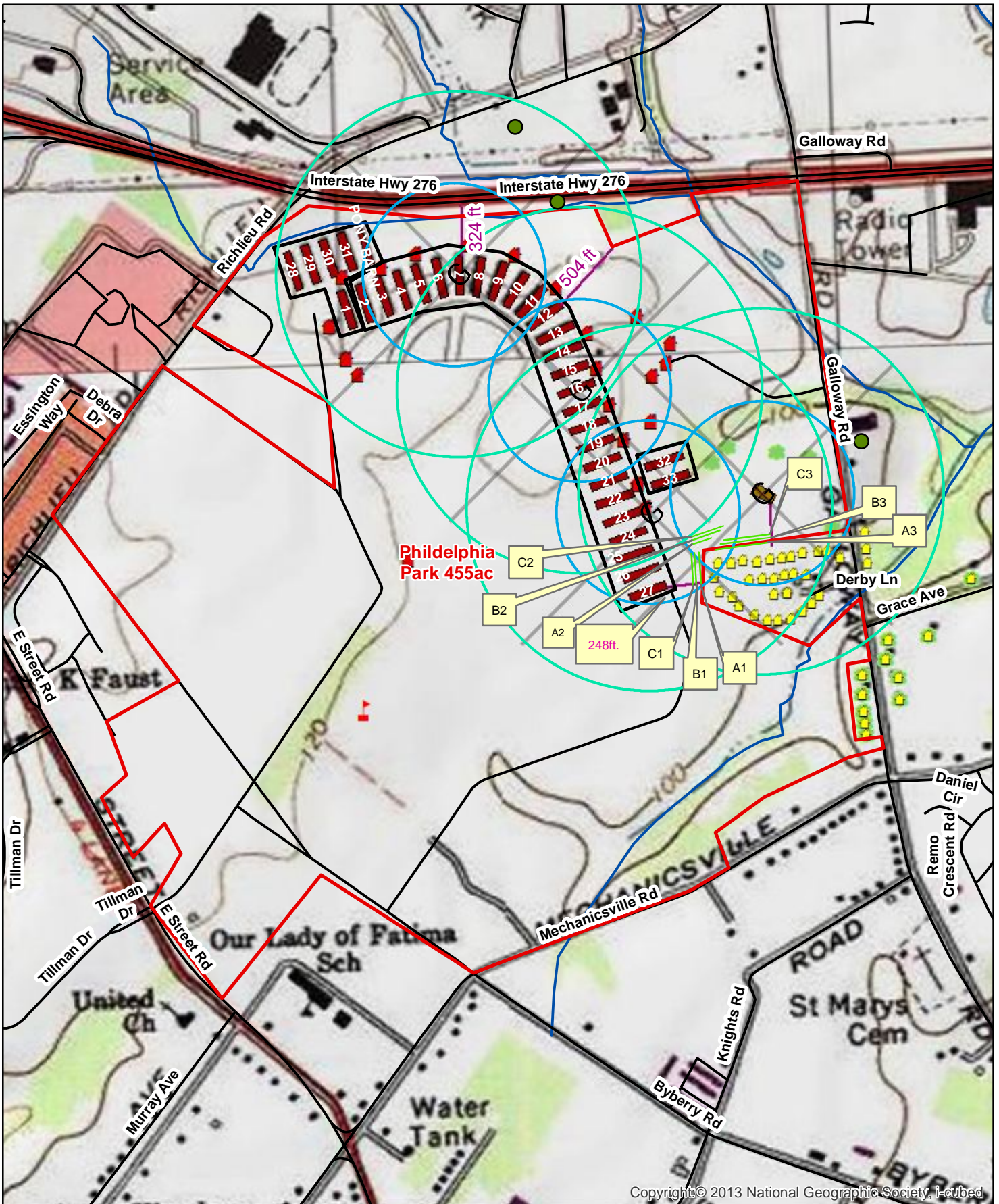
### Site Map

The purpose of the site map is to facilitate the plan review process of identifying specific details about the operation being evaluated. Odor Management Plans must include a site map of the operational related facilities drawn to scale with a map legend, identifying at a minimum the following:

- Operation boundaries;
- Location of existing and proposed animal housing and manure storage facilities on the operation;
- Geographic center with concentric circles drawn at 600' intervals; and
- Distance to nearest property line from the nearest facility

If there are multiple facilities on the site, detail the name of each of the facilities as per what the operator refers to them as, i.e. Layer #1 – Layer #5, mortality composting facility, etc.

If the evaluation distance area is small enough, i.e. a 1200' evaluation distance area, to clearly identify the specific details required, then a separate map will not be required.



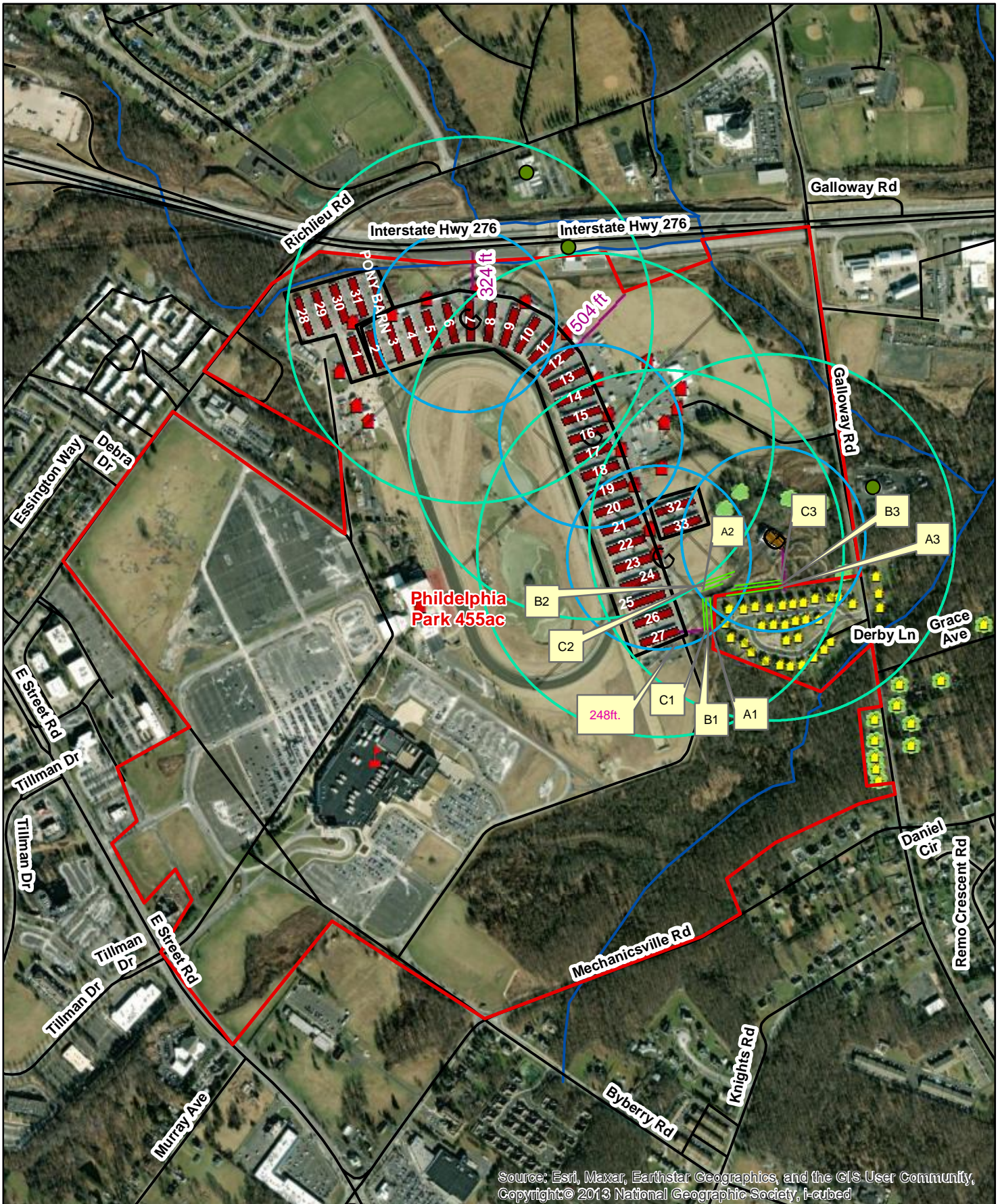
Copyright © 2013 National Geographic Society, i-cubed





# Racetrack Op Co. Site Map (Zoomed Out)

Agenda Item B2.a



Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community, Copyright © 2013 National Geographic Society, i-cubed

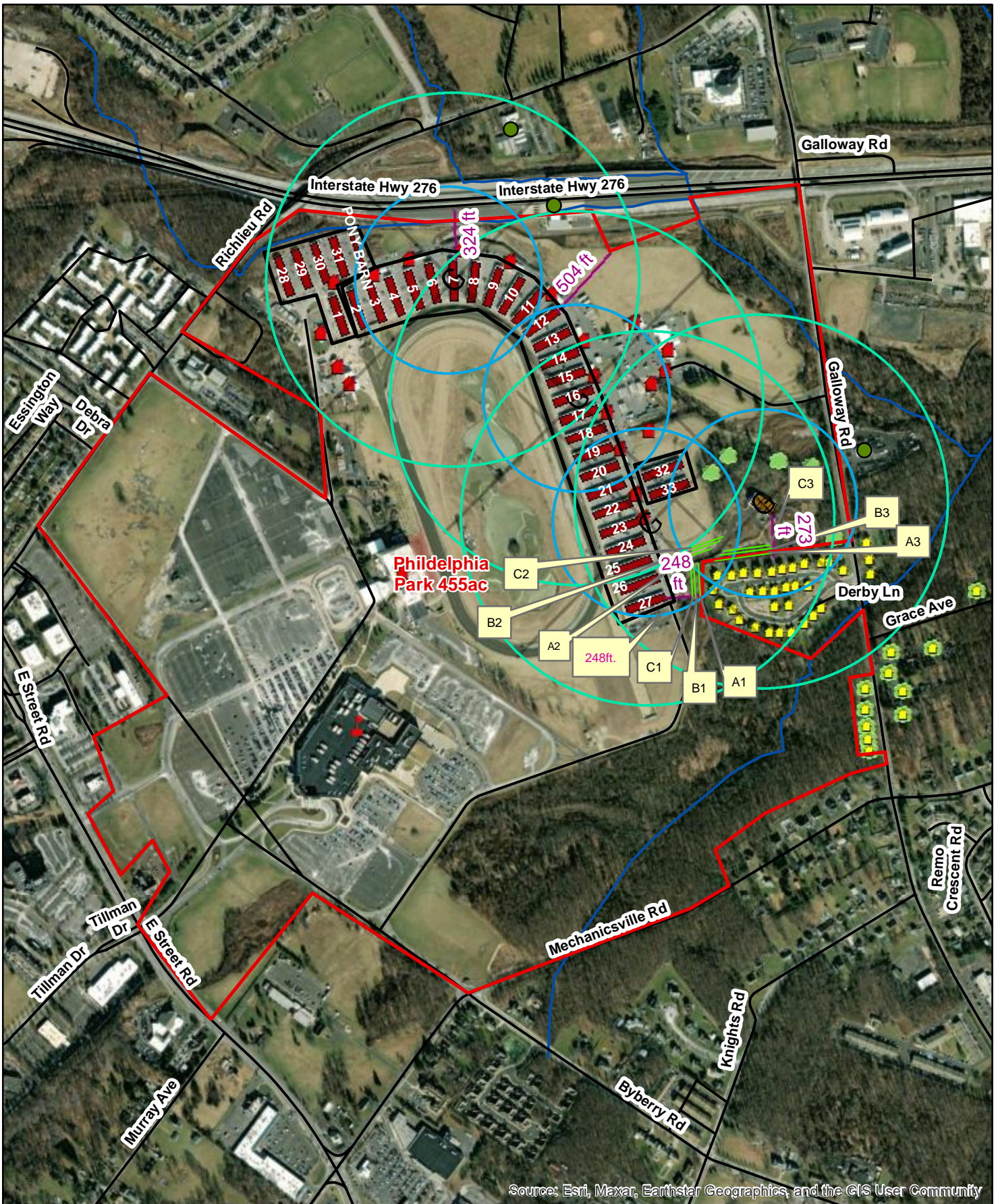
750 375 0 750 Feet





# Racetrack Op Co. Site Map (Zoomed In)

Agenda Item B.2.a



730 365 0 730 Feet





## Appendix 3: Plan Evaluation – OSI

### Racetrack Op Co. – Parx Racing Amendment D

Act 38 Odor Management Plan - Odor Site Index

Agenda Item B.2.a

<b>Operator Name</b>	Racetrack Op Co. ( GEOGRAPHIC CENTER 1: BARNS 2-11)		
<b>Planner Name</b>	Sara Hamann		
<b>Type of Operation</b>	Horses		
<b>Voluntary Existing AEU's</b>	0		
<b>Proposed AEU's</b>	0		
<b>Previously Approved AEU's</b>	0		
<b>AEU's Covered by OMP</b>	0		
<b>Evaluation Distance</b>	1200'		
<b>Part A: Odor Source Factors</b>			<b>OSI Score</b>
Facility Size Covered by OMP	0		No AEU's covered by this OMP
Site Livestock History	500+ AEU's _0 pts		0
Manure Handling System	Equine - 3+ sided, roofed_ 2pts		2
			2.00
<b>Part B: Site Land Use</b>			
Ag Security Zone	No (0 pct)		0
Ag Zoning	No (0 pct)		0
Preserved Farm	No (0 pct)		0
			0.00
<b>Part C: Surrounding Land Use</b>			
Other Livestock >8 AEU in evaluation distance	Zero (5pts)		5.00
Distance to Nearest Property Line	>300' (0 pts)		0.00
If nearest property is <300', is it preserved farmland	No (0 pts)		0.00
Neighboring Homes			10.00
Public Use Facilities			0.00
			15.00
<b>Species Adjustment Factor</b>	Horses (-.5)		8.5
<b>Final OSI Score</b>			<b>8.5</b>
<b>Level 1 BMPs Required (Neighboring Facilities)</b>			

Act 38 Odor Management Plan - Odor Site Index

Agenda Item B.2.a

<b>East Quadrant</b>	<600	600-1200	1200-1800	1800-2400	2400-3000		
# Neighboring Facilities	0	1	0	None	None		
Facility Value	15	7	3	0	0		
Home Shielding	<600 None (1)	600-1200 None (1)	1200-1800 None (1)	1800-2400 None (1)	2400-3000 None (1)	<b>Total Facilities</b>	<b>7.0</b>
# Public Use Facilities						<b>Total Public</b>	<b>0.0</b>
Public Use Value	40	20	10	5	3		
Public Use Shielding	Select from list	Select from list	Select from list	Select from list	Select from list	<b>Total East</b>	<b>7.0</b>
<b>South Quadrant</b>	<600	600-1200	1200-1800	1800-2400	2400-3000		
# Neighboring Facilities	0	0	0	None	None		
Facility Value	10	5	2	0	0		
Home Shielding	<600 None (1)	600-1200 None (1)	1200-1800 None (1)	1800-2400 None (1)	2400-3000 None (1)	<b>Total Facilities</b>	<b>0.0</b>
# Public Use Facilities						<b>Total Public</b>	<b>0.0</b>
Public Use Value	30	15	7	4	2		
Public Use Shielding	Select from list	Select from list	Select from list	Select from list	Select from list	<b>Total South</b>	<b>0.0</b>
<b>North Quadrant</b>	<600	600-1200	1200-1800	1800-2400	2400-3000		
# Neighboring Facilities	0	1	0	None	None		
Facility Value	6	3	0.5	0	0		
Home Shielding	<600 None (1)	600-1200 None (1)	1200-1800 None (1)	1800-2400 None (1)	2400-3000 None (1)	<b>Total Facilities</b>	<b>3.0</b>
# Public Use Facilities						<b>Total Public</b>	<b>0.0</b>
Public Use Value	25	13	6	3	1		
Public Use Shielding	Select from list	Select from list	Select from list	Select from list	Select from list	<b>Total North</b>	<b>3.0</b>
<b>West Quadrant</b>	<600	600-1200	1200-1800	1800-2400	2400-3000		
# Neighboring Facilities	0	0	0	None	None		
Facility Value	6	3	0.5	0	0		
Home Shielding	<600 None (1)	600-1200 None (1)	1200-1800 None (1)	1800-2400 None (1)	2400-3000 None (1)	<b>Total Facilities</b>	<b>0.0</b>
# Public Use Facilities						<b>Total Public</b>	<b>0.0</b>
Public Use Value	25	13	6	3	1		
Public Use Shielding	Select from list	Select from list	Select from list	Select from list	Select from list	<b>Total West</b>	<b>0.0</b>
						<b>Grand Total</b>	<b>10.0</b>

Act 38 Odor Management Plan - Odor Site Index

Agenda Item B.2.a

<b>Operator Name</b>	Racetrack Op Co. ( GEOGRAPHIC CENTER 2: BARNS 12-20)		
<b>Planner Name</b>	Sara Hamann		
<b>Type of Operation</b>	Horses		
<b>Voluntary Existing AEUs</b>	0		
<b>Proposed AEUs</b>	0		
<b>Previously Approved AEUs</b>	0		
<b>AEUs Covered by OMP</b>	0		
<b>Evaluation Distance</b>	1200'		
<b>Part A: Odor Source Factors</b>			<b>OSI Score</b>
Facility Size Covered by OMP	0		No AEUs covered by this OMP
Site Livestock History	500+ AEUs _0 pts		0
Manure Handling System	Equine - 3+ sided, roofed_2pts		2
			2.00
<b>Part B: Site Land Use</b>			
Ag Security Zone	No (0 pct)		0
Ag Zoning	No (0 pct)		0
Preserved Farm	No (0 pct)		0
			0.00
<b>Part C: Surrounding Land Use</b>			
Other Livestock >8 AEU in evaluation distance	Zero (5pts)		5.00
Distance to Nearest Property Line	>300' (0 pts)		0.00
If nearest property is <300', is it preserved farmland	No (0 pts)		0.00
Neighboring Homes			3.00
Public Use Facilities			0.00
			8.00
<b>Species Adjustment Factor</b>	Horses (-.5)		5
<b>Final OSI Score</b>			<b>5</b>
<b>Level 1 BMPs Required (Neighboring Facilities)</b>			



Act 38 Odor Management Plan - Odor Site Index

<b>East Quadrant</b>	<600	600-1200	1200-1800	1800-2400	2400-3000	
# Neighboring Facilities	0	0	0	None	None	
Facility Value	15	7	3	0	0	
Home Shielding	<600 None (1)	600-1200 None (1)	1200-1800 None (1)	1800-2400 None (1)	2400-3000 None (1)	<b>Total Facilities 0.0</b>
# Public Use Facilities						<b>Total Public 0.0</b>
Public Use Value	40	20	10	5	3	
Public Use Shielding	Select from list	Select from list	Select from list	Select from list	Select from list	<b>Total East 0.0</b>
<b>South Quadrant</b>	<600	600-1200	1200-1800	1800-2400	2400-3000	
# Neighboring Facilities	0	0	0	None	None	
Facility Value	10	5	2	0	0	
Home Shielding	<600 None (1)	600-1200 None (1)	1200-1800 None (1)	1800-2400 None (1)	2400-3000 None (1)	<b>Total Facilities 0.0</b>
# Public Use Facilities						<b>Total Public 0.0</b>
Public Use Value	30	15	7	4	2	
Public Use Shielding	Select from list	Select from list	Select from list	Select from list	Select from list	<b>Total South 0.0</b>
<b>North Quadrant</b>	<600	600-1200	1200-1800	1800-2400	2400-3000	
# Neighboring Facilities	0	1	0	None	None	
Facility Value	6	3	0.5	0	0	
Home Shielding	<600 None (1)	600-1200 None (1)	1200-1800 None (1)	1800-2400 None (1)	2400-3000 None (1)	<b>Total Facilities 3.0</b>
# Public Use Facilities						<b>Total Public 0.0</b>
Public Use Value	25	13	6	3	1	
Public Use Shielding	Select from list	Select from list	Select from list	Select from list	Select from list	<b>Total North 3.0</b>
<b>West Quadrant</b>	<600	600-1200	1200-1800	1800-2400	2400-3000	
# Neighboring Facilities	0	0	0	None	None	
Facility Value	6	3	0.5	0	0	
Home Shielding	<600 None (1)	600-1200 None (1)	1200-1800 None (1)	1800-2400 None (1)	2400-3000 None (1)	<b>Total Facilities 0.0</b>
# Public Use Facilities						<b>Total Public 0.0</b>
Public Use Value	25	13	6	3	1	
Public Use Shielding	Select from list	Select from list	Select from list	Select from list	Select from list	<b>Total West 0.0</b>
						<b>Grand Total 3.0</b>

Act 38 Odor Management Plan - Odor Site Index

Agenda Item B.2.a

<b>Operator Name</b>	Racetrack Op Co. ( GEOGRAPHIC CENTER 3: BARNS 21-27, 32&33)		
<b>Planner Name</b>	Sara Hamann		
<b>Type of Operation</b>	Horses		
<b>Voluntary Existing AEUs</b>	0		
<b>Proposed AEUs</b>	0		
<b>Previously Approved AEUs</b>	0		
<b>AEUs Covered by OMP</b>	0		
<b>Evaluation Distance</b>	1200'		
<b>Part A: Odor Source Factors</b>			<b>OSI Score</b>
Facility Size Covered by OMP	0		No AEUs covered by this OMP
Site Livestock History	500+ AEUs _0 pts		0
Manure Handling System	Equine - 3+ sided, roofed_2pts		2
			2.00
<b>Part B: Site Land Use</b>			
Ag Security Zone	No (0 pct)		0
Ag Zoning	No (0 pct)		0
Preserved Farm	No (0 pct)		0
			0.00
<b>Part C: Surrounding Land Use</b>			
Other Livestock >8 AEU in evaluation distance	Zero (5pts)		5.00
Distance to Nearest Property Line	151' to 300' (5 pts)		5.00
If nearest property is <300', is it preserved farmland	No (0 pts)		0.00
Neighboring Homes			201.00
Public Use Facilities			0.00
			211.00
<b>Species Adjustment Factor</b>	Horses (-.5)		106.5
<b>Final OSI Score</b>			<b>106.5</b>
<b>Level 2 BMPs Required</b>			

Act 38 Odor Management Plan - Odor Site Index

<b>East Quadrant</b>	<600	600-1200	1200-1800	1800-2400	2400-3000	
# Neighboring Facilities	1	23	0	None	None	
Facility Value	15	7	3	0	0	
Home Shielding	<600 None (1)	600-1200 None (1)	1200-1800 None (1)	1800-2400 None (1)	2400-3000 None (1)	<b>Total Facilities 176.0</b>
# Public Use Facilities						<b>Total Public 0.0</b>
Public Use Value	40	20	10	5	3	
Public Use Shielding	Select from list	Select from list	Select from list	Select from list	Select from list	<b>Total East 176.0</b>
<b>South Quadrant</b>	<600	600-1200	1200-1800	1800-2400	2400-3000	
# Neighboring Facilities	1	3	0	None	None	
Facility Value	10	5	2	0	0	
Home Shielding	<600 None (1)	600-1200 None (1)	1200-1800 None (1)	1800-2400 None (1)	2400-3000 None (1)	<b>Total Facilities 25.0</b>
# Public Use Facilities						<b>Total Public 0.0</b>
Public Use Value	30	15	7	4	2	
Public Use Shielding	Select from list	Select from list	Select from list	Select from list	Select from list	<b>Total South 25.0</b>
<b>North Quadrant</b>	<600	600-1200	1200-1800	1800-2400	2400-3000	
# Neighboring Facilities	0	0	0	None	None	
Facility Value	6	3	0.5	0	0	
Home Shielding	<600 None (1)	600-1200 None (1)	1200-1800 None (1)	1800-2400 None (1)	2400-3000 None (1)	<b>Total Facilities 0.0</b>
# Public Use Facilities						<b>Total Public 0.0</b>
Public Use Value	25	13	6	3	1	
Public Use Shielding	Select from list	Select from list	Select from list	Select from list	Select from list	<b>Total North 0.0</b>
<b>West Quadrant</b>	<600	600-1200	1200-1800	1800-2400	2400-3000	
# Neighboring Facilities	0	0	0	None	None	
Facility Value	6	3	0.5	0	0	
Home Shielding	<600 None (1)	600-1200 None (1)	1200-1800 None (1)	1800-2400 None (1)	2400-3000 None (1)	<b>Total Facilities 0.0</b>
# Public Use Facilities						<b>Total Public 0.0</b>
Public Use Value	25	13	6	3	1	
Public Use Shielding	Select from list	Select from list	Select from list	Select from list	Select from list	<b>Total West 0.0</b>
						<b>Grand Total 201.0</b>

Act 38 Odor Management Plan - Odor Site Index

Agenda Item B.2.a

<b>Operator Name</b>	Racetrack Op Co. ( GEOGRAPHIC CENTER 4: MANURE STORAGE)		
<b>Planner Name</b>	Sara Hamann		
<b>Type of Operation</b>	Horses		
<b>Voluntary Existing AEUs</b>	0		
<b>Proposed AEUs</b>	0		
<b>Previously Approved AEUs</b>	0		
<b>AEUs Covered by OMP</b>	0		
<b>Evaluation Distance</b>	1200'		
<b>Part A: Odor Source Factors</b>			<b>OSI Score</b>
Facility Size Covered by OMP	0		No AEUs covered by this OMP
Site Livestock History	500+ AEUs _0 pts		0
Manure Handling System	Equine - 3+ sided, roofed_2pts		2
			2.00
<b>Part B: Site Land Use</b>			
Ag Security Zone	No (0 pct)		0
Ag Zoning	No (0 pct)		0
Preserved Farm	No (0 pct)		0
			0.00
<b>Part C: Surrounding Land Use</b>			
Other Livestock >8 AEU in evaluation distance	Zero (5pts)		5.00
Distance to Nearest Property Line	151' to 300' (5 pts)		5.00
If nearest property is <300', is it preserved farmland	No (0 pts)		0.00
Neighboring Homes			265.00
Public Use Facilities			0.00
			275.00
<b>Species Adjustment Factor</b>	Horses (-.5)		138.5
<b>Final OSI Score</b>			<b>138.5</b>
<b>Level 2 BMPs Required</b>			

Act 38 Odor Management Plan - Odor Site Index

Agenda Item B.2.a

<b>East Quadrant</b>	<600	600-1200	1200-1800	1800-2400	2400-3000		
# Neighboring Facilities	1	5	0	None	None		
Facility Value	15	7	3	0	0		
Home Shielding	<600 None (1)	600-1200 None (1)	1200-1800 None (1)	1800-2400 None (1)	2400-3000 None (1)	<b>Total Facilities</b>	<b>50.0</b>
# Public Use Facilities						<b>Total Public</b>	<b>0.0</b>
Public Use Value	40	20	10	5	3		
Public Use Shielding	Select from list	Select from list	Select from list	Select from list	Select from list	<b>Total East</b>	<b>50.0</b>
<b>South Quadrant</b>	<600	600-1200	1200-1800	1800-2400	2400-3000		
# Neighboring Facilities	15	13	0	None	None		
Facility Value	10	5	2	0	0		
Home Shielding	<600 None (1)	600-1200 None (1)	1200-1800 None (1)	1800-2400 None (1)	2400-3000 None (1)	<b>Total Facilities</b>	<b>215.0</b>
# Public Use Facilities						<b>Total Public</b>	<b>0.0</b>
Public Use Value	30	15	7	4	2		
Public Use Shielding	Select from list	Select from list	Select from list	Select from list	Select from list	<b>Total South</b>	<b>215.0</b>
<b>North Quadrant</b>	<600	600-1200	1200-1800	1800-2400	2400-3000		
# Neighboring Facilities	0	0	0	None	None		
Facility Value	6	3	0.5	0	0		
Home Shielding	<600 None (1)	600-1200 None (1)	1200-1800 None (1)	1800-2400 None (1)	2400-3000 None (1)	<b>Total Facilities</b>	<b>0.0</b>
# Public Use Facilities						<b>Total Public</b>	<b>0.0</b>
Public Use Value	25	13	6	3	1		
Public Use Shielding	Select from list	Select from list	Select from list	Select from list	Select from list	<b>Total North</b>	<b>0.0</b>
<b>West Quadrant</b>	<600	600-1200	1200-1800	1800-2400	2400-3000		
# Neighboring Facilities	0	0	0	None	None		
Facility Value	6	3	0.5	0	0		
Home Shielding	<600 None (1)	600-1200 None (1)	1200-1800 None (1)	1800-2400 None (1)	2400-3000 None (1)	<b>Total Facilities</b>	<b>0.0</b>
# Public Use Facilities						<b>Total Public</b>	<b>0.0</b>
Public Use Value	25	13	6	3	1		
Public Use Shielding	Select from list	Select from list	Select from list	Select from list	Select from list	<b>Total West</b>	<b>0.0</b>
<b>Grand Total</b>							<b>265.0</b>

## Appendix 4: Biosecurity

### Biosecurity Protocol Contact Information

*Detail the point of contact for information on this operation's biosecurity protocols:*

	Joseph Wilson		215-639-9000
Name:	Jay Scanlon (Facilities Shift Supervisor)	Phone:	267-249-6029
	<hr/>		<hr/>
	<a href="mailto:jwilson@parxracing.com">jwilson@parxracing.com</a>		
	<a href="mailto:jscanlon@parxcasino.com">jscanlon@parxcasino.com</a>		
E-mail:	<hr/>	Relationship:	COO/VP of Operation
			Facilities Shift Supervisor
			<hr/>

## Appendix 5: Supporting Documentation

This section is reserved for the plan writer when developing this plan to have a dedicated area to include supporting documentation such as for agricultural land use designation verification, Nutrient Management program setback waiver verification, AEU calculation verification when no NMP is available, etc.

*Provide a heading for each topic discussed in this Appendix.*

### Removed Potential Odor Sources:

- MSFs – 81 concrete 3-sided stacking pads (25' x 25' x 3') were decommissioned and removed from this site since the 8/13/2010 original OMP approval.
- AHFs – As of the 8/13/2010 original OMP approval, there were 39 existing horse barns. 5 barns were torn down and not rebuilt.

### Note on amendment: Transferred AEUs

#### Transferred Existing Animal type & Animal numbers

The original OMP through the Amendment C allowed for Transferred AEUs. Since the significant change for Amendment D is due to an after-the-fact notification of a legal business entity change (vs actual changes in animal housing or manure handling), SCC staff are not invoking the program policy for non-allowance of Transferred AEUs for cattle and/or horse operations; thus this Amendment D is still developed for 0 Proposed AEUs with 1294 (1500 AEUs is for all 28 regulated barns plus the 6 existing barns) Transferred AEUs (1294 = AEU amount for 28 regulated barns with 42 horses per barn).

### Attached Documents:

CAO Calculations

<p style="text-align: center;"><b>CAO Calculations</b></p> <p style="text-align: center;">For:</p> <p style="text-align: center;"><b>Racetrack Op Co.</b></p> <p style="text-align: center;">by:</p> <p style="text-align: center;"><b>Red Barn Consulting Inc.</b></p> <p style="text-align: center;"><b>April 13, 2017</b></p>							
<b>Calculation of Animal Equivalency Units (AEU's)</b>							
	Type of Livestock	Number	Ave. Wt.	Days/Year		AEU's	
1	Horse	1,428	1100.00	349		1500	
						0.00	
3						0.00	
4						0.00	
5						0.00	
6						0.00	
7						0.00	
8						0.00	
9						0.00	
10						0.00	
11						0.00	
12						0.00	
13						0.00	
	Available Acreage	1					
	<b>(Tilled and pasture, owned and rented)</b>				<b>Total AEU =</b>	<b>1500</b>	
					<b>AEU/acre =</b>	<b>1500</b>	<b>CAO</b>
							<b>CAFO</b>



**RACETRACK OP CO.**

**CERTIFICATION OF CORPORATE SECRETARY/TREASURER**

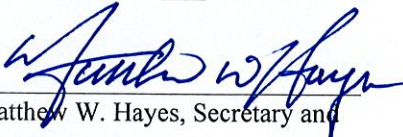
State of Pennsylvania:

County of Bucks:

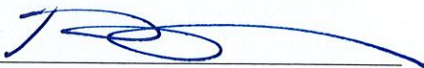
I, Matthew W. Hayes, hereby certify as follows:

1. I am the duly acting and qualified Secretary and Treasurer of Racetrack Op Co.
2. Racetrack Op Co. is a Delaware corporation, duly organized in 2015, currently operating and in good standing.
3. Joseph Wilson is presently the Chief Operating Officer - Racing Operations for Parx Racing, formerly known as Philadelphia Park Racetrack, which is operated by Racetrack Op Co. Mr. Wilson is authorized to enter into agreements and sign documents necessary for the operation of the company's business, including applications for permits required by Act 38 of 2005 and other documents related to the Odor Management Rules and Regulations of the Commonwealth of Pennsylvania.

**In Witness Whereof**, I have signed this Certification on December 20, 2022.

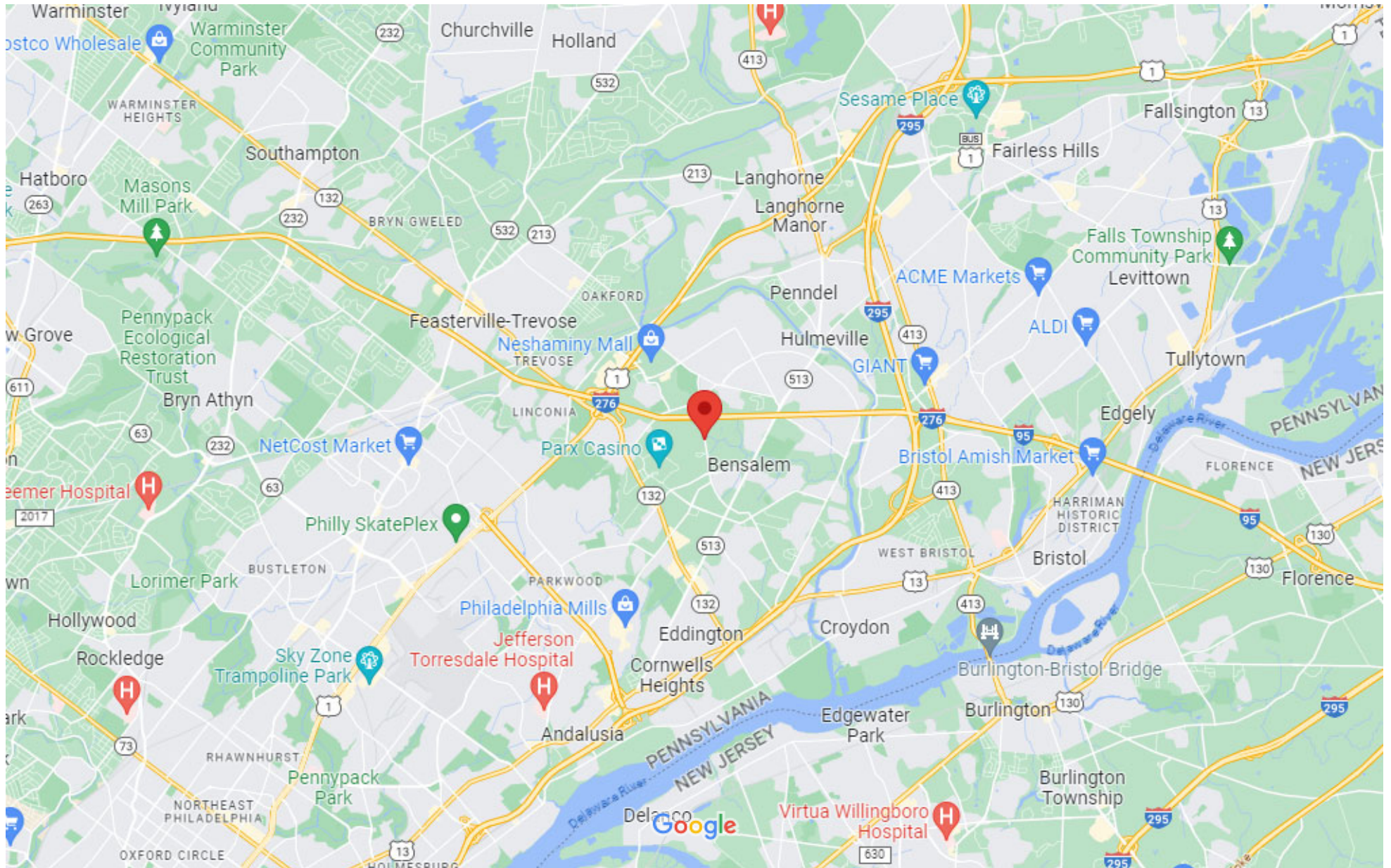
  
Matthew W. Hayes, Secretary and  
Treasurer

Sworn to and subscribed before me  
this 20 day of December, 2022.

  
Name:  
Notary Public

Commonwealth of Pennsylvania - Notary Seal  
Rosalie Harrison, Notary Public  
Bucks County  
My commission expires April 7, 2023  
Commission number 1067446  
Member, Pennsylvania Association of Notaries

Google Maps 2848 Galloway Rd



Map data ©2023 2 mi





COMMONWEALTH OF PENNSYLVANIA  
**STATE CONSERVATION COMMISSION**

**DATE:** July 26, 2023

**TO:** Members  
State Conservation Commission

**FROM:** Karl J. Dymond, OM Program Coordinator  
State Conservation Commission

Handwritten signature of Karl J. Dymond in black ink.

**THROUGH:** Douglas M. Wolfgang, Executive Secretary  
State Conservation Commission

**SUBJECT:** Odor Management Plan Review  
Lowell Nolt – Fredericksburg Farm, Lebanon County

**Action Requested**

Action to approve is requested on the Lowell Nolt – Fredericksburg Farm odor management plan.

**Background**

This farm is located at 988 Pine Grove Road, Fredericksburg, PA 17026; Bethel Township, Lebanon County.

I have completed the required review of the subject odor management plan (OMP) listed above. Final corrections to the plan were received by the State Conservation Commission on July 18, 2023. The plan is considered to be in its final form for consideration of action.

The operation described in this plan is considered the following designations:

- A Concentrated Animal Operation (CAO) under the PA Nutrient and Odor Management Act
- A Voluntary Agricultural Operation (VAO) under the PA Nutrient and Odor Management Act
- A Concentrated Animal Feeding Operation (CAFO) under the Department of Environmental Protection Chapter 92 National Pollution Discharge Elimination System permitting, monitoring and compliance program

A brief description of the operation, concluding with the staff recommendation, is attached. Also attached is a copy of the complete odor management plan for the operation.

## Request for Action Memo: Lowell Nolt – Fredericksburg Farm OMP

**Farm Description**

The Lowell Nolt – Fredericksburg Farm agricultural operation is an existing swine & cattle operation. Special agricultural land-use designations for this operation include the following:

- Agricultural Security Area.
- Agricultural Zoning.
- Preserved Farm status under Pennsylvania’s Farmland Preservation Program.
- This operation does not meet any special agricultural land-use designations.

**Distance to Nearest Property Line** – The distance to the nearest property line is proposed to be 236 feet for the Swine Nursery Barn (animal housing facility) and 236 feet for the associated Under-Barn Manure Storage Facility.

- A property line setback waiver is not required to meet the Nutrient Management Program regulations.

**Other Livestock Operations** – There are not any Other Livestock Operations ( $\geq 8$  AEUs) within the Evaluation Distance Area of this plan.

**Surrounding Land Use** – The surrounding land use for this area is Rural including the predominant terrain features of: rolling hills of open farmland and a golf course with homes typically along the road frontage.

**Assessment****Animal Housing Facilities:**

***Existing Facilities*** – This site includes 1,050 finishing swine (148.57 AEUs), 600 nursery swine (18.01 AEUs), and 2 beef cattle (0.94 AEUs) in the following existing animal housing facilities:

- Swine Nursery Barn (Note – this facility has been destroyed by fire) – 26’ x 90’ – 600-nursery swine capacity
- Swine Finishing Barn – 42’ x 200’ – 1,050-finishing swine capacity
- Cattle Barn – 42’ x 72’ – 15-cattle capacity

***Proposed Regulated Facilities*** – This plan amendment proposes the expansion of the operation with 600 nursery swine (18.01 AEUs) in the following animal housing facility:

- Swine Nursery Barn (Note –this barn will replace the barn lost to fire) – 51’ x 92’ – 1,200-nursery swine capacity.

**Manure Storage Facilities:**

***Existing Facilities*** – This site includes the following existing manure storage facilities:

- Nursery Barn Flush Pit #1 – 78’ x 13’ x 14” – 7,500-gallon capacity (Note – this facility will be removed).
- Nursery Barn Flush Pit #2 – 78’ x 13’ x 14” – 7,500-gallon capacity (Note – this facility will be removed).
- Finishing Under-Barn Pit – 200’ x 40’ x 7’ – 350,000-gallon capacity

Request for Action Memo: Lowell Nolt – Fredericksburg Farm OMP

*Proposed Regulated Facilities* – This plan amendment proposes the expansion of the operation to include the following manure storage facility:

- Nursery Under-Barn Manure Storage Facility – 51’ x 92’ x 6’ – 192,000-gallon capacity.
- A property line setback waiver is not required to meet the Nutrient Management Program regulations.

Odor Site Index

On July 11, 2023, as part of the pre-plan submission program requirements, I met on-site with the operator, the plan writer and Dr. Mikesell, PSU OM Program Technical Advisor, to review the site conditions, proposed Level II Odor BMPs, and management characteristics of the operator. After this meeting, I performed a site assessment of the surrounding houses and businesses in the ‘Evaluation Distance Area’ to confirm the buildings identified on the plan map.

The confirmed Odor Site Index value for this proposed Swine Nursery Barn and Under-Barn Manure Storage Facility indicates a high potential for impacts with a score of 137.7. Due to the high potential for impacts, the appropriate Level I Odor BMPs for a swine operation are required and are properly identified in the plan. The proposed plan provides adequate detail and direction for facilitating the operator’s Implementation and Operation & Maintenance of these required Odor BMPs, as well as the necessary documentation needed to demonstrate compliance with the plan and regulations.

Also due to the high potential for impacts, one or more specialized Level II Odor BMPs are required, in addition to the Level I Odor BMPs. This plan includes the following required Level II Odor BMPs:

- Manure Additives – The Breakdown brand is currently being used in all swine facilities.
- Vegetative Buffer for Filtering – This Odor BMP is proposed to be implemented by Spring (May) of 2024.

**Recommendation**

**Based on staff reviews, the OMP for the Lowell Nolt – Fredericksburg Farm operation meets the planning and implementation criteria established under the PA Nutrient & Odor Management Act and Facility Odor Management Regulations. I therefore recommend the plan for State Conservation Commission approval.**

The Commission acted to			approve / disapprove	this odor management plan submission at	
the public meeting held on _____.					
_____			_____		
Douglas M. Wolfgang, Executive Secretary			Date		

# Odor Management Plan

*Prepared For:*

## Lowell Nolt – Fredericksburg Farm

Lowell Nolt  
988 Pine Grove Rd  
Fredericksburg PA 17026  
717-865-6339

County/ Municipality: Lebanon/Bethel Twp

Mailing Address (if Different from Site Address)

*Prepared By:*

**Dean R Patches**  
OM Certification # OMC-28  
136 Horst Dr  
Lebanon PA 17046  
717-304-5129  
deanrpatches@gmail.com

For Official Use Only	
<b>Date of Plan Submission:</b>	<u>July 12, 2023</u>
<b>Date of Plan Approval:</b>	_____
<b>Date(s) of Plan Updates (not requiring SCC action):</b>	

# Table of Contents

## Lowell Nolt Fredericksburg Farm Odor Management Plan

Planner and Operator Commitments & Responsibilities .....	1
Plan Development Requirements.....	1
Planner Signature & Agreement .....	1
Operator Requirements .....	2
Odor Management Plan Signature Requirements.....	2
Operator Signature & Agreement .....	2
Plan Summary.....	3
A. Operation Summary (see Appendix 1 to view complete Operation Information).....	3
Proposed Facilities:.....	3
B. Odor Site Index Summary (see Appendix 3 to view complete Index).....	3
C. Odor BMP Implementation, Operation & Maintenance Schedule .....	3
Level I Odor BMPs Principles.....	3
Level I Odor BMPs to be Implemented.....	4
Level II Odor BMPs to be Implemented: .....	5
D. Documentation Requirements.....	8
Level I Odor BMP Documentation Requirements.....	8
Level II Odor BMP Documentation Requirements .....	9
Odor BMP Implementation Commitment Statement .....	11
Odor Management Plan Name:.....	11
Level I Odor BMPs Principles.....	11
Odor Management Plan Requirements .....	11
Level I Odor BMPs – Maintenance Log YEAR .....	12
Level II Odor BMPs – Quarterly Observation Log YEAR.....	13
LEVEL II ODOR BMP NAME:.....	13
Appendix 1: Operation Information.....	14
Part A: Odor Source Factors.....	15
Existing Facilities Description:.....	15
Proposed Regulated Facility (ies) Description: .....	16
Part B: Site Land Use Factors.....	18
Part C: Surrounding Area Land Use Factors .....	18
Appendix 2: Operational Maps.....	20
Topographic Map.....	20
Site Map.....	20

Appendix 3: Plan Evaluation – OSI..... 26

Appendix 4: Biosecurity ..... 29

    Biosecurity Protocol Contact Information ..... 29

Appendix 5: Supporting Documentation ..... 30



## Planner and Operator Commitments & Responsibilities

### Plan Development Requirements

This odor management plan (OMP) has been developed to meet the requirements of Pennsylvania's Nutrient and Odor Management Act, Act 38 of 2005 (Act 38), for the State Conservation Commission's (Commission) Odor Management Program for the following farm type(s): **NOTE: Select all check-boxes that apply.**

- Pennsylvania Act 38 Concentrated Animal Operation (CAO)
- Pennsylvania CAFO (Concentrated Animal Feeding Operation (CAFO) program
- Odor Management Program Volunteer Animal Operation (VAO)

### Planner Signature & Agreement

The planner's signature below certifies that this plan was developed in conjunction with, and reviewed by the operator, prior to submitting it for review. The plan cannot be submitted until the operator understands and agrees with all the provisions of the plan. If the reviewer finds that the planner has not reviewed at least the Plan Summary with the farmer, then the plan reviewer is to relay that information to the certification program staff for their consideration.

The planner's signature and below date(s) certifies that a site visit(s) was conducted **by an Act 38 Certified Odor Management Specialist** to verify the criteria within the evaluation distance area at the time of developing the plan, specifically for the odor source(s), for locating houses, churches, businesses and public use facilities within the evaluation distance, as well as for the site land use and the surrounding land use factors.

The information contained in this plan is accurate to the best of my knowledge. This plan has been developed in accordance with the criteria established for the Act 38 Odor Management Program indicated above. I affirm the foregoing to be true and correct, and make these statements subject to the penalties of 18 Pa. C.S. § 4904, relating to unsworn falsification to authorities.

Planner Name: Dean R Patches Certification number: OMC-28

Signature of Planner: Dean R Patches Date: July 12, 2023

Date(s) Evaluation Distance Area Site Visit Conducted: June 23., 2023, July 11, 2023

**Odor Management Plan Name: Lowell Nolt Fredericksburg Farm**

**Operator Requirements**

**Plan Implementation & Documentation:** Odor Management Plans developed under Act 38 are required to be implemented as approved in order to maintain compliance. Implementation includes: adherence to installation of listed Odor Best Management Practices (Odor BMPs) within implementation schedule timeframes and conditions; maintenance of the Odor BMPs consistent with the operation and maintenance schedule timeframes; conditions contained in this plan; and record keeping obligations of the program. Agricultural operations are also required to keep and maintain accurate records of the Odor BMPs consistent with the schedules and are required to allow the Commission access to those records in order to determine the compliance status.

**Post Construction Inspection:** Prior to utilizing a new or expanded animal housing facility or manure storage facility addressed in this plan, the operation must receive written approval from the Commission confirming implementation of the plan. **In order to obtain this written approval the operator, upon completion of construction activities, must inform the Commission in writing via certified mail of their desire to begin using the new or expanded regulated facilities.** At that time the Commission will send out a representative to assess and verify the implementation of the approved Odor Management Plan.

**Compliance Inspections:** Plans developed under this program also require agricultural operations to allow periodic access by the Commission for status review and complaint inspections, in order to determine the status of the operation's compliance and whether a plan amendment is required. Inspections will be scheduled at least annually. Agricultural operations will provide the operation's biosecurity contact and protocols to the Commission.

**Odor Management Plan Signature Requirements**

In accordance with §83.741(i), plans shall be signed by the *Operator/ Authorized Representative* of the agricultural operation indicating concurrence with the information in the plan and acceptance of responsibilities under the plan. The following signature requirements apply:

- (i) For sole proprietorships, the proprietor.
- (ii) For partnerships, a general partner.
- (iii) For corporations, a vice president or president. For any other authorized representative, the plan must contain an attachment, executed by the secretary of the corporation, which states that the person signing on behalf of the corporation is authorized to do so.

*NOTE: When using a business name for the plan, the business name must be registered with the Pennsylvania Department of State.*

**Operator Signature & Agreement**

In accordance with §§83.751 (content of plans) and 83.762 (operator commitment statement), the *Signature of Operator/ Authorized Representative* below certifies that I was involved with the development of this plan, that the plan writer reviewed the plan with me, and that I am agreeable to the provisions outlined in this plan. All the information I provided in this odor management plan is accurate to the best of my knowledge and I will implement the practices and procedures outlined in the odor management plan in order to manage the potential for impacts from the offsite migration of odors associated with the operation for which this OMP is written.

Indicate business entity type: Sole Proprietor  Partnership/ LP/ LLP  Corporation/ LLC

*Signature of Operator/ Authorized Representative:*

Lowell Nolt Date: July 12, 2023

*Print Name of Operator/ Authorized Representative:*

Lowell Nolt

*Title of Operator/ Authorized Representative:*

Owner

*Business Legal Name of the Operation:*

\_\_\_\_\_

## Plan Summary

### A. Operation Summary (see Appendix 1 to view complete Operation Information)

#### Proposed Facilities:

*Detail the Animal Type associated with the Proposed Facilities and that is consistent with the Animal Type detailed in the OSI. If animal numbers (AEUs) from existing facilities are voluntarily being added to the plan, detail the AEUs number; otherwise state "None", "Zero (0)" or "Not Applicable".*

***NOTE:** AEU calculations and AEUs per acre calculation must reflect those in the most current Act 38 NMP, otherwise explain the difference and submit the calculations in Appendix 5: Supporting Documentation.*

Proposed OSI Animal Type:	<u>Swine(nursery)</u>
Proposed Animal Numbers:	<u>600 nursery swine</u>
Proposed AEUs (per animal type):	<u>18.01</u>
Voluntary Existing Animal Type:	<u>0</u>
Voluntary Existing AEUs (per animal type):	<u>0</u>
<b>Total AEUs Covered by this Plan:</b>	<u>18.01</u>
AEUs per acre for the operation:	<u>167.51</u>

Is there an approved Act 38 NMP for this operation?  Yes  No

***NOTE:** If No, explain in Appendix 5: Supporting Documentation.*

### B. Odor Site Index Summary (see Appendix 3 to view complete Index)

***NOTE:** If multiple Geographic Centers are used, you must provide scores for each geographic center. Scores listed here must match the final scores in the OSI.*

Score: 137.655

### C. Odor BMP Implementation, Operation & Maintenance Schedule

#### Level I Odor BMPs Principles

1. Steps taken to reduce dust and feed accumulation in pens, aisles, and on animals.
2. Manage ventilation to provide sufficient fresh airflow throughout the facility to keep animals and facility surfaces clean and dry.
3. Manage manure to minimize damp, exposed manure that contributes to odor generation.
4. Remove mortalities daily and manage appropriately.
5. Manage feed nutrients to animal nutrient requirements in order to avoid excess nutrient excretion.
6. Manage manure storage facility to reduce exposed surface area and off-site odor transfer.

**Definitions:**

- **Required Odor BMPs** – In accordance with §§83.771, 83.781-83.783, Required Odor BMPs are the Odor BMPs required for implementation when there is a neighboring facility or a public use facility in the evaluation distance area, or when the OSI score is 50 or more points (Level I Odor BMPs), and when the OSI score is 100 or more points (Level II Odor BMPs).
- **Voluntary Odor BMPs** – The operator has voluntarily chosen to include Odor BMPs in the plan. Voluntary Odor BMPs must meet the same program standards that Required Odor BMPs do for implementation, operation, maintenance, and documentation.
- **Supplemental Odor BMPs** – In accordance with §83.781(e), Supplemental Odor BMPs are implemented in addition to the approved Odor BMPs in the plan and are also associated with plan updates.

*NOTE: Odor BMPs must be relevant to the site specific factors and must be maintained for the lifetime of the regulated facility unless otherwise approved.*

## **Level I Odor BMPs to be Implemented**

*Select each check-box that applies; if more than one category applies, clearly detail the respective Level I Odor BMPs criteria with each respective category. Detail below all Level I Odor BMPs Principles, adapted from the PA Odor BMP Reference List, that are applicable to the site specific factors of this animal operation and the regulated facilities.*

**None Required**

**Voluntary Level I Odor BMP:**

**Required Level I Odor BMP:**

**Supplemental Level I Odor BMP:**

1. Steps taken to reduce dust and feed accumulation in pens, aisles, and on animals.
  - a. Cleaning and Sanitation –The entire inside of the facility will be pressure washed and disinfected after herd is removed. This is every 8 weeks.
  - b. Dust Control – Drop tubes will be extended from the feed delivery auger into each feeder.
  - c. Feeder Adjustment – Dry feeders will be checked weekly for proper feeder adjustment. Less than 2” of feed should be visible at the back of the tray.
  - d. Feed Cleanup- Spilled feed falls into the underbarn manure storage through the slatted floors.
2. Manage ventilation to provide sufficient fresh airflow throughout the facility to keep animals and facility surfaces clean and dry.
  - a. Dust Control of Ventilation Components – Fan motors, blades, and shrouds are inspected daily and will be cleaned on a standard schedule occurring after herd is removed. This is every 8 weeks.
  - b. Mechanical Ventilation –The ventilation system will be designed to provide appropriate ventilation during the all seasons, adjusting for temperature variations. As ambient temperature increases, ventilation rate will automatically increase via staged ventilation. Inlet openings will be automatically controlled by a static pressure monitor or by temperature probes which will be integrated into the computer controls. These inlets are constantly opening and closing as the computer controls monitor temperature and static pressure.
  - c. Static pressure monitors are calibrated and serviced and temperature probes replaced when malfunctions are noticed during the daily maintenance activities.
3. Manage manure to minimize damp, exposed manure that contributes to odor generation.
  - a. Removal of Manure from the Pens – Treatment pens are slatted floors directly on storage. Manure should drop through the floor continuously; with nursery swine buildup of manure on slats is almost nonexistent due to the watery nature of the manure but at herd removal slats are pressure washed.
  - b. Aisles for swine movement are on slats for manure removal. Manure accumulation is almost nonexistent due to the watery nature of the manure but at herd removal slats are pressure washed.
  - c. Cleaning and Sanitation – The entire inside of the facility will be power washed and disinfected between groups. This is on an 8 week cycle.
4. Remove mortalities daily and manage appropriately. Mortalities are composted in a static pile.

- a. Mortalities will be removed from the buildings and composted on a daily basis.
  - b. Integrator requires documentation of mortalities, compost base material will be added as needed to adequately manage through composting.
5. Manage feed nutrients to animal nutrient requirements in order to avoid excess nutrient excretion.
- a. Professional nutritionist formulates diets to match animal nutrient requirements.
  - b. Phase Feeding – The nutrient content in the diet will be closely matched to the weight and age of the nursery pigs.
6. Manage manure storage facility to reduce off-site odor transfer.
- a. Minimize Agitation Odors - Minimize length and duration of manure agitation periods.
  - b. Manure Storage Area Cleanliness - A visual inspection of the manure storage area will be completed at hauling to ensure that any manure spilled during transport activities is cleaned up in a timely manner.

## Level II Odor BMPs to be Implemented:

*Select each check-box that applies; if more than one category applies, clearly detail the respective Level II Odor BMPs criteria with each respective category. Detail below all Level II Odor BMPs criteria addressing the following:*

1. *the general construction and implementation criteria*
2. *the corresponding timeframes of when each Odor BMP will be implemented*
3. *all operation and maintenance procedures for each Odor BMP along with the corresponding timeframes for carrying out those procedures*
4. *the lifespan of each Odor BMP.*

**NOTE:** *NRCS Conservation Practice Standards and Job Sheets that are in existence for the Level II Odor BMP are encouraged to be used for construction, implementation, and operation and maintenance criteria.*

- None Required**
- Voluntary Level II Odor BMP:**
- Required Level II Odor BMP:**
- Supplemental Level II Odor BMP:**

**1. Manure Additive** – Manure additives are intended to reduce the production of odorous compounds, usually by enzymatic or bacterial action.

**1. Implementation** – The operation is utilizing this product to reduce odor emissions from both the storage facility and during land application of the waste.

a. Select Product –

i. **NAME OF PRODUCT** – *Breakdown*(blended by Homestead Nutrition)

b. Application Rates

i. Applications Rates – Product will be applied at a timing and rate specified on the product label (see Appendix 5). Additionally, operator will refer to directions for usage located on the product's current label and adjust accordingly should the product's label change.

ii. There are no initial higher inoculation rates after storage is emptied. However if crusting occurs on the surface of the storage the rate is doubled to remove the crust.

**2. Operation & Maintenance** – a. Odor BMP Lifespan – Lifespan for this Odor BMP will be for the lifetime of the hog facility unless the plan is amended to change this requirement.

**3. Changing Brands** – a. Changing Brands – Should another brand of Manure Additive be used other than what is already identified in this section, the application rates and method will change to follow

those manufacturer's specifications. The plan will be Updated at that point to reflect this change in brand, rates and methods.

## **2. Vegetative Buffer for Filtering**

Vegetative Buffers are plantings of grasses, trees and/or shrubs that are strategically located around animal housing facilities and/or manure storage facilities on poultry and livestock operations. Additionally, when used for their Visual Screening capacity, Vegetative Buffers may be located along property lines, or other locations on the poultry or livestock operation. Vegetative Buffers filter and trap dust, odor, particulate matter, and ammonia from the odor plume.

### **I. IMPLEMENTATION**

#### **Site Preparation**

Remove debris and control competing vegetation to allow enough spots or sites for planting and planting equipment. Prepare supplemental moisture materials for installation. Check for utility lines (gas, water, cable, electricity) before planting.

#### **Location & Layout Map**

Refer to the Location & Layout Map for the placement (location) of the individual rows of plant material.

#### **Planting Methods**

Refer to the Plant Materials Chart. For container, bareroot, and balled & burlapped stock, install the plant stock to a depth even with the root collar in holes deep and wide enough to fully extend the roots. Pack the soil firmly around each plant and water; repack any voids found from watering. Cuttings are inserted in moist soil with at least 2 to 3 buds showing above ground.

**Vegetative Buffer for Filtering.** Rows A, B & C. These rows are addressing the odor plume from the swine barn and under-barn manure storage facility exhausted from the sidewall fans. Rows A, B & C should be staggered so that plants in row B are planted in the gaps of rows A & C.



**PLANT MATERIALS INFORMATION CHART:**

Species/cultivar by row number	Kind of stock <sup>1</sup>	Planting dates <sup>2</sup> :	Distance between plants within row (ft.)	Total number of plants for row	Distance (ft.) from this row to next row <sup>3</sup>
1. Row A	Streamco Willow	May 2024	10'	10	20' from barn
2. Row B	Hybrid Poplar	May 2024	10'	10	12'
3. Row C	Arborvitae	May 2024	8'	12	12'

1 Bareroot, container, cutting, balled and burlapped (B&B), etc. Include size, caliper, height, and age as applicable.

2 Date: Month & Year

3 Adjusted for width of maintenance equipment.

**Weed Control Barriers**

Place wood product mulch (such as shredded or chipped hardwood bark, pine bark, bark chips, and wood chips) around the plants. Apply mulch to a depth of 3 to 4 inches. Use a minimum 3-foot diameter circle of mulch around each plant.



## Irrigation

Install a trickle or emitter irrigation system with the drip irrigation lines to cover the rows of plants.

## II. OPERATION & MAINTENANCE

### Inspections

**Year 1.** Inspect the Vegetative Barrier twice a month from spring until fall. Shape areas damaged by heavy rainfall, animals, chemicals, tillage, or equipment traffic, and any other areas where the vegetation is not adequate to achieve the intended purpose of the practice. Replant during the growing season.

**Years 2 – 4.** Inspect the Vegetative Barrier monthly during the growing seasons. Shape areas damaged by heavy rainfall, animals, chemicals, tillage, or equipment traffic, and any other areas where the vegetation is not adequate to achieve the intended purpose of the practice. Replant during the growing season. A higher level of care is required until 3 years after plant establishment.

**Years 5 and on.** Inspect the Vegetative Barrier at least annually. Shape areas damaged by heavy rainfall, animals, chemicals, tillage, or equipment traffic, and any other areas where the vegetation is not adequate to achieve the intended purpose of the practice. Replant during the growing season.

### Maintenance Activities

**Pruning.** Thin or prune the rows of plantings to maintain its function only after trees and shrubs are established.

**Fertilize.** Apply nutrients periodically as needed after the first year, but only if needed to maintain plant vigor and at a rate based on soil test results.

**Protect from damage.** Protect the planting from wildfire and damage from livestock, wildlife and equipment, to the extent feasible.

**Weed Control.** Control undesirable plants by pulling, mowing, or spraying with a selective herbicide. Replace woody mulch; reapply mulch to a depth of 3 to 4 inches.

**Irrigation.** Provide supplemental water to plantings via a drip irrigation during the growing season for the first 3-years' post-establishment. Ensure irrigation equipment is properly working; replace components as needed.

## D. Documentation Requirements

*The following information will be documented by the Operator for each Odor BMP to ensure compliance with the plan. Documentation is needed to demonstrate implementation of the plan as well as for corrective actions taken for significant maintenance activities needed to return an Odor BMP back to normal operating parameters.*

### Level I Odor BMP Documentation Requirements

*Select each check-box that applies; if more than one category applies, clearly detail each documentation criterion.*

**None Required** – *(NOTE: Delete the Odor BMP Implementation Commitment Statement and the Level I Maintenance Log)*

**Level I Odor BMPs – Odor BMP Implementation Commitment Statement Only**

*The Operator will annually complete the Odor BMP Implementation Commitment Statement.*

**Level I Odor BMPs Documentation Criteria:**

*The Operator will annually complete the Odor BMP Implementation Commitment Statement. The Operator will also complete the Level I Odor BMPs Maintenance Log upon any of the following occurrences:*

1. Feed Wastage – Document occurrences of damage to the feed delivery system, and the corrective actions taken, as well as occurrences when the accumulation of spilled feed was not able to be addressed in a timely manner.



2. Dust Cleaning and Sanitation – Document discrepancies with the cleaning and sanitation process. Document the dates of the between-groups maintenance activities actions taken.
3. Dust Control – Document any occurrences of damage to the drop tubes, and the corrective actions taken.
4. Ventilation System Management – Document any occurrences of the system components not working correctly, and the corrective actions taken. Document the between-groups maintenance activities actions taken.
5. Manure Cleaning and Sanitation – Document discrepancies with the cleaning and sanitation process and the corrective actions taken. Document the dates of the between-groups maintenance activities actions taken.
6. Mortality Management – Document any discrepancies with daily disposal, and the corrective actions taken. (Note – actual mortality numbers will be documented on the integrators required daily inspection chart; see that documentation for mortality numbers.)
7. Phase Feeding – Document any discrepancies with the phased feeding protocol, and the corrective actions taken.
8. Manure Storage Management – Document any discrepancies with proper manure storage management, and the corrective actions taken.

## Level II Odor BMP Documentation Requirements

*Select each check-box that applies; if more than one category applies, clearly detail each documentation criterion.*

**None Required** – *(NOTE: Delete the Level II Quarterly Observation Log)*

**Level II Odor BMP Documentation Criteria:**

*The Operator will complete the Level II Odor BMPs Quarterly Observation Log, at least on a quarterly basis, detailing the proper implementation of the Odor BMPs as identified in the Implementation, Operation & Maintenance Schedule. The Operator will also complete the Level II Odor BMPs Quarterly Observation Log upon any of the following occurrences:*

### 1. Manure Pit Additive

1. Document implementation(monthly addition) of the pit additive at the manufacture’s recommended application rate.
2. Document if crusting occurs in the sotrage and the doubling of the normal rate for control.
- 3.Document if a different product is used and the labeled rates.

### 2. Vegetative Buffers

1. Implementation – Document the initial implementation dates of the plant materials. After the initial planting, document quarterly that the Vegetative Buffer is still actively being implemented.
2. Inspections – Document that you inspected the Vegetative Buffer in accordance with the OMP Plan Summary, C. Odor BMP Implementation, Operation & Maintenance Schedule details, and document any corrective actions taken to replace any deadstock.
3. Pruning, Fertilize, & Protect from Damage – Document when you pruned, applied fertilizer to, and/or protected the plants in the Vegetative Buffer from damage, in accordance with the OMP Plan Summary, C. Odor BMP Implementation, Operation & Maintenance Schedule details.
4. Weed Control – Document that you provided weed control activities for the Vegetative Buffer, in accordance with the OMP Plan Summary, C. Odor BMP Implementation, Operation & Maintenance Schedule details.
5. Irrigation – Document your irrigation activities for the Vegetative Buffer, in accordance with the OMP Plan Summary, C. Odor BMP Implementation, Operation & Maintenance Schedule details.



# Odor BMP Implementation Commitment Statement

*To be completed and signed annually by operators which have a neighboring facility or a public use facility in the evaluation distance area. This form is an attestation of the operator for the daily implementation of the Odor BMPs, and in accordance with §83.791, it is to be kept on site for at least 3 years.*

**(Copy This Page For Future Use)**

**Odor Management Plan Name:** Lowell Nolt Fredericksburg Farm

## Level I Odor BMPs Principles

1. Steps were taken to reduce dust and feed accumulation in pens, aisles, and on animals.
2. Ventilation was managed to provide sufficient fresh airflow throughout the facility to keep animals and facility surfaces clean and dry.
3. Manure was managed to minimize damp, exposed manure that contributes to odor generation.
4. Mortalities were removed daily and managed appropriately.
5. Feed nutrients were matched to animal nutrient requirements to avoid excess nutrient excretion.
6. Manage manure storage to reduce exposed surface area and off-site odor transfer.

## Odor Management Plan Requirements

In accordance with §§83.762 operator commitment statement), 83.771 (managing odors), 83.781 – 83.783 (Odor BMPs and schedules), 83.791 – 83.792 (documentation requirements) and 83.802 (plan implementation), I affirm that all the information I provided in the odor management plan is accurate to the best of my knowledge.

In order to manage the potential for impacts from the offsite migration of odors associated with the operation, I affirm that I have implemented the specific practices and procedures detailed in the odor management plan Odor BMP Implementation, Operation & Maintenance Schedule (principles identified above) from DATE: \_\_\_\_\_ to DATE: \_\_\_\_\_ (CY/ FY, etc.).

I affirm the foregoing to be true and correct, and make these statements subject to the penalties of 18 Pa. C.S. § 4904, relating to unsworn falsification to authorities.

*Signature of Operator:* \_\_\_\_\_ *Date:* \_\_\_\_\_

*Name of Operator:* \_\_\_\_\_

*Title of Operator:* \_\_\_\_\_

**Level I Odor BMPs – Maintenance Log** YEAR 2023

*(NOTE: The operator will record occurrences of mechanically related maintenance activities or for any corrective actions taken.)*

**(Copy This Page For Future Use)**

<i>List ODOR BMPs</i>	<i>DATE</i>	<i>NOTES</i>

**Level II Odor BMPs – Quarterly Observation Log      YEAR 2023**

*(NOTE: The operator will record observations relating to 1) the implementation of each Level II Odor BMP at least on the first day (approximately) of each quarter of the year or in accordance with the Implementation, Operation & Maintenance Schedule, and 2.) for mechanically related maintenance activities, as soon as possible upon the observation that maintenance is needed, or upon each occurrence of any corrective actions taken.)*

**(Copy This Page For Future Use)**

*Select  
Quarter:*

1<sup>st</sup> Quarter  
(January)

2<sup>nd</sup> Quarter (April)

3<sup>rd</sup> Quarter (July)

4<sup>th</sup> Quarter  
(October)

**LEVEL II ODOR BMP NAME: Pit Additive- Breakdown(blended by Homestead Nutrition)**

<i>List ACTIVITIES</i>	<i>DATE</i>	<i>NOTES</i>
Monthly Inoculation Application 3 lb		
Inoculation if crusting occurs on storage 6 lb		
Product change(if needed)		
Application Errors		

**Level II Odor BMPs – Quarterly Observation Log    YEAR 2023**

*(NOTE: The operator will record observations relating to 1) the implementation of each Level II Odor BMP at least on the first day (approximately) of each quarter of the year or in accordance with the Implementation, Operation & Maintenance Schedule, and 2.) for mechanically related maintenance activities, as soon as possible upon the observation that maintenance is needed, or upon each occurrence of any corrective actions taken.)*

**(Copy This Page For Future Use)**

*Select  
Quarter:*

1<sup>st</sup> Quarter  
(January)

2<sup>nd</sup> Quarter (April)

3<sup>rd</sup> Quarter (July)

4<sup>th</sup> Quarter  
(October)

<b>LEVEL II ODOR BMP NAME: Vegetative Buffer for Filtering</b>		
<i>List ACTIVITIES</i>	<i>DATE</i>	<i>NOTES</i>
Implementation		
Inspections and replacing deadstock		
Pruning, Fertilize and Plant Protection		
Weed Control		
Irrigation		

## Appendix 1: Operation Information

### Part A: Odor Source Factors

**1. Site Livestock History: 167.51**

*Detail the Maximum AEU's of Livestock on the site within the past 3 years.*

#### **Existing Facilities Description:**

***NOTE:** If the facilities or animal information differ from the most current Nutrient Management Plan, detail the differences in Appendix 5: Supporting Documentation.*

**Definitions:** Existing facilities are those animal housing facilities or manure storage facilities constructed before February 27, 2009, and are not subject to Odor Management program requirements.

**2. List the Existing Animal Types: Swine finishing, swine nursery cattle -other(beef) Existing Animal**

**Numbers: finishing-1050; nursery-600; cattle-other 2**

**3. Existing Animal Equivalent Units (AEUs) per Animal Type: finishing-148.57; nursery-18.01;**

**cattle-other .94**

**4. Existing Animal Housing Facility(ies):**

*Describe all existing animal housing facilities including their dimensions, capacity and existing Odor BMPs used to address potential impacts.*

Animal Housing Facility	Dimensions	Livestock Capacity	Existing Odor BMPs
Nursery barn(burned)	26'x90'	600 nursery swine	none
Finishing barn	42'x200'	1050 finishing swine	none
Cattle-other barn(beef)	42'x72'	15 cattle-other(beef)	none

**5. Existing Manure Storage Facility(ies) and Manure Handling Systems:**

*a. Describe all existing manure storage facilities and manure treatment technology facilities, including their dimensions, capacity and existing Odor BMPs used to address potential impacts.*

Manure Storage Facility	Dimensions	Usable Capacity	Existing Odor BMPs
Flush Pit 1 under nursery barn	78'x13'x14" (to be removed)	7500 gallon	none
Flush Pit 2 under nursery barn	78'x13'x14" (to be removed)	7500 gallon	none
Pit under finishing barn	200'x40x7'	350,000 gallon	none

*b. Provide a narrative description detailing the manure handling systems, including manure storage facilities, manure stacking areas, and manure treatment technology facilities.*

Manure from both swine barns is all liquid. Washwater from the swine barns is collected in the storages. Manure and washwater is collected in the pits below the barns through slatted floors. The nursery barn was destroyed by fire but the flush pits were previously pumped to the pit below the finishing barn for storage. The small storages under the old nursery barn will be removed. Any collected beef manure is solid and used for the compost pile.

**Proposed Regulated Facility (ies) Description:**

Detail the information below, clearly indicating:

- 1) The animals that will be housed in the proposed animal housing facility (ies), which include expansions onto existing facilities;
- 2) The manure type (animal type detailed in the OSI ) that will be stored in the proposed storage facility and identifying the Act 38 Nutrient Management Program requirements that must be followed for the proposed manure storage facility(ies);
- 3) If Voluntary Existing Animal Numbers and AEUs or Transferred Existing AEUS do not apply, state “None”, “Zero (0)” or “Not Applicable” for that criterion.

*NOTE: The Animal Type associated with the Proposed Facilities must be consistent with the Animal Type detailed in the OSI.*

*NOTE: If the proposed facilities, animal information, and AEU calculations differ from the most current Nutrient Management Plan (NMP), detail the differences in Appendix 5: Supporting Documentation.*

**Definitions:**

- **Proposed AEUs** are the new additional AEUs associated with the proposed regulated animal housing facility (ies).
- **Voluntary Existing AEUs** are the AEUs associated with the existing animal housing facility (ies).
- **Proposed AEUs** and **Voluntary Existing AEUs** are used for determining the Odor Site Index evaluation distance area.
- **Transferred Existing AEUs** are existing AEUs on the site that will be transferred into the animal housing facility being evaluated.
- **Total AEUs** are used for determining significant change of the regulated facility (ies); a significant change will require an amendment to the plan. A significant change is defined as a net increase of equal to or greater than 25% in AEUs, as measured from the time of the initial plan approval.

**6. (a) Proposed Facility OSI Animal Types: swine**

**Proposed Animal Numbers per animal type:** 600 nursery

**Proposed AEUs per animal type:** 18.01

**(b) Voluntary Existing Animal Types: 0**

**Voluntary Existing Animal Numbers:** 0

**Voluntary Existing AEUs per animal type:** 0

**(c) Total AEUs Covered by this Plan: 18.01**

**(d) Acres for the operation associated with an approved Act 38 NMP or acres utilized for the CAO calculation: 1**

**(e) Total AEUs/ Acre for the operation: 167.51**

*NOTE: The AEUs per acre calculation is only used to verify CAO status. AEUs per acre calculation must reflect the calculations in the most current NMP, otherwise explain the difference and submit the calculations in Appendix 5: Supporting Documentation.*

**(f) Transferred Existing Animal Types:  Check only when Applicable**

*NOTE: Detail the following information in Appendix 5: Supporting Documentation when 0 “Proposed AUEs” are proposed due to transferring existing animals on the site into the animal housing facility being evaluated:*

- 1) The OSI Animal Type associated with the Proposed Facilities,
- 2) The numbers of animals transferred, and
- 3) The AEUs. This information will be used for determining a significant change which will require an amendment to the plan.

**7. Proposed new or expanded animal housing facility(ies):**

*Detail all proposed animal housing facilities, or portions thereof, including their dimensions and livestock capacity.*

*NOTE: If the proposed facilities differ from the most current NMP, detail the differences in Appendix 5: Supporting Documentation.*

<b>Animal Housing Facility</b> <input type="checkbox"/> None Proposed	<b>Dimensions</b>	<b>Livestock Capacity</b>
Proposed replacement nursery barn	51'x92'	1200 swine nursery



**8. Proposed new or expanded manure storage facility(ies):**

*NOTE: If the proposed facilities differ from the most current NMP, detail the differences in Appendix 5: Supporting Documentation.*

- (a) *Provide a narrative description detailing all manure handling systems (including all manure storage facilities, manure stacking areas, and manure treatment technology facilities) after the addition of the proposed facilities.*

Manure from both swine barns is all liquid. Storages are under both swine barns. Washwater from the swine barns is collected in the storages. Manure and washwater is collected in the pits below the barns through slatted floors. The proposed nursery barn will have its own under barn storage, eliminating the need to pump manure to the finishing barn storage. Any collected beef manure is solid and used for the compost pile.

- (b) *Detail all proposed manure storage facilities, manure stacking areas, and manure treatment technology facilities.*

*NOTE: If a waiver is required, it must be attached in Appendix 5: Supporting Documentation for the plan to be administratively complete.*

Manure Storage Facility <input type="checkbox"/> None Proposed	Dimensions	Usable Capacity
Under barn beneath slatted floors in replacement barn	51'x92'x6	192,000 gallon

**Act 38 NM Program Setback Requirements Verification**

*NOTE: When manure storage facilities are proposed, N/A cannot be detailed for both c & d*

- (c) **Existing Operations**  Not Applicable.

*Select all check-boxes that apply for Existing Operations proposing manure storage facilities.*

In accordance with planning provisions of the Commission’s Nutrient Management Program regulations, the proposed manure storage(s) is part of an existing operation (operation that produced livestock or poultry on or before October 1, 1997) and will be located having a minimum setback distance of the following:

- i) 100’ minimum setback distance (in accordance with §83.351(a)(2)(v)(A)-(E) from wetlands, water bodies and wells (public and private).  Yes  Not Applicable
- ii) 100’ minimum setback distance (in accordance with §83.351(a)(2)(v)(F)) a from the property line; otherwise an executed Manure Storage Setback Waiver from the Neighboring Landowner, must be attached.  Yes  Not Applicable
- iii) 200’ minimum setback distance (in accordance with §83.351(a)(2)(v)(G)) from wetlands, water bodies and wells (public and private) for a manure storage facility of 1.5 million gallons or larger capacity or that is located on slopes exceeding 8%.  Yes  Not Applicable
- iv) 200’ minimum setback distance (in accordance with §83.351(a)(2)(v)(H)) from the property line for a manure storage facility of 1.5 million gallons or larger capacity or that is located on slopes exceeding 8% and the slope is toward the property line; otherwise an executed Manure Storage Setback Waiver from the Neighboring Landowner, must be attached.  Yes  Not Applicable

- (d) **New Operations/ New Animal Enterprises**  Not Applicable.

*Select all check-boxes that apply for New Operations/ New Animal Enterprises proposing manure storage facilities.*

If the proposed manure storage(s) is part of a new operation (operation that produced livestock or poultry after October 1, 1997), or a new animal enterprise (an existing operation that expanded after October 1, 1997, via producing different livestock or poultry than what was previously produced – see NM Tech Manual, Section III) and in accordance with planning provisions of the Commission’s Nutrient Management Program regulations the proposed storage will be located having a minimum setback distance of the following:

- i) 100’ minimum setback distance (in accordance with §83.351(a)(2)(vi)(A)-(E)) f from wetlands, water

bodies and wells (public and private).  Yes  Not Applicable

- ii) 200' minimum setback distance (in accordance with **§83.351(a)(2)(v)(F)** from the property line; otherwise an executed Manure Storage Setback Waiver from the Neighboring Landowner, must be attached.  Yes  Not Applicable
- iii) 200' minimum setback distance (in accordance with **§83.351(a)(2)(v)(G)** from wetlands, water bodies and wells (public and private) for a manure storage facility of 1.5 million gallons or larger capacity or that is located on slopes exceeding 8%.  Yes  Not Applicable
- iv) 300' minimum setback distance (in accordance with **§83.351(a)(2)(v)(H)** from the property line for a manure storage facility of 1.5 million gallons or larger capacity or that is located on slopes exceeding 8% and the slope is toward the property line ; otherwise an executed Manure Storage Setback Waiver from the Neighboring Landowner, must be attached.  Yes  Not Applicable

**9. Construction activities of the proposed regulated facilities:**

*NOTE: Construction activities must be started within 3 years of the plan approval date.*

- a. *Detail the proposed construction sequence timeframes for each proposed regulated facility (or portions thereof)*  
Construction of the replacement building will begin as soon as two permits can be obtained. No stormwater work is needed. Estimated completion date is October 2023
- b. *Have construction activities started on any of the proposed regulated facilities?*  Yes  No *If yes, please detail:* As of site visit on July 11 no construction activity had commenced. However the estimated completion date is October 2023 so during the process of plan submittal and review construction will have begun.

**Part B: Site Land Use Factors**

*1) Select the applicable check-box below for each special agricultural land use designation, and*

*2) Provide written verification in Appendix 5: Supporting Documentation for each agricultural land use designation claimed.*

*NOTE: Documentation verifying each claimed land use must be attached for the plan to be administratively complete.*

Agricultural land use designations applicable to the site being evaluated:

- 1. Agricultural Security Area  Yes / No
- 2. Agricultural Zoning  Yes / No
- 3. Preserved Farm  Yes / No

**Part C: Surrounding Area Land Use Factors**

*NOTE: Detail applicable criteria for 1 and 2 on the Operational Map in Appendix 2.*

- 1. Other Livestock Operations ( $\geq 8$  AEUs) within the evaluation distance area  Yes / No   
*If yes, then list the type of operation, the direction (N, S, E, W) and quadrant (distance range from the facility).*
- 2. Distance to nearest property line measurement:  
*NOTE: Measured from nearest corner of the proposed animal housing facility and/or manure storage facility to the property line. Measurements must also be detailed on the Operational Map in Appendix 2.*
  - a. Animal Housing Facility measurement 236(ft.)  Not Applicable

b. Manure Storage Facility measurement 236(ft.)  Not Applicable

3. If nearest property (from the nearest property line measurements indicated in “2” above) is less than 300’, is this neighboring property a Preserved Farm?  Yes / No

***NOTE:** Documentation verifying this claimed status must be attached for the plan to be administratively complete.*

(a) *If “Yes” is indicated, detail the name and address in Appendix 5: Supporting Documentation of the nearest neighboring property owner who has a Preserved Farm.*

## Appendix 2: Operational Maps

### Topographic Map

Odor Management Plans must include a topographic map drawn to scale with a map legend, identifying:

- Operation boundaries;
- Location of existing and proposed animal housing and manure storage facilities on the operation;
- Location of operation-related neighboring facilities;
- Location of neighboring facilities (normally occupied homes, active businesses and churches) and public use facilities within the evaluation distance area;
- Local topography (as indicated by the topographic lines);
- Geographic center with concentric circles drawn at 600' intervals for the entire evaluation distance area;
- Identification of the various map quadrants to include North, South, East and West;
- Distance to nearest property line from the nearest facility;
- Road names within the evaluation distance area; and
- All neighboring facilities and public use facilities that are being given credit for the Intervening Topography and Vegetation Factor.

In order to distinguish the following criteria from the other neighboring facilities and public use facilities, the Operational Map and the associated map legend must have separate symbols detailing the following:

- All operation-related neighboring facilities, and
- All neighboring facilities and public use facilities which are being given credit for the Intervening Topography and Vegetation Factor.

**NOTE:** *The scale chosen must be reasonable and practical for use in evaluating the OMP. For example:*

- *A scale of 1" = 600' is an example of a scale that is reasonable for use in determining evaluation distances, setbacks, etc., but may not be practical for larger evaluation distance areas for fitting the map on one 8 1/2' x 11' sheet of paper.*
- *A scale of 1.37" = 267.5' is an example of a scale that may be practical for fitting on one 8 1/2' x 11' sheet of paper, but in a scale that is not reasonable or very useful.*
- *Maps need to be to a scale that shows sufficient detail to be reasonable and useful. Planners are encouraged to use a scale that can be divided evenly by, or into, 600' by a round whole number*
- *Multiple maps are encouraged to be provided for the purpose of facilitating specific details, i.e. aerial maps, etc.*

### Site Map


The purpose of the site map is to facilitate the plan review process of identifying specific details about the operation being evaluated. Odor Management Plans must include a site map of the operational related facilities drawn to scale with a map legend, identifying at a minimum the following:


- Operation boundaries;
- Location of existing and proposed animal housing and manure storage facilities on the operation;
- Geographic center with concentric circles drawn at 600' intervals; and
- Distance to nearest property line from the nearest facility


If there are multiple facilities on the site, detail the name of each of the facilities as per what the operator refers to them as, i.e. Layer #1 – Layer #5, mortality composting facility, etc.

If the evaluation distance area is small enough, i.e. a 1200' evaluation distance area, to clearly identify the specific details required, then a separate map will not be required.


## OMP Map Legend

 proposed swine barn w/underbarn storage

 existing livestock barns


 compost


 roads

 geocenter


 operation house


 NB neighboring house

 shielded house(none)


 boundary



 NB neighboring business(none)

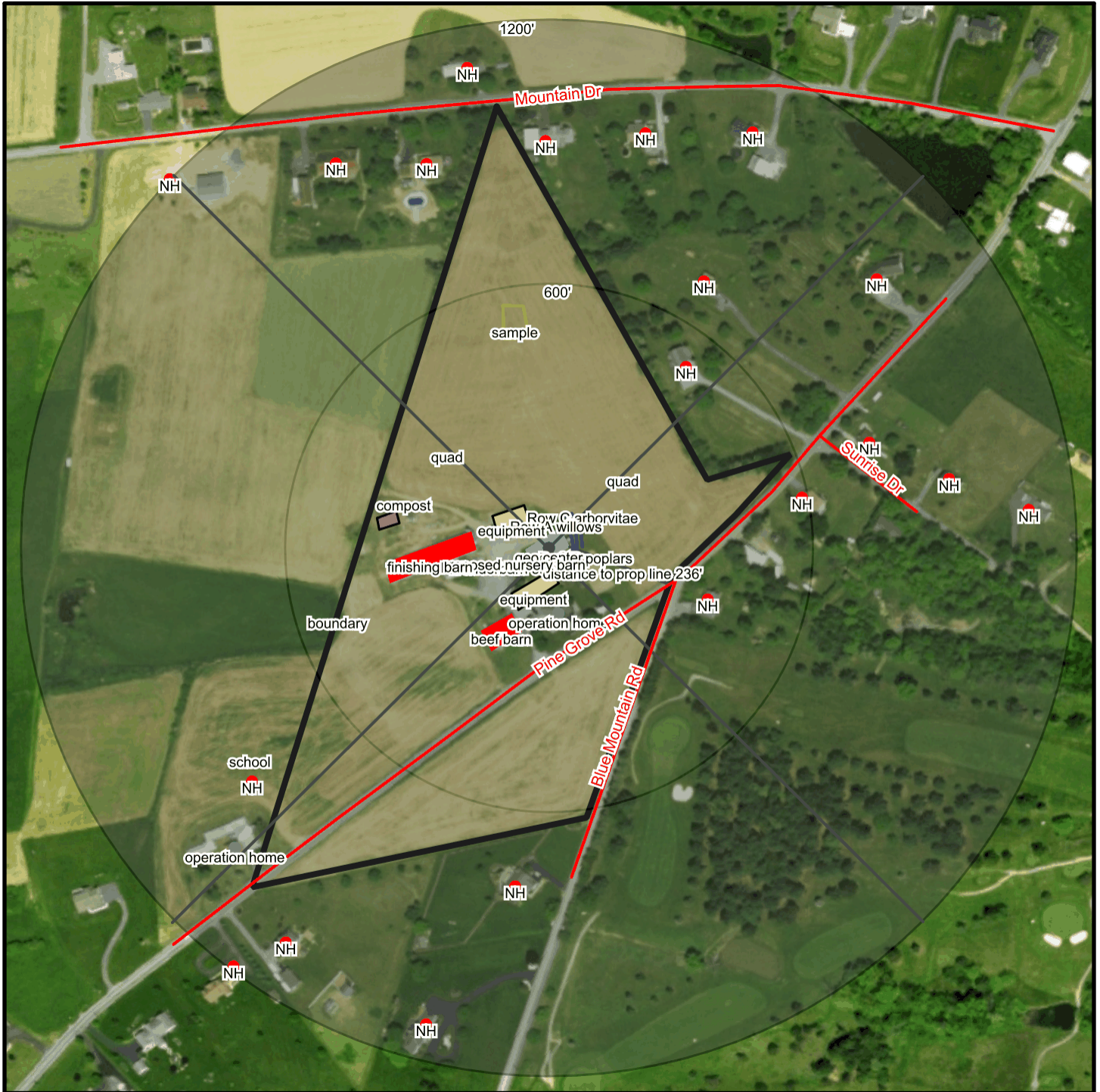
 distance to property line

 vegetated buffer rows A,B,C

 existing buildings



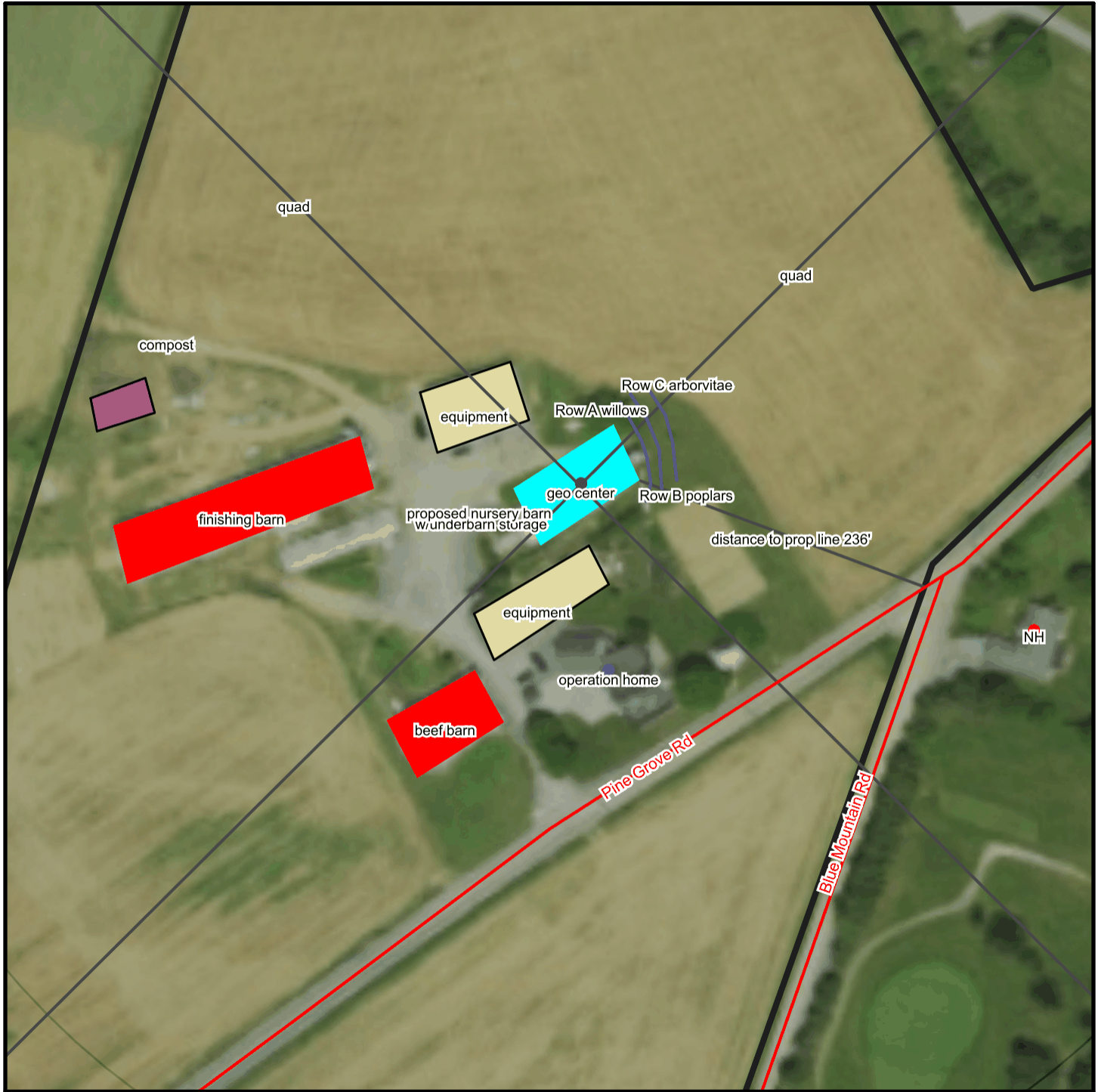
# Lowell Nolt OMP Map



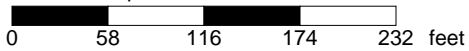
\* 330.0 feet per inch  
0 165 330 495 660 feet



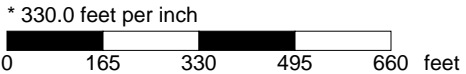
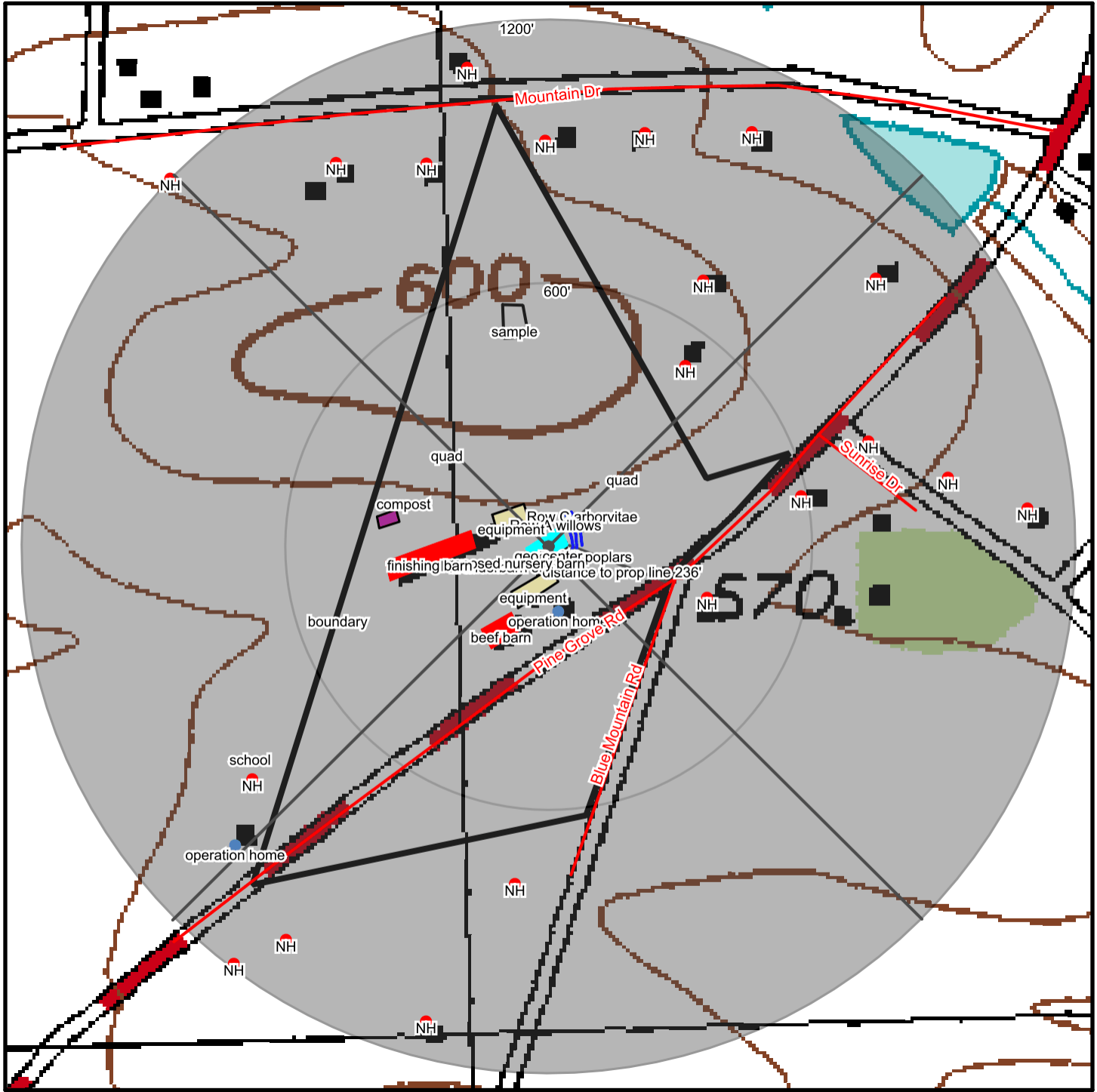
# Lowell Nolt OMP HQ Map



\* 116.0 feet per inch

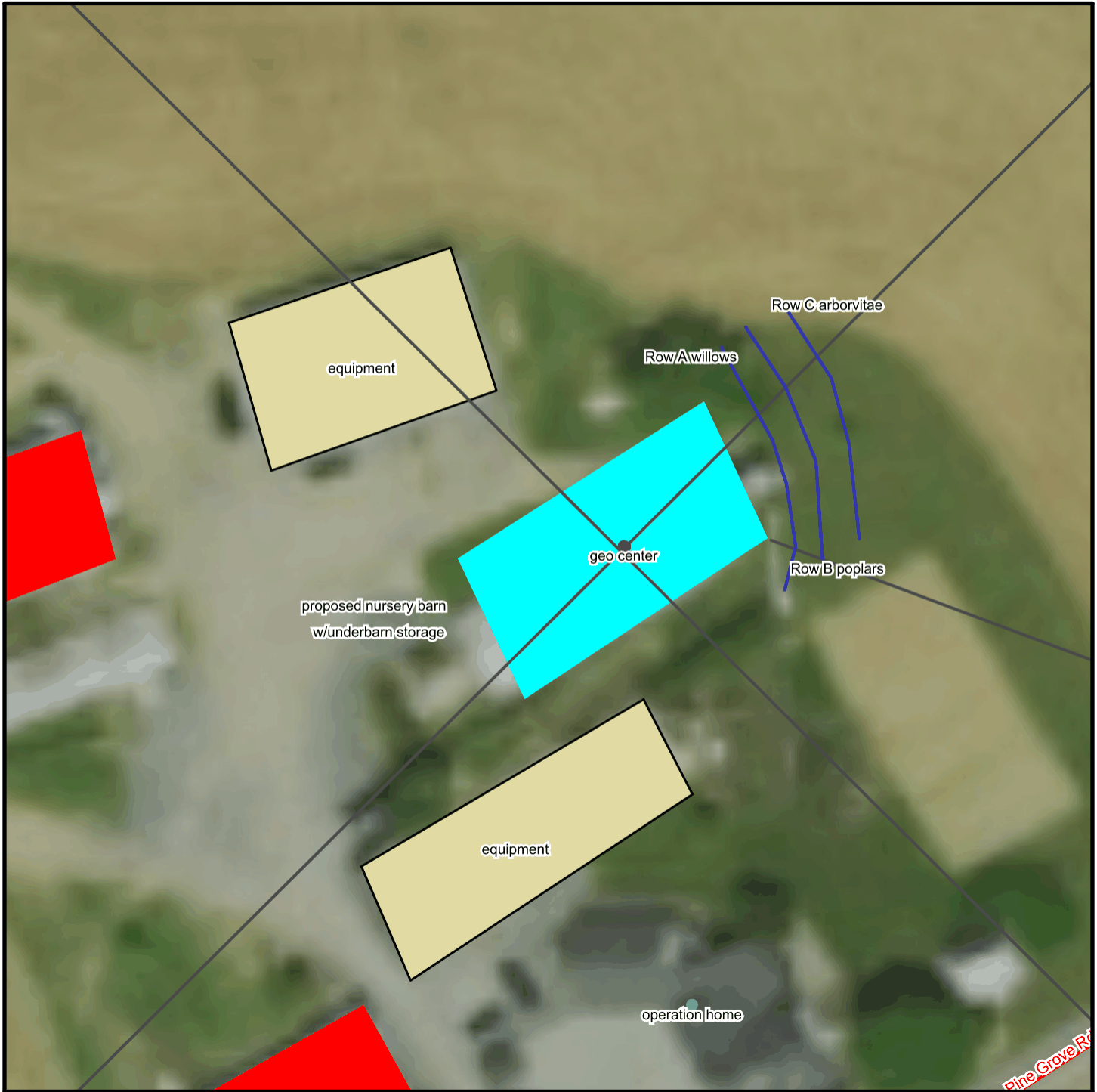


# Lowell Nolt OMP Topo Map





# Lowell Nolt OMP Vegetated Buffer



\* 48.0 feet per inch



## Legend

- |               |               |                     |      |
|---------------|---------------|---------------------|------|
| field / CMU   | water         | manure stacking     | AHUA |
| farm boundary | stream        | vegetative buffer   | well |
| homestead     | sinkhole area | 100' manure setback | road |
| forest        | sinkhole      | 150' manure setback |      |



## **Appendix 3: Plan Evaluation – OSI**

Act 38 Odor Management Plan - Odor Site Index

<b>Operator Name</b>	Lowell Nolt – Fredericksburg Farm		
<b>Planner Name</b>	Dean Patches		
<b>Type of Operation</b>	Swine		
<b>Voluntary Existing AEU's</b>	0		
<b>Proposed AEU's</b>	18.01		
<b>Previously Approved AEU's</b>	0		
<b>AEU's Covered by OMP</b>	18.01		
<b>Evaluation Distance</b>	1200'		
<b>Part A: Odor Source Factors</b>			<b>OSI Score</b>
Facility Size Covered by OMP	18.01		2
Site Livestock History	50-199 AEU's _6pts		6
Manure Handling System	Poultry/ Swine / Cattle - deep pit under building, liquid or dry _ 4pts		4
			12.00
<b>Part B: Site Land Use</b>			
Ag Security Zone	No (0 pct)		0
Ag Zoning	Yes (-10 pct)		-13.3
Preserved Farm	No (0 pct)		0
			-13.30
<b>Part C: Surrounding Land Use</b>			
Other Livestock >8 AEU in evaluation distance	Zero (5pts)		5.00
Distance to Nearest Property Line	151' to 300' (5 pts)		5.00
If nearest property is <300', is it preserved farmland	No (0 pts)		0.00
Neighboring Homes			111.00
Public Use Facilities			0.00
			121.00
<b>Species Adjustment Factor</b>	Swine,duck,veal (.15)		137.655
<b>Final OSI Score</b>			<b>137.655</b>
<b>Level 2 BMPs Required</b>			

Act 38 Odor Management Plan - Odor Site Index

<b>East Quadrant</b>	<600	600-1200	1200-1800	1800-2400	2400-3000		
# Neighboring Facilities	2	4		Select from list	Select from list		
Facility Value	15	7	3	0	0		
Home Shielding	<600 None (1)	600-1200 None (1)	Select from list	Select from list	Select from list	<b>Total Facilities</b>	<b>58.0</b>
# Public Use Facilities	0	0				<b>Total Public</b>	<b>0.0</b>
Public Use Value	40	20	10	5	3		
Public Use Shielding	Select from list	Select from list	Select from list	Select from list	Select from list	<b>Total East</b>	<b>58.0</b>
<b>South Quadrant</b>	<600	600-1200	1200-1800	1800-2400	2400-3000		
# Neighboring Facilities	0	4		Select from List	Select from List		
Facility Value	10	5	2	0	0		
Home Shielding	<600 None (1)	600-1200 None (1)	Select from list	Select from list	Select from list	<b>Total Facilities</b>	<b>20.0</b>
# Public Use Facilities	0	0				<b>Total Public</b>	<b>0.0</b>
Public Use Value	30	15	7	4	2		
Public Use Shielding	Select from list	Select from list	Select from list	Select from list	Select from list	<b>Total South</b>	<b>20.0</b>
<b>North Quadrant</b>	<600	600-1200	1200-1800	1800-2400	2400-3000		
# Neighboring Facilities	1	8		Select from List	Select from List		
Facility Value	6	3	0.5	0	0		
Home Shielding	<600 None (1)	600-1200 None (1)	Select from list	Select from list	Select from list	<b>Total Facilities</b>	<b>30.0</b>
# Public Use Facilities	0	0				<b>Total Public</b>	<b>0.0</b>
Public Use Value	25	13	6	3	1		
Public Use Shielding	Select from list	Select from list	Select from list	Select from list	Select from list	<b>Total North</b>	<b>30.0</b>
<b>West Quadrant</b>	<600	600-1200	1200-1800	1800-2400	2400-3000		
# Neighboring Facilities	0	1		Select from list	Select from list		
Facility Value	6	3	0.5	0	0		
Home Shielding	<600 None (1)	600-1200 None (1)	Select From List	Select from list	Select from list	<b>Total Facilities</b>	<b>3.0</b>
# Public Use Facilities	0	0				<b>Total Public</b>	<b>0.0</b>
Public Use Value	25	13	6	3	1		
Public Use Shielding	Select from list	Select from list	Select from list	Select from list	Select from list	<b>Total West</b>	<b>3.0</b>
						<b>Grand Total</b>	<b>111.0</b>

## Appendix 4: Biosecurity

### Biosecurity Protocol Contact Information

*Detail the point of contact for information on this operation's biosecurity protocols:*

Name:	<u>Lowell Nolt</u>	Phone:	<u>717-865-6339</u>
E-mail:	<u>lowellnolt77@gmail.com</u>	Relationship:	<u>owner</u>

## Appendix 5: Supporting Documentation

This section is reserved for the plan writer when developing this plan to have a dedicated area to include supporting documentation such as for agricultural land use designation verification, Nutrient Management program setback waiver verification, AEU calculation verification when no NMP is available, etc.

*Provide a heading for each topic discussed in this Appendix.*

### NMP

A revised NMP has been submitted for review and approval to reflect the proposed changes. The additional 600 nursery swine and the proposed replacement barn with storage are detailed in the new NMP. The number of swine finishing will decrease to 950 and the NMP will reflect that number. However the OMP will retain the original 1050 capacity.

**AEUs** 18.01 existing AEU's from the burnt down(existing) swine nursery barn are being transferred along with the 18.01 proposed AEU's into the new swine nursery barn.

**Lowell Nolt**

#### Proposed AEU's

##### Calculation of Animal Equivalency Units (AEU's)

Type of livestock		Number	Ave. Wt.	days/year	proposed AEU's	
1	nursery swine	proposed	1,200	35	313	36.02
2	finishing swine	existing	1050	165	313	148.57
3	beef cattle	existing	2	950	180	0.94
Total AEU's						185.52
						18.01
						AEU increase

#### Existing AEU's

##### Calculation of Animal Equivalency Units (AEU's)

Type of livestock		Number	Ave. Wt.	days/year	proposed AEU's	
2	nursery swine	existing	600	35	313	18.01
3	finishing swine	existing	1050	165	313	148.57
4	beef cattle	existing	2	950	180	0.94
Total Existing AEU's						167.51

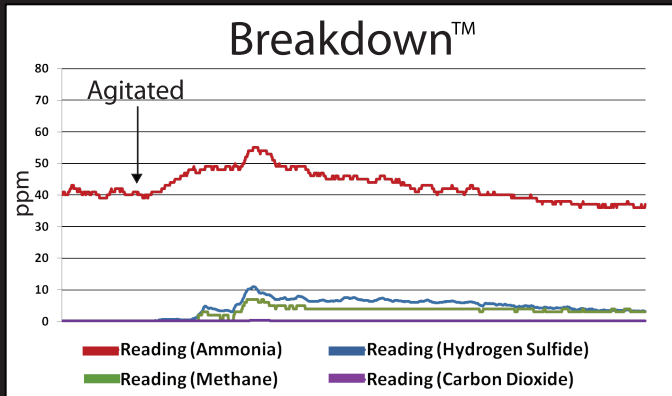
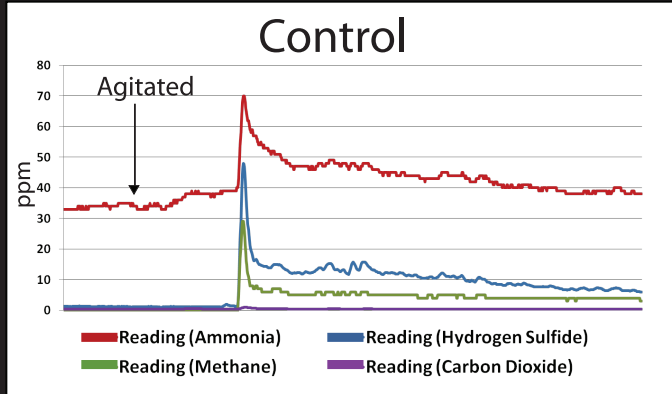
### Manure Pit Additive

Product- *Breakdown* Normal rate is 3 lb per month, if crusting occurs rate is increased to 6 lb per month. There is no initial shock treatment after cleanout.

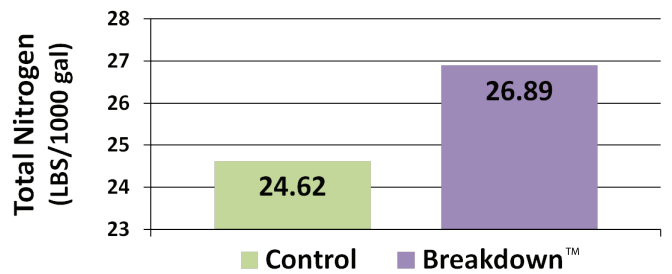
## Based on Research

Formulated with specific components to promote farm safety and plant availability.

### Time Lapse Gas Readings at Agitation



### Retained Nitrogen in Manure



## Recommendations for Use

### Liquid Manure Pits and Slurry Tanks:

**For Dairy:** 1 lb. per cow per year

**For Hogs:** 1 lb. per animal unit (1000 lbs) per year.

**For Pit Rescue:** Apply 2 lbs per 10,000 gallon of liquid at least 40 days before hauling. Must be mixed in.

For best results, apply weekly.

### Dry Manure Packs:

Apply 1 lb per 100 square feet per year.

For best results, apply weekly.

### Poultry:

**For Broilers:** 1.3 lbs per 1,000 square feet per flock.

(Equivalent to approximately 1 lb per animal unit per year)

Spread uniformly over the litter.

**For Layers:** 1 lb per animal unit (1000 lbs) per year.

(Cage or Floor Birds)

**For Specialty Fowl:** 1 to 1.5 lbs per animal unit

(1000 lbs) per year. Ducks may require more

Breakdown.

Distributed By:



**Homestead  
Nutrition**

New Holland, PA

**888-336-7878**

[www.breakdownmanure.com](http://www.breakdownmanure.com)

**Breakdown™**  
Maximize Your Manure

*A manure treatment product for liquid and dry systems to control odor, break down solids and maximize the nutrient value of manure!*



**Expect Better Things  
From Your Manure**

**888-336-7878**

[www.breakdownmanure.com](http://www.breakdownmanure.com)

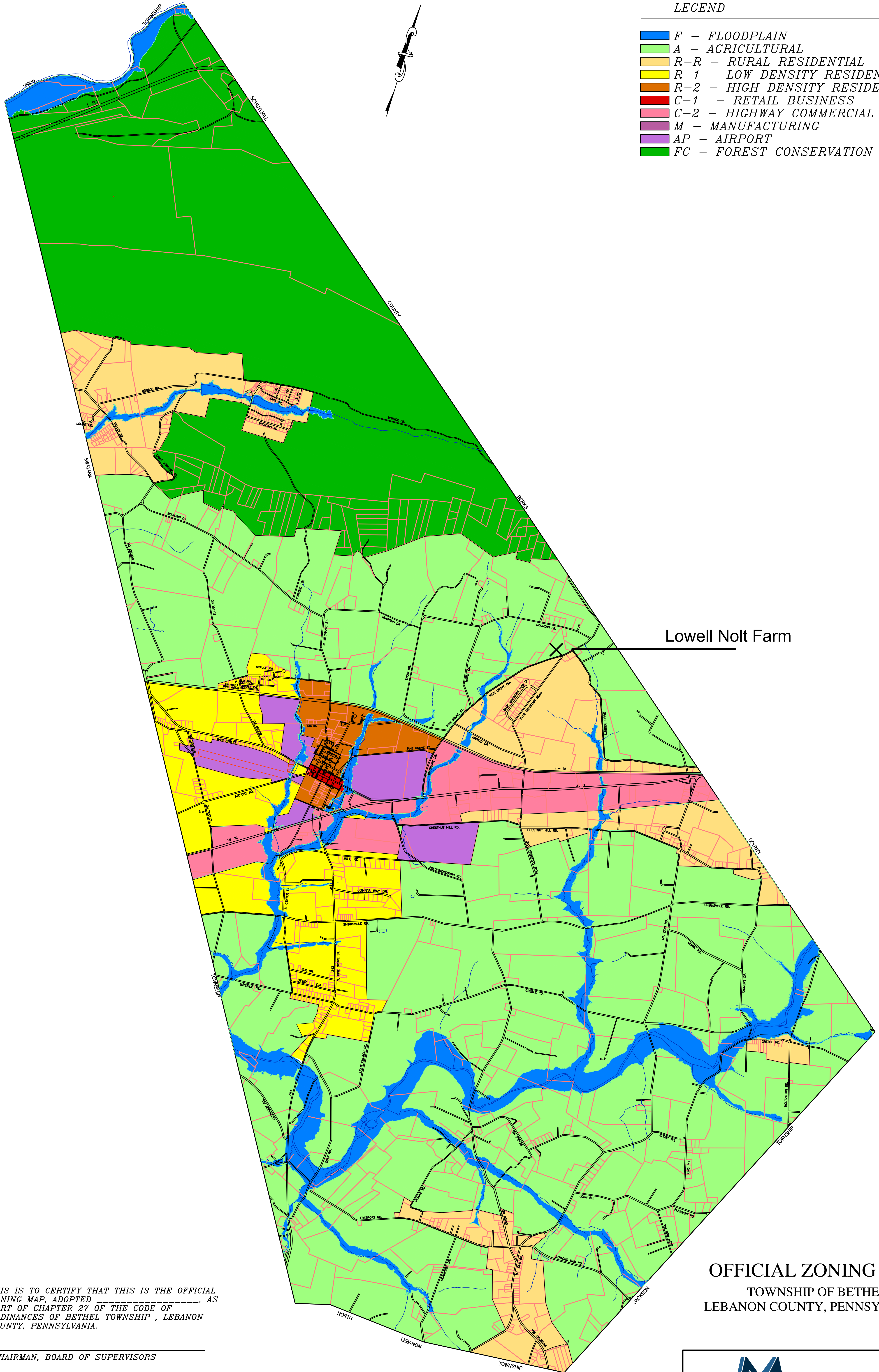


## **Bethel Twp Zoning Map**



LEGEND

- F - FLOODPLAIN
- A - AGRICULTURAL
- R-R - RURAL RESIDENTIAL
- R-1 - LOW DENSITY RESIDENTIAL
- R-2 - HIGH DENSITY RESIDENTIAL
- C-1 - RETAIL BUSINESS
- C-2 - HIGHWAY COMMERCIAL
- M - MANUFACTURING
- AP - AIRPORT
- FC - FOREST CONSERVATION



Lowell Nolt Farm

THIS IS TO CERTIFY THAT THIS IS THE OFFICIAL ZONING MAP, ADOPTED \_\_\_\_\_, AS PART OF CHAPTER 27 OF THE CODE OF ORDINANCES OF BETHEL TOWNSHIP, LEBANON COUNTY, PENNSYLVANIA.

\_\_\_\_\_  
CHAIRMAN, BOARD OF SUPERVISORS

ATTEST: SECRETARY



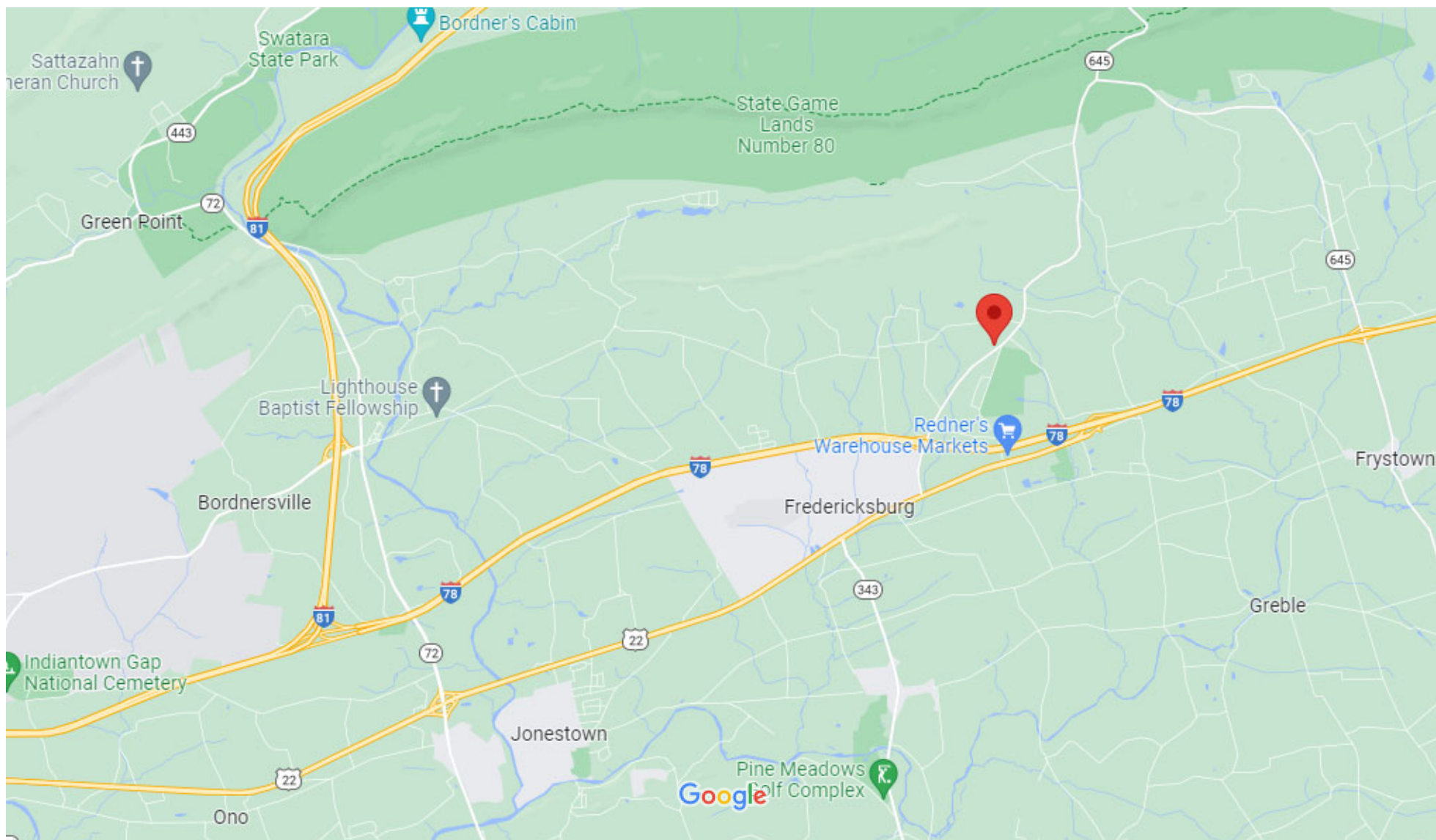
OFFICIAL ZONING MAP  
TOWNSHIP OF BETHEL  
LEBANON COUNTY, PENNSYLVANIA



555 VAN REED ROAD  
WYOMISSING, PA  
19610



### 988 Pine Grove Rd



Map data ©2023 1 mi



**COMMONWEALTH OF PENNSYLVANIA  
STATE CONSERVATION COMMISSION**

DATE: August 30, 2023

TO: Members  
State Conservation Commission

THROUGH: Douglas M. Wolfgang, Executive Secretary  
State Conservation Commission

FROM: Brady Seeley, Acting Director  
Nutrient and Odor Management Programs

RE: Act-38 Nutrient Management Program  
Nutrient Management Planning Tool Version 9.0

Action Requested

State Conservation Commission (SCC or Commission) staff are asking for approval of the Nutrient Management Planning Tool Version 9.0 (Excel and Word).

Background

SCC staff and The Pennsylvania State University Cooperative Extension (Penn State) staff has been working on updates to the Nutrient Management Planning Tool. The current version of the planning tool, Version 8.0, which was approved by the Commission, was released in October 2021. That version was updated twice with minor revisions for the most current Version 8.2

Based on the proposed changes, staff is seeking a major version change versus a revision change. This updated version will become Version 9.0 and all nutrient management plans written for the 2025 crop year and beyond will need to use this updated version.

The following list is a summary of the changes made to NMP Version 9.0.

1. Total N method for determining Nitrogen availability in the year applied was removed from the 2023-2024 Penn State Agronomy Guide.
  - a. The NMP spreadsheet was revised to remove the Total N method of planning and will only allow N fraction method of nutrient planning. This N fraction method was always an option in previous spreadsheet versions and was required to be used under certain scenarios.
  - b. Table 1.2-12 (N fraction method) from the Penn State Agronomy Guide will be used for calculation manure nitrogen availability in the current year.

2. Other values were updated to be consistent with the 2023-2024 Penn State Agronomy Guide.
  - a. Nitrogen book values for manure deposited by grazing animals were updated to include Organic and Ammonium N values from Agronomy Guide Table 1.2-10. – Typical average daily production and total content of manure in Pennsylvania.
  - b. The manure type “Dairy” was changed to “Other” to be consistent with the Agronomy Guide.
  - c. Organic N decomposed during year applied was decreased for poultry. For winter crops the value was changed from 0.40 to 0.30. For summer crops the values was changed from 0.60 to 0.50.
  - d. Manure application season and management descriptions were updated to clarify the intended use.
3. Previous Version Transfers
  - a. There is a version transfer process so planners don’t need to re-enter previous NMP information. Previous plan sections that were affected by the changes mentioned will automatically be updated to the new Version 9.0 selections.

In addition to the updated version of NMP planning tool 9.0 (both Excel and Word portions), SCC and Penn State have developed User Guides for the planning tools. In the past, User Guide types of information were contained in the Technical Manual and could only be updated when a new edition of the Technical Manual was released. SCC and Penn State staff thought it was best to have stand-alone User Guides that could be updated as needed, so those guides will be updated as well.

#### Summary

SCC staff is asking for approval of the Nutrient Management Planning Tool Version 9.0 (Excel and Word), which if approved will become effect for crop year 2025 NMPs and beyond.



**COMMONWEALTH OF PENNSYLVANIA  
STATE CONSERVATION COMMISSION**

DATE: August 30, 2023

TO: Members  
State Conservation Commission

THROUGH: Douglas M. Wolfgang, Executive Secretary  
State Conservation Commission

FROM: Brady Seeley, Acting Director  
Nutrient and Odor Management Programs

RE: Act-38 Nutrient Management Program  
Nutrient Balance Sheet Planning Tool Version 7.0

**Action Requested**

State Conservation Commission (SCC or Commission) staff are asking for approval of the Nutrient Balance Sheet (NBS) Planning Tool Version 7.0 (Excel and Word).

**Background**

SCC staff and The Pennsylvania State University Cooperative Extension (Penn State) staff has been working on updates to the Nutrient Balance Sheet (NBS) Planning Tool.

The current version of the planning tool, Version 6.0, which was approved by the Commission, was released in October 2021. That version was updated with minor revisions three times to the current version 6.3.

Based on the proposed changes, staff is seeking a major version change versus a revision change. This updated version will become Version 7.0 and all nutrient balance sheets for the Act 38 and Act 49 programs written for the 2025 crop year and beyond will need to use this updated version.

The following list is a summary of the changes made to NBS Version 7.0:

1. Total N method for determining Nitrogen availability in the year applied was removed for the 2023-2024 Penn State Agronomy Guide.
  - a. The NBS spreadsheet was revised to remove the Total N method of planning and will only allow N fraction method of nutrient planning. This N fraction method was always an option in previous spreadsheet versions and was required to be used under certain scenarios.

- b. Table 1.2-12 (N fraction method) from the Penn State Agronomy Guide will be used for calculation manure nitrogen availability in the current year.
2. Other values were updated to be consistent with the 2023-2024 Penn State Agronomy Guide.
  - a. The manure type “Dairy” was changed to “Other” to be consistent with the Agronomy Guide.
  - b. Organic N decomposed during year applied was decreased for poultry. For winter crops the value was changed from 0.40 to 0.30. For summer crops the values was changed from 0.60 to 0.50.
  - c. Manure application season and management descriptions were updated to clarify the intended use.
3. Several features to improve user experience, protect users from common errors, and alert reviewers to irregular planning scenarios.
4. Previous Version Transfers
  - a. There is a version transfer process so planners don’t need to re-enter previous NBS information when updating to the new version. Previous plan sections that were affected by the changes mentioned will automatically be updated to the new Version 6.0 selections.

In addition to the updated version of NBS planning tool 7.0, SCC and Penn State have developed User Guides for the planning tools. In the past, User Guide type of information were contained in the Technical Manual and could only be updated when a new edition of the Technical Manual was released. SCC and Penn State staff thought it was best to have stand-alone User Guides that could be updated as needed, so those guides will be updated as well

#### **Summary**

SCC staff is asking for approval of the Nutrient Balance Sheet Version 7.0 (Excel and Word), which if approved will become effect for crop year 2025 NMPs and beyond.





**COMMONWEALTH OF PENNSYLVANIA  
STATE CONSERVATION COMMISSION**

DATE: August 30, 2023

TO: Members  
State Conservation Commission

THROUGH: Douglas M. Wolfgang, Executive Secretary  
State Conservation Commission

FROM: Brady Seeley, Acting Director  
Nutrient and Odor Management Programs

RE: Act-38 Nutrient Management Program Technical Manual –  
Version 12.0 Record of Change

**Action Requested**

Action is requested to approve the record of changes for Version 12.0 of the Pennsylvania Nutrient Management Program Technical Manual.

**Background**

While the Commission is in the process of a possible regulatory revision, the decision was made to NOT produce a new edition of the Nutrient Management Technical Manual (TM). Below is a listing of the proposed changes (sections) that will be distributed if approved by the Commission.

The Nutrient Management Advisory Board (NMAB) was briefed on these items at their August 2023 meeting. The NMAB had no significant issues with proposed changes.

The following revisions are proposed.

1. Operation Information (Appendix 2). The Commission changed the guidance on contiguous acres to state:
  - a. If the acres are rented to another, the nutrient application is accomplished with a Nutrient Balance Sheet (NBS), using Option 3. This Option 3 NBS should be included in Appendix 8 of the NMP, along with the proper exporter / importer agreement and note in the operation description in Appendix 2.
  - b. If no manure from the operation is applied to these acres, but they are farmed by the operator or someone under his direction, these acres must be included in the Appendix 4 and 5 of the NMP.

- c. If no manure from the operation is applied to these acres, and these acres are rented out to another operator, these acres do not need to be included in the NMP, but it is recommended.
2. Manure Group Information (Appendix 3). The guidance has been changed to the following:
  - a. For poultry with outdoor access of 1 acre or less in total size they encouraged to be treated as ACA's.
  - b. For small animal groups that are pastured the following will need to be provided - days, and hrs./day on the operation.
  - c. The animal group name should have clear meaning to the farmer.  
**Important Note: Animal groups with uncollected manure, (animals that have days on pasture), must be given unique animal group names. This is necessary for the NMP spreadsheet to function properly.** For example, an animal group of dry cows contributing to a spring and fall manure group should be given the animal group names of "Dry Cows Spring" and "Dry Cows Fall". This is necessary for the uncollected manure to be accurately accounted for when allocating it in Appendix 4 Input sheet.
3. Crop and Manure Management Information (Appendix 4). Guidance has been updated as follows:
  - a. A double crop is described as growing two separate and distinct crops on a field during a crop year. They are designated as a "Winter Crop" and a "Summer Crop" in a double crop. Double crops are to be planned as two separate crops in the crop year. When planning a double crop, the winter crop must be entered before the summer crop in Appendix 4 Input for the calculations to work properly. The field IDs must be the same for both instances of the field.
  - b. If you enter a yield that's outside the range listed in the AASL Soil Test Recommendations for Agronomic Crops an asterisk \* will be in the PSU recommendation cells. You will need to enter user recommendations in the cells provided. You may also need to enter user recommendations for crops that are not in the AASL Recommendations for Agronomic Crops list. Please reference the publications or data source used, in Appendix 10 of the NMP
  - c. Removed Total N option for planning. N Fractions is the only method to utilize.
4. Phosphorous Index (Appendix 5). Changes only included cleaning up language, nothing added or deleted.
5. Manure Management (Appendix 6). Guidance added that states: Poultry operations that provide access for the birds to outdoor areas can choose to manage the area as a pasture and include it as a field in Appendix 4 or identify and evaluate the area as an animal concentration area in Appendix 6. Outdoor access areas 1 acre or less in total size are encouraged to be treated as ACA's. In both options all Act 38 planning requirements must be met.
6. Agronomy Guide Tables (Supplement 1) were updated to match the current version of the PSU Agronomy Guide.
7. Sample NMP (Supplement 2,3,4). Updated for the new version of planning tools.

8. Manure Storage Volume Calculations (Supplement 8). Update example calculation that had an error.
9. Revised Manure Hauler / Broker agreement (Supplement 11). The Commission created a universal sample agreement for the following scenarios:
  - a) Manure Hauler / Agricultural Operation.
  - b) Manure Hauler / Exporting Agricultural Operation.
  - c) Manure Hauler / Importing Agricultural Operation.
  - d) Manure Hauler / Importing Agricultural Operation, use for other than land application.
  - e) Manure Hauler / Importing Agricultural Operation, importing into from another state.
  - f) Manure Hauler / Importing Agricultural Operation, exported from Pa to another state.
  - g) Manure Broker / Exporting Agricultural Operation.
  - h) Manure Broker / Importing Agricultural Operation.
  - i) Manure Broker / Importing Agricultural Operation, use for other than land application.
  - j) Manure Broker / Importing Agricultural Operation, out of state.
10. Liquid and Solid emergency response plans (Supplement 13). The Commission updated the liquid emergency response plan and created a new solid manure emergency response plans, to be used for all new NMPs and Amendments moving forward. These were updated or created due to concerns seen in past with spills not being handles correctly by operators. Spanish versions are also provided.
11. Nutrient Management Education Program Resource List (Supplement 18). Updated format.

### **Summary**

SCC staff asks for approval of the records of change for version 12.0 of the Pennsylvania Nutrient Management Program Technical Manual.

If approved, final document processing will occur and the Technical Manual records of change will have a release date of October 2023 and an effective date for NMP submitted for Crop Year 2025 and beyond.



**COMMONWEALTH OF PENNSYLVANIA  
STATE CONSERVATION COMMISSION**

DATE: August 30, 2023

TO: Members  
State Conservation Commission

THROUGH: Douglas M. Wolfgang, Executive Secretary  
State Conservation Commission

FROM: Brady Seeley, Acting Director  
Nutrient and Odor Management Programs

RE: Act-38 Nutrient Management Program and Chapter 91 Manure  
Management Administrative Manual – Version 6.0 Record of Change

**Action Requested**

Action is requested to approve the record of changes for Version 6.0 of the Pennsylvania Nutrient Management and Manure Management Program Administrative Manual (Adm. Manual).

**Background**

While the Commission is in the process of a possible regulatory revision, the decision was made to NOT produce a new edition of the Nutrient Management and Manure Management Program Administrative Manual. Below is a listing of the proposed changes (sections) that will be distributed if approved by the Commission.

The Nutrient Management Advisory Board (NMAB) was briefed on these items at their August 2023 meeting. The NMAB had no significant issues with proposed changes.

The following revisions are proposed.

- 1) General Program Duties (Chapter 2): Updated guidance to match the new delegation agreement.
  - a. The District will conduct a minimum of 1 technical training program targeting consultants assisting operators in the development of a MMPs or providing planning services to operators for MMP development. The target audience of the training program may include certified NMSs, manure haulers and brokers, and any individual offering manure management planning assistance, such as 4-H educators or students, FFA educators or students, private crop or pesticide consultations, etc., regardless of certification status. The implementation of this activity may be coordinated with technical trainings for operators.
  - b. The District will write a minimum of 10 MMPs for operators within the county. These written MMPs must be entered into PracticeKeeper. This required output measure is waived if the District chooses to perform “status reviews” under M.6

below. If a district has accepted Chesapeake Bay Technician Funding, this requirement is being met under that contract

c. Farm status review activities:

1. The District shall perform status reviews of agricultural operations that use or produce manure to assess compliance with 25 Pa. Code § 91.36.
2. The District will perform status reviews on a minimum of 10 agricultural operations (1 Fulltime Equivalent Funding or more) or 5 agricultural operations (less than 1 Fulltime Equivalent Funding). Such status reviews will be conducted consistent with guidelines or Standard Operating Procedures (SOPs) provided by DEP. This required output measure is waived if the District chooses to write MMPs under M.5 above. If a district has accepted Chesapeake Bay Technician Funding, this requirement is being met under that contract.

Compliance inspections

1. The District may perform inspections (and additional status reviews above the requirement in M.5 above) of any agricultural operation to assess compliance with Section 91.36 and review MMP implementation efforts.
- 2) The District may assess compliance with Chapter 91 and the MMP requirements by performing on-site inspections of any non-CAO, non-CAFO agricultural operation.
- 3) The District may assist operations determined to be out of compliance based on an inspection or implementation of the BMPs required for or identified in their MMP. The District shall follow its agricultural complaint response policy and the guidelines or SOPs provided by DEP for operations that fail to come into compliance through the District's efforts.
- 4) As part of the District's inspection, the District may assess an operator's implementation of the OMP for the BMPs included in the MMP.

Recordkeeping:

- 1) The District will retain as separate files: the quarterly reports required by the DEP; the District's Manure Management Program outreach, education and training, and compliance implementation strategy, including the date when this strategy was adopted; the District's approved fee schedule, including the date when this fee schedule was adopted; and MMP development and verification information, as required by the DEP.
- 2) Program Operations (Chapter 3): Added information on Supplemental Status Review forms and instructions.
- 3) Appendices (Chapter 5):
  - a. Updated to new delegation agreement.
  - b. Updated program contacts.
  - c. Updated SCC program coordinators map.
- 4) Supplements (Chapter 6):
  - a. Updated supplemental status review form.
  - b. Added additional supplemental status review instructions and guidance.
  - c. Added guidance to voluntarily collect manure injection information from operators.

**Summary**

SCC staff asks for approval of the records of change for version 6.0 of the Pennsylvania Nutrient Management and Manure Management Program Administrative Manual.

If approved, final document processing will occur and the Adm. Manual records of change will have a release date of October 2023.



**COMMONWEALTH OF PENNSYLVANIA  
STATE CONSERVATION COMMISSION**

August 28<sup>th</sup>, 2023

To: Members  
State Conservation Commission

From: Justin Challenger  
Director, Financial & Technical Assistance Programs

RE: Agriculture Conservation Assistance Program Update

**ACAP Update**

Starting in July of 2023, the SCC began processing advance payments for fiscal year 2023. This represents a 50% advance for their 2<sup>nd</sup> out of 3 total allocations. Districts are welcome to apply for reimbursement of expenses as needed prior to the financial GIS tracking system being fully operational. The delegation agreement for Lackawanna CD has been signed by the district board and is being processed by SCC staff for execution. With this agreement in place, all 66 conservation districts will have entered into the delegation agreement for ACAP. SCC staff recently visited the Philadelphia parks and recreation department to review a potential project in the city. SCC is also in discussions with other entities in the city with proposed ACAP projects.

The SCC is continuing to develop an ACAP administrative training. The first training is proposed for State College on November 16<sup>th</sup>. Following this training, SCC staff will present the training regionally with 6 more trainings proposed across the state. SCC staff continue to work with districts to determine a scope of work and budget for regionally housed engineers. Additionally, a standard plan design project is being developed to help assist with technical assistance needs across the state.

Districts have started to report project details to the SCC through a staff request. 56 districts reported progress to the SCC. To date, districts have received 558 applications for funding totaling \$71,356,862. The districts have entered into agreements to fund 316 of these projects totaling \$35,264,066. Currently there are 84 active ACAP projects across the state with 20 projects fully completed.





COMMONWEALTH OF PENNSYLVANIA  
STATE CONSERVATION COMMISSION

August 28<sup>th</sup>, 2023

To: Members  
State Conservation Commission

From: Justin Challenger  
Director, Financial & Technical Assistance Programs

RE: EPA Most Effective Basin funding revision

**MEB Funds Revision**

The Commission was awarded \$4 million in EPA Most Effective Basin (MEB) Infrastructure Investments and Job Act (IIJA) from the EPA. During the June SCC conference call, the SCC approved a funding proposal that outlined funding for the Sustainable Ag Board (\$2M), CEG public-private partnerships(\$1.5M), as well as a new PA Ag conservation Stewardship (PACS) program (\$500K).

To align with the requirements of the MEB funds, SCC staff are requesting approval to revise the funding to utilize a total of \$2M for public-private partnerships and Conservation District Special Projects under the Conservation Excellence Grant (CEG). CEG was created under the Pennsylvania Farm Bill in 2019. The program provides funding to conservation districts for agricultural best management practices in Tier 1 and Tier 2 counties of the Chesapeake Bay watershed. CEG has been vastly successful and provided the framework for ACAP. The Commission funded a project in 2021 for direct engagement with farmers in Pequea Creek watershed by Lancaster Farmland Trust and Salisbury Township. Funds would enhance this existing project and incubate similar projects in other watersheds throughout the Bay watershed.



**TO** Doug Wolfgang  
Executive Secretary  
State Conservation Commission

**FROM** Jacquelyn Kerstetter  
Water Program Specialist  
Conservation District Support Section

**THROUGH** Carl DeLuca  
Environmental Program Manager  
Nonpoint Source Management Division

**DATE** September 12, 2023

**RE** FY 22-23 CDFAP UGW Fund Reserve Account request

**ACTION REQUESTED:** Approve Venango CD Reserve Account request

The Commission recently received one (1) application for designation of FY 2022-23 CDFAP UGW funds to a “reserve account” from Venango Conservation District.

Venango:

The Venango CCD requests to designate \$51,296.13 in allocated FY 2022-23 CDFAP UGW funds into a “Future Salaries/Capital Improvements Reserve Account”. The conservation district has unspent UGW Funds for FY 22-23 which they originally planned to use toward staff salaries, but due to some unexpected staff changes/vacancies they were unable to spend the funds. Furthermore, they are unable to use the remaining allocation for administrative assistance purposes. The proposed Reserve Account will support several items including; 1.) future staff salary needs, 2.) replacement of outdated computer/software for administrative staff, and 3.) capital improvements for building upgrades. The Venango CCD Board of Director’s plans to act on this proposal at their next monthly board meeting scheduled for September 14, 2023.

**Proposed Building Reserve Account  
using SCC Allocated UGW Funds**

**District Name** Venango Conservation District

**Date Board took action on creating this proposed account:** \_\_\_\_\_  
(Please provide a copy of district board minutes)

**Name of Proposed Reserve Account:** Future Salaries/Capital Improvements

**Purpose/description of account and the overall building project:**

Future Salaries needs  
Purchase of outdated computer/software for admin staff  
Capital Improvements to bring current property space up to the needs of current staff

**Length of time you expect account to remain active:** 2yr (ex. 1 yr, 2 yr, permanent)

**Who owns the property:** Venango Conservation District

**If the property is not owned by the District, how long of a lease do you have:** N/A

**Will the District have a mortgage and how long will it be for after the building is complete:** N/A

**Fiscal management policy relating to the account:**

**How will you document expenditures in the account:** funds will be stored in dedicated checking account with documentation stored via paper and in Quickbooks Online software

**Will the board take action on each transaction:** If transaction exceeds \$1,000, the VCD Board will take action

**Who will have signature authority on the account:** VCD Board Chairman, Vice Chair, Secretary/Treasurer and District Manager (two signatures required) (ex. Manager, chair)

**Expected Size of Account:** \$51,577.67

**Will this account be replenished and if so how:** no



**COMMONWEALTH OF PENNSYLVANIA  
STATE CONSERVATION COMMISSION**

DATE: August 25, 2023

TO: State Conservation Commission Members

FROM: Frank X. Schneider, Director  
Nutrient and Odor Management Programs

THROUGH: Douglas M. Wolfgang  
Executive Secretary

RE: Nutrient and Odor Management Programs Report

The Nutrient and Odor Management Program Staff of the State Conservation Commission offer the following report of measurable results for the time-period of July / August 2023.

For the months of July and August 2023, staff and delegated conservation districts have:

1. Odor Management Plans:
  - a. 9 OMPs in the review process
  - b. 15 OMPs Approved
  - c. 1 OMP approval Rescinded
2. Reviewed and approved 71 Nutrient Management (NM) Plans in the 2<sup>nd</sup> quarter of 2023.
  - a. Those approved NM plans covered 8,854 acres.
  - b. Those approved NM plans included 41,9545 Animal Equivalent Units (AEUs), generating 349,550 tons of manure.
3. Managing eleven (11) ACTIVE enforcement or compliance actions, currently in various stages of the compliance or enforcement process. Monitoring an additional eight (8) other cases of enforcement / compliance / interest.
4. Continue to daily answer questions for NMP and OMP writers, NMP reviewers, delegated Conservation Districts, and others.
5. Assisted DEP with various functions and as workgroup members in Federal and State settings for the Chesapeake Bay Program.
6. NM/OM Certification/CEC:
  - a. Approved 27.5 hours of NM and OM continuing education.
  - b. Facilitated the following trainings:
    - i. Nutrient Management Orientation

- ii. Nutrient Management Retake Exam
  - c. Reviewed 8 Public Review Specialists NMP reviews as part of the certification training.
- 7. Commercial Manure Hauler / Brokers
  - a. Approved 25 hours of MH/B continuing education.
  - b. Worked on 1 enforcement case where an NOV was issued.
  - c. 7 Act 49 inspection letters sent (includes in-office, onsite and affidavit letters).
  - d. Facilitated the following trainings: None
- 8. Issued 8 new (total of 42) Ag 101 seat licenses to CD and DEP staff. 28 persons have already completed and sent in their course completion certificate.



**COMMONWEALTH OF PENNSYLVANIA  
STATE CONSERVATION COMMISSION**

**TO:** Members  
State Conservation Commission

**FROM:** Frank X. Schneider  
Director, Nutrient and Odor Management

**THROUGH:** Douglas M. Wolfgang  
Executive Secretary

**DATE:** August 17, 2023

**RE:** Regulatory Revisions Updates

Title 25. Environmental Protection - Chapter 83. State Conservation Commission; Subchapter D:  
Nutrient Management

- Sent 1<sup>st</sup> unofficial draft regulatory changes sent to DEP Legal for legal review.
- SCC staff continue working with smaller workgroups on specific issues.

Title 7. Agriculture - Chapter 130b. Nutrient Management Specialist Certification

- Sent 1<sup>st</sup> unofficial draft regulatory changes to PDA Legal for legal review.

Title 7. Agriculture - Chapter 130e. Commercial Manure Hauler & Broker Certification

- Sent 1<sup>st</sup> unofficial draft regulatory changes to PDA Legal for legal review.

Title 7. Agriculture - Chapter 130f. Odor Management Specialist Certification

- Sent 1<sup>st</sup> unofficial draft regulatory changes to PDA Legal for legal review.



**COMMONWEALTH OF PENNSYLVANIA  
STATE CONSERVATION COMMISSION**

**DATE:** August 31, 2023

**TO:** Members  
State Conservation Commission

**FROM:** Brady Seeley, Acting Director  
Nutrient and Odor Management Programs

**THROUGH:** Douglas M. Wolfgang, Executive Secretary  
State Conservation Commission

**SUBJECT:** Nutrient Management Plan Actions

The State Conservation Commission (Commission) approved the Nutrient Management Plan (NMP) Action Policy on May 9, 2023 that allows the Executive Secretary of the Commission to perform actions on Nutrient Management Plans. These NMPs are located in counties whose local conservation district does not have administrative authority under Act 38.

<u>Agricultural Operation (Name and Address)</u>	<u>County</u>	<u>Total Acres</u>	<u>Animal Equivalent Units (AEUs)</u>	<u>Operation Type (CAO, CAFO, VAO)</u>	<u>Animal Type</u>	<u>Approval or Disapproval</u>	<u>Date Approved</u>
Just-A-Mere Farm Josh Daniels 3746 Mahantango Creek Rd, Dalmatia, PA 17017	Northumberland	325	89	CAFO/ VAO	Ducks	Approved	7/26/2023
R.W. Sauder Inc. Hegins Valley Farm Operating, LLC Greg Rhinier 824 Church Rd, Hegins, PA 17543	Schuylkill	1	2941.8 7	CAFO/ CAO	Layers	Approved	7/26/2023
Lamar Zimmerman 138 Hetzels Church Rd Pine Grove, PA 17963	Schuylkill	38.53	173.25	CAO	Layer chickens	Approved	8/31/2023



R&F Family Farms Andrew Reitz 214 Cedar Rd, Paxinos, PA 17860	Northumberla nd	17.9	1865.4 0	CAFO/ CAO	Swine	Approve d	8/31/23
Joe Jurgielewicz & Son Ltd. – Sunbury Farm, 1016 Plum Creek Road, Sunbury, PA 17801	Northumberla nd	86.07	109.10	CAFO/ CAO	Duck	Approve d	8/31/23
Randy Ross – Ross Farm 2148 Snyderstown Rd Sunbury, PA 17801	Northumberla nd	280	47.9	VAO	Beef	Approve d	8/31/23
Will-O-Bett Farm 137 Bomboy Lane Berwick, PA 18603	Luzerne	102.4	774.40	CAFO/ CAO	Swine & Cattle	Approve d	8/31/23



**COMMONWEALTH OF PENNSYLVANIA  
STATE CONSERVATION COMMISSION**

**DATE:** September 5, 2023

**TO:** Members  
State Conservation Commission

**FROM:** Karl J. Dymond  
State Conservation Commission *KJ Dymond*

**SUBJECT:** September 2023 Status Report on Facility Odor Management Plan Reviews

**Detailed Report of Recent Odor Management Plan Actions**

In accordance with Commission policy, attached is the Odor Management Plans (OMPs) actions report for your review. No formal action is needed on this report unless the Commission would choose to revise any of the plan actions shown on this list at this time. This recent plan actions report details the OMPs that have been acted on by the Commission and the Commission's Executive Secretary since the last program status report provided to the Commission at the July 2023 Commission meeting.

**Program Statistics**

Below are the overall program statistics relating to the Commission's Odor Management Program, representing the activities of the program from its inception in March of 2009, to September 4, 2023.

The table below summarizes approved plans grouped by the Nutrient Management Program Coordinator areas.

	Central	NE/NC	SE/SC	West	Totals
2009	7	6	28	1	42
2010	5	7	25	2	39
2011	10	12	15	2	39
2012	9	17	16	2	44
2013	10	11	38	3	62
2014	13	16	44	2	75
2015	15	15	61	2	93
2016	19	16	60	5	100
2017	25	24	44	3	96
2018	14	13	40	1	68
2019	12	11	14		37
2020	9	11	42	1	63
2021	15	15	30	1	61
2022	15	11	19	2	47
2023	18	10	33	3	64
<b>Total</b>	196	195	509	30	
<b>Grand Total</b>					930

As of September 4, 2023, there are nine hundred and thirty **approved** plans and/or amendments, nine plans have been **denied**, fifteen plans/ amendments have been **withdrawn** without action taken, one hundred and six plans/ amendments were **rescinded**, and ten plans/ amendments are going through the **plan review process**.

# OMP Actions Status Report

Action	OMP Name	County	Municipality	Species	AEUs	OSI Score	Status	Amended
4/28/2023	Burkholder, Delbert – Delbert’s Ag Operation	Berks	Albany Twp	Duck	80.87	39.6	Approved	
4/28/2023	Burkholder, Wesley – Turkey Farm	Franklin	Hamilton Twp	Turkey	406.32	27.9	Approved	
4/28/2023	Martin, Leonard – Layer Farm	Berks	Upper Tulpehocken Twp	Layers	250.40	22.6	Approved	
4/28/2023	Star Rock Dairy, Inc – Calf Farm	Lancaster	Manor Twp	Cattle	54.12	31.5	Approved	A
4/28/2023	Star Rock Dairy, Inc – Main Dairy	Lancaster	Manor Twp	Cattle	1368.30	32.6	Approved	C
5/9/2023	Kish-View Farm – Home Farm	Mifflin	Union Twp	Cattle	384.46		Approved	B
5/11/2023	Hoover, Timothy Jay – Poultry Farm	Dauphin	Halifax Twp	Layers	179.50	20.5	Approved	
5/11/2023	Stoltzfus, Omer S – Veal Farm	Clinton	Crawford Twp	Veal	21.48	20.5	Approved	
5/30/2023	Sandy Cliff Farm LLC – Broiler Farm	Lancaster	Mount Joy Twp	Broilers	0.00	35.8	Approved	
5/31/2023	Wingert Farms, Inc – Main Dairy	Huntingdon	Porter Twp	Cattle	884.50	53.1	Approved	A
6/1/2023	Martin, Lester S – Heifer Farm	Lancaster	Earl Twp	Cattle	0.00	81.9	Approved	
6/1/2023	Wen-Crest Farms, LLC – Farm 1	Lebanon	S Lebanon Twp	Cattle	952.80	20.2	Approved	A
6/12/2023	Esh, Crist – Tri Level Farm	Northumberland	Washington Twp	Broilers	207.25	61.0	Approved	
6/12/2023	Weaver, Ashton L – Poultry Farm	Lancaster	Fulton Twp	Broilers	247.08	28.3	Approved	
6/13/2023	Barry, Brandon R – Layer Farm	Lancaster	W Cocalico Twp	Layers	154.00	95.0	Approved	
6/20/2023	Stoltzfus, Samuel G – Ferris Lane Farm	Clinton	Logan Twp	Duck	27.97	34.2	Approved	A
6/23/2023	Schrack Farms – Home Farm	Clinton	Greene Twp	Cattle	620.00	19.8	Approved	C

As of July 5, 2023



## BUILDING BRIDGES

Farmers \* Municipalities \* Citizens  
Conservation Districts \* Agribusiness

To: Members  
State Conservation Commission

From: Shelly Dehoff  
Agriculture/Public Liaison

Re: Agricultural Ombudsman Program Update

September 12, 2023

**Activities:** Since mid-July 2023, I have taken part or assisted in a number of events, including the following:

- Coordinating manure injection educational and promotion effort for farmers in Lancaster County, and handling incentive program applications and invoice payment processing;
- Events as South Central Task Force (SCTF) Agriculture Subcommittee Planning Specialist:
  - Hosted/facilitated July and August Subcommittee meetings
  - Finalizing details for Ag Safety Day in Cumberland Co in Oct '23; for first responders
  - Collected photos and maps and logistics for site in York County for EHP paperwork, submitted to people who will handle the next steps
  - Participated in assorted Exec Comm and TE&E meetings
  - Participated in a “staff ride” at Gettysburg battlefield
- Participated and recorded minutes for July and August Lancaster Co. Agriculture Council meetings
- Coordinated Conservation Foundation of Lanc Co meetings, and Exec Comm meetings; continuing strategic planning meetings and between meeting paperwork and input gathering
- Participated in “Grow PA Workforce” final presentation meeting with all the summer interns
- Spent time explaining Ombudsman Program to 2 new LCCD employees
- Offered additional opportunity for all CDs to restock their supply of publications that the Ombudsman Program creates and maintains
- Assisted at Youth Conservation School twice
- Submitted RFP for PSATS presentation in 2024
- Attended Farming for Success field day for NMA credits

**Local Government Interaction:** I have been asked to provide educational input regarding agriculture:

- **Lancaster Co**— coordinating efforts and updates with local municipality regarding a farmer/neighbor situation

**Moderation or Liaison Activities:** I have been asked to provide moderation or liaison assistance with a particular situation:

- **Schuylkill Co**—talked with DEP about biosolids information and regulations and relayed assorted information to farmer’s neighbor
- **Lancaster Co**— food processing waste complaints from neighborhood
- **Lancaster Co**—incinerator complaints
- **Dauphin Co**—resident asking about municipality creating a fly ordinance
- **Lancaster Co**—complaint about different incinerator situation
- **York Co**—chickens in borough and neighbors upset
- **Tioga Co**—outbreak of flies, probably not ag related, probably excessive rain related, CD will check it out more
- **Cumberland Co**—mortality composting facility receiving complaints; working with PDA to deflect some calls from PDA staff
- **Schuylkill Co**—engineer requesting information about timber harvesting and ACRE

**Research and Education Activities:**

- **None currently**

**Fly Complaint Response Coordination:** I have taken complaints or am coordinating fly-related issues in:

- **York Co**—trying to find more information about scuttle fly controls for neighbors near recycling plant
- **Lebanon Co**—flies and mosquitoes complaint
- **Lehigh Co**—multiple complaints about 1 source
- **Lebanon Co**—think it's more of a neighbor/neighbor issue instead of legit fly complaint
- **Franklin Co**—additional complaint from area that first complained in May
- **Berks Co**—new complaint
- **Schuylkill Co**—ongoing complaint from same area, but the farm everyone is convinced it is has flies under control
-



## BUILDING BRIDGES

*Farmers\* Municipalities\* Citizens  
Conservation Districts\* Agribusiness*

To: Members  
State Conservation Commission

From: Beth Futrick  
Agriculture/Public Liaison

Through: Douglas Wolfgang, Executive Secretary  
State Conservation Commission

Re: Ombudsman Program Update – Southern Alleghenies Region

August 30, 2023

### **Activities: July-August**

- Administering NFWF-INSR Grant
  - Hosted multifunctional riparian buffer workshops.
  - Preparing bid packages for Agricultural BMP projects implementation.
  - Assisting communities with installation and maintenance of green infrastructure projects.
  - Organizing a regional farmer event to promote grass-based farms, soil health, and regenerative agricultural practices.
    - Partnering with Project Grass, Penn State Extension, and TeamAg Inc.
- Administering Spotted Lantern Fly grant
  - Organizing events with Blair municipalities and developing a stand-alone web page on the Ombudsman Website for SLF education.
- Organizing ACRE workshop for the Clinton/Lycoming County area with Mr. Willig PA Senior Deputy Attorney General
- Administering PADEP Growing Greener Grant
  - This funding will cost-share manure storage design development.

### **Conflict Issues/Municipal Assistance**

----Lycoming Co. – assist with zoning and ACRE  
 ----Butler Co – fly complaint  
 ----Lehigh Co – fly complaint  
 ----Montour Co – beetle complaint – follow up  
 ----Lancaster Co – poultry incineration complaint – follow up  
 ----Blair Co. – landowner meeting regarding township ordinance.

### **Meetings/Trainings/Outreach**

July 12 – meeting with consultants to do streambank design for NFWF-INSR grant.  
 July 27 – Cambria Co pasturewalk – NFWF-INSR grant  
 July 29 – CREP workshop  
 July 31 – PADEP meeting re: MBE/WBE reporting for Growing Greener  
 August 15 – Butler County fly complaint visit  
 August 15 – Armstrong County pasturewalk

### **Reports & Grant Applications**

CREP – Multifunctional grant Final Report  
 NFWF – Reimbursement request and progress report