

State Conservation Commission Meeting

March 13, 2018

PA Department of Agriculture

Agenda

Briefing Session – 10:00am

1. Review of Public Meeting Agenda items

Business Session – 1:00PM – 3:00PM

A. Opportunity for Public Comment

B. Business and Information Items

1. Approval of Minutes –
 - a. January 17, 2018 Public Mtg.(A)
 - b. February 13, 2018 Conference Call (A)
2. Nutrient and Odor Management Program
 - a. Nutrient Management Plan, Justin and Nadine Barclay, Leighton Pa, Carbon County – Michael Walker, SCC (A)
3. Dirt, Gravel and Low Volume Road Program
 - a. Changes to the Driving Surface Aggregate (DSA) Standards and Specifications – Roy Richardson, SCC (A)
 - b. Approval of the Letter of Understanding between Pennsylvania State University and the State Conservation Commission – Roy Richardson, SCC (A)
 - c. Approval of the Dirt, Gravel, And Low Volume Roads Program 5-year program agreement between the State Conservation Commission and conservation district. – Roy Richardson, SCC (A)
 - d. Overview of DGLVR Annual Summary Report (NA)- Steve Bloser, Center for Dirt and Gravel Road Studies.
4. REAP - Draft concepts to changes to the FY 2018-19 REAP Guidelines - J. Semke, SCC (NA)
5. Indiana County Conservation District Building Project, Request for Approval – Johan Berger, SCC; Adam Cotchen, Indiana County Conservation District.
6. Chesapeake Bay Program Update – Veronica Kasi, DEP (NA)

C. Written Reports

1. Program Reports
 - a. Act 38 Nutrient and Odor Management Programs Report
 - b. Act 38 Facility Odor Management Program - Status Report on Plan Reviews
 - c. 2018 Odor Management Plan Self Certification Status Report
 - d. Certification and Education Programs Accomplishment Report
 - e. REAP Program
2. Ombudsman Program Reports – Southern Allegheny Region (Blair County Conservation District and Lancaster County Conservation District).

D. Cooperating Agency Reports Adjournment

Next Public Meetings/Conference Calls:

April 10, 2018 - Conference Call

May 8, 2018 – PDA, Harrisburg PA

**STATE CONSERVATION COMMISSION
MEETING**

Toftrees Golf Resort, State College, PA

Wednesday, January 17, 2018 1:45 p.m.

Draft Minutes

Members Present: Secretary Russell Redding, PDA; Tim Schaeffer, DEP for Secretary Patrick McDonnell; Michael Flinchbaugh; Donald Koontz; Ron Kopp, Ross Orner; Ron Rohall, MaryAnn Warren; Denise Coleman, NRCS; Chris Houser, PSU for Dean Roush; Matt Keefer, DCNR for Secretary Cindy Adams Dunn; Adam Walters for Denise Brinley, DCED, Chuck Duritsa, PACD.

A. Public Input

There were no public comments presented.

B. Business and Information Items

1. a. Approval of Minutes – November 14, 2017 - Public Meeting.

Don Koontz moved to approve the November 14, 2017 public meeting minutes. Motion seconded by Mike Flinchbaugh. Motion carried.

b. Approval of Minutes – December 12, 2017 - Conference Call.

MaryAnn Warren moved to approve the December 12, 2017 conference call minutes. Motion seconded by Ross Orner. Motion carried.

2. Nutrient and Odor Management Program

- a. Odor Management Plan – Nelson H. Auker, Berks County – Karl Dymond, SCC. The Auker Farm is an existing broiler operation in Berks County and is a concentrated animal operation (CAO) under Act 38. This operation plans to remodel and expand its animal housing facility and manure storage. Since the Odor Site Index (OSI) for this proposed expansion exceeds 100, approval of this plan requires an action of the full commission (as per SCC policy). Staff has reviewed this plan and found that it meets the criteria established under the Odor Management Regulations.

Mike Flinchbaugh made a motion to approve the Nelson H. Auker Odor Management Plan. Motion seconded by Ron Rohall. Motion carried.

b. Odor Management Plan – Chris Hoover, Lancaster County – Karl Dymond, SCC.

The Hoover Farm is a proposed cage-free layer operation in Lancaster County. This is a new operation with an OSI of 116.98. Since the OSI for this plan exceeds 100, approval of this plan requires an action of the full commission (as per SCC policy). Staff has reviewed this plan and found that it meets the criteria established under the Odor Management Regulations.

Ron Rohall made a motion to approve the Chris Hoover Odor Management Plan. Motion seconded by Mike Flinchbaugh. Motion carried.

c. Nutrient Management Plan, Middle Branch Farm – Dr. Loree Guthrie, Monroe County – Frank Schneider, SCC.

Middle Branch Farm is an equine boarding and training operation in Monroe County, PA. The operation is considered a concentrated animal operation (CAO) and is required to have an Act 38 nutrient management plan. This plan is before the commission for consideration, because Monroe Conservation District does not have an active Nutrient Management Delegation agreement at this time. Staff has reviewed this plan and found that it meets the criteria established under the Nutrient Management Regulations.

Don Koontz moved to approve the Nutrient Management Plan for Middle Branch Farm. Motion seconded by Ross Orner. Motion carried.

3. Dirt, Gravel, and Low Volume Road Program

a. Changes to the Dirt, Gravel, and Low Volume Roads Program Conservation District Allocation Formulas – Roy Richardson, SCC

The Commission has historically utilized a funding formula to allocate Dirt, Gravel, and Low Volume funds to County Conservation Districts. The current version of this funding formula was adopted in FY 2014-15 when significantly higher levels of both Dirt, Gravel, and Low Volume Road funds were made available to the Commission. Commission and Center staff, in cooperation with the Program and Policy Work Group, have reviewed the current funding allocation and are recommending several minor changes and updates to the Dirt, Gravel, and Low Volume Road Program funding formula.

Roy Richardson reviewed the proposed changes to the Dirt and Gravel Road funding formula including 1) distance of a project from a high quality/exceptional value stream and 2) the elimination of the number of work sites from the formula. Program staff is recommending the ‘phase-in’ of the new formula over a 3-year period beginning in fiscal year 2018-2019.

Changes to Low Volume Road funding formula includes weighting factors pertaining to 1) the distance of a project from a stream and 2) projects proposed in a high quality/exception value stream watershed. There would not be a ‘phase-in’ of the formula changes. The new formula would be applied to the 2018-2019 fiscal year allocations.

Ron Kopp moved to approve the changes and updates to the Dirt, Gravel, and Low Volume Road Program funding formula. Motion seconded by Ron Rohall. Motion carried.

b. Changes to the Dirt, Gravel, and Low Volume Roads Program Statement of Policy – Roy Richardson, SCC

In July 1998, the Commission adopted a Statement of Policy for the Dirt and

Gravel Road Program. This Statement of Policy has not been updated since that date. Roy Richardson reported that Commission staff, in cooperation with the Policy and Planning Work Group and legal counsel, has revised this document to include the “low volume” road program component, add references to the Penn State Center for Dirt and Gravel Road Studies, and update record retention requirements for participating conservation districts.

Michael Flinchbaugh moved to approve the proposed revisions to the Dirt, Gravel, and Low Volume Road Maintenance Program Statement of Policy. Motion seconded by Ross Orner. Motion carried.

c. Dirt, Gravel, and Low Volume Roads Program – “Draft” 5-Year Agreement – Roy Richardson, SCC

Funding from the Dirt, Gravel, and Low Volume Road Maintenance Program is provided to participating conservation districts through a 5-year agreement. The current agreement is due to expire June 30, 2018. Roy Richardson reported that the current agreement will be extended for one year to allow conservation districts to expend any allocated funds under the current 5-year agreement. In preparation for a new 5-year agreement, Commission and Center staff, in cooperation with the Policy and Planning Work Group, have reviewed the 5-year agreement and are recommending several changes to the document, including:

- Extending the contract termination date 1 full year to allow districts 2 full years to complete project work at the end of the agreement
- Requiring all funds to be spent within 2 years of receipt
- Incorporating a quarterly reporting requirement for districts

Action Requested: Information only. No action requested.

4. Annual Conservation District Audit Report. Karen Books, DEP, reported that since 1999, the Commission has required conservation district financial records to be annually audited by a certified public accountant. These audits must be performed consistent with the latest version of the Government Auditing standards issued by the Comptroller of the United States, and must be performed independently of the County audit if the district is considered a component part of county operations. Karen reported that all conservation districts had completed their independent audits for calendar year 2016. Thirty-four (34) audits had no reportable findings. The most common audit finding was the ‘lack of segregation of duties’ and issues with ‘proper recording of Accounts Payable’. There were no audits that reported ‘custodial credit risks’.

Mike Flinchbaugh made a motion to accept the report regarding calendar year 2016 conservation district audits. Motion seconded by Don Koontz. Motion carried.

5. Susquehanna County Conservation District Reserve Account Request. Johan Berger, SCC, reported that in March 2015, the Commission approved a request of the Susquehanna Conservation District to allow them to establish a building reserve fund to assist the district in its transition to office space owned and controlled by the conservation district (versus county office space). Over the last several years, the district has added to this

reserve fund, and they are requesting SCC approval to contribute an additional \$93,186 in available funds to this account in FY 2017-18. Jim Garner, District Manager for the Susquehanna County Conservation District gave an update on the progress of the District's building project.

Mike Flinchbaugh made a motion to approve the request of Susquehanna Conservation District to contribute an additional \$93,186 to their building fund. Motion seconded by Ross Orner. MaryAnn Warren abstained from voting. Motion carried.

6. 2018 Conservation District Director Appointment Update. Karl Brown, SCC, reported that to date, conservation district director appointments have been received from 55 counties (83%) for 2018. Reminder letters will be sent to those counties who have not yet submitted conservation district director appointments for 2018.

Action Requested: No action requested.

7. Chesapeake Bay Ag Inspection Reporting via Practice Keeper. Steven W. Taglang, DEP, and Jill Whitcomb, DEP, provided an update on the status of Practice Keeper roll-out to county conservation district and how it has assisted in BMP data collection. Practice Keeper software will be used by conservation districts to complete inspections of agricultural operations. There are 3 types of DEP Practice Keeper Contracts.

- Practice Keeper: PK3 Cloud-based software tool
- Warehouse: DEP Bay Reporting Tool
- Practice Keeper Site Licenses: Available to all Districts who request them and Bay Program a Priority

The following are the steps in the Ag Inspection Process:

- Identify farms to be visited
- Contact/notify farmers to schedule a visit
- Preparing for the inspection
- Completing the inspection
- Documenting/reporting the inspection

The following are steps in the Practice Keeper and inspection site selection:

- Isolate the areas of the map where there is no record of a Conservation or Manure Management Plan
- Reference the area against the land use layer to determine the greatest need.
- Randomize the list and select farms/parcels for a visit.
- Preview the farm prior to site visit

The steps for the Practice Keeper and inspection process are as follows:

- Copy of the completed inspection report
- Ag E&S plan and Manure Management plan
- NRCS Conservation plan (only after the operator signs an NRCS release form granting DEP a copy of the plan...DEP scans a copy of the release.)

- All originals are left with the owner/operator

The steps for the Practice Keeper and inspection reporting are as follows:

- Once LCCD staff return from the field, the Inspection Report is logged into the Practice Keeper 3 Inspections module
- A copy of the inspection is then scanned and attached to the PK instance
- The process described so far is for an inspection conducted with an operator
- If no one was home, in which case the inspection is completed and a report (noncompliant) is mailed to the farmer, including follow-up actions

Action Requested: No action requested.

8. Spotted Lanternfly in Pennsylvania. Dana Rhodes, Bureau of Plant Industry, PDA, reported that on September 22, 2014, the Pennsylvania Department of Agriculture (Department), in cooperation with the Pennsylvania Game Commission, confirmed the presence of the Spotted Lanternfly in Berks County, PA, which was the first detection of this non-native species in the United States. Upon determination that the potential impact to Pennsylvania's agricultural economy and natural resources was great, the Department issued a quarantine with the intent to restrict the movement of the Spotted Lanternfly on November 1, 2014. Counties in eastern Pennsylvania are under a limited movement quarantine as the Department and its federal, state, local, and non-governmental cooperators develop a strategy to eliminate this pest from the Commonwealth. The Spotted Lanternfly is a plant hopper native to China, India, and Vietnam, and introduced in South Korea and Japan. In Korea, where it was first detected in 2004, the Spotted Lanternfly is known to utilize more than 70 species as plant hosts to complete its life-cycle, 25 of which also occur in Pennsylvania, including cultivated grapes, fruit trees, and hardwood species. In the United States, the Spotted Lanternfly has the potential to greatly impact the viticulture (grape), tree fruit, plant nursery, and timber industries. Early detection is vital to the effective control of this pest and the protection of Pennsylvania agriculture and natural resources-related businesses.

Action Requested: No action requested.

C. Written Reports – Self Explanatory

1. Program Reports
 - a. Act 38 Nutrient and Odor Management Programs Report
 - b. Act 38 Facility Odor Management Program – Status Report on Plan Reviews
 - c. Certification and Education Programs Accomplishment Report
 - d. REAP Program
 - e. Dirt, Gravel, and Low Volume Road Maintenance Program 2017 Report
2. Ombudsman Program Reports – Southern Allegheny Region (Blair County Conservation District and Lancaster County Conservation District).

D. Cooperating Agency Reports

DEP – Tim Schaeffer reported that the Ag Planning Reimbursement Grants have a deadline of April 1, 2018.

DCNR–Matt Keefer reported that DCNR's River of the Year is Loyalsock Creek, which is located just north of Williamsport, PA. The grant application round for DCNR's

Riparian Buffers program closed in December 2017. One million dollars are available. The Riparian Forest Buffer Summit will be held in State College at the end of February 2018.

PACD – Chuck Duritsa reported that PACD reapplied to DCNR for a Riparian Buffer Grant. On January 16, 2018, PACD held a strategic planning session to target priorities and decided how to implement them.

DCED – Adam Walters reported that Team PA Foundation is having sessions with Shell, who does energy transition scenarios. Shell presented various scenarios as to how PA can structure energy initiatives into the next 25 years. This will be a tool for policymakers to understand our future energy needs. These sessions will soon be concluding.

NRCS – Denise Coleman reported that NRCS released \$1.5 million in Conservation Innovation Grants (CIG) to several districts in the Chesapeake Bay area. As a note to the conservation districts: there is a significant hiring freeze within the Federal government. Denise mentioned that NRCS is involved in a LiDAR (Light Detection and Radar) upgrade project which will provide current data for counties in Pennsylvania.

PSU – Chris Houser, Director of Agronomy and Natural Resource Programs, reported that there is a new website which promotes online courses. This includes a course on manure management. Cooperative Extension has also placed several new staff in western Pennsylvania with a focus on manure management programs.

PDA – Secretary Russell Redding thanked everyone who attended the PA Farm Show at the beginning of January. Pennsylvania unveiled the Pollinator Protection Plan. It summarizes the current state of pollinators in Pennsylvania, and provides recommendations for best practices and resources to support and expand pollinator populations. Pennsylvania is home to hundreds of species of pollinators (bees, butterflies, moths, flies, beetles), with over 500 species of bees alone. The new strategic plan for agriculture was also unveiled during the Farm Show. During budget season, everyone should be engaged and talking about agriculture and conservation to emphasize its importance.

Adjournment: Meeting adjourned at 4:00 p.m.

Next Public Meeting: February 13, 2018 – Conference Call

March 13, 2018 – Pennsylvania Department of Agriculture, Room 309

STATE CONSERVATION COMMISSION CONFERENCE CALL
PA Department of Agriculture, Room 405
Tuesday, February 13, 2018 @ 8:30 am

DRAFT MINUTES

Members Present: Secretary Russell Redding, PDA; Deputy Secretary Greg Hostetter, PDA; Secretary Patrick McDonnell, DEP; Drew Gilchrist, DCNR for Secretary Cindy Adams-Dunn; Dr. Dennis Calvin, Penn State; Michael Flinchbaugh; Ross Orner; MaryAnn Warren; Ron Kopp; Ron Rohall; Denise Coleman, NRCS; Denise Brinley, DCED; and Chuck Duritsa, PACD.

B. Agency/Organization Updates

1. DCNR – Drew Gilchrist, DEP Regional Advisor

Drew reported that the Riparian Forest Buffer Summit will provide attendees with information and skills, from creating planting plans to working with contractors, that can be used in day-to-day work. The Riparian Buffer Summit provides opportunities to: Network with other professionals and develop new partnerships; enhance communication skills when working with landowners; and learn more about new and upcoming research, methods, and data. ECO Camp for high school students is being held from July 8-13, 2018 at Camp Kresge in White Haven, Luzerne County, near Nescopeke State Park. Applications can be found at the DCNR website and are due on April 15, 2018. The camp will introduce twenty students, in grades 10-12, to conservation and environmental careers and encourage their pursuit.

2. NRCS – Denise Coleman

Denise reported that NRCS released Regional Conservation Partnership Program (RCPP) proposals this past month:

Chester Conservation District Partnership for the Chesapeake Bay
\$3,600,000: Technical and Financial Assistance

PA Department of Agriculture, Implementing BMPs and CNMPs in the
Chesapeake Bay Watershed:

ACEP (Easements-Technical and Financial Assistance):
\$1,030,000.

