

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

**May 9, 2023**

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

**Agenda – SCC COPY**

**Briefing Session – 10:00 a.m. – 11:30 a.m.**

1. Review of Public Meeting agenda items
2. Silvopasture – Austin Unruh

**Executive Session – 11:30 a.m.**

**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. March 14, 2023, Public Meeting (A)
  - b. April 11, 2023, Conference Call (A)
2. Nutrient and Odor Management Program
  - a. Nutrient Management Plan (NMP) – Pine Hurst Acres, LP, Northumberland County – Brady Seeley, SCC (A)
  - b. Kish-View Farm – Home Farm – Amend B OMP – Karl Dymond, SCC (A)

**The SCC meeting materials packet only contains portions of the above referenced Nutrient Management Plan (NMP). If anyone wishes to view the entire NMP document, please contact Frank X Schneider, Director of Nutrient and Odor Management Programs at [fschneider@pa.gov](mailto:fschneider@pa.gov) or 717-705-3895 prior to the Commission meeting, and the entire NMP will be provided.**

- c. Nutrient Management Fund Budget – Frank Schneider, SCC (A)
    - d. FY 23-24 Nutrient Management/Manure Management Delegation Amounts – Frank Schneider, SCC (A)
    - e. Contracts – Penn State University – Frank Schneider, SCC (A)
    - f. Nutrient Management Plan Approval Policy– Frank Schneider, SCC (A)
  3. ACAP Update
    - a. PSU Center Budget and Scope of Work – Justin Challenger, SCC (A)
    - b. PACD Agriculture Planning Assistance Program (APAP) – Justin Challenger, SCC (A)

4. Dirt, Gravel, and Low Volume Roads (DGLVR) – Roy Richardson, SCC; Steve Bloser, Penn State Center for Dirt and Gravel Road Studies (A)
  - a. CD Allocations for FY 2023-24
  - b. CDGRS scope and budget for FY 2023-24
  - c. Minor change to Driving Surface Aggregate Spec
  - d. Armstrong Conservation District Request to use DGLVR Funds
5. REAP 2023 Guidelines and Application Packets- Joel Semke, SCC (A)
6. Chesapeake Bay Update – Doug Wolfgang, SCC (NA)
7. EPA Most Effective Basin (MEB) award – Doug Wolfgang/Mike Roth, SCC (NA)
  - a. Sustainable Agriculture Board (per Sustainable Agriculture Act)
  - b. CEG public-private partnership model for best management practices on farms

**C. Written Reports**

1. Program Reports
  - a. Nutrient and Odor Management Program Measureables
  - b. Regulatory Revisions Updates
  - c. Nutrient Management Plans – Update Report
  - d. 2023 Odor Management Plan Self Certification Report
  - e. May 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:

June 13, 2023 - Conference Call

July 19, 2023 – In-Person (and Virtual) Meeting – Holiday Inn, Grantville

**STATE CONSERVATION COMMISSION  
MEETING**

**PA DEPARTMENT OF AGRICULTURE**

**In-Person and Zoom Webinar System**

**Tuesday, March 14, 2023 – 1:00 p.m.**

***Draft Minutes***

Members Present: Executive Deputy Secretary Greg Hostetter for Secretary Russell Redding, PDA; Lisa Daniels (virtual) 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 (virtual); Colin Parry, DCED (virtual); and Kelly Stagen, PACD (virtual).

- A. Public Input** – Karen Books mentioned that volunteers are needed for the PA Envirothon. There are three days of oral competitions: May 17 (Indiana County); May 18 (Snyder County); and May 19 (Monroe County). Station testing will take place on May 24, 2023, at Camp Mt Luther. Many volunteers are needed for these events. If you are able to volunteer, please register online.

**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 –January 24, 2023 - Public Meeting and February 14, 2023 – Conference Call.

*Daryl Miller moved to approve the January 24, 2023, public meeting minutes and the February 14, 2023 conference call minutes. Motion seconded by Don Koontz. Motion carried.*

2. Nutrient Management and Odor Management Program

- a. Nutrient Management Plan, Rushtown Poultry, LLC, Northumberland County. Brady Seeley, SCC, reported that the Rushtown Poultry, LLC farm is a layer operation (561,648 hens) in Northumberland County. This operation is a concentrated animal operation (CAO) regulated under the PA Nutrient Management Act and is a Concentrated Animal Feeding Operation (CAFO) regulated under DEP. This plan is coming to the Commission for consideration because Northumberland County Conservation District does not have a NM/MM delegation agreement. Commission staff (Brady Seeley) has reviewed the plan and visited the site and has determined the plan meets the Act 38 NM requirements.

*Ron Kopp made a motion to approve the Rushtown Poultry, LLC, Nutrient Management Plan. Motion seconded by Don Koontz. Motion carried.*

- b. Nutrient Management Plan, Philip High, Schuylkill County. Amy Zerbe, SCC, reported that the Philip High farm is a poultry operation (73,000 broilers) in Schuylkill County. Other livestock include 2 ewes, 6 lambs, 1 ram, 8 finishing pigs, and 1 horse. This operation is a concentrated animal operation (CAO) and is regulated under the

PA Nutrient Management Act. This plan is coming to the Commission for consideration because Schuylkill County Conservation District does not have a NM/MM delegation agreement. Commission staff (Amy Zerbe) has reviewed the plan and visited the site and has determined the plan meets the Act 38 NM requirements.

*Ron Rohall made a motion to approve the Philip High Nutrient Management Plan. Motion seconded by Daryl Miller. Motion carried.*

- c. Nutrient Management Plan, Wayne County Cooperative Agricultural Society, Wayne County. Amy Zerbe, SCC, reported that the Wayne County Cooperative Society operates the Wayne County Fair, an existing racehorse training and boarding operation when not in use by the fair. The operation consists of a total 126.1 acres of farmstead and zero acres of cropland and pasture. Animals housed on the operation include 30 horses. This operation is a concentrated animal operation (CAO) and is regulated under the PA Nutrient Management Act. This plan is coming to the Commission for consideration because Wayne County Conservation District does not have a NM/MM delegation agreement. Commission staff (Amy Zerbe) has reviewed the plan and visited the site and has determined the plan meets the Act 38 NM requirements

*Ron Rohall made a motion to approve the Wayne County Cooperative Agricultural Society Nutrient Management Plan. Motion seconded by Don Koontz. Motion carried.*

- d. Nutrient Management Plan, Lamar Sensenig, Schuylkill County. Amy Zerbe, SCC, reported that the Lamar Sensenig farm is a poultry (96,000 broilers) and beef (7 beef cows, 7 beef finishers, and 5 beef calves) in Schuylkill County. This operation is a concentrated animal operation (CAO) and is regulated under the PA Nutrient Management Act. This plan is coming to the Commission for consideration because Schuylkill County Conservation District does not have a NM/MM delegation agreement. Commission staff (Amy Zerbe) has reviewed the plan and visited the site and has determined the plan meets the Act 38 NM requirements.

*Daryl Miller made a motion to approve the Lamar Sensenig Nutrient Management Plan. Motion seconded by Ron Kopp. Motion carried.*

- e. Nutrient Management Plan Approval Process. Frank Schneider, SCC, reported that the current Nutrient Management Plan approval process, for plans from non-delegated counties, is that the plans are brought to Commission meetings and presented for Commission approval. Frank suggested an alternate approval process, as an increase in plans are anticipated, which would save meeting time. Nutrient Management plans would be reviewed by the SCC Executive Secretary and approved. There could be levels as to which a Nutrient Management plan may need to come to the Commission for approval. Commission members agreed that this was a good idea. Frank Schneider will develop a policy with Doug Wolfgang for the plan approval process to be presented to the Commission in May 2023.

*Action: No action needed.*

3. York County Conservation District Board Composition Change. Jeff Hill, York County Conservation District Manager, reported that York County is proposing to change its Board composition from five farmer directors, three public directors, and one county commissioner



TO four farmer directors, four public directors, and one county commissioner. Jeff Hill explained that the request is due to the fact that it will even out the composition, in addition to making it easier to fill positions by allowing associate directors to fill the vacant terms of those who have resigned (with unexpired terms).

Ron Rohall made a motion to approve York's Board composition change to four farmer directors, four public directors, and one county commissioner. Motion seconded by Don Koontz. Motion carried.

4. ACAP Program Update. Justin Challenger, SCC, and Eric Cromer, SCC, highlighted several updates on the implementation of the ACAP program, including county delegation agreements, workgroup meetings, technical assistance center, engineering needs, bidding requirements, and upcoming press event. On December 21, 2022, Delegation Agreements were sent out to all Conservation Districts for consideration. As of March 2, 2023, 59 districts have signed and sent in their agreements to the SCC and are being processed. Additionally, 17 agreements have been fully executed, and advance payments have been processed for payment by SCC staff. Staff continue to process advance payments as they are fully executed. A few districts have reached out to the SCC to discuss multi-county or multi-agency agreements to administer ACAP in their respective counties. The SCC has met with these districts to discuss inter-county agreements for how the program will be administered. SCC has developed a webpage on the PDA website where they plan to keep updated ACAP information and webinar recordings. The webpage currently has the ACAP Guidelines, SCC BMP List and a draft ACAP Application. Previous webinars are also posted to the website.  
[https://www.agriculture.pa.gov/Plants\\_Land\\_Water/StateConservationCommission/ACAP/Pages/default.aspx](https://www.agriculture.pa.gov/Plants_Land_Water/StateConservationCommission/ACAP/Pages/default.aspx) Bidding requirements for ACAP have been approved by the Department of General Services. These requirements follow the federal bidding requirements with details on what is required for each bidding threshold. The SCC will overview these requirements with districts at their next update meeting on March 8th.

**ACAP Workgroup Meetings:** The ACAP Center Subcommittee continues to discuss the Center and the expansion of Boot Camp Trainings. Jennifer Fetter of Penn State will be spearheading the development of the Center, which includes laying out the framework and building staff capacity. SCC plans to meet with Penn State to discuss the needs of the ACAP program as well as other outputs. The ACAP Technical Assistance Workgroup advises on the task of Trainings for Technical Assistance as well as technical support across the state. This group met on February 22nd to discuss engineering, RFPs, Job Approval Authority, Certifications for BMPs and Admin Training. With the development of the Center starting to take shape, SCC anticipates this group to reconvene to discuss the actual needs for districts state-wide on a more regular basis. Staff will present an update on the current engineering availability to districts as well as plans for additional technical assistance/engineering during their next district update on March 8th.

Action: No action needed.

5. Dirt, Gravel, and Low Volume Road (DGLVR) – Annual Summary Report and District Spending Update. Roy Richardson, SCC, and Steve Bloser, Penn State Center for Dirt and Gravel Road Studies reported that the State Conservation Commission (Commission) provides funding to conservation districts to implement the Dirt, Gravel, and Low Volume Roads Maintenance Program. Conservation districts report program accomplishments in a GIS system maintained by the Penn State Center for Dirt and Gravel Road Studies

(Center). These accomplishments are compiled into an annual summary report each year and this report is provided to the House and Senate Transportation Committees. Steve Bloser from the Center provided a report on the 2022 calendar year accomplishments. Roy Richardson gave an update on the district's two years spending status. Conservation Districts have two years to spend funding in order to be eligible for future allocations

Action: No action needed.

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

1. Program Reports
  - a. Nutrient and Odor Management Program Measurables Report
  - b. Regulatory Revisions
  - c. 2022 – Chapter 91 Activities
  - d. 2022 NMA Planning Numbers
  - e. Nutrient Management Plans – Update Report
  - f. March 2023 Status Report on Facility Odor Management Plan Reviews/OMP Actions
  - g. REAP Update – Proposed Changes for the FY 2023 REAP Program
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 reported that Conservation District week is from April 23-29, 2023. The districts are planning events with local legislators. Congratulations to Russell Redding, Rich Negrin, and Cindy Adams Dunn for being named the acting secretaries of PDA, DEP, and DCNR, respectively. PACD looks forward to working with them. Over 1,000 people were recently in attendance at the NACD, including Kelly Stagen and Ron Rohall. Cliff Lane was sworn in as the Northeast region director for the NACD Executive Board.

**NRCS** – Denise Coleman reported that NRCS appreciates working with the Center for Technical Excellence, which will bring all of the conservation programs to work together. With this Technical Center, a biologist and an engineer will be on board. Thank you to Doug Wolfgang and Penn State for all of the work done on this. Denise reported on NRCS and East Palestine train derailment. NRCS is involved at the departmental level, but EPA is in charge overall. If farmers want further soil testing done, NRCS will be able to support them. NRCS is not looking at the specific types of chemicals in the soil tests that they run. More information should be available in the week of March 20, 2023, as to what chemicals are in the soil and water. NRCS hopes to be in their urban Philadelphia office by June 2023. They hope to have 75% of EQIP and CSP contracts tied up by June 30, 2023. Next year, NRCS expects to get the Inflation Reduction Act (IRA) or (Climate) money. With the EQIP IRA next year, they expect \$20 million in additional money. This should grow to \$35 million in 2025. Coming soon: Five engineers that SCC and NRCS will share will be located in technical centers across the state. One engineer has already reported to work. Six retirees are now on board and are doing on-the-job training. They are being paid by NRCS and the SCC.

**PSU** – Chris Houser thanked Justin Challenger and Eric Cromer for all of their work on

ACAP. There will be a website dedicated to ACAP Conservation and Practice training. There will be a career fair at Penn State during the week of March 13...Penn State is hoping to hire some students. Ag in Balance training was held in December 2022. An Ag 101 online training course is now available. The per person cost per course can be further discussed with Chris Houser.

**DEP** – Lisa Daniels reported the following:

**Update on Administration Transition** – The DEP Executive Team includes the following:

- Acting Executive Deputy Secretary for Programs – Jessica Shirley
- Acting Deputy Secretary for Administration – Ian Harlow
- Acting Deputy Secretary for Field Operations – Ramez Ziadeh, P.E.
- Acting Deputy Secretary for Waste, Air, Radiation, and Remediation – Ali Tarquino Morris
- Acting Deputy Secretary for Active and Abandoned Mine Operations – John Stefanko
- Acting Deputy Secretary for Oil and Gas – Kurt Klapkowski
- Acting Deputy Secretary for Water Programs – Lisa Daniels
- Acting Special Deputy Secretary for the Office of Environmental Justice – Fernando Trevino
- Regional Director, Northeast Region – Joe Buczynski, P.E.
- Regional Director, Southcentral Region – Bob DiGilarmo
- Regional Director, Southeast Region – Pat Patterson
- Regional Director, Northcentral Region – Jared Dressler
- Regional Director, Northwest Region – Erin Wells
- Regional Director, Southwest Region – Jim Miller

**2023 Virtual Conservation District and PA Agency Ag Meeting: Pennsylvania Partners Making an Impact!** – Registration now open

Mark your calendars for the 2023 Virtual Conservation District and PA Agency Ag Meeting!

April 3, 2023, 1:00pm to 4:00pm – Ohio, Erie, Genesee, and Delaware Watersheds

April 6, 2023, 9:00am to Noon – Chesapeake Bay Watershed

County conservation districts and your partners have a huge impact at the local, state, and federal levels. And all of this PROGRESS is happening because of expanding PARTNERSHIPS and PROJECTS! We invite districts to join this half-day meeting to hear from local, state, and federal partners about how your work is connecting the dots everywhere and inspiring partners at every level.

Staff from PA state agencies, USDA-NRCS, and conservation districts are encouraged to attend. Registration is now open on the Pennsylvania Association of Conservation Districts (PACD) website.

**Public Comment Period Open for Draft Pennsylvania Post-Construction Stormwater Management (PCSM) Manual:** The draft Pennsylvania Post-Construction Stormwater Management (PCSM) Manual is open for a 90-day public comment period (January 28-April 28, 2023), and the associated Pennsylvania Bulletin notice provides an overview of the draft manual and can be viewed at: [Pennsylvania Bulletin \(pacodeandbulletin.gov\)](https://www.pacodeandbulletin.gov) Anyone is welcome to submit written comments during the public comment period. Districts should

submit written comments to the 102 Resource Account, [RA-EPCHAPTER102@pa.gov](mailto:RA-EPCHAPTER102@pa.gov)

**Regional Countywide Action Plan (CAP) Support Staff Team** – With the expansion of the Chesapeake Bay Office to the Bureau of Watershed Restoration and Nonpoint Source Management, there will be a transition of roles and responsibilities on the monthly CAP calls. Watershed Managers will be brought on to facilitate the monthly CAP calls, CDFRs to take notes and lend local knowledge, and the WAAS Coordinator will continue to guide program level items. As each region’s Watershed Manager and CDFR staff positions are filled these transitions will begin to take place. The Northeast region currently has both a CDFR and Watershed Manager and will begin this transition. The Northcentral region has a Watershed Manager, and is in the process of hiring a CDFR, and will begin this transition in the next month. This region is also experiencing a transition in the WAAS Coordinator from Kate Beats to Shane Gutsie. Interviews are underway for the Southcentral Watershed Manager and both CDFRs are in place. This transition will occur in a two to three-month timeframe.

### **Staff Updates**

The Stormwater Construction Section in DEP’s Bureau of Clean Water, which develops policies, permits and training for statewide Chapter 102 permitting activities has filled the following positions.

- **Environmental Group Manager (Section Chief) - Krystal Bloom** will be stationed at Central Office in Harrisburg.
- **Water Program Specialist – Sharon Pletchan** will be stationed in the DEP NERO

Conservation District Support Section – On March 13, the Conservation District Support Section filled the North Central Conservation District Field Rep (CDFR) position. The Conservation District Support Section now has full complement of eight CDFRs serving the conservation districts statewide.

**DCNR** – Drew Gilchrist reported that Pennsylvania has the sixth largest outdoor recreation economy in the nation, supported by a combination of its exceptional recreational assets, an economy that is generally diverse in sources of revenue, active participation by Pennsylvania residents, and strong retail, manufacturing, and tourism sectors. The nearly \$14 billion in economic value the sector adds also supports 152,000 jobs in Pennsylvania. Nationally, outdoor recreation generates \$862 billion in economic output, accounting for approximately 3 percent of all jobs in America. To assist with the mission of growing the outdoor recreation economy, DCNR and other state agencies are developing an Office of Outdoor Recreation, which would be responsible for coordinating and synergizing among entities within and connected to state government to help align and support strategic initiatives, partnerships, policies, resources, and more. The DCNR Pennsylvania Director of Outdoor Recreation, Nathan Reigner, announced a series of statewide stakeholder meetings on efforts to unite, grow, and strengthen Pennsylvania’s outdoor economy. The stakeholder meetings will begin Wednesday, March 29 at York College’s Center for Community Engagement in York County. The listening tour will conclude Thursday, April 27 at the Tom Ridge Environmental Center at Presque Isle State Park in Erie. Other stakeholder meetings include the following:

- Wednesday, April 5 -- John Heinz National Wildlife Refuge Philadelphia PA
- Thursday, April 6 -- Nurture Nature Center Easton PA
- Tuesday, April 11 -- Conewango Club Warren PA

- Wednesday, April 12 -- Lycoming College
- Thursday, April 13 -- Montage Mountain
- Tuesday, April 25 -- Frick Environmental Center in Pittsburgh
- Wednesday, April 26 -- Bottle Works Ethnic Arts Center in Johnstown PA

[Contact the Director of Outdoor Recreation Opens In A New Window](#) for more information about the meetings.

**DCED** – Colin Parry reported that DCED is always happy to work with partnering agencies.

**PDA** – Executive Deputy Secretary Greg Hostetter reported that Secretary Redding was renominated as Secretary of Agriculture and should be confirmed at the end of April 2023. It is currently a busy budget season. Secretary Redding and the Department are pleased by the Governor’s proposed budget increase of \$7.2 million in the General Government Operations (GGO). With this increase, Ag should be able to fill more positions. The University of Pennsylvania and Penn State University received line-item increases. The Farm Bill is in its fifth year of funding. The total from the past five years is \$100 million. HPAI and SLF are included in this. There have been new HPAI cases since January 2023...mostly in Lancaster County. \$25 million is being used for recovery for producers. The SLF counties keep expanding...it is a continual problem. The Governor set up a service center for agencies to congregate at concerning the East Palestine train derailment. Mark Critz is spear-heading this Center. Secretary Redding is testifying at a hearing today about the ramifications resulting from the derailment. PDA is hearing about requests for soil samples. Ag has reached out to private veterinarians, looking for animals with acute symptoms. PDA staffing updates: Lisa Graybeal, Deputy Secretary for Animal Health; Dawn Plummer, Director of PA Food Policy Council; and Grace Dunigan, Executive Assistant to Secretary Redding. The PDA Communications Director is leaving the department. Posting is open for a Diversity Coordinator position.

**Adjournment:** Meeting adjourned at 2:41 p.m.

Next Public Meetings: April 11, 2023 – Conference Call

May 9, 2023 -- Public Meeting, In-Person and Virtual

## STATE CONSERVATION COMMISSION CONFERENCE CALL

### Microsoft Teams Conference Call

Tuesday, April 11, 2023 @ 8:30 am

### *DRAFT MINUTES*

**Members Present:** Secretary Russell Redding, PDA; Carl Deluca for Secretary Rich Negrin, DEP; Mike Flinchbaugh; Ron Rohall; Ron Kopp; Don Koontz; Daryl Miller; Denise Coleman, NRCS; Kelly Stagen, PACD; and Brent Hales, Penn State.

**A. Public Input:** None.

#### **B. Agency/Organization Updates**

1. DCNR – No report.
2. DEP – Carl Deluca

Growing Greener and 319 Grants are opening on April 21, 2023. Guidance should be on the DEP webpage by Friday, April 14. DEP just completed the statewide Agriculture meetings. There were Bay and non-Bay sections with 130 participants. A Jamboard was used to make comments anonymously. This a digital whiteboard. Watershed virtual training dates are available on the DEP website.

3. NRCS – Denise Coleman

NRCS is looking forward to working with Penn State and the SCC on the Center for Technical Excellence – NRCS is a founding member. There will be an SCC engineer and a biologist or agronomist to assist with on-the-job training. Retirees are looking for conservation districts who have employees who would like experienced planners to help with on-the-job training. They will help to train new district employees and new NRCS employees. NRCS is in the mix of obligating contracts. There has been \$25M plus awarded in Climate Smart money for EQIP that will bring it to around \$28M in financial assistance on landscape. NRCS has ninety-nine projects where they are working together with conservations districts to do ACAP/EQIP conservation practices. The NRCS Chief wants sixty percent of projects tied up by June 30, 2023.

4. Penn State University – Brent Hales

Penn State is at the high point of beginning Ag-based programs. 4H is at an all-time high with recruiting new families. Pennsylvania is the only state in the country to grow in 4H (in rural and urban areas). HPAI outbreaks are virtually stopped--Penn State labs are constantly running tests. Penn State is looking forward to a new growing season with a heavy outlook towards profitability.

5. PACD – Kelly Stagen

The PACD Spring Region Meetings have been ongoing. The JAC (Joint Annual Conference) will be held at the Holiday Inn Grantville from July 19-20, 2023. The Ag Agency meetings were highly successful. In addition, there were three verbal judo sessions to teach techniques on how to handle emotionally-charged verbal attacks and how to diffuse contentious situations. There will be topic-based technical training on April 12, 2023. Participants will learn how to conduct an inspection, write inspection reports, and deal with contaminated sites. Through the Ag reimbursement plan, there have been over 150 plans developed.

6. DCED – No report.7. PDA – Secretary Russell Redding

Secretary Redding welcomed Lisa Graybeal as Deputy Secretary for Animal Health and Food Safety. Lisa is a third generation, Lancaster County farmer. She has served as an associate director on the Lancaster County Conservation District Board. Budget season is upon us. The budget hearings went well...Food/Animal/Plant budgets are all secure. The permitting initiative is underway, as stated by the Governor. Spotted Lanternfly season is here – they will hatch soon and become a problem.

### C. Information and Discussion Items

1. **Agriculture Conservation Assistance Program – ACAP (Justin Challenger and Eric Cromer)** – To date, 64 delegation agreements have been returned by conservation districts, with 45 delegation agreements fully executed for a total encumbered amount of \$108 million. In addition, total advanced payments equal \$18 million. The Technical Assistance Center at Penn State University College of Ag Sciences is now staffed with funding provided by the Commission. Plans are moving forward for the Center to hire an engineer to work on behalf of the Commission. Commission staff is also proposing to have several counties across the state host regional engineers to work under the direction of the engineer at the Center. Commission staff continues to encourage conservation districts to also invest

in non-structural practices that may not require engineering but are still impactful from a water quality and soil health standpoint. A press event to kick-off ACAP was held on the Mathew and Samantha Stahlnecker farm in Lycoming County on March 30, 2023. In addition, staff presented ACAP information at the PA Farm Bureau Legislative Day on April 4, 2023.

**2. Nutrient Management Plan Action by the Commission (Frank Schneider)**

Commission staff is proposing a new procedure for approving Nutrient Management Plans (NMPs) that are presented to the Commission for approval when the farm is in a non-delegated county. The idea was discussed at the March 14, 2023 meeting and staff was given the go-ahead to develop a policy to present to the Commission for approval. The proposed policy has been developed and staff will discuss the policy and seek Commission approval at the May 2023 meeting.

**3. Resource Enhancement and Protection Act (REAP) update (Joel Semke) – REAP tax**

credit program, administered by the Commission, has been in existence since 2007. The program provides tax credits for agricultural best management practices and purchasing of no-till and precision agricultural equipment. To date, roughly 3,500 farmers have accessed \$140 million in tax credits, leveraging \$66 million in other public funding and \$200 million of producer funds to install conservation on farms. The FY 22/23 REAP application period opened on August 1, 2022. The REAP tax credit allocation was \$13 million, all of which was allocated by the submission deadline of November 18, 2022. Staff will be discussing proposed changes to the REAP program and will seek input from partners on how to improve the program. Several proposed changes for FY 23/24 include performance upgrade kits, cover crop planting drones, precision nutrient application, and inclusion of silvopasture as an eligible practice.

**4. EPA Most Effective Basin Funds (MEB) award – (Doug Wolfgang) – EPA recently**

announced a \$4 million award from its Most Effective Basin (MEB) funds for the Commission. Staff is proposing to dedicate half of the funds towards enhancing public-private partnerships for implementing best management practices on farms located in high priority watersheds. A pilot project previously funded by the Commission was led by Lancaster Farmland Trust in cooperation with Salisbury Township and Lancaster Clean Water Partners. The project worked under the guidelines of the Conservation Excellence Grant (CEG) program. Additionally, staff is proposing to activate the Sustainable Agriculture Board, per the Sustainable Agriculture Act, to award grants for projects that include cover crops, no-till, soil health, conservation equipment, conservation innovation and other practices. Staff will discuss the proposal for uses of the MEB funds and seek approval at the May business meeting.

**5. Chesapeake Bay update – (Doug Wolfgang)**

Commission staff provided a brief update on Chesapeake Bay Phase 3 Watershed Implementation Plan, including the USDA-EPA task force on crediting conservation investments, and ongoing meetings with PA in the Balance work group.



**6. Legislation – (Doug Wolfgang)**

Senate Bill 283 (Schwank) was introduced to incentivize cover crops by reducing crop insurance rates. The crop insurance rebate program would establish a crop insurance rebate program in the amount of \$5 per acre for each acre of cover crops planted. House Bill 207 (Gleim) was introduced to help communities and business owners better comply with Municipal Separate Storm Sewer Systems (MS4) standards through enhanced data collection.

**7. Commission Staffing Update – (Doug Wolfgang)**

Commission staff recently conducted interviews for several vacancies in the Financial and Technical Assistance Division, including four Conservation Program Specialist 1 positions. The positions will be headquartered in Harrisburg and regionally for the purpose of assisting conservation districts with carrying out ACAP and other ag conservation programs.

**8. Next Meeting – May 9, 2023 (hybrid meeting format)**

**9. Adjournment at 9:15 a.m.**



**COMMONWEALTH OF PENNSYLVANIA  
STATE CONSERVATION COMMISSION**

**DATE:** April 19, 2023

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

**FROM:** Brady Seeley, Conservation Program Specialist 2  
State Conservation Commission

**SUBJECT:** Nutrient Management Plan Review and Requested Action  
Pine Hurst Acres LP – Richard Crone, Northumberland County, Pennsylvania

**Action Requested**

Action is requested on the Pine Hurst Acres LP – Richard Crone Nutrient Management Plan for his Concentrated Animal Feeding Operation (CAFO) located in Northumberland County.

**Background**

I have completed the required review of the subject Nutrient Management Plan (NMP or Plan) listed above. Final corrections to the plan were received at the State Conservation Commission's (SCC) Harrisburg office on April 7, 2023. As of that date, the plan was considered to be in its final form. The operation, Pine Hurst Acres is considered to be a Volunteer Animal Operation (VAO) under the PA Nutrient and Odor Management Act (Act 38 of 2005). Pine Hurst Acres animal operation is considered a Concentrated Animal Feeding Operation (CAFO) under DEP authority and is required to obtain an approved Act 38 NMP. The Commission is the proper authority to take action on this plan, because Northumberland County Conservation District is not delegated administration authority under the Act 38.

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

Thank you for considering this plan for Commission action.

### **Farm Descriptions**

Pine Hurst Acres is an existing swine & beef animal operation, as well as, grain crop farm, located in Northumberland County. The operation consists of a total of 2,907 acres with 2,556 acres of cropland, 16 acres of permanent hayland, 2 acres of pasture, 17 acres of farmstead, and 316 acres of associated agland. Crop rotation consists of corn, soybeans, wheat, and grass hay. Animals raised on the operation are 4,400 finishing swine and 14 finishing beef. Total animal equivalent units (AEUs) house at Pine Hurst Acre's operation is 711.45 AEUs. With 2,573 acres available for manure application, Pine Hurst Acres animal density calculation works out to 0.28 AEUs/acre, classifying the operation as a Volunteer Animal Operation (VAO) under Act 38 of 2005. Due to Pine Hurst Acres having more than 2,500 swine weighing greater than 55 lbs., this classifies the operation as a CAFO which requires him to obtain an approved Act 38 NMP.

Approximately 1,650,000 gallons of swine manure and 96.3 tons of beef penpack is generated per year on the operation. All manure is applied to owned or rented acres. The swine are house in two existing swine finishing barns with under barn manure storages. The swine manure storages either drains from the underbarn manure storages to a reception pit or are pump out and land applied to crop fields. The swine reception pit drains into a methane digester and then is pumped to a slurry store manure storage facility. Pine Hurst has over a years' worth of manure storage on the swine part of this operation. Beef animals are pastured 100 days per year on a small pasture and confined during inclement weather. All manure is applied to owned and rented acres. Pine Hurst Acres also imports manure from two sources; 2,000 tons of Rushtown Poultry's layer manure and 500 tons broiler manure from another neighboring poultry operation, Duane Basset. Manure application rates include 3,500 and 7,000 gallons per acre of swine manure, 12 tons per acre of beef manure, and 3 tons per acre of imported poultry manure. All swine and beef mortalities are composted.

There are no Best Management Practices listed to be implemented on the Pine Hurst Acres animal operation.

Based on my review, the NMP developed for Pine Hurst Acres LP – Richard Crone operation meets the requirements of the PA Nutrient and Odor Management Act and Regulations, and I therefore recommend Commission approval.

# Nutrient Management Plan

**For Crop Year(s)**

2024-2026

**Prepared For**

Operator's Name, Mailing Address, Telephone Number(s)

Pine Hurst Acres LP -Richard Crone  
3304 Sunbury Rd Danville PA 17821  
570-849-0202

**NON-FINAL FORM**

Version 1

This NMP may be revised prior to a formal action by the Conservation District Board. The final form of the plan will be available at least 7 days prior to Board action. You may contact the Conservation District to determine the current status of the NMP

Jan. 17, 2023

Operation's Location Address (if different than above)

**NON-FINAL FORM**

Version 2

This NMP may be revised prior to a formal action by the Conservation District Board. The final form of the plan will be available at least 7 days prior to Board action. You may contact the Conservation District to determine the current status of the NMP

April 7, 2023

Site Name (CAFOs)

Pine Hurst Acres LP PAG124825

**Prepared By**

Nutrient Management Specialist's Name, Address, Telephone Number(s)

Dean R. Patches  
136 Horst Dr Lebanon PA 17046

Nutrient Management Specialist's Program Certification Number

574-NMC

**Administratively Complete Date**

January 17, 2023

**Plan Approval Date**

**Plan Update Submission Date(s)**

(updates to the approved plan not requiring board action)

**FINAL FORM**

This version of the plan will be considered for action by the Conservation District Board at their May 9, 2023 meeting

April 7, 2023

MONTH, DAY AND YEAR



# A Home Farm HQ Map



\* 340.0 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 |      |





COMMONWEALTH OF PENNSYLVANIA  
**STATE CONSERVATION COMMISSION**

**DATE:** April 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 Amendment “B” Review  
Kish-View Farm – Home Farm, Mifflin County

**Action Requested**

Action to approve is requested on the Kish-View Farm – Home Farm odor management plan Amendment “B”; Keith Spicher is operator and authorized representative.

**Background**

This farm is located at 4733 East Main Street, Belleville, PA 17004; Union Township, Mifflin County.

I have completed the required review of the subject odor management plan (OMP) Amendment “B” (plan amendment) listed above. Final corrections to the plan amendment were received by the State Conservation Commission on April 19, 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: Kish-View Farm – Home Farm – Amend B OMP

**Farm Description**

The Kish-View Farm – Home Farm agricultural operation is an existing dairy 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 54 feet for the animal housing facility; no manure storage facilities are proposed.

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

Other Livestock Operations – Other Livestock Operations ( $\geq 8$  AEUs) located within the Evaluation Distance Area include dairy operations in the east 600’ – 1200’ quadrant, south 1800’ – 2400’ quadrant, and north 1800’ – 2400’ quadrant.

Surrounding Land Use – The surrounding land use for this area is suburban including the predominant terrain features of gentle rolling hills of open farmland, up against the edge of the town of Belleville. There is a large retirement community directly across the street from the farm.

**Assessment**Amendment Changes:

The original OMP for this site was approved on September 13, 2016. The approved and constructed facilities include: Barn B7-8.

The Amendment “A” OMP for this site was approved on May 11, 2021. The approved and constructed facilities include: Calf Hutch 3. Amendment “A” also rescinded the Transferred AEUs from the original approved OMP.

This Amendment “B” is for Removing the Windbreak Shelterbelt as a required Level II Odor BMP, making the Anaerobic Digestion and the Manure Solids Separation the primary required Level II Odor BMPs. These 2 Odor BMPs have been successfully implemented since 2010.

Animal Housing Facilities:

*Existing Facilities* – This site includes 350 Milk Cows (507.5 AEUs), 30 Pre-Fresh Cows (43.5 AEUs), and 40 (0-2 mo. Old) Calves (5.8 AEUs) in the following existing animal housing facilities:

- Barn B1 – 50’ x 160’
- Barn B2 – 50’ x 160’
- Barn B3 – 50’ x 136’

## Request for Action Memo: Kish-View Farm – Home Farm – Amend B OMP

- Barn B4-5 – 78’ x 140.5’
- Barn B6 – 62’ x 75’
- Milk Parlor Pens – 36’ x 69’
- Calf Hutches 1 – 8’ x 103’
- Calf Hutches 2 – 8’ x 42’

*Currently Regulated Facilities* – The regulated facilities in the September 13, 2016 approved plan include 115 Cows (149.5 AEUs) in the following animal housing facilities:

- Barn B7-8 – 126’ x 160’ – 200-Cow Capacity
- Note – The September 13, 2016, approved plan allowed for Transferring existing cattle into the regulated facilities.

*Currently Regulated Facilities* – The Amendment “A” OMP was approved on May 11, 2021, and includes 149.5 Proposed AEUs and the following regulated animal housing facility:

- Calf Hutch 3 – 8’ x 42’ – 14-Calf Capacity
- Note – The Transferred AEUs from the September 13, 2016, approved plan were rescinded and are now Proposed AEUs.

*Proposed Regulated Facilities* – This Amendment “B” OMP proposes the expansion of the operation with 65 calves (9.4 AEUs) in the following animal housing facilities:

- (65) Calf Hutches (5’ x 8’ each) in the new Calf Hutch Area

#### Manure Storage Facilities:

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

- Barn B3 Pit – 16’ x 42’ x 8’; 37, 699 gallons
- Methane Digester Tank – 81’ x 16’; 616,398 gallons
- Separated Solids Stacking Area – 16’ x 34’ x 8’; 13,440 cu.ft.
- Concrete Tank – 170’ x 16’; 2,300,782 gallons

*Currently Regulated Facilities* – The September 13, 2016 approved OMP, and the May 11, 2021, approved Amendment “A” do not include any regulated manure storage facilities for this site.

*Proposed Regulated Facilities* – This plan Amendment “B” does not propose an 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

On November 22, 2022, I met on-site with the operator, the plan writer and Dr. Mikesell, PSU OM Program Technical Advisor, to review the site conditions, the required Level II Odor BMPs, and management characteristics of the operator. From this meeting we acknowledged that the Windbreak Shelterbelt (2 rows of trees) had never effectively worked for this site, that the Anaerobic Digester and Manure Solids Separator had been





# Odor Management Plan Amendment (B)

*Prepared For:*

## **Kish-View Farm – Home Farm**

**Keith Spicher**

**4733 East Main St.**

**Belleville, PA 17004**

**(717) 363-0618 (Keith Cell)**

**County/ Municipality: Mifflin County / Union Township**

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

*Prepared By:*

**Darren Shenk**

**OM Certification # 95- OMC**

**1 Ruth Road Denver, Pa 17517**

**717-629-7737**

**[darren@dshenkconsulting.com](mailto:darren@dshenkconsulting.com)**

|  |                       |
|--|-----------------------|
| For Official Use Only                                      |                       |
| <b>Date of Plan Submission:</b>                            | <u>March 13, 2023</u> |
| <b>Date of Plan Approval:</b>                              | _____                 |
| <b>Date(s) of Plan Updates (not requiring SCC action):</b> |                       |

# Table of Contents

---

## Kish-View Farm – Home Farm Amendment B Odor Management Plan

|   |    |
|---|----|
| Planner and Operator Commitments & Responsibilities .....                         | 4  |
| Plan Development Requirements.....  | 4  |
| Planner Signature & Agreement .....   | 4  |
| <i>OMP Amendment Name:</i> Kish-View Farm – Home Farm Amendment B .....           | 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 .....                | 7  |
| Level I Odor BMPs Principles .....  | 7  |
| Level I Odor BMPs to be Implemented.....  | 8  |
| Level II Odor BMPs to be Implemented: .....                                       | 9  |
| D. Documentation Requirements.....  | 13 |
| Level I Odor BMP Documentation Requirements.....                                  | 13 |
| Level II Odor BMP Documentation Requirements .....                                | 14 |
| Odor BMP Implementation Commitment Statement .....                                | 16 |
| OMP Amendment Name: Kish-View Farm – Home Farm.....                               | 16 |
| Level I Odor BMPs Principles .....  | 16 |
| Odor Management Plan Requirements .....   | 16 |
| Level I Odor BMPs – Maintenance Log YEAR .....                                    | 17 |
| Level II Odor BMPs – Quarterly Observation Log YEAR.....                          | 18 |
| LEVEL II ODOR BMP NAME: Anaerobic Digester .....                                  | 18 |
| Level II Odor BMPs – Quarterly Observation Log YEAR.....                          | 19 |
| LEVEL II ODOR BMP NAME: Solids Separation for Manure .....                        | 19 |
| Appendix 1: Operation Information.....  | 20 |
| Part A: Odor Source Factors .....   | 20 |
| Existing Facilities Description:.....   | 20 |
| Currently Regulated Facilities: .....   | 21 |

Act 38 of 2005, Odor Management Plan Amendment

Proposed Regulated Facility(ies) Description: ..... 22

Part B: Site Land Use Factors ..... 24

Part C: Surrounding Area Land Use Factors ..... 24

Appendix 2: Operational Maps ..... 26

    Topographic Map ..... 26

    Site Map ..... 26

Appendix 3: Plan Evaluation – OSI ..... 27

Appendix 4: Biosecurity ..... 28

    Biosecurity Protocol Contact Information ..... 28

Appendix 5: Supporting Documentation ..... 29

## 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:     Darren Shenk     Certification number:     95-OMC    

Signature of Planner:     ,     Date:     3/3/2023    

Date(s) Evaluation Distance Area Site Visit Conducted:     3/1/2023

**OMP Amendment Name:** Kish-View Farm – Home Farm Amendment B

**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:

Keith D Spicher Date: 3-13-23

Print Name of Operator/ Authorized Representative:

Keith D Spicher

Title of Operator/ Authorized Representative:

Partner

Business Legal Name of the Operation:

Kish-View Farm

## Plan Summary

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

A plan amendment is required to remove Windbreak Shelter Belt details as a required Level II Odor BMP. Kish-Views farms also plans to put 65 new calf hutches on the farm.

### 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:   | Cattle                  |
| Proposed Animal Numbers:  | Calves (0-2 months)- 65 |
| Proposed AEUs (per animal type):  | Calves – 9.4            |
| Voluntary Existing Animal Type:   | None                    |
| Voluntary Existing AEUs (per animal type):  | N/A                     |
| Regulated AEUs under Previous Plan(s):<br><i>(Associated with Currently Regulated Facilities below)</i> | 375.06                  |
| <b>Total AEUs Covered by this Plan:</b>   | <b>384.46</b>           |
| <br>AEUs per acre for the operation:  | <br>1.68                |

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: 9/13/2016    Currently Regulated AEUs: 149.5

| Animal Housing Facility <input type="checkbox"/> None | Dimensions  | Livestock Capacity |
|---|-------------|--------------------|
| Barn B7-8   | 120' x 160' | 200 Adult Cattle   |
|   |             |                    |

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

Plan Approval Date: 5/11/2021 Currently Regulated AEU: 375.06

| Animal Housing Facility <input type="checkbox"/> None | Dimensions | Livestock Capacity |
|---|------------|--------------------|
| Calf Hutch 3  | 8' x 42'   | 14 calves          |
|   |            |                    |
|   |            |                    |

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

**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: 241.5

**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 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:

### Principle 1. Steps taken to reduce dust and fec accumulation in pens, aisles, and on animals:

*Dust Control* – Barn B7-8 – Dust will be removed from stall dividers, feed surfaces, fans, walls and other surfaces by compressed air as needed. Barn ventilation volumes will be increased in the formation of cobwebs is observed. Calf Hutch #3 & Calf Hutch Area – Dust will be removed from stall dividers, feed buckets, walls and other surfaces by compressed air as needed.

*Feed Clean Up* – Barn B7-8 – Spilled feed will be cleaned from the barn feed alleys daily. Refused feed is removed from the barn as it accumulated and provided to other livestock daily. Feed spilled during mixing in the feed room attached to Barn #4-5 will also be cleaned up daily. Calf Hutch #3 & Calf Hutch Area – Feed spilled from feed buckets or refused will be cleaned up daily.

### Principle 2. Manage ventilation to provide sufficient fresh airflow throughout the facility to keep animals and facility surfaces clean and dry:

*Ventilation Components* – Barn B7-8 – Ventilation system components including fan blades, shrouds, and louvers and curtains, cables and winches and other components will be checked daily for functionality. Fans will be thoroughly cleaned and inspected twice per year. Calf Hutch #3 & Calf Hutch Area is not equipped with ventilation components.

*Mechanical Ventilation* – Barn B7-8 – The ventilation system will be designed to provide appropriate ventilation during the winter months. As ambient temperature increases, ventilation rate will increase. Inlet openings, fans and curtains will be adjusted as needed to provide adequate air distribution and ventilation.

*Natural Ventilation* – Calf Hutch #3 & Calf Hutch Area – The ventilation system will be designed to provide adequate fresh air while minimizing drafts so that aisles, pen surfaces, and animals remain relatively free of manure. Bedding may be used to minimize accumulation of manure on pen surfaces and animals.

### Principle 3. Manure will be managed to minimize damp, exposed manure that contributes to odor generation:

*Moisture Control* – Barn B7-8 – Water delivery system and water troughs will be checked daily for leaks. Repairs will be performed as needed. Calf Hutch #3 – Water buckets will be checked daily for leaks. Repairs or replacements will be performed as needed. Calf Hutches- Water buckets will be checked daily for leaks. Repairs or replacements will be performed as needed.

#### *Controlling Accumulated Manure*

Barn B7-8 – Separated manure solids bedding systems: Separated manure solids are used as bedding for lactating cows. Sufficient amounts of separated manure solids will be provided to allow cows to lie comfortably and to minimize manure from sticking to cows. Free stalls will be inspected for accumulated manure daily.

Barn B7-8 – Scraper Systems: A skid loader will be used to scrape the barn an average of three times per day. Calf Hutch #3 & Calf Hutch Area – Bedded pack systems: Calves will be monitored for cleanliness and sufficient sawdust bedding will be added to keep at least 80% of exposed manure covered at all times. When

bedded pack volume interferes with animal movement or when animals can no longer be kept clean, the bedded pack will be removed and replaced with fresh sawdust bedding.

**Principle 4. Mortalities will be removed from livestock barns and added to the compost pile at the farmstead daily.**

**Principle 5. Feed nutrients will be matched to animal nutrient requirements to avoid excess nutrient excretion through the use of a total mixed ration specifically designed by a dairy herd nutritionist.**

**Principle 6. Manage Manure Storage Facilities to reduce exposed surface area and off-site odor transfer:**

There are no proposed manure storage facilities at this operation.

### **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 – Anaerobic Digestion**

*Anaerobic digestion removes some of the volatile organic compounds from manure and converts them to methane (biogas).*

#### **Implemented - 2010**

The operator will continue to process liquid cattle manure through the existing methane digester at the farmstead prior to storing it in the existing concrete manure storage tank. 4 staff are trained to operate the digester.

#### **Operation and Maintenance**

The operator will continue to follow the established operation and maintenance schedule for the existing methane digester. All maintenance activities will be recorded in the established Maintenance Log at the farmstead.

#### **Digester Gas Bag Pressure-**

- a. Make the necessary repairs or adjustments if the digester engine is not running properly/smoothly.
- b. Make the necessary repairs or adjustments to address any alarms or fault codes on the digester engine control panels.
- c. Remove obstructions that are preventing liquid manure from flowing to the digester freely.

**Digester Cover-**

- a. Repair damage to the digester cover

Digester Bag Sediment Cover- Remove build up from bottom of the digester bag to avoid interference with the water piping systems' ability to maintain the optimal temperature within the digester bag.

**Engine – Daily**

- a. Verify that the digester engine is running properly / smoothly. Trouble shoot if not working properly and take corrective action.
- b. Check for alarms or fault codes on the digester engine control panels and correct as needed.
- c. Verify that liquid manure is flowing to the digester freely.
- d. Visually inspect the digester cover for any signs of damage.

**Weekly**

- a. Scrubber Check - Inspect sulfur scrubber operation to ensure that it is functioning properly.
- b. Nutrient Tank Liquid Level- inspect liquid manure level in the sulfur scrubber nutrient tank and add as needed.
- c. Perimeter drain Inspection- Visually inspect the digester tank perimeter drain.

**Quarterly**

- a. Scrubber Tote Inspection- Drain spend water from sulfur scrubber tote and refill with fresh water.
- b. Scrubber Tank Build up removal -Inspect sulfur scrubber tank and remove sulfur build-up as needed.

Generator Engine- Rebuild/Replace Engine needs to be rebuilt or replaced by 60,000 hours. Review around 50,000 hours. Engine work is done via a service contract with the equipment supplier.

Flare System- Check and maintain automatic sparking system & automatic gas valve system- burn off excess gas pressure. Make the necessary repairs or adjustments.

Note- The generator Engine must be able to have the capacity to use the methane created in the digester, or the flare system must be able to burn off the generated methane; if they don't the methane will build up until the pressure causes it to escape into the atmosphere causing odor issues.

**#2 – Solids Separation for Manure**

*Separating solids from manure provides opportunities for further treatment or handling of this odorous component of manure.*

**Implemented - 2010**

The operator will continue to process digested manure through the existing solids separation at the farmstead. Separated manure solids will be stored in the roofed, three-sided manure stacking structure attached to the solids separator until it is used for cattle bedding.

**Operation and Maintenance**

The operator will continue to follow the established operation and maintenance schedule for the existing solids separation. All maintenance activities will be recorded in the established Maintenance Log at the farmstead.

**Daily**

- a. Flow to Separator- Verify that liquid manure is flowing from the digester to the solid's separator.

Act 38 of 2005, Odor Management Plan Amendment

- b. Flow away from separator- Verify that separated liquid is flowing away from the separator to the existing concrete manure storage tank.
- c. Separator pads- Remove separated solids from underneath the separator and store in the existing roofed three-sided storage attached to the separator until solids are suitable for use as cattle bedding.

**Quarterly**

- a. Separator screen- Inspect and clean the separator screen.
- b. Automatic greaser system-Inspect and fill the automatic greaser system.
- c. Repair or replace worn or defective separator parts.

**Supplemental Level II Odor BMP- Vegetative Buffers for Screening**

Vegetative Buffers for Screening are one or two 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**

**Planting Timeframe –**

- a. See Plant Material charts & Planting Dates columns.
- b. Already Implemented – The Vegetative Buffers were implemented in the spring of 2019.

**Plant Materials Information Chart**

| Species/Cultivar                              | Kind of Stock              | Planting Dates | Distance between plants w/in rows | Total Number of plants for the row | Distance between rows |
|---|----------------------------|----------------|-----------------------------------|------------------------------------|-----------------------|
| Buffer 1<br>Deciduous trees along main street | 3' – 4' Balled & Burlapped | May 2019       | 10 feet                           | 30                                 | na                    |

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

Vegetative Buffer #1 will consist of 1 row of plant material. The row consists of deciduous trees planted on 10-foot centers. See the Site map for the vegetative buffer for screening location and layout.

### Plant Material

| Species/ Cultivar                 | Kind of Stock            | Planting Dates | Distance between plants w/in rows | Total Number of Plants for the row | Distance between rows |
|-----------------------------------|--------------------------|----------------|-----------------------------------|------------------------------------|-----------------------|
| Buffer # 2 Row 1: Streamco Willow | Rooted Cutting           | May 2019       | 10 feet                           | 20                                 | 16 feet               |
| Row 2: Colorado Blue Spruce       | 3'-4' Balled & Burlapped | May 2019       | 10 feet                           | 20                                 | N/A                   |

### Location and Layout (include drawing):

Vegetative Buffer #2 consists of two rows of plant material. Each row is approximately 200 ft in length. The row nearest the milk cow barns consists of *Streamco Willow (Salix purpurea)* planted on 10-foot centers. The outer row consists of Colorado Blue Spruce (*Picea pungens*) planted on 10-foot centers. The starting point of the second row is offset five feet from the adjacent row to try and achieve a uniform continuous row of vegetation. See the Site map for the vegetative buffer for screening location and layout.

### Operation & Maintenance Activities –

- a. **Inspect** – Inspect buffers components weekly during the growing season and protect from damage so proper function is maintained.
- b. **Replace Dead Stock** – 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.
- 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.
- d. **Irrigation** – Provide supplemental irrigation for a minimum of three years post plant-establishment. Ensure irrigation equipment is properly working; replace components as needed
- e. **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”.

**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:*

#### **Steps taken to reduce dust and feed accumulation in pens, aisles, and on animals:**

*Dust Control* – Barn B7-8 – Document if the ventilation system components including fan blades, shrouds, and louvers and curtains, cables and winches and other components require cleaning due to circumstances outside of normal daily standard operating procedures. Calf Hutch #3 – Document if stall dividers, feed buckets, walls and other surfaces require cleaning due to circumstances outside of normal daily standard operating procedures.

*Feed Cleanup* – Barn B7-8 – Document if spilled or unconsumed feed is not removed from feed alleys or the feed room on a daily basis due to circumstances outside of normal daily standard operating procedures. Calf Hutch #3 – Document if spilled or unconsumed feed is not cleaned up on a daily basis due to circumstances outside of normal daily standard operation procedures.

Calf Hutches – Document if spilled or unconsumed feed is not cleaned up on a daily basis due to circumstances outside of normal daily standard operation procedures.

#### **Manage ventilation to provide sufficient fresh airflow throughout the facility to keep animals and facility surfaces clean and dry:**

*Ventilation Components* – Barn B7-8 – Document if the barn ventilation system is not functioning as designed to provide adequate fresh air and/or to control temperatures in the barn and what maintenance activities were performed to correct the issue.

#### **Manage manure to minimize damp, exposed manure that contributes to odor generation:**

*Moisture Control* – Barn B7-8 – Document if the water delivery system and troughs are leaking or not functioning properly and what maintenance activities were performed to correct the issue. Calf Hutch #3 – Document if the water buckets are leaking or not functioning properly and what maintenance activities were performed to correct the issue.

##### *Controlling Accumulated Manure*

Barn B7-8 – Separated Manure solids bedding systems: Document if excess manure is sticking to cows, and the increased amount of separated manure solids bedding used to correct the issue.

Barn B7-8 – Scraper Systems: Document if the skid loader is not being used often enough to minimize damp exposed manure from the barn due to a malfunction or other issue and what maintenance activities were performed to correct the issue.

Calf Hutch #3 – Document if bedding in addition to the normal amount needed to keep at least 80% of exposed manure coved at all times is needed due to circumstances outside of normal daily standard operation procedures and the additional amount of bedding needed to correct the issue.

## Act 38 of 2005, Odor Management Plan Amendment

Calf Hutches – Document if bedding in addition to the normal amount needed to keep at least 80% of exposed manure covered at all times is needed due to circumstances outside of normal daily standard operation procedures and the additional amount of bedding needed to correct the issue.

**Mortalities will be removed daily and managed through composting.**

If mortalities are not disposed of by composting, document the alternative mortality handling system used.

**Feed nutrients will be matched to animal nutrient requirements to avoid excess nutrient excretion through the use of a total mixed ration specifically designed by a dairy herd nutritionist.**

Document occurrences of feed refusal above normal amounts to be expected or if cattle show signs of health and/or productivity issues due to feed consumption. Document consultants with a nutritionist to correct feed issues.

**Manage manure storage facility to reduce exposed surface area and off-site odor transfer:**

There are no proposed manure storage facilities at this operation.

**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 – Anaerobic Digestion**

**Implementation**

Odor BMP was implemented in 2010.

All maintenance activities will be recorded in the established Maintenance Log at the farmstead.

**Daily**

- d. Make the necessary repairs or adjustments if the digester engine is not running properly/smoothly.
- e. Make the necessary repairs or adjustments to address any alarms or fault codes on the digester engine control panels.
- f. Remove obstructions that are preventing liquid manure from flowing to the digester freely.
- g. Repair damage to the digester cover.

**Weekly**

- a. Make the necessary repairs or adjustments to the sulfur scrubber operation if it is not functioning properly.
- b. Add liquid manure to the sulfur scrubber nutrient tank as needed.
- c. Make the necessary repairs to the digester tank if manure is detected flowing from the perimeter drain.

**Quarterly**

- a. Add fresh water to the sulfur scrubber tote as needed.
- b. Remove sulfur build-up from the sulfur scrubber tank as needed.

**50,000 hrs.** engine rehab – service contract with equipment supplier.

**#2 – Solids Separation for Manure****Implementation**

Odor BMP was implemented in May 2010.

All maintenance activities will be recorded in the established maintenance log at the farmstead.

**Daily**

- a. Remove obstructions that are preventing liquid manure from flowing from the digester to the solids separator.
- b. Remove obstructions that are preventing liquid manure from flowing away from the separator to the existing concrete manure storage tank
- c. Document if separated solids are not removed from underneath the separator and stored in the existing roofed three-sided storage attached to the separator until solids are suitable for use as cattle bedding.

**Quarterly**

- a. Make the necessary repairs or adjustments to the separator screen if it is not functioning properly.
- b. Fill and/or repair the automatic greaser system as needed.
- c. Repair or replace worn or defective separator parts as needed.



# 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:**           Kish-View Farm – Home 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:* \_\_\_\_\_

Act 38 of 2005, Odor Management Plan Amendment

**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> |
|-----------------------|-------------|--------------|
|                       |             |              |
|                       |             |              |
|                       |             |              |
|                       |             |              |
|                       |             |              |
|                       |             |              |
|                       |             |              |
|                       |             |              |
|                       |             |              |
|                       |             |              |

**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: Anaerobic Digester**

| <i>List ACTIVITIES</i>                              | <i>DATE</i> | <i>NOTES</i>  |
|---|-------------|---|
| <b>Digester Engine Check</b>                        |             | <b>Digester pressure- Above .5 bar is flare burning? If it does not light flare and determine why automatic lighter did not work. Below .4 bar make sure that influent pump fed the digester.</b> |
| <b>Digester Control Panel Check</b>                 |             | <b>Are there any fault codes on the generator screen? If yes address problem or notify Keith</b>  |
| <b>Manure Flow to Digester</b>                      |             | <b>If not, either the digester did not feed or there is a problem with the pump to separator. Investigate and correct issues.</b>   |
| <b>Digester Cover Maintenance</b>                   |             | <b>See Anaerobic Digester maintenance log for dan and maintenance activity performed</b>  |
| <b>Sulfur Scrubber Check</b>                        |             | <b>See Anaerobic Digester maintenance log for dan and maintenance activity performed</b>  |
| <b>Sulfur Scrubber Nutrient Tank Liquid Level</b>   |             | <b>See Anaerobic Digester maintenance log for dan and maintenance activity performed</b>  |
| <b>Perimeter Drain Inspection</b>                   |             | <b>See Anaerobic Digester maintenance log for dan and maintenance activity performed</b>  |
| <b>Sulfur Scrubber Tote Liquid Inspection</b>       |             | <b>See Anaerobic Digester maintenance log for dan and maintenance activity performed</b>  |
| <b>Sulfur Scrubber Tank Sulfur Build-up Removal</b> |             | <b>See Anaerobic Digester maintenance log for dan and maintenance activity performed</b>  |

**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)**

| <b>LEVEL II ODOR BMP NAME: Solids Separation for Manure</b> |             |   |
|---|-------------|---|
| <i>List ACTIVITIES</i>                                      | <i>DATE</i> | <i>NOTES</i>  |
| <b>Manure Flow to Separator</b>                             |             | <b>See solids separator maintenance log for date and maintenance activity performed</b> |
| <b>Liquid Flow Away from Separator</b>                      |             | <b>See solids separator maintenance log for date and maintenance activity performed</b> |
| <b>Separated Solids Removal</b>                             |             | <b>See solids separator maintenance log for date and maintenance activity performed</b> |
| <b>Solids Separator Screen Inspection</b>                   |             | <b>See solids separator maintenance log for date and maintenance activity performed</b> |
| <b>Automatic Greaser System Inspection</b>                  |             | <b>See solids separator maintenance log for date and maintenance activity performed</b> |
| <b>Solids Separator Parts Repair / Replacement</b>          |             | <b>See solids separator maintenance log for date and maintenance activity performed</b> |

## Appendix 1: Operation Information

### Part A: Odor Source Factors

- Site Livestock History:** Milk Cow = 507.5 AEU's, Pre-Fresh Cows = 43.5 AEU's, 0–2-Month-Old Calf = 5.8AEU's

*Detail the Maximum AEU's 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.

- List the Existing Animal Types:** Milk Cow, Pre-Fresh Cow, 0–2-Month-Old Calf **Existing Animal**

**Numbers:** Milk Cow = 350, Pre-Fresh Cows = 30, 0–2-Month-Old Calf = 40

- Existing Animal Equivalent Units (AEUs) per Animal Type:** Milk Cow = 507.5 AEU's, Pre-Fresh Cows = 43.5 AEU's, 0–2-Month-Old Calf = 5.8 AEU's

- 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                  |
|----------------------------|--------------|--------------------|-------------------------------------|
| Barn B1                    | 50' x 160'   | 120 Adult Cattle   | Methane Digester & Solids Separator |
| Barn B2                    | 50' x 160'   | 120 Adult Cattle   | Methane Digester & Solids Separator |
| Barn B3                    | 50' x 136'   | 100 Adult Cattle   | Methane Digester & Solids Separator |
| Barn 4-5                   | 78' x 140.5' | 150 Adult Cattle   | Methane Digester & Solids Separator |
| Barn 6                     | 62' x 75'    | 40 Adult Cattle    | Bedded Pack                         |
| Calving Pens/Hospital Area | 36' x 69'    | 10 Adult Cattle    | Bedded Pack                         |
| Calf Hutch 1               | 8' x 103'    | 31 Calves          | Bedded Pack                         |
| Calf Hutch 2               | 8' x 42'     | 14 Calves          | Bedded pack                         |

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

- 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                  |
|--------------------------------|----------------|-------------------|-------------------------------------|
| Barn B3 Pit                    | 16' x 42' x 8' | 37,699 Gallons    | Methane Digester & Solids Separator |
| Methane Digester Tank          | 81' x 16'      | 616,398 gallons   | Methane Digester & Solids Separator |
| Separated Solids Stacking Area | 56' x 34' x 8' | 13,400 cubic feet | Methane Digester & Solids Separator |
| Concrete Tank                  | 170' x 16'     | 2,300,782 gallons | Methane Digester & Solids Separator |

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

Milk cow manure from barns B1 and B2 is scraped into collection hoppers at the west end of each barn. Milk Cow manure from barn B3 is scraped into a 16' x 42' x 8' concrete pit at the west end of the barn. Milk cow manure from barn B4-5 is scraped into collection hoppers at the north end of the barn and then gravity flows to the concrete pit at the west end of barn B3. Manure from the concrete pit and the collection hoppers at barns B1 and B2 gravity flows to a pump tank located between barns B1 and B2. Manure is then pumped from this tank to the methane digester. Digested manure is then sent to a transfer tank which can pump manure to the solid's separator or directly to the 170' x 16' concrete manure storage tank. After solids separation, solids are stacked in a roofed stacking area attached to the

Act 38 of 2005, Odor Management Plan Amendment

separator and liquids are sent to the 170' x 16' concrete manure storage tank. Liquid manure is removed from this tank and applied to cropland in the spring, summer, and fall. Separated solids are used as bedding in the cattle barns. Manure in barns B6, the milk parlor pens, & calf hutches 1-2 collect in each barn as a bedded pack and is removed every three months and applied to cropland.

**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.*

Previous Plan Approval Date: 9/13/16 Previous OSI Score: 210.6 Currently Regulated AEU's: 149.5

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

a. Population Date(s): Barn B7-8: 10/15/2017, *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 |
|-------------------------|-------------|--------------------|
| Barn B7-8               | 126' x 160' | 200 Adult Cattle   |
|                         |             |                    |
|                         |             |                    |

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

a. Storage Use Date(s): \_\_\_\_\_ *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 |
|-------------------------|------------|------------------|
|                         |            |                  |
|                         |            |                  |

Previous Plan Approval Date: 5/11/21 Previous OSI Score: 236.9 Currently Regulated AEU's: 375.06

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

a. Population Date(s): Calf Hutch 3 – 10/15/2017 *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 |
|-------------------------|------------|--------------------|
| Calf Hutch 3            | 8' x 42'   | 14 Calves          |
|                         |            |                    |

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

a. Storage Use Date(s): \_\_\_\_\_ *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 |
|-------------------------|------------|------------------|
|                         |            |                  |
|                         |            |                  |

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

Act 38 of 2005, Odor Management Plan Amendment

*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 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.

**11. (a) Proposed Facility OSI Animal Types: Cattle**

**Proposed Animal Numbers per animal type: Calf-65**

**Proposed AEUs per animal type: Calf – 9.4**

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

**Voluntary Existing Animal Numbers: 0**

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

**(c) Regulated AEUs under Previous Plan(s) (Associated with Currently Regulated Facilities): 375.06**

**(d) Total AEUs Covered by this Plan: 384.46**

**(e) Acres for the operation associated with an approved Act 38 NMP or acres utilized for the CAO calculation: 762.4**

**(f) Total AEUs/ Acre for the operation: 1.68**

*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.*

**(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 AEUs. This information will be used for determining a significant change which will require an amendment to the plan.*

Act 38 of 2005, Odor Management Plan Amendment

**12. 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 type="checkbox"/> None Proposed | Dimensions   | Livestock Capacity |
|-------------------------|--|--------------|--------------------|
| Calf Hutch Area         |  | 5' x 8' each | 1 per hutch        |
|                         |  |              |                    |
|                         |  |              |                    |

**13. 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.*

Milk cow manure from barns B1 and B2 is scraped into collection hoppers at the west end of each barn. Milk cow manure from barn B3 is scraped into a 16' x 42' x 8' concrete pit at the west end of the barn. Milk cow manure from barn B4-5 is scraped into collection hoppers at the north end of the barn and then gravity flows to the concrete pit at the west end of barn B3. Manure from the concrete pit and the collection hoppers at barns B1 and B2 gravity flows to a pump tank located between barns B1 & B2. Manure from barn B7-8 is scraped into collection hoppers at the north end of the barn and will then gravity flow to the pump tank located between barns B1 & B2. Manure is then pumped from this tank to the methane digester. Digested manure is then sent to a transfer tank which can pump manure to the solid's separator or directly to the 170' x 16' concrete manure storage tank. After solids separation, solids are stacked in a roofed stacking area attached to the separator and liquids are sent to the 170' x 16' concrete manure storage tank. Liquid manure is removed from this tank and applied to cropland in the spring, summer, and fall. Separated solids are used as bedding in the cattle barns. Manure in barns B6, the milk parlor pens & the calf hutch area & calf hatched 1-3 collect in each barn as a bedded pack and is removed every three months and applied to cropland.

- (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 |
|-------------------------|---|------------|-----------------|
| N/A                     |   |            |                 |
|                         |   |            |                 |

**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



Act 38 of 2005, Odor Management Plan Amendment

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)**) 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

**14. 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)* No facilities are proposed with this OMP Amendment
- b. *Have construction activities started on any of the proposed regulated facilities?*  Yes  No *If yes, please detail: \_\_\_\_\_*

**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 (≥ 8 AEUs) within the evaluation distance area  Yes / No

Act 38 of 2005, Odor Management Plan Amendment

*If yes, then list the type of operation, the direction (N, S, E, W) and quadrant (distance range from the facility).* There are three dairy operations - one located in the east 600' – 1200' quadrant, one located in the south 1800'-2400' quadrant, and one in the north 1800'-2400' quadrant.

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 measurement Calf Hutches 54-68 feet(ft.)  Not Applicable
- b. Manure Storage Facility measurement \_\_\_\_\_ (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

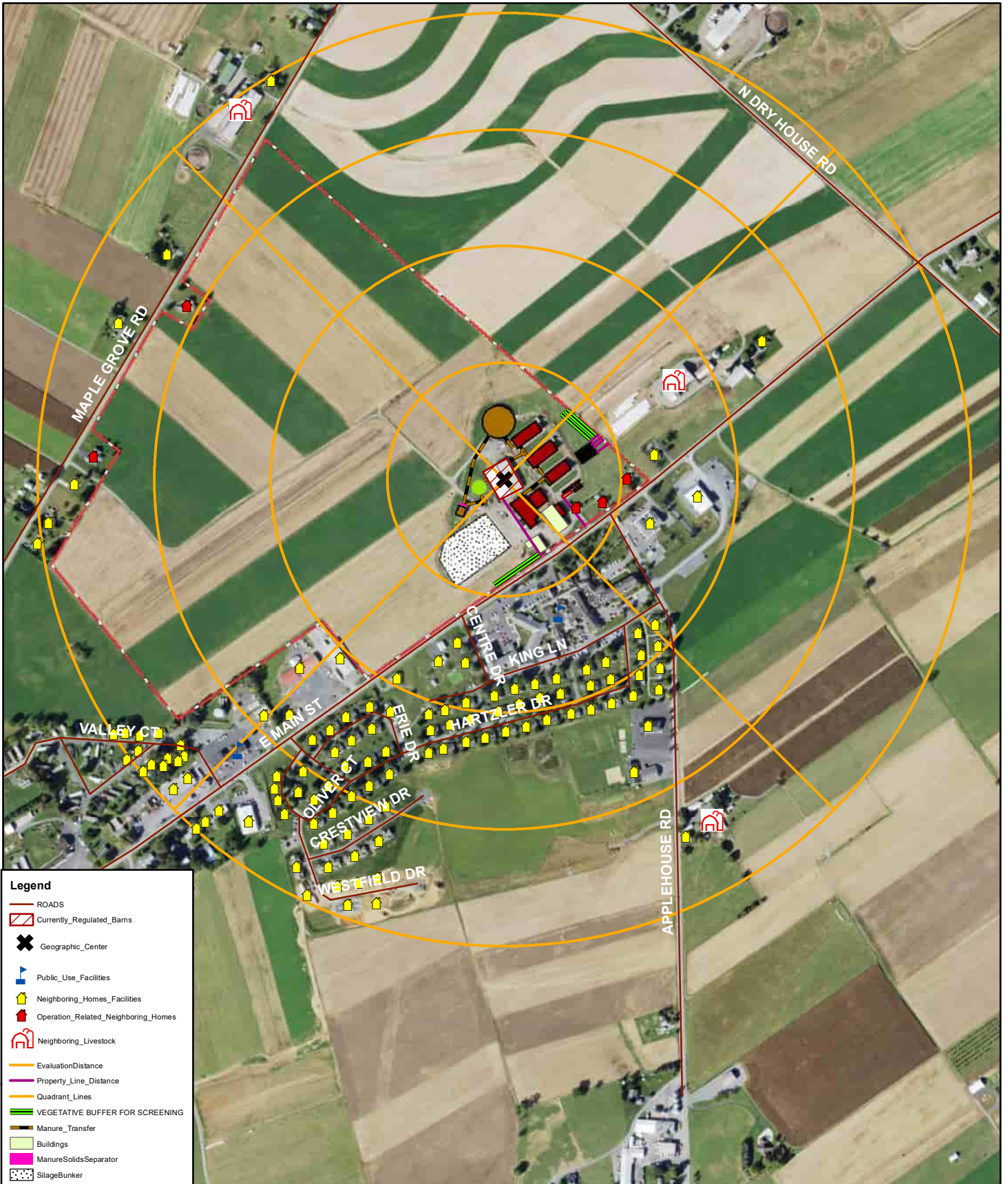
The purpose of the site map is to facilitate the plan review process of identifying specific details about the operation being evaluated. Odor Management Plans must include a site map of the operational related facilities drawn to scale with a map legend, identifying at a minimum the following:

- 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.

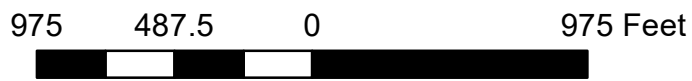
If the evaluation distance area is small enough, i.e. a 1200' evaluation distance area, to clearly identify the specific details required, then a separate map will not be required.

# Kish-View Farms- OMP MAP



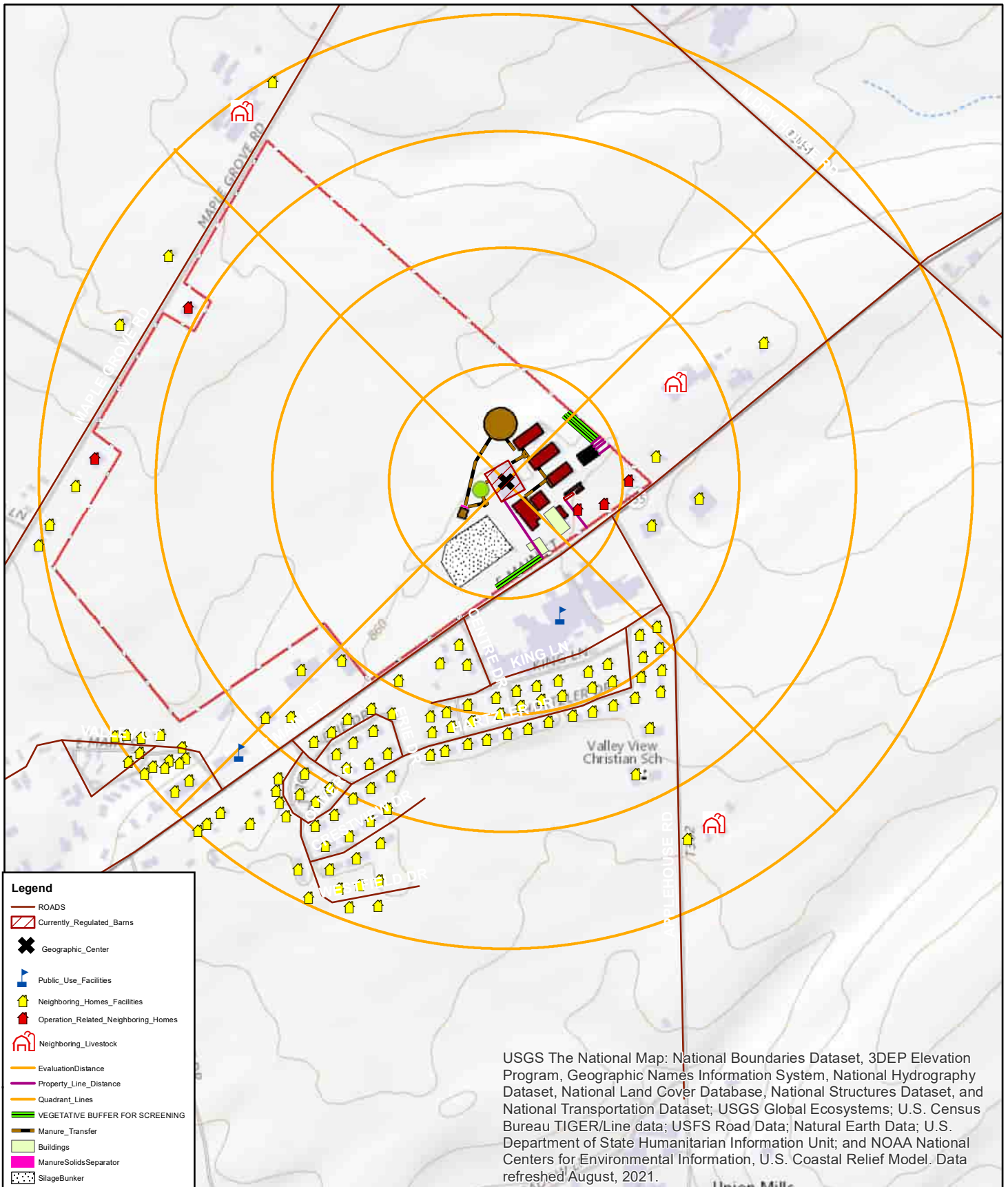
**Legend**

- ROADS
- Currently\_Regulated\_Barns
- ✕ Geographic\_Center
- ▶ Public\_Use\_Facilities
- 🏠 Neighboring\_Homes\_Facilities
- 🏠 Operation\_Related\_Neighboring\_Homes
- 🏠 Neighboring\_Livestock
- EvaluationDistance
- Property\_Line\_Distance
- Quadrant\_Lines
- VEGETATIVE\_BUFFER\_FOR\_SCREENING
- Manure\_Transfer
- Buildings
- ManureSolidsSeparator
- SilageBunker
- Methane\_Digester
- Existing\_Barns
- Farm\_Boundary
- mifflin\_streams
- Proposed\_Barns
- Existing\_Manure\_Storage
- Proposed\_Manure\_Storage



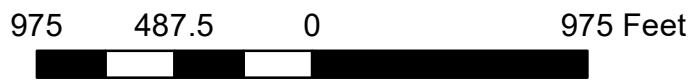


# Kish-View Farms- OMP MAP

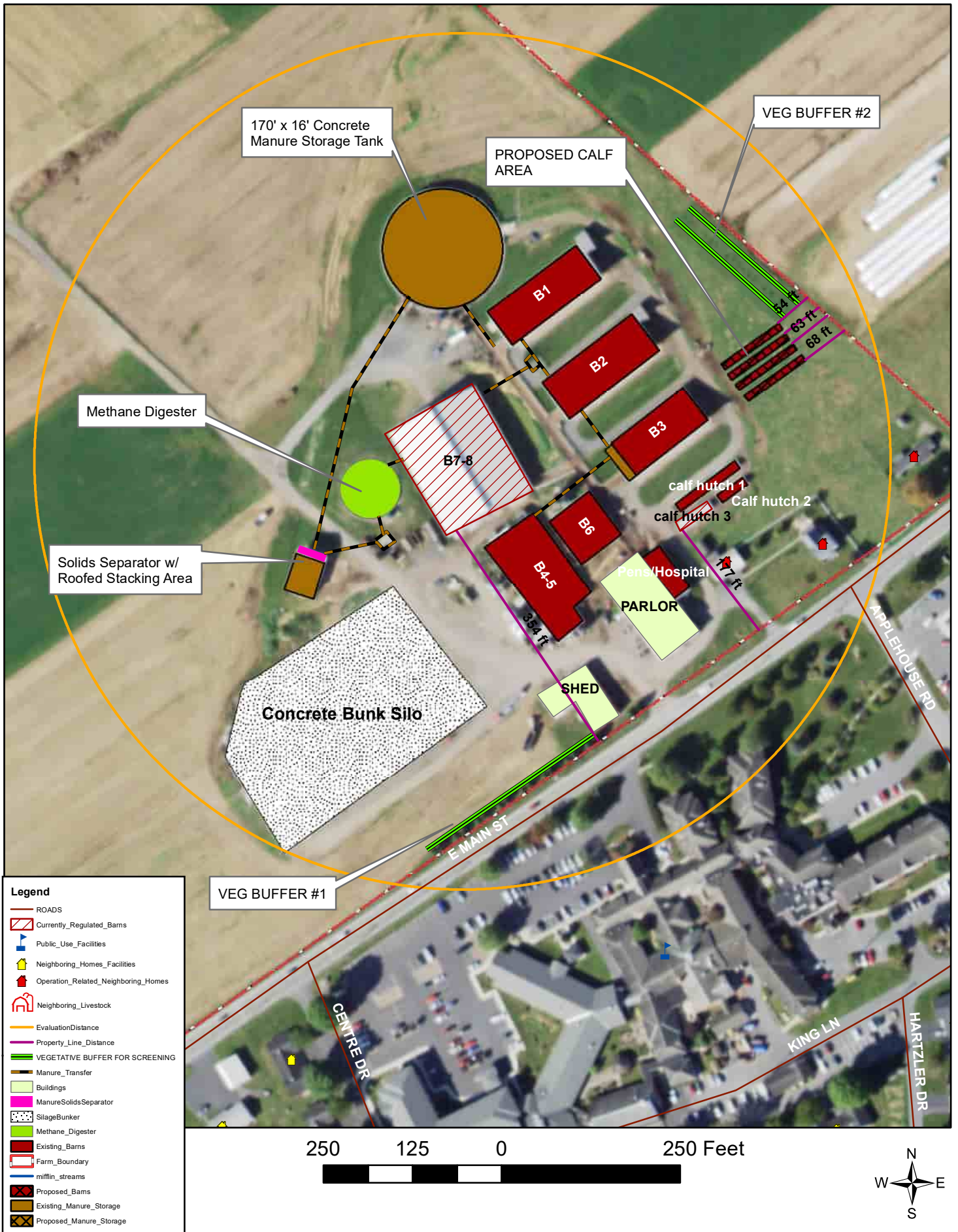


USGS The National Map: National Boundaries Dataset, 3DEP Elevation Program, Geographic Names Information System, National Hydrography Dataset, National Land Cover Database, National Structures Dataset, and National Transportation Dataset; USGS Global Ecosystems; U.S. Census Bureau TIGER/Line data; USFS Road Data; Natural Earth Data; U.S. Department of State Humanitarian Information Unit; and NOAA National Centers for Environmental Information, U.S. Coastal Relief Model. Data refreshed August, 2021.

- Legend**
- ROADS
  - Currently\_Regulated\_Barns
  - Geographic\_Center
  - Public\_Use\_Facilities
  - Neighboring\_Homes\_Facilities
  - Operation\_Related\_Neighboring\_Homes
  - Neighboring\_Livestock
  - EvaluationDistance
  - Property\_Line\_Distance
  - Quadrant\_Lines
  - VEGETATIVE\_BUFFER\_FOR\_SCREENING
  - Manure\_Transfer
  - Buildings
  - ManureSolidsSeparator
  - SilageBunker
  - Methane\_Digester
  - Existing\_Barns
  - Farm\_Boundary
  - miffin\_streams
  - Proposed\_Barns
  - Existing\_Manure\_Storage
  - Proposed\_Manure\_Storage



# Kish-View Farms- OMP MAP



170' x 16' Concrete Manure Storage Tank

PROPOSED CALF AREA

VEG BUFFER #2

Methane Digester

Solids Separator w/ Roofed Stacking Area

B7-8

calf hutch 1

Calf hutch 2

Pens/Hospital

PARLOR

SHED

Concrete Bunk Silo

E MAIN ST

APPLEHOUSE RD

VEG BUFFER #1

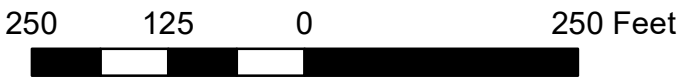
CENTRE DR

KING LN

HARTZLER DR

**Legend**

- ROADS
- Currently\_Regulated\_Barns
- Public\_Use\_Facilities
- Neighboring\_Homes\_Facilities
- Operation\_Related\_Neighboring\_Homes
- Neighboring\_Livestock
- EvaluationDistance
- Property\_Line\_Distance
- VEGETATIVE\_BUFFER\_FOR\_SCREENING
- Manure\_Transfer
- Buildings
- ManureSolidsSeparator
- SilageBunker
- Methane\_Digester
- Existing\_Barns
- Farm\_Boundary
- mifflin\_streams
- Proposed\_Barns
- Existing\_Manure\_Storage
- Proposed\_Manure\_Storage



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

Act 38 Odor Management Plan - Odor Site Index

Agenda Item B.2.b

|  |  |  |           |
|--|--|--|-----------|
| Operator Name  | Kish View Farm- Home Farm Amendment B                              |  |           |
| Planner Name   | Darren Shenk   |  |           |
| Type of Operation                                      | Cattle   |  |           |
| Voluntary Existing AEU's                               | 0  |  |           |
| Proposed AEU's   | 9.4  |  |           |
| Previously Approved AEU's                              | 375.06   |  |           |
| AEU's Covered by OMP                                   | 384.46   |  |           |
| Evaluation Distance                                    | 2400'  |  |           |
| Part A: Odor Source Factors                            |  |  | OSI Score |
| Facility Size Covered by OMP                           | 384.46   |  | 4         |
| Site Livestock History                                 | 500+ AEU's _0 pts  |  | 0         |
| Manure Handling System                                 | All - Outdoor uncovered liquid(crust expected on 1st stage) _ 8pts |  | 8         |
|  |  |  | 12.00     |
| Part B: Site Land Use                                  |  |  |           |
| Ag Security Zone                                       | No (0 pct)   |  | 0         |
| Ag Zoning  | Yes (-10 pct)  |  | -26.83    |
| Preserved Farm   | No (0 pct)   |  | 0         |
|  |  |  | -26.83    |
| Part C: Surrounding Land Use                           |  |  |           |
| Other Livestock >8 AEU in evaluation distance          | 1 or more (0 pts)  |  | 0.00      |
| Distance to Nearest Property Line                      | <150' (10 pts)   |  | 10.00     |
| If nearest property is <300', is it preserved farmland | No (0 pts)   |  | 0.00      |
| Neighboring Homes                                      |  |  | 231.30    |
| Public Use Facilities                                  |  |  | 15.00     |
|  |  |  | 256.30    |
| Species Adjustment Factor                              | Layers,pullets,cattle (0)  |  | 241.47    |
| Final OSI Score  |  |  | 241.47    |
|  |  |  |           |
|  |  |  |           |
|  |  |  |           |
| Level 2 BMPs Required                                  |  |  |           |



Act 38 Odor Management Plan - Odor Site Index

| East Quadrant            | <600             | 600-1200          | 1200-1800          | 1800-2400          | 2400-3000        |                        |
|--------------------------|------------------|-------------------|--------------------|--------------------|------------------|------------------------|
| # Neighboring Facilities | 0                | 4                 | 1                  | None               | Select from list |                        |
| Facility Value           | 15               | 7                 | 3                  | 0                  | 0                |                        |
| Home Shielding           | Select from list | 600-1200 None (1) | 1200-1800 None (1) | 1800-2400 None (1) | Select from list | Total Facilities 31.0  |
| # Public Use Facilities  |                  |                   |                    |                    |                  | Total Public 0.0       |
| 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 | Total East 31.0        |
| South Quadrant           | <600             | 600-1200          | 1200-1800          | 1800-2400          | 2400-3000        |                        |
| # Neighboring Facilities | 0                | 20                | 38                 | >20                | Select from List |                        |
| Facility Value           | 10               | 5                 | 2                  | 20                 | 0                |                        |
| Home Shielding           | Select from list | 600-1200 None (1) | 1200-1800 None (1) | 1800-2400 None (1) | Select from list | Total Facilities 196.0 |
| # Public Use Facilities  |                  | 1                 |                    |                    |                  | Total Public 15.0      |
| Public Use Value         | 30               | 15                | 7                  | 4                  | 2                |                        |
| Public Use Shielding     | Select from list | 600-1200 None (1) | Select from list   | Select from list   | Select from list | Total South 211.0      |
| North Quadrant           | <600             | 600-1200          | 1200-1800          | 1800-2400          | 2400-3000        |                        |
| # Neighboring Facilities | 0                | 0                 | 0                  | 1                  | Select from List |                        |
| Facility Value           | 6                | 3                 | 0.5                | 0.3                | 0                |                        |
| Home Shielding           | Select from list | Select from list  | Select from list   | 1800-2400 None (1) | Select from list | Total Facilities 0.3   |
| # Public Use Facilities  |                  |                   |                    |                    |                  | Total Public 0.0       |
| 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 | Total North 0.3        |
| West Quadrant            | <600             | 600-1200          | 1200-1800          | 1800-2400          | 2400-3000        |                        |
| # Neighboring Facilities | 0                | 0                 | 2                  | 6-20               | Select from list |                        |
| Facility Value           | 6                | 3                 | 0.5                | 3                  | 0                |                        |
| Home Shielding           | Select from list | Select from list  | 1200-1800 None (1) | 1800-2400 None (1) | Select from list | Total Facilities 4.0   |
| # Public Use Facilities  |                  |                   |                    | 1                  |                  | Total Public 0.0       |
| 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 | Total West 4.0         |
|                          |                  |                   |                    |                    |                  | Grand Total 246.3      |

## Appendix 4: Biosecurity

### Biosecurity Protocol Contact Information

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

|         |                                 |               |                     |
|---------|---------------------------------|---------------|---------------------|
| Name:   | <u>Kent Spicher</u>             | Phone:        | <u>717-363-7460</u> |
| E-mail: | <u>KEITHD.SPICHER@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.*

### Operation Information:

Kish-View Farm houses cattle at several separate, non-contiguous farms; their home farm (milk cows, pre-fresh heifers/cows and 0-2 month old cattle), the A/J farm (dry cows and 9-23 month old cattle), the King farm (bred heifers) and the Glick farm (2-7 moth old cattle and 7-9 month old cattle) Because the previously proposed construction activities took place at the home farm, only livestock numbers, housing and manure storage information from the home farm is included in this plan. If new livestock housing or manure storage will be constructed at the other farms, a separate odor management plan will be developed for that specific farm. Below is the AEU per acre calculation from the current approved nutrient management plan.

| Type of Livestock               | Number         | Ave. Wt. | Days/Year | AEU's  |
|---------------------------------|----------------|----------|-----------|--------|
| Lactating Cow                   | 590            | 1450     | 365       | 855.50 |
| Calf (0-2 month)                | 60             | 145      | 365       | 8.70   |
| Pre-Fresh Heifer (22-24 months) | 20             | 1208     | 365       | 24.16  |
| Pre-Fresh Cow                   | 30             | 1450     | 365       | 43.50  |
| Calf (2-7 month)                | 95             | 338      | 365       | 32.11  |
| Calf (7-9 month)                | 50             | 530      | 365       | 26.50  |
| Dry Cow                         | 30             | 1450     | 365       | 43.50  |
| Heifer (9-22 month)             | 220            | 897      | 365       | 197.34 |
| Heifer (22-24 month)            | 20             | 1208     | 365       | 24.16  |
| Bred Heifer (22-24 month)       | 20             | 1208     | 365       | 24.16  |
| <b>Total AEU =</b>              | <b>1279.63</b> |          |           |        |
| <b>AEU/acre =</b>               | <b>1.68</b>    |          |           |        |

\*Highlighted cells are animal #s & AEU's located at Kish-View Farm – Home Farm.

### Existing Animal/ AEU Clarification:

In the previously approved OMP Existing Animals were 435 Milk Cows (565.5AEUs), 30 Pre-fresh Heifers (27AEUs), & 40 0-2 month old calves (5.84AEUs). 85 Milk cows were originally transferred and are now considered proposed. Standard animals weights changed since original plan approval, therefore existing AEU's have been adjusted to match. Animals previously listed as pre-fresh heifers have been more appropriately named pre-fresh cows and the weights have been adjusted to match.

### Proposed AEU's Clarification:

Previously regulated 115 Cows @ 1300 lbs for 365 days = 149.50 AEU's

Previously regulated at new weights: 115 Cows @ 1450 lbs for 365 days = 166.75 AEU's

166.75-149.50 = 17.25 additional AEUs proposed due to weight change.

Milk Cows: 85 (previously transferred) + 40 (herd growth)= 125 @ 1450 lbs for 365 days = 181.25 AEUs

Pre-fresh Heifers (22-24 months): 20 @ 1208 lbs for 365 days = 24.16 AEUs

Calves (0-2 months): 20 @ 145 lbs for 365 days = 2.9 AEUs

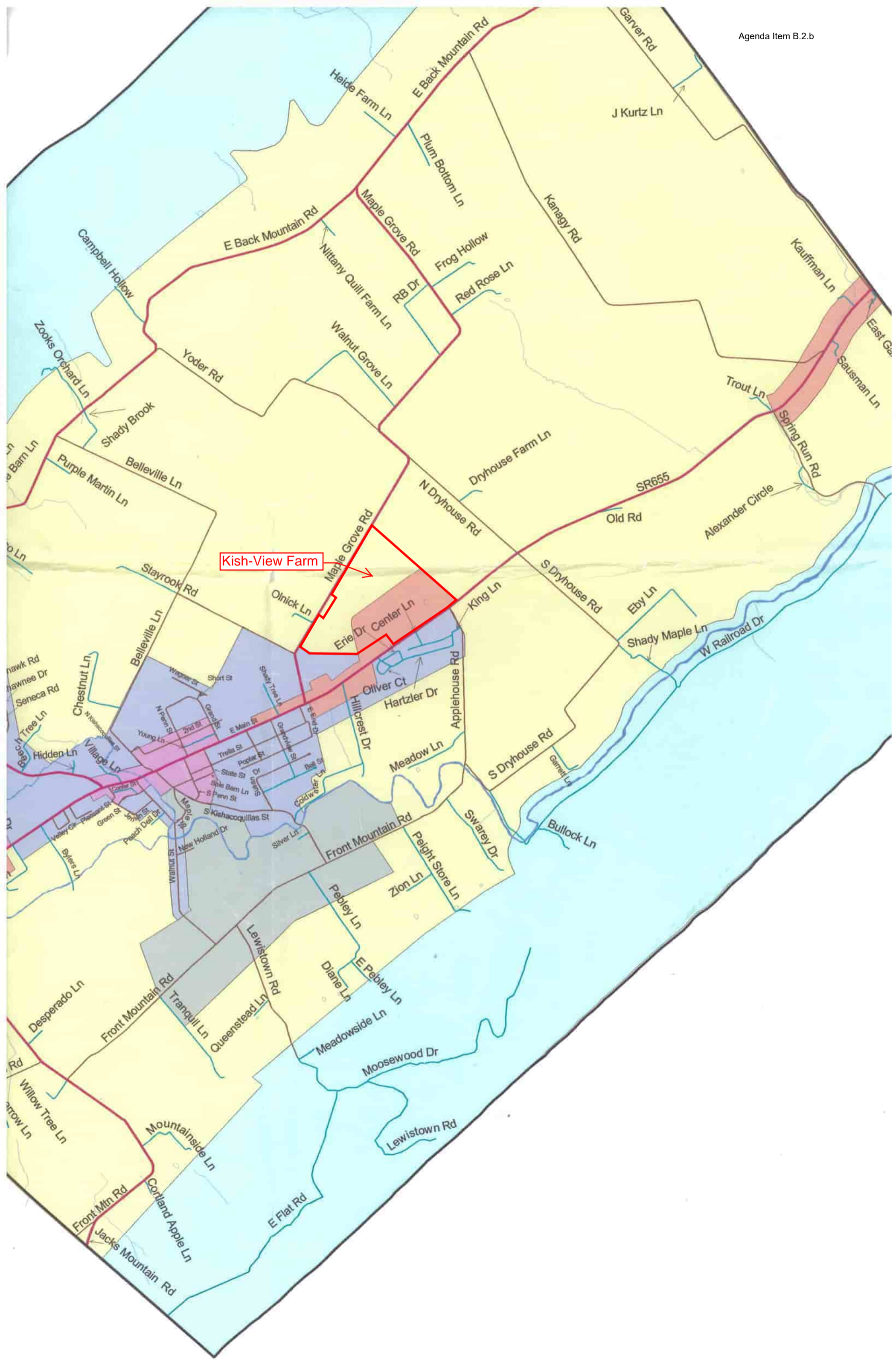
Amendment B- Calves 65 @ 145 lbs, for 365 days = 9.4 AEUs

**Bedding Storage Facilities:** Facilities attached to barns B1 & B2 are for bedding storage only. No manure is stored in these facilities. If manure is stacked in these facilities in the future an amendment will be required. The amendment will be to regulate these facilities for use as manure storage after-the-fact.

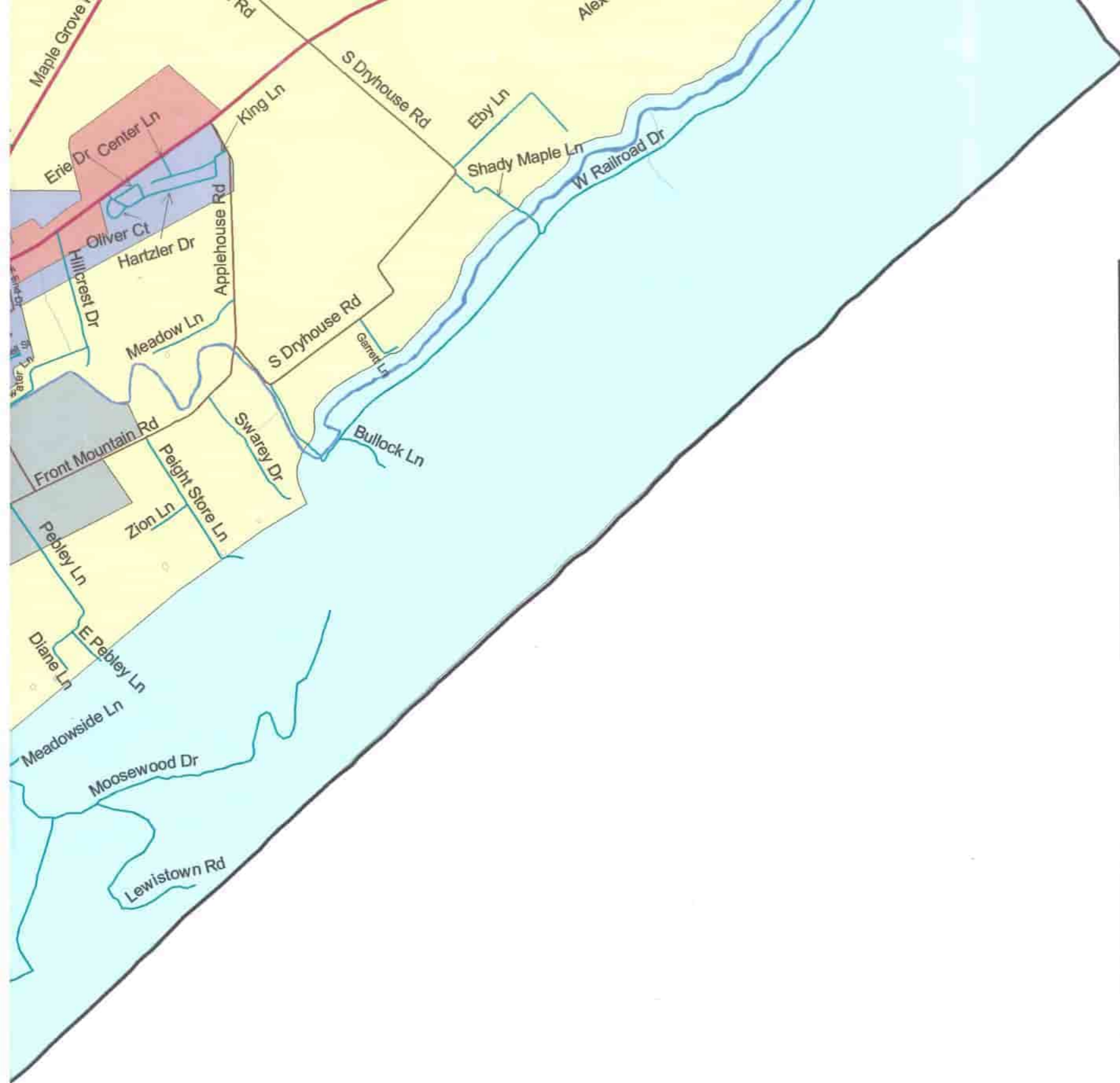
### **WINDBREAK SHELTERBELT REMOVAL**

Justification for removing Windbreak Shelterbelt as a Required Level II Odor BMP. Prevailing west winds are not affecting the most populated (south quadrant) area. Level II Odor Best Management Practices- Manure separator and digester have been implemented since 2010. As discussed at site meeting 11/22/22 the location of the Windbreak Shelterbelt is not effectively addressing the potential for offsite impacts of odors associated with the operation. The implementation and maintenance of both Level II BMP's, (manure separator and digester) have been addressing the potential for offsite impacts of odors from the operation since they were implemented. Kish View Farms has never received an Odor Complaint.

Managing a digester effectively is much like managing a herd of cows. There are many things to observe on a daily basis that become second nature to a good manager and key employees. The maintenance and inspections of components of the digester system has become second nature to Keith, Kent and 2 key outside crew members.







**Union Township Zoning**

|  |                         |
|--|-------------------------|
|  | Residential Agriculture |
|  | Residential Limited     |
|  | Residential Suburban    |
|  | Village                 |
|  | Commercial              |
|  | Industrial              |

**Roads**

|  |           |
|--|-----------|
|  | Federal   |
|  | State     |
|  | Municipal |
|  | Forest    |
|  | Private   |

Hydrography

Municipal Boundary







**COMMONWEALTH OF PENNSYLVANIA  
STATE CONSERVATION COMMISSION**

**DATE:** April 25, 2023

**TO:** Members  
State Conservation Commission

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

Justin Challenger, Director  
Financial and Technical Assistance Programs

**RE:** Nutrient Management Program Fiscal Year 2023-23 Budget Proposal

**Action Requested**

Grant approval for the Nutrient Management Program budget for Fiscal Year 2023-2024 (FY 2023-24).

**Background**

The proposed FY 2023-24 General Fund Budget provides an appropriation to the Nutrient Management Fund of \$6,200,000.

Federal funding was added to the Nutrient Management Fund during FY22-23 in the amount of \$22,000,000 (COVID funds). Just as in ACAP, these federal funds need to be committed by December 31, 2024 and fully expended by December 31, 2026.

The attached proposed budget is based on the annual ‘appropriation’ to the fund and ‘spending authorization’ of \$6,761,000 under the Governors proposed state budget and an additional \$22,000,000 in ‘COVID funds. Note that currently \$1,500,000 of the ‘COVID funds’ has been authorized for the Department of Environmental Protections, to cover raises being giving to Conservation Districts in the FY2022-2026 delegation agreement.

Program staff proposed a NMF budget that provides funding for the following program elements:

- a. Prioritizes funding to conservation districts recognizing their key role in carrying out the mandates of the Nutrient and Odor Management Act, known as Act 38. The proposed allocation represents a contribution from the Nutrient Management Fund (NMF) towards a delegation agreement outlining combined Nutrient Management Program and Manure Management Program activities. Manure Management Program activities will be funded by Pennsylvania Department of Environmental Protection (Pa DEP) under the Nutrient



Management and Manure Management Program delegation agreement between conservation districts, the State Conservation Commission and the Pa DEP. Delegation Agreement funding amounts will be approved under separate correspondence. Note, SCC / DEP staff are proposing an additional increase of \$10,000 per Full Time Equivalent (FTE), on top of the \$10,000 per FTE raise that was given in FY22-23 This rate increase is being provided for NO additional Required Output Measures (ROMs).

- b. Provides funding to farmers for implementation of financial assistance programs, such as, Agri-Link and Conservation Excellence Grants (CEG).
- c. Provides funding for educational and technical support, provided by the Pennsylvania State University (PSU) program partners, Dr. Charlie White, Dr. Robert Mikesell, Dr. Jennifer Weld, Dr Robb Meinen and program staff from the College of Agricultural Sciences. The proposed FY 2023-24 budget provides funding for the 1<sup>st</sup> year of a 3-year contract agreement.
- d. Maintains Commission's personnel and operating budgets for the year, based on projected expenditures for FY 2023-24 which include anticipated union contract negotiations..
- e. Provides \$4,010,000 for Information Technology. Commission staff are in the process of releasing a Request for Information (RFI) to develop an on-line NMP and OMP planning tool, develop a record keeping application, and make some minor updates to PaPlants and PracticeKeeper.

A special note: USDA-NRCS staff should be recognized for their continued commitment to support the Nutrient Management Program training and certification courses and field engineering support, without the need for a state contract for their assistance.

Some ideas that Commission staff are analyzing for non-committed 'COVID funds' include:

- Conservation District Equipment, such as Adobe Pro, soil probes, measuring wheels, etc.,)
- Research on precision ag, manure injection, etc.
- Training support, such as development and hosting of certain on-line NM certification courses.

Thank you for your consideration of this budget proposal.

Attachment

| <b>2023-24 Proposed Act 38 Nutrient Management Program Budget</b>   |                       |                             |                                   |
|---|-----------------------|-----------------------------|-----------------------------------|
|   | <b>2021-22 Actual</b> | <b>2022-23 Budget</b>       | <b>Recommended Budget (23-24)</b> |
| <i>Authorized Spending Authority</i>  | \$6,749               | \$6,761                     | \$6,761                           |
| <b>Beginning Cash Balance</b>   | <b>\$4,594</b>        | <b>\$2,834</b>              | <b>\$24,647</b>                   |
| <b>Revenue</b>  |                       |                             |                                   |
| <i>Nutrient Management Fund Transfer</i>  | \$6,200               | \$6,200                     | \$6,200                           |
| <i>ACAP Tehnical (Covid)</i>  | \$0                   | \$22,000                    | \$0                               |
| <i>Interest</i>   | \$9                   | \$274                       | \$221                             |
| <i>Other (penalties, fees, reimbursements)</i>  | \$47                  | \$67                        | \$67                              |
| <b>Total Revenue</b>  | <b>\$6,256</b>        | <b>\$28,541</b>             | <b>\$6,488</b>                    |
| <b>Expenditures</b>   |                       |                             |                                   |
| <i>Conservation District Funding (DEP)</i>  | \$2,100               | \$2,100 <sup>1</sup>        | \$2,100 <sup>1</sup>              |
| <i>    DEP COVID</i>  |                       |                             | \$445 <sup>1a</sup>               |
| <i>    DEP COVID</i>  |                       | \$245                       | \$375 <sup>1a</sup>               |
| <i>Conservation Excellence Grants</i>   | \$2,000               | \$2,000                     | \$2,000                           |
| <i>Agri-Link</i>  | \$500                 | \$500                       | \$500                             |
| <i>PSU Education &amp; Technical Support</i>  |                       |                             |                                   |
| <i>    Nutrient Management</i>  | \$227                 | \$232                       | \$352 <sup>2</sup>                |
| <i>    Odor Management</i>  | \$150                 | \$153                       | \$58 <sup>2</sup>                 |
| <i>    Pa OneStop / Manure Hauler Contract</i>  | \$142                 | \$125                       | \$325 <sup>2</sup>                |
| <i>Personnel</i>  | \$816                 | \$819                       | \$867                             |
| <i>Operational</i>  | \$411                 | \$554                       | \$596 <sup>3</sup>                |
| <i>    Information Technology</i>   | \$0                   | \$0                         | \$4,010                           |
| <i>    Federal Indirects</i>  |                       |                             | \$840                             |
| <b>Total Expenditures</b>   | <b>\$6,346</b>        | <b>\$6,728</b>              | <b>\$12,468</b>                   |
| <b>Ending Cash Balance</b>  | <b>\$4,504</b>        | <b>\$24,647<sup>4</sup></b> | <b>\$18,667</b>                   |
| <sup>1</sup> Fiscal year spending threshold authorized by the Governor's Office of Budget. (DEP EA and PDA EA Combined) |                       |                             |                                   |
| <sup>1</sup> DEP (20098) Spending Authority   |                       |                             |                                   |
| <sup>1a</sup> DEP (20098) Spending Authority + \$820,000 DEP COVID funds  |                       |                             |                                   |
| <sup>2</sup> Contract Year 1 - Certification, Technical and Training Support  |                       |                             |                                   |
| <sup>3</sup> Projected spending authority for operating expenditures including Department Admin billing                 |                       |                             |                                   |
| <sup>4</sup> Includes \$2 million of AgriLink funding   |                       |                             |                                   |
| Revised (4-24-23)   |                       |                             |                                   |

|  |                 |  |  |
|--|-----------------|--|--|
| Proposed COVID federal funding budget:                       |                 |  |  |
| CD Staff (increase of \$10,000 per FTE) / 4 yrs              | \$1,780         | \$820,000 per year, refer to multi-year budget |  |
| DEP - CD staffing increase                                   | \$1,500         |  |  |
| CD Equipment (Adobe Pro, soil probes, measuring wheel, etc.) | \$150           |  |  |
| IT - On-line spreadsheet (NMP and OMP)                       | \$3,000         | FY23-24 Budget                                 |  |
| IT - Recording Keeping on-line / app                         | \$500           | FY24-25 Budget                                 |  |
| IT - PaPlant update  | \$30            | FY24-25 Budget                                 |  |
| IT - PK enhancements (NM and ACAP)                           | \$30            | FY24-25 Budget                                 |  |
| IT - ACAP Database   | \$1,010         | FY23-24 Budget                                 |  |
| Reseach (precision ag, injection, etc.) / yrs                | \$1,000         | FY24-25 Budget                                 |  |
| CEG (2 mil a year)   | \$8,000         | Encumbrance deadline - 12/2024                 |  |
| PA OneStop   | \$1,450         | Encumbrance deadline - 12/2024                 |  |
| Training Support   | \$2,050         | Encumbrance deadline - 12/2024                 |  |
| Personnel and federal indirects                              | \$1,500         | Ongoing  |  |
| total  | <b>\$22,000</b> |  |  |





**COMMONWEALTH OF PENNSYLVANIA  
STATE CONSERVATION COMMISSION**

**DATE:** April 25, 2023

**TO:** Members  
State Conservation Commission

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

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

Justin Challenger, Director  
Financial and Technical Assistance Programs

**SUBJECT:** Proposed Nutrient Management/Manure Management Delegation Agreement  
Funding Levels for the 2023-24 Fiscal Year

**Action Requested**

Grant approval of funding levels for participating conservation districts for Fiscal Year 2023-24 (FY 2023-24) for the Act 38 Nutrient Management / Chapter 91.36 Manure Management delegation agreement. This approval is consistent with the final proposed FY 2023-24 Nutrient Management Fund budget, that approval is being asked for under separate correspondence, and commitment of funds from the Pennsylvania Department of Environmental Protection (DEP).

**Background**

In 2021, Commission and DEP staff, along with the NM/MM delegation workgroup, worked on a process to distribute funding to counties that will accept delegation..

This process utilized a program workload analysis that considered the number of farmers in each county implementing current Act 38 and CAFO nutrient management plans. The workload analysis incorporated realistic staff resources for program implementation activities, reflecting a practical workload history for each county and subsequently producing appropriately adjusted district funding levels.

Commission staff is proposing to increase delegated technician funding by \$10,000 per Full Time Equivalent (FTE). The rates would consist of the following:

- 1 FTE = \$80,000
- 3/4 FTE = \$60,000
- 1/2 FTE = \$40,000

- ¼ FTE = \$20,000

As in the years past, additional financial resources will be provided by DEP, through a grant under the Chesapeake Bay Regulatory and Accountability Program (CBRAP), in the amount of \$564,000, in order for conservation districts to accomplish Chapter 91.36 activities. Please note that this is a decrease in dollars provided by DEP. Commission staff met with DEP and both agreed that the SCC could fund a larger portion of the delegation agreement, so DEP could increase Chesapeake Bay Technician funding level to that of the Nutrient Management Technician.

Additionally, the increase in technician funding and larger portion of the Commission's obligation to the funding of the delegation agreement is due to the increase in funding to the Nutrient Management Fund from the Clean Streams Fund (Covid dollars). It needs to be noted that once those funds are exhausted, Commission staff will need find additional dollars to cover the proposed increase or lower the delegation amount back to FY 21-22 levels.

The NMF and CBRAP funds combined will provide the resources to conservation districts for implementation of Act 38 and Chapter 91.36 program activities under the delegation agreement.

With the proposed increase, the total available funds needed for allocation to conservation districts under the delegation agreement would be \$3,440,000 annually.

The FY 2023-24 General Fund budget proposed an appropriation of \$6,210,000 to the Nutrient Management Fund (NMF). Based on the proposed Commission approved FY 2023-24 Act 38 Nutrient Management Program budget; \$2,878,000 would be allocated to conservation districts for delegated Act 38 activities.

The distribution of combined NMF and CBRAP funding was determined utilizing the workload analysis performed in 2021.

Funding under this proposal is available to any conservation districts that has expressed interest in a NM/MM delegation agreement with the Commission and DEP.

### **Proposal**

The attached chart '*Proposed' FY 2023-2024 Nutrient Management/Manure Management Delegation Agreement Funding*', illustrates the suggested funding allocations for conservation districts implementing Act 38 and Chapter 91.36 activities under the 2<sup>nd</sup> year of the delegation agreement.

Conservation districts receiving 'zero' dollars under this proposal are currently designated as "non-delegated" districts under the Act 38 program. If a "non-delegated" district is interested in implementing Chapter 91.36 activities, primarily outreach and education activities, the Commission and DEP would have to consider funding of a petitioning district on a 'case-by-case' basis, as resources permit.

Thank you for your consideration of the proposed delegation agreement funding levels as this will assist conservation districts, DEP and the Commission in the implementation of the nutrient and manure management programs in Pennsylvania.

Enclosure

Draft Proposed

April 25, 2023

1/4 = \$20,000

1/2 = \$40,000

3/4 \$60,000

full = 80,000

**Final FY 202-2024  
Nutrient Management Program Delegation Agreement Funding**

| <b>County</b> | <b>Total Grant</b> |
|---------------|--------------------|
| Adams         | -                  |
| Allegheny     | \$ 20,000.00       |
| Armstrong     | \$ 20,000.00       |
| Beaver        | \$ 20,000.00       |
| Bedford       | \$ 40,000.00       |
| Berks         | \$ 240,000.00      |
| Blair         | \$ 40,000.00       |
| Bradford      | \$ 60,000.00       |
| Bucks         | \$ 40,000.00       |
| Butler        | \$ 20,000.00       |
| Cambria       | -                  |
| Cameron       | -                  |
| Carbon        | -                  |
| Centre        | \$ 60,000.00       |
| Chester       | \$ 80,000.00       |
| Clarion       | -                  |
| Clearfield    | \$ 20,000.00       |
| Clinton       | \$ 80,000.00       |
| Columbia      | \$ 17,500.00       |
| Crawford      | \$ 20,000.00       |
| Cumberland    | \$ 80,000.00       |
| Dauphin       | \$ 80,000.00       |
| Delaware      | -                  |
| Elk           | -                  |
| Erie          | \$ 20,000.00       |
| Fayette       | \$ 20,000.00       |
| Forest        | -                  |
| Franklin      | \$ 200,000.00      |
| Fulton        | \$ 60,000.00       |
| Greene        | \$ 20,000.00       |
| Huntingdon    | \$ 60,000.00       |
| Indiana       | \$ 20,000.00       |
| Jefferson     | \$ 20,000.00       |

| <b>County</b>  | <b>Total Grant</b>  |
|----------------|---------------------|
| Juniata        | \$ 160,000.00       |
| Lackawanna     | -                   |
| Lancaster      | \$ 640,000.00       |
| Lawrence       | \$ 20,000.00        |
| Lebanon        | \$ 240,000.00       |
| Lehigh         | \$ 20,000.00        |
| Luzerne        | -                   |
| Lycoming       | \$ 60,000.00        |
| McKean         | \$ 20,000.00        |
| Mercer         | \$ 20,000.00        |
| Mifflin        | \$ 80,000.00        |
| Monroe         | -                   |
| Montgomery     | \$ 20,000.00        |
| Montour        | \$ 20,000.00        |
| Northampton    | \$ 20,000.00        |
| Northumberland | -                   |
| Perry          | \$ 100,000.00       |
| Pike           | -                   |
| Potter         | \$ 20,000.00        |
| Schuylkill     | -                   |
| Snyder         | \$ 200,000.00       |
| Somerset       | \$ 40,000.00        |
| Sullivan       | \$ 20,000.00        |
| Susquehanna    | \$ 20,000.00        |
| Tioga          | \$ 40,000.00        |
| Union          | \$ 120,000.00       |
| Venango        | \$ 20,000.00        |
| Warren         | \$ 20,000.00        |
| Washington     | \$ 20,000.00        |
| Wayne          | -                   |
| Westmoreland   | \$ 20,000.00        |
| Wyoming        | \$ 20,000.00        |
| York           | \$ 100,000.00       |
| <b>Total:</b>  | <b>\$ 3,440,000</b> |





**COMMONWEALTH OF PENNSYLVANIA  
STATE CONSERVATION COMMISSION**

**DATE:** April 25, 2023

**TO:** Members  
State Conservation Commission

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

**RE:** Proposals for Delivery of Education and Technical Support Activities Submitted by Penn State University, College of Agriculture:

- a. 'Nutrient Management Specialist Certification, Education, and Technical Services' program (Act 38)
- b. 'Odor Management Specialist Certification and Education' program, including 'Assessment of Animal Production Site' program (Act 38);
- c. 'PaOneStop Farm Planning System: Development, Maintenance, and Education' and 'Commercial Manure Hauler & Broker Certification' program (Act 49)

**Action Requested**

Approve new three-year proposals to continue funding educational and technical services provided by Pennsylvania State University, College of Agricultural Sciences (PSU) staff for the 'Nutrient Management Specialist Certification, Education, and Technical Services'; 'Odor Management Specialist Certification and Education program, along with the site assessment program'; and the 'PaOneStop Farm Planning System: Development, Maintenance, and Education' and 'Commercial Manure Hauler & Broker Certification' certification programs for the period of July 1, 2023 through June 30, 2026.

**Background**

The Nutrient Management Specialist Certification and Education program continues to play a key role in assuring there are well trained certified planners and plan review staff to provide planning services to the agricultural community complying with the Act 38 Nutrient Management Program requirements.

The Odor Management Specialist certification and education program continues to play a key role in assuring there are well trained certified planners to provide planning services to the agricultural community complying with the Facility Odor Management requirements (Act 38 of 2005). The Assessment of Animal Production Site program is essential in helping the livestock industry avoid conflicts by carefully considering the size and location of proposed livestock facilities and providing education and assistance in selecting appropriate sites. The criteria for establishing a viable site are more rigorous than the Act 38 odor regulations. Several integrators continue to demand this program as part of their selection process for new operations. The site

assessment program will remain a valuable tool and will potentially preclude the need for elaborate and possibly ineffective odor management plans.

The PaOneStop program was developed and continues to be enhanced as various Pennsylvania programs, policies, and regulations overseen by the State Conservation Commission, the Pennsylvania Department of Agriculture, and/or the Pennsylvania Department of Environmental Protection require maps to meet their requirements. The PAOneStop Mapping and other applications facilitates mapping and planning products to meet these requirements. The Commercial Manure Hauler and Broker certification program plays a key role in the certification of individuals in the manure hauling industry establishing a unique, supportive role for the industry connected to the agricultural community complying with Act 38 requirements and other manure management programs.

The success of these three programs in Pennsylvania is due to a cooperative and productive partnership including the State Conservation Commission (Commission), the Pa Department of Agriculture (PDA), the Department of Environmental Protection (DEP), USDA-NRCS and the PSU College of Agricultural Sciences. These entities are represented on the Nutrient Management Interagency Workgroups (Education and Technical Workgroups). Education and outreach needs of the programs, and resources that are necessary to fulfill those needs, are determined by both workgroups.

Commission staff recommends entering into three-year contracts with PSU for continued financial support of these three programs. Contracted activities between the Commission and PSU will provide for the continuation of existing and new efforts.

### **Nutrient Management Specialist Certification, Education, and Technical Services Proposal**

#### **Summary**

Please find attached a proposal submitted by project leader Robert Meinen, Assistant Research Professor, College of Agricultural Sciences, PSU for the continued support of the certification, education and NMP planning tool activities. The attached proposal outlines the following key activities:

1. Conduct and Participate annually in basic, advanced, mandatory, and supplemental commercial and public certification workshops and trainings
2. Develop and support spreadsheet versions of the Nutrient Management Plan, Nutrient Balance Sheets, and Phosphorus Index along with supporting tools and documents.
3. Provide for the distribution of Nutrient Management Act information to the general public and specific audiences as needed.
4. Provide relevant nutrient management educational outreach efforts determined by SCC to be necessary to support Pennsylvania's Nutrient Management Act program
5. Provide technical and educational support for the Department of Environmental Protection (DEP) Manure Management Manual (MMM) education program in consultation with SCC and the Nutrient Management Educational Workgroup.
6. Provide technical and educational support to SCC, DEP, and Extension staff as needed.

Note: This proposal includes a 4<sup>th</sup> PSU staff position (1 additional then currently). This is due to both the principle and co-principal investigators not funded at 100% and in anticipation of future research and retirements.

The proposed budget for the period of July 1, 2023 through June 30, 2026 totals \$1,093,574 covering personnel and operational costs for FY2023-24 at \$352,013; FY2024-25 at \$364,939 and, FY2025-26 at \$376,622. The current proposed Nutrient Management Act Program budget provides funding for Year 1 of the proposal, contingent on the enactment of the proposed Governor's FY2023-24 Executive Budget. Budget amounts for subsequent years of the proposal, Year 2 and Year 3, are contingent on the availability of funds annually appropriated to the Nutrient Management Fund.

**Odor Management Specialist Certification and Education' program, including 'Assessment of Animal Production Site Proposal Summary**

Please find attached a proposal submitted by project leader Robert E. Mikesell, Teaching Instructor, College of Agricultural Sciences, PSU for the continued support of the certification and education and site assessment program activities. The attached proposal outlines the following key activities:

1. Assist in the planning, development and delivery of mandatory odor management specialist certification and continuing education workshops, in coordination with PDA and the Commission.
2. Develop and support the Odor Site Index and Odor BMP Reference List planning tools.
3. Conduct assessments of potential large-scale animal production operations for siting recommendation and identification of potential conflicts in the community as requested by animal production integrators.

The proposed budget for the period of July 1, 2023 through June 30, 2026 totals \$178,340 covering personnel and operational costs for FY2023-24 at \$57,324; FY2024-25 at \$59,420 and, FY2025-26 at \$61,596. The current proposed Nutrient Management Act Program budget provides funding for Year 1 of the proposal, contingent on the enactment of the proposed Governor's FY2023-24 Executive Budget. Budget amounts for subsequent years of the proposal, Year 2 and Year 3, are contingent on the availability of funds annually appropriated to the Nutrient Management Fund.

**PaOneStop Farm Planning System: Development, Maintenance, and Education and Commercial Manure Hauler & Broker Certification Proposal Summary**

Please find attached a proposal submitted by project leader Jennifer Weld, Assistant Research Professor, College of Agricultural Sciences, PSU for the continued support, maintenance, and development of the PaOneStop Program and the Commercial Manure Hauler & Broker Education & Certification program. The attached proposal outlines the following key activities:

1. Coordination with PAOneStop Executive and Management Group representatives and inter-agency partners to:
  - a. Facilitation of both groups.
  - b. Develop annual PaOneStop workplan.
  - c. Manure Management Plan application.
2. Continue PaOneStop Development and Maintenance for Mapping, Agricultural Erosion and Sediment Control, and Planning applications. The system maintains a database of end user information and hosts development applications. To ensure that infrastructure, data sharing, database maintenance, integrity, and documentation, as

- well as that PAOneStop system security meets Penn State and overall security and software requirements, the PAOneStop system must be updated and maintained.
3. Assist in the planning, development and delivery of mandatory certification and continuing education workshops for Commercial Manure Hauler and Brokers, in coordination with PDA and the Commission.
  4. Assist PDA and the Commission in the development of educational materials, (i.e. certification workbooks) and outreach through periodic distribution of newsletters.
  5. Assisting in the planning and delivery of continuing education programs and workshops in in coordination with PDA and the Commission.

The proposed budget for the period of July 1, 2023 through June 30, 2026 totals \$975,000 covering personnel and operational costs for FY2023-24 at \$325,000; FY2024-25 at \$325,000 and, FY2025-26 at \$325,000. The current proposed Nutrient Management Act Program budget provides funding for Year 1 of the proposal, contingent on the enactment of the proposed Governor's FY2023-24 Executive Budget. Budget amounts for subsequent years of the proposal, Year 2 and Year 3, are contingent on the availability of funds annually appropriated to the Nutrient Management Fund.

Thank you for your consideration of this contract proposal. The inter-agency and university partnership that has grown around these contract over the years has been the key to developing and implementing sound regulatory and education standards in Pennsylvania.

Attachment



**Date:** 4/25/2023

**PSU Ref. No:**

**237837**

**Title:** Pennsylvania Nutrient Management Education Program 2023-2026

**Submitted to:** Frank Schneider

fschneider@pa.gov

COP:Department of Agriculture Division:Plant Science

2301 North Cameron Street

Harrisburg, PA 17110-6408

**EIN: 24-6000376**

**DUNS No: 00-340-3953**

**UEI: NPM2J7MSCF61**

**Program:**

**Submitted by:** Robert Meinen

(814) 8652571

rjm134@psu.edu

**Proposed Project Period: 07/01/2023 - 06/30/2026 Total Project Request: \$1,093,574**

**SPONSOR FUNDING REQUEST**

**Year 1** \$352,013

**Year 2** \$364,939

**Year 3** \$376,622

**Total Funding Request \$1,093,574**

**AUTHORIZED UNIVERSITY OFFICIAL**

*Kellen Takoch* DATE 4/25/2023

Kellen Takoch  
Research Administrator - Pre-Award  
College of Agricultural Sciences  
107 Agricultural Administration Building  
University Park, PA 16802-2602  
Tel: 814-865-5419  
Fax: 814-865-0323  
Email: L-AG-contgrts@lists.psu.edu

*John W. Hanold* DATE 4/26/2023

John W. Hanold  
Assoc. VP for Research  
Office of Sponsored Programs  
The Pennsylvania State University  
110 Technology Center Building  
University Park, PA 16802-2602  
Tel: 814-865-1372  
Fax: 814-865-3377  
Email: osp@psu.edu

The Pennsylvania State University employs individuals and accepts students and graduate research students from a multitude of national backgrounds. As an entity, the University is subject to, and works diligently to obey, federal regulations regarding the export of controlled technologies and data. Sponsor, as an independent entity, is individually responsible for ascertaining its compliance with federal export laws and procedures. If Sponsor anticipates disclosure or provision of controlled technology or data to University as part of the proposed sponsored project, Sponsor should inform University, in writing, of the existence of, and information concerning the scope and extent of, such anticipated disclosures or provisions.

**Please reference PSU Ref. Number in all correspondence.**

# Nutrient Management Education Program

Workplan Proposal

July 1, 2023 - June 30, 2026

**Submitted to:** Pennsylvania State Conservation Commission (SCC)

**Submitted by:** Department of Plant Science  
Penn State University (PSU)  
116 ASI Building  
University Park, PA 16802

**Project Leaders:** Robert J. Meinen, Ph.D., Assistant Research Professor, Extension Specialist  
Charles M. White, Ph.D., Assistant Professor of Agronomy, Extension Specialist

---

## Annual Nutrient Management Education Workplan

---

**Conduct annually the following mandatory commercial and public certification workshops and trainings:**

- Two (2) Managing Manure Nutrients Workshop training courses on basic soil fertility concepts and management manure nutrients as part of nutrient management planning.
- Two (2) Plan Writing Workshop training courses to teach participants how to develop nutrient management plans and nutrient balance sheets using the program spreadsheet planning tools.
- Two (2) P Index Workshop training courses to introduce the Pennsylvania Phosphorus Index and learn how to complete the Index as part of nutrient management planning.

**Conduct annually the following basic and advanced workshops and trainings to provide background training in the required competencies. Conduct and participate in additional trainings to address specific educational needs as determined by program staff based on evaluation of program needs.**

- One (1) Introduction to Livestock Production Systems training course to learn about housing and manure handling and management systems for dairy, swine, poultry, and veal operations.
- Nutrient Management Specialist Refresher courses. The course targets public specialists, but others may join. The number of annual offerings will be two (2) unless demand for the optional class dictates that a lower number is appropriate.

**Participate annually in the planning, instruction, and support of the following mandatory commercial and public certification workshops and trainings:**

- Two (2) Nutrient Management Orientation training courses to familiarize participants with the requirements within the Act 38 regulations and components of an Act 38 nutrient plan. This training is coordinated by SCC staff.

- Two (2) Plan Review Workshop training courses to teach participants how to review nutrient management plans submitted under the Act 38 regulations. This training is coordinated by SCC staff.
- Two (2) ACA & Manure Storage Workshop training courses to train participants how to identify, evaluate, and make recommendations for manure management practices related to manure storages and animal concentration areas. This training is coordinated by Natural Resources Conservation Service (NRCS) staff.
- Two (2) Stormwater & Soil Loss Workshop training courses to train participants to identify, evaluate, and make recommendations for critical runoff problem areas and to provide a demonstration of how PAOneStop can be used to determine soil loss for nutrient management planning. This training is coordinated by NRCS staff.

**Develop and support spreadsheet versions of the Nutrient Management Plan, Nutrient Balance Sheets, and Phosphorus Index along with supporting tools and documents.**

- Develop revised versions of the spreadsheets to facilitate and streamline the planning process, including data entry, and to incorporate changes to the Nutrient Management Program.
- Provide Nutrient Management Plan (NMP) and Nutrient Balance Sheet (NBS) Spreadsheet support to commercial and public nutrient management specialists, Act 49 manure brokers, and state agency staff.
- Conduct ~~computer lab~~ supplemental NMP and NBS spreadsheet trainings as needed.
- Conduct periodic online Spreadsheet Assistance Sessions and Spreadsheet Webinars to provide instruction and support for spreadsheet tools.
- Explore and evaluate alternative planning tool options to Excel spreadsheets to better serve program planning requirements and interface with other programs.
- Assist in development of web-based NMP and NBS tools if the program advances this planning platform during this contract period.

**Provide for the distribution of Nutrient Management Act information to the general public and specific audiences as needed. This will include the:**

- Production and distribution annually of at least two (2) issues of the Pennsylvania Nutrient Management Program Newsletter.
- Coordinate and maintain the Pennsylvania Nutrient Management Program website.
- Reprint current Nutrient Management Act related factsheets as necessary.
- Publish new Nutrient Management Act related factsheets as necessary.

**Provide relevant nutrient management educational outreach efforts determined by SCC to be necessary to support Pennsylvania's Nutrient Management Act program.**

- Provide relevant presentations and materials at Nutrient Management Program conferences, webinars, and trainings.
- Provide educational support for locally conducted nutrient management education programs.
- Provide technical and educational support to Act 49 Manure Hauler and Broker Certification Program, Odor Management Program, and PaOneStop Program as needed.
- Provide input for the Phosphorus Index review and revision process.



**Provide technical and educational support for the Department of Environmental Protection (DEP) Manure Management Manual (MMM) education program in consultation with SCC and the Nutrient Management Educational Workgroup.**

- Develop, in consultation with DEP, updates of the MMM documents and educational materials as necessary.
- Coordinate and maintain a MMM education program webpage on the Act 38 nutrient management program website.

**Provide technical support to SCC, DEP, and Extension staff as needed.**

- Serve as the liaison between the SCC and PSU extension specialists and other PSU professional staff on information requests to support nutrient and manure management.

**Provide University representation in an advisory role to the Nutrient Management Advisory Board and its associated committees and workgroups.**

- Provide scientific and technical support to the Nutrient Management Advisory Board and associated subcommittees as appropriate.

**Provide extension support to nutrient management related workshops and conferences.**

**Develop a detailed annual workplan of proposed workshop topics, educational materials, newsletters, etc., in consultation with SCC staff, prior to the beginning of the fiscal year each year of the contract.**

- Submit written reports quarterly, including copies of any educational materials developed, to SCC staff.

Pennsylvania Nutrient Management Education Program 2023-2026

COP: Department of Agriculture

Project Dates: 07/01/2023 - 06/30/2026

|   | 07/01/2023 -<br>06/30/2024 | 07/01/2024 -<br>06/30/2025 | 07/01/2025 -<br>06/30/2026 | Total     |
|---|----------------------------|----------------------------|----------------------------|-----------|
| <b>Direct Costs</b>   |                            |                            |                            |           |
| <b>Salaries (Category I)</b>  |                            |                            |                            |           |
| <u>Meinen, Robert James (Principal Investigator)</u><br>93.75% effort         | 83,376                     | 86,710                     | 90,178                     | 260,264   |
| <u>White, Charles Macaulay (Co-Investigator)</u><br>4.2% effort; 2 weeks/year | 5,714                      | 5,942                      | 6,178                      | 17,834    |
| <u>Orner, Donald G (Technician)</u><br>100% effort                            | 66,768                     | 69,440                     | 72,216                     | 208,424   |
| <u>Education Program Specialist (Other)</u><br>100% effort                    | 81,744                     | 85,014                     | 88,414                     | 255,172   |
| <b>Total Salaries</b>   | 237,602                    | 247,106                    | 256,986                    | 741,694   |
| <b>Total Salaries and Wages</b>   | 237,602                    | 247,106                    | 256,986                    | 741,694   |
| <b>Fringe</b>   |                            |                            |                            |           |
| <u>Category I @ 36.00%</u>  | 85,536                     | 88,958                     | 92,516                     | 267,010   |
| <b>Total Fringe</b>   | 85,536                     | 88,958                     | 92,516                     | 267,010   |
| <b>Total Salaries, Wages and Fringe</b>                                       | 323,138                    | 336,064                    | 349,502                    | 1,008,704 |
| <b>Modified Total Direct Costs</b>  |                            |                            |                            |           |
| <u>TR-ST-In-State Travel Allow F-A</u>  | 12,930                     | 12,930                     | 12,930                     | 38,790    |
| <u>TR-CN-CONUS Travel-Allow F-A</u>   | 1,945                      | 1,945                      | 4,190                      | 8,080     |
| <u>SUP-Laboratory Supplies</u>  | 7,500                      | 7,500                      | 7,500                      | 22,500    |
| <u>SVC-Commun-Publication Related Svc Allow F-A</u>                           | 1,000                      | 1,000                      | 1,000                      | 3,000     |
| <u>Purchased Services</u><br>Statistical and other analysis                   | 1,000                      | 1,000                      | 1,000                      | 3,000     |
| <u>Land and Greenhouse Fees</u>   | 500                        | 500                        | 500                        | 1,500     |
| <u>IT End User Computing Devices under 5000</u>                               | 4,000                      | 4,000                      | 0                          | 8,000     |
| <b>Total Modified Total Direct Costs</b>                                      | 352,013                    | 364,939                    | 376,622                    | 1,093,574 |
| <b>Total Direct Costs</b>   | 352,013                    | 364,939                    | 376,622                    | 1,093,574 |
| <b>F&amp;A Costs (TDC basis)</b>  |                            |                            |                            |           |
| <b>Total Requested From Sponsor</b>   | 352,013                    | 364,939                    | 376,622                    | 1,093,574 |
| <b>Total Project Costs</b>  | 352,013                    | 364,939                    | 376,622                    | 1,093,574 |
| Continuation budget 69989   |                            |                            |                            |           |

Proposal: 106613

Generated by mmm55 on: 04/14/2023

Created on 04/05/2023 and last updated on 04/14/2023

Pennsylvania Nutrient Management Education Program 2023-2026

COP: Department of Agriculture

Project Dates: 07/01/2023 - 06/30/2026

|   | 07/01/2023 -<br>06/30/2024 | 07/01/2024 -<br>06/30/2025 | 07/01/2025 -<br>06/30/2026 | Total     |
|---|----------------------------|----------------------------|----------------------------|-----------|
| <b>Direct Costs</b>   |                            |                            |                            |           |
| <b>Salaries (Category I)</b>  |                            |                            |                            |           |
| <u>Meinen, Robert James (Principal Investigator)</u><br>93.75% effort         | 83,376                     | 86,710                     | 90,178                     | 260,264   |
| <u>White, Charles Macaulay (Co-Investigator)</u><br>4.2% effort; 2 weeks/year | 5,714                      | 5,942                      | 6,178                      | 17,834    |
| <u>Orner, Donald G (Technician)</u><br>100% effort                            | 66,768                     | 69,440                     | 72,216                     | 208,424   |
| <u>Education Program Specialist (Other)</u><br>100% effort                    | 81,744                     | 85,014                     | 88,414                     | 255,172   |
| <b>Total Salaries</b>   | 237,602                    | 247,106                    | 256,986                    | 741,694   |
| <b>Total Salaries and Wages</b>   | 237,602                    | 247,106                    | 256,986                    | 741,694   |
| <b>Fringe</b>   |                            |                            |                            |           |
| <u>Category I @ 36.00%</u>  | 85,536                     | 88,958                     | 92,516                     | 267,010   |
| <b>Total Fringe</b>   | 85,536                     | 88,958                     | 92,516                     | 267,010   |
| <b>Total Salaries, Wages and Fringe</b>                                       | 323,138                    | 336,064                    | 349,502                    | 1,008,704 |
| <b>Modified Total Direct Costs</b>  |                            |                            |                            |           |
| <u>TR-ST-In-State Travel Allow F-A</u>  | 12,930                     | 12,930                     | 12,930                     | 38,790    |
| <u>TR-CN-CONUS Travel-Allow F-A</u>   | 1,945                      | 1,945                      | 4,190                      | 8,080     |
| <u>SUP-Laboratory Supplies</u>  | 7,500                      | 7,500                      | 7,500                      | 22,500    |
| <u>SVC-Commun-Publication Related Svc Allow F-A</u>                           | 1,000                      | 1,000                      | 1,000                      | 3,000     |
| <u>Purchased Services</u><br>Statistical and other analysis                   | 1,000                      | 1,000                      | 1,000                      | 3,000     |
| <u>Land and Greenhouse Fees</u>   | 500                        | 500                        | 500                        | 1,500     |
| <u>IT End User Computing Devices under 5000</u>                               | 4,000                      | 4,000                      | 0                          | 8,000     |
| <b>Total Modified Total Direct Costs</b>                                      | 352,013                    | 364,939                    | 376,622                    | 1,093,574 |
| <b>Total Direct Costs</b>   | 352,013                    | 364,939                    | 376,622                    | 1,093,574 |
| <b>F&amp;A Costs (TDC basis)</b>  |                            |                            |                            |           |
| <b>Total Requested From Sponsor</b>   | 352,013                    | 364,939                    | 376,622                    | 1,093,574 |
| <b>Total Project Costs</b>  | 352,013                    | 364,939                    | 376,622                    | 1,093,574 |
| Continuation budget 69989   |                            |                            |                            |           |

Proposal: 106613

Generated by mmm55 on: 04/14/2023

Created on 04/05/2023 and last updated on 04/14/2023

## Budget Justification

**Principal Investigator: Robert Meinen**

**Co-Investigator: Charles White**

**Project Dates: 7/1/2023-6/30/2026**

**Project Title: Pennsylvania Nutrient Management Education Program 2023-2026**

### Inflation Factor

In estimating costs for future years, all budget categories except tuition are inflated at the University approved rate of 4.0% per year each July 1. Graduate student tuition is inflated 4.0% per year each August 15. Please note that the rates reflected in this proposal are subject to revision in the event this proposal is funded in forward fiscal years.

### Personnel - \$741,694

The principal investigator is budgeted at the percentage of time shown using his/her actual salary in the calculation. The principal investigator's time includes both technical and project management functions. Any other individuals/positions shown are technical staff with the percentage of time shown and actual salaries used. For project time occurring after July 1 of any given year, the salaries have been adjusted at the University approved rate of 4%.

Robert Meinen, PhD.

Assistant Research Professor, Department of Plant Science, Penn State University

Director, Pennsylvania Nutrient Management Education Program

Extension Specialist, Nutrient and Manure Management

93.75% effort to project, \$260,264 over 3 years

Role – Principal Investigator. Budget and program oversight. Development and administration of educational material for the Pennsylvania Nutrient Management Education Program (NMEP). Assist state agencies with goals and programs related to the NMEP. Support to the new Penn State Center for Ag Conservation Assistance Training.

Charles White, PhD.

Assistant Professor, Department of Plant Science, Penn State University

Extension Specialist, Soil Fertility and Nutrient Management

4.2% effort to project, \$17,834 over 3 years

Role – Co-Investigator. Development and administration of educational material for the NMEP. Technical oversight. Programming advisor. Assist state agencies with goals and programs related to the NMEP. Support to the new Penn State Center for Ag Conservation Assistance Training.

Donald Orner.

Research Technologist, Department of Plant Science, Penn State University

Extension Project Associate, NMEP

100% effort to project, \$208,424 over 3 years

Education Program Specialist (TBD).

Education Program Specialist, Department of Plant Science, Penn State University  
100% effort to project, \$255,424 over 3 years

Role – Technical support and leadership for NMEP planning tools. Outreach and education. Educational support. Support to the new Penn State Center for Ag Conservation Assistance Training.

### **Fringe Benefits - \$267,010**

Fringe benefits are computed using the provisional rates of 36.0% applicable to Category I Salaries, 10.4% applicable to Category II Graduate Assistants, 8.0% applicable to Category III Wages, 0.4% applicable to Category IV Student Wages, and 25.4% for Category V, Postdoctoral Scholars and Fellows, for fiscal year 2024 (July 1, 2023, through June 30, 2024). If this proposal is funded, the rates quoted above shall, at the time of funding, be subject to adjustment for any period subsequent to June 30, 2024, if superseding Government approved rates have been established. Fringe benefit rates are negotiated and approved by the Office of Naval Research, Penn State's cognizant federal agency.

### **Equipment – N/A**

### **Travel - \$ 46,870**

Travel costs are estimated as follows:

#### **In-State Travel \$38,790**

Travel for this category largely involves travel by automobile. Auto travel may be by personal vehicles or university fleet vehicles. Travel may include lodging, and meals.

20 hotel nights for Meinen, Orner, and Education Program Specialist to present at Act 38 certification workshops each year @ \$150 each = \$3,000/yr

Per Diem Meals and Incidentals for Meinen, Orner, and Education Program Specialist for Act 38 certification workshops, 30 days per year, State College, PA @ \$69/day = \$2,070/yr

Mileage for Meinen, White, Orner, and Education Program Specialist to present at certification workshops, attend workgroup and advisory board meeting, and other project meetings, estimated based on previous project needs at 12,000 miles/yr @ \$0.655/mile = \$7,860/yr.

#### **Out-of-State Travel \$8,080**

As part of the outreach and educational efforts of NMEP team members out-of-state travel is appropriate. Often Continuing Education Credits (CEC) for certified NMEP clientele in the nutrient and manure planning are held beyond the state's borders, for example with the North American Manure Expo which will be hosted in Wisconsin (2023), New York (2024), and Nebraska (2025). Additionally, team members participate in professional development by attending Manure Expo, Waste to Worth Conferences (Idaho, 2025), manureshed meetings through the USDA-ARS Long-Term Agroecosystem Research (LTAR), and other conferences. At times travel across state

borders is necessary to assist with state watershed planning and improvement goals, for instance travel to Washington DC for meeting with agencies.

**Year 1**

1 flight at \$600/flight; 1 rental cars at \$400/rental; 4 hotel nights at \$150/night; 5 days per diem meals and incidentals at \$69/day  
Total expense = \$1,945 Year 1

**Year 2**

1 flight at \$600/flight; 1 rental cars at \$400/rental; 4 hotel nights at \$150/night; 5 days per diem meals and incidentals at \$69/day  
Total expense = \$1,945 Year 2

**Year 3**

2 flights/yr at \$600/flight; 2 rental cars/yr at \$400/rental; 10 hotel nights at \$150/night; 10 days per diem meals and incidentals at \$69/day  
Total expense = \$4,190 Year 3

**Operational - \$38,000**

Materials and Supplies- \$22,500

Based on previous project needs, are display items, photocopies, printing, booties, field day supplies, and other educational materials for certification workshops at \$7,500/yr.

Publication Costs- \$3,000

Extension fact sheets purchased from the Penn State Publications and Distribution Warehouse, 2/year x \$250 ea.= \$500/yr

Funds to support publication in journals as well as fees to provide open access for such material. Using current rates from Wiley publishing of \$100/published page beyond 7 pages this should be budgeted as \$500/yr.

Purchased Services fees - \$3,000

Statistical Analysis - \$1,500

Utilization of Penn State Statistical Service Center for analysis assistance \$500/year.

Analytical fees - \$1,500

Penn State Agricultural Analytical Services Lab for soil tests and manure analyses to support nutrient management related field trials, estimated as 32 soil tests/yr @ \$9 each and 10 manure analyses/yr @ \$21.20 = \$500/yr

Land Fees - \$1,500

Land rental at Agronomy Farm to conduct nutrient management related field trials, 1.66 acres/yr x \$300/ac.

Computing Devices - \$8,000

A new staff member will be hired in Year 1 and will require purchase of a desktop and laptop computer with accessories, and audio-visual items to meet workplan goals, \$4,000. Funds of \$4,000 requested to replace outdated computing devices in year 2.

**Indirect Costs - \$0,000**  
**F&A – On Campus Research**

F&A rates are negotiated and approved by the Office of Naval Research, Penn State's cognizant federal agency. Penn State's current fixed on-campus rate for research is 60.4% of MTDC from July 1, 2022, through June 30, 2023. New awards and new competitive segments with an effective date of July 1, 2023, or later shall be subject to adjustment when superseding Government approved rates are established. Per 2 CFR 200 (Appendix III, Section C.7), the actual F&A rates used will be fixed at the time of the initial award for the duration of the competitive segment. *Sponsor does not support indirect costs.*





**PROPOSAL TRANSMITTAL**

**Date:** 4/13/2023

**PSU Ref. No:** 237528

**Title:** **PAOneStop Farm Planning System: Development, Maintenance, and Education and Manure Hauler and Broker Certification**

**EIN:** 24-60000376  
**DUNS No:** 00-340-3953

**Submitted to:** Frank Schneider  
COP: Department of Agriculture  
2301 North Cameron Street  
Harrisburg, PA 17110

**Subject:** Proposal Submission

The Pennsylvania State University is pleased to submit its proposal for project entitled ' **PAOneStop Farm Planning System: Development, Maintenance, and Education and Manure Hauler and Broker Certification Programs** ' on behalf of Jennifer Weld, Ecosystem Science And Management. Support for this proposal is requested at \$975,000 for the period of 7/1/2023 - 06/30/2026.

The Pennsylvania State University employs individuals and accepts students and graduate research students from a multitude of national backgrounds. As an entity, the University is subject to, and works diligently to obey, federal regulations regarding the export of controlled technologies and data. Sponsor, as an independent entity, is individually responsible for ascertaining its compliance with federal export laws and procedures. If Sponsor anticipates disclosure or provision of controlled technology or data to University as part of the proposed sponsored project, Sponsor should inform University, in writing, of the existence of, and information concerning the scope and extent of, such anticipated disclosures or provisions.

**Send Award Documents to:**  
Office of Sponsored Programs  
110 Technology Center Building  
University Park, PA 16802-7000  
Tel:814-865-1372; Email: osp@psu.edu

**For Technical Questions contact:**  
Jennifer Weld  
Ecosystem Science And Management  
Tel: (814) 5486218  
Email: jlw23@psu.edu

|                                 |                              |               |               |                               |                  |
|---------------------------------|------------------------------|---------------|---------------|-------------------------------|------------------|
| <b>Proposed Project Period:</b> | <b>7/1/2023 - 06/30/2026</b> |               |               | <b>Total Project Request:</b> | <b>\$975,000</b> |
| <b>SPONSOR FUNDING REQUEST</b>  | <b>Year 1</b>                | <b>Year 2</b> | <b>Year 3</b> | <b>Total Request:</b>         |                  |
|                                 | \$325,000                    | \$325,000     | \$325,000     |                               | \$975,000        |

Haessly Nachman DATE 04/13/2023  
Haessly Nachman  
Research Administrator  
College of Agricultural Sciences  
107 Agricultural Administration Building  
University Park, PA 16802-2602  
Tel: 814-865-5419  
Fax: 814-865-0323  
Email: L-AG-contgrts@lists.psu.edu

John W. Hanold DATE 04/13/2023  
John W. Hanold, AUTHORIZED UNIVERSITY OFFICIAL  
Assoc. VP for Research  
Office of Sponsored Programs  
The Pennsylvania State University  
110 Technology Center Building  
University Park, PA 16802-7000  
Tel: 814-865-1372  
Fax: 814-863-3413  
Email: osp@psu.edu

**Please use PSU Ref. No. in all correspondence.**

**PAOneStop Farm Planning System: Development, Maintenance, and  
Education and Manure Hauler and Broker Certification Programs**

**Annual Work Plan**

**July 1, 2023 – June 30, 2026**

**Submitted to the Pennsylvania State Conservation Commission**

**By**

**Jennifer L. Weld**

**The Pennsylvania State University**

***PAOneStop Development: Mapping Application***

Background: Various Pennsylvania programs, policies, and regulations overseen by the State Conservation Commission and/or the Pennsylvania Department of Agriculture require maps to meet their requirements. The PAOneStop Mapping application facilitates map production to meet these requirements.

Objective: To develop and maintain the PAOneStop Mapping Application to include aerial imagery, data, map development tools, and map report generation to ensure consistency with relevant Pennsylvania programs, policies, and regulations.

Annual Work Plan:

PAOneStop Director (Jennifer Weld) will coordinate with PAOneStop Executive and Management Group representatives and inter-agency partners to:

1. Identify the need for new mapping tools and approaches, deliver current aerial imagery, and evaluate new data layers.
2. Maintain and update map report production consistent with relevant Pennsylvania programs, policies, and regulations.
3. Provide support to end-users through the development of educational materials.
  - a. Develop and deliver PAOneStop revised workshop curriculum. This training will coordinate with Act 38 certification Stormwater training. The training will support virtual workshop delivery.

- b. Develop presentations and as appropriate videos to support PAOneStop. These presentations will be made available on the PAOneStop website.

***PAOneStop Development: Manure Management Plan Application Development***

Background: The PAOneStop Mapping Application allows for development of maps consistent with Manure Management Plan requirements. Developing and maintaining a PAOneStop Manure Management Plan application will facilitate plan development.

Objective: To create and maintain a functional manure management plan module that can be utilized by agricultural producers to develop a manure management plan to meet Pennsylvania's Chapter 91 (Manure Management) regulatory requirements.

Annual Workplan:

PAOneStop Director (Jennifer Weld) will coordinate with PAOneStop Executive and Management Group representatives and inter-agency partners to:

1. Review Manure Management Plan application development.
2. Coordinate Manure Management Plan application review.
3. Determine how the Manure Management Plan will be released consistent with Pennsylvania programs, policies, and requirements.

***PAOneStop: Development and Maintenance***

Background: PAOneStop supports Mapping, Agricultural Erosion and Sediment Control, and Planning applications. Additionally, the system maintains a database of end user information and hosts development applications. To ensure that infrastructure, data sharing, database maintenance, integrity, and documentation, as well as that PAOneStop system security meets Penn State and overall security and software requirements, the PAOneStop system must be updated and maintained.

Objective: To ensure that all data, databases, infrastructure, and hosting is current, secure, and meets Penn State and other relevant requirements.

Annual Workplan:

PAOneStop Director (Jennifer Weld) will coordinate with PAOneStop Executive and Management Group representatives and inter-agency partners to:

1. Update of all aerial imagery, data, code, infrastructure, and hosting services that support PAOneStop and that deliver PAOneStop in a secure and reliable manner.
2. Complete the migration of all PAOneStop servers and applications to College of Agriculture virtual machine hosting.
3. Data management plan development.
4. Complete additional required PAOneStop maintenance.

***PAOneStop: Advisory Group Facilitation***

Background: PAOneStop development and maintenance is prioritized and guided by a PAOneStop Executive Group and an associated Letter of Understanding. As necessary, advisory and review groups will be developed and maintained to review PAOneStop applications.

Objective: To facilitate development and maintenance of appropriate advisory groups as referenced in the most current Letter of Understanding between the State Conservation Commission, PA Department of Agriculture, and PA Department of Environmental Protection to assist in the development and maintenance, guidance and support of future developments of the PAOneStop web-based tools. The advisory group will consist of agricultural producers; agricultural consultants and organizations and agencies involved in the support of the agricultural community in meeting manure management and Ag E&S regulatory requirements:

Annual Work Plan:

PAOneStop Director (Jennifer Weld) will coordinate with PAOneStop Executive and Management Group representatives and inter-agency partners to:

1. Review new PAOneStop opportunities.
2. Review PAOneStop tools and applications in development.
3. Review requests for PAOneStop data.
4. Provide reporting at State Conservation Commission and other inter-agency meetings.

### ***Commercial Manure Hauler Certification Program***

Background: The Commercial Manure Hauler and Broker Certification Act (Act 49 of 2004) requires that all commercial haulers and brokers must be certified under the program prior to engaging in transport or application of manure on behalf of an agricultural operation. The use of certified commercial manure haulers and brokers is a requirement of certain agricultural operations in the Nutrient Management Regulations. Training materials have already been developed and delivered for current manure hauler participants. Individuals new to the industry will be trained and certified depending on demand.

Objectives: To provide professional resources and coordination for the development and conduct of education programs for certification of individuals in the industry. The objectives will be carried out by a project coordinator through the following activities:

1. Collaborate with the existing State Conservation Commission Nutrient Management Educational workgroup, consisting of other professionals at Penn State, the Pennsylvania Department of Agriculture, the Pennsylvania Department of Environmental Protection, the United States Department of Agriculture Natural Resources Conservation Service, the State Conservation Commission, and representatives from the industry to develop and deliver education and certification program content.
2. Develop and conduct certification-training programs and assist in continuing education programming for participants who have completed certification requirements.

#### Annual Work Plan:

1. Participate annually in the planning and the instruction of mandatory workshops and training:
  - Two or three orientation training courses for Level 3 Commercial Manure Hauler and Level 1 and Level 2 Broker certification, depending on demand.
  - Two or three Nutrient Balance Sheet training courses for Level 2 Commercial Manure Broker certification, depending on demand.
2. Assist in the review and development of education

materials and exams for appropriate certification levels. Assist in development of on-line tools in conjunction with PaOneStop programmers, as needed.

3. Participate in the development and distribution of program information:
  - Develop and distribute program newsletter or informational bulletin. Issues of the newsletter will be produced as necessary. Newsletters and bulletins will be emailed whenever possible. Hard copies will be mailed by the PA Department of Agriculture to individuals without access to email.
  - Develop and publish program related factsheets and other education materials.
4. Assisting in the planning and delivery of continuing education programs and workshops in consultation with the Department of Agriculture or other organizations, using webinars and online training whenever practical.



Agenda Item B.2.e

Ecosystem Science and Management (Agricultural Sciences) / The Pennsylvania State University  
 PAOneStop Farm Planning System: Development, Maintenance, and Education and Manure Hauler and Broker  
 Certification Programs

COP: Department of Agriculture  
 Project Dates: 07/01/2023 - 06/30/2026

|  | 07/01/2023 -<br>06/30/2024 | 07/01/2024 -<br>06/30/2025 | 07/01/2025 -<br>06/30/2026 | Total   |
|--|----------------------------|----------------------------|----------------------------|---------|
| <b>Direct Costs</b>  |                            |                            |                            |         |
| <b>Salaries (Category I)</b>   |                            |                            |                            |         |
| <u>Weld, Jennifer (Principal Investigator)</u><br>15% effort; 1.8 cal. mos./year                         | 15,290                     | 15,902                     | 16,538                     | 47,730  |
| <u>TBD - New Hire (Other)</u><br>MHB Coordinator   | 104,000                    | 108,160                    | 112,486                    | 324,646 |
| <u>TBD - New Hire Research Tech (Technician)</u><br>Research Technologist                                | 41,600                     | 43,264                     | 44,994                     | 129,858 |
| <b>Total Salaries</b>  | 160,890                    | 167,326                    | 174,018                    | 502,234 |
| <b>Wages (Category III)</b>  |                            |                            |                            |         |
| <u>Computer Support Staff Wages</u><br>Jacob Yost - Computer Programming Support<br>40hrs/week @ \$30/hr | 62,400                     | 62,400                     | 62,400                     | 187,200 |
| <b>Total Wages</b>   | 62,400                     | 62,400                     | 62,400                     | 187,200 |
| <b>Total Salaries and Wages</b>  | 223,290                    | 229,726                    | 236,418                    | 689,434 |
| <b>Fringe</b>  |                            |                            |                            |         |
| <u>Category I @ 36.00%</u>   | 57,920                     | 60,240                     | 62,648                     | 180,808 |
| <u>Category III @ 8.00%</u>  | 4,992                      | 4,992                      | 4,992                      | 14,976  |
| <b>Total Fringe</b>  | 62,912                     | 65,232                     | 67,640                     | 195,784 |
| <b>Total Salaries, Wages and Fringe</b>  | 286,202                    | 294,958                    | 304,058                    | 885,218 |
| <b>Modified Total Direct Costs</b>   |                            |                            |                            |         |
| <u>Domestic Travel</u>   | 8,000                      | 8,000                      | 8,000                      | 24,000  |
| <u>Materials &amp; Supplies</u>  | 10,000                     | 10,000                     | 7,642                      | 27,642  |
| <u>Miscellaneous Fees</u>  | 1,800                      | 1,800                      | 1,800                      | 5,400   |
| <u>Meeting Expenses</u>  | 1,000                      | 1,000                      | 1,000                      | 3,000   |
| <u>Publications</u>  | 2,500                      | 2,500                      | 2,500                      | 7,500   |
| <u>Computer Programming Service</u>  | 15,498                     | 6,742                      | 0                          | 22,240  |
| <b>Total Modified Total Direct Costs</b>   | 325,000                    | 325,000                    | 325,000                    | 975,000 |
| <b>Total Direct Costs</b>  | 325,000                    | 325,000                    | 325,000                    | 975,000 |
| <b>F&amp;A Costs (TDC basis)</b>   |                            |                            |                            |         |
| <b>Total Requested From Sponsor</b>  | 325,000                    | 325,000                    | 325,000                    | 975,000 |
| <b>Total Project Costs</b>   | 325,000                    | 325,000                    | 325,000                    | 975,000 |

Proposal: 106472

## Budget Justification

**Principal Investigators: Jennifer Weld**

**Co-Investigators: None**

**Project Dates: July 1, 2023 to June 30, 2026**

**Project Title: PAOneStop Farm Planning System: Development, Maintenance, and Education and Manure Hauler and Broker Certification Programs**

### Inflation Factor

In estimating costs for future years, all budget categories except graduate student stipends and tuition are inflated at the University approved rate of 4.0% per year each July 1. Graduate student stipends are inflated 4.0% per year each August 15. Graduate student tuition is inflated 4.0% per year each August 15. Please note that the rates reflected in this proposal are subject to revision in the event this proposal is funded in forward fiscal years.

### **Salaries/Wages: \$689,434**

The principal investigator is budgeted at the percentage of time shown using his/her actual salary in the calculation. The principal investigator's time includes both technical and project management functions. Any other individuals/positions shown are technical staff with the percentage of time shown and actual salaries used. For project time occurring after July 1 of any given year, the salaries have been adjusted at the University approved rate of 4%.

Jennifer Weld, 15% academic year effort, will oversee, coordinate, and contribute to PAOneStop Farm Planning System development and outreach. This includes development of web available instructional materials, coordinating with and reporting to agency partners, and coordinating the revision, review and release of new PAOneStop applications.

Research Technologist – New Hire, 50% CY effort (6 months), will contribute to computer programming development and maintenance of as well as IT needs for current and future PAOneStop services.

Manure Hauler Broker – New Hire, 100% CY effort – Lead educator for PA Act 49 Commercial Manure Hauler and Broker Certification Program. This position will also provide education support for PAOneStop.

Computer Support Staff Wages – Jacob Yost, 100% CY effort, will contribute to computer programming development, maintenance of, and coordination with other platforms current and future PAOneStop services. This includes support of necessary web site development.

### **Fringe Benefits: \$195,784**

Fringe benefits are computed using the provisional rates of 36.0% applicable to Category I Salaries, 10.4% applicable to Category II Graduate Assistants, 8.0% applicable to Category III Wages, 0.4% applicable to Category IV Student Wages, and 25.4% for Category V, Postdoctoral Scholars and Fellows, for fiscal year 2024 (July 1, 2023, through June 30, 2024). If this proposal is funded, the rates quoted above shall, at the time of funding, be subject to adjustment for any

period subsequent to June 30, 2024, if superseding Government approved rates have been established. Fringe benefit rates are negotiated and approved by the Office of Naval Research, Penn State's cognizant federal agency.

**Materials and Supplies: \$27,642**

Materials and supply costs will be for equipment needed by PAOneStop personnel to administer, develop, and conduct outreach for PAOneStop. Updating equipment used by personnel to support and develop PAOneStop is essential to insure that hardware is compatible with and able to support current software and web applications. This is critically important as much of PAOneStop outreach, development and collaboration has migrated to web-based platforms. Older equipment makes recording training videos, playing videos during remote training sessions, and participating in remote training sessions challenging. Additionally, to assist end-users and to review and test new PAOneStop applications, personnel require current equipment to ensure outdated hardware is not limiting productivity and advancement.

**Equipment: \$0**

There is no equipment in this contract.

**Travel: \$24,000**

Travel costs are estimated as follows:

The trips will include workshops for and outreach to PAOneStop users, Pennsylvania Stakeholders, attending state, regional and national professional meetings, and attending state, regional, and national continuing education. Travel will involve PAOneStop staff identified in the budget.

1. Workshop, Support and Outreach travel at a cost of \$8,000. This includes mileage and possibly ME&I and lodging per diem.
2. State, regional and national professional meetings at a cost of \$8,000. This includes mileage and possibly ME&I per diem.
3. State, regional, and national continuing education at a cost of \$8,000. This includes mileage and possibly ME&I per diem.

**Other Direct: \$37,140**

Purchased Services: \$22,240

To continue providing current PAOneStop Agricultural Erosion and Sediment Control Plan services and to expand these services a computer programming consultant for PAOneStop is necessary.

Consultants: \$0

Subcontracts: \$0

There are no subcontracts.

Publications: \$7,500

It is projected that results from PAOneStop work will be published in the Journal of Soil and Water Conservation. For this journal, the open access fee is \$750 per article and pages charges are a maximum of \$320 per page. The current budgeted amount will support three open access publications during the contract cycle.

Miscellaneous Fees Expense (\$5,400) is for Virtual Machine Server Fees to support PAOneStop and maintain essential Virtual Machine Hosting services as well as software licensing and security certificate renewals. These services are needed to maintain, develop, and evaluate PAOneStop. As these services support and host PAOneStop's web platform and supporting database structure, without these services PAOneStop would not exist. These fees are paid to ensure that PAOneStop is available as a secure and reliable web service.

Meeting Fees (\$3,000) is to support professional development meeting attendance by staff identified in this contract.

### **Indirect Costs - \$0**

#### **F&A – On Campus Instruction/Continuing Education/Outreach**

F&A rates are negotiated and approved by the Office of Naval Research, Penn State's cognizant federal agency. Penn State's current fixed on-campus rate for instruction, continuing education and outreach is 51.7% of MTDC from July 1, 2022, through June 30, 2023. New awards and new competitive segments with an effective date of July 1, 2023, or later shall be subject to adjustment when superseding Government approved rates are established. Per 2 CFR 200 (Appendix III, Section C.7), the actual F&A rates used will be fixed at the time of the initial award for the duration of the competitive segment. *Sponsor does not permit indirect costs.*



**Date:** 4/21/2023

**PSU Ref. No:**

**237754**

**Title:** "Odor management Planning - Animal Science"

**Submitted to:** Frank Schneider

fshneider@pa.gov

COP:Department of Agriculture Division:Animal Science

2301 North Cameron Street

Harrisburg, PA 17110-6408

**EIN: 24-6000376**

**DUNS No: 00-340-3953**

**UEI: NPM2J7MSCF61**

**Program:**

**Submitted by:** Robert Mikesell

(814) 8652987

rem9@psu.edu

**Proposed Project Period: 07/01/2023 - 06/30/2026 Total Project Request: \$178,340**

**SPONSOR FUNDING REQUEST**

**Year 1** \$57,324

**Year 2** \$59,420

**Year 3** \$61,596

**Total Funding Request \$178,340**

**AUTHORIZED UNIVERSITY OFFICIAL**

*Kellen Takoch* DATE 4/21/2023

Kellen Takoch  
Research Administrator - Pre-Award  
College of Agricultural Sciences  
107 Agricultural Administration Building  
University Park, PA 16802-2602  
Tel: 814-865-5419  
Fax: 814-865-0323  
Email: L-AG-contgrts@lists.psu.edu

*John W. Hanold* DATE 04/21/2023

John W. Hanold  
Assoc. VP for Research  
Office of Sponsored Programs  
The Pennsylvania State University  
110 Technology Center Building  
University Park, PA 16802-2602  
Tel: 814-865-1372  
Fax: 814-865-3377  
Email: osp@psu.edu

The Pennsylvania State University employs individuals and accepts students and graduate research students from a multitude of national backgrounds. As an entity, the University is subject to, and works diligently to obey, federal regulations regarding the export of controlled technologies and data. Sponsor, as an independent entity, is individually responsible for ascertaining its compliance with federal export laws and procedures. If Sponsor anticipates disclosure or provision of controlled technology or data to University as part of the proposed sponsored project, Sponsor should inform University, in writing, of the existence of, and information concerning the scope and extent of, such anticipated disclosures or provisions.

**Please reference PSU Ref. Number in all correspondence.**

## **Odor Management Certification training support**

Odor Management Planning is required for new and expanding farms in the Act 38 program. Certification for Odor Management Plan (OMP) Writers is separate from the Nutrient Management Plan (NMP) Writer certification.

### **Objectives:**

1. Provide OMP certification and CEC trainings in conjunction with the State Conservation Commission.
2. Provide expertise for development of program educational and technical material, such as the Odor Site Index (OSI) planning tool.

### **Annual Work Plan:**

1. Develop and deliver certification training courses for certified odor management plan writers and reviewers. This training will include use of the Odor Site Index and the mapping elements of a plan, as well as, the selection of appropriate odor BMPs. Up to two orientation and plan writing training sessions per year will be offered, depending on demand. Trainings will serve prospective plan writers and/or reviewers.

2. Assist the SCC and others in the development and delivery of a minimum of two continuing education programs for certified odor management specialists, with a minimum of 3 Continuing Education Credits (CEC's) offered between the 2 trainings.

3. Provide relevant educational and technical assistance efforts to assist the Commission in administering the Odor Management Regulations.

4. Develop and maintain the Pennsylvania Odor BMP Reference List.

5. Serve in an advisory capacity to the SCC and PDA for reviewing plans and new odor remediation technologies.

6. Provide technical support to the SCC on the use, further development, and clarification and review of the Odor Site Index and odor management plans, including on-farm accompaniment of SCC personnel to plan Level II BMPs at farms.

7. Assist with the development and printing of educational materials and fact sheets relating to odor management.

8. Participate in research projects with Penn State's Odor Laboratory to identify and screen Odor BMPs, as demanded.

## **Assessment of Potential Animal Production Sites**

This program is essential in helping the livestock industry avoid conflicts by carefully considering the size and location of proposed livestock facilities and providing education and assistance in selecting appropriate sites. The criteria for establishing a viable site are more rigorous than the Act 38 odor regulations. Several integrators continue to demand this program as part of their selection process for new operations. The site assessment program will remain a valuable tool and will potentially preclude the need for elaborate and possibly ineffective odor management plans.

### **Objectives:**

1. Conduct assessments of potential large-scale animal agriculture sites for the potential for conflicts in the community.
2. Use assessment information to further refine the Act 38 Odor Site Index planning tool.
3. Interact with and provide progress reports (as needed) to relevant agencies and partners including, but not limited to:
  - Pennsylvania Department of Agriculture (PDA).
  - State Conservation Commission (SCC).

### **Annual Work Plan:**

The program coordinator (Robert Mikesell) will administer and coordinate the site assessment process and work closely with industry contacts and allied industry professionals to maintain awareness and viability of the program. During the contract period, the coordinator will:

1. Review all site evaluation requests and plan to conduct the assessments. Coordinator will conduct site assessments as necessary to meet industry demand.
2. Promote the program appropriately by meeting with integrators and industry leaders, and by summarizing and publishing program results in selected media and scientific outlets.
3. Provide a quarterly summary of site assessment program.

Animal Science (Agricultural Sciences) / The Pennsylvania State University Agenda Item B.2.e

Odor management Planning - Animal Science

COP: Department of Agriculture

Project Dates: 07/01/2023 - 06/30/2026

|   | 07/01/2023 -<br>06/30/2024 | 07/01/2024 -<br>06/30/2025 | 07/01/2025 -<br>06/30/2026 | Total   |
|---|----------------------------|----------------------------|----------------------------|---------|
| <b>Direct Costs</b>   |                            |                            |                            |         |
| <b>Salaries (Category I)</b>  |                            |                            |                            |         |
| <u>Mikesell, Robert Eugene (Principal Investigator)</u><br>35% Effort | 38,474                     | 40,014                     | 41,614                     | 120,102 |
| <b>Total Salaries</b>   | 38,474                     | 40,014                     | 41,614                     | 120,102 |
| <b>Total Salaries and Wages</b>                                       | 38,474                     | 40,014                     | 41,614                     | 120,102 |
| <b>Fringe</b>   |                            |                            |                            |         |
| <u>Category I @ 36.00%</u>  | 13,850                     | 14,406                     | 14,982                     | 43,238  |
| <b>Total Fringe</b>   | 13,850                     | 14,406                     | 14,982                     | 43,238  |
| <b>Total Salaries, Wages and Fringe</b>                               | 52,324                     | 54,420                     | 56,596                     | 163,340 |
| <b>Modified Total Direct Costs</b>                                    |                            |                            |                            |         |
| <u>TR-ST-In-State Travel Allow F-A</u><br>Domestic travel             | 3,000                      | 3,000                      | 3,000                      | 9,000   |
| <u>SUP-Laboratory Supplies</u><br>Materials and supplies              | 2,000                      | 2,000                      | 2,000                      | 6,000   |
| <b>Total Modified Total Direct Costs</b>                              | 57,324                     | 59,420                     | 61,596                     | 178,340 |
| <b>Total Direct Costs</b>   | 57,324                     | 59,420                     | 61,596                     | 178,340 |
| <b>F&amp;A Costs (TDC basis)</b>                                      |                            |                            |                            |         |
| <b>Total Requested From Sponsor</b>                                   | 57,324                     | 59,420                     | 61,596                     | 178,340 |
| <b>Total Project Costs</b>  | 57,324                     | 59,420                     | 61,596                     | 178,340 |

Proposal: 106642

Generated by kst10 on: 04/21/2023

Created on 04/06/2023 and last updated on 04/21/2023



**THE PENNSYLVANIA STATE UNIVERSITY  
BUDGET JUSTIFICATION**

**Principal Investigators:** Robert Mikesell

**Project Dates:** July 1, 2023 to June 30, 2026

**Project Title:** Delivery of Odor Management Support and Site Assessment Programs

Inflation Factor

In estimating costs for future years, all budget categories except graduate student tuition are inflated at the University approved rate of 4% per year each July 1. Please note that the rates reflected in this proposal are subject to revision in the event this proposal is funded in forward fiscal years.

**Salaries/Wages - \$120,102**

The principal investigator is budgeted at the percentage of time shown using his/her actual salary in the calculation. The principal investigator's time includes both technical and project management functions. For project time occurring after July 1 of any given year, the salary has been adjusted at the University approved rate of 4%.

Robert Mikesell – Support of Pa Act 38 Odor Management Planning program and lead assessor of PA Livestock Site Evaluation program, with 35% of salary supported by this budget.

**Fringe Benefits - \$43,238**

Fringe benefits are computed using the fixed rates of 36.00% applicable to Category I Salaries for fiscal year 2023 (July 1, 2023, through June 30, 2024). If this proposal is funded, the rates quoted above shall, at the time of funding, be subject to adjustment for any period subsequent to June 30, 2024, if superseding Government approved rates have been established. Fringe benefit rates are negotiated and approved by the Office of Naval Research, Penn State's cognizant federal agency.

**Domestic Travel - \$9,000**

In-state motor vehicle travel will primarily be used to carry out the site assessment program. On-request farm visits are a necessary component of that program, but the number, location, or timing of these visits are impossible to predict. Additional in-state travel may be required to plan or administer odor planner training or odor planner continuing education credits. Vehicle travel will be reimbursed at the IRS-approved rate.

**Materials and Supplies - \$6,000**

Desktop and laptop computers, color printers, and specialized mapping software are utilized to meet workplan goals. These are purchased as needed and may be purchased later in the 3-year contract period as opposed to the outset of the contract period, as often preferred by the university. Computer purchases may occur in the last year of the contract period. This is justified because renewals of this contract have occurred continuously since the 1990's and individual computer lifespans do not align directly with contract periods. Indeed, computers utilized to meet

workplans of these renewed contracts have often lasted longer than 3 years, thus providing savings to the funder and University.

**Indirect Costs - \$0**

F&A – On Campus Instruction/Continuing Education

F&A rates are negotiated and approved by the Office of Naval Research, Penn State's cognizant federal agency. Penn State's current fixed on-campus rate for instruction and continuing education is 46.03% of MTDC from July 1, 2019, through June 30, 2020. New awards and new competitive segments with an effective date of July 1, 2020, or later shall be subject to adjustment when superseding Government approved rates are established. Per 2 CFR 200 (Appendix III, Section C.7), the actual F&A rates used will be fixed at the time of the initial award for the duration of the competitive segment. ***NOTE: Sponsor does not permit indirect costs.***



**COMMONWEALTH OF PENNSYLVANIA  
STATE CONSERVATION COMMISSION**

**DATE:** April 13, 2023

**TO:** Members  
State Conservation Commission

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

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

**SUBJECT:** Nutrient Management Plan Action Policy

**Action Requested**

Grant approval of the Nutrient Management Plan (NMP) Action Policy

**Background**

The State Conservation Commission (Commission) is tasked with the review and action on NMPs that are developed for counties that do not hold Nutrient and Manure Management Delegation.

In the past, those non-delegated counties only accounted for a handful of NMP actions needed per year. Those NMPs were acted upon by the Commission at regularly scheduled Commission in person meetings.

Over the last year, we have had a number of conservation districts did not renew their delegations for varying reasons. With the increase in the amount of non-delegated counties, the number of NMPs that the Commission must act on has increased significantly.

Commission staff has developed the attached NMP Action Policy for Commission consideration. The draft policy will allow public participation, provide action authority to the Commission Executive Secretary and provide written reports at in-person Commission meetings.

**Proposal**

The attached NMP Approval Policy and two supplements are attached. Commission staff recommends that an affirmative action be taken by the Commission.

Thank you for your consideration of the proposed NMP Action Policy.

Attachments

4-13-23

State Conservation Commission Policy for Nutrient Management Plan Actions

## **Nutrient Management Plan Action by the State Conservation Commission**

This policy is internal to the State Conservation Commission (SCC) and the actions it must take on Nutrient Management Plans (NMPs) for counties that do not hold Nutrient and Manure Management Delegation.

1. SCC staff will perform the administrative and technical review according to established policy / principles and the guidance of the Nutrient Management and Manure Management Administrative and Technical manuals.
2. SCC staff will publish, on the Pennsylvania Department of Agriculture (PDA) State Conservation Commission webpage NMPs under review. This posting will be published for a minimum 30 day public comment period. The posting will include the following information (and attached):
  1. Name and address
  2. County
  3. Acres
  4. AEUs
  5. Operation Type (CAO, VAO, CAFO)
  6. Animal Type
  7. New or Renewal
3. Any public comments received will be considered
4. After the 30 day public comment period and the technical review has been completed, SCC staff will prepare an NMP action memo to be sent, along with the final form (NMP) to the SCC Executive Secretary.
5. SCC Executive Secretary will action on the NMP, to approve or deny.
6. SCC staff will publish, on the Pennsylvania Department of Agriculture (PDA) State Conservation Commission webpage the NMPs Actions that have occurred. The posting will include the following information (and attached):
  1. Name and address
  2. County
  3. Acres
  4. AEUs
  5. Operation Type (CAO, VAO, CAFO)
  6. Animal Type
  7. Action taken
7. Written report, on NMP actions, will be provided to the SCC members every other month, when the SCC meets in person.







**COMMONWEALTH OF PENNSYLVANIA  
STATE CONSERVATION COMMISSION**

April 25<sup>th</sup>, 2023

To: Members  
State Conservation Commission

From: Justin Challenger  
Director, Financial & Technical Assistance Programs

RE: Agriculture Conservation Assistance Program

**ACAP Update**

On December 21, 2022, Delegation Agreements were sent out to all Conservation Districts for consideration. As of April 21<sup>st</sup>, 2023, 64 of these agreements have been fully executed. 64 agreements have had their advance payments processed for a total of \$23,159,180 paid to districts. Including contracts for PSU and NRCS and the Districts, the SCC has encumbered \$137,181,644.

Program staff continue with monthly ACAP update virtual presentation and Q&A sessions for conservation districts and partnering agencies. These update sessions not only provide time for staff to update districts but also time for districts to ask questions and receive feedback from other districts and agencies.

Staff attended an update session for Senator Martin and Senator Yaw at a briefing held at the capitol. Main points of discussion were updates on the progress of ACAP spending and challenges the program is facing as well as discussions into the need for continued source ongoing funding.

Staff is currently working on a budget and scope of work for “regional engineers” that will be tasked with assisting districts with technical assistance needs. As well as assisting with a system of “job approval authority” for state projects that mirrors NRCS’s system. Staff is also exploring utilizing ACAP funding for “preconceived designs” for larger projects that are very similar. These designs will allow a majority of the design to be done ahead of time, and then easily converted into a site specific plan to save time and money.

**Center for Agricultural Conservation Assistance Training at Penn State Extension (the Ag Center) Budget and Scope of Work**

The Commission approved entering into short term agreement with Penn State to allow for staff time to get the center staffed and functioning. This agreement was approved by the SCC with the goal of having a long-term agreement in place for the Center by July 1st, 2023. Included in the mailing packet is budget and scope of work for the new Center for FY23-24.

The Center will provide education, outreach, and technical assistance to Conservation Professionals working at Conservation Districts, State and Federal Agencies, Non-Profit Organizations, and Private Businesses throughout Pennsylvania as part of the Agricultural Conservation Assistance.



**COMMONWEALTH OF PENNSYLVANIA  
STATE CONSERVATION COMMISSION**

The Ag Center proposes to provide the following:

- Establish and maintain a full-staffing complement for the new center.
- Create a virtual presence for the center.
- Provide Training and Education Programs
- Host an Annual Ag Conservation Conference.
- Provide Ag Conservation and Ag Outreach Technical Assistance.
- Provide Program Guidance and Assistance.
- Workgroup meetings, assist with QAQC activities, Demonstration Projects, workforce development
- Other Tasks Assigned and Agreed Upon

Commission staff propose utilizing the master agreement to provide PSU funds for the Center through October 31<sup>st</sup>, 2026. Attached for consideration of the SCC at their May 9<sup>th</sup> meeting is the budget and scope of work for FY23-24. Also included are estimated Scope of Work plans for the remaining fiscal years of the contract. Before each successive fiscal year begins, an updated Scope of work will be revised and presented to the SCC for approval, along with a budget.

**PACD Agriculture Planning Assistance Program (APAP)**

PACD is proposing to hire six certified conservation planners and nutrient management specialists ("PACD program staff") to assist in conservation efforts across the Commonwealth. These planners will be partially funded (50%) through the State Conservation Commission and by (50%) NRCS. The SCC will dedicate \$500,000 over the course of two years, in a reimbursement for actual costs method. PACD program staff will improve water quality by helping landowners to complete and update conservation plans, Act 38 Nutrient Management Plans, Manure Management Plans, and Agricultural Erosion & Sediment Control Plans, one of which is required in order to receive ACAP funding. Entities eligible for assistance will include watershed organizations; county conservation districts; 501(c)(3) non-profit organizations; counties, municipalities, or their subdivisions; and educational institutions. To provide these services as cost-effectively as possible, PACD program staff will work out of NRCS Technical Centers or conservation district offices in Dauphin, Erie, Bucks, Indiana, Wayne, and Franklin Counties. The proposed funding would fund the program for two years.

In summary, anticipated accomplishments of this program include:

1. Improve water quality through the completion and updating of conservation plans, Act 38 Nutrient Management Plans, Manure Management Plans, and Agricultural Erosion & Sediment Control Plans.
2. Make more funds available to landowners for conservation projects when a conservation or other agricultural plan is required.





**COMMONWEALTH OF PENNSYLVANIA  
STATE CONSERVATION COMMISSION**

3. Work with landowners to develop alternatives and identify strategies for implementing on-farm solutions. These solutions may include preparing for agricultural or market certifications and addressing regulatory requirements.

Commission staff provide the attached budget and project description for consideration of the SCC at their May 9<sup>th</sup> meeting. The contract documents will be finalized after review by PDA legal staff.

## **Scope of Work** (July 1, 2023 – June 30, 2024)

**Submitted To:**

**Pennsylvania State Conservation Commission (SCC)**

Pennsylvania Department of Agriculture

**Performing Organization:**

**Center for Agricultural Conservation Assistance Training at Penn State Extension (the Center)**

The Pennsylvania State University (Penn State)

Principal Investigator: Jennifer R. Fetter, [jrf21@psu.edu](mailto:jrf21@psu.edu)

**FY 2023-24 represents year one of a proposed 3.3-year contract (July 2023 – October 2026) between the Center and the SCC. The Scope of Work below primarily represents FY 2023-24.**

Also included are estimated Scope of Work plans for the remaining fiscal years of the contract. Before each successive fiscal year begins, an updated Scope of work will be revised and presented to the SCC for approval, along with a budget.

The Center provides education, outreach, and technical assistance to Conservation Professionals working at Conservation Districts, State and Federal Agencies, Non-Profit Organizations, and Private Businesses throughout Pennsylvania as part of the Agricultural Conservation Assistance Program and in coordination with other ag conservation cost-share programs and partners.

**1. Establish and maintain a full-staffing complement for the new center.**

- Hire and support a team of six Center Extension Educator Staff and a Center Director who provide Education and Technical Assistance, leading to increased conservation implementation.
- Create a new teaching faculty position that provides undergraduate courses on ag conservation practice engineering, planning, design, and related skills. This faculty member will assist with center training events and educational resource development.
- Hire and support GIS and Research Technician staff who will assist with the ongoing development of GIS planning and reporting tool functions, collect data about demonstration projects and related research activities, and provide training and resources to conservation professionals to use in project outreach, prioritization, and other conservation activities.
- Develop a center support team that includes an event planning and financial assistant as well as a communications specialist.
- Contract with a Professional Engineer who will provide services to the Center to fulfill tasks in the scope of work. In coordination with this engineer and the State Conservation Commission, the center will also develop a program of *Observed Confidence* which will allow others working at the center (and perhaps beyond) to draw plans, perform construction oversight, and complete post-construction inspections under the authority of this engineer.
- Contract with a GIS Developer to create a new GIS-based tool to be used in the administration of the ACAP program, including quarterly and annual reporting, mapping of ACAP-implemented projects, and in the future, concept maps for professionals to take with them in farmer outreach visits, prioritization tools for selecting locations for future practices, and alignment with other tools such as PA OneStop.

- Support an Ag Outreach team that includes two farmer liaisons and an Ag Outreach Specialist who can train conservation professionals on communicating with farmers as well as provide targeted outreach services in priority areas or where local staff is limited.
- Provide Center staff with necessary computer equipment, training materials, on-the-job tools, and travel support.

**Create a virtual presence for the center.**

- Develop and maintain an online space for the Center that includes educational resources for agricultural conservation, related GIS tools, and administrative materials for the ACAP program. Include a periodic newsletter to conservation professionals that includes education, events, job positions, funding announcements, and others. Provide a help request section for professionals and ag landowners.
- Promote services from the center through virtual marketing and communications efforts, including promotional video production, in an effort to reach conservation professionals and ag landowners in all parts of Pennsylvania.

**Provide Training and Education Programs**

- Create and implement a new certification program for conservation professionals. The program will include a multi-day training that results in competence to design certain basic conservation practices for agricultural landscapes. This training is intended to become required for all districts utilizing ACAP funding and will be offered multiple times across the state each year. Modified versions of this training will also be offered to farm operators/ag landowners (shorter version without administrative content) and NGOs, and private consultants who may also want to receive BMP certifications. Advanced training for additional BMPs will also be developed. Set guidelines for re-certification timelines.
- Host various workshops, webinars, and asynchronous training events related to the administration of the ACAP program, ag literacy, ag conservation practices and programs, and related topics.
- Create educational fact sheets, news articles, and videos to provide resources for on-demand learning and technical assistance.
- Create and provide relevant training manuals, publications, and training tools to participants.
- Staff a Center Exhibit at relevant expos and trade shows where conservation professionals and ag landowners can receive information and one-on-one support.
- Promote the Center’s educational and technical assistance services through targeting mailing campaigns, brochures, rack cards, and similar materials.

**Host an Annual Ag Conservation Conference.**

- Facilitate an Annual Conference for all district staff and partners working in agricultural conservation. This multi-day conference will include classroom and field activities, networking, and recognition of innovative and excellent projects that have been implemented across the state.

**Provide Ag Conservation and Ag Outreach Technical Assistance.**

- Provide field operations and technical assistance through virtual (email, phone) and in-person site visits. Staff will suggest project improvement recommendations, on-the-job training for new conservation professionals (2-3 years or less of experience), funding clarifications, review of policy-matching and compliance, and more. All center staff will be trained to use field tools for spot-checking projects, such as surveying equipment.
- Provide ag outreach services in targeted watersheds, develop and implement outreach and educational materials directed to farmers and ag landowners across the state to increase participation in ACAP and other conservation programs.
- Provide engineering support services such as drawing plans, performing construction oversight, and completing post-construction inspections under the authority of the contracted engineer.
- Maintain high-level biosecurity and personal safety protocols for staff and participants at all events, farm visits, and center functions.

#### **Provide Program Guidance and Assistance.**

- Assist the State Conservation Commission with input on policy development, new and changing science related to ag conservation practices, and administrative manual creation and editing.

#### **Miscellaneous**

- Facilitate workgroup meetings (policy, education, others as needed) annually. Develop committee guidelines and by-laws in coordination with the State Conservation Commission.
- Perform QA/QC Activities as an educational opportunity for ACAP project implementers. During inspection/oversight visits by SCC Staff (one per district per year), Center staff will accompany and provide lessons on corrections for future projects (as opposed to requirements for fixing current projects).
- Develop and implement demonstration projects identified by the center (and applications from conservation districts in the future). The focus will be on new and untraditional projects. Long-term research will be included (nutrient and sediment functions, additional benefits, climate-smart functions). Educational signage will be installed where appropriate.
- Develop a collaborative network of ag landowners and practitioners in the State College area that can become a future resource base for job-shadowing, hands-on learning, and internships accessible to undergraduate students seeking future careers in ag conservation.

#### **Other Tasks Assigned and Agreed Upon**

- The Center will occasionally provide other products and/or services to SCC under this agreement, provided that funds to do so are available. Both parties expressly understand that this section is intended to allow flexibility in carrying out the annual work plan to address items unexpected or unforeseen at the time of adoption. In all cases, such additional products and/or services will be undertaken based on the mutual agreement of SCC and the Center. Office and field supplies are required for assigned projects. Purchase of field equipment, including but not limited to safety equipment, paint, flagging, survey equipment, and testing equipment, may be required to fulfill contract obligations. Purchase of office equipment, including but not limited to laptops, projectors, screens, cameras, copiers, software, printers, and other office or computer equipment, may be required to fulfill contract obligations.

Institute for Sustainable Agricultural, Food, and Environmental Science (Agricultural Sciences) / The Pennsylvania State University

Center for Ag Conservation Assistance Training Umbrella Agreement

COP: State Conservation Commission

Project Dates: 07/01/2023 - 10/31/2026

|   | 07/01/2023 -<br>06/30/2024 | 07/01/2024 -<br>06/30/2025 | 07/01/2025 -<br>06/30/2026 | 07/01/2026 -<br>10/31/2026 | Total   |
|---|----------------------------|----------------------------|----------------------------|----------------------------|---------|
| <b>Direct Costs</b>   |                            |                            |                            |                            |         |
| <b>Salaries (Category I)</b>  |                            |                            |                            |                            |         |
| <u>PERSONNEL - Director (Principal Investigator)</u>  | 88,234                     | 91,766                     | 95,434                     | 33,083                     | 308,517 |
| <u>PERSONNEL - Fetter, Jennifer (Principal Investigator)</u><br>Extension Educator 5                                      | 990                        | 1,030                      | 1,072                      | 371                        | 3,463   |
| <u>PERSONNEL - Royer, Matthew B (Co-PI)</u><br>4.25% effort   | 7,394                      | 7,690                      | 8,000                      | 2,773                      | 25,857  |
| <u>PERSONNEL - Houser, Christian (Co-PI)</u><br>2.75% effort  | 3,758                      | 3,910                      | 4,064                      | 1,409                      | 13,141  |
| <u>PERSONNEL - Bartling, Kathryn (Other Professional)</u><br>10% effort   | 7,464                      | 7,762                      | 8,072                      | 2,798                      | 26,096  |
| <u>PERSONNEL - Extension Educator (Other Professional)</u><br>Extension Educator 3, 100% effort                           | 62,498                     | 65,000                     | 67,600                     | 23,435                     | 218,533 |
| <u>PERSONNEL - Extension Educator (Other Professional)</u><br>Extension Educator 3  | 62,498                     | 65,000                     | 67,600                     | 23,435                     | 218,533 |
| <u>PERSONNEL - Extension Educator (Other Professional)</u><br>Extension Educator 3, 100% effort                           | 62,498                     | 65,000                     | 67,600                     | 23,435                     | 218,533 |
| <u>PERSONNEL - Extension Educator (Other Professional)</u><br>Extension Educator 3, 100% effort                           | 62,498                     | 65,000                     | 67,600                     | 23,435                     | 218,533 |
| <u>PERSONNEL - Extension Educator (Other Professional)</u><br>Extension Educator 3, 100% effort                           | 62,498                     | 65,000                     | 67,600                     | 23,435                     | 218,533 |
| <u>PERSONNEL - Admin Support Coordinator (Other Professional)</u><br>Administrative Support Coordinator 2, 100% effort    | 41,176                     | 42,824                     | 44,536                     | 15,440                     | 143,976 |
| <u>PERSONNEL - GIS Technologist (Technician)</u><br>Research Data Analyst 2, 100% effort                                  | 59,560                     | 61,942                     | 64,418                     | 22,331                     | 208,251 |
| <u>PERSONNEL - ABE Teaching Faculty (Faculty)</u><br>Non-tenure Track Faculty   | 110,310                    | 114,722                    | 119,310                    | 41,361                     | 385,703 |
| <u>PERSONNEL - Research Technologist (Other Professional)</u><br>Research Technologist 1, 50% effort Y1, 100% effort Y2-4 | 17,280                     | 35,942                     | 37,378                     | 12,958                     | 103,558 |
| <u>PERSONNEL - Marketing &amp; Communications Coordinator (Other Professional)</u>  | 61,274                     | 63,726                     | 66,274                     | 22,975                     | 214,249 |

Proposal: 106784

Generated by esj5061 on: 04/21/2023

Created on 04/14/2023 and last updated on 04/21/2023

Institute for Sustainable Agricultural, Food, and Environmental Science (Agricultural Sciences) / The Pennsylvania State University

Center for Ag Conservation Assistance Training Umbrella Agreement

COP: State Conservation Commission

Project Dates: 07/01/2023 - 10/31/2026

|  | 07/01/2023 -<br>06/30/2024 | 07/01/2024 -<br>06/30/2025 | 07/01/2025 -<br>06/30/2026 | 07/01/2026 -<br>10/31/2026 | Total     |
|--|----------------------------|----------------------------|----------------------------|----------------------------|-----------|
| Marketing Communications Specialist 1                              |                            |                            |                            |                            |           |
| <u>PERSONNEL - AEC Ag Outreach Specialist (Other Professional)</u> | 25,978                     | 27,016                     | 28,096                     | 9,741                      | 90,831    |
| Educational Program Specialist 2, 75% effort                       |                            |                            |                            |                            |           |
| <u>PERSONNEL - Research Technologist (Other Professional)</u>      | 8,320                      | 8,654                      | 9,000                      | 3,120                      | 29,094    |
| 10% effort   |                            |                            |                            |                            |           |
| <b>Total Salaries</b>  | 806,726                    | 856,984                    | 891,254                    | 308,970                    | 2,863,934 |
| <b>Wages (Category III)</b>  |                            |                            |                            |                            |           |
| <u>PERSONNEL - Farmer Liaisons</u>                                 | 20,000                     | 40,000                     | 40,000                     | 15,000                     | 115,000   |
| 2 Wage Payroll Farmer Liaisons                                     |                            |                            |                            |                            |           |
| <b>Total Wages</b>   | 20,000                     | 40,000                     | 40,000                     | 15,000                     | 115,000   |
| <b>Total Salaries and Wages</b>                                    | 826,726                    | 896,984                    | 931,254                    | 323,970                    | 2,978,934 |
| <b>Fringe</b>  |                            |                            |                            |                            |           |
| <u>Category I @ 36.00%</u>   | 290,416                    | 308,512                    | 320,852                    | 111,233                    | 1,031,013 |
| <u>Category III @ 8.00%</u>  | 1,600                      | 3,200                      | 3,200                      | 1,200                      | 9,200     |
| <b>Total Fringe</b>  | 292,016                    | 311,712                    | 324,052                    | 112,433                    | 1,040,213 |
| <b>Total Salaries, Wages and Fringe</b>                            | 1,118,742                  | 1,208,696                  | 1,255,306                  | 436,403                    | 4,019,147 |
| <b>Modified Total Direct Costs</b>                                 |                            |                            |                            |                            |           |
| <u>PROFESSIONAL SERVICES - Engineer</u>                            | 150,000                    | 150,000                    | 150,000                    | 50,000                     | 500,000   |
| <u>PROFESSIONAL SERVICES - Spatial IT GIS Services</u>             | 150,000                    | 50,000                     | 50,000                     | 16,500                     | 266,500   |
| <u>OPERATIONAL - Demonstration Projects</u>                        | 100,000                    | 100,000                    | 100,000                    | 20,000                     | 320,000   |
| SEAREC, Rock Springs, Other, 1 per year                            |                            |                            |                            |                            |           |
| <u>OPERATIONAL - Educational Signage</u>                           | 3,000                      | 3,000                      | 3,000                      | 1,000                      | 10,000    |
| <u>OPERATIONAL - Printing Fees</u>                                 | 20,000                     | 20,000                     | 20,000                     | 6,600                      | 66,600    |
| handouts, training manuals, etc                                    |                            |                            |                            |                            |           |
| <u>OPERATIONAL - Publication Purchases</u>                         | 30,000                     | 30,000                     | 30,000                     | 9,900                      | 99,900    |
| agronomy guides, field guides, other guides                        |                            |                            |                            |                            |           |
| <u>OPERATIONAL - Demonstration Tools</u>                           | 30,000                     | 10,000                     | 10,000                     | 3,300                      | 53,300    |
| <u>OPERATIONAL - Safety Gear</u>                                   | 2,500                      | 2,500                      | 2,500                      | 825                        | 8,325     |
| eye/ear protection, safety vests                                   |                            |                            |                            |                            |           |
| <u>OPERATIONAL - Biosecurity Kits</u>                              | 5,000                      | 1,000                      | 1,000                      | 330                        | 7,330     |
| <u>OPERATIONAL - Workshop/Meeting Supplies</u>                     | 15,000                     | 15,000                     | 15,000                     | 4,950                      | 49,950    |
| <u>OPERATIONAL - Promotional Displays</u>                          | 20,000                     | 5,000                      | 5,000                      | 1,650                      | 31,650    |
| <u>OPERATIONAL - Brochures and Rack Cards</u>                      | 20,000                     | 10,000                     | 10,000                     | 3,300                      | 43,300    |
| <u>OPERATIONAL - Other Promotional Materials</u>                   | 15,000                     | 15,000                     | 15,000                     | 4,950                      | 49,950    |
| <u>OPERATIONAL - Campaign Market Postage</u>                       | 30,000                     | 30,000                     | 30,000                     | 9,900                      | 99,900    |
| postage for marketing campaigns, two statewide campaigns per year  |                            |                            |                            |                            |           |
| <u>OPERATIONAL - Surveying Equipment</u>                           | 15,000                     | 5,000                      | 5,000                      | 1,650                      | 26,650    |

Proposal: 106784

Generated by esj5061 on: 04/21/2023

Created on 04/14/2023 and last updated on 04/21/2023

Institute for Sustainable Agricultural, Food, and Environmental Science (Agricultural Sciences) / The Pennsylvania State University

Center for Ag Conservation Assistance Training Umbrella Agreement

COP: State Conservation Commission

Project Dates: 07/01/2023 - 10/31/2026

|  | 07/01/2023 -<br>06/30/2024 | 07/01/2024 -<br>06/30/2025 | 07/01/2025 -<br>06/30/2026 | 07/01/2026 -<br>10/31/2026 | Total     |
|--|----------------------------|----------------------------|----------------------------|----------------------------|-----------|
| <u>OPERATIONAL - Computer-related Equipment</u>  | 13,000                     | 3,000                      | 3,000                      | 1,000                      | 20,000    |
| <u>OPERATIONAL - Venue Rentals</u><br>annual conference venue rentals, 2 day space with AV | 12,000                     | 12,000                     | 12,000                     | 12,000                     | 48,000    |
| <u>PROFESSIONAL SERVICES - Speaker Fees</u>  | 20,000                     | 20,000                     | 20,000                     | 20,000                     | 80,000    |
| <u>TRAVEL - Mileage</u><br>operations, TA, trainings                                       | 75,000                     | 75,000                     | 75,000                     | 25,000                     | 250,000   |
| <u>TRAVEL - Lodging</u><br>lodging for overnight trainings/conferences                     | 5,000                      | 5,000                      | 5,000                      | 2,000                      | 17,000    |
| <u>TRAVEL - Per Diem (Meals)</u><br>per diem for overnight trips                           | 5,000                      | 5,000                      | 5,000                      | 2,000                      | 17,000    |
| <b>Total Modified Total Direct Costs</b>   | 1,854,242                  | 1,775,196                  | 1,821,806                  | 633,258                    | 6,084,502 |
| <b>Other Direct Costs</b>  |                            |                            |                            |                            |           |
| <u>PROFESSIONAL SERVICE - Educational Video Develop</u>                                    | 20,000                     | 10,000                     | 10,000                     | 3,300                      | 43,300    |
| <u>PROFESSIONAL SERVICE - Promotional Video Develop</u><br>Promotional video development   | 20,000                     | 5,000                      | 5,000                      | 1,650                      | 31,650    |
| <b>Total Other Direct Costs</b>  | 40,000                     | 15,000                     | 15,000                     | 4,950                      | 74,950    |
| <b>Total Direct Costs</b>  | 1,894,242                  | 1,790,196                  | 1,836,806                  | 638,208                    | 6,159,452 |
| <b>F&amp;A Costs (MTDC basis)</b>  |                            |                            |                            |                            |           |
| <u>F&amp;A Rate: 26.00%</u>  | 482,097                    | 461,554                    | 473,674                    | 164,650                    | 1,581,975 |
| <b>Total Requested From Sponsor</b>  | 2,376,339                  | 2,251,750                  | 2,310,480                  | 802,858                    | 7,741,427 |
| <b>Total Project Costs</b>   | 2,376,339                  | 2,251,750                  | 2,310,480                  | 802,858                    | 7,741,427 |

Proposal: 106784

Generated by esj5061 on: 04/21/2023

Created on 04/14/2023 and last updated on 04/21/2023

## **Pennsylvania Association of Conservation Districts (PACD) Agricultural Planning Assistance Program**

### **Detailed Project Description**

#### **Executive Summary**

PACD is proposing to hire six certified conservation planners and nutrient management specialists (“PACD program staff”) to assist in conservation efforts across the Commonwealth. PACD program staff will improve water quality by helping landowners to complete and update conservation plans, Act 38 Nutrient Management Plans, Manure Management Plans, and Agricultural Erosion & Sediment Control Plans. Entities eligible for assistance will include watershed organizations; county conservation districts; 501(c)(3) non-profit organizations; counties, municipalities, or their subdivisions; and educational institutions. To provide these services as cost-effectively as possible, PACD program staff will work out of NRCS Technical Centers or conservation district offices in Dauphin, Erie, Bucks, Indiana, Wayne, and Franklin Counties. The proposed funding would fund the program for two years.

In summary, anticipated accomplishments of this program include:

1. Improve water quality through the completion and updating of conservation plans, Act 38 Nutrient Management Plans, Manure Management Plans, and Agricultural Erosion & Sediment Control Plans.
2. Make more funds available to landowners for conservation projects when a conservation or other agricultural plan is required.
3. Work with landowners to develop alternatives and identify strategies for implementing on-farm solutions. These solutions may include preparing for agricultural or market certifications and addressing regulatory requirements.

#### **Justification**

PACD has a long history of successfully managing and implementing statewide project grants. In addition to administering the PACD Engineering Technical Assistance Program through Growing Greener for over 20 years, PACD has hosted the PA Nonpoint Source Pollution Education Office through a Section 319 Nonpoint Source Management Grant for over 20 years, successfully administered the PA Conservation Reserve Enhancement Program (CREP) through Growing Greener for 20 years, and been home to the CREP Outreach Program Office through Growing Greener since 2015.

PACD maintains a staff of knowledgeable and trained engineers and technicians who work locally to develop relationships with watershed organizations and other eligible entities. The association has a good working relationship with governmental and nongovernmental organizations across the state. PACD Harrisburg staff are familiar with all aspects of grant management and have the expertise, contacts, and resources to successfully administer this program.

#### **Program Funding**



The total proposed cost of this project is \$1,000,000. The USDA Natural Resources Conservation Service (NRCS) and the Pennsylvania State Conservation Commission (SCC) have each committed \$500,000 to the program for the two-year term of this grant. NRCS has committed \$500,000 in federal funds, and the SCC has committed \$500,000 in state funds. These combined funds total \$1,000,000, constituting 100% project funding.

## **Proposed Scope of Work**

To establish and maintain the PACD Agricultural Planning Assistance Program, PACD will complete the following deliverable(s):

Deliverable #1: Over the two-year term of this grant, PACD will provide project oversight, grant management, staff management, and human resources services to employ six certified conservation planners and certified nutrient management specialists. These PACD program staff will work with landowners to develop conservation plans, Act 38 Nutrient Management Plans, Manure Management Plans, and Agricultural Erosion & Sediment Control Plans. These plans will address resource concerns and improve water quality by providing a landowner with a road map to reduce nonpoint pollution from their agricultural operation.

To provide these services as cost-effectively as possible, PACD program staff will work out of NRCS Technical Centers or conservation district offices in Dauphin, Erie, Bucks, Indiana, Wayne, and Franklin Counties.

As part of this program, PACD program staff will provide guidance and assistance to cooperating landowners in developing or making needed revisions to their conservation plans and contracts. They will work with landowners to develop alternatives and identify strategies for implementing on-farm solutions. These solutions may include preparing for agricultural or market certifications and addressing regulatory requirements. All work must meet state and federal requirements and all conservation plans will be completed using the NRCS-CPA-52 Environmental Evaluation Worksheet.

By helping to ensure landowners have the appropriate plans in place, this program makes more funds available to landowners for conservation projects. For example, the USDA NRCS Environmental Quality Incentives Program (EQIP) requires a conservation plan to be eligible for funds. Similarly, the SCC Conservation Excellence Grant Program (CEG) will fund projects that implement Best Management Practices (BMPs) from a conservation plan, Agricultural Erosion & Sediment Control Plan, Nutrient Management Plan, or Manure Management Plan.

Applicants will be asked to submit program applications to PACD program staff and copy their local conservation district. The conservation district will then have an opportunity to provide input on prioritization for projects in their area. Any required landowner agreements, local land use planning approval, or other documents and approvals are the responsibility of the lead partner for each project and will be addressed on a project-by-project basis.

This project will fund certified planners and nutrient management specialists to provide planning assistance. Project funds will not directly fund construction projects.

## **Project Data Submission**

PACD will meet all deliverable and reporting requirements in a timely manner per our agreements with funding partners.

## **Example Job Description**

### **Pennsylvania Association of Conservation Districts (PACD)**

#### **VACANCY ANNOUNCEMENT CERTIFIED CONSERVATION PLANNER**

**Position Title:** Conservation Planner

**Number of Positions Available:** 1

**Salary Range:** \$45,000 to \$50,000 per year

**Location:** Bloomsburg, Pennsylvania in the Columbia County NRCS Office

#### **Duties:**

As the Conservation Planner for the Pennsylvania Association of Conservation Districts (PACD) in the North East Region, the incumbent will provide planning assistance to the State Conservation Commission (SCC) and the Natural Resource Conservation Service (NRCS).

This position will provide planning assistance to area partnership personnel and NRCS in writing conservation plans.

This position works closely with conservation districts, representatives of the state government, various county officials, NRCS, watershed organizations, and landowners.

#### **Qualifications:**

##### **Knowledge, Skills, and Abilities**

A qualified candidate should have the following:

- Agricultural background or experience preferred.
- Certification as conservation planner and writing Act 38 Nutrient Management Plans, Manure Management Plans, and Agricultural Erosion & Sediment Control Plans, meeting all federal requirements.
- Strong communication skills to discuss and explain conservation plans with landowners.
- Knowledge of soil properties and characteristics sufficient to interpret land use potential and deficiencies and advises landowners or agricultural operators of sound resource conservation techniques.
- Knowledge of federal, state, and local laws and regulations pertaining to natural resource management.
- Knowledge of the requirements of various Farm Bills to advise agricultural producers and rural landowners on participation in Farm Bill conservation programs.
- Candidate must possess a valid PA driver's license.

- Must be fully vaccinated for COVID-19.

**Education**

College or technical training required.

**Work Schedule:**

This is an at-will, full-time, temporary year-by-year, grant-funded position.

**Conditions of Employment:**

Work is performed indoors and outdoors, often under adverse weather conditions. The conservation planner is required to drive a personal vehicle (mileage will be reimbursed). A reliable form of transportation is a must.

**Salary/Benefits:**

Salary Range: \$45,000-50,000. Benefits include health insurance, 401k retirement plan, and accrued PTO leave. No relocation expenses will be provided.

**How to Apply:**

Candidates must submit a resume and cover letter to the PACD:

**Please apply by e-mail with subject heading “Conservation Planner Bloomsburg” to: [jobs@pacd.org](mailto:jobs@pacd.org)**

**Deadline for Application:**

All application materials must be received by 4:30pm EDT on **July 31, 2023**.

| PACD Certified Planner Program |                  |             |                       | NRCS          | SCC           |
|--------------------------------|------------------|-------------|-----------------------|---------------|---------------|
| Employee                       | Position (FT/PT) | Hourly Wage | Salaries and Benefits |               |               |
| Employee 1                     | FT               | \$25.64     | \$50,000.00           | \$ 25,000.00  | \$ 25,000.00  |
| Employee 2                     | FT               | \$25.64     | \$50,000.00           | \$ 25,000.00  | \$ 25,000.00  |
| Employee 3                     | FT               | \$25.64     | \$50,000.00           | \$ 25,000.00  | \$ 25,000.00  |
| Employee 4                     | FT               | \$25.64     | \$50,000.00           | \$ 25,000.00  | \$ 25,000.00  |
| Employee 5                     | FT               | \$25.64     | \$50,000.00           | \$ 25,000.00  | \$ 25,000.00  |
| Employee 6                     | FT               | \$25.64     | \$50,000.00           | \$ 25,000.00  | \$ 25,000.00  |
| Total salaries                 |                  |             | \$300,000.00          | \$ 150,000.00 | \$ 150,000.00 |
| 2 years                        |                  |             | \$600,000.00          | \$ 300,000.00 | \$ 300,000.00 |

|                                 |                       |                     |                     |
|---------------------------------|-----------------------|---------------------|---------------------|
| <b>Total Wages x 2 years</b>    | <b>\$600,000.00</b>   | \$ 300,000.00       | \$ 300,000.00       |
| Payroll Taxes                   | \$45,000.00           | \$ 22,500.00        | \$ 22,500.00        |
| Health Insurance                | \$144,000.00          | \$ 72,000.00        | \$ 72,000.00        |
| 401K                            | \$45,000.00           | \$ 22,500.00        | \$ 22,500.00        |
| Workers Comp                    | \$3,000.00            | \$ 1,500.00         | \$ 1,500.00         |
| Life LTD STD                    | \$5,000.00            | \$ 2,500.00         | \$ 2,500.00         |
| Payroll Service Fee             | \$3,000.00            | \$ 1,500.00         | \$ 1,500.00         |
| Travel                          | \$55,000.00           | \$ 27,500.00        | \$ 27,500.00        |
| Administration                  | \$100,000.00          | \$ 50,000.00        | \$ 50,000.00        |
| <b>Total Benefits</b>           | <b>\$400,000.00</b>   | \$ 200,000.00       | \$ 200,000.00       |
| <b>Total Wages and Benefits</b> | <b>\$1,000,000.00</b> | <b>\$500,000.00</b> | <b>\$500,000.00</b> |



**COMMONWEALTH OF PENNSYLVANIA  
STATE CONSERVATION COMMISSION**

**Date:** April 19, 2023  
**To:** State Conservation Commission  
**From:** Roy Richardson, Dirt and Gravel Roads Program Coordinator  
**Through:** Doug Wolfgang, Executive Secretary  
**RE:** Dirt, Gravel, and Low Volume Roads Program Allocations

**Background**

DGLVR funding recommendations have traditionally been taken to the Commission at the May business meeting each year pending state budget approval. This allows conservation districts time to budget for the allocations which take effect on July 1 or after the state budget is approved. Conservation districts have two years to spend funds that are allocated to them. Districts that do not meet the two-year spending requirement are not eligible for an allocation until the funds have been spent. Dirt and gravel spending requirements are tracked separately from low volume. A district that is not eligible for a dirt and gravel allocation may still be eligible for low volume. Likewise, a district that did not meet the spending requirements for low volume may still be eligible for a dirt and gravel allocation.

For FY 23-24, 63 of 65 contracted conservation districts are eligible for a dirt and gravel allocation, and 64 of 66 contracted conservation districts are eligible for a low volume allocation.

**Paved Low Volume Road (LVR) Conservation District Allocations.**

Allocations for both LVR and DGR are formula driven. For Low Volume Roads, the formula is as follows:

$$\text{Miles Urban Road > 500' to Stream} \times 1 = A \text{ (urban, no stream)}$$

$$\text{Miles Urban Road < 500' to Stream} \times 3 = B \text{ (urban, stream)}$$

$$\text{Miles Non-Urban Road > 500' to Stream} \times 3 = C \text{ (non-urban, no stream)}$$

$$\text{Miles Non-Urban Road < 500' to Stream} \times 4 = D \text{ (non-urban, stream)}$$

$$\text{new for FY 18-19 Miles of road near HQ/EV stream} \times 1 = E \text{ (HQ/EV "bonus")}$$

$$\text{County Allocation} = \left( \frac{A + B + C + D + E \text{ for County}}{A + B + C + D + E \text{ for State}} \right) \times \text{Total to be distributed to Counties}$$

Note the total LVR funds allocated annually to Conservation District has remained constant since the funding increase in FY 2014-15.

**Allocation Factors:** Each year, the data layers used for allocation factors are updated to the most recently available data. Changes for FY 2022-23 included an update of the census data used to determine urban/rural areas, and an update to the PennDOT paved roads data layer. These two updates had a modest effect on several conservation districts' allocations.

Staff recommends approval of the conservation district allocations for Low Volume roads, based on the allocation formula approved by the SCC shown above, pending the approval of the state budget, and the receipt of a fully executed Five Year Agreement from each district.

**Dirt and Gravel Road (DGR) Conservation District Allocations**

The formula used to allocate DGR funds is as follows:

|                            |            |   |   |   |
|----------------------------|------------|---|---|---|
|                            |            |   |   | SEE NOTE BELOW  |
| <i>Worksites Factor</i>    | <b>50%</b> | = | $\frac{\text{County Miles of Worksites}}{\text{State Miles of Worksites}}$                                    | + <b>X</b> $\frac{\text{County \# of Worksites}}{\text{State \# of Worksites}}$ |
| <i>Unpaved Road Factor</i> | <b>45%</b> | = | Miles of Unpaved Road in County   | + Miles of Unpaved Road in County within 1,000' of HQ/EV stream                 |
| <i>Stone Cost Factor</i>   | <b>5%</b>  | = | $\frac{\text{Stone Cost in County (minus)- Minimum Stone cost in State}}{\text{Minimum Stone cost in State}}$ |   |

Note the total DGR funds allocated annually to Conservation District has remained constant since the funding increase in FY 2014-15.

**Allocation Factors:** Each year, the data layers used for allocation factors are updated to the most recently available data. Changes for FY 2023-24 [are](#) modest.

Staff recommends approval of the conservation district allocations for Dirt and Gravel Roads, based on the allocation formula shown above, pending the approval of the state budget, and the receipt of a fully executed Five Year agreement from each district.

**PA State Conservation Commission - Dirt, Gravel, and Low-Volume Road Maintenance Program**  
**DIRT AND GRAVEL Proposed Conservation District FY 23-24 Allocations**

**for SCC approval 5/9/23**

*pending state budget approval*

| for comparison |              |                         | for comparison |              |                      |                         |       |
|----------------|--------------|-------------------------|----------------|--------------|----------------------|-------------------------|-------|
| County         | 2022-23      | <b>FINAL</b><br>2023-24 | notes          | County       | 2022-23              | <b>FINAL</b><br>2023-24 | notes |
| Adams          | \$ 100,000   | \$ 100,000              | min            | Lackawanna   | \$ 109,380           | \$ 109,373              |       |
| Allegheny      | \$ 100,000   | \$ 100,000              | min            | Lancaster    | \$ 100,000           | \$ 100,000              | min   |
| Armstrong      | \$ 788,919   | \$ 781,595              |                | Lawrence     | \$ 100,000           | \$ 100,000              | min   |
| Beaver         | \$ 106,708   | \$ 108,448              |                | Lebanon      | \$ 100,000           | \$ 100,000              | min   |
| Bedford        | \$ 265,504   | \$ 261,969              |                | Lehigh       | \$ 138,426           | \$ 132,242              |       |
| Berks          | \$ 100,000   | \$ 100,000              | min            | Luzerne      | \$ 187,822           | \$ 186,980              |       |
| Blair          | \$ 100,000   | \$ 100,000              | min            | Lycoming     | \$ 428,891           | \$ 428,438              |       |
| Bradford       | \$ 1,375,000 | \$ 1,375,000            | max            | McKean       | \$ 238,467           | \$ 243,701              |       |
| Bucks          | \$ 100,000   | \$ 100,000              | min            | Mercer       | \$ 169,163           | \$ 165,737              |       |
| Butler         | \$ 154,072   | \$ 151,848              |                | Mifflin      | \$ 100,000           | \$ 100,000              | min   |
| Cambria        | \$ 114,615   | \$ 117,428              |                | Monroe       | \$ 100,000           | \$ 100,000              | min   |
| Cameron        | \$ 114,171   | \$ 122,337              |                | Montgomery   | \$ 100,000           | \$ -                    | 1     |
| Carbon         | \$ 100,000   | \$ 100,000              | min            | Montour      | \$ 100,000           | \$ 100,000              | min   |
| Centre         | \$ 142,310   | \$ 142,098              |                | Northampton  | \$ -                 | \$ -                    | 1     |
| Chester        | \$ 100,000   | \$ 100,000              | min            | N'uberland   | \$ 197,205           | \$ 196,000              |       |
| Clarion        | \$ 356,574   | \$ 360,360              |                | Perry        | \$ 160,052           | \$ 150,597              |       |
| Clearfield     | \$ 516,021   | \$ 584,880              |                | Pike         | \$ 100,000           | \$ 100,000              | min   |
| Clinton        | \$ 178,336   | \$ 175,070              |                | Potter       | \$ 827,372           | \$ 824,911              |       |
| Columbia       | \$ 364,869   | \$ 366,414              |                | Schuylkill   | \$ 180,175           | \$ 175,931              |       |
| Crawford       | \$ 743,851   | \$ 741,409              |                | Snyder       | \$ 128,761           | \$ 127,883              |       |
| Cumberland     | \$ 100,000   | \$ 100,000              | min            | Somerset     | \$ 458,079           | \$ 466,899              |       |
| Dauphin        | \$ 100,000   | \$ 100,000              | min            | Sullivan     | \$ 321,027           | \$ 325,007              |       |
| Elk            | \$ 235,580   | \$ 239,079              |                | Susquehanna  | \$ 1,221,316         | \$ 1,220,889            |       |
| Erie           | \$ 523,080   | \$ 526,510              |                | Tioga        | \$ 975,474           | \$ 990,621              |       |
| Fayette        | \$ 223,575   | \$ 221,855              |                | Union        | \$ 100,000           | \$ 100,000              | min   |
| Forest         | \$ 154,216   | \$ 149,996              |                | Venango      | \$ 512,142           | \$ 507,312              |       |
| Franklin       | \$ 100,000   | \$ 100,000              | min            | Warren       | \$ 505,414           | \$ 500,143              |       |
| Fulton         | \$ 168,511   | \$ 166,553              |                | Washington   | \$ 350,832           | \$ 368,341              |       |
| Greene         | \$ 407,833   | \$ 401,879              |                | Wayne        | \$ 472,625           | \$ 475,271              |       |
| Huntingdon     | \$ 313,379   | \$ 310,107              |                | Westmoreland | \$ 137,906           | \$ 158,102              |       |
| Indiana        | \$ 571,957   | \$ 571,758              |                | Wyoming      | \$ 325,975           | \$ 335,617              |       |
| Jefferson      | \$ 500,273   | \$ 501,357              |                | York         | \$ 236,651           | \$ 236,503              |       |
| Juniata        | \$ 117,491   | \$ 115,552              |                | <b>TOTAL</b> | <b>\$ 18,620,000</b> | <b>\$ 18,620,000</b>    |       |

**NOTES:**

min = minimum DGR allocation (\$100,000)

max = maximum DGR allocation (\$1,375,000)

1 = ineligible for 2023-24 Dirt and Gravel Road Allocation



**PA State Conservation Commission - Dirt, Gravel, and Low-Volume Road Maintenance Program**  
**LOW VOLUME ROAD Proposed Conservation District FY 23-24 Allocations**

**for SCC approval 5/9/23**  
*pending state budget approval*

| County     | for comparison |                         | notes | County       | for comparison |                         | notes |
|------------|----------------|-------------------------|-------|--------------|----------------|-------------------------|-------|
|            | 2022-23        | <b>FINAL</b><br>2023-24 |       |              | 2022-23        | <b>FINAL</b><br>2023-24 |       |
| Adams      | \$ 115,261     | \$ 118,735              |       | Juniata      | \$ -           | \$ 69,138               |       |
| Allegheny  | \$ 259,594     | \$ 265,244              |       | Lackawanna   | \$ 80,819      | \$ 81,548               |       |
| Armstrong  | \$ 133,689     | \$ 132,808              |       | Lancaster    | \$ 273,802     | \$ 276,280              |       |
| Beaver     | \$ 97,176      | \$ 97,979               |       | Lawrence     | \$ 97,943      | \$ 99,210               |       |
| Bedford    | \$ 184,111     | \$ 177,767              |       | Lebanon      | \$ 82,804      | \$ 84,214               |       |
| Berks      | \$ 253,354     | \$ 258,731              |       | Lehigh       | \$ 128,436     | \$ 130,996              |       |
| Blair      | \$ 84,590      | \$ 84,808               |       | Luzerne      | \$ 148,641     | \$ 151,763              |       |
| Bradford   | \$ 108,921     | \$ 109,973              |       | Lycoming     | \$ 133,728     | \$ 132,669              |       |
| Bucks      | \$ 192,831     | \$ 196,804              |       | McKean       | \$ 65,101      | \$ 68,205               |       |
| Butler     | \$ 184,896     | \$ 186,804              |       | Mercer       | \$ 133,640     | \$ 134,317              |       |
| Cambria    | \$ 116,119     | \$ 117,284              |       | Mifflin      | \$ 56,833      | \$ 58,674               |       |
| Cameron    | \$ 40,000      | \$ 40,000               | min   | Monroe       | \$ 127,001     | \$ 129,234              |       |
| Carbon     | \$ 51,747      | \$ 54,532               |       | Montgomery   | \$ 171,340     | \$ -                    | 1     |
| Centre     | \$ 105,759     | \$ 106,512              |       | Montour      | \$ 40,000      | \$ 40,000               | min   |
| Chester    | \$ 222,806     | \$ 224,893              |       | Northampton  | \$ 124,893     | \$ 126,793              |       |
| Clarion    | \$ 90,039      | \$ 90,228               |       | N'uberland   | \$ 101,651     | \$ 102,464              |       |
| Clearfield | \$ 120,477     | \$ 120,606              |       | Perry        | \$ 104,623     | \$ 107,371              |       |
| Clinton    | \$ 57,484      | \$ 54,634               |       | Pike         | \$ 40,000      | \$ 40,000               | min   |
| Columbia   | \$ 84,718      | \$ 85,059               |       | Potter       | \$ 61,272      | \$ 63,076               |       |
| Crawford   | \$ 106,239     | \$ 106,135              |       | Schuylkill   | \$ 152,240     | \$ 155,315              |       |
| Cumberland | \$ 127,049     | \$ 129,337              |       | Snyder       | \$ 64,673      | \$ 66,666               |       |
| Dauphin    | \$ -           | \$ -                    | 1     | Somerset     | \$ 180,579     | \$ 184,051              |       |
| Delaware   | \$ 84,492      | \$ 86,339               |       | Sullivan     | \$ 40,000      | \$ 40,000               | min   |
| Elk        | \$ 40,000      | \$ 40,000               | min   | Susquehanna  | \$ 69,892      | \$ 70,905               |       |
| Erie       | \$ 131,376     | \$ 134,529              | min   | Tioga        | \$ 63,315      | \$ 63,254               |       |
| Fayette    | \$ 149,469     | \$ 151,159              |       | Union        | \$ 46,247      | \$ 46,640               |       |
| Forest     | \$ 40,000      | \$ 40,000               | min   | Venango      | \$ 73,191      | \$ 74,002               |       |
| Franklin   | \$ 116,179     | \$ 119,127              |       | Warren       | \$ 57,215      | \$ 57,289               |       |
| Fulton     | \$ 64,137      | \$ 64,349               |       | Washington   | \$ 205,005     | \$ 218,437              |       |
| Greene     | \$ 125,452     | \$ 135,406              |       | Wayne        | \$ 96,753      | \$ 95,775               |       |
| Huntingdon | \$ 108,825     | \$ 109,706              |       | Westmoreland | \$ 260,280     | \$ 262,404              |       |
| Indiana    | \$ 166,138     | \$ 166,937              |       | Wyoming      | \$ 44,872      | \$ 46,080               |       |
| Jefferson  | \$ 101,647     | \$ 103,258              |       | York         | \$ 256,636     | \$ 261,547              |       |
|            |                |                         |       | <b>TOTAL</b> | \$ 7,448,000   | \$ 7,448,000            |       |

**NOTES:**

min = minimum LVR allocation (\$40,000)

1 = ineligible for 2023-24 Low Volume Road Allocation



COMMONWEALTH OF PENNSYLVANIA  
STATE CONSERVATION COMMISSION

**Date:** April 19,2023

**To:** State Conservation Commission

**From:** Roy Richardson, Dirt and Gravel Roads Program Coordinator

**Through:** Doug Wolfgang, Executive Secretary

**RE:** Penn State Center for Dirt and Gravel Road Studies (Center): Scope and budget for FY 2023-24

**Penn State Center for Dirt and Gravel Road Studies (Center): Scope and budget for FY 2023-24**

The Center provides education, outreach, and technical assistance to entities involved in Pennsylvania's Dirt, Gravel, and Low Volume Road Maintenance Program. The Center is funded primarily through the PA State Conservation Commission and PA Bureau of Forestry through Dirt, Gravel, and Low Volume Road Maintenance Program funds. FY 2023-24 represents the fifth year of a five-year contract between the Center and the SCC established in 2019 to provide these services. The scope of work and budget for FY 2023-24 remains similar to year 4, with the Center providing a variety of training and technical assistance events, in addition to maintaining the GIS project tracking system and working with SCC staff closely on a variety of issues.

- . Note that this budget assumes a relatively "business as usual year" and does not attempt to anticipate future impacts from the Coronavirus shutdown of projects or trainings. Highlights of the scope and budget for 2023-24 include:
  - Continuation of established training events such as the in person two-day ESM training, administrative trainings, and new hire trainings.
  - Continued support and development of the Customized GIS and financial tracking system used to track over \$26 million in annual spending by Conservation Districts.
  - Stream crossing trainings for conservation districts, private engineers, and DEP staff.
  - Continued support of Trout Unlimited to provide technical assistance to Conservation Districts on stream crossing replacements.
  - Continuation of other outreach efforts in support of the program, including technical assistance, aggregate testing, webinars, QAQC visits, additional written technical guidance, and more.

- The continuation of the “other tasks as assigned and agreed upon” clause in the scope that provides flexibility in adapting this scope and budget as issues arise

The Scope of work and summary budget for FY 2023-24 is attached for SCC approval.

4/18/23

## **Scope of Work**

**(July 1, 2023 – June 30, 2024)**

### **Submitted To:**

**Dirt, Gravel, and Low-Volume Road Maintenance Program (Program)**

Pennsylvania State Conservation Commission (SCC)

Pennsylvania Department of Agriculture

### **Performing Organization:**

**Center for Dirt & Gravel Road Studies (Center)**

The Pennsylvania State University (Penn State)

201 Transportation Research Building

University Park, PA 16802-4710

Principal Investigator: Steven M. Bloser, 814-865-6967

Administrative/Contractual Contact: Jamie Ross, 814.865.1893

---

**FY 2023-24 represents year five of an existing five-year contract between the Center and the SCC. The Scope of Work below for approval is for FY 2023-24 only.**

---

The Center provides education, outreach, and technical assistance to Conservation Districts and local road owning entities throughout Pennsylvania as part of the PA Dirt, Gravel, and Low Volume Road Maintenance Program (Program).

**NOTE: The Center has moved back to almost all in-person events in 2022. This scope of work assumes no further COVID disruptions and a “return to normal” work schedule.**

### **1) ENVIRONMENTALLY SENSITIVE MAINTENANCE (ESM) TRAINING COURSE**

- a) **Description:** The two-day ESM training course focuses on the connection between road maintenance activities and surface water quality, and covers all of the road maintenance practices promoted by the Program. It also covers the basics of Program functionality and how to apply for Program funding. Municipalities or other road-owning entities who wish to apply for Program funding must have attended the ESM training within the previous 5 years in order to be eligible for funding.
- b) **FY 2023-24:** The Center will:
  - (1) Continue to provide ESM trainings throughout the state. The annual number to be based on requests for trainings by eligible entities and the recommendations of the SCC. It is estimated that 12 ESM trainings will be held in FY 2023-24 for approximately 700 attendees.
  - (2) Be responsible for training scheduling, logistics, publicity, registration, provision of continuing education units upon request, and attendee certification tracking and verification.
  - (3) Provide at least 2 trainers per session along with all necessary classroom equipment.
  - (4) Provide for training facility and necessary meals for attendees.
  - (5) Provide attendees with printed material related to the ESM training and instructions on applying for funds
  - (6) Update ESM training with new material and field project experience.

### **2) ANNUAL MAINTENANCE WORKSHOP**

- a) **Description:** Annual conference focusing on current issues and new practices related to the Program practices, procedure, and projects. This is a 2-3 day event with concurrent

4/18/23

classroom session, invited speakers, and multiple field trips. It is held at a different location within PA each year.

- b) **FY 2023-24:** The Center plans to continue to conduct the Annual Maintenance Workshop in Scranton, PA in September of 2023. Preliminary planning and coordination with local conservation districts is already underway. The Center will make adjustments to the workshop duration and format to accommodate attendance and subjects to be addressed

### 3) **FIELD OPERATIONS AND TECHNICAL ASSISTANCE**

- a) **Description:** The Center provides a wide range of technical assistance education to Conservation Districts and local public road owners statewide regarding road projects funded by the Program. Technical assistance on road projects can include, but is not limited to:
- (1) E-mail and phone response to specific project questions with varied levels of response required.
  - (2) Walkthrough of potential projects to assist in work plan development.
  - (3) Review and improvement suggestions for project applications.
  - (4) Pre, during, and post-project site visits to address specific project issues or questions.
  - (5) Detailed project walkthroughs for educational purposes, involving multiple site visits, especially in cases where there is new staff at the local Conservation District.
  - (6) Visits to assess post-project performance issues and remediation actions.
  - (7) More in-depth project oversight and on-site training in some cases.
- b) **FY 2023-24:** The Center will:
- (1) Handle daily support via phone and e-mail regarding project technical assistance throughout the counties involved in Program.
  - (2) Handle an estimated 300+ on-site technical assistance visits and at least 20 "in-depth" project oversight visits annually. The amount and type of technical assistance will be based on demand.
  - (3) Continue to utilize the tech-assist tracking system that will allow better summary of technical assistance efforts and direct access by SCC staff.
    - (a) Staff will document technical assistance visits within two weeks of the date of visit.
    - (b) Staff will make a schedule of upcoming tech assists available to the Commission.

### 4) **PROGRAM TECHNICAL ASSISTANCE**

- a) **Description:** In addition to technical assistance related to "field operations" described above, the Center also provides a wide range of other technical assistance to entities involved in the Program. These services include but are not limited to:
- (1) General e-mail and phone support on a wide variety of Program-related questions (project eligibility, spending issues, Program policy questions, GIS issues, etc.)
  - (2) On-site walkthrough of programmatic issues at county offices when issues arise or when new staff comes on board with the District.
- b) **FY 2023-24:** The Center will continue to serve as the "help desk" for general program questions and issues from participants. Office visits to Conservation Districts will be conducted on an as needed basis to address issues or to assist new District staff.

### 5) **GEOGRAPHIC INFORMATION SYSTEMS (GIS) AND REPORTING**

- a) **Description:** Since the Program began, the Center has maintained a customized GIS system is used by County Conservation Districts throughout Pennsylvania to track

4/18/23

location, project data, and spending information on the inventory of over 17,000 designated project sites currently identified throughout the state. In 2015-16, the Center developed a new expanded online version of the GIS system that also tracks LVR projects. The system was expanded in 2018 to include more detailed financial tracking and quarterly reporting. The system was used to generate the Program's Annual Summary Report for calendar years 2016 through 2022.

- b) **FY 2023-24**: The Center will continue to work closely with the SCC to continue quarterly reporting and financial tracking. The Center will work with sub-contractors on maintenance and any changes and upgrades determined necessary. Regular training and webinars will be available to Conservation District users. The Center plans to continue to support the new GIS and Annual Summary Report process throughout the life of the Program. Advisory workgroups and SCC involvement will guide the development, upgrades, and trainings necessary for the GIS system.

**6) MISCELLANEOUS (FY 2023-24):**

- a) **Advisory Workgroups**: The Center and Program have relied on advisory workgroups to make programmatic recommendations since before the Program began in 1997. These workgroups meet on an as needed basis. The Center works closely with Program staff to schedule and chair workgroup meetings. The Center will continue to coordinate with SCC staff in order to schedule these workgroup meetings as needed. Currently active workgroups include:
- (1) **Program Advisory Workgroup**: a combination of two previous workgroups, "Policy and Planning", and "Education and Outreach".
  - (2) **Product and Process**: Deals with approval of products such as dust suppressants for the Dirt and Gravel Road Program.
- b) **Administrative Manual**: The Center worked closely with SCC staff to write the Program's Administrative Manual in 2014, and implemented significant edits to the manual in 2017, 2019, 2020, and early 2022. The Center will continue to work with SCC staff to on corrections, additions, and clarifications to the manual as necessary.
- c) **Stream Crossing Technical Manual and Training**: The Center worked closely with the SCC in 2021 and 2022 to develop new policy, standard, and a technical manual related to stream crossing replacements that was adopted by the SCC effective 7/1/22. We will continue to work with the SCC on implementation of the new standard. The Center has also developed and delivered a comprehensive multi-day training for conservation districts in support of these new documents, and plans to 3-4 sessions in FY 2023-24.
- d) **Administrative Training**: The Center worked with the SCC to develop a one-day administrative training directed at Conservation Districts. The Center will continue to work with SCC staff to schedule additional trainings and edit the training material as needed.
- e) **Quality Assurance / Quality Control (QAQC)**: The QAQC effort visits individual Conservation Districts to evaluate how they are administering the Program within their county and make recommendations for improvement. While the QAQC effort is driven by the SCC, the Center is part of the QAQC team and typically assists with visit data preparation, evaluation of field sites, and review of the field sites with Conservation District staff during the visit. The Center will continue to assist the SCC in these QAQC visits, which are expected to be held in approximately 22-23 counties each year.
- f) **Research and PSU Class**: Working in conjunction with the PA Bureau of Forestry and other outside contracts, the Center will continue to conduct and promote research that will be of direct value to participants in the Program. Research findings will be incorporated into the ESM trainings annually to strengthen the practices promoted by the Program. The Center will continue to offer, through other funding sources, an "Environmentally Sensitive Road Maintenance" focused course for graduate and undergraduate students at Penn State University.

4/18/23

**7) COMMUNICATIONS AND REPORTS:**

- i) **Webinars:** The Center will provide a variety of short webinars on various Program topics for Conservation Districts
- ii) **Fact Sheets/Technical Bulletins:** The Center will continue to revise and publish new information bulletins on specific maintenance practices.
- iii) **Website:** Continued maintenance and expansion of the Center and Program website will occur throughout the contract year. The website typically experiences approximately 650 “hits” per month from all over the world.
- iv) **Reporting:** The Center will submit quarterly activity reports along with invoices.

**8) OTHER TASKS AS ASSIGNED AND AGREED UPON**

The Center will, on occasion, provide other products and/or services to SCC under this agreement provided that funds to do so are available. It is expressly understood by both parties that this section is intended to allow flexibility in carrying out the annual work plan to address items unexpected or unforeseen at the time of adoption. In all cases, such additional products and/or services will be undertaken based on mutual agreement of SCC and the Center. This flexibility has worked well between the SCC and Center over the past decade. Office and field supplies are required for assigned projects. Purchase of field equipment, including but not limited to safety equipment, paint, flagging, survey equipment, and testing equipment may be required to fulfill contract obligations. Purchase of office equipment including but not limited to laptops, projectors, screens, cameras, copiers, software, printers, and other office or computer equipment, may be required to fulfill contract obligations.







COMMONWEALTH OF PENNSYLVANIA  
STATE CONSERVATION COMMISSION

**Date:** April 19, 2023

**To:** State Conservation Commission

**From:** Roy Richardson, Dirt and Gravel Roads Program Coordinator

**Through:** Doug Wolfgang, Executive Secretary

**RE:** Proposed changes to DSA Standard and Specifications

**Background**

The State Conservation Commission (Commission) approves the standard and specifications for Driving Surface Aggregate (DSA), which is the only approved surfacing material for unpaved roads funded by the DGLVR Program. The last update to the DSA specification was approved at the May 2022 meeting.

Driving Surface Aggregate (DSA) is a wearing course for unpaved roads that has been in use in the DGLVR Program since 2000. DSA was specifically designed to resist erosion and traffic wear, reduce sediment loss, and extend maintenance cycles. Through the years, the DSA specification has undergone occasional changes as the Program and industry evolve. DSA has become widely recognized for its durability and environmental benefits and been placed on projects throughout the state.

Based on the significant gain in DSA quality over the last 20 years, feedback from DSA practitioners, placement assessment, and sampling results, the DGLVR Program and the Center are proposing the following changes to the DSA Specification(s).

**SCC DSA Specification Proposed Change:**

- 1) **Gradation: Increase the lower end of the DSA specification passing #200 sieve (fine material) from 10% to 11%.**
  - **Current specification: 10%-15%** passing the #200 sieve (up to 17% if non-plastic)
  - **Proposed specification: 11%-15%** passing the #200 sieve (up to 17% if non-plastic)

**Reason / Justification:** Proposing the change to increase the amount of fines in the finished product. The #200 sieve is the smallest gradation size in the specification, and it

is vital to the structural integrity of DSA because it fills in the voids between the larger aggregates, resulting in a denser driving surface material. Projects that installed DSA with #200 sieves less than 11% have resulted in segregation of the aggregate and shortened maintenance cycles. Multiple projects that have needed remediation after placements due to aggregate segregation had #200 sieve amounts less than 11%.

The percentage of samples that are less than 11% has increased since 2020. In 2022, 38% of the DSA samples had #200 sieves that were less than 11%. By increasing this to 11%, it will encourage DSA suppliers to incorporate more fines into the product to ensure they meet the specification, which will result in better material. Most DSA suppliers attempt to make DSA meet the mid-line of the specification ranges, so the proposed change will raise the #200 sieve fines but will not result in a hardship for the supplier.

**Other DSA Specifications:**

- Center/Program staff are working with Department of Conservation and Natural Resources (DCNR) to make similar changes to their DSA specification. Additional changes are proposed to the DCNR DSA specification to make it match the proposed SCC specification to avoid confusion among purchasers and suppliers.
- Center/Program staff are working with PennDOT, who plan to also make changes to their DSA specification to match the proposed SCC specification to avoid confusion among purchasers and suppliers.
- Center/Program staff have discussed these proposed changes with the Pennsylvania Aggregate and Concrete Association (PACA) and presented them at one of their spring meetings.

The proposed new standard and specification is attached with the changes highlighted.

Staff recommends approval of the changes to the DSA Standard and Specification as outlined above.

*Black text SCC approved 7/2020, red text proposed changes 4/2019*

# PA State Conservation Commission

## Driving Surface Aggregate Standard and Specification

- I. **Definition** - This document is for the purchase and placement of Driving Surface Aggregate (DSA) for the Pennsylvania State Conservation Commission’s Dirt, Gravel, and Low-Volume Road Maintenance Program (DGLVRMP). DSA is an aggregate mixture of crushed stone designed specifically as a surface-wearing course for unpaved roads. DSA provides a durable road surface with longer maintenance cycles than conventional road surface aggregates.
  
- II. **Use** - For the purposes of funding under the DGLVRMP, DSA must be used in areas where it will have an environmental benefit (reduced erosion, reduced runoff). DSA shall only be placed after drainage and subgrade issues have been addressed by utilizing practices that promote Environmentally Sensitive Maintenance. DSA was originally designed to reduce erosion and runoff on road segments close to streams where drainage improvements were limited. Surface aggregate is not required on every project.
  
- III. **Material** - DSA to be used on DGLVRMP projects shall be tested prior to delivery by an independent lab that has no affiliation with the source quarry. Samples tested using DGLVR funds must be performed by a lab that is certified by AASHTO, USACE, or PennDOT. Samples shall be obtained by Conservation District (CD) staff, Center for Dirt and Gravel Road Studies (CDGRS) staff, or otherwise approved by the SCC. Material must meet the following requirements:

**Gradation:** The required sieve sizes and allowed ranges, determined by weight, for DSA components are shown in Table 1. Submit actual sieve passing values to one decimal. Values will not be rounded to whole numbers.

| Sieve Size | Percent Passing              |
|------------|------------------------------|
| 1.5”       | 100                          |
| 0.75”      | 65 – 97                      |
| #4         | 30 – 65                      |
| #16        | 15 – 30                      |
| #200*      | <del>10</del> <u>11</u> – 15 |

\*If the Plasticity Index for the material is 2 or below, then the #200 sieve is permitted to be ~~10~~ 11-17% passing.

**Table 1 – DSA Gradations**

- A. **Abrasion Resistance:** The loss of mass (LA Abrasion) shall be less than 45%. Determine the resistance to abrasion using the Los Angeles Abrasion test, ASTM C131.
  
- B. **pH:** Aggregate shall be in the range of pH 6 to pH 12.45 as measured by ASTM D4972.
  
- C. **Moisture:** Upon delivery to the site, material shall be well mixed and placed at optimum moisture content or up to 2% below that value as determined for that particular source. The optimum percentage moisture is to be determined using Proctor Test ASTM D698, Procedure C, Standard. Aggregate provider is encouraged to perform moisture testing prior to loading

material for delivery.

- D. **Plasticity:** Material shall not exceed a Plasticity Index (PI) of 4. The laboratory test required for these results is ASTM D4318 – Standard Test Method for Liquid Limit, Plastic Limit, and Plasticity Index of Soils. If Plasticity Index for material is 2 or below, the #200 sieve is permitted to be ~~10-11~~-17% passing.
- E. **Soundness:** Determine the percentage of mass (weight) loss of each fraction of the coarse aggregate after five cycles of immersion and drying using a sodium sulfate solution according to PTM No. 510. The maximum weighted percent loss allowed is 20%.
- F. **Aggregate:** All DSA shall be derived from natural rock formations that meet program specification for abrasion resistance, pH and freedom from contaminants.
- G. **Fines:** If fines need to be added to the aggregate to meet DSA gradation requirements, the added material passing the #200 sieve must be derived from rock material that conforms to program specifications. No mineral clay or silt soil may be added. The amount of particles passing the #200 sieve shall be determined using the washing procedures specified in PTM No. 100.
- H. **Mixing:** DSA shall be properly mixed and at the proper moisture content before it is loaded onto the transport vehicles.

#### iv. Delivery and Placement

- A. **Preparation of Subgrade:** Unsatisfactory drainage and subgrade conditions shall be corrected prior to placement by scarifying, reshaping, and re-compacting, or by replacing or importing subgrade/sub-base. The subgrade/subbase shall be crowned or side-sloped to  $\frac{1}{2}$  to  $\frac{3}{4}$  inch per foot (4%-6% slope). Beginning and ending of DSA placements shall include a paving notch across the width of the subgrade. The paving notch shall have a minimum depth equal to the compacted DSA placement, and a sufficient length to facilitate transition into existing road surface, or a minimum of 4' in length.
- B. **Transport:** Tarps shall be used to cover 100% of the load's exposed surface from the time of loading until immediately before placement.
- C. **Certification:** A properly executed SCC DSA Certification Form shall be provided at the time of initial delivery and subsequent certification forms shall be provided if quarry conditions change. This Certification Form is to apply to the specific stockpile of DSA material being delivered from the source. The form certifies that the DSA material meets all of the specifications and requirements.
- D. **Placement:** The use of a motorized paver is highly recommended for all DSA placements. For projects and/or contracts including over 500 tons of DSA, a motorized paver is required. Paver must be in good working order and be of sufficient horsepower to be capable of pushing loaded trucks uphill while placing material in a full width pass at the required minimum depth stipulated in the contract. If the total tonnage is less than 500 tons the DSA must be paver placed or placed by tailgating and groomed with a road grader equipped with a carbide tipped grader blade. A track mounted paver is preferred. DSA shall be placed in a single pass across the width of the road. The crown or cross slope must range from  $\frac{1}{2}$  to  $\frac{3}{4}$  inch per foot (4-6%).

Material shall be placed in a single 6-8 inch loose lift or layer. This lift is to be compacted with a vibratory roller as specified in Section V - Compaction. If freezing temperatures or precipitation are forecast that may cause the material to freeze, or prevent the material from drying out, placement shall be postponed at the discretion of the road owner, Conservation District, or aggregate supplier. DSA shall not be placed before April 1st or after September 30th unless otherwise approved by the SCC.

## v. Compaction

- A. **Vibratory Roller:** After placement, the material shall be compacted using a minimum ten-ton vibratory roller. DSA shall be compacted to a minimum of 95% of the dry-mass (dry-weight) density according to ASTM D698, Procedure C, Standard as determined by pre-sampling (refer to Materials, Section III.D). The road owner, or its designated representative, reserves the right to determine the in-place moisture and density according to ASTM D6938.

- vi. **Maintenance** - Properly placed and compacted DSA provides a durable road surface with longer maintenance cycles than traditional aggregates, but it is not maintenance free. Refer to the Center for Dirt and Gravel Roads "Driving Surface Aggregate Handbook" for additional guidance on DSA maintenance.

## vii. References:

- A. State Conservation Commission Driving Surface Aggregate Certification Form.  
[http://www.dirtandgravel.psu.edu/sites/default/files/General%20Resources/DSA/SCC\\_DSA\\_Spec\\_2014.pdf](http://www.dirtandgravel.psu.edu/sites/default/files/General%20Resources/DSA/SCC_DSA_Spec_2014.pdf)
- B. Penn State Center for Dirt and Gravel Road Studies "Driving Surface Aggregate Handbook"  
<http://www.dirtandgravel.psu.edu/general-resources/driving-surface-aggregate-dsa>
- C. ASTM C131 [AASHTO T96] - Standard Test Method for Resistance to Degradation of Small-Size Coarse Aggregate by Abrasion and Impact in the Los Angeles Machine.  
<http://www.astm.org/Standards/C131>
- D. ASTM D4972 - Standard Test Method for pH of Soils. <http://www.astm.org/Standards/D4972>
- E. ASTM D698, Procedure C, Standard [AASHTO T99] – Standard Test Methods for Laboratory Compaction Characteristics of Soil Using Standard Effort (12,400 ft-lbf/ft<sup>3</sup> (600 kN-m/m<sup>3</sup>).  
<http://www.astm.org/Standards/D698>
- F. ASTM D4318 [AASHTO T89/90] – Standard Test Method for Liquid Limit, Plastic Limit, and Plasticity Index of Soils.  
<http://www.astm.org/Standards/D4318>
- G. Pennsylvania Test Method No. 100. - Method of Test for amount of material finer than 75 µm (no. 200) sieve in aggregate.  
[http://www.dot.state.pa.us/public/pdf/BOCM\\_MTD\\_LAB/PUBLICATIONS/PUB\\_19/PTM-100.pdf](http://www.dot.state.pa.us/public/pdf/BOCM_MTD_LAB/PUBLICATIONS/PUB_19/PTM-100.pdf)
- H. Pennsylvania Test Method No. 510 – Method of Test for soundness of aggregate by use of sodium sulfate.  
[http://www.dot.state.pa.us/public/pdf/BOCM\\_MTD\\_LAB/PUBLICATIONS/PUB\\_19/PTM-510.pdf](http://www.dot.state.pa.us/public/pdf/BOCM_MTD_LAB/PUBLICATIONS/PUB_19/PTM-510.pdf)
- I. ASTM D6938 [AASHTO T310] – Standard Test Methods for In-Place Density and Water Content of Soil and Soil-Aggregate by Nuclear Methods (Shallow Depth).  
<http://www.astm.org/Standards/D6938>



COMMONWEALTH OF PENNSYLVANIA  
STATE CONSERVATION COMMISSION

**Date:** April 19,2023

**To:** State Conservation Commission

**From:** Roy Richardson, Dirt and Gravel Roads Program Coordinator

**Through:** Doug Wolfgang, Executive Secretary

**RE:** Dirt, Gravel, and Low Volume Roads Program (DGLVR) – Request to use DGLVR funds on a building project – Armstrong County

**Background** - The State Conservation Commission (Commission) provides funding to Armstrong County Conservation District (Armstrong CCD) to implement the Dirt, Gravel, and Low Volume Road Program (DGLVR) through a 5 Year Agreement. The terms of the agreement allow Armstrong CCD to use up to 10% of their annual allocation for administrative expenses and up to 10% of their allocation for education and outreach expenses. The main reason for these allowances is to provide a source of funding for staff, a workspace for staff, and the appropriate equipment needed by staff to run the DGLVR program.

**Armstrong CCD's request**

Armstrong CCD is building a new building called the Armsdale Center for Agriculture and Conservation. The building will provide office space for ACCD, the Farm Service Agency, Natural Resource Conservation Service, and Penn State Extension. A common area, including an event/training space and conference room, will be equally available to all agencies utilizing the building with ACCD having priority and final say over scheduling. This space will be used for DGLVR activities such as ESM training, annual QAB meeting, municipal meetings, and once construction is done, ACCD would be happy to offer that space for DGLVR Center Regional Trainings. In the past, when ACCD held a DGLVR meeting they were very limited on outdoor meeting space and being as they will own the property that the building is on, they will be better able to accommodate different types of trainings. ACCD will also utilize the conference room for annual events such as the Fall Tour and Legislative Breakfast, which showcase DGLVR projects.

Armstrong CCD would like to utilize DGLVR administrative and education funds towards building the new building.

*Cost of Armsdale Center for Agriculture and Conservation:*

- The engineer's cost estimate of the building as of June 2022 is \$2,905,000.00. This includes engineering, design, construction inspection, permits, and all materials/labor. ACCD will be the building owner and the other agencies will rent from them.
- ACCD is anticipating taking out a mortgage of \$650,000.00. The cost of the mortgage is subtracted from the total cost of the building because a portion of ACCD's portion of the future mortgage payments are planned to be paid with DGLVR funds according to ACCD's cost allocation method (described below).
- Building cost = \$2,905,000 - \$650,000 = \$2,255,000
- Total square footage = 9,352
- Cost per square foot = \$421.12
- ACCD Office
  - Square footage = 1,750
  - Total cost = \$421,960
- Common Area
  - Square footage = 3,564
  - Total cost = \$859,351.68

Cost Allocation Method (CAM):

Office space: Armstrong CCD utilizes a cost allocation method to determine what portion of shared expenses are eligible DGLVR expenses. One full time staff member at ACCD is the DGLVR Technician. The district has 6 full time staff, so 1/6 of expenses shared with the office are eligible DGLVR expenses. The DGLVR expense is subdivided into 85% DGR and 15% LVR based on the annual allocations that the district receives. This results in 14.17% of shared expenses being eligible DGR expenses, and 2.50% of shared expenses being eligible LVR expenses. This cost allocation method meets DGLVR Program policy.

Armstrong CCD proposes to pay for 14.17% of the new ACCD office space with DGR administrative funds according to their existing CAM. This would be \$59,791.73.

Armstrong CCD proposes to pay for 2.50% of the new ACCD office space with LVR administrative funds according to their existing CAM. This would be \$10,549.00.

Common Area: Armstrong CCD has developed a new CAM for the common area since it will be utilized by multiple agencies. Since 4 agencies will have equal access to the space, ACCD proposes to pay for ¼ of the cost (\$859,351.68 / 4 = \$214,837.92). ACCD's portion of the common area usage will be equally divided by their 4 main conservation district programs. One of these 4 programs is the DGLVR Program, so ¼ of ACCD's common area cost would be DGLVR (\$214,837.92 / 4 = \$53,709.48). This DGLVR portion will be subdivided 85% DGR and 15% LVR based on the annual allocations that the district receives.

Armstrong CCD proposes to utilize \$45,653.06 in DGR education funds for the common area.

Armstrong CCD proposes to utilize \$8,056.42 in LVR education funds for the common area.

Staff has reviewed this request and Armstrong CCD’s DGLVR funding. Staff has determined that Armstrong CCD could utilize DGR and LVR administration and education funds from the 2022-23 and 2023-24 fiscal years, and still have adequate funding for Staff. Armstrong will use all remaining FY 2022-23 DGLVR admin and edu funds, then the remainder will come from FY 2023-24 DGLVR admin and edu funds.

|                                     | DGR admin           | LVR admin           | DGR edu             | LVR edu            | Total                |
|-------------------------------------|---------------------|---------------------|---------------------|--------------------|----------------------|
| <b>total funds for new building</b> | <b>\$ 59,791.73</b> | <b>\$ 10,549.00</b> | <b>\$ 45,653.06</b> | <b>\$ 8,056.42</b> | <b>\$ 124,050.21</b> |

Based on this review staff recommends approval of Armstrong CCD’s request.





COMMONWEALTH OF PENNSYLVANIA  
STATE CONSERVATION COMMISSION

**DATE:** April 26, 2023  
**TO:** State Conservation Commission  
**FROM:** Joel Semke – REAP Coordinator  
**SUBJECT:** 2023-24 REAP Guidelines and Application

Every year, the State Conservation Commission reviews the REAP Program and welcomes input from partners on how to improve the program. The changes range from minor revisions that are meant to improve the administration of the program to major changes that address what is eligible for REAP tax credits. Each proposed change is listed below. The changes are also highlighted in the 2023-24 REAP Guidelines and Application packet.

The proposals listed below reflect suggestions from staff and partners regarding potential changes to the REAP program that were first introduced to the Commission in February 2023. Textboxes and Checkboxes will be added to the Application prior to July 2023 (when the application will be available to the public). The Commission is scheduled to begin accepting applications for the 2023-24 REAP program on August 6<sup>th</sup>, 2023.

1. EQUIPMENT PERFORMANCE UPGRADE KITS (PUKS)

**Proposal:** Add equipment PUKs to the list of REAP-eligible no-till equipment.

The intent of the proposal is to offer a cheaper alternative to farmers who are looking to upgrade the precision performance of their no-till planting equipment or precision nutrient application equipment.

**Here's the proposed addition to Attachment 1 of the Guidelines:**

**Equipment Performance Upgrade Kits**

|                                    |   |
|------------------------------------|---|
| <i>REAP Lifespan:</i>              | 3 years   |
| <i>Tax Credit Rate:</i>            | 50%; REAP-eligible cost capped at \$70,000 per purchase   |
| <i>Additional Information:</i>     | Refer to <a href="#">Attachment 5</a>   |
| <i>REAP Conditions:</i>            | <i>Components</i> of Nutrient Application Equipment that enable base equipment (new or existing) to function with automatic variable rate application capabilities. |
| <i>Certification Requirements:</i> | Requires a qualified farm Equipment Dealer Certification  |

**Here's the proposed addition to Attachment 2 of the REAP Guidelines:**

**Equipment Performance Upgrade Kits:**

**Intent:** Eligible upgrade kits for no-till planting equipment will improve the no-till planting capabilities of no-till equipment and the precision nutrient placement capabilities of the equipment. Eligible upgrade kits for application equipment will improve the automatic variable rate nutrient placement capabilities of the equipment.

- A completed REAP No-Till Equipment Purchase Certification form (p8 of the REAP application) must be submitted by the applicant. The equipment must be certified that it meets the above criteria by a qualified farm equipment dealer authorized by the Commission.
- Upgrade kits shall have a REAP lifespan of 3 years.
- All installation work must be completed and certified by a qualified farm equipment dealer.
- REAP-eligible costs are capped at \$70,000 per piece of equipment.
- Upgrade kits for no-till equipment must include precision nutrient placement capabilities.
- Upgrade kits for application equipment must include automatic variable rate nutrient application capabilities.
- Equipment utilizing new technology or new methodology may be eligible for REAP credits on a case-by-case basis, as determined by the Commission.

## 2. COVER CROPS

**Proposal:** Add Cover Crop planting drones to the list of REAP-eligible equipment on a trial basis – under the existing Cover Crop Equipment BMP.

### **Here’s the proposed change in Attachment 1 of the REAP Guidelines:**

#### **Cover Crop Equipment**

|                                |  |
|--------------------------------|--|
| <i>REAP Lifespan:</i>          | New Equipment - 7 years, Used Equipment - 3 years  |
| <i>Tax Credit Rate:</i>        | 50%; 90% for Cover Crop Rollers in an ag-impaired TMDL watershed   |
| <i>Additional Information:</i> | Refer to <u>Attachment 5</u> . Equipment used to enhance the use of cover crops on an ag operation; e.g., cover crop roller/crimpers, drones, etc. |
| <i>REAP Conditions:</i>        | The equipment’s primary use must be the establishment and management of cover crops.   |

### **Here’s the proposed change found in Attachment 2 of the REAP Guideline.**

- Drones used for establishing cover crops are eligible for REAP tax credits as a pilot program in FY 2023. REAP-eligible costs are capped at \$20,000.

**Proposal:** Revise the minimum standard for **multi-species** cover crop to include a minimum seeding rate for the broadleaf species (perhaps 5lbs/ac)

**Proposal:** Revise the REAP Guidelines for Cover Crops to prioritize applications for multi-species cover crops.

### **Here’s the proposed changes in Attachment 3 of the REAP Guidelines.**

- **Multi-species cover crop definition:** A seed mix that consists of a grass/small grain species plus a minimum of 2 broadleaf species; in which the cumulative **seeding rate** of the grass/small grain species does not exceed **1.5 bu/ac**; and the mix includes at least **5lbs/ac** of the broadleaf species.
- Applicants who have received 3 or more years of REAP tax credits for a single-species cover crop are eligible for multi-species cover crop only.

## 3. PRECISION NUTRIENT APPLICATION

**Proposal:** Add plans and data that are needed for automatic (computer-controlled) variable rate application of nutrients to the list of REAP-eligible BMPs.

**Here’s the proposed change to Attachment 1 of the REAP Guidelines.**

**Soil Health management plans**

*REAP Lifespan:* 3 years

*Tax Credit Rate* 75%; **90% when applicant is in an ag-impaired TMDL watershed**

*Additional Information:* Refer to Attachment 3. Soil Health tests are eligible; e.g., Cornell, Haney, and Solvita. Variable rate nutrient application plans are eligible; e.g., precision soil sampling, data inputs for map-based and sensor-based site-specific variable rate application of nutrients

4. SILVOPASTURE

***Proposal:*** add Silvopasture to the list of BMPs that are eligible for REAP tax credits.

The intent of the proposal is to incentivize increased soil health through the introduction of trees to a well-managed grazing system. When utilized in appropriate locations, silvopasture can reduce polluted runoff while adding diversity to a grazing system.

**Here’s the proposed change to Attachment 1 of the REAP Guidelines.**

**Silvopasture**

*REAP Lifespan:* 5 years

*Tax Credit Rate:* 50%

*Additional Information:* refer to ....

*REAP Conditions:* Practice applies to non-riparian areas only, in conjunction with rotational grazing systems (528). Establishment of new trees and costs associated with the establishment of the silvopasture system are eligible. No part of the silvopasture project may involve removal of existing trees.

*Certification Requirements:* Any Conservation District technician, NRCS technician, or private sector Technical Service Provider, who has appropriate training and experience in the BMP planning, design and installation methods applicable to the size and scope of the BMP being certified

**RECOMMENDATION:**

Staff recommends approval of the proposed changes to the REAP Program ‘Fiscal Year 2023 Guidelines’ and ‘Application’ as presented pending final review by department legal counsel. Upon final legal review, program staff will finalize all pertinent documents, webpage content and correspondence to reflect the changes adopted by the Commission.



# Resource Enhancement and Protection Program



## Guidelines

Fiscal Year 2023

(July 1, 2023 – June 30, 2024)

State Conservation Commission  
2301 North Cameron Street  
Harrisburg, PA 17110

Phone: (717) 787-8821

Fax: (717) 705-3778



## Resource Enhancement and Protection (REAP) Program Guidelines 2023-24

### A. Introduction

The Resource Enhancement and Protection Program (REAP) was created in 2007 (P.L. 373, No. 55, July 25, 2007) and amended in 2019 (P.L., No. 13, June 28, 2019). The REAP program is designed to enhance farm production and protect natural resources by enabling farmers, landowners, and businesses to earn Pennsylvania state income tax credits in exchange for implementing water quality “Best Management Practices” (BMPs).

Thirteen million dollars in REAP tax credits is available in FY 2023 to individuals and businesses that meet the eligibility requirements for the program. Guidelines for the program are established and administered by the State Conservation Commission.

Eligible applicants receive 50%-90% of out-of-pocket project costs in the form of state tax credits. The amount of REAP credits available to an eligible applicant depends on the type of BMP implemented and the geographic location of the operation (for 90% tax credits). See Attachment 1 for the list of REAP-Eligible BMPs.

### B. Applicant Eligibility

To be eligible for the REAP program, an applicant must meet the following criteria:

1. The applicant must be an individual or business who is subject to taxation by the Commonwealth of Pennsylvania under one of the following state taxes: Personal Income Tax, Corporate Net Income Tax, Capital Stock and Franchise Tax, Bank Shares Tax, Title Insurance Company Tax, Insurance Premiums Tax, and Mutual Thrift Institutions Tax. (need to hear back from Matt F)
2. The agricultural operation must be in compliance with the PA Clean Streams Law. As such, the operation must have in place the following:
  - i) A current Agricultural E&S Plan for all acres operated by the applicant. **The Plans must meet the requirements of Chapter 102.4 of the PA Clean Streams Law.** The applicant must be on-schedule for full implementation of the plan.
  - ii) For operations that have animals or import manure: A current Nutrient Management Plan as required by **Chapter 83 of the PA Clean Streams Law and Act 38**; or Manure Management Plan as required by **Chapter 91 of the PA Clean Streams Law**; for all acres operated by the applicant. The applicant must be on-schedule for full implementation of the plan.
  - iii) An agricultural operation with animal concentration areas (ACAs) on any portion of the operation must first implement all BMPs necessary to adequately treat nutrient, sediment, and storm water runoff from these areas. Any BMPs necessary to properly treat an ACA are eligible for REAP tax credits. If the operation has untreated ACA areas, the applicant must list (in the REAP application) the BMPs necessary to resolve the ACA pollution concern prior to receiving REAP tax credits for any other REAP-eligible BMPs. The Commission reserves the right to determine the status of ACA issues on the ag operation.

If the applicant does not have up-to-date Plans on all acres operated, the REAP application must include documentation of the development of these plans. No REAP tax credits will be awarded for any other eligible BMP or equipment until plans are complete and certified.

Eligible agricultural operators who reside outside of PA must operate a minimum of X acres within PA (as determined by the Commission) to be eligible for the REAP program.

The Commission reserves the right to determine whether the plans listed above meet the requirements of the PA Clean Streams Law; and to determine the status of ACA issues on an agricultural operation.

### C. Project Eligibility

Applications are accepted on a first-come, first-served basis. All REAP-eligible BMPs must be necessary to reduce pollution from nitrogen, phosphorus, or sediment runoff. Please refer to Attachment 1 for a list of REAP-eligible BMPs.

Applicants may apply for proposed projects; or completed projects; or a mix of both. Proposed projects must be based on reasonable cost estimates and a current site Inventory and Evaluation (I&E) that has been developed by a person with appropriate NRCS job approval authority or equivalent experience/training. Applications for proposed projects must include an estimated timeline for completion.

Projects are eligible for REAP tax credits for up to 3 years after the completion of the project (date of completion for constructed BMPs; date of purchase for equipment). REAP lifespans have been established by the Commission for all eligible BMPs and are listed in Attachment 1 of the REAP Guidelines. All projects must be maintained for their entire REAP lifespans.

The Commission will consider applications for BMPs on existing agricultural operations. Projects involving an expansion of an agricultural operation by greater than 25% may be subject to a 50% reduction of REAP-eligible costs. All REAP applications that include manure storage, animal heavy use area protection, animal mortality facility, compost facility, or roofed BMPs must include a completed REAP Storage Facility and Animal Heavy Use Area Worksheet (p11 of the REAP application).

Projects involving other public funding programs (i.e. EQIP, Chesapeake Bay, Growing Greener) are eligible to receive REAP credits. However, no tax credit will be provided for the publicly funded portion of a project.

An agricultural operation is eligible for a maximum of \$250,000 of REAP tax credits in any consecutive 7-year period as calculated from the year in which the credit is issued.

REAP tax credits are awarded at either 50%, 75%, or 90% of out-of-pocket costs. In general, high priority BMPs such as plan writing; or projects that treat runoff from animal concentration areas; are eligible for the 75% rate. Please refer to Attachment 1 for information regarding the REAP tax credit rate for eligible BMPs.

Agricultural operations (and landowners) located within a watershed that has a written TMDL listing impairment from agricultural sources are eligible to receive REAP tax credits equal to 90% of out-of-pocket installation costs for a select list of BMPs. Projects completed after July 1, 2022 that meet the Commission's requirements for the 90% credit rate will be considered eligible. The following BMPs are eligible for the 90% REAP tax credit on eligible operations:

1. Riparian buffers greater than 50 ft in width.
2. Multi-species Cover Crops (see Attachment 3)
3. Cover Crop roller/crimpers
4. Stream crossings and livestock exclusion from streams. BMPs used in conjunction with stream crossings and livestock exclusion are also eligible for 90% REAP tax credit (e.g. Animal Trails & Walkways, Fence, and off-stream watering facilities)
5. Soil Health Tests and Precision Variable Rate Nutrient Application Plans

The operator shall return to the Department of Revenue or the Department of Treasury the full amount of the REAP tax credit awarded if the BMP is not maintained for the full lifespan of the BMP, as determined by the Commission. If the recipient of the REAP tax credit provides prior written notification to the Commission that the BMP will not be maintained due to the sale of the property, cessation of an agricultural operation, or other

factors, the Commission may direct the Department of Revenue to prorate the amount of the REAP tax credit that shall be returned based on the remaining lifespan of the BMP.

**REAP-eligibility verification fees are not eligible costs; nor are fees charged by consultants to complete a REAP application.**

**The Commission reserves the right to deny an application for any BMP and/or equipment if the cost is not within reasonable and fair market value; as determined by the Commission.**

**The Commission reserves the right to deny an application for any BMP and/or equipment that does not meet the intent of the standards set forth by the Commission.**

**The Commission reserves the right to exclude individuals from the REAP program who are found to engage in fraudulent activity. For example: fraudulent verification signatures, BMP certification, receipts/invoices.**

#### **D. Sponsorship**

An individual or business entity may act as a sponsor of a REAP-eligible project. A sponsor provides funding to an eligible ag operation for the REAP-eligible BMPs and the REAP tax credits are awarded directly to the sponsor. The sponsored ag operation must meet the eligibility standard set forth in paragraph B. Applicant Eligibility. A sponsor is further defined in Attachment 5.

Sponsorship of REAP projects is reserved for proposed projects; projects currently under construction (not-yet completed and certified by an engineer); and for equipment purchased within the previous 6 months (from the time of application). All projects must meet the definitions and standards of an eligible BMP on an agricultural operation (except for Streambank and Shoreline Protection, Riparian Buffer, and Riparian Buffer Maintenance – for which non-agricultural landowners are eligible) as set forth by the Commission.

Typical examples of sponsors include: banks, businesses, and individuals/family trusts. For projects involving a sponsor, the Commission requires a signed written agreement between the sponsor (applicant) and the owner/operator of the property on which the project will be completed, certifying that the ag operator will comply with all the requirements associated with the REAP tax credit. A sample Sponsor agreement is available upon request. Please contact the Commission for more information regarding Sponsorship.

**The Commission reserves the right to limit the amount of REAP funds approved for a single sponsor in any given round of the REAP program.**

#### **E. Application Procedures**

Applications will be accepted for projects that are **proposed or completed** (or mixed) at the time of application. Applications are accepted on a first-come, first-served basis.

Projects that include the proposed purchase of equipment must be completed by **June 30, 2024**. Projects involving the implementation of structural BMPs must be on-schedule to be completed by **June 30, 2025** to be eligible. Applicants may apply for proposed cover crop planting through **June 30, 2026**.

Tax credits are awarded upon completion of the approved project. The applicant must provide to the Commission paid receipts for the project and signed project certification information from a qualified individual. All projects must meet the design and certification standards established by the Commission.

The Commission will process all applications within 60 days of receipt of a complete application, and will notify the applicant, in writing, if the application meets the requirements for an eligible project.



**2023-24 REAP Applications will be accepted beginning August 6<sup>th</sup>, 2023. Applications may be mailed or hand-delivered to the Commission office at the following address:**

State Conservation Commission  
REAP Program  
2301 North Cameron Street  
Harrisburg, PA 17110

**E-mailed applications should be sent to: [jsemke@pa.gov](mailto:jsemke@pa.gov).**

## **F. REAP Tax Credit Information**

REAP tax credits can be awarded to individuals, pass-through entities, or corporations. The PA Department of Revenue (Revenue) will review an approved REAP participant's compliance with the Commonwealth's tax laws and regulations prior to awarding REAP tax credits. If an applicant is found to be non-compliant by Revenue, the tax compliance issue must be resolved first; then the Commission may resubmit the applicant's information to Revenue to award the REAP tax credit. The resubmittal date will become the new effective date on the REAP tax credit.

REAP tax credits can be used to pay PA income tax liability, dollar for dollar. The tax credit may be used for up to 15 years from the date it is awarded - applying the credit on each annual PA tax return until it is depleted. The REAP tax credit can be claimed against all income on a separately-filed or jointly-filed PA return. The remainder of the original tax credit may be carried over by the recipient and applied to succeeding taxable years.

Pass-through entities are eligible to receive REAP tax credits. The REAP credits are passed through to the individual members of the business entity according to ownership share.

A tax credit awarded in accordance with the guidelines of the REAP program must first be applied against the awardee's: Personal Income Tax, Corporate Net Income Tax, Bank Shares Tax, Title Insurance Company Tax, Insurance Premiums Tax, and Mutual Thrift Institutions Tax; for the tax year during which the credit is awarded. The entire income tax liability must be satisfied before any portion of the credit can be carried forward to satisfy the tax liabilities for future years; or passed-through; or sold/transferred.

Single-Member Limited Liability Companies with an individual, partnership or corporation as the single member are required to file the specified returns: individuals must file a PA-40 Individual Tax Return; partnerships or corporations must file the RCT-101 Corporate Tax Report or PA 20S/65 Information Return. *A single-member LLC with an individual as the owner must provide an SSN on the REAP application, in addition to the FEIN for the LLC.*

Effective immediately, entities that are no longer subject to filing the RCT-101 Corporate Tax Report as per the phase out of the Capital Stock & Foreign Franchise Tax are required to file the PA- 20S/PA-65, S Corporation/Partnership Information return prior to selling a REAP credit. Every domestic or foreign PA S-corporation (72 P.S. § 7330.1), partnership (72 P.S § 7335(c)), or entity formed as a limited liability company that is classified as a partnership or S corporation for federal income tax purposes, must file the PA- 20S/PA-65 Information Return.

To claim the REAP tax credit, the recipient must file the tax credit claim form found on the reverse of the REAP tax credit certificate when filing the annual PA income tax return. Recipients should use the PA Schedule OC to calculate how much of the REAP tax credit to claim for the year. PA Dept of Revenue recommends filing the REAP tax claim form prior to filing the yearly tax return. Failure to submit the tax claim prior to the filing of the annual PA income tax return may result in delays in the processing of the annual income tax return.

## G. Sale/Assignment Information

The REAP tax credit may be sold or transferred to another PA income taxpayer. To sell or transfer this credit, an awardee must apply to the Commission to sell/assign, in whole or in part, unused REAP tax credits to a buyer/assignee. To be eligible to sell/assign a REAP tax credit, the REAP credit recipient must:

1. Use the REAP credit in the effective year of the credit against the entire PA income tax liability. If the REAP credit recipient owes no income tax for that year, this requirement is waived.
2. Wait one calendar year from the effective date of the REAP credit prior to selling/assigning any of the credit.

Before an application to sell or assign tax credits will be approved, the Department of Revenue must find that the applicant has filed all required state tax reports and returns for all applicable tax years and paid any balance of state tax due as determined by the Department of Revenue.

The assignee or purchaser of tax credits shall immediately claim the credits in the taxable year in which the purchase or assignment is made. The purchaser/assignee may not pass-through, resell, or reassign REAP tax credits. The purchaser/assignee may not carry forward, carry back, or obtain a refund of the tax credit.

Individuals who have been awarded REAP credits may directly arrange the sale/assignment of REAP credits to any eligible PA taxpayer. In addition, a list of private brokers who can assist with the sale of tax credits is found on the REAP webpage; or by contacting the State Conservation Commission.

Due to privacy concerns, requests for copies of the REAP tax credit certificate must come from the recipient of the credit.

The **REAP Tax Credit Sale/Assignment Application** packet is available on the REAP webpage or by calling the Commission at 717-787-8821. Please refer to the packet for additional details regarding the sale of REAP tax credits.

*For all issues not specifically addressed by these guidelines, please refer to the provisions of Act 13 of 2019, Section 1701-E to Section 1710-E, or contact the Commission at 717-787-8821. Questions regarding tax implications for individual applicants should be directed to an accountant or other tax professional.*

**Attachment 1**

**REAP Eligible Best Management Practices (BMPs)**

The following is a list of the most-commonly used REAP-eligible BMPs. Please contact the SCC if you have questions regarding a specific BMP or water-quality project that is not listed below.

**Planning BMPs**

**Agricultural Erosion & Sedimentation Plan (Ag E&S)**

*REAP Lifespan:* 3 years  
*Tax Credit Rate:* 75%  
*REAP Conditions:* The plan must meet the requirements of Chapter 102.4 of the PA Clean Streams Law.  
*Certification Requirements:* The plan must meet the requirements of Chapter 102.4 of the PA Clean Streams Law; and shall be prepared by a person trained and experienced in Agricultural E&S control methods and techniques applicable to meet the requirements of Chap 102.4.

**Conservation Plan**

*REAP Lifespan:* 3 years  
*Tax Credit Rate:* 75%  
*REAP Conditions:* The plan must meet the requirements of Chapter 102.4 of the PA Clean Streams Law.  
*Certification Requirements:* The plan must be written by a NRCS-certified conservation planner.

**Manure Management Plan (MMP)**

*REAP Lifespan:* 3 years  
*Tax Credit Rate:* 75%  
*Additional Information:* DEP Land Application of Manure – Manure Management Plan Guidance  
*REAP Conditions:* The plan must meet the standards of Chapter 91 of the PA Clean Streams Law. The plan shall be prepared by a person trained and experienced in the writing of Manure Management Plans; and in the control methods and techniques applicable to Chapter 91.

**Nutrient Management Plan (NMP)**

*REAP Lifespan:* 3 years  
*Tax Credit Rate:* 75%  
*REAP Conditions:* The plan must meet Act 38 Standards.  
*Certification Requirements:* The plan must be written by an Act 38-certified specialist.

**Soil Health management plans**

*REAP Lifespan:* Annual (FY)  
*Tax Credit Rate:* 75%; **90% when applicant is in an ag-impaired TMDL watershed**  
*Additional Information:* Soil Health tests are eligible; e.g., Cornell, Haney, and Solvita.  
 Variable rate nutrient application plans are eligible; e.g., precision soil sampling, data inputs for map-based and sensor-based site-specific variable rate application of nutrients

**Equipment BMPs**

**Composting Equipment**

*REAP Lifespan:* New Equipment - 7 years, Used Equipment - 3 years  
*Tax Credit Rate:* 50%; REAP-eligible cost is capped at \$100,000  
*Additional Information:* Screeners, turning equipment, rotary drums, etc. as approved by the Commission  
*REAP Conditions:* Composting must be included in the operation’s Nutrient/Manure Management Plan.

**Cover Crop Equipment**

*REAP Lifespan:* New Equipment - 7 years, Used Equipment - 3 years  
*Tax Credit Rate:* 50%; 90% for Cover Crop Rollers in an ag-impaired TMDL watershed  
*Additional Information:* Refer to Attachment 2. Equipment used to enhance the use of cover crops on an ag operation; e.g., cover crop roller/crimpers, **drones**, etc.  
*REAP Conditions:* The equipment’s primary use must be the establishment and management of cover crops.

**Manure Injection Equipment – Low Disturbance**

*REAP Lifespan:* New Equipment - 7 years, Used Equipment - 3 years  
*Tax Credit Rate:* 50%  
*Additional Information:* Refer to [Attachment 2](#)  
*REAP Conditions:* Equipment must be capable of shallow injection of manure and must be a contiguous part of a manure injection system. Equipment must be utilized on farm ground operated by the applicant.  
*Certification Requirements:* Requires a qualified farm Equipment Dealer Certification

**No-Till Planting Equipment – Planter or Drill**

*REAP Lifespan:* New Equipment - 7 years, Used Equipment - 3 years  
*Tax Credit Rate:* 50%; REAP-eligible cost capped at \$300,000 per planter/drill  
*Additional Information:* Refer to [Attachment 2](#)  
*Certification Requirements:* Requires a qualified farm Equipment Dealer Certification

**Precision Nutrient Application Equipment**

*REAP Lifespan:* 3 years  
*Tax Credit Rate:* 50%; REAP-eligible cost capped at \$70,000 per purchase  
*Additional Information:* Refer to [Attachment 2](#)  
*REAP Conditions:* **Components** of Nutrient Application Equipment that enable base equipment (new or existing) to perform with automatic variable rate application capabilities.  
*Certification Requirements:* Requires a qualified farm Equipment Dealer Certification

**Equipment Performance Upgrade Kits**

*REAP Lifespan:* 3 years  
*Tax Credit Rate:* 50%; REAP-eligible cost capped at \$70,000 per purchase  
*Additional Information:* Refer to [Attachment 2](#)  
*REAP Conditions:* **Components** of Nutrient Application Equipment that enable base equipment (new or existing) to function with automatic variable rate application capabilities.  
*Certification Requirements:* Requires a qualified farm Equipment Dealer Certification

**All Other BMPs**

**Access Road**

*NRCS Practice Code:* 560  
*REAP Lifespan:* 5 years  
*Tax Credit Rate:* 50%  
*REAP Conditions:* This practice shall only be applicable to those locations on the farm where an improved travel-way is needed to access newly established BMPs. REAP tax credits will not be authorized for any construction or portion thereof exceeding 14 feet in width or 200 feet in length.  
*Certification Requirements:* Must meet the standards and specifications of the NRCS Field Office Technical Guide; certified by an individual with appropriate NRCS Job Approval Authority or Registered Professional Engineer.

**Animal Mortality Facility**

*NRCS Practice Code:* 316  
*REAP Lifespan:* 10 years  
*Tax Credit Rate:* 50%; REAP-eligible costs may be reduced by 50% for new animal operations (built within 1 year of the new animal facility).  
*Additional Information:* Applicants must include the REAP Storage Facility & Animal Heavy Use Area Protection Worksheet (p11 of the REAP Application).  
*REAP Conditions:* The animal mortality composting facility must be part of a Manure/Nutrient Management Plan. The dead animals must come from the producer’s operation and may not come from outside sources.  
*Certification Requirements:* Must meet the standards and specifications of the NRCS Field Office Technical Guide; certified by an individual with appropriate NRCS Job Approval Authority or Registered Professional Engineer.

**Animal Trails and Walkways**

*NRCS Practice Code:* 575  
*REAP Lifespan:* 5 years  
*Tax Credit Rate:* 75%; **90% - with livestock exclusion from streams in an ag-impaired TMDL watershed**

*REAP Conditions:* Eligible in conjunction with Prescribed Grazing (528) only. REAP tax credit not authorized for any construction or portion thereof that is greater than 12 feet in width.

*Certification Requirements:* Must meet the standards and specifications of the NRCS Field Office Technical Guide; certified by an individual with appropriate NRCS Job Approval Authority or Registered Professional Engineer.

**Composting Facility**

*NRCS Practice Code:* 317

*REAP Lifespan:* 10 years

*Tax Credit Rate:* 50%

*Additional Information:* Applicants must include the REAP Storage Facility & Animal Heavy Use Area Protection Worksheet (p11 of the REAP Application).

*REAP Conditions:* The composting facility must be part of an up-to-date Manure/Nutrient Management Plan. Spreading of the composted material must be done in accordance with an up-to-date Manure/Nutrient Management Plan. The composting operation must meet all PA-DEP criteria for composting. Production of mushroom compost does not apply. For composting of animal mortalities, use **Animal Mortality Facility** guidelines.

*Certification Requirements:* Must meet the standards and specifications of the NRCS Field Office Technical Guide; certified by an individual with appropriate NRCS Job Approval Authority or Registered Professional Engineer.

**Constructed Wetland**

*NRCS Practice Code:* 656

*REAP Lifespan:* 5 years

*Tax Credit Rate:* 50%

*Certification Requirements:* Must meet the standards and specifications of the NRCS Field Office Technical Guide; certified by an individual with appropriate NRCS Job Approval Authority or Registered Professional Engineer.

**Cover Crop**

*NRCS Practice Code:* 340

*REAP Lifespan:* Annual (FY)

*Tax Credit Rate:* 50%; 90% for multi-species Cover Crop in an ag-impaired TMDL watershed

*Additional Information:* Applicants must complete Cover Crop Worksheet (p12 of the REAP Application)

*REAP Conditions:* **Please refer to Attachment 3.** Applicants may include up to 3 seasons – starting with the current FY (beginning July 1, 2023). Sponsored applications are limited to the current FY only.

*Certification Requirements:* Subject to random spot check by SCC staff; Applicants must complete Cover Crop Worksheet (p12 of the REAP Application);

**Critical Area Planting**

*NRCS Practice Code:* 342

*REAP Lifespan:* 5 years

*Tax Credit Rate:* 50%; 75% ACA treatment

*Certification Requirements:* Must meet the standards and specifications of the NRCS Field Office Technical Guide; certified by an individual with appropriate NRCS Job Approval Authority or Registered Professional Engineer.

**Diversion**

*NRCS Practice Code:* 362

*REAP Lifespan:* 5 years

*Tax Credit Rate:* 50%; 75% ACA treatment

*Certification Requirements:* Must meet the standards and specifications of the NRCS Field Office Technical Guide; certified by an individual with appropriate NRCS Job Approval Authority or Registered Professional Engineer.

**Fence (see below for stream-bank fencing)**

*NRCS Practice Code:* 382

*REAP Lifespan:* 10 years

*Tax Credit Rate:* 50%;

*Additional Information:* Fence cost that is part of an ACA-related BMP or is Waste Storage safety fence should be submitted as part of those BMPs.

*REAP Conditions:* Used in conjunction with Prescribed Grazing (528) Plan only. REAP tax credits will be authorized for establishing permanent fence; utilizing new materials – unless otherwise justified by Prescribed Grazing. Fencing must not have indirect negative environmental impacts on adjacent areas, such as allowing uncontrolled livestock access to sensitive areas such as stream corridors, steep areas subject to erosion, or woodland subject to overgrazing. REAP tax credit not

authorized for removal and/or upgrade of existing fence. Fence surrounding equine riding rinks is not eligible for REAP tax credits.

*Certification Requirements:* Any Conservation District technician, NRCS technician, or private sector Technical Service Provider, who has appropriate training and experience in the BMP planning, design and installation methods applicable to the size and scope of the BMP being certified.

**Fence (Streambank)**

*NRCS Practice Code:* 382

*Lifespan:* 10 years

*Reimbursement Rate:* 50%; 75% - in conjunction with 35+ ft buffer; 90% - in conjunction with 50+ ft buffer from streams in an ag-impaired TMDL watershed; REAP-eligible costs capped at \$5.00/ft

*REAP Conditions:* REAP tax credits will be authorized for establishing permanent fence used for excluding animals from stream areas; in conjunction with Prescribed Grazing (528) Plan only. Utilizing new materials. REAP tax credits not authorized for removal and/or upgrade of existing fence.

*Certification Requirements:* Any Conservation District technician, NRCS technician, or private sector Technical Service Provider, who has appropriate training and experience in the BMP planning, design and installation methods applicable to the size and scope of the BMP being certified.

**Grassed Waterway**

*NRCS Practice Code:* 412

*REAP Lifespan:* 5 years

*Tax Credit Rate:* 50%;

*Certification Requirements:* Must meet the standards and specifications of the NRCS Field Office Technical Guide; certified by an individual with appropriate NRCS Job Approval Authority or Registered Professional Engineer.

**Heavy Use Area Protection**

*NRCS Practice Code:* 561

*REAP Lifespan:* 10 years

*Tax Credit Rate:* 50%; 75% - ACA treatment

*Additional Information:* Applicants must include the REAP Storage Facility & Animal Heavy Use Area Protection Worksheet (p11 of the REAP Application).

*REAP Conditions:* Projects involving an operation expansion of greater than 25% are subject to a reduction in eligible costs of 50%.

*Certification Requirements:* Must meet the standards and specifications of the NRCS Field Office Technical Guide; certified by an individual with appropriate NRCS Job Approval Authority or Registered Professional Engineer.

**Lined Waterway or Outlet**

*NRCS Practice Code:* 468

*REAP Lifespan:* 5 years

*Tax Credit Rate:* 50%;

*REAP Conditions:* Used where vegetation alone will not provide adequate stabilization.

*Certification Requirements:* Must meet the standards and specifications of the NRCS Field Office Technical Guide; certified by an individual with appropriate NRCS Job Approval Authority or Registered Professional Engineer.

**Manure Separation Equipment**

*REAP Lifespan:* 7 years

*Tax Credit Rate:* 50%

*REAP Conditions:* Manure separation must be included in the operation’s Nutrient/Manure Management Plan. Projects involving an operation expansion of greater than 25% are subject to a reduction in eligible costs of 50%.

*Certification Requirements:* Must meet the standards and specifications of the NRCS Field Office Technical Guide; certified by an individual with appropriate NRCS Job Approval Authority or Registered Professional Engineer.

**Manure Separation Facility**

*Practice Code:* 632

*Lifespan:* 10 years

*Tax Credit Rate:* 50%

*Additional Information:* Applicants must include the REAP Storage Facility & Animal Heavy Use Area Protection Worksheet (p11 of the REAP Application).

*REAP Conditions:* Manure separation must be included in the operation’s Nutrient/Manure Management Plan. Projects involving an operation expansion of greater than 25% are subject to a reduction in eligible costs of 50%.

*Certification Requirements:* Must meet the standards and specifications of the NRCS Field Office Technical Guide; certified by an individual with appropriate NRCS Job Approval Authority or Registered Professional Engineer.

**Pipeline**

*NRCS Practice Code:* 516

*REAP Lifespan:* 5 years

*Tax Credit Rate:* 50%

*REAP Conditions:* Eligible as a component of livestock watering systems in conjunction with Prescribed Grazing (528) only. Pipeline to a new barn, domestic water supply, or irrigation is not REAP-eligible.

*Certification Requirements:* Any Conservation District technician, NRCS technician, or private sector Technical Service Provider, who has appropriate training and experience in the BMP planning, design and installation applicable to the size and scope of the BMP being certified.

**Poultry/Livestock Housing Vegetative Buffers**

*NRCS Practice Code:* 380 (Windbreak/Shelterbelt Establishment)

*REAP Lifespan:* 10 years

*Tax Credit Rate:* 50%

*Additional Information:* Plantings must conform to USDA/NRCS Windbreak/Shelterbelt Establishment (380)-Technical Note No. 1, SCC Odor Management BMP Guide

*REAP Conditions:* Establishment costs only. Plantings must be within close proximity to livestock housing and exhaust fans.

*Certification Requirements:* Must meet the standards and specifications of the NRCS Field Office Technical Guide; certified by an individual with appropriate NRCS Job Approval Authority or Registered Professional Engineer.

**Pumping Plant for Waste Water Control**

*NRCS Practice Code:* 533

*REAP Lifespan:* 10 years

*Tax Credit Rate:* 50%

*Certification Requirements:* Must meet the standards and specifications of the NRCS Field Office Technical Guide; certified by an individual with appropriate NRCS Job Approval Authority or Registered Professional Engineer.

**Riparian Forest Buffer**

*NRCS Practice Code:* 391

*REAP Lifespan:* 15 years

*Tax Credit Rate:* 50% rate when used in conjunction with the minimum width of the practice (35 feet); 75% in conjunction with 50+ foot width; **90% for 50+ foot width in an ag-impaired TMDL watershed.**

*Additional Information:* [NRCS Practice Guide for Riparian Forest Buffers](#), [PA DEP Riparian Forest Buffer Guidance](#)

*REAP Conditions:* Riparian buffer establishment only (see below). This practice is available to agricultural and non-agricultural operations.

*Certification Requirements:* Any Conservation District technician, NRCS technician, or private sector Technical Service Provider, who has appropriate training and experience in the BMP planning, design and installation methods applicable to the size and scope of the BMP being certified.

**Riparian Forest Buffer Maintenance**

*NRCS Practice Code:* 391

*REAP Lifespan:* annual (FY)

*Tax Credit Rate:* 50% rate when used in conjunction with the minimum width of the practice (35 feet); 75% when used with 50 foot or greater width; **90% for 50+ foot width in an ag-impaired TMDL watershed.**

*Additional Information:* [NRCS Practice Guide for Riparian Forest Buffers](#), [DEP Riparian Forest Buffer Guidance](#) (pp10-11)

*REAP Conditions:* Maintenance activities performed to ensure the survival and growth of riparian buffer plantings, in accordance with a long-term buffer operation and maintenance plan, are eligible. Examples include: mowing, applications of herbicide, vegetation removal, control of noxious weeds, protections from competing plants/animals. This practice is available to agricultural and non-agricultural operations.

*Certification Requirements:* Any Conservation District technician, NRCS technician, or private sector Technical Service Provider, who has appropriate training and experience in the BMP planning, design and

installation methods applicable to the size and scope of the BMP being certified. Riparian Forest Buffer Maintenance Worksheet (available upon request) is required.

**Riparian Herbaceous Cover**

*NRCS Practice Code:* 390  
*REAP Lifespan:* 5 years  
*Tax Credit Rate:* 50%  
*REAP Conditions:* 35+ buffer establishment only. This practice is available to agricultural and non-agricultural operations. Grazing of the buffer is not permitted.  
*Certification Requirements:* Any Conservation District technician, NRCS technician, or private sector Technical Service Provider, who has appropriate training and experience in the BMP planning, design and installation methods applicable to the size and scope of the BMP being certified.

**Roof Runoff Structure**

*NRCS Practice Code:* 558  
*REAP Lifespan:* 5 years  
*Tax Credit Rate:* 50%; 75% - ACA treatment  
*REAP Conditions:* This practice includes roof gutters, downspouts and outlets. Practice must include establishment of a stable outlet (see Underground Outlet). Repairs to a roof in preparation for this practice are not eligible for REAP tax credits.  
*Certification Requirements:* Must meet the standards and specifications of the NRCS Field Office Technical Guide; certified by an individual with appropriate NRCS Job Approval Authority or Registered Professional Engineer.

**Roofs and Covers**

*NRCS Practice Code:* 367  
*REAP Lifespan:* 10 years  
*Tax Credit Rate:* 50%; 75% - ACA treatment  
*Additional Information:* Applicants must include the REAP Storage Facility & Animal Heavy Use Area Protection Worksheet (p11 of the REAP Application).  
*REAP Conditions:* Practice applies to construction of roofing over Waste Storage Facility (313) and/or Heavy Use Area Protection (561). SCC staff site visit may be required. Projects involving an operation expansion of greater than 25% are subject to a reduction in eligible costs of 50%. Roofs over new permanent animal housing (barns) are not eligible for REAP credits.  
*Certification Requirements:* Must meet the standards and specifications of the NRCS Field Office Technical Guide; certified by an individual with appropriate NRCS Job Approval Authority or Registered Professional Engineer.

**Silage Leachate Management**

*Practice Code:*  
*REAP Lifespan:* 10 years  
*Tax Credit Rate:* 50%  
*Certification Requirements:* Must meet the standards and specifications of the NRCS Field Office Technical Guide; certified by an individual with appropriate NRCS Job Approval Authority or Registered Professional Engineer.

**Silvopasture**

*REAP Lifespan:* 10 years  
*Tax Credit Rate:* 50%  
*Additional Information:* refer to ....  
*REAP Conditions:* Practice applies to non-riparian areas only, in conjunction with rotational grazing systems (528). Establishment of new trees and costs associated with the establishment of the silvopasture system are eligible. No part of the silvopasture project may involve removal of existing trees.  
*Certification Requirements:* Any Conservation District technician, NRCS technician, or private sector Technical Service Provider, who has appropriate training and experience in the BMP planning, design and installation methods applicable to the size and scope of the BMP being certified.

**Sinkhole and Sinkhole Area Treatment**

*Practice Code:* 527  
*Lifespan:* 5 years  
*Tax Credit Rate:* 50%  
*Certification Requirements:* Must meet the standards and specifications of the NRCS Field Office Technical Guide; certified by an individual with appropriate NRCS Job Approval Authority or Registered Professional Engineer.



**Spring Development**

|                                    |   |
|------------------------------------|---|
| <i>NRCS Practice Code:</i>         | 574   |
| <i>REAP Lifespan:</i>              | 5 years   |
| <i>Tax Credit Rate:</i>            | 50%; <b>90% - with animal exclusion from streams in an ag-impaired TMDL watershed</b>   |
| <i>REAP Conditions:</i>            | Eligible in conjunction with Prescribed Grazing (528) only. Practice may include a maximum of 1,200 feet of 4-inch collection line only. For collection systems greater than 1,200 feet, SCC staff approval is required. All Federal, State, and Local laws and regulation pertaining to wetlands must be followed. |
| <i>Certification Requirements:</i> | Any Conservation District technician, NRCS technician, or private sector Technical Service Provider, who has appropriate training and experience in the BMP planning, design and installation methods applicable to the size and scope of the BMP being certified.  |

**Stream Crossing**

|                                    |  |
|------------------------------------|--|
| <i>NRCS Practice Code:</i>         | 578  |
| <i>REAP Lifespan:</i>              | 5 years  |
| <i>Tax Credit Rate:</i>            | 50%; <b>90% - in conjunction with Prescribed Grazing and with animal exclusion from streams in an ag-impaired TMDL watershed</b>   |
| <i>REAP Conditions:</i>            | Animal and agricultural equipment crossings are eligible. Culvert crossings are not eligible. REAP tax credits not authorized for any construction or portion thereof that is greater than 12 feet in width. |
| <i>Certification Requirements:</i> | Must meet the standards and specifications of the NRCS Field Office Technical Guide; certified by an individual with appropriate NRCS Job Approval Authority or Registered Professional Engineer.            |

**Streambank and Shoreline Protection**

|                                    |   |
|------------------------------------|---|
| <i>NRCS Practice Code:</i>         | 580   |
| <i>REAP Lifespan:</i>              | 5 years   |
| <i>Tax Credit Rate:</i>            | 50%   |
| <i>Additional Information:</i>     | Applicant is responsible for all local, state and federal permits and approvals that may be required. This practice is available to agricultural and non-agricultural operations.                 |
| <i>REAP Conditions:</i>            | Used to stabilize stream banks eroded due to excessive water flow or livestock activity.  |
| <i>Certification Requirements:</i> | Must meet the standards and specifications of the NRCS Field Office Technical Guide; certified by an individual with appropriate NRCS Job Approval Authority or Registered Professional Engineer. |

**Structure for Water Control**

|                                    |   |
|------------------------------------|---|
| <i>NRCS Practice Code:</i>         | 587   |
| <i>REAP Lifespan:</i>              | 5 years   |
| <i>Tax Credit Rate:</i>            | 50%;  |
| <i>REAP Conditions:</i>            | REAP tax credits not authorized for the installation of structures designed to impound water for irrigation, recreation, household water, or to create ponds.                                     |
| <i>Certification Requirements:</i> | Must meet the standards and specifications of the NRCS Field Office Technical Guide; certified by an individual with appropriate NRCS Job Approval Authority or Registered Professional Engineer. |

**Subsurface Drain**

|                                    |   |
|------------------------------------|---|
| <i>NRCS Practice Code:</i>         | 606   |
| <i>REAP Lifespan:</i>              | 5 years   |
| <i>Tax Credit Rate:</i>            | 50%   |
| <i>REAP Conditions:</i>            | Eligible as a companion practice for other REAP-eligible BMPs (except for Cover Crop).  |
| <i>Certification Requirements:</i> | Must meet the standards and specifications of the NRCS Field Office Technical Guide; certified by an individual with appropriate NRCS Job Approval Authority or Registered Professional Engineer. |

**Terrace**

|                                    |   |
|------------------------------------|---|
| <i>NRCS Practice Code:</i>         | 600   |
| <i>REAP Lifespan:</i>              | 5 years   |
| <i>Tax Credit Rate:</i>            | 50%   |
| <i>Certification Requirements:</i> | Must meet the standards and specifications of the NRCS Field Office Technical Guide; certified by an individual with appropriate NRCS Job Approval Authority or Registered Professional Engineer. |

**Underground Outlet**

|                            |     |
|----------------------------|-----|
| <i>NRCS Practice Code:</i> | 620 |
|----------------------------|-----|

*REAP Lifespan:* 5 years  
*Tax Credit Rate:* 50%; 75% - ACA treatment  
*REAP Conditions:* This practice is to be used as a supporting practice to outlet water from other conservation practices such as roof runoff structure, terrace, and watering facilities. Pipes greater than 12” in diameter may require SCC site visit.  
*Certification Requirements:* Must meet the standards and specifications of the NRCS Field Office Technical Guide; certified by an individual with appropriate NRCS Job Approval Authority or Registered Professional Engineer.

**Vegetated Treatment Area**

*Practice Code:* 635  
*Lifespan:* 5 years  
*Tax Credit Rate:* 50%  
*Certification Requirements:* Must meet the standards and specifications of the NRCS Field Office Technical Guide; certified by an individual with appropriate NRCS Job Approval Authority or Registered Professional Engineer.

**Waste Storage Facility**

*NRCS Practice Code:* 313  
*REAP Lifespan:* 10 years  
*Tax Credit Rate:* 50%  
*Additional Information:* Applicants must include the REAP Storage Facility & Animal Heavy Use Area Protection Worksheet (p11 of the REAP Application). SCC staff site visit may be required.  
*REAP Conditions:* Projects involving an operation expansion of greater than 25% are subject to a reduction in eligible costs of 50%. **Under-barn storages are not eligible for REAP tax credits unless certified by NRCS to be necessary for the treatment of an existing resource concern.** For storage of food waste, please refer to **Compost Facility** guidelines.  
*Certification Requirements:* Must meet the standards and specifications of the NRCS Field Office Technical Guide; certified by an individual with appropriate NRCS Job Approval Authority or Registered Professional Engineer.

**Waste Storage Facility Decommissioning**

*NRCS Practice Code:* 360  
*REAP Lifespan:* Operator must agree to permanently abandon the designated existing structure and the appropriate component practices of the structure.  
*Tax Credit Rate:* 50%  
*REAP Conditions:* BMP must be identified in operator’s Nutrient/Manure Management Plan.  
*Certification Requirements:* Must meet the standards and specifications of the NRCS Field Office Technical Guide; certified by an individual with appropriate NRCS Job Approval Authority or Registered Professional Engineer.

**Waste Transfer**

*NRCS Practice Code:* 634  
*REAP Lifespan:* 10 years  
*Tax Credit Rate:* 50%  
*REAP Conditions:* Eligible in conjunction with Waste Storage Facility (e.g. reception pits). REAP tax credits are not authorized for: Portable pumps, pumping equipment or other portable equipment for removing, distributing, or applying animal waste on farm ground.  
*Certification Requirements:* Must meet the standards and specifications of the NRCS Field Office Technical Guide; certified by an individual with appropriate NRCS Job Approval Authority or Registered Professional Engineer.

**Water Well**

*NRCS Practice Code:* 642  
*REAP Lifespan:* 5 years  
*Tax Credit Rate:* 50%  
*REAP Conditions:* Eligible in conjunction with Prescribed Grazing (528) only. REAP tax credits not authorized for providing water for the farm headquarters or domestic use.  
*Certification Requirements:* Must meet the standards and specifications of the NRCS Field Office Technical Guide; certified by an individual with appropriate NRCS Job Approval Authority or Registered Professional Engineer.

**Watering Facility**

*Practice Code:* 614  
*REAP Lifespan:* 5 years

|                                    |  |
|------------------------------------|--|
| <i>Tax Credit Rate:</i>            | 50%; <b>90% - in conjunction with animal exclusion from streams in an ag-impaired TMDL watershed</b>   |
| <i>REAP Conditions:</i>            | Eligible in conjunction with Prescribed Grazing (528) only. REAP tax credits authorized for permanently located facilities within grazing paddocks or pastures. REAP tax credits not authorized for providing water for the farm headquarters; domestic use. |
| <i>Certification Requirements:</i> | Must meet the standards and specifications of the NRCS Field Office Technical Guide; certified by an individual with appropriate NRCS Job Approval Authority or Registered Professional Engineer.  |

## Attachment 2

### REAP Equipment Guidelines

**Applies to:** No-Till Planting Equipment, Precision Nutrient Application Equipment components, Manure Injection Equipment, Cover Crop Equipment, Performance Upgrade Kits

Applicants for equipment must meet **ALL** other REAP eligibility requirements.

For the FY 2023 REAP program, delivery of all equipment must take place by **June 30, 2024**.

All equipment must be designed and commercially manufactured for the specific purpose and intent as listed below; and the applicant must agree to not alter the intended use.

All projects must meet the definitions and standards of an eligible BMP on an agricultural operation. As such, eligible owner/operators listed in the application must meet the definition of an Agricultural Operation found in Attachment 5 of the REAP Guidelines and the equipment must be utilized on farm ground that is operated by the REAP applicant.

The Commission will not approve applications for tax credits for any equipment that was purchased more than 3 years prior to the submission of the application.

**The SCC reserves the right to deny an application for equipment if the cost of the equipment is not within reasonable and fair market value as determined by the Commission. The SCC reserves the right to deny an application that does not meet the intent of the standards set forth for the equipment by the SCC.**

*See below for the **REAP Equipment Trade-In Policy***

#### **No-Till Planting Equipment:**

**Intent:** The no-till planter or drill must be capable of placing seeds at the optimum depth for germination and growth in untilled soil with residue cover. Used equipment be in good-working order and all wear items must meet or exceed manufacturer's guidelines for wear replacement parts as certified by a qualified equipment dealer.

- A completed REAP No-Till Equipment Purchase Certification form (p8 of the REAP application) must be submitted by the applicant. The equipment must be certified that it meets the above criteria by a qualified farm equipment dealer authorized by the Commission.
- All used equipment must be certified by a dealer representative to meet the above used equipment criteria - using p8 of the REAP Application
- New equipment shall have a REAP lifespan of 7 years. Used equipment's REAP lifespan is 3 years.
- The cost of operator-installed parts, repair, or refurbishing of existing equipment is not eligible for REAP tax credits.
- REAP-Eligible costs are capped at \$300,000 per planter/drill.

#### **Precision Nutrient Application Equipment:**

**Intent:** The equipment must be capable of applying nutrients at variable rates across a crop field according to automatic data input from computerized maps or optical sensors. Used equipment be in good-working order and all wear items must meet or exceed manufacturer's guidelines for wear replacement parts as certified by a qualified equipment dealer.

- A completed REAP Precision Application Equipment Certification (p9 of the REAP Application) must be submitted by the applicant. The equipment must be certified that it meets the above criteria by a qualified farm equipment dealer authorized by the Commission.
- All used equipment must be certified by a qualified farm equipment dealer to meet the above used equipment criteria.
- Only the components necessary to apply nutrients at variable rates are eligible for REAP tax

credits. Examples include: hydraulic motors, variable rate drives, section control, nozzle controls.

- Monitors and displays necessary to control the components are eligible.
- Components necessary to upgrade application equipment to variable rate capabilities are eligible.
- REAP-eligible costs will be capped at \$70,000 per equipment purchase.
- Components on manure spreaders and spinner-type granular fertilizer spreaders are not eligible for REAP tax credits.
- Costs of subscription services are eligible only in the initial year of the purchase of REAP eligible precision nutrient application equipment and are limited to 1 year in duration.
- Precision nutrient application equipment shall have a REAP lifespan of 3 years.
- The cost of operator-installed parts, repair, or refurbishing of existing equipment is ineligible for REAP tax credits.

### **Low-Disturbance Manure Injection Equipment:**

**Intent:** The equipment is capable of injecting manure effectively at a shallow depth (approx. 4" maximum) while creating minimal surface disturbance. Used equipment must be in good-working order and all wear items must meet or exceed the manufacturer's guidelines for wear replacement parts as certified by a qualified equipment dealer.

- The equipment must be used in a manner consistent with the provisions of a current Conservation Plan/Ag E&S Plan and a current Nutrient Management Plan/Manure Management Plan.
- The purchase of equipment must include field setup by an equipment dealer.
- A completed REAP Low Disturbance Manure Injection Equipment Certification form (p10 of the REAP Application) must be submitted by the applicant. The equipment must be certified that it meets the above criteria by a qualified farm equipment dealer authorized by the Commission.
- All used equipment must also be certified by a qualified dealer to meet the above equipment criteria.
- New equipment shall have a REAP lifespan of 7 years. Used equipment's REAP lifespan is 3 years.
- The costs of operator-installed parts, or repair of existing equipment is ineligible for REAP tax credits.
- Manure transport tanks, drag line equipment, and pumping equipment are not eligible.

### **Cover Crop Equipment:**

**Intent:** Eligible equipment's primary use is for the establishment and management of cover crops.

- Cover crop rollers are eligible for REAP tax credits. Rollers must be designed with chevron-shaped crimper blades to be eligible for REAP tax credits.
- Cover crop spinners attached to harvesting equipment are eligible for REAP tax credits.
- Drones used for establishing cover crops are eligible for REAP tax credits as a pilot program in FY 2023. REAP-eligible costs are capped at \$20,000.
- Equipment that is capable of spreading both cover crop seed and nutrients is eligible. REAP-eligible costs are capped at \$50,000.
- New equipment shall have a REAP lifespan of 7 years. Used equipment's REAP lifespan is 3 years.
- Equipment utilizing new technology or new methodology may be eligible for REAP credits on a case-by-case basis, as determined by the Commission.

### **Equipment Performance Upgrade Kits:**

**Intent:** Eligible upgrade kits for no-till planting equipment will improve the no-till planting capabilities of no-till equipment and the precision nutrient placement capabilities of the equipment. Eligible upgrade

kits for application equipment will improve the automatic variable rate nutrient placement capabilities of the equipment.

- A completed REAP No-Till Equipment Purchase Certification form (p8 of the REAP application) must be submitted by the applicant. The equipment must be certified that it meets the above criteria by a qualified farm equipment dealer authorized by the Commission.
- Upgrade kits shall have a REAP lifespan of 3 years.
- All installation work must be completed and certified by a qualified farm equipment dealer.
- REAP-eligible costs are capped at \$70,000 per piece of equipment.
- Upgrade kits for no-till equipment must include precision nutrient placement capabilities.
- Upgrade kits for application equipment must include automatic variable rate nutrient application capabilities.
- Equipment utilizing new technology or new methodology may be eligible for REAP credits on a case-by-case basis, as determined by the Commission.

### **REAP Equipment Trade-In Policy**

**This policy applies to the following:** No-Till Planters and Drills, Low Disturbance Manure Injection Equipment

In some circumstances, an applicant may wish to sell or trade in a piece of equipment for which the applicant has received a REAP tax credit prior to the expiration of the required lifespan under the REAP program (7 years for new equipment, 3 years for used equipment). The Equipment may be traded for REAP-eligible equipment under the following conditions:

- The applicant must immediately make a request to the Commission.
- The applicant is trading the original equipment for another piece of equipment which will allow the farmer to utilize the equipment on a comparable or larger number of acres.
- An "Equipment Certification Form" must be submitted for the new piece of equipment.
- The applicant will be eligible for a REAP tax credit, based on the difference between the purchase price of the original equipment and the purchase price of the new equipment. The applicant must submit a new REAP application for these costs.
- If the applicant receives REAP tax credits for the difference between the cost of the original equipment and the cost of the new equipment, the REAP lifespan requirement resets with the new piece of equipment.
- If the applicant does not wish to apply for additional REAP tax credits, the remaining years of the REAP lifespan for the original equipment will transfer to the new equipment. The new equipment must be used until the REAP lifespan requirement of the original equipment has been met.
- If the recipient of a REAP tax credit sells or trades equipment prior to the expiration of its REAP lifespan without replacing it with a comparable piece of REAP-eligible equipment, the recipient may be required to repay a prorated portion of the tax credit.
- If the recipient of a REAP tax credit sells or trades equipment prior to the expiration of its REAP lifespan without notifying the State Conservation Commission, the recipient is subject to the provisions of the REAP statute which require the recipient to return to the Department of Revenue the full amount of the tax credit originally granted.

## Attachment 3

## REAP Cover Crop Guidelines

*\*See p12 of the REAP Application for the REAP Cover Crop Worksheet*

### Cover Crop

Reportable Units: Ac.

Lifespan: Annual (FY)

Tax Credit Rate: 50%; **90% for multi-species cover crop in an ag-impaired TMDL watershed**

REAP Conditions as follows:

- Applicants may apply for up to 3 years of proposed cover crop plantings on a single REAP application. Invoices must be submitted at the end of each year's cover crop establishment. Sponsored applicants are limited to 1 year of cover crops. Implementation costs are eligible only within the fiscal year (July 1 – June 30) in which they are incurred.
- **Multi-species cover crop definition:** A seed mix that consists of a grass/small grain species plus a minimum of 2 broadleaf species; in which the cumulative **seeding rate** of the grass/small grain species does not exceed **1.5 bu/ac**; and the mix includes at least **5lbs/ac** of the broadleaf species.
- Applicants who have received 3 or more years of REAP tax credits for a single-species cover crop are eligible for multi-species cover crop only.
- Completion of the **REAP Cover Crop Worksheet** (p12 of the REAP Application) is required.
- Total REAP-Eligible costs are capped at \$50/acre for single-species plantings and \$80/acre for multi-species plantings.
  - a. REAP-eligible costs for drilling the seed are capped at \$25/ac. REAP-eligible costs for broadcasting are capped at \$18/ac.
  - b. REAP-eligible costs for seed grown by the REAP applicant is capped at \$12/bu.
- All seed used for cover crops must be tested and properly labeled in accordance with the PA Seed Law and regulations. Seed grown by the applicant must be tested for purity, germination, and absence of noxious weeds by a recognized seed laboratory prior to seeding.
- Spreading of manure on the cover crop must be consistent with a current Nutrient Management Plan or Manure Management Plan.
- Crops harvested for grain are not eligible for REAP tax credits. Fertilizer, lime, tillage, and herbicide costs are not eligible for REAP tax credits.

*The Commission reserves the right to prioritize multi-species cover crop applications over single-species plantings; and to prioritize new applicants over applicants who have previously received REAP tax credits for cover crop plantings.*

*The Commission reserves the right to deny applications for multi-species cover crop that do not meet the Commission's intent set forth in the REAP Guidelines.*

## Attachment 4

# Verification Signatures

## Verification Signatures for REAP Eligibility

*Applies to: REAP Application Section 2 (signatures on p4)*

The following individuals are qualified to provide the necessary REAP-eligibility verification signatures:

- Conservation District technicians with appropriate training and experience in PA Clean Streams Law compliance.
- USDA/NRCS technicians who are certified in conservation planning with appropriate training and experience in PA Clean Streams Law compliance.
- Act 38-certified Nutrient Management Plan writers/technicians.

The individual signing the Verification Page in Section 2 of the REAP application is verifying that the applicant's answers to questions on pp2-3 of the REAP application are accurate and true.

For example, if the applicant indicates that plans exist on all acres operated and are fully implemented, the verifier is certifying that to be true. If the applicant indicates that plans do not exist or are not fully implemented, the verifier is certifying that the answer is true; and that the applicant is applying for cost associated with plan writing; or does not need the plans in question; or the applicant's explanations regarding development of plans. **If an applicant's answers are not accurate or truthful, the verifier should not certify (by signing p4) the REAP application.**

**IMPORTANT:** Please note that **BOTH** Section 2A and Section 2B must be verified on p4 of the REAP application by a qualified individual, even if there are no animals present on the operation. If an applicant answers "NO" to question B1. on p2 of the application, the accuracy of that answer must be verified on p4.

The individual signing the Verification Page must not have a potential conflict of interest with the applicant. The individual shall not verify an application pertaining to their own farming operation, an application for immediate family members (parent, spouse, child, brother, or sister), or a business with which the individual or a member of their immediate family is associated.

Verification signatures provided by qualified staff at the County Conservation District do not require an action of the District Board.

***The Commission reserves the right to disqualify any individual from providing a Verification Signature.***

## Verification Signatures for Equipment Purchases

*Applies to: REAP Application pp8-10*

For equipment purchases, equipment dealers and others as determined by the Commission (on a case-by-case basis) are qualified under the REAP program to sign the "Dealer Certification" forms in the REAP Application.

The individual signing on the Dealer Certification forms must not have a conflict of interest with the applicant. The individual cannot certify their own equipment, equipment purchased by an immediate family member, or a business with which the individual or a member of immediate family is associated.

***The Commission reserves the right to disqualify any individual from providing a Verification Signature.***



## Attachment 5

## Definitions

**Act 13 of 2019 (Section 1702-E)**

**AGRICULTURAL EROSION AND SEDIMENTATION CONTROL PLAN** - A site-specific plan that:

- (1) meets the requirements of the act of June 22, 1937 (P.L. 1987, No. 394), known as The Clean Streams Law, and 25 Pa. Code Ch. 102 (relating to erosion and sediment control); and
- (2) identifies best management practices to minimize accelerated erosion and sediment from an agricultural operation.

**AGRICULTURAL OPERATION** - The property on which occur the management and use of farming resources for the production of crops, livestock or poultry, or for equine activity.

**ANIMAL CONCENTRATION AREAS** - An exterior area of an agricultural operation subject to rainfall where livestock congregate, including a barnyard, a feedlot, a loafing area, an exercise lot or other similar animal confinement area that will not maintain a growing crop, or where deposited manure nutrients are in excess of crop needs.

**BEST MANAGEMENT PRACTICE (BMP)** - A practice or combination of practices determined by the State Conservation Commission or United States Department of Agriculture Natural Resources and Conservation Service to be effective and practical; considering technological, economic and institutional factors; to manage nutrients and sediment to protect surface water and groundwater.

**BUSINESS FIRM** - An entity authorized to do business in this Commonwealth and subject to the taxes imposed by Article III, IV, VI, VII, VIII, IX or XV.

**COMMISSION** - The State Conservation Commission.

**CONSERVATION DISTRICT** - A county conservation district established under the act of May 15, 1945 (P.L. 547, No. 217), known as the Conservation District Law.

**CONSERVATION PLAN** - A United States Department of Agriculture Natural Resources Conservation Service plan, including a schedule for implementation, that identifies site-specific conservation best management practices on an agricultural operation.

**DEPARTMENT** - The Department of Revenue of the Commonwealth.

**ELIGIBLE APPLICANTS** - Any of the following subject to the taxes imposed by Article III, IV, VI, VII, VIII, IX or XV:

- (1) A business firm.
- (2) An individual.
- (3) Individuals filing jointly.

**EQUINE ACTIVITY** - The term includes the following activities:

- (1) The boarding of equines.
- (2) The training of equines.
- (3) The instruction of people in handling, driving or riding equines.
- (4) The use of equines for riding or driving purposes.
- (5) The pasturing of equines.

The term does not include activity licensed under the act of December 17, 1981 (P.L. 435, No. 135), known as the Race Horse Industry Reform Act.

**INDIVIDUAL** - A natural person.

**LEGACY SEDIMENT** - Sediment that meets all the following conditions:

- (1) Was eroded from upland areas after the arrival of early Pennsylvania settlers and during centuries of intensive land use.
- (2) Was deposited in valley bottoms along stream corridors, burying pre-settlement streams, floodplains, wetlands and valley bottoms.
- (3) Altered and continues to impair the hydrologic, biologic, aquatic, riparian and water quality functions of pre-settlement and modern environments.

**MANURE MANAGEMENT PLAN** - A written site-specific plan that:

- (1) outlines practices for the land application of manure and agricultural process wastewaters acceptable to the commission; and
- (2) is developed to meet the requirements of 25 Pa. Code § 91.36(b) (relating to pollution control and prevention at agricultural operations).

**NUTRIENT MANAGEMENT PLAN** - As defined under 3 Pa.C.S. Ch. 5 (relating to nutrient management and

odor management).

**NUTRIENT MANAGEMENT SPECIALIST** - As defined under 3 Pa.C.S. Ch. 5 (relating to nutrient management and odor management).

**PASS-THROUGH ENTITY** - A partnership as defined in section 301(n.0) or a Pennsylvania S corporation as defined in section 301(n.1).

**QUALIFIED TAX LIABILITY** - The liability for taxes imposed upon an eligible applicant under Article III, IV, VI, VII, VIII, IX or XV. The term shall not include any tax withheld by an employer from an employee under Article III.

**RIPARIAN FOREST BUFFER** - An area of mostly trees or shrubs which is adjacent to and up-gradient from watercourses or water bodies and which meets standards established or adopted by the commission.

**TECHNICAL SERVICE PROVIDER** - An individual, entity or public agency certified by the United States Department of Agriculture Natural Resources Conservation Service and placed on the approved list to provide technical services to program participants or to the United States Department of Agriculture program participants.

**TOTAL MAXIMUM DAILY LOAD or (TMDL)** - The sum of individual waste load allocations for point sources, load allocations for nonpoint sources and natural quality and a margin of safety expressed in terms of mass per time, toxicity or other appropriate measures.

**USDA-NRCS** - The United States Department of Agriculture Natural Resources and Conservation Service.

Terms not found in Act 55, as defined by the Commission:

**SPONSOR** - A business subject to the following Pennsylvania Taxes (personal income tax, corporate net income tax, capital stock and franchise tax, bank shares tax, title insurance company premiums tax, insurance premiums tax, and mutual thrift institutions tax) which receives a REAP Tax Credit based on the amount of funding it contributes toward eligible farm conservation projects. The business is the direct recipient of the REAP tax credits.

**AGRICULTURAL OPERATION:** as it relates to the \$250,000/7-yr credit limit.

For purposes of evaluating REAP applications and applying tax credit limits prescribed in Section 1703-E (B) of the Act, the Commission will consider an eligible applicant as a single “agricultural operation” where ...

all tracts of land, whether contiguous or non-contiguous, are under the common ownership and or common management control of the person; whether as an individual, corporation, partnership or other legal entity; applying for the REAP tax credit; and have organizational structures that include or retain the same (or significantly similar) ownership, management, directors, officers or shareholders; or which utilize substantially common management or production resources such as land, equipment, labor, accounting and business systems to support one or more farm enterprises, partnerships, corporations, or other farm-related entity.

Entities with similar organizational structures or which utilize substantially common management and production resources will be considered a single AGRICULTURAL OPERATION for purposes of REAP tax credits.

**Please note:** For REAP purposes, the operator of the agricultural operation receiving REAP tax credits is considered the property owner.

# Resource Enhancement and Protection Program



## APPLICATION

Fiscal Year 2023

(July 1, 2023 – June 30, 2024)

State Conservation Commission  
2301 North Cameron Street  
Harrisburg, PA 17110

Phone: (717) 705-4032  
SCC Main office: (717) 787-8821



## REAP APPLICATION INSTRUCTIONS

**2023-24**

The Commission will accept FY 2023 REAP applications beginning **August 6<sup>th</sup>, 2023**. Please send applications to the following address:

State Conservation Commission  
REAP Tax Credit Program  
2301 North Cameron Street  
Harrisburg, PA 17110-9408

Applications must be typed or neatly printed. **Emailed applications should be sent to:** [jsemke@pa.gov](mailto:jsemke@pa.gov)

**Applications will be accepted on a first-come, first-served basis.**

Applications will be accepted for projects that are **proposed** or **completed** (or mixed) at the time of application. Proposed purchases of equipment must be completed by **June 30, 2024**. Projects involving the implementation of structural BMPs must be on-schedule to be completed by **June 30, 2025** to be eligible. Applicants may apply for proposed cover crop planting through **June 30, 2026**.

Tax credits are awarded upon completion of the project. The applicant must provide to the Commission paid receipts for the project and project certification information from a qualified individual. All projects must meet the design and certification standards established by the Commission (See Att 1 of the REAP Guidelines).

The Commission will process all applications within 60 days of receipt of a complete application, and will notify the applicant, in writing, if the application meets the requirements for an eligible project.

Applicant contact information, tax information, and agricultural operation location information is provided in **Sec 1** of the REAP application.

Applicant eligibility is determined in **Sec 2**. Applicant eligibility must be verified on p4 by a qualified individual. **Please note:** Both sections of p4 must be verified by a qualified individual; even if there is no livestock present on the operation.

*Please refer to p1 of the REAP Guidelines for more information regarding applicant eligibility.*

*Please refer to Att 4 of the REAP Guidelines for more information regarding who is qualified under the REAP tax credit program to provide eligibility verification signatures.*

Please refer to p5 of this application for instructions on completing **Sec 3**.

Please refer to p5 of this application for information regarding BMPs that are eligible for a REAP tax credit of 90% of out-of-pocket costs.

Please refer to Att 1 of the REAP Guidelines for additional information regarding eligible projects.

**Please refer to the REAP Guidelines for more information on sponsorship of REAP projects.**

Please refer to the REAP Guidelines for information regarding the use of REAP tax credits.

Parts of this Application may require the assistance of your local Conservation District, USDA/NRCS office, or a qualified private-sector technical service provider.

## REMINDERS

### Before you submit the REAP Application, make sure you have....

- √ Provided accurate tax identification information. Please note that the tax credit will be awarded to the Social Security Number (SSN) or EIN number that you submit. Sole Proprietorships must provide an SSN. Business entities that are organized as an LLC must provide an SSN along with the business EIN.
- √ Answered **all** eligibility questions on pp 2-3.
- √ Both sections of p4 are signed by a qualified person.
- √ Completed the REAP Project Cost/Funding Summary Table (pp5-6)
- √ Signed and dated the application on p7.
- √ *For sponsored applications, please ensure that: the sponsor has completed their information on p1; page 7 is signed; you have included the sponsorship addendum page (14).*

### If you are applying for plans, please provide the following:

- √ For proposed Plans: a cost estimate and a total acreage on p6.
- √ For completed Plans: copies of receipts with date completed, total cost, and acreage data.

### If you are applying for equipment, please provide the following:

- √ For proposed purchases: A cost estimate; or dealer quote; or purchase order.
- √ For completed (delivered) purchases: the corresponding equipment dealer certification form (pp 8, 9, 10) and a copy of the dated sales receipt/invoice. No certification form is required for cover crop equipment.

### If you are applying for cover crops, please provide the following:

- √ Cover Crop Worksheet (p12) and receipts for completed plantings. If applying for proposed plantings, please provide estimates for future years at the top of p12. Please refer to Att 3 of the REAP Guidelines for more information regarding planting seed costs.

### If you are applying for a Manure Storage Facility, Animal Heavy Use Area Protection, Animal Mortality Facility, or Composting Facility please provide the following:

- √ Storage Facility & Animal Heavy Use Area Protection Worksheet (p11).

*Important note regarding operation expansions:* Projects that include an expansion of an agricultural operation by greater than 25% may be subject to a 50% reduction of REAP-eligible costs. Under-barn manure storages – unless certified by NRCS to be necessary for the treatment of an existing resource concern – are not eligible for REAP tax credits.

### If you are applying for a any other BMP project, please provide the following:

- √ For proposed projects: cost estimates, estimated other public funding at time of application (if applicable), estimated project completion date on p6.
- √ For completed projects: copies of all receipts (including any of your own labor), all records of other public funding associated with the project, and appropriate certification data (p13).



**SECTION 1A - APPLICANT INFORMATION**

APPLICANT NAME/BUSINESS NAME:

|                             |                              |
|-----------------------------|------------------------------|
| MAILING ADDRESS:<br>street: | TOTAL REAP REQUEST: (sum p6) |
|-----------------------------|------------------------------|

city state zip

phone: email:

CONTACT NAME: (if different than applicant name)

The **APPLICANT** is:

The owner/operator of the property on which the project will be completed

A sponsor of the project

*For projects involving a sponsor, a signed written agreement between the sponsor (applicant) and the owner/operator of the property on which the project is located must be completed, attesting that the owner/operator will comply with all the requirements associated with the award of the REAP tax credit, including the obligation to maintain the sponsored BMP(s). A sample agreement is available upon request. Both the sponsor's and the property owner's signature must appear in the appropriate sections of this application (p7 & addendum).*

**TAX INFORMATION:**  
 REAP Tax Credits will be issued under the SSN for Individuals or Sole Proprietorship. REAP Tax Credits will be issued under the FEIN for the corporate entity. Single-member LLC entities must provide a FEIN and SSN.

SSN:

Federal Employer Identification Number(FEIN): PA Revenue ID (if known):

**Please check which type of business entity**

|            |                     |                             |             |        |
|------------|---------------------|-----------------------------|-------------|--------|
| Individual | LLC                 | S Corp                      | Partnership | C Corp |
| Bank       | Limited Partnership | Other entity (please list): |             |        |

**Section 1B: OPERATION INFORMATION (if different than Sec 1A)**

OPERATOR NAME: Operator SSN or FEIN:

phone: email:

MAILING ADDRESS:  
street

city state zip

county: township:

OPERATION ADDRESS: (if different than mailing address)  
street

city state zip

county: township:

**Section 1C: GENERAL PROJECT INFORMATION**

This application is for projects which include: (check all that apply)

Planning (Conservation Plan, Ag E&S Plan, Nutrient Management Plan, Manure Management Plan)

Purchase of Equipment

Other Best Management Practices (BMPs)

**for constructed BMP projects\*:**

Yes No Did you receive public funding from any other source? (EQIP, ACAP, Growing Greener, etc.)

Yes No Are you planning to apply for funding from any other source?

*\*Answers do not impact the REAP application process and are used solely for record keeping purposes.*

**SECTION 2 - REAP Eligibility**

Section 2 must be completed by the owner/operator of the project.

**A. Conservation and Agricultural E&S (Ag E&S) Plans**

1. Do you have current and up-to-date **Ag E&S Plans** or **NRCS Conservation Plans** for all acres owned or operated that meet the requirements of regulations found in **Chapter 102.4(a) of the PA Clean Streams Law**? These include:

- \* Cropland must be treated to eliminate ephemeral or classic gullies
- \* Cropland must be treated to T (tolerable soil loss) over the crop rotation
- \* Cropland with less than 25% cover within 100 feet of a body of water must be treated with additional BMPs
- \* Animal Heavy Use Areas (AHUAs) must be treated to eliminate pollution runoff
- \* If you do no plowing or tilling, a Prescribed Grazing (528) Plan (where appropriate) or Mushroom Management Plan (where appropriate) meets the requirements of bullets 1-3 above.

Yes                      If you answered Yes, proceed to Question A.2

No                        If you answered No, you must include the development of Plans in this application for REAP tax credits on page 6 of this application. Please use the space provided below to list the entity assisting you with Plan development and an estimated date of completion of the Plans.  
REAP credits may be awarded for Plans prior to implementation of ACA BMPs.

2. If you answered Yes to Question A.1 above, is your plan fully implemented?

Yes

No                        If you answered No, list BMPs yet to be completed and an implementation schedule below:

**Please do NOT attach a copy of the plan**

**B. Nutrient/Manure Management Plans**

1. Do you have livestock, poultry, or equine on your operation; AND/OR import manure?

Yes                        If you answered Yes, proceed to **Question B.2**

No                        If you answered No, proceed to **page 4 (Verification Page)**

2. Is your operation a Concentrated Animal Operation (CAO) or Concentrated Animal Feeding Operation (CAFO)

Yes                        If you answered Yes, proceed to **Question B.3**

No                        If you answered No, proceed to **Question B.4**

3. Do you have a current Act 38 Nutrient Management Plan (NMP) for your CAO or CAFO operation?

Yes                        If you answered Yes, proceed to **Question B.5**

No                        If you answered No to Question B.3, you must include development of the NMP in this application for REAP tax credits. REAP credits may be awarded for the NMP prior to implementation of ACA BMPs. However, all ACA-related BMPs in the new plan must be fully implemented prior to receiving any other REAP credits.

4. If your operation is not a CAO or CAFO, do you have a Manure Management Plan that meets the requirements of the DEP regulations found in Chapter 91 of the PA Clean Streams Law?

Yes                      If you answered Yes, specify which plan below, then proceed to **Question B.5**

**voluntary Act 38 NMP or NRCS 590 Plan**                      **DEP Manure Management Plan**

No                      If you answered No, you must include the development of Plans in this application for REAP tax credits on p5; **OR** use the space provided below to list the entity assisting you with Plan development and an estimated date of completion of the Plans.

---

5. If you answered Yes to Question B.3 or B.4, is the Plan fully implemented?

Yes

No                      If you answered No, list the BMPs yet to be completed and an implementation schedule below:

---

6. Does this application cover REAP-eligible BMPs necessary to implement the Nutrient/Manure Management/NRCS 590 Plan?

Yes

No

**Please do NOT attach a copy of the plans.**

**C. Animal Concentration Areas**

7. Does your operation have any Animal Concentration Areas (**ACAs**) as defined below?

\* A livestock confinement area outside of housing facilities; including (but not limited to) barnyards, feedlots, loafing areas, exercise lots, or other similar animal confinement areas; that will not maintain a growing crop. Also included are significant heavy-use areas in a pasture system; such as cattle access ways, feeding areas, watering areas, and shade areas.

Yes

No

---

8. Does your operation have any untreated ACAs?

If necessary, use the evaluation below to help determine whether you have an untreated ACA. **Please note:** This is not a definitive list of resource concerns for an untreated ACA. Please consult a qualified individual at your County Conservation District, NRCS, or Commission staff for a complete evaluation of your ACAs.

- \* Is the area larger than 500sq ft?
- \* Does untreated, unfiltered runoff from the area enter the surface water?
- \* Does runoff from the areas present a significant negative impact to groundwater?
- \* Is the area within 50 feet of a well, spring, or sinkhole?

Yes

No

---

9. Does this application cover costs for REAP-eligible BMPs to address the ACA?

Yes

No

**The Commission reserves the right to determine the status of ACA issues on the owner/operator's ag operation.**



**REAP ELIGIBILITY VERIFICATION**

\*\*\*For more information, refer to REAP Guidelines Att 4\*\*\*

**Verifiers are attesting to the accuracy of the answers to the questions in Sec 2.**

**PLEASE NOTE:** Sections 2B and 2C must be verified below by a qualified individual, even if there is no livestock and/or manure handling on the operation.

**PLEASE NOTE:** The Important Additional Information section at the bottom of this page must be completed by the person verifying the applicant's REAP eligibility.

**Sec 2A: Conservation and Agricultural E & S Plans**

I affirm that I have reviewed the responses made **by the applicant** in **Section 2A**, and after due diligence and inquiry, I hereby affirm the foregoing to be true and correct to the best of my knowledge. I make these statements subject to the penalties of 18 PA.C.S.A §4904, relating to unsworn falsification to authorities.

NAME: (print)

TITLE:

ORGANIZATION OR BUSINESS:

PHONE:

VERIFICATION SIGNATURE:

**Sec 2 B & C: Nutrient/Manure Management Plans and Animal Concentration Areas**

I affirm that I have reviewed the responses made **by the applicant** in **Section 2B and 2C**, and after due diligence and inquiry, I hereby affirm the foregoing to be true and correct to the best of my knowledge. I make these statements subject to the penalties of 18 PA.C.S.A §4904, relating to unsworn falsification to authorities.

NAME: (print)

TITLE:

ORGANIZATION OR BUSINESS:

PHONE:

VERIFICATION SIGNATURE:

**Important Additional Information**

1. Total number of acres OPERATED\* by the applicant - and therefore covered by the verification signatures above. \_\_\_\_\_ acres

2. **For non-PA residents**, total number of acres of the agricultural operation in PA - and therefore covered by the verification signatures above. \_\_\_\_\_ acres

\*Reminder: The applicant's answers to the questions on pp 2-3 pertain to the entire operation (owned and rented).

**Section 3: Instructions**

*Please refer to Attachment 1 of the REAP Guidelines for a list of all REAP-eligible BMPs, equipment, and plans.*

*Please refer to Attachment 1 of the REAP Guidelines for a list of the units of measurement to use when completing the "Units Installed or Proposed" column on p6.*

The following BMPs should be entered in the "Planning BMPs" section: Ag E&S Plan, Conservation Plan, Nutrient Management Plan, DEP Manure Management Plan, Soil Health Tests, Variable rate nutrient application plans.

The following BMPs should be entered in the "Equipment BMPs" section: No-Till Planters and Drills, Manure Injectors, Precision Nutrient Application components, Cover Crop Equipment.

All other BMPs should be entered in the "All other BMPs" section.

Please enter the total cost of the project in the "Total Cost" column - prior to accounting for elements of the projects that were paid for by other grants/funding sources.

Please answer "yes" or "no" as to whether the specific BMP is treating an ACA-related resource concern. For more information about ACAs and BMPs typically used to treat runoff from ACAs, please refer to questions 7 & 8 on p3 of this application.

**In any watershed with an agriculturally-impaired written TMDL\*, the following BMPs are eligible for a REAP tax credit of 90% of out-of-pocket implementation costs:**

- ~ Riparian forest buffers that are 50+ ft wide.
- ~ Multi-species cover crop: please complete cover crop job sheet (p12).
- ~ Cover Crop Roller/Crimpers: please see Attachment 2 of the REAP Guidelines for more information.
- ~ Stream crossings and livestock exclusion from streams; and BMPs used in conjunction with stream crossings and livestock exclusion (e.g. Animal Trails & Walkways, Fence, and off-stream watering facilities)
- ~ Soil health tests and **Variable rate nutrient application plans.**

Please enter "90%" in the "REAP Rate" column if your operation is located in an ag impaired TMDL watershed AND the BMP you are applying for is listed above.

\*Please contact your County's Conservation District for more information regarding TMDL watersheds.

**For all BMPs not listed in the TMDL section above**, the "REAP Rate" column is completed according to your answers in the preceding checkboxes. Enter 75% if you answered "yes" to the "ACA?" question. Enter 50% if you answered "No" to the "ACA?" question. Please note: Manure Storages are not considered ACA treatments.

**For proposed projects**, please provide an estimate of when the project is scheduled to be complete (or the equipment delivered). An estimated date of completion is not necessary if the project is complete and the application includes all receipts and appropriate engineer certifications.

### Section 3: REAP Project Cost Summary Table

\*\*\*Please refer to Attachment 1 of the REAP Guidelines for the complete list of REAP-eligible BMPs. Please attach duplicate pages, if necessary.\*\*\*

| Eligible BMP               | Units Installed or Proposed | Total Cost (\$) | Other Public Funds (\$) | Source | Total Cost Minus Other Public Funds(\$) | ACA Treatment? (check one) |    | REAP Rate | REAP Request (\$) | Complete (C) or Proposed (P) | Proposed Date of Completion |
|----------------------------|-----------------------------|-----------------|-------------------------|--------|---|----------------------------|----|-----------|-------------------|------------------------------|-----------------------------|
|                            |                             |                 |                         |        |   | YES                        | NO |           |                   |                              |                             |
| <i>ex: Ag E&amp;S Plan</i> | 300 ac.                     | 4000            | 1500                    | NRCS   | 2400                                    |                            |    | 75%       | 1800              | P                            | 10/1/2021                   |
| <b>PLANNING BMPs</b>       |                             |                 |                         |        |   |                            |    |           |                   |                              |                             |
|                            | ac.                         |                 |                         |        |   |                            |    |           |                   |                              |                             |
|                            | ac.                         |                 |                         |        |   |                            |    |           |                   |                              |                             |
|                            | ac.                         |                 |                         |        |   |                            |    |           |                   |                              |                             |
| <b>EQUIPMENT BMPs</b>      |                             |                 |                         |        |   |                            |    |           |                   |                              |                             |
|                            | no.                         |                 |                         |        |   |                            |    |           |                   |                              |                             |
|                            | no.                         |                 |                         |        |   |                            |    |           |                   |                              |                             |
|                            | no.                         |                 |                         |        |   |                            |    |           |                   |                              |                             |
| <b>ALL OTHER BMPs</b>      |                             |                 |                         |        |   | ACA?                       |    | REAP Rate |                   |                              |                             |
|                            |                             |                 |                         |        |   | YES                        | NO |           |                   |                              |                             |
|                            |                             |                 |                         |        |   |                            |    |           |                   |                              |                             |
|                            |                             |                 |                         |        |   |                            |    |           |                   |                              |                             |
|                            |                             |                 |                         |        |   |                            |    |           |                   |                              |                             |
|                            |                             |                 |                         |        |   |                            |    |           |                   |                              |                             |
|                            |                             |                 |                         |        |   |                            |    |           |                   |                              |                             |
|                            |                             |                 |                         |        |   |                            |    |           |                   |                              |                             |
| <b>TOTAL</b>               |                             |                 |                         |        |   |                            |    |           |                   |                              |                             |

**SECTION 4 - Signature Page**

**Owner/Operator Signature**

I hereby give permission for the State Conservation Commission, its staff and/or its agents to review my Ag E&S plan and my Nutrient/Manure Management Plan, and all relevant records pertaining to these plans as part of the application review process.

I understand that any project receiving REAP credits is subject to on-site inspection by Commission staff and/or a representative of the Commission.

I understand that if a BMP is not properly maintained and managed for the required lifespan, as defined by the REAP Guidelines, I will be required to return the full amount of the tax credit granted for the BMP. I understand that if I provide prior written notification to the Commission that I am unable to maintain the BMP due to the sale of the property, cessation of an agricultural operation; or other factors; the Commission may direct the Department to prorate the amount of tax credit that shall be returned. I understand these provisions apply to any violations of the of the REAP Program Guidelines.

I understand and acknowledge that approved REAP applications are a "public record" under the Pennsylvania Right-To-Know Law (65 P.S. §§ 66.1 *et seq.*, as amended).

I agree to permit the State Conservation Commission, its staff and/or its agents to conduct site visits of the project location and to monitor the project for the lifespan of the project.

I affirm that I am authorized to legally bind the company, corporation, partnership or other legal entity whose name appears as the applicant and/or owner/operator (for projects involving a sponsor).

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

\_\_\_\_\_

Print Name(s) of Project Owner/Operator

\_\_\_\_\_

Printed Title or Affiliation to a Business (if applicable):

\_\_\_\_\_

Project Owner/Operator Signature

\_\_\_\_\_

Date

**For Projects Involving a Sponsor**

I affirm that I am authorized to legally bind the company, corporation, partnership or other legal entity whose name appears as the applicant and sponsor.

I affirm that there is a signed written agreement certifying that the project owner/operator will comply with all of the requirements associated with the award of the REAP tax credit.

I affirm that there is a signed written agreement between the sponsor and the owner/operator of the project regarding financial details of the sponsorship.

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

\_\_\_\_\_

Print Name(s) of Sponsor

\_\_\_\_\_

Sponsor Signature

\_\_\_\_\_

Date

\_\_\_\_\_

Owner/Operator Signature

\_\_\_\_\_

Date





**REAP Precision Nutrient Application Equipment Certification**

\*\*\*For more information, refer to REAP Guidelines Att 2\*\*\*

**Dealer Certification**

**I certify that the precision application equipment described below meets the following conditions:**

1. The equipment is capable of applying nutrient at variable rates based on automatic data input from maps or optical sensors; and the components are necessary for variable rate nutrient application.
2. For used equipment, all wear items meet or exceed manufacturer's guidelines for wear replacement parts.
3. The purchase agreement includes setup by a qualified representative of the dealership.
4. I have no conflict of interest as defined by the REAP Guidelines.

I affirm the information on this form to be true and correct, and make these statements subject to the penalties of 18 PA.C.S.A §4904, relating to unsworn falsification to authorities.

|                                    |              |              |
|------------------------------------|--------------|--------------|
| Dealer Representative Printed Name | for          | Company Name |
| Dealer Representative Signature    | Phone Number | Date         |

**Equipment Information**

Equipment Make, Model: \_\_\_\_\_

Serial Number(if applicable): \_\_\_\_\_

\*\*\*Please note: Only the precision ag **components** are eligible for REAP tax credits. Check all that apply:\*\*\*

- |                                 |  |
|---------------------------------|--|
| Displays, Monitors, Controllers | Variable rate drives, Hydraulic motors |
| GPS                             | Precision Spray Nozzles                |
| Section/Swath Control           | Upgrade Kits                           |

|                   |      |      |                              |
|-------------------|------|------|------------------------------|
| The equipment is: | New* | Used | Purchase Price (components): |
|-------------------|------|------|------------------------------|

**Applicant Certification**

**I certify that the equipment described above will be:**

1. Utilized to apply nutrients at variable rates across crop fields in accordance with data input from maps or optical sensors.
2. Maintained for the designated lifespan of the equipment, which is 3 years.
3. Utilized by the owner/operator on an agricultural operation that is identified in this application.

I understand that REAP-eligible costs will be capped at \$60,000 per purchase. I understand that components on manure spreaders and spinner-type granular fertilizer carts are not eligible for REAP tax credits.

I understand that costs for subscription services are eligible only in the initial year of the purchase of REAP eligible precision nutrient application equipment and are limited to 1 year in duration.

I agree to allow inspections by the State Conservation Commission, its staff, or agents thereof to ensure that my operation is maintaining the equipment for its REAP lifespan; and is utilizing the equipment as intended by the Commission.

I agree to provide to the SCC the information requested below concerning my operation.

I affirm the information on this form to be true and correct, and make these statements subject to the penalties of 18 PA.C.S.A §4904, relating to unsworn falsification to authorities.

**Please provide the following information:**

|   |             |
|---|-------------|
| Acres planted no-till annually:   | _____ acres |
| Acres of cover crops planted annually:                                    | _____ acres |
| Acres that receive automated precision application of nutrients annually: | _____ acres |

|                |                     |      |
|----------------|---------------------|------|
| Applicant Name | Applicant Signature | date |
|----------------|---------------------|------|



**REAP Manure Injection Equipment Certification**

\*\*\*For more information, refer to REAP Guidelines Att 2\*\*\*

**Dealer Certification**

**I certify that the manure injection equipment described below meets the following conditions:**

1. The equipment is in good working order and is capable of injecting manure at a shallow depth (approx. 4") with minimal soil disturbance.
2. The purchase agreement includes field setup by a qualified representative of the dealership.
3. For used equipment, all wear items meet or exceed the manufacturer's guidelines for wear replacement parts.
4. I have no conflict of interest as defined by the REAP Guidelines.

I affirm the information on this form to be true and correct, and make these statements subject to the penalties of 18 PA.C.S.A §4904, relating to unsworn falsification to authorities.

\_\_\_\_\_ for \_\_\_\_\_  
 Dealer Representative (print) Company Name

\_\_\_\_\_ Phone Number  
 Dealer Representative Signature

**Equipment Information**

Equipment Make, Model and Year:

Serial Number: \_\_\_\_\_ Check if serial number is not yet available

|  |   |
|--|---|
| The equipment is:      New*                  Used<br><br>*demo equipment is considered "new" | Purchase Price: \$ _____                    |
|  | Delivery Date/Expected Delivery Date: _____ |

**Applicant Certification**

**I certify that the equipment described above will be:**

1. Utilized in a manner consistent with the provisions of a current Ag E&S Plan and Nutrient/Manure Management Plan.
2. Adjusted to leave a minimum of 60% of crop residue on the surface.
3. Not altered in any way that increases soil disturbance beyond the original design of the equipment.
4. Maintained by the owner/operator for the designated lifespan of the equipment - 7 years for new equipment and 3 years for used equipment.
5. Utilized on an agricultural operation that is identified in this application.

I agree to allow inspections by the State Conservation Commission, its staff, or agents thereof to ensure that my operation is maintaining the equipment for its REAP lifespan; and is utilizing the equipment as intended by the Commission.

I agree to provide to the SCC the information requested below concerning my operation.

I affirm the information on this form to be true and correct, and make these statements subject to the penalties of 18 PA.C.S.A §4904, relating to unsworn falsification to authorities.

**Acres of manure injection on my operation annually: \_\_\_\_\_ acres**

\_\_\_\_\_  
 Applicant Name (print)

\_\_\_\_\_ Date  
 Applicant Signature



## REAP Storage Facility & Animal Heavy Use Area Protection Worksheet

### Waste Storage Facility, Animal Heavy Use Area Protection BMP (HUAP)

ANIMAL TYPE: \_\_\_\_\_

ANIMAL AEUs: \_\_\_\_\_

Current (prior to construction of BMP)

Proposed (if BMP is part of an operation expansion)

- |   |  |     |    |
|---|--|-----|----|
| 1 | Is the BMP listed in your current Ag E&S Plan or Nutrient/Manure Management Plan - as necessary to resolve an existing resource concern?                                       | YES | NO |
| 2 | Is the BMP part of a new animal facility?<br><b>Please note:</b> Facilities built within 1 year of a new animal facility are considered to be part of the new animal facility. | YES | NO |
| 3 | Is the BMP roofed?   | YES | NO |
| 4 | Is the Waste Storage Facility under-barn?  | YES | NO |
| 5 | If you answered "YES" to q.4, has a USDA/NRCS technician determined that the under-barn manure storage is necessary to resolve an existing resource concern?                   | YES | NO |
| 6 | Is the Waste Storage Facility for storing food waste?  | YES | NO |

Additional notes:

### NRCS Technician Certification *(only necessary for under-barn manure storage)*

I certify that USDA/NRCS has determined that the under-barn manure storage referenced above is necessary to adequately treat an existing resource concern on the agricultural operation listed in this REAP application.

\_\_\_\_\_  
Name (printed)

\_\_\_\_\_  
Title

\_\_\_\_\_  
County

\_\_\_\_\_  
USDA/NRCS Signature

\_\_\_\_\_  
Date

### Animal Mortality Facility, Compost Facility

ANIMAL TYPE\*: \_\_\_\_\_

ANIMAL AEUs\*: \_\_\_\_\_

\*if applicable Current (prior to construction of BMP)

Proposed (if BMP is part of an operation expansion)

COMPOST TYPE: \_\_\_\_\_ SOURCE: \_\_\_\_\_

- |   |  |     |    |
|---|--|-----|----|
| 1 | Is the BMP listed in your current Ag E&S Plan or manure plan necessary to resolve an existing resource concern.  | YES | NO |
| 2 | Is the BMP part of a new animal facility?<br><b>Please note:</b> Facilities built within 1 year of a new animal facility are considered to be part of the new animal facility. | YES | NO |
| 3 | Is the structure roofed?   | YES | NO |

### Applicant Certification

**I certify the following:**

- 1 A roofed BMP under the REAP Tax Credit Program may only be used for its intended purpose as defined by the Commission. It may not be converted to any other use for the entire REAP lifespan (10 years) of the BMP.
- 2 REAP-eligible costs may be reduced for expansions over 25%.
- 3 Under-barn waste storages are not eligible for REAP tax credits unless certified by NRCS as necessary to adequately address existing resource concerns

I have read and understand the information on this worksheet.

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

\_\_\_\_\_  
Applicant Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date





**REAP Cover Crop Worksheet**

*\*\*\*For more information, refer to REAP Guidelines Att 3\*\*\**

- 1 To qualify as a multi-species cover crop, the seed mix must consist of grass species plus a minimum of 2 broadleaf species; in which the **seeding rate of the grass species does not exceed 1.5 bu/ac; and the seed mix includes a minimum of 5lbs/ac of the broadleaf species.**
- 2 REAP-eligible costs for single-species cover crop is capped at \$50/ac. REAP-eligible costs for multi-species cover crop is capped at \$80/ac.
  - a. REAP-eligible costs for planting are capped at \$25/ac.
  - b. REAP-eligible costs for seed grown on the applicant's operation are capped at \$12/bu.
- 3 Crops harvested for grain are not eligible for REAP tax credits.

**Planting Information:** (for proposed plantings, provide estimates in the space below for the first year only)

**Single-Species:** Yr 1 \_\_\_\_\_ ac. Yr 2 \_\_\_\_\_ ac Yr 3 \_\_\_\_\_ ac.

**Multi-Species:** Yr 1 \_\_\_\_\_ ac. Yr 2 \_\_\_\_\_ ac. Yr 3 \_\_\_\_\_ ac.

| Acres planted | Species | Seeding Rate | Planting Date | Termination Method/date (estimated) |
|---------------|---------|--------------|---------------|-------------------------------------|
|               |         |              |               |                                     |
|               |         |              |               |                                     |
|               |         |              |               |                                     |
|               |         |              |               |                                     |
|               |         |              |               |                                     |

Additional Notes (if necessary):

**Applicant Certification:** (subject to spot-check by State Conservation Commission)

**I certify the following:**

1. \_\_\_\_\_ acres (total) of cover crops were planted on the locations covered by this job sheet.
2. No other public funds were received for the cover crop plantings listed on this worksheet; or included in the attached receipts (submitted upon completion of planting).

I agree to allow inspections by the State Conservation Commission, its staff, or agents thereof to verify that the cover crops planted by the REAP applicant meet the definition and intent for the BMP as set forth in the REAP Guidelines.

I affirm the information provided on this form is true and correct; and make these statements subject to the penalties of 18 PA.C.S.A 4904, relating to unsworn falsification to authorities

I affirm the information submitted in the receipts/invoices (submitted upon completion of planting) is true and correct; and make these statements subject to the penalties of 18 PA.C.S.A 4904, relating to unsworn falsification to authorities

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date



**REAP Project Completion Certification for BMPs**

|                 |                           |
|-----------------|---------------------------|
| APPLICANT NAME: | REAP ID #(if applicable): |
|-----------------|---------------------------|

**BMP(s) certified as complete for the REAP Program\*:**

\*For projects utilizing other public funding: There is no need to complete this form if certification for the BMPs is provided elsewhere. Please provide copies of the certification forms.  
 Please provide appropriate units of measure for each BMP installed. (e.g. ft, sq ft, cu ft, acres, etc.)

| BMP: | Units installed | BMP: | Units installed |
|------|-----------------|------|-----------------|
|      |                 |      |                 |
|      |                 |      |                 |
|      |                 |      |                 |
|      |                 |      |                 |
|      |                 |      |                 |

List additional BMPs, if necessary, on a separate sheet.

Complete the appropriate certification below:

**BMP Completion Certification**

I certify that, to the best of my knowledge, the BMP(s) listed above have been installed to meet the requirements of the REAP Program Guidelines, and that the project design meets or exceeds the design standards and specifications of the NRCS Field Office Technical Guide. I certify that I have the appropriate job approval authority from NRCS to certify this project.

|                |                    |
|----------------|--------------------|
| Name (printed) | Title/Organization |
| Signature      | Date               |

~OR~

**Registered Professional Engineer Certification**

I certify that, to the best of my knowledge, the BMP(s) listed above have been installed to meet the requirements of the REAP Program Guidelines; and that the project design meets or exceeds the design standards and specifications of the NRCS Field Office Technical Guide.

|                    |   |
|--------------------|---|
| Name (printed)     | <div style="border: 1px solid black; width: 100%; height: 100%;"></div> |
| Title/Organization |   |
| Signature          |   |
| Date               |   |

Registered Professional Engineer's Seal

## Addendum to REAP Application for Projects Involving a Sponsor

### Certification of Participants

**Owner/Operator:** By signing below, I certify the following:

1. To the best of my knowledge, this BMP project meets the requirements set forth in: (check applicable provision)  
     \_\_\_\_ Chapter 91    \_\_\_\_ Chapter 83    \_\_\_\_ Chapter 102  
     regulations issued under sections 5 and/or 402 of The Clean Streams Law (35 P.S. §§ 691.5 and 691.402) for my operation.
2. I understand that \_\_\_\_\_, acting as a sponsor for this project through the PA REAP Program, is eligible to receive PA REAP tax credits upon completion of the BMP project.
3. I understand that I, the owner/operator, am ineligible to receive PA REAP tax credits for costs associated with the implementation of the same project.
4. I understand that I, the owner/operator, am solely responsible for maintenance of the BMP project.
5. I understand that I am solely responsible to comply with all the provisions of the PA Resource Enhancement and Protection Tax Credit Program and that I am considered the “property owner” for purposes of compliance with those provisions as set forth in section 1703-E of the REAP statute (72 P.S. § 8703-E).
6. I understand that projects authorized through the PA REAP Program may be subject to inspection by the Commission.

\_\_\_\_\_  
*Owner/Operator signature*

\_\_\_\_\_  
*date*

**Sponsor:** By signing below, I certify the following:

1. To the best of my knowledge, this BMP project meets the requirements set forth in: (check applicable provision)  
     \_\_\_\_ Chapter 91    \_\_\_\_ Chapter 83    \_\_\_\_ Chapter 102  
     of the regulations issued under sections 5 and/or 402 of The Clean Streams Law (35 P.S. §§ 691.5 and 691.402) for the operation that is the subject of this application.
2. I understand the State Conservation Commission reserves the right to deny an application for REAP credits if the cost of the project is not within reasonable and fair market value as determined by the Commission.
3. I understand that projects authorized through the PA REAP Program may be subject to inspection by the Commission).

\_\_\_\_\_  
*Sponsor signature*

\_\_\_\_\_  
*date*



COMMONWEALTH OF PENNSYLVANIA  
STATE CONSERVATION COMMISSION

April 26, 2023

**To:** State Conservation Commission Members

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

**RE:** Chesapeake Bay Update

Detailed information regarding 'Agenda Item B.6 - Chesapeake Bay Update' will be shared at the SCC May 9, 2023 public meeting.

## MEMORANDUM

TO: State Conservation Commission Members

FROM: Douglas M. Wolfgang, Executive Secretary *DMW*

DATE: April 26, 2023

RE: EPA Most Effective Basin award - \$4 million

Environmental Protection Agency's (EPA) Fiscal Year 2023 appropriations includes \$8 million that was targeted to the Chesapeake Bay Program budget for "state-based implementation in the most effective basins." Additionally, the Infrastructure Investment and Jobs Act, signed into law on November 15, 2021, authorized significant additional funding for Chesapeake Bay restoration. For FY 2023, EPA is providing \$15 million funding for areas in the Chesapeake Bay watershed that are most effective for nitrogen reduction. This results in an unprecedented \$23 million for MEB in FY 2023. The Commission was awarded \$4 million of those funds.

The proposed use of funds includes equal amounts for the following -

1. Activate the Sustainable Agriculture Board (per the Sustainable Agriculture Act), to award projects of up to \$25,000 (or \$50,000 if dollar per dollar match). This may provide the opportunity for Pennsylvania, through the Commission, to develop a statewide soil health program. Soil health is identified as a priority in the Chesapeake Bay Watershed Implementation Plan 3 (WIP 3) and is the foundation for "regenerative agriculture" practices, like cover crops and no-till.
2. Public-private partnership model for farm best management practices to build upon the successful project funded by the Commission in 2021 for direct engagement with farmers in the 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.

We will discuss these proposals and potentially seek Commission approval at the June meeting.



**COMMONWEALTH OF PENNSYLVANIA  
STATE CONSERVATION COMMISSION**

DATE: April 21, 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 March / April 2023.

For the months of March and April 2023, staff and delegated conservation districts have:

1. Odor Management Plans:
  - a. 17 OMPs in the review process
  - b. 10 OMPs Approved
  - c. 0 OMP approvals Rescinded
2. Reviewed and approved 128 Nutrient Management (NM) Plans in the 1<sup>st</sup> quarter of 2023.
  - a. Those approved NM plans covered 8,677 acres
  - b. Those approved NM plans included 14,217 Animal Equivalent Units (AEUs), generating 143,446 tons of manure.
3. Managing eight (8) ACTIVE enforcement or compliance actions, currently in various stages of the compliance or enforcement process. Monitoring an additional ten (10) 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. Spent considerable time in development of NMF budget, delegation amounts, and administrative function for the additional 'Covid dollars'

7. NM/OM Certification/CEC:
  - a. Approved 24 hours of NM and OM continuing education.
  - b. Facilitated the following trainings:
    - i. NM Orientation
    - ii. NM Plan Writing
  - c. Reviewed 8 Public Review Specialists NMP reviews as part of the certification training.
  
8. Commercial Manure Hauler / Brokers
  - a. Approved 15 hours of MH/B continuing education
  - b. 5 Act 49 inspection letters sent (includes in-office, onsite and affidavit letters.
  - c. Facilitated the following trainings:
    - i. MH/B Orientation
    - ii. Broker 2 training



**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:** April 21, 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:** April 19, 2023

**TO:** Members  
State Conservation Commission

**FROM:** Brady Seeley  
Conservation Program Specialist 2

Frank X. Schneider, Director  
Nutrient and Odor Management Programs

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

**SUBJECT:** 2023 Odor Management Plan Self Certification

The State Conservation Commission approved the use of an Odor Management Self Certification process on November 12, 2014.

On January 13, 2023, SCC staff mailed Odor Management Self Certification letters and forms to the following:

- 65 – No Odor Best Management Practice (BMP) plans
- 476 – Level 1 Odor BMP plans that require only the BMP Attestment Statement.

Those that received self-certification letters were given 6 weeks to return the forms.

As of this memo, the SCC has received the following self-certifications:

- 58 – No Odor BMP plans, an 89% return rate.
- 383 – Level 1 Odor BMP plans (Commitment Statement), an 80% return rate.

Between the two categories of self-certification sent, the following was reported:

- 367– No significant changes
- 5 – Significant changes already made
- 10 – Expect to make significant changes
- 1 – Under construction or other
- 1 – Plans Rescinded

SCC staff is in the process of contacting those that made significant changes, expect to make significant changes and others, to develop plans of action to bring those operations back into compliance.



**COMMONWEALTH OF PENNSYLVANIA  
STATE CONSERVATION COMMISSION**

**DATE:** April 26, 2023  
**TO:** Members  
 State Conservation Commission  
**FROM:** Karl J. Dymond  
 State Conservation Commission *KJ Dymond*  
**SUBJECT:** May 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 March 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 April 25, 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               | 6          | 5          | 15         | 3         | 29         |
| <b>Total</b>       | <b>184</b> | <b>190</b> | <b>491</b> | <b>30</b> |            |
| <b>Grand Total</b> |            |            |            |           | <b>895</b> |

As of April 25, 2023, there are eight hundred and ninety-five **approved** plans and/or amendments, nine plans have been **denied**, fifteen plans/ amendments have been **withdrawn** without action taken, one hundred and four plans/ amendments were **rescinded**, and eighteen plans/ amendments are going through the **plan review process**.

## OMP Actions Status Report

| Action    | OMP Name   | County     | Municipality      | Species  | AEUs    | OSI Score | Status    | Amend |
|-----------|--|------------|-------------------|----------|---------|-----------|-----------|-------|
| 2/28/2023 | Hillandale-Gettysburg, LP – Atlantic Layer       | Crawford   | E Fallowfield Twp | Layers   | 5730.88 | 32.5      | Approved  | C     |
| 3/3/2023  | King, Coby & Wayne – Home Farm                   | Lancaster  | Eden Twp          | Broilers | 175.07  | 33.8      | Approved  |       |
| 3/3/2023  | Martin, Irwin – Farms 1 & 2                      | Snyder     | Perry Twp         | Turkey   | 399.33  | 21.2      | Approved  | B     |
| 3/3/2023  | Musser, Curtis R – Swine & Turkey Farm           | Berks      | Bethel Twp        | Turkey   | 337.00  | 33.2      | Approved  |       |
| 3/3/2023  | Roaring Creek Egg Farms LLC – Gas Well Road Farm | Columbia   | Locust Twp        | Layers   | 380.76  | 59.5      | Approved  | A     |
| 3/6/2023  | Musser, Kevyn – Home Farm                        | Lancaster  | Rapho Twp         | Swine    | 436.88  | 18.4      | Approved  |       |
| 3/6/2023  | Zuck, Jeffrey H – Zuck Family Farm               | Lebanon    | S Lebanon Twp     | Broilers | 179.42  | 29.8      | Approved  | A     |
| 3/14/2023 | Martin, Louis – Poultry Farm                     | Lancaster  | E Earl Twp        | Broilers | 190.63  | 78.1      | Approved  |       |
| 3/14/2023 | Shuey, Tim & Debra – Poultry Farm                | Lebanon    | Union Twp         | Broilers | 154.24  | 63.9      | Approved  | A     |
| 3/24/2023 | Walter, Scott R – Broiler-Breeder Ben-Walt Farm  | Snyder     | Jackson Twp       | Layers   | 174.50  | 38.3      | Approved  |       |
| 3/24/2023 | Zimmerman, Jeffrey D – Turkey Farm               | Bedford    | Monroe Twp        | Turkey   | 248.50  | 35.9      | Approved  |       |
| 4/3/2023  | Eckman, Brian – Black Barren Road Farm           | Lancaster  | Fulton Twp        | Broilers | 250.00  | 27.2      | Approved  | A     |
| 4/13/2023 | Fischer, Randall                                 | Lebanon    | Bethel Twp        | Layers   | 152.00  | 71.1      | Rescinded |       |
| 4/13/2023 | Zimmerman, Curvin – Layer Farm                   | Lancaster  | Earl Twp          | Layers   | 125.20  | 59.4      | Approved  |       |
| 4/18/2023 | Bender, Mark – Home Farm                         | Union      | West Buffalo Twp  | Broilers | 160.48  | 19.0      | Approved  |       |
| 4/18/2023 | S. & A. Kreider & Sons, Inc – Stoner Farm        | Lancaster  | E Drumore Twp     | Cattle   | 500.00  | 42.7      | Approved  | B     |
| 4/18/2023 | Zimmerman, Linford R – Poultry Farm              | Cumberland | Penn Twp          | Broilers | 226.60  | 83.6      | Approved  |       |
|           |  |            |                   |          |         |           |           |       |

*As of April 25, 2023*



## 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

April 28, 2023

### **Activities: March - April**

- Administering NFWF-INSR Grant
  - Developing multifunctional riparian buffer workshops
  - Prepare for Agricultural BMP projects implementation.
  - Develop Municipal and public stormwater workshop
  - Organizing a regional farmer event to promote grass-based farms and soil health.
- Meetings /Events with Keystone Development Center to prepare a regional food feasibility study.
  - Value-Add processor meeting - Jefferson County
  - Block-chain update for regional food with Penn State University/Extension
  - Farmer meeting – data collection for feasibility study
  - Value-add processor and chef meeting – Blair County

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

----Allegheny Co – neighbor complaint – heavy use area and road use --resolved  
 ----Clinton Co. – assist with zoning and ACRE information  
 ----Lycoming Co. – assist with zoning and ACRE  
 ----Snyder Co – fly complaint

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

--Penn State Extension Council meeting  
 --PASA Conference – presentation on the feasibility study updates  
 -- Organizing a regional famer/food event with KDC  
 --Senator Ward’s office – preparation for municipal stormwater workshops  
 --Biosecurity outreach efforts –  
     Developing a general biosecurity article for Amish-circulated newspapers  
     Research new modalities to distribute information about farm biosecurity

### **Reports & Grant Applications**

NFWF – Reimbursement request  
 Growing Greener Grant updates for contract development – this funding is for manure storage designs.  
 PDA – Spotted Lanternfly grant application



## BUILDING BRIDGES

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

To: Members  
State Conservation Commission

May 9, 2023

From: Shelly Dehoff  
Agriculture/Public Liaison

Re: Agricultural Ombudsman Program Update

**Activities:** Since mid-March 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; wrapping up one grant, applying for additional
- Events as South Central Task Force (SCTF) Agriculture Subcommittee Planning Specialist:
  - Hosted/facilitated March and April Subcommittee meetings
  - Attended 2-day Animal Plant Health Criminal Epidemiological Investigations Course on ag and food sector threats and how to prepare/react
  - Working on educational campaign under Center for Poultry and Livestock Excellence grant, when people travel to Dominican Republic or Haiti offering relief after natural disasters; re: bringing foreign animal diseases back to the U.S.
  - Coordinating details for grain bin rescue kit trainings for 5 fire depts in 4 counties; 3 of 6 completed
  - Attended regional Homeland Security Conference; Ag Subcommittee offered 2 breakout sessions about dangers on the farm and dangerous livestock behavior for first responders; and combing a fire truck and a police cruiser for standard tools that can be used to corral or control livestock or poultry in emergency situations
  - Met with York Emergency Mgmt Agency interns and York Emergency Planner to discuss SCTF, HPAI, livestock evacuation planning considerations, biosecurity, and food supply chain
- Participated and recorded minutes for March and April Lancaster Co. Agriculture Council meetings
- Coordinated Conservation Foundation of Lanc Co meetings, and Exec Comm meetings; updating website needs, strategic planning preparation
- Continued participation in LCCD's Operational Assessment committee evaluate workplace dynamics, onboarding and leadership structure; and establishing a new Peer Mentoring program
- Provided draft publication highlighting the ACAP program to SCC for them to complete for statewide distribution
- Participated in "Grow PA Workforce" virtual meeting; other entities have interns charged to expand/grow/update the Ag and Food Careers in PA website. Making connections for ways to expand curriculum to career and technology schools in PA for livestock related or natural resource careers.
- Helped organize LCCD banquet and moderate the Scholarship benefit auction
- Part of LCCD Scholarship Committee deciding on high school candidates to interview, interviewing them and deciding who should receive the scholarships
- Participating in discussions about grant to study "manure sheds" and manure "sinks" in PA; PSU will lead efforts, but OMB/LCCD will stay in loop and decide level of involvement in the future
- Met with Secretary Redding, Deputy Secretaries, SCC staff and Lancaster and Blair Ombudsman programs for annual meeting to discuss goals and focus of OMB program in upcoming FY.
- Participated in Mentoring training by HR for new program through LCCD
- Went to observe a farmer who built his own injection equipment for dry, separated poultry litter; realizes would be more marketable if it could be modified for "raw" poultry litter

(pg 1 of 2)

**Local Government Interaction:** I have been asked to provide educational input regarding agriculture; Agenda Item C.2

- **Berks Co**—farmer concerned with poultry operation proposed to be located right in the middle of two existing poultry operations

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

- **Cumberland Co**-- Offered suggestions for farmer involved in farmer/local restaurant situation

**Research and Education Activities:**

- **Lancaster Co**—asked for input about translating publication in to PA Dutch; provided feedback that PA Dutch is a spoken language anymore instead of a written language
- **Lancaster Co**—Researched resources and options for farmer with Black Vulture problems with mortality composting facility

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

- **Lebanon Co**—repeat fly complaint from previous years
- **Cumberland Co**—new fly complaint
- **Franklin Co**—new fly complaint