EQIP (Technical and Financial Assistance): \$5,340,000.

3. DCED – Denise Brinley

Denise reported that DCED and Team PA Foundation are putting the final touches on PA Energy Horizons. The result will be a report and two different scenarios of what Pennsylvania's energy will look like in 25 years. This information will be reported at the June 12, 2018 State Conservation Commission meeting.

4. PACD – Brenda Shambaugh

Brenda reported that the NACD just issued a press release about the proposed federal budget. There are \$15 billion in cuts, with \$200 million of those cuts being in conservation-related agencies and programs. PACD adopted a strategic plan for the association. One top priority was to work more closely with its partners and continue to be advocates for the conservation districts.

5. Pennsylvania Department of Agriculture – Deputy Secretary, Greg Hostetter

Deputy Secretary Hostetter thanked everyone for their support during the Farm Show. Funding for Spotted Lanternfly research and suppression is in the Governor's FY 2018-2019 budget, reflected in an 8.5% increase in the Department's GGO for Spotted Lanternfly activities. There is level funding for Penn State University and University of Pennsylvania. There is a House Appropriations meeting on February 26, 2018 and a Senate Appropriations meeting on February 28, 2018 where Secretary Redding will present his testimony for the Department's 2018-2019 budget. There were two positive case of Chronic Wasting Disease in Lancaster and Bedford Counties recently reported. Department staff continue to be part of the Chesapeake Bay WIP discussions and meetings. The final WIP draft is due by June 2018.

6. Penn State – Dr. Dennis Calvin

Dr. Calvin mentioned that Penn State is offering leadership training within their water programs. The University is engaged with the PA Department of Agriculture in the research and control of the Spotted Lanternfly problem. Penn State recently refilled six positions in its Cooperative Extension offices across the state.

7. DEP – Secretary Patrick McDonnell

Secretary McDonnell reported that within the Federal budget, there is a 56% cut to the State Travel Assistance Grant Program, which deals with clean water and clean air. There is a 90% cut to the Chesapeake Bay line item. There is approval from the EPA for all of the Chesapeake Bay money. There is a \$2.5 million increase for 35 new positions in waterways and wetlands.

C. Information and Discussion Items

1. Status of 2018 Conservation District Director Appointments– Karl Brown

Karl Brown reported that to date, 59 counties (89%) have submitted director nominations for Commission review and recording. Commission staff will continue to review and process appointments as they are received.

2. Proposed 2018-2019 State Budget – Karl Brown

Governor Wolf released his proposed FY 2018-2019 State Budget on Tuesday, February 6, 2018. Level funding is proposed for all major line items pertaining to county conservation districts. The Chesapeake Bay Agricultural Source Abatement Fund (state) allocation was increased from \$2,535,000 last FY to \$2,670,000 for FY 2018-2019.

<u>Program Area</u>	<u>FY 2018-2019 Proposed Funding</u>
Dirt, Gravel, & Low Volume Roads	\$28,000,000
NM Fund	\$ 2,714,000
PDA Transfer to CD Fund	\$ 869,000
DEP Transfer to CD Fund	\$ 2,506,000
CB Program (state)	\$ 2,670,000
CB Program (federal)	\$12,700,000

3. REAP Program Update – Joel Semke and Karl Brown

a. FY 2018-2019 Guidelines – Commission staff is beginning to look at potential updates to the FY 2018-2019 REAP Tax Credit Program Guidelines. Currently, staff is considering potential changes to program standards for cover crops and revisiting the FY 2017-2018 pilot program for sponsorship of plan writing. Joel Semke provided an update on REAP and the proposed timeline for presenting proposed changes to the REAP Tax Credit Program Guidelines. The following items are changes that may occur within FY 2018-2019:

- Cover crops – remove some of the annual limitations on tax credits to make it easier for farmers to participate.
- Plan writers can receive credits directly for sponsoring the development of conservation plans. Due to the misuse of the sponsorship concept by some plan writers, this concept may be eliminated.
- Vertical tillage equipment – Clarify and tighten eligibility criteria for types of equipment that an applicant may receive tax credits.
- There has been an increase in applications for new hog storage-should these waste storage facilities be eligible for credits?

Joel also reported that there are approximately \$5 million in tax credits available for fiscal year 2017. There is no deadline for applying. Currently, there are 160 applicants. Farmers are applying for fewer credits than normal.

- b. House Bill 1999 – This bill was recently introduced and would prohibit the sale or transfer of any state tax credits, including REAP, and will impact family farmers using REAP Tax to fund the installation of farm conservation practices. Approximately one in three farmers sell or transfer REAP tax credits they cannot immediately use because of generally lower tax liabilities. These sales help generate the cash needed to help pay for the loans used to fund the conservation practices. Eliminating the ability of a farmer to sell a credit means the REAP Program becomes less attractive to use and could reduce its effectiveness in funding farm conservation practices. The prime sponsor of the bill believes that tax should be limited to benefitting the original company applying for them and objects to the sale or transfer of the credits to others.
4. **Nutrient Management Plan Approval Appeal to Environmental Hearing Board (EHB) – Frank Schneider**

On February 20 and 21, 2018, Nutrient Management Program staff and legal counsel was scheduled to testify in front of the Environmental Hearing Board to defend an action to approve the nutrient management plan for the Heisler Egg Operation in Schuylkill County. The Heisler Egg operation is an existing CAFO that is planning to expand their operation. Neighbors are challenging issues related to: conformance with the township zoning ordinance; water usage; process and procedures for public notice of plan review and approval; handling of egg wash water; and other issues. Frank noted that this case will now be settling out of court, and it is likely that the hearing will be dismissed.

5. **Berner et al v. Montour Township Zoning Hearing Board & Sponenberg – John Howard**

Berner versus Montour Township and Sponenberg is a recent Commonwealth Court decision interpreting the Nutrient Management Act's state preemption of local ordinances. This decision, rendered on January 4 by Commonwealth Court, reverses the decision of the Court of Common Pleas of Columbia County in denying appeal of neighbors of a Columbia County farmer who are trying to stop the township's grant of special exception. The Court's interpretation of the scope and applicability of the Nutrient Management Act's state preemption is very limited and attempts to except this type of animal farm operation (a non-CAO, non-CAFO operation) from state Nutrient Management Act preemption. This ruling seems to fly in the face of holdings and reasoning of other cases that have concluded the Act's state preemption should and does apply to the regulation by municipalities of animal farm operations other than CAOs and CAFOs.

6. **CERCLA Emissions Reporting Update – Karl Brown**

The DC Circuit Court of Appeals recently granted EPA’s motion to further stay the mandate in *Waterkeeper v. EPA*, regarding CERCLA/EPCRA reporting requirements for farms until May 1, 2018. EPA has updated the agency’s website regarding these specific reporting requirements for animal waste with this information. Information can be found at: www.epa.gov/animalwaste. Previously, the DC Circuit Court of Appeals granted EPA’s motion to further stay the mandate until January 22, 2018. The Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) and Emergency Planning and Community Right to Know Act (EPCRA) require facilities to report releases of hazardous substances that are equal to or greater than their reportable quantities (RQ) within any 24-hour period. Following a hazardous substance reportable release, a facility owner or operator must notify federal authorities under CERCLA and state and local authorities under EPCRA.

7. **Next meeting – March 13, 2018 – Pennsylvania Department of Agriculture Building, Harrisburg, PA**

8. **Adjournment.** The meeting was adjourned at 9:23 am.



**COMMONWEALTH OF PENNSYLVANIA
STATE CONSERVATION COMMISSION**

DATE: March 2, 2018

TO: Members
State Conservation Commission

FROM: Michael J. Walker
State Conservation Commission

SUBJECT: Nutrient Management Plan Review (1)
Justin & Nadine Barclay, Carbon County, Pennsylvania

Action Requested

Action on a Nutrient Management Plan for the following operation in Monroe County:

1. Justin & Nadine Barclay,
3015 Mahoning Mountain Road, Lehighton, PA 18235

Background

I have completed the required review of the subject nutrient management plan listed above. Final corrections to the plan were received at the Commission's office at PDA Region 2 on February 28, 2018. As of that date, the plan was considered to be in its final form. The operation, located in Carbon County, is considered to be a Concentrated Animal Operation (CAO) under the PA Nutrient and Odor Management Act (Act 38 of 2005). The Commission is the proper authority to take action on this plan, because Monroe County Conservation District has not been delegated plan review and action responsibilities (Level II) under the PA Nutrient and Odor Management Act Program.

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

Justin & Nadine Barclay, NMP, Carbon County – Justin and his wife Nadine Barclay own and operated a horse boarding and training operation in Carbon County. The Barclay's equine boarding and training agricultural operation is located near the borough of Lehighton, PA. This animal operation currently stables approximately 9 horses and one pony in their 12-stall barn. The operation consists of both inside and 2 outside training arenas (or rinks) as well as the horse stable and storage building. The horses are stabled inside the barns the majority of the time. The submitted plan allows for pasturing horses 8 hours per day for 240 days per year on the ten pasture areas. Horses are also allowed access to 4 animal concentration areas throughout the year and when weather does not permit access to pastures. Manure is handled as a solid form on this operation and is removed from the stalls and arenas daily. Manure deposited on the exercise lots or animal walkways is collected on an as-needed basis. All collected manure is being retained in moveable roll off box or can be stacked in the manure storage. The adjoining neighbor provided a waiver for the manure storage that is sized 40 ft. by 70 ft. by 5 ft.. The Barclay's are currently utilizing a manure vacuum to collect manure deposited by the animals on the pastures, ACAs, arenas and walkways. All collected manure is exported off the operation monthly to one known importer for non-agricultural land use. The importer utilizes the horse manure to make a soil products for landscaping, gardens and flower beds. The plan indicated that approximately 163 tons of manure is collected and planned to be exported to this importer. Approximately 40 tons of manure is planned to be animal applied to the pastures.

The combined animal equivalent units at Barclay's equine operation are 10.23. The only crop production acres associated with this operation are the ten permanent pastures and account for 2.6 acres. Most the feed and bedding are brought on to the operation from outside sources. The animal equivalent units per acre for Justin & Nadine Barclay operation are 3.93, classifying this operation as a concentrated animal operation under Act 38 of 2005.

The proposed NMP for Barclay animal operation indicates needed BMPs to be implemented on the operation, namely – collection of manure from the ACAs and Forage & Biomass Planting for all the pastures. These practices are needed for better overall management of this equine boarding and training operation.

Based on my review, the NMP developed for Justin & Nadine Barclay operation meets the requirements of the PA Act 38 Nutrient Management Regulations, and I therefore recommend Commission approval.

RECEIVED

Pennsylvania Department of Agriculture

FEB 26 2018

Region 2 Office
Montoursville, PA

Nutrient Management Plan

For Crop Year(s)
2019-2021

Prepared For

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

Justin and Nadine Barclay
3015 Mahoning Mountain Rd Lehighton PA 18235
570-818-4197

NON-FINAL FORM

Version 3.0

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

Operation's Location Address (if different than above)

Site Name (CAFOs)

2 28 2018
Month, Day and Year

Prepared By

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

Dean Patches
136 Horst Dr Lebanon PA 17046
717-865-4461

Nutrient Management Specialist's Program Certification Number
574-NMC

Administratively Complete Date

January 26, 2018

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 SCC for action by the Conservation District Board at their March 13, 2018 meeting
February 28, 2018
Month, Day and Year

Table of Contents

Nutrient Management Plan Summary (Excel)

 Nutrient Management Plan Summary Notes (Excel)

 Manure Spreader Calibration Notes (Excel)

 Additional Nutrient Management Plan Requirements (Word)

 Operator Management Map (Mapping Program)

Appendix 1: Nutrient Management Plan Agreement & Responsibilities (Word)

Appendix 2: Operation Information (Word)

Appendix 3: Manure Group Information (Excel)

Appendix 4: Crop & Manure Management Information (Excel)

Appendix 5: Phosphorus Index (Excel)

Appendix 6: Manure Management (Word)

Appendix 7: Stormwater Control (Word)

Appendix 8: Importer/Broker Agreements & Nutrient Balance Sheets (Word & Excel)

Appendix 9: Operation Maps (Mapping Program)

 Topographic Map

 Soils Map

Appendix 10: Supporting Information & Documentation (Excel)

(List below the required documents included in the plan.)

Nutrient Management Plan Summary

Crop Year(s) 2019-2020-2021

Total acres reported in NMP Summary: 2.6

Whole Farm Note: Horse Boarding Operation

If manure runs out for any field, consult Appendix 4 of the plan for that field. The fertilizer required on any part of the field that does not receive manure can be determined from the 'Net Nutrients Required' for that field.

Operation Acres: 8.4

Total Acres Available For Nutrient Application Under Operator's Control: Owned: 2.6 Rented: 0

Animal Equivalent Units: 10.23

Animal Equivalent Units Per Acre: 3.93

CMU/Field ID	Acres	Crop	Manure Group	Application Season	Application Management	Planned Manure Rate ¹	Starter/Other Fertilizer (lb/A)			Supplemental Fertilizer (lb/A)			Nutrient Balance (lb/A) ²				
							N	P ₂ O ₅	K ₂ O	N	P ₂ O ₅	K ₂ O	N	P ₂ O ₅	K ₂ O		
1	0.55	Established Pasture (without legume)	horse - Uncollected	Grazing	Grazing anytime with nutrient uptake during growing season	Grazing	0	0	0	70	0	0	0	0	32	3	-9
1A	0.07	Established Pasture (without legume)	horse - Uncollected	Grazing	Grazing anytime with nutrient uptake during growing season	Grazing	0	0	0	70	0	0	0	24	-13	-37	
1B	0.23	Established Pasture (without legume)	horse - Uncollected	Grazing	Grazing anytime with nutrient uptake during growing season	Grazing	0	0	0	70	0	0	0	32	4	-7	
1C	0.08	Established Pasture (without legume)	horse - Uncollected	Grazing	Grazing anytime with nutrient uptake during growing season	Grazing	0	0	0	70	0	0	0	27	-8	-28	
2	0.27	Established Pasture (without legume)	horse - Uncollected	Grazing	Grazing anytime with nutrient uptake during growing season	Grazing	0	0	0	70	0	0	0	18	-26	-60	
3	0.43	Established Pasture (without legume)	horse - Uncollected	Grazing	Grazing anytime with nutrient uptake during growing season	Grazing	0	0	0	70	0	0	0	28	-5	-23	

¹ See rate calibration table (Nutrient Management Plan Summary Notes).

² Positive numbers = nutrient deficit; Negative numbers = nutrient excess

CMU/Field ID	Acres	Crop	Manure Group	Application Season	Application Management	Planned Manure Rate ¹	Starter/Other Fertilizer (lb/A)				Supplemental Fertilizer (lb/A)				Nutrient Balance (lb/A) ²		
							N	P ₂ O ₅	K ₂ O		N	P ₂ O ₅	K ₂ O		N	P ₂ O ₅	K ₂ O
4	0.13	Established Pasture (without legume)	horse - Uncollected	Grazing	Grazing anytime with nutrient uptake during growing season	See Notes Grazing	0	0	0	70	0	0	0	6	-52	-107	
5	0.34	Established Pasture (without legume)	horse - Uncollected	Grazing	Grazing anytime with nutrient uptake during growing season	See Notes Grazing	0	0	0	70	0	0	30	-1	-16		
6	0.25	Established Pasture (without legume)	horse - Uncollected	Grazing	Grazing anytime with nutrient uptake during growing season	See Notes Grazing	0	0	0	70	0	0	33	6	-3		
11	0.24	Established Pasture (without legume)	horse - Uncollected	Grazing	Grazing anytime with nutrient uptake during growing season	See Notes Grazing	0	0	0	70	0	0	15	-32	-72		

¹ See rate calibration table (Nutrient Management Plan Summary Notes).

² Positive numbers = nutrient deficit; Negative numbers = nutrient excess

NMP Summary Notes

Crop Years 2019-2020-2021

CMU/Field ID	Notes
1	5 horses grazed for 8 hours per day for 240 days. Inclement weather and vegetation height will affect grazing times.
1A	1 horse grazed for 8 hours per day for 240 days. Inclement weather and vegetation height will affect grazing times.
1B	2 horses grazed for 8 hours per day for 240 days. Inclement weather and vegetation height will affect grazing times.
1C	1 horse grazed for 8 hours per day for 240 days. Inclement weather and vegetation height will affect grazing times.
2	5 horses grazed for 8 hours per day for 240 days. Inclement weather and vegetation height will affect grazing times.
3	5 horses grazed for 8 hours per day for 240 days. Inclement weather and vegetation height will affect grazing times.
4	3 horses and 1 pony grazed for 8 hours per day for 240 days. Inclement weather and vegetation height will affect grazing times.
5	3 horses and 1 pony grazed for 8 hours per day for 240 days. Inclement weather and vegetation height will affect grazing times.
6	2 horses grazed for 8 hours per day for 240 days. Inclement weather and vegetation height will affect grazing times.
11	5 horses grazed for 8 hours per day for 240 days. Inclement weather and vegetation height will affect grazing times.

¹ See rate calibration table (Nutrient Management Plan Summary Notes).

² Positive numbers = nutrient deficit; Negative numbers = nutrient excess

Additional Nutrient Management Plan Requirements

Manure Management and Stormwater BMP Implementation Summary

Best Management Practice	NRCS Practice Code ¹	BMP Location	Implementation Season & Year
Collect manure from paddocks		ACA 7,8,9,10	All seasons, All years
Forage and Biomass Planting	512	All pastures	Spring, All years

¹ If applicable, enter USDA-NRCS Practice Code. For other non-technical BMPs, leave blank.

In-Field Manure Stacking Procedures

Manure must be applied to the field within 120 days of stacking or the stacks must be covered. Stacks must be implemented and maintained according to sound BMPs, addressing concerns such as soil type, soil slope, shape of the pile, setbacks, and rotation of piles.

No in-field stacking occurs on this operation.

Additional CAFO Requirements

In-field stacking criteria, winter storage requirements, and other issues identified by DEP's review of the nutrient management plan.

N/A

Proposed Manure Storage Description

Type, dimensions, volume, freeboard and location on map.

none

Description of Planned Alternative Manure Technology Practices

Type of practice, volume of manure addressed, and result of practice.

None

Exported Manure Summary

Summarize in a short paragraph the arrangements proposed for the manure to be exported from the operation. This information is described in more detail in Appendix 8 of this plan.

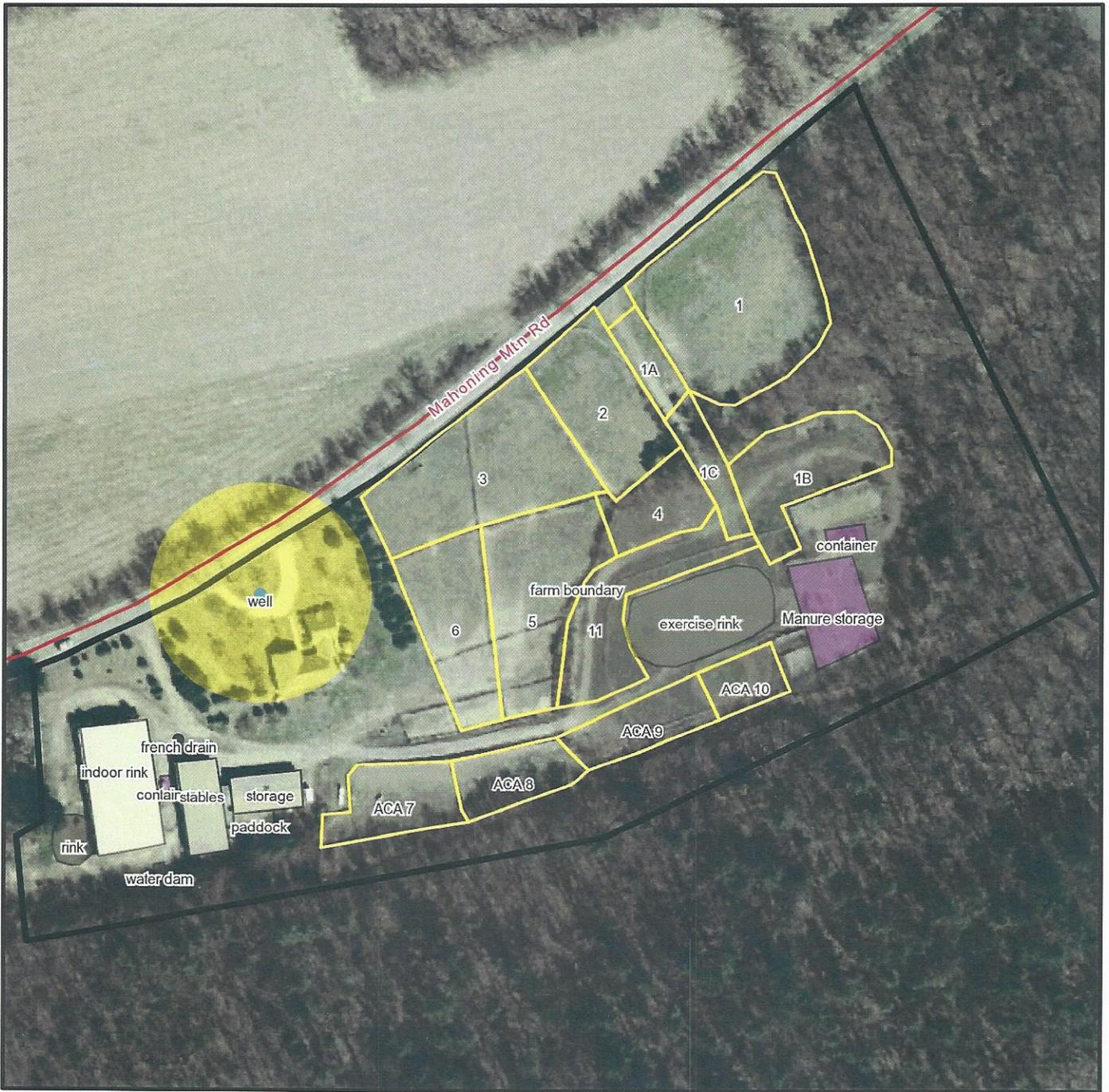
All collected manure from the barn, rinks, paddocks and pastures will be exported by having a container placed on farm and exchanged monthly. The company is called Victory Gardens Mulch. This company uses the horse manure to make soil products for landscaping, gardens, flowerbeds, etc. The end product is supplied in bags or bulk for residential or commercial use.

The option of small quantity importers will remain viable. A tracking format will be used recording date, name, type of manure and amounts taken.

Operator Management Map

Three types of maps are required for an Act 38 Nutrient Management Plan: 1) Topographic Map, 2) Soils Map, and 3) Operator Management Map. The **Operator Management Map** is to be included here in the Nutrient Management Plan Summary and must include field identification, acreage and boundaries, manure application setback areas and buffers and associated landscape features (streams and other water bodies, sinkholes and active water wells), location of existing and proposed structural BMPs (including manure storage facilities), location of existing or proposed emergency manure stacking areas and in-field manure stacking areas, and road names adjacent to and within the operation. All features on the map must be clearly identified and include a legend for setback areas and other features. The Topographic Map and Soils Map must be included in Appendix 9.

Justin Barclay Tract Map



* 132.0 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 | |



Field Acreages

Field	Label	Description	Acres	Suitable Acres
1	1		0.55	0.55
10	ACA 10		0.08	0.08
11	11		0.24	0.24
1A	1A		0.07	0.07
1B	1B		0.23	0.23
1C	1C		0.08	0.08
2	2		0.27	0.27
3	3		0.43	0.43
4	4		0.13	0.13
5	5		0.34	0.34
6	6		0.25	0.25
7	ACA 7		0.16	0.16
8	ACA 8		0.13	0.13
9	ACA 9		0.14	0.14
		Totals	3.1	3.1

Justin Barclay HQ Map



* 60.0 feet per inch



Legend

field / CMU

farm boundary

homestead

forest

water

stream

sinkhole area

sinkhole

manure stacking

vegetative buffer

100' manure setback

150' manure setback

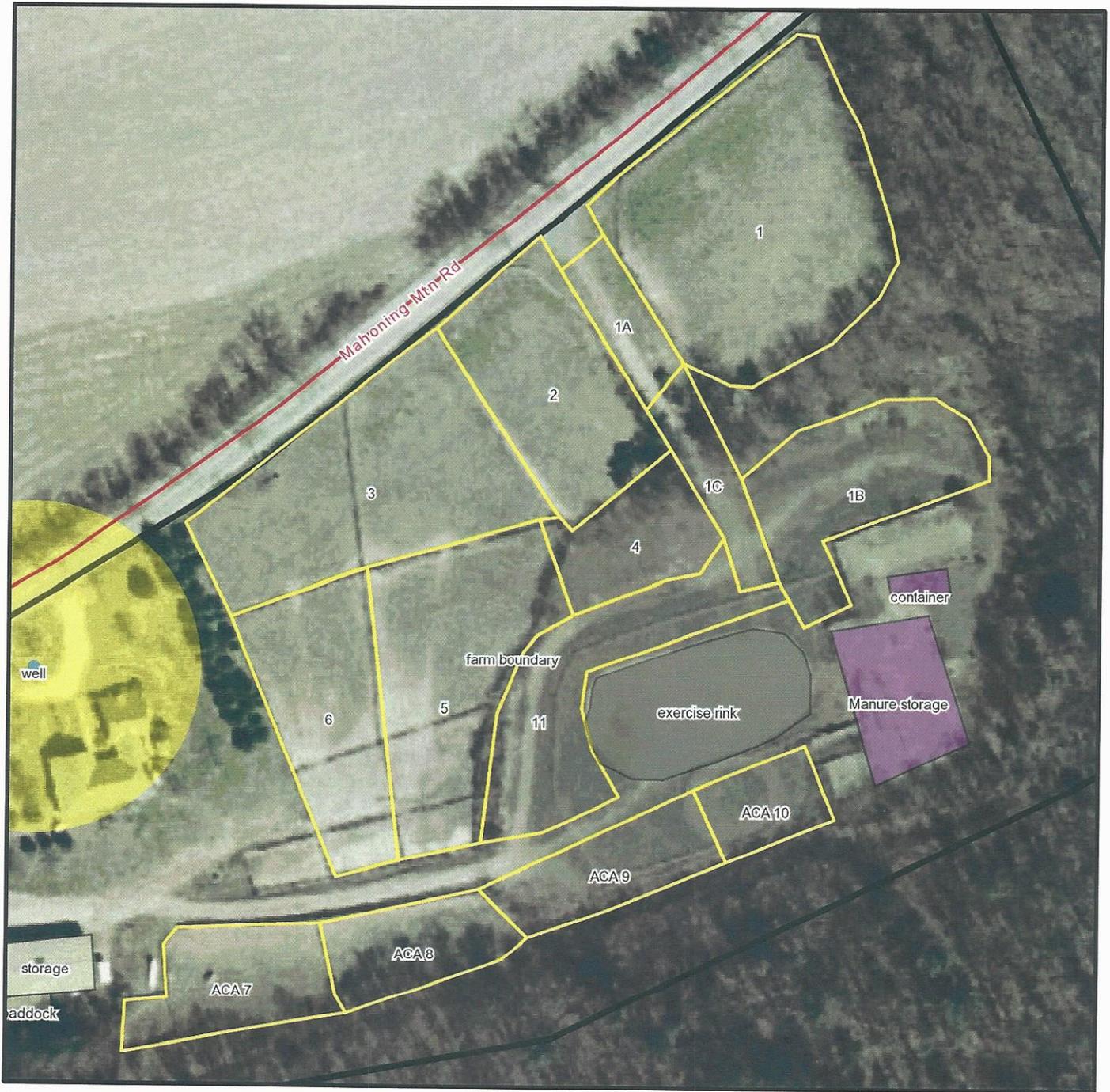
AHUA

well

road



Justin Barclay Paddock Map



* 86.0 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 | |



Exporter/Importer Agreement
Manure Used For Other Than Agricultural Land Application

Developed consistent with the PA Nutrient and Odor Management Act Program

- 1) This agreement is entered into on January 22 2018, by Justin Barclay (the "exporter") who will supply manure, and Victory Garden's Inc (the "importer"), who will receive the manure from the exporter.
- 2) The purpose of this agreement is to set forth the mutual responsibilities and understanding of the parties with respect to the export of manure from the exporter to the importer.
- 3) The exporter is located at (county, twp, and address): Carbon County, East Penn Twp
3015 Mahoning Mountain Rd Lehighton PA 18235
- 4) The exporter will, as the supply of manure allows, provide the following amounts of manure during the seasons outlined below:

Tons of horse (species) manure, per season:

Spring 41 Summer 41 Fall 41 Winter 41

Gallons of (species) manure, per season:

Spring _____ Summer _____ Fall _____ Winter _____

Total planned manure exported: (supply of manure may be less than what is planned)

Tons of horse (species) manure: 163

Gallons of _____ (species) manure: _____

If multi-species are planned, please add additional lines:

- 5) The importer's location and other relevant information as it relates to this manure export, is as follows:

- a) Phone number: 215-443-5665
- b) County(s): BUCKS
- c) Address: 2951 Pickertown Rd Warrington Pa 18978
- d) Owner of the property receiving manure: Michael Butte
- e) Proposed usage of the imported manure: COMPOST

6) The exporter will use a Manure Export Sheet to record all manure exported to the importer. These Manure Export Sheets are available from the county conservation district or the State Conservation Commission. Computer generated forms other than the manure export sheet may be used if they contain the same information as, and are reasonably similar in format to, the forms available from the State Conservation Commission or the conservation district.

- 7) Records relating to the export of manure shall be prepared by the exporter in accordance with the following requirements of the Nutrient and Odor Management Act regulations:

- a) A Manure Export Sheet shall be used to document all manure exports for their records
 - A copy of the Manure Export Sheet shall be provided to the importer
 - A copy of the Manure Export Sheet shall be retained on site by the exporter
 - b) Records shall be maintained by the exporter for a minimum of 3 years
- 8) Where applicable, the importer shall properly store manure received from the exporter in accordance with the provisions of the Manure Management Manual and the Pa Technical Guide and shall not cause contamination of surface or ground water. This shall include manure stacked in application fields which may not be retained in fields for greater than 120 days unless covered or otherwise protected.
- 9) This agreement shall remain in full effect unless terminated by either party upon thirty days prior written notice to the other party. If this agreement is terminated, the exporter shall notify the county conservation district office that approved their nutrient management plan, of the termination.

Exporter Signature, Name and Date

 (signature)
Justin Barclay (name)
1-23-18 (date)

Importer Signature, Name and Date

 (signature)
Mike Butler (name)
1-23-18 (date)

Appendix 9

Operation Maps

Three types of maps are required for an Act 38 Nutrient Management Plan: 1) Topographic Map, 2) Soils Map, and 3) Operator Management Map. The **Topographic Map and Soils Map** must be included here. The Topographic map must be drawn to scale and identify the land included in the plan with operation boundaries. The Soils Map must include the field identification and boundaries, soil types and slopes with soil legend. Adding P Index lines can be helpful on the Topographic or Soils map but are not required. The Operator Management Map must be included in the Nutrient Management Plan Summary.

Justin Barclay Farm



* 132.0 feet per inch



Soil Acreages By Field

Field	Label	Musym	Muname	Comp	%	Acres	Drainage Class	Farmland Class	Tfact	Kfact
1	1	MoB2	Montevallo channery silt loam, 3 to 8 percent slopes, moderately eroded	Montevallo	99	0.36	Somewhat excessively drained	Farmland of statewide importance	2	0.32
1	1	MoC2	Montevallo channery silt loam, 8 to 15 percent slopes, moderately eroded	Montevallo	99	0.05	Somewhat excessively drained	Not prime farmland	2	0.32
1	1	MoD2	Montevallo channery silt loam, 15 to 25 percent slopes, moderately eroded	Montevallo	100	0.14	Somewhat excessively drained	Not prime farmland	2	0.32
10	10	MoD2	Montevallo channery silt loam, 15 to 25 percent slopes, moderately eroded	Montevallo	100	0.08	Somewhat excessively drained	Not prime farmland	2	0.32
11	11	MdB	Middlebury silt loam, 3 to 8 percent slopes	Middlebury	90	0.12	Moderately well drained	All areas are prime farmland	5	0.32
11	11	MoD2	Montevallo channery silt loam, 15 to 25 percent slopes, moderately eroded	Montevallo	100	0.13	Somewhat excessively drained	Not prime farmland	2	0.32
1A	1A	MoB2	Montevallo channery silt loam, 3 to 8 percent slopes, moderately eroded	Montevallo	99	0.01	Somewhat excessively drained	Farmland of statewide importance	2	0.32
1A	1A	MoC2	Montevallo channery silt loam, 8 to 15 percent slopes, moderately eroded	Montevallo	99	0.04	Somewhat excessively drained	Not prime farmland	2	0.32
1A	1A	MoD2	Montevallo channery silt loam, 15 to 25 percent slopes, moderately eroded	Montevallo	100	0.02	Somewhat excessively drained	Not prime farmland	2	0.32
1B	1B	MdB	Middlebury silt loam, 3 to 8 percent slopes	Middlebury	90	0.02	Moderately well drained	All areas are prime farmland	5	0.32

Field	Label	Musym	Muname	Comp	%	Acres	Drainage Class	Farmland Class	Tfact	Kfact
1B	1B	MoD2	Montevallo channery silt loam, 15 to 25 percent slopes, moderately eroded	Montevallo	100	0.21	Somewhat excessively drained	Not prime farmland	2	0.32
1C	1C	MdB	Middlebury silt loam, 3 to 8 percent slopes	Middlebury	90	0.05	Moderately well drained	All areas are prime farmland	5	0.32
1C	1C	MoD2	Montevallo channery silt loam, 15 to 25 percent slopes, moderately eroded	Montevallo	100	0.03	Somewhat excessively drained	Not prime farmland	2	0.32
2	2	MdB	Middlebury silt loam, 3 to 8 percent slopes	Middlebury	90	0.05	Moderately well drained	All areas are prime farmland	5	0.32
2	2	MoB2	Montevallo channery silt loam, 3 to 8 percent slopes, moderately eroded	Montevallo	99	0.01	Somewhat excessively drained	Farmland of statewide importance	2	0.32
2	2	MoC2	Montevallo channery silt loam, 8 to 15 percent slopes, moderately eroded	Montevallo	99	0.11	Somewhat excessively drained	Not prime farmland	2	0.32
2	2	MoD2	Montevallo channery silt loam, 15 to 25 percent slopes, moderately eroded	Montevallo	100	0.1	Somewhat excessively drained	Not prime farmland	2	0.32
3	3	MdB	Middlebury silt loam, 3 to 8 percent slopes	Middlebury	90	0.09	Moderately well drained	All areas are prime farmland	5	0.32
3	3	MoC2	Montevallo channery silt loam, 8 to 15 percent slopes, moderately eroded	Montevallo	99	0.03	Somewhat excessively drained	Not prime farmland	2	0.32
3	3	MoD2	Montevallo channery silt loam, 15 to 25 percent slopes, moderately eroded	Montevallo	100	0.31	Somewhat excessively drained	Not prime farmland	2	0.32
4	4	MdB	Middlebury silt loam, 3 to 8 percent slopes	Middlebury	90	0.13	Moderately well drained	All areas are prime farmland	5	0.32

Field	Label	Musym	Muname	Comp	%	Acres	Drainage Class	Farmland Class	Tfact	Kfact
5	5	MdB	Middlebury silt loam, 3 to 8 percent slopes	Middlebury	90	0.26	Moderately well drained	All areas are prime farmland	5	0.32
5	5	MoD2	Montevallo channery silt loam, 15 to 25 percent slopes, moderately eroded	Montevallo	100	0.09	Somewhat excessively drained	Not prime farmland	2	0.32
6	6	MdB	Middlebury silt loam, 3 to 8 percent slopes	Middlebury	90	0.18	Moderately well drained	All areas are prime farmland	5	0.32
6	6	MoD2	Montevallo channery silt loam, 15 to 25 percent slopes, moderately eroded	Montevallo	100	0.06	Somewhat excessively drained	Not prime farmland	2	0.32
7	7	MoD2	Montevallo channery silt loam, 15 to 25 percent slopes, moderately eroded	Montevallo	100	0.16	Somewhat excessively drained	Not prime farmland	2	0.32
8	8	MoD2	Montevallo channery silt loam, 15 to 25 percent slopes, moderately eroded	Montevallo	100	0.13	Somewhat excessively drained	Not prime farmland	2	0.32
9	9	MoD2	Montevallo channery silt loam, 15 to 25 percent slopes, moderately eroded	Montevallo	100	0.14	Somewhat excessively drained	Not prime farmland	2	0.32

Soil Acreages For Farm

Musym	Muname	Comp	%	Acres	Drainage Class	Farmland Class	Tfact	Kfact
MoB2	Montevallo channery silt loam, 3 to 8 percent slopes, moderately eroded	Montevallo	99	0.38	Somewhat excessively drained	Farmland of statewide importance	2	0.32
MoC2	Montevallo channery silt loam, 8 to 15 percent slopes, moderately eroded	Montevallo	99	0.23	Somewhat excessively drained	Not prime farmland	2	0.32

Musym	Muname	Comp	%	Acres	Drainage Class	Farmland Class	Tfact	Kfact
MoD2	Montevallo channery silt loam, 15 to 25 percent slopes, moderately eroded	Montevallo	100	1.6	Somewhat excessively drained	Not prime farmland	2	0.32
MdB	Middlebury silt loam, 3 to 8 percent slopes	Middlebury	90	0.9	Moderately well drained	All areas are prime farmland	5	0.32

Supporting Information & Documentation

Includes if applicable the Rainfall Additions Worksheet, Winter Application Matrix, Residual N Calculation Worksheet and other supplemental worksheets included in the NMP Spreadsheet. Attach information and documentation necessary to support plan content not included elsewhere in the NMP Spreadsheet or appendices. Examples include, but are not limited to, documentation of animal weights if Agronomy Facts 54 is not used, bedding calculations, or calculations for irrigation rates.

By agreement with the SCC this operation can reduce the uncollected manure by half because the pastures are vacuumed to collect the solid manure. This will show in App 3 as unallocated, uncollected manure.

Paddock ACAs 7-10 are vacuumed to remove all manure. Rinks are vacuumed too, accumulation is small.

App 4 uses horse uncollected for the CMUs. Pony uncollected is only 2 ton per year so no multiple application is used. Analysis is identical and an over application of horse uncollected will be shown.

Grazing notes are approximate timeframes. Grazing varies depending on weather and number of animals boarded. Stocking numbers vary as horses come and go for shows, pleasure riding, competitions, etc.

To determine manure collected samples of shavings and manure was weighed. It was determined that a tractor bucket weighs on average 225 lbs. Daily collection by seasons could then be determined by counting tractor buckets removed. Collected manure amounts in this plan include manure from the stable barn, vacuumed pasture and paddocks, and a small amount from the outdoor rinks. The operator keeps a log of manure amounts vacuumed from the pastures and paddocks.

Manure Storage Setback Waiver
(From Neighboring Landowner)

To Whom It May Concern:

I hereby consent to waive the required setback distance of 200 feet from my property line for the proposed manure storage facility to be built on the parcel of property with tax # 85 8D 19 currently owned by Justin Barclay.

My property is identified by parcel # 85 8D 7.04.

I understand that this manure storage facility will be closer to my property line than required setbacks provided under §83.351(a)(2)(vi)(H) of the regulations developed to implement Act 38 of 2005. This manure storage facility has my consent to be no closer than 30 feet from my adjoining property line. I understand that such a waiver is acceptable to the Pennsylvania State Conservation Commission under §83.351(a)(2)(vi)(H) of the aforementioned regulations.

Scott Inhoffen
Landowner Name (print)

[Signature]
Landowner Signature

77 Belle Vista Lane, Lehighton PA 18235
Landowner Address

10/18/17
Date

570-386-5579
Telephone Number

State of Pennsylvania
County of Carbon

On this, the 18 day of October, 2017, before me, the undersigned notary public, personally appeared Justin Barclay + Scott Inhoffen, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged that he/she executed the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

[Signature]
Notary Public

COMMONWEALTH OF PENNSYLVANIA
NOTARIAL SEAL
Brittany R. Morgan, Notary Public
Mahoning Twp., Carbon County
My Commission Expires July 27, 2021
MEMBER, PENNSYLVANIA ASSOCIATION OF NOTARIES

Appendix 1

Nutrient Management Plan Agreement & Responsibilities

Plan Implementation Requirements

This nutrient management plan has been developed to meet the requirements of the following programs:

Form with checkboxes for Pennsylvania Act 38 of 2005, CAO, VAO, Pennsylvania CAFO, and Other program.

Plans developed under these programs are required to be implemented as approved in order to maintain compliance with the specific law or program.

The nutrient management plan has been developed as a: (check one)

Form with checkboxes for 1-Year Plan and 3-Year Plan for Crop Years.

Records required to be maintained include the following:

- 1) Annual crop yields
2) Manure and fertilizer application rates, locations and date of application
3) Manure production figures for the various manure groups listed in your plan
4) Soil test reports (testing required every 3 years per crop management unit)
5) Manure test reports (testing required once a year for each manure group)
6) Number of animals on pasture, number of days on pasture, and hours per day on pasture
7) For operations exporting manure, Manure Export Sheets
8) BMP designs and certification for new liquid and semi-solid manure storage facilities

The following has been confirmed:

Form with checkboxes for Verification of Ag E&S Plan and Verification of Existing Site Specific Emergency Response Plan.

Verification that owners of rented/leased lands have been notified that a nutrient management plan has been developed which calls for manure to be applied to their lands and that they have no objections to the plan requirements.

Form with checkboxes for Owners Notified and No Rented/Leased Lands.

Specialist Signature

I affirm that the information contained in this nutrient management plan is true, accurate and complete to the best of my knowledge and belief, based on information provided by the operator; that this plan has been developed in accordance with the criteria established for the program(s) indicated above; and that I have presented the final complete plan to the operator and discussed the content and implementation of this plan with the operator, subject to the penalties of 18 Pa.C.S.A. § 4904, relating to unsworn falsification to authorities.

Specialist Signature

Handwritten signature: Dan R. Petch

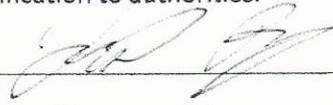
Date

Handwritten date: 12/18/17

Operator Signature

I understand and agree that I will implement the practices, procedures and record keeping obligations as outlined in this plan in order to protect water quality and address the nutrient needs of the crops associated with the operation. I agree that if I use a commercial hauler or broker for the application or export of manure, that only haulers or brokers that hold a valid certification issued by the Pa Department of Agriculture, under Act 49 of 2004, will be used. I affirm that all information provided in this nutrient management plan is true, accurate and complete to the best of my knowledge and belief, and reflects the current and planned activities of the operation; and that, if this plan was completed by a nutrient management specialist, I have reviewed the final completed plan and the specialist has discussed the content and implementation of this plan with me, subject to the penalties of 18 Pa.C.S.A. § 4904, relating to unsworn falsification to authorities.

Operator Signature



Operator Title

owner

Date

12/18/17

Appendix 2
Operation Information

Operation Description

Animal types and numbers; cropland, hayland and pastureland acreage; farmstead acreage; crop rotation (crops, sequence of crops, and number of years for each crop); manure group management, including atypical manure (contributing animal groups, collection, storage and handling procedures); mortality composting management.

Animal numbers	1 pony, 9 horses		Cropland, hayland	2.6
Pasture	2.6		Farmstead acreage	2
Manure management	Exported to a broker using containers		Mortalities	Rendering service

Manure management on this operation includes the use of a vacuuming trailer to collect horse manure from paddocks and pastures. Records are kept of amounts collected. By guidance from the SCC 50% of the manure collected is credited to the uncollected pasture manure. Crop rotation is continuous grass pasture. Areas may be reseeded as needed to maintain vegetation.

County(s)

Carbon

Name of Receiving Stream(s)/Watershed(s)

No streams on property, tributary to Berger Creek, Lehigh River Watershed

Notation of Special Protection Waters

none

Operation Acres

Total Acres: 8.4

Total Acres Available for Nutrient Application Under Operator's Control

Owned: 2.6

Rented: 0

Names & Addresses of Owners of Rented or Leased Land

No rented land

Existing Manure Storages & Capacity

Type of storage, dimensions, useable capacity, freeboard, top or bottom loaded, dimensions and description of contributing runoff area, description of wastewater additions, types and amounts of bedding. Briefly describe, for each manure group, manure storage management during removal (degree of agitation, method of manure removal, extent the storage is emptied, type of unremoved manure, etc.) and manure sampling procedures.

A 40x70 concrete pad is used for manure storage. Capacity at a 5' stack height is 175 ton at 25lb per cubic ft. About 55 tons of shavings is used for bedding annually. Manure is removed from the stalls each day and added to the pile. Manure is collected from the pastures and paddocks with a vacuuming machine and placed in the storage. Manure sampling included taking several representative small amounts and mixing for analysis. The use of a container from a landscaping service will minimize the use of this manure storage area. The container will normally be filled first. No liquid manure or wastewater is part of this operation.

Manure Application Equipment Capacity & Practical Application Rates

Description of application equipment, practical application rates based on calibration and calibration method used, the data recorded during equipment calibration is to be retained on the farm. If applicable, name and Act 49 certification number of custom applicator.

No manure is mechanically applied on this farm.

Manure Analysis 5 Year Running Average						
Manure Average for Crop Years. 2019-2020-2021	penpack					
	Average	1 year ago	2 years ago	3 years ago	4 years ago	5 years ago
Manure Report Date	Apr 14 2017	Apr 14 2017				
Laboratory Name	AASL	AASL				
Manure Type	Other	Other				
Manure Unit (lbs/ton or 1000 gal)	lb/ton	lb/ton				
Total Nitrogen (N) (lbs/ton or 1000 gal)	9.96	9.96				
Ammonium N (NH ₄ -N) (lbs/ton or 1000 gal)	0.10	0.10				
Total Organic N (lbs/ton or 1000 gal)	9.86	9.86				
Total Phosphate (P ₂ O ₅) (lbs/ton or 1000 gal)	7.38	7.38				
Total Potash (K ₂ O) (lbs/ton or 1000 gal)	3.47	3.47				
Percent Solids	24.70	24.70				
PSC Value (Enter analytical or book value)	0.80	0.80				

Appendix 3 Manure Group Information Crop Yrs. 2019-2020-2021	penpack	
Manure Report Date (note if averaging several reports)	April 14, 2017	
Laboratory Name	AASL	
Manure Type	Other	
Manure Unit (lbs/ton or 1000 gal)	lb/ton	
Total Nitrogen (N) (lbs/ton or 1000 gal)	9.96	
Ammonium N (NH ₄ -N) (lbs/ton or 1000 gal)	0.10	
Total Organic N (lbs/ton or 1000 gal)	9.86	Go to NMP Index
Total Phosphate (P ₂ O ₅) (lbs/ton or 1000 gal)	7.38	Go to Appendix 3 Input
Total Potash (K ₂ O) (lbs/ton or 1000 gal)	3.47	Go to Manure Anal Input
Percent Solids	24.70	Grazing Calculator
PSC Value (analytical or book value)	0.80	
Percent Moisture	75.30	
Manure Group AEU's	10.23	
Description: Site & Season Applied	storage/stack/site	none
Inventory Method	Records	
	Collected Calc.	Uncollected Calc.
Manure Group Identification	penpack	penpack - uncollected
CALCULATED: Total Manure Collected Per Manure Group		34.7 Tons
RECORDS: Total Manure Collected Per Manure Group	163.0 tons	
Manure Used On-Farm	Collected 0.0 Tons	Uncollected 19.8 Tons
Manure Exported	163.0 tons	
Manure Allocation Balance	0.0 Tons	14.8 Tons
Manure Balance as a Percent of Total Manure Collected	0.0%	
Total Rainfall and Runoff	0 tons	

Appendix 3 Manure Group Information Crop Yrs. 2019-2020-2021	penpack	
	Manure Generation per Animal Group	Uncollected Manure: Nutrient Analysis Book Values
Animal Group 1	pony	pony - uncollected
Animal Type	Pony Mature	Total Nitrogen (N) lbs/ton
Animal Number	1	12.00
Animal Weight	600	Total Phosphate (P2O5) lbs/ton
Animal Group AUs	0.60	5.00
Animal Group AEUs	0.60	Total Potash (K2O) lbs/ton
Daily Manure Production per AU	55.0	9.00
Total Days Manure Produced	365	PSC Value
Total Manure Produced		0.80
Days On Pasture	240	
Hours Per Day On Pasture	12	
Total Bedding		
Total Washwater		
CALCULATED - Total Uncollected Manure Per Animal Group	2.0	2 - Tons
CALCULATED-Total Manure Collected Per Animal Group		App. 3 Input
Animal Group 2	horse	horse - uncollected
Animal Type	Light Horse Mature	Total Nitrogen (N) lbs/ton
Animal Number	9	12.00
Animal Weight	1100	Total Phosphate (P2O5) lbs/ton
Animal Group AUs	9.90	5.00
Animal Group AEUs	9.63	Total Potash (K2O) lbs/ton
Daily Manure Production per AU	55.0	9.00
Total Days Manure Produced	355	PSC Value
Total Manure Produced		0.80
Days On Pasture	240	
Hours Per Day On Pasture	12	
Total Bedding		
Total Washwater		
CALCULATED - Total Uncollected Manure Per Animal Group	32.7	33 - Tons
CALCULATED-Total Manure Collected Per Animal Group		App. 3 Input

App. 4: Crop Yrs. 2019-2020-2021															
CMU/Field ID	1			1A			1B			1C			2		
Acres	0.6			0.1			0.2			0.1			0.3		
Soil Test Report Date	April 4, 2017														
Laboratory Name	AASL														
Soil Test Levels (Mehlich-3 P & K) (Show conversions to ppm in Appendix 10)	ppm P	ppm K	pH												
	35	165	6.3	35	165	6.3	35	165	6.3	35	165	6.3	35	165	6.3
P Index Part A Evaluation	No to All Part A														
Part A Result	N Based														
Crop	Established Pasture (without legume)														
Planned Yield	3 ton/A														
PSU Soil Test Recommendation (lb/A)	N	P205	K20												
	150	30	40	150	30	40	150	30	40	150	30	40	150	30	40
User Soil Test Recommendation (lb/A) (Nutrients applied regardless of manure)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
P Index Application Method															
Double Crop Carry/Over N (lb/A)	0			0			0			0			0		
Manure History Description Residual Manure N (lb/A)	35			35			35			35			35		
Legume History Description Residual Legume N (lb/A)	0			0			0			0			0		
Net Nutrients Required (lb/A)	115	30	40	115	30	40	115	30	40	115	30	40	115	30	40
Manure Group	horse - Uncollected														
Application Season: Management (incorporation, cover crops, etc.)	Grazing anytime with nutrient uptake during growing season			Grazing anytime with nutrient uptake during growing season			Grazing anytime with nutrient uptake during growing season			Grazing anytime with nutrient uptake during growing season			Grazing anytime with nutrient uptake during growing season		
Availability Factors (Total N or NH4-N & Organic N)	Total N	NH4-N	Org. N												
	0.20			0.20			0.20			0.20			0.20		
P Index Application Method															
N Balanced Manure Rate (ton, gal/A)	48 tons/A														
P Removal Balance Manure Rate (ton or gal/A; if required by P Index)	9 tons/A														
P Index Value	Crop P Removal (lb/A) 45.0														
Planned Manure Rate (ton or gal/A)	5.45 tons/A			8.57 tons/A			5.22 tons/A			7.5 tons/A			11.1 tons/A		
Nutrients Applied at Planned Manure Rate (lb/A)	13	27	49	21	43	77	13	26	47	18	38	68	27	56	100
Nutrient Balance after Manure	102	3	-9	94	-13	-37	102	4	-7	97	-8	-28	88	-26	-60
Supplemental Fertilizer (lb/A)	70	0	0	70	0	0	70	0	0	70	0	0	70	0	0
P Index Application Method															
Final Nutrient Balance (lb/A)	32	3	-9	24	-13	-37	32	4	-7	27	-8	-28	18	-26	-60
Multiple Application	3 tons			1 tons			1 tons			1 tons			3 tons		
Manure Utilized on CMU	3 tons			1 tons			1 tons			1 tons			3 tons		

App. 4: Crop Yrs. 2019-2020-2021		3			4			5			6			11		
CMU/Field ID		0.4			0.1			0.3			0.3			0.2		
Acres		April 4, 2017			April 4, 2017			April 4, 2017			April 4, 2017			April 4, 2017		
Soil Test Report Date		AASL			AASL			AASL			AASL			AASL		
Laboratory Name		ppm P	ppm K	pH												
Soil Test Levels (Mehlich-3 P & K) (Show conversions to ppm in Appendix 10)		35	165	6.3	35	165	6.3	35	165	6.3	35	165	6.3	35	165	6.3
P Index Part A Evaluation		No to All Part A			No to All Part A			No to All Part A			No to All Part A			No to All Part A		
Part A Result		N Based			N Based			N Based			N Based			N Based		
Crop		Established Pasture (without legume)			Established Pasture (without legume)			Established Pasture (without legume)			Established Pasture (without legume)			Established Pasture (without legume)		
Planned Yield		3 ton/A			3 ton/A			3 ton/A			3 ton/A			3 ton/A		
PSU Soil Test Recommendation (lb/A)		N	P2O5	K2O												
User Soil Test Recommendation (lb/A)		150	30	40	150	30	40	150	30	40	150	30	40	150	30	40
Other Nutrients Applied (lb/A) (Nutrients applied regardless of manure)		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
P Index Application Method		Continuously - Summer Crop			Continuously - Summer Crop			Continuously - Summer Crop			Continuously - Summer Crop			Continuously - Summer Crop		
Double Crop Carryover N (lb/A)		0			0			0			0			0		
Manure History Description		35			35			35			35			35		
Residual Manure N (lb/A)		0			0			0			0			0		
Legume History Description		0			0			0			0			0		
Residual Legume N (lb/A)		115	30	40	115	30	40	115	30	40	115	30	40	115	30	40
Net Nutrients Required (lb/A)		horse - Uncollected			horse - Uncollected			horse - Uncollected			horse - Uncollected			horse - Uncollected		
Manure Group		Grazing anytime with nutrient uptake during growing season			Grazing anytime with nutrient uptake during growing season			Grazing anytime with nutrient uptake during growing season			Grazing anytime with nutrient uptake during growing season			Grazing anytime with nutrient uptake during growing season		
Application Season: Management (incorporation, cover crops, etc.)		Total N	NH4-N	Org. N												
Availability Factors (Total N or NH4-N & Organic N)		0.20			0.20			0.20			0.20			0.20		
P Index Application Method		48 tons/A			48 tons/A			48 tons/A			48 tons/A			48 tons/A		
N Balanced Manure Rate (ton; gal/A)		9 tons/A			9 tons/A			9 tons/A			9 tons/A			9 tons/A		
P Removal Balance Manure Rate (ton or gal/A; if required by P Index)		Crop P Removal (lb/A) 45.0			Crop P Removal (lb/A) 45.0			Crop P Removal (lb/A) 45.0			Crop P Removal (lb/A) 45.0			Crop P Removal (lb/A) 45.0		
P Index Value		6.97 tons/A			6.25 tons/A			4.8 tons/A			12.48 tons/A			12.48 tons/A		
Planned Manure Rate (ton or gal/A)		17	35	63	17	35	63	17	35	63	17	35	63	17	35	63
Nutrients Applied at Planned Manure Rate (lb/A)		98	-5	-23	98	-5	-23	98	-5	-23	98	-5	-23	98	-5	-23
Nutrient Balance after Manure		70	0	0	70	0	0	70	0	0	70	0	0	70	0	0
Supplemental Fertilizer (lb/A)		28	-5	-23	28	-5	-23	28	-5	-23	28	-5	-23	28	-5	-23
P Index Application Method		2 tons			2 tons			2 tons			2 tons			2 tons		
Final Nutrient Balance (lb/A)		3 tons			3 tons			3 tons			3 tons			3 tons		
Multiple Application		1 tons			1 tons			1 tons			1 tons			1 tons		
Manure Utilized on CMU																

Appendix 5 - P Index

Crop Yrs. 2019-2020-2021

No P Index Part B fields in this Plan

Pennsylvania P Index Version 2

Go to NMP Index

Go to App 4 Input

PART A: SCREENING TOOL		PART A: SCREENING TOOL		CMU/Field ID
Is the CMU in a Special Protection watershed?		Is the CMU in a Special Protection watershed?		If the answer is Yes to any of these questions, Part B must be used.
A significant farm management change as defined by Act 38?		Is there a significant farm management change as defined by Act 38?		
Soil Test Mehlich 3 P greater than 200 ppm P?		Is the Soil Test Mehlich 3 P greater than 200 ppm P? (enter soil test value in ppm P)		
Contributing Distance from CMU to receiving water <150 ft.?		Is the Contributing Distance from this CMU to receiving water less than 150 ft.?		
Is winter manure application planned for this field?		Is winter manure application planned for this field?		
Run P Index Part B voluntarily? (No to all Part A questions.)		Run P Index Part B voluntarily? (Answers are No to all Part A questions.)		
PART B: SOURCE FACTORS: Mehlich 3 Soil Test P (ppm P)		Mehlich 3 Soil Test P (ppm P)		
Soil Test Rating = 0.20* Mehlich 3 Soil Test P (ppm P)		Mehlich 3 Soil Test P (ppm P)		
FERTILIZER P APPLIED REGARDLESS OF MANURE (Starter or other)	FERTILIZER P APPLIED REGARDLESS OF MANURE (Starter or other)	Fertilizer P (lb P2O5/acre)	Fertilizer P (lb P2O5/acre)	Fertilizer P (lb P2O5/acre)
P INDEX APPLICATION METHOD OF FERTILIZER P APPLIED REGARDLESS OF MANURE ³	Placed or injected 2" or more deep	0.2	Incorporated <1 week following application	1.0
SUPPLEMENTAL P FERTILIZER		0.6	Incorporated >1 week or not incorporated following application in April - October	Surface applied to frozen or snow covered soil
P INDEX APPLICATION METHOD OF SUPPLEMENTAL P FERTILIZER ³	Placed or injected 2" or more deep	0.4	Incorporated <1 week following application	Fertilizer P (lb P2O5/acre)
		0.6	Incorporated >1 week or not incorporated following application in April - October	1.0
		0.8	Incorporated >1 week or not incorporated following application in Nov. - March	Surface applied to frozen or snow covered soil
Fertilizer Rating = Fertilizer Rate x Fertilizer Application Method				
MANURE P RATE		0.2	Incorporated <1 week following application	Manure P (lb P2O5/acre)
MANURE APPLICATION METHOD ³	Placed or injected 2" or more deep	0.4	Incorporated <1 week following application	1.0
		0.6	Incorporated >1 week or not incorporated following application in April - October	Surface applied to frozen or snow covered soil
		0.8	Incorporated >1 week or not incorporated following application in Nov. - March	
P SOURCE COEFFICIENT ³				
Refer to: Test results for P Source Coefficient OR Book values from P Index Fact Sheet Table 1				
Manure Rating = Manure Rate x Manure Application Method x P Source Coefficient				
Source Factor Sum				
PART B: TRANSPORT FACTORS				
EROSION				
RUNOFF POTENTIAL	Drainage Class is Excessively	0	Drainage Class is Somewhat Excessively	2
	None	0	Drainage Class is Well/Moderately Well	4
	> 500 ft.	0	Random	1
		2	200 to 349 ft.	4
		350 to 500 ft.		2
Transport Sum = Erosion + Runoff Potential + Subsurface Drainage + Contributing Distance				
		0.85		1.1
MODIFIED CONNECTIVITY	50 ft. Riparian Buffer APPLIES TO DIST < 100 FT	1.0	Grassed Waterway or None	Direct Connection APPLIES TO DIST > 100 FT
Transport Sum x Modified Connectivity / 24				
P Index Value = 2 x Source x Transport				
Low: 59 or less	Medium: 60 to 79	High: 80 to 99	Very High: 100 or greater	No Phosphorus applied
Nitrogen based management	Nitrogen based management	Phosphorus limited to crop removal	Phosphorus limited to crop removal	Phosphorus applied

1 OR rapidly permeable soil near a stream
 2 "g" factor does not apply to fields receiving manure with a 35 ft. buffer
 3 Error Note: if there is a manure or fertilizer rate and there is no corresponding method factor or PSC, it will display an "E".

Appendix 6
Manure Management

Date of Site Evaluation: 12-11-2017

Statement Documenting Areas Evaluated During Site Evaluation

List and clearly identify each of the specific areas evaluated.

I conducted a site visit to the Barclay horse boarding operation and evaluated the following:

Pastures 1-6, 11

Paddock ACAs 7-10

Manure storage and emergency stacksite

Outside rinks and small paddocks for the pony

Identification of Inadequate Manure Management Practices and Conditions

List of each specific inadequate manure management practice or condition identified.

none

BMPs to Address Manure Management Problem Areas

List of specific BMPs (including PA Technical Guide standard name and number) and management changes that will be implemented to address each of the inadequate practices listed above.

none

Appendix 7
Stormwater Control

Date of Site Evaluation: 12-11-2017

Statement Documenting Areas Evaluated During Site Evaluation

List and clearly identify each of the specific areas evaluated.

I conducted a site visit to the Barclay horse boarding operation and evaluated the following:

Pastures 1-6, 11

Paddock ACAs 7-10

Runoff water flow, related swale behind buildings

Identification of Critical Runoff Problem Areas

List of each specific critical runoff problem area identified.

None

BMPs to Address Critical Runoff Problem Areas

List of BMPs (including PA Technical Guide standard name and number) and specific management changes that will be implemented to address each of the critical runoff problem areas listed above.

None

Stormwater direction of flow from pastures and paddocks is channeled below ACA 7 to enter the swale that directs water behind the buildings to a settling area behind the barn. This flow must be maintained to prevent surface water from entering the French drain in front of the stable barn.

Appendix 8
Importer/Broker Agreements & NBSs

Nutrient Balance Sheets are not required for importers that have an approved Nutrient Management Plan.



COMMONWEALTH OF PENNSYLVANIA
STATE CONSERVATION COMMISSION

Date: February 23, 2018

To: State Conservation Commission

From: Roy Richardson, Dirt and Gravel Roads Program Coordinator

Through: Karl G. Brown, Executive Secretary

RE: DSA Standards and Specifications

Action Requested: Approval Changes to the SCC DSA Standards and Specifications

Driving Surface Aggregate (DSA) is a specification of crushed rock that is specifically designed as an unbound (no asphalt or other binder) wearing surface for unpaved roads. Conservation Districts placed over 200,000 tons (\$5-\$6 million) of DSA statewide with DGLVR Program funds in 2017. The State Conservation Commission adopted the current DSA specification in May of 2016. The Program's "Policy and Planning" workgroup discussed issues with DSA at several meetings throughout 2016, and recommended a few changes.

- **Removal of ambiguity on meeting soundness:** "Soundness" is the ability of an aggregate to resist degradation due to weathering, primarily from freeze-thaw cycles. Soundness is measured as a "percent loss" in aggregate size due to fracturing after testing that simulates freeze-thaw stresses. When the specification was approved in 2016, a sentence was added allowing Conservation Districts to accept aggregate that did not meet the soundness specification, "...if it can be demonstrated that the material has a satisfactory service record." We have since recognized the difficulty and ambiguity in this statement. It does not define who must demonstrate this service record, how to demonstrate it, or who to demonstrate it to. It also makes it nearly impossible for new quarries who have high soundness to start making DSA since they have no "service record" except potentially on different aggregates. This gray area in the specification has caused issues with Conservation Districts and Townships concerning liability over who makes the decision on meeting the specification. Soundness is an important component of aggregate, especially surface aggregate that will be exposed to repeated freeze-thaw cycles. The proposed specification change will leave the soundness specification as is, and delete last

sentence that causes the ambiguity as such: “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%. The Conservation District may accept aggregate failing the soundness test if it can be demonstrated that the material has a satisfactory service record.”

- **Minor wording clarifications:** A few minor wording clarifications were also made that did not make substantive changes to the specification itself.

All of these changes are identified on the attached “track changes” version of the DSA Specification. These revisions to the DSA specification are submitted to the State Conservation Commission for review and approval.

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 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:

- A. **Gradation:** The required sieve sizes and allowed ranges, determined by weight, for DSA components are shown in Table 1.

Sieve Size	Percent Passing
1.5"	100
0.75"	65 – 95
#4	30 – 65
#16	15 – 30
#200	10 – 15

Table 1 – DSA Gradations

- B. **Abrasion Resistance:** The loss of mass (LA Abrasion) shall be less than 40%. Determine the resistance to abrasion using the Los Angeles Abrasion test, ASTM C131.
- C. **pH:** Aggregate shall be in the range of pH 6 to pH 12.45 as measured by ASTM D4972.
- D. **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.

- E. **Plasticity:** Material shall not exceed a Plasticity Index (PI) of 6. The laboratory test required for these results is ASTM D4318 – Standard Test Method for Liquid Limit, Plastic Limit, and Plasticity Index of Soils.
- F. **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%. ~~The Conservation District may accept aggregate failing the soundness test if it can be demonstrated that the material has a satisfactory service record.~~
- G. **Aggregate:** All DSA shall be derived from natural rock formations that meet program specification for abrasion resistance, pH and freedom from contaminants.
- H. **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.
- I. **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 sidesloped 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 1,000 tons of DSA, a motorized paver is required. A track mounted paver is preferred. DSA placements should 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.

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
- 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/ft³ (600 kN-m/m³)).
<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
- 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
- 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: February 23, 2018

To: State Conservation Commission

From: Roy Richardson, Dirt and Gravel Roads Program Coordinator

Through: Karl G. Brown, Executive Secretary

RE: SCC/PSU letter of understanding

Action Requested: Approval of letter of understanding

For the past 18 years, the Center for Dirt and Gravel Road Studies (Center) has worked cooperatively with the State Conservation Commission through the Dirt, Gravel, and Low Volume Road Program (DGLVRP). The Commission relies upon the Center to provide technical and education assistance to Conservation Districts and Municipalities across the Commonwealth.

Throughout the years the Commission has had an MOU with the Center to clarify program expectations to both parties. The current MOU will expire on May 8, 2018. Commission and Center staff have worked together to develop a new Letter of Understanding (LOU). The difference between a LOU and an MOU is that MOPU's are intended for use when funds are transferred and an LOU is used to outline agency interactions, relationships, and policies.

Both Commission and Center staff have agreed to the terms and conditions of the LOU. PDA legal counsel has reviewed the document. Changes from the past MOU are minor. Language was added to include low volume roads. Rather than expire in 5 years, the LOU will remain in effect until it is either modified or terminated by agreement of both parties.

Commission and Center staff respectfully request that the Commission approve the Letter of Understanding between the Commission and the Penn State University.



COMMONWEALTH OF PENNSYLVANIA
STATE CONSERVATION COMMISSION

Date: February 23, 2018

To: State Conservation Commission

From: Roy Richardson, Dirt and Gravel Roads Program Coordinator

Through: Karl G. Brown, Executive Secretary

RE: SCC/Conservation District 5 Year agreement

Action Requested: Approval of 5-year agreement

The Commission allocates Dirt, Gravel, and Low Volume Road (DGLVR) funding to Conservation Districts through a 5-year funding agreement. The current agreement will expire on June 30, 2018. This proposed agreement will begin on July 1st, 2018, and will allow the Commission to allocate DGLVR funds to districts through June 30, 2023. There are several significant proposed changes as follows:

- Language has been added that would require conservation districts to spend their allocation within two years (section 1.3), unless waived by the Commission. Prior agreements required districts commit funds to a contract within two years.
- Quarterly reporting will be required by conservation districts under the new agreement. Prior agreements required reporting on an annual basis only.

This proposed agreement has been reviewed and approved for use by the PDA legal department, and by the Comptroller's office. This agreement was also sent to the conservation districts for review and comment. Staff received 13 comments submitted by 10 counties. The comments can be summarized as follows:

- 4 of the comments (3 counties) could be considered unfavorable
- 6 (5 counties) of the comments could be considered favorable
- 3 (3 counties) comments were general questions and comments that could be considered neutral.
- The negative comments generally centered on concerns about the 2 year spending requirement and the fact that quarterly reports would be required.
- The positive comments were generally looking forward to improved accountability by incorporating quarterly reporting into the online GIS reporting module, and also the fact that the 2 year spending requirement would encourage districts and municipalities to complete jobs in a timely manner.
- A comment response document has been provided to SCC members.

Having received favorable reviews from PDA legal staff, the comptroller's office, and having received a mix of mostly favorable reviews from the conservation districts, staff would recommend approval of the 5-year agreement to begin July 1st, 2018.

MEMORANDUM

TO: Roy Richardson, DGLVR Program
FROM: York County Conservation District Board
SUBJECT: Comments on SCC's Draft 5-Year Agreement & Program Changes
DATE: February 9, 2018

Overall, our concerns are less with the agreement and more with the revised allocation formula and state of policy. There are several important deficiencies and inconsistencies between the Agreement, Statement of Policy and Allocation Formula. Excerpts from proposed text underlined and comments plain text.

Agreement Comments

1. Article I General Conditions, Section 1.2 Payment of Program Activities
 - a. Comment – We recommend changing may to shall in the first sentence “Upon full execution of this agreement, the Commission shall, at its discretion, reimburse the District for expenditures for project work under the program from July 1, 2018 through the date of full execution.” Use of the words may and shall legally are important. May implies “at its discretion” while shall requires the SCC to reimburse the District. Changing the wording from shall to may set a dangerous precedent for potential disputes between the SCC and Conservation Districts concerning discretion vs. interpretation of the intent.
 - b. Comment – Same paragraph, last sentence, “Agreement shall be completed, and expenditures for such work paid by the Commission to the District, no later than June 30, 2024.” If the district is going to be required to spend all monies within 2-years of allocation, then for the 2023 allocation year all expenditure and work should be paid by June 30, 2025.
2. Article I General Conditions, Section 1.3 Spending of Funds
 - a. Comment – “Unless waived by the Commission, all funds apportioned to the District annually must be spent within 24 months from the date the State budget is approved for that fiscal year, but not later than June 30, 2024, or the funds will revert back to the control of the Commission for future apportionments, ...” Basis of the waiver is not defined anywhere in this agreement. We recommend that the language be changed to be consistent with my previous comment on section 1.2, that all funds apportioned to the District annually must be spent within 24 months from the date the State budget is approved for that fiscal year, but not later than June 30, 2025.
 - b. Comment – We are concerned with having to spend funds within 24 months, instead of having funds committed. Unforeseen project implementation delays (i.e., weather, bidding, bog turtle, permitting, etc.) could potentially go beyond 2 years.
3. Article II. Apportionment and Use of Funds
 - a. In Section 11 of the Statement of Policy, Eligible Expenses. (c) Eligible expenses for participating conservation districts shall include eligible costs defined in subsections (a) and (b) for project participants, plus materials, services, labor, insurance/liability coverage and all other expenses necessary for the overall administration and

implementation of the Program, the development and delivery of training/education programs, demonstration projects, resource assessment, site inspections and other expenses determined by the Commission to be necessary to administer and implement the Program. The apportionment and use of funds in the article is not consistent with the *Statement of Policy* draft. The *Statement of Policy* draft's eligible expenses in subsection (a) includes all Program and project costs associated with the administration and implementation of the Program, and the design, review, approval, implementation and maintenance of any project approved and funded by the Program. The draft agreement does not allow for district reimbursement of technical assistance whereby the policy does.

4. Article III. District Responsibilities and Obligations. Section 3.5. Submission of Report.
 - a. Comment – According to Christine we are already submitting program reports and financial statements quarterly.

Allocation Formulas

The Policy and Planning Workgroup's recommendations for changes to the proposed allocation formula, for both DGRs and LVRs, are not consistent. As proposed, it will most likely increase/no changed or decrease our DGR and LVR allocations respectively.

DGR formula recommendation changes:

#1: Move from using roads within "protected watersheds" to using roads within 1,000' of protected streams.

#2: Remove the "number of worksites" from the allocation formula, leaving "miles of worksites" as the primary factor.

LVR formula recommendation changes:

#1: Increase weight of "urban near (500 ft.) stream" from 2 to 3.

#2: Give extra weight to roads near protected (High Quality and Exceptional Value, HQ and EV).

We recommend the use both stream distances and "impaired waters", the latter is updated by DEP every 2 years. Using both impaired and protect waters would be more fair to more districts. Furthermore, we recommend the SCC consider using Wild Trout streams as an allocation criterion. York County has over 200 miles of WT streams, mostly in eastern and southern watersheds.

Additionally, under LVRs, nowhere in this document is urban and non-urban roads defined. I recommend using the NHS Roads categories which defines roads by ADT.

Statement of Policy

1. Sec. 2. Definitions. Project area – A designated area where critical sediment or dust, or both, pollution problems have been identified. Nowhere in this policy, admin manual or regulations is "critical" defined.
2. Sec. 4. Apportionment Criteria.
 - (c) Apportionment criteria shall be based on the verified need to correct pollution problems related to the road and shall include consideration of the following:
 - (1) The total number of miles of dirt and gravel roads maintained by local municipalities or State agencies that are open to the public during any period of the year.

(2) The total miles of dirt and gravel roads within watersheds protected as of November 1996 as exceptional value or high quality waters of this Commonwealth.

Nowhere in these criteria is LVRs included. Also, there is no consideration of local conservation priorities anywhere herein.

3. Section 13. Performance Standards. (b) Standards which prohibit the use of materials or practices which are environmentally harmful shall include the following minimum requirements. Two of three performance standards address harmful and toxic substances, but harm caused by hydraulic alteration (i.e., concentrated flow) is not included as a standard and should be. We all know the relationship of York County's impaired waters and road network.



COMMONWEALTH OF PENNSYLVANIA
STATE CONSERVATION COMMISSION

MEMORANDUM

TO: State Conservation Commission

FROM: Joel Semke

SUBJECT: FY 2018 REAP Guidelines and Application

In preparation for the development of the 2018 REAP Guidelines and Application, the following revisions are under consideration. The issues listed below have arisen during implementation of the program over the past year. These topics will be discussed with the objective of revising the 2018 REAP Guidelines and Application. Commission members and stakeholders are encouraged to provide feedback and to add to the list below. Staff is in the process of gathering information on these topics, as well as soliciting ideas on other areas of concern.

1. Cover Crops BMP

The intent of the staff in revising the REAP Guidelines for Cover Crops is to make it easier for farmers to utilize REAP for this BMP. Based on conversations with the PA No-Till Alliance and others, staff is proposing to make the following changes:

- The practice will now be eligible for REAP credits multiple times – currently eligible 1X only
- Applicants will no longer be required to send in maps that detail the location of the practice
- Applicants will be able to apply for more than 1 year of cover crops per REAP application - with a max of 3 years in advance. For proposed plantings (future years) credits will be reserved and receipts must be submitted by the farmer at the time of the planting to have the credits officially awarded.

2. Plan Writer Sponsorship Option

The Plan Writer Sponsorship Option was introduced in FY 2017 as a way for plan writers to offset the cost of writing plans for farmers that could not afford the plan development costs. The plan writer received the REAP credits directly and the farmer had very little out-of-pocket costs. The Commission processed plan writing sponsor applications in FY 2017 from 2 plan writers – to write 29 plans (Ag E&S, Nutrient Management, Manure Management). Unfortunately, several issues have arisen over the course of the year that have made it difficult to envision continuing with the plan writing sponsorship option. Farmers still can offset the cost of plan development by applying to REAP on their own.

- Eliminate the Plan Writer Sponsorship option

3. Low Disturbance Residue Management Equipment (Vertical Tillage)

The current REAP guidelines for this equipment focuses on 3 main specifications: max gang angle of 5 degrees, no concave discs allowed, max working depth of 4 inches. However, there are several equipment manufacturers that offer equipment with specifications very close to these guidelines. For example, Great Plains offers a machine with a gang angle that is adjustable up to 6 degrees. These heavier-duty versions of REAP-eligible machines often can move much more dirt – and that capability is stressed in the marketing of these tools. Staff recommends keeping the REAP Guidelines for Low-Disturbance Residue Management Equipment unchanged – with no exceptions. Staff will redouble efforts to communicate the Guidelines to equipment dealers and farmers.

4. Waste Storage (313) BMP.

For brand new animal housing: under-ground waste storage facilities (313) are not eligible for REAP tax credits. Current REAP guidelines exclude new animal housing from the program – unless otherwise specified by USDA-NRCS. Staff will add clarifying language to the 2018 REAP Guidelines and Application directing all roofed manure storage facility applicants to complete the Roof Evaluation Worksheet (p15 of the REAP Application).



COMMONWEALTH OF PENNSYLVANIA
STATE CONSERVATION COMMISSION

DATE: March 5, 2018
TO: Members
State Conservation Commission
FROM: Johan E. Berger
Financial, Certification and Conservation District Programs
RE: Request for Approval
Indiana County Conservation District Building Project

Action Requested

Approve a request from the Indiana County Conservation District allowing the district to enter into necessary contractual arrangements (construction or financial) to complete a building project.

Background

For the past 10 years, the Indiana County Conservation District (District) has leased office space in the Indiana County Commerce Center. The District is not co-located with USDA agencies. The owner of the building currently housing the District office has targeted that office space for expansion and informed the District that their respective lease would not be renewed after January 2019.

The District established a Building Committee in 2015 to investigate options for future office space. ICCD initially met with USDA agency partners with the goal of co-location, either at a new facility or by expanding the existing USDA Service Center, but it was determined to be unfeasible. The Committee researched available commercial properties that could be remodeled to meet the District's needs but was unable to find a suitable location. The Indiana County Development Corporation (ICDC) also provided several options for the Committee to investigate in existing buildings and developments. The District Board determined the best option was to construct a new building at ICDC's newly developed Windy Ridge Business & Technology Park.

The District proposes to construct an energy efficient, green building as a model for sustainable development for the community and to reduce long-term operating costs. This project will be accomplished in cooperation with Indiana County Commissioners and the Indiana County Development Corporation. The project will be funded in part by the District and funds obtained under a Redevelopment Assistance Capital Project grant.

Recommendation

Under current policy regarding powers and duties granted to the State Conservation Commission (Commission) under the Conservation District Law (Act of May 15, 1945, P.L. 217), certain matters require approval by the Commission or the Executive Secretary, as authorized by the Commission. When conservation districts enter into contracts, where the estimated project cost exceeds \$250,000, the conservation district must seek approval from the Commission to enter into such contracts.

Please find attached a description of the building project and a request from the Indiana County Conservation District to enter into the necessary contractual arrangements for completion of the District's building project. Adam Cotchen, District Manager for the Indiana County Conservation District will provide a presentation on the District's building project at the March 13, 2018 public meeting.

Attachments (2)

Indiana County Conservation District

Building Project Proposal

Proposal:

The Indiana County Conservation District (ICCD) proposes to build a new office building to provide office space for the Conservation District.

Necessity of Proposal:

In 2010, ICCD moved from the USDA Service Center to its current office location at the Indiana County Commerce Center after USDA agency expansion necessitated the District's relocation. In 2013, Diamond Drug Inc. purchased the Commerce Center from the Indiana County Development Corporation (ICDC) and continued ICCD's office lease. Diamond Drug has rapidly expanded and all other tenants in the building have not had their leases renewed. ICCD's lease will expire in January 2019 and Diamond Drug has plans to utilize the District's space.

Options Evaluated:

ICCD established a Building Fund utilizing Act 13 PUC Block Grant funds and formed a Building Committee to investigate options for future office space. ICCD initially met with USDA agency partners with the goal of co-location, either at a new facility or by expanding the existing USDA Service Center, but it was determined to be unfeasible.

The Committee researched available commercial properties that could be remodeled to meet the District's needs but was unable to find a suitable location.

ICDC also provided a number of options for the Committee to investigate in existing buildings and developments. The District Board determined the best option was to construct a new building at ICDC's newly developed Windy Ridge Business & Technology Park.

Timeline:

- March 2013 – ICCD invests Act 13 PUC Block grant funds into a reserve account establishing the Building Fund.
- April 2015 – ICCD forms a Building Committee to explore options for new District office space.
- June 2015 – Met with USDA agencies and ICDC about partnering on building project.
- July 2015 – Toured Windy Ridge sites and met with owner of USDA Service Center about potential expansion.
- Fall 2015 through Spring 2016 – Explored available commercial properties and existing ICDC building options for lease or purchase.
- July 2016 – Met with ICDC about constructing a District office building at Windy Ridge.
- December 2016 – Contracted Young & Associates Consulting Engineers to develop building concept plan and budget.
- January 2017 – Indiana County Commissioner submitted Redevelopment Assistance Capital Program (RACP) preliminary application on behalf of ICCD.
- February 2017 – Met with legislators about supporting building project and RACP application.
- December 2017 – Received notice of funding authorization and invitation to submit formal RACP grant.

- January 2018 – Indiana County Commissioners accepted invitation to apply for RACP grant on behalf of ICCD.
- January 2018 – Met with local banks for long-term funding for RACP match.
- February 2018 – Contracted Young & Associates to begin final building design. Interviewed solicitor candidates and hired a District Solicitor.
- March 2018 – Evaluated bank loan options with financial advisor. Met with Energy Independent Solutions about solar power installation.

Property & Building Summary:

ICCD's proposed building will be ~ 7,100 square feet in size which will include a 50-seat meeting room and education center. The building will be built on the 5.9 acre Lot 12 at Windy Ridge which the District will purchase from ICDC. Currently, ICCD rents ~ 900 square feet of office space and use a shared conference room and restrooms.

- ICCD plans to build an energy efficient, green building as a model for sustainable development for the community and to reduce long-term operating costs.
- The new building will be a demonstration area for stormwater management techniques.
- The large meeting room will have a separate entrance and will be available for use by community groups, nominating organizations, regional partners, etc.

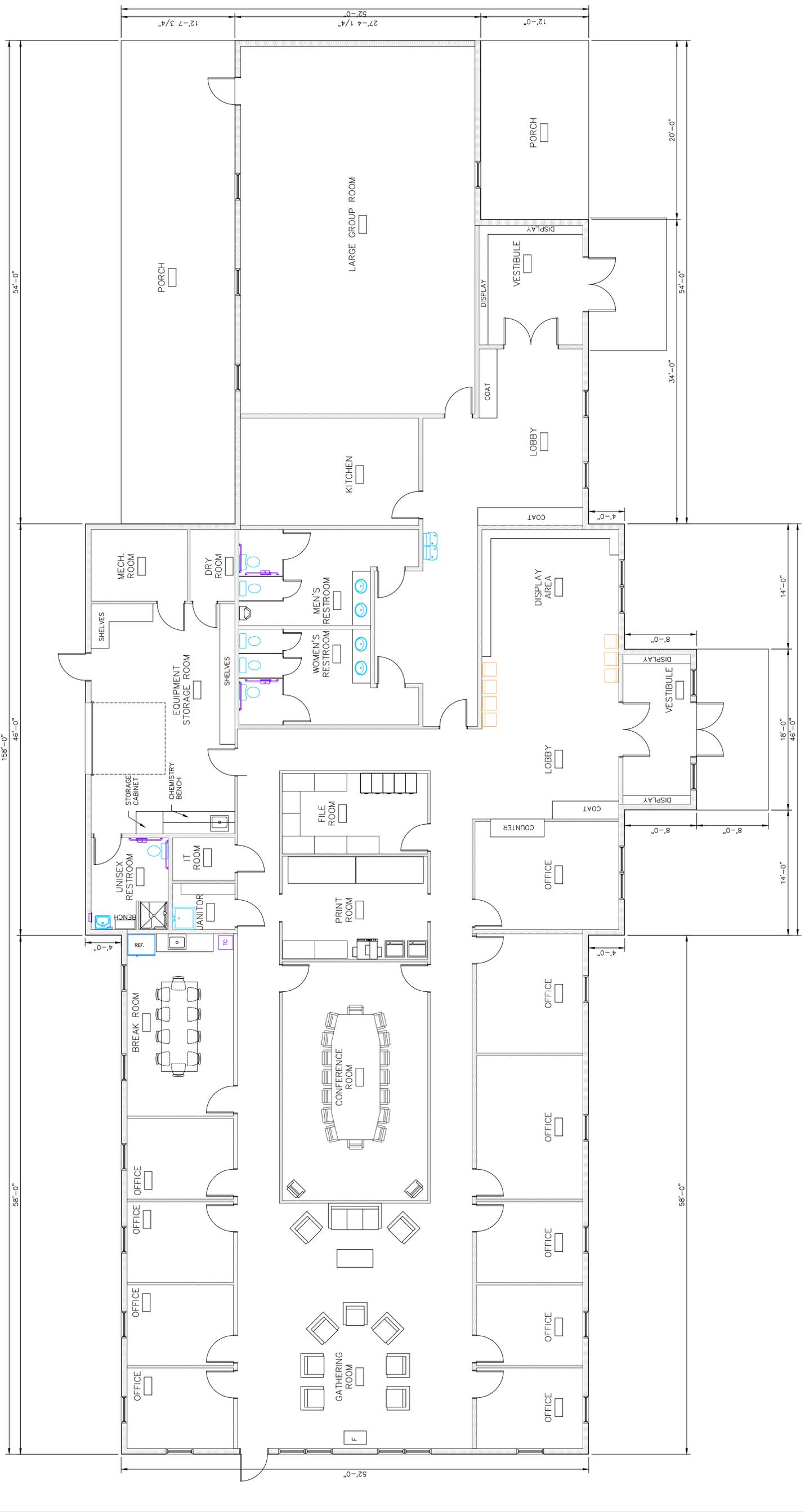
Funding for the Project:

Utilizing Act 13 PUC Block grant funds, ICCD has reserved ~ \$300,000 in a Building Fund. Through a partnership with the Indiana County Commissioners and ICDC, ICCD received \$925,000 in RACP funding for the project in December 2017. The RACP funding requires a 50% match that the District will secure through long-term bank financing. A minimum of a 20-year term is required by RACP but ICCD is negotiating with banks to extend the mortgage over 25-30 years to reduce monthly payments. Private foundation funding and other grant sources are being investigated for energy efficiency, green technology, stormwater management, and educational aspects of the project. ICCD will also utilize some DGLVR administration and education funds on the project consistent with program policy. The mortgage will be paid over the next 20-30 years using Act 13 and administrative funding from various grants and agreements. The building project is estimated to cost ~ \$1,900,000.

Present Status of the Project:

- In January, County Commissioners accepted the invitation to apply for the RACP on behalf of ICCD, the sub grantee.
- Bidding will be coordinated by the County as the RACP grantee.
- ICCD has received proposals from six local banks for long-term funding and is consulting with a financial advisor the best option.
- County Commissioners, ICDC, and ICCD are developing a Memorandum of Understanding for the project.
- ICCD is working with Young & Associates on final building design.
- The Building Committee is researching and applying for additional grant funding.
- Deadline to submit formal and complete RACP application is June 20, 2018.
- ICCD's current lease will expire in January 2019. A short time extension will be necessary.
- ICCD plan to break ground during the 2018 construction season and move into the new building by end of 2019.

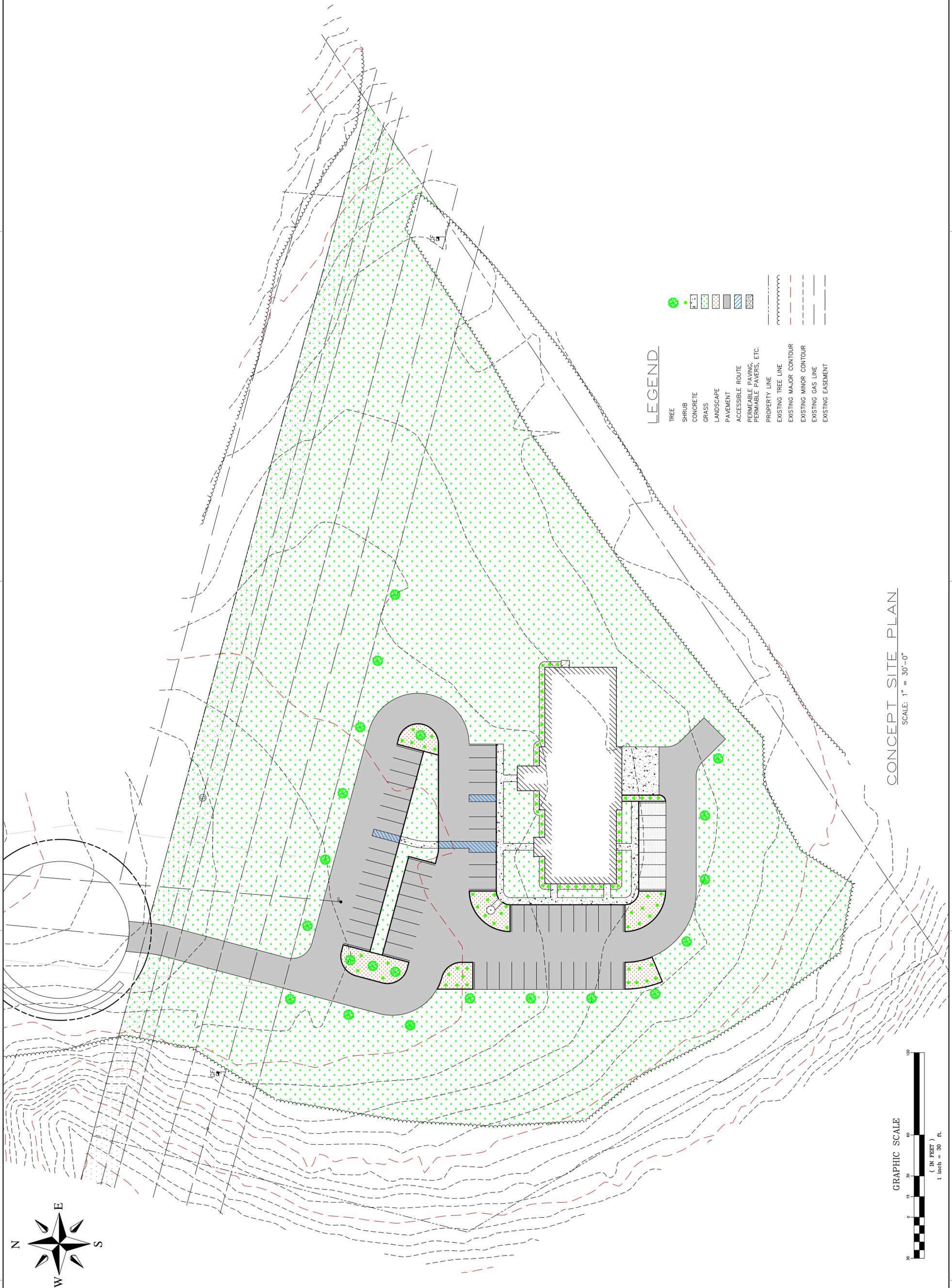




FLOOR PLAN
 3/16" = 1'-0"

BUILDING AREA:
 7,805 SQ FT (GROSS)

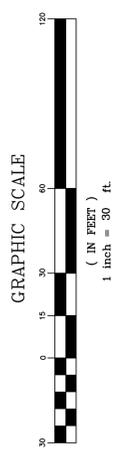
NO.	DATE	DESCRIPTION



LEGEND

- TREE (Green circle symbol)
- SHRUB (Green circle with dot symbol)
- CONCRETE (Diagonal hatching)
- GRASS (Stippled pattern)
- LANDSCAPE (Dotted pattern)
- PAVEMENT (Horizontal hatching)
- ACCESSIBLE ROUTE (Blue hatching)
- PERMEABLE PAVING, PERMIABLE PAVERS, ETC. (Cross-hatched pattern)
- PROPERTY LINE (Dashed line)
- EXISTING TREE LINE (Wavy line)
- EXISTING MAJOR CONTOUR (Solid line)
- EXISTING MINOR CONTOUR (Dashed line)
- EXISTING GAS LINE (Long dashed line)
- EXISTING EASEMENT (Short dashed line)

CONCEPT SITE PLAN
 SCALE: 1" = 30'-0"





COMMONWEALTH OF PENNSYLVANIA
OFFICE OF THE GOVERNOR

RECEIVED
DEC 27 2017

BY:

RANDY ALBRIGHT
SECRETARY
GOVERNOR'S OFFICE OF THE BUDGET

December 20, 2017

Mr. Michael A. Baker, Chairman of Commissioners
Indiana County
825 Philadelphia Street, 2nd Floor
Indiana, PA 15701-3972

Dear Mr. Baker:

Governor Wolf has authorized the release of \$925,000 in Redevelopment Assistance Capital Program (RACP) funding for the Indiana County Conservation District Office & Environmental project in Indiana County. This project is eligible to receive funding via legislative authorization in the Capital Budget Project Itemization Act(s) of 2008-041. Please note that RACP monies will not be paid out until (a) a RACP grant agreement has been fully executed between you and the Commonwealth, and (b) you have complied with all RACP program and grant agreement requirements as set out in the grant agreement and in the program guidelines.

This correspondence shall serve as written notification authorizing the preparation and submission to the Office of the Budget of a formal and complete Redevelopment Assistance application for the project. You will receive further instructions regarding the submission of your application on our web site, approximately three weeks after receipt of your notice of acceptance of this award letter. The significance of your acceptance correspondence is further explained below.

As you are aware, RACP funding is intended to provide much needed economic stimulus to the Pennsylvania economy and it is intended to assist in the immediate creation of quality, family-sustaining jobs for Pennsylvanians. In completing the application for the RACP grant, please include sufficient information and documentation indicating this project's estimated economic impact and the potential for job creation. **To be eligible for this award in accordance with RACP statutes, you must notify the Office of the Budget if you accept the grant within 30 days of receiving notification of approval via an official correspondence.**

As one of the selected recipients of the limited amount of RACP funding available, your organization now has the significant responsibility of ensuring that these funds are utilized for economic development in a timely manner. Therefore, it will be the policy of this Administration to require that **all recipients of RACP funding recipients MUST submit their application within six (6) months of the date of this letter.** Failure to submit the required RACP application

within this timeframe may lead to the termination of any commitment of funding contained herein. It is important to note, however, that according to existing law, applicants must be able to demonstrate that at least 50% of the required non-state funds necessary to complete the project are secured at the time of the application. Failure to document the 50% non-state funds will preclude the Office of the Budget from accepting the application and drafting a grant agreement. It is also important to stress that a Resolution from the eligible applicant authorizing the submission of the application for Redevelopment Assistance Capital Grant funding, should be provided as part of the application.

Additionally, once the grant agreement is fully executed for the RACP funding, your organization will then have a maximum of six months to meet the terms and conditions of the grant agreement and begin construction of the project. Failure to begin construction of the project within six months of the final execution of the grant agreement may lead to the termination of the funding commitment.

Whereas this project has now been authorized to receive RACP funding, you should know that the grant agreement you will execute requires compliance with bidding and the payment of prevailing wage rates as a condition of the contract among other requirements. Questions about prevailing wage rates and how they may affect your project's construction contracts should be directed to the Bureau of Labor Law Compliance, Department of Labor and Industry at 717-787-4671. Failure to comply with these requirements may result in the loss of this funding and return of any funds already provided to your project by the Commonwealth.

Your assistance in this matter is greatly appreciated and the Commonwealth of Pennsylvania looks forward to working with you for the successful completion of this project.

Sincerely,



Randy C. Albright
Secretary of the Budget

cc: Mike Brunelle (Chief of Staff)
Yeseñia Bane (Governor's Office)
Anne Baloga (Office of the Budget)
Steve Heuer (Office of the Budget)
Elias Joseph (Office of the Budget)
William Harbeson (Office of the Budget)
House Appropriations Committee Chairman (R)
House Appropriations Committee Chairman (D)
Senate Appropriations Committee Chairman (R)
Senate Appropriations Committee Chairman (D)
Speaker of the House of Representatives
Majority Leader, House of Representatives
Minority Leader, House of Representative
President Pro Tempore of the Senate
Majority Leader, Senate
Minority Leader, Senate
Sub-grantee:
Mr. Adam Cotchen, District Manager

RDA-301		Commonwealth of Pennsylvania REDEVELOPMENT ASSISTANCE CAPITAL PROJECT USES OF FUNDS				Date Received		
The latest status of this project is:		Version: June 2016				ME No.		
<input checked="" type="checkbox"/> Business Plan <input type="checkbox"/> Application <input type="checkbox"/> Grant Agreement		This RDA filing, as it applies to the project's "status" at left, is a/an:				State Consultant Firm		
		<input checked="" type="checkbox"/> ORIGINAL		<input type="checkbox"/> REVISION No. <input type="checkbox"/>	<input type="checkbox"/> AMENDMENT			
PROJECT NAME		Indiana County Conservation District Office Building			PROJECT PHASE	I	OF	I
GRANTEE		Indiana County Commissioners						
SUB-GRANTEE(S)		Indiana County Development Corporation						
		Indiana County Conservation District						
LINE ITEM	BUDGET CATEGORY	RACP REIMBURSEMENT	MATCH ONLY	TOTAL				
1	Operation & Maintenance	Typical Match						
2	Administration	Typical Match						
3	Legal	Typical Match						
4	Financing/Accounting	Typical Match						
5	Interest During Construction		\$34,862	\$4,171	\$39,033			
6	Architectural/Engineering	Typical Match		\$100,000	\$100,000			
	A. Feasibility Study	Typical Match						
	B. Surveys	Typical Match		\$2,500	\$2,500			
	C. Design	Typical Match						
	D. Inspection Services	Typical Match		\$30,000	\$30,000			
	E. Other (Specify)	Typical Match						
7	Permits		\$10,000		\$10,000			
8	Land (if used, entries A., B., or C. below should reflect the [planned] ownership <i>at commencement of the RACP project construction</i>)							
	A. Grantee owned (value)							
	B. Sub-Grantee owned (value)							
	C. 3rd Party owned (value)							
	D. Easement Cost							
	E. Other Land Costs (Specify & itemize below)							
	i.							
	ii.							
	iii.							
9	Construction (Attach construction cost breakdown)		\$880,138	\$715,750	\$1,595,888			
	A. Contingency (<u>5</u> % of Construction)	Typical Match		\$75,575	\$75,575			
10	Other (Specify & itemize below)							
	A.							
	B.							
	C.							
	D.							
TOTAL PROJECT COST			\$925,000	\$927,996	\$1,852,996			
APPLICANT'S AUTHORIZATION				COMMONWEALTH'S APPROVAL				
Approval of the Project Financing Plan is hereby requested.				The Project Financing Plan is hereby granted.				
SEAL	Applicant	County of Indiana		Commonwealth of Pennsylvania Office of the Budget				
	Signature of Authorized Official	Michael A. Baker		Signature of Authorized Official				
	Title	Chariman		Title				
	Typed or Printed Name	Michael A. Baker		Typed or Printed Name				
	Date	2/3/2017		Date				

RDA-300	Commonwealth of Pennsylvania REDEVELOPMENT ASSISTANCE CAPITAL PROJECT SOURCES OF FUNDS	Date Received
	Version: June 2016	ME No.
The latest status of this project is: <input checked="" type="checkbox"/> Business Plan <input type="checkbox"/> Application <input type="checkbox"/> Grant Agreement	This RDA filing, as it applies to the project's "status" at left, is a/an: <input checked="" type="checkbox"/> ORIGINAL <input type="checkbox"/> REVISION No. <input type="checkbox"/> <input type="checkbox"/> AMENDMENT	State Consultant Firm

PROJECT INFORMATION							
PROJECT NAME	Indiana County Conservation District Office Building	PROJECT PHASE	I	OF	I		
GRANTEE	Indiana County Commissioners						
SUB-GRANTEE(S)	Indiana County Development Corporation						
	Indiana County Conservation District						
County	Municipality	Municipal Population	Legislative Districts		RACP Construction Schedule		
County of Indiana	White Township	88,880	House	Senate	Start Date	End Date	Duration in months
			62nd	41st	3/1/18	12/3/18	10 months

OFFICIAL CONTACT PERSONS			
Chief Elected Official or Officer of Grantee		Contact Person (normally the person from the entity at left that is most familiar with the project; enter "Same" if same person & provide email address)	
Federal ID No.	25-6001035	Name & Title	Byron G. Stauffer, Jr., Executive Director
Name & Title	Michael A. Baker, Chairman	Organization	Indiana County Office of Planning & Development
Organization	Indiana County Board of Commissioners	Address	801 Water Street Indiana, PA 15701-1705
Address	825 Philadelphia Street 2nd Floor - Courthouse Indiana, PA 15701-3972	Phone	724-465-3870 x3161
Phone	724-465-3805	Email address	byronjr@ceo.co.indiana.pa.us
Email address	mbaker@countyofindiana.org		

FUNDING SOURCES					
Type	Amount	Description	Secured?	Unsecured? or Other?	
REDEVELOPMENT ASSISTANCE FUNDS	\$925,000				
MATCHING FUNDS	\$927,996				
A. Local Funds	\$100,000	Indiana County Conservation District - see bank stmt.	Yes		
B. Private Funds	\$827,996	CNB Bank	Bank Letter		
C. Land					
Attach Appraisal					
D. Federal Funds					
E. Other					
TOTAL FUNDS	\$1,852,996				

Attach an explanation about any state or federal funds the project has received in the past or will receive in the future that are not being counted as matching funds

PROJECT ADMINISTRATION			
Will the Applicant administer the project?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Will the Applicant designate a Project Administrator?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Other? <input type="checkbox"/> Yes <input type="checkbox"/> No
Administrators:	Applicant's Staff	Indiana County Office of Planning & Development (ICOPD)	
	Sub-Applicant's Staff		
	Designated Administrator	Byron G. Stauffer, Jr. Executive Director, ICOPD	
Are Cooperation Agreements attached?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Status:	Under Development

APPLICANT'S AUTHORIZATION	
To the best of my knowledge and belief, data in this application are true and correct and the submission of the application has been duly authorized by the governing body.	
<div style="border: 1px solid black; width: 100%; height: 20px; margin-bottom: 5px;"></div> <div style="border: 1px solid black; width: 100%; height: 20px; margin-bottom: 5px;"></div> <div style="border: 1px solid black; width: 100%; height: 20px; margin-bottom: 5px;"></div> <div style="border: 1px solid black; width: 100%; height: 20px; margin-bottom: 5px;"></div>	<div style="border: 1px solid black; width: 100%; height: 20px; margin-bottom: 5px;"></div> <div style="border: 1px solid black; width: 100%; height: 20px; margin-bottom: 5px;"></div>
Signature & Title of Authorized Official	Date
Michael A. Baker	February 3, 2017



INDIANA COUNTY
CONSERVATION DISTRICT

Conserving Natural Resources for Our Future

February 2, 2017

Byron G. Stauffer, Jr., Executive Director
Indiana County Development Corporation
801 Water Street
Indiana, PA 15701-1705

Dear Mr. Stauffer:

The Indiana County Conservation District (ICCD) would like to express its commitment to partnering with the Indiana County Development Corporation (ICDC) on a building project at the Windy Ridge Business and Technology Park in White Township. The building will not only serve as permanent office space for ICCD and a meeting space for community organizations, it will be an environmental education center and demonstration site for sustainable development. Most of ICCD's partners and supporting organizations are community-based nonprofits with very limited budgets, without permanent meeting locations, which all will benefit from the project. The new building will also be a desirable location to host regional meetings, thus bringing in associates from across the state to support our local economy.

ICCD is committed to working with ICDC through a long-term lease agreement for the building that would allow us to continue to provide services to residents of the county and continue our mission "to promote sustainable agriculture and communities while protecting and wisely using the natural resources of Indiana County." We are extremely grateful to ICDC for their openness and willingness to partner with us on this valuable project. We feel this project is essential to ICCD's long-term sustainability and we thank ICDC for helping to make it become a reality.

Sincerely,

Adam Cotchen
District Manager





**INDIANA CONSERVATION DISTRICT
NEW OFFICE BUILDING CONSTRUCTION AND SITE DEVELOPMENT
ENGINEER'S ESTIMATE OF CONSTRUCTION COST - FEBRUARY 2017**

<u>Item #</u>	<u>Work Description</u>	<u>Unit</u>	<u>No. Units</u>	<u>Cost Per Unit</u>	<u>Total Cost</u>
1	General Conditions/Insurance	LS	1	\$30,000	\$30,000
2	Mobilization/Demobilization	LS	1	\$7,500	\$7,500
3	Site Work	LS	1	\$180,000	\$180,000
4	Concrete Footings/Foundation	LS	1	\$30,000	\$30,000
5	Concrete Slab/Flatwork	LS	1	\$65,000	\$65,000
6	Rough Carpentry/Framing	LS	1	\$175,000	\$175,000
7	Casework	LS	1	\$35,000	\$35,000
8	Furniture	LS	1	\$50,000	\$50,000
9	Exterior Finish - Stone Venear	LS	1	\$29,000	\$29,000
10	Exterior Finish - Cedar Siding	LS	1	\$35,000	\$35,000
11	Exterior Finish - Architectural Metal Roofing	LS	1	\$100,000	\$100,000
12	Insulation	LS	1	\$35,000	\$35,000
13	Exterior Doors and Windows	LS	1	\$60,000	\$60,000
14	Interior Doors	LS	1	\$25,000	\$25,000
15	Flooring	LS	1	\$52,000	\$52,000
16	Wall Gypsum	LS	1	\$40,000	\$40,000
17	Acoustical Tile Ceiling	LS	1	\$35,000	\$35,000
18	Painting	LS	1	\$65,000	\$65,000
19	Restroom/Accessories	LS	1	\$17,000	\$17,000
20	Plumbing	LS	1	\$33,000	\$33,000
21	HVAC	LS	1	\$200,000	\$200,000
22	Electrical	LS	1	\$185,000	\$185,000
23	Security	LS	1	\$3,000	\$3,000
24	Sanitary Sewer Grinder Pump Station	LS	1	\$20,000	\$20,000
25	Sanitary Sewer Forcemain	LF	250	\$20	\$5,000
26	Electric/Telephone/Cable (2 - 5" dia/7 - 4" dia.)	LF	1,350	\$45	\$60,750
27	Casing Pipe for Gasline	LF	40	\$100	\$4,000
28	Riprap Lining Stormwater Channel	LF	75	\$140	\$10,500
29	24" Dia. Silt Sock	LF	850	\$11	\$9,138
TOTAL					\$1,595,888

*Costs for line items no. 26, 27, 28 and 29 were provided by Stiffler McGraw Engineers.

William J. Young, P.E.
President – Young & Associates Consulting Engineers

February 3, 2017

Indiana County Development Corporation
James A. Wiley, President
801 Water Street
Indiana, PA 15701-1705

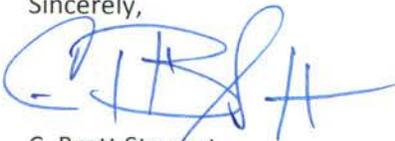
Dear Mr. Wiley:

We are pleased to provide you with CNB Bank's Letter of Interest in helping to fund the construction of a building for the Indiana County Conservation District. Our ongoing relationship with the ICDC, as well as the financial information provided to the Bank on a timely basis, indicates that CNB Bank would support the opportunity to pursue a request in the initial approximate amount of \$1,852,996 in short term financing, followed by approximately \$927,996 on a long term basis. ***This Letter of Interest is not, however, a commitment to lend.***

The limited nature of our review of a request for a Letter of Interest does not include a full evaluation of the entity's financial information which would be necessary to provide a final approval. If you would like CNB Bank to pursue this request on your behalf, it is requested that the ICDC please provide financial information pertaining to the Indiana County Conversation District for the most recent three years, any updated financial information for the ICDC not yet forwarded, along with details specific to the request itself. Upon receipt, a full analysis will be performed at which time terms and conditions will be generated and provided.

If you have any questions about this Letter of Interest, please contact the C. Brett Stewart, Vice President - Commercial Lending, at telephone (724) 471-2175.

Sincerely,



C. Brett Stewart
Vice President - Commercial Lending
CNB Bank
665 Philadelphia Street
Suite 100
Indiana, PA 15701
Phone - (724) 471-2175
Fax - (724) 471-2177
Cell - (724) 422-8727



**COMMONWEALTH OF PENNSYLVANIA
STATE CONSERVATION COMMISSION**

March 5, 2018

To: Members
State Conservation Commission

From: Karl G. Brown
Executive Secretary

RE: Chesapeake Bay Program Update

Additional information pertaining to this agenda item will be provided at our March 13, 2018 Commission Meeting.



**COMMONWEALTH OF PENNSYLVANIA
STATE CONSERVATION COMMISSION**

DATE: February 26, 2018

TO: State Conservation Commission Members

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

THROUGH: Karl G. Brown
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 January / February 2018.

For the months of January and February 2018, staff and delegated conservation districts have:

1. Odor Management Plans:
 - a. 8 OMPs in the review process
 - b. 10 OMPs approved
 - c. 1 OMP approval rescinded
2. Reviewed and approved 149 Nutrient Management (NM) Plans in the 3rd quarter of 2017.
 - a. Those approved NM plans covered 44,034 acres
 - b. Those approved NM plans included 80,561 Animal Equivalent Units (AEUs), generating 1,393,560 tons of manure.
3. Managing nineteen (19) enforcement or compliance actions, currently in various stages of the compliance or enforcement process.
4. Worked with legal counsel on three (3) separate Environmental Hearing Board (EHB) cases. One case was settled. Currently, the SCC has two (2) cases before the EHB, with both waiting for other issues to be resolved before hearing the case on the NMP.
5. Continue to daily answer questions for NMP writers, NMP reviewers, delegated Conservation Districts, and others.
6. Assisted DEP with various functions and as workgroup members in Federal and State settings for the Chesapeake Bay Program.



**COMMONWEALTH OF PENNSYLVANIA
STATE CONSERVATION COMMISSION**

DATE: February 22, 2018

TO: Members
State Conservation Commission

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

SUBJECT: March 2018 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 January 2018 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 February 22, 2018.

The table below summarizes approved plans grouped by the Nutrient Management Program Coordinator Areas and by calendar year.

	Central	NE/NC	SE/SC	West	Totals
2009	7	6	27	1	41
2010	5	7	25	2	39
2011	10	11	15	2	38
2012	9	16	16	2	43
2013	10	11	37	3	61
2014	13	16	44	2	75
2015	15	15	60	2	92
2016	19	16	59	4	98
2017	24	24	44	3	96
2018			9		10
Total	112	122	336	21	
Grand Total					593

As of February 22, 2018, there are five hundred ninety-three **approved** plans and/or amendments, eight plans have been **denied**, sixteen plans have been **withdrawn** without action taken, forty-five plans were **rescinded**, and eight plans and/or amendments are going through the **plan review process**.

OMP Status Report

Action	OMP Name	County	Municipality	Species	AEUs	OSI Score	Status	Amended
12/18/2017	Stoltzfus, David S	Lancaster	Fulton Twp	Cattle	162.40	69.0	Approved	A
12/19/2017	Raber, Noah J	Clearfield	Brady Twp	Veal	33.14	85.8	Approved	
12/19/2017	Walter, Melissa & Bowes, Wade	Snyder	Adams Twp	Broilers	66.51	33.1	Approved	
12/22/2017	Beiler, Samuel S	Columbia	Madison Twp	Veal	51.19	46.9	Approved	A
1/5/2018	Leid, Lawrence	Lancaster	Ephrata Twp	Swine	316.00	75.6	Approved	
1/5/2018	Peachey, Marlin J	Mifflin	Brown Twp	Swine	759.45	65.8	Approved	
1/9/2018	Jason & Kristi Ecenroad Family Farm, LLC	Lebanon	Bethel Twp	Broilers	197.07	28.5	Approved	A
1/10/2018	Benner, Arlin - Cochranville Farm	Chester	W Fallowfield Twp	Cattle	0.00	15	Approved	
1/10/2018	Thistle Creek Farm, LLC	Lebanon	E Hanover Twp	Broilers	106.45	36.0	Approved	B
1/12/2018	Shadow Ridge Farm, LLC	Lancaster	Strasburg Twp	Layers	620.00	41.2	Approved	
1/17/2018	Auker, Nelson H	Berks	Tulpehocken Twp	Broilers	24.10	116.1	Approved	
1/17/2018	Hoover, Chris	Lancaster	E Drumore Twp	Layers	63.16	116.98	Approved	
2/7/2018	Miller, Joe L	Northumberland	E Chillisquaque Twp	Layers	84.00	39.5	Rescinded	
2/13/2018	Reppert, Randy	Berks	Tilden Twp	Duck	69.03	66.6	Approved	
2/16/2018	Miller, Troy	Lebanon	Swatara Twp	Broilers	130.56	47.1	Approved	

As of February 22, 2018



**COMMONWEALTH OF PENNSYLVANIA
STATE CONSERVATION COMMISSION**

DATE: February 21, 2018

TO: Members
State Conservation Commission

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

SUBJECT: 2018 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 5, 2018, SCC staff mailed Odor Management Self Certification letters and forms to the following:

- 93 – No odor Best Management Practice (BMP) plans
- 347 – 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:

- 79 – No odor BMP plans, an 85% return rate.
- 278 – Level 1 odor BMP plans (Attestment Statement), an 80.0% return rate.

Between the two categories of self-certification sent, the following was reported:

- 323– No significant changes.
- 4 – Significant changes.
- 11 – Expect to make significant changes.
- 12 – Under construction or other.
- 4- Plans Rescinded
- 1 – Sold
- 1 – No longer in operation

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.

As a side note to the self-certification process, the Odor Management Coordinator received several calls for clarification on requirement or to report that the facilities were built and post construction inspections were never performed. It is the operators’

responsibility to inform us when construction is complete so we can perform the post construction inspections, but in many instances, that did not happen. SCC staff is working to bring those operations back into compliance.



COMMONWEALTH OF PENNSYLVANIA
STATE CONSERVATION COMMISSION

DATE: February 26, 2018
TO: State Conservation Commission
FROM: Johan E. Berger
 Financial, Certification and Conservation District Programs
SUBJ: 2018 “To-date” Program Accomplishments: Nutrient and Odor Management Specialist; Commercial Manure Hauler & Broker Certification programs

Certification Program Summary

State Conservation Commission staff facilitate training and certification programs for persons interested in ‘commercial’ or ‘public’ certification in order to develop or review odor management or nutrient management plans under the Act 38 *Facility Odor Management or Nutrient Management* programs. Training is also facilitated for commercial manure haulers and brokers seeking certification under the Act 49 *Commercial Manure Hauler and Broker Certification* program.

Program Accomplishments (January 1, 2018 to March 1, 2018)

1. The Winter/Spring certification cycle for the Nutrient Management Specialist certification program will begin in March 2018. Seventeen (17) individuals are currently registered to begin certification coursework. The spring certification cycle for the Commercial Manure Hauler and Broker certification program begins in March 2018, as well. Currently twelve (12) haulers/brokers are registered for the coursework.
2. Completed three (3) reviews of nutrient management plan reviews for certification requirements. *Note: This is an internal review conducted on NMPs under review by public review specialists seeking final certification.*
3. Issued the following licenses to individuals who successfully completed certification and/or continuing education requirements for license renewals:
 - a. Nutrient Management and Odor Management Specialists:16
 - b. Commercial Manure Haulers and Brokers:84

Total licenses monitored and maintained by Commission staff on behalf of PDA:

 - a. *Nutrient Management Specialists*.....294
 - b. *Commercial Manure Haulers and Brokers*674
 - c. *Odor Management Specialists* 32
4. Approved credits for eligible continuing education programs scheduled up to March 1, 2018:
 - a. Nutrient Management Specialist certification: 20 events
 - b. Commercial Manure Hauler and Broker certification: 17 events

Note: Most of these events are occurring during the months of February and March 2018.

5. Program staff performed two (2) site inspections regarding record keeping requirements under the Commercial Manure Hauler and Broker Certification Program.
6. One (1) compliance investigation under the Commercial Manure Hauler and Broker Certification program remains open pending completion of information collection and assessment.



**COMMONWEALTH OF PENNSYLVANIA
STATE CONSERVATION COMMISSION**

DATE: March 5, 2018
TO: State Conservation Commission
FROM: Johan E. Berger
 Financial, Certification and Conservation District Programs
SUBJ: 2018 Program Accomplishments
 Resource Protection and Enhancement Program (REAP)

REAP Program Summary

The Resource Enhancement and Protection (REAP) Program allows farmers, businesses, and landowners to earn state tax credits in exchange for the implementation of conservation Best Management Practices (BMPs) on Pennsylvania farms. REAP is a “first-come, first-served” program – no rankings. The program is administered by the State Conservation Commission and the tax credits are awarded by the Pennsylvania Department of Revenue. Eligible applicants receive between 50% and 75% of project costs in the form of State tax credits for up to \$150,000 per agricultural operation.

Program Accomplishments

The FY2017 REAP application period opened on a ‘provisional basis’ on August 7th, 2017. Below is a summary of the FY2016 round of REAP applications and a summary of the FY2017 round, to date (1.) and, a summary of REAP activities from January 1, 2018 to February 28, 2018 (2). Approximately thirty (30) applications received in FY2016, representing approximately \$1.2 million, could not be considered under the FY2016 allocation. These applications will be held for consideration in the FY2017-18 round of applications for REAP.

(1.) FY 2016 & FY2017

Applications	Total Cost	Other Public Funds	REAP Requests	Credits Granted
2016 291	\$26.0 million	\$4.34 million	\$10.5 million	\$6.11 million
2017 174	\$13.15 million	\$2.6 million	\$5.24 million	\$2.02*

*Credits granted pending issuance by the Pa Department of Revenue through December 31, 2017.

a) <u>REAP Request – project types</u>	<u>FY2016</u>	<u>FY2017</u>
1) Proposed.....	\$3.87 million	\$1.73 million
2) Completed Projects	\$6.63 million	\$3.51 million
b) No-Till Equipment.....	\$5.15 million	\$1.94 million
c) Structural BMPs	\$4.3 million	\$3.0 million
d) Plans (Ag E&S, Conservation, Manure Management, Nutr. Mgmt.)	\$185,000	\$100,000
e) Low Disturbance Residue Management Equipment	\$318,000	\$160,000
f) Precision Ag Equipment	\$100,200	\$40,000

(2.) January 01, 2018 – February 28, 2018

1. Tax Credits issued to applicants for completed projects\$4.4 million
2. Number of BMPs completed associated with issued tax credits..... 212
3. Number of new tax credit ‘sales’ completed..... *107 sale transactions*
4. Value of new tax credits processed through ‘sales’.....*\$1.66 million*
5. Number of site inspections conducted on completed projects 3
6. Educational and promotional activities included one press release:
 - 3 speaking events
 - 1 mass emails



BUILDING BRIDGES

Farmers* Municipalities* Citizens
Conservation Districts* Agribusiness

To: Members February 28, 2018
State Conservation Commission
From: Beth Futrick
Agriculture/Public Liaison
Through: Karl G. Brown, Executive Secretary
State Conservation Commission
Re: Ombudsman Program Update – Southern Alleghenies Region

Activities: January- February 2018

- Assisting with the AG- E/S Workshops in partnership with the Centers for Dairy/Beef Excellence
- Collaborating with Farm to Table, Western PA and Penn State-Altoona to develop a local food guide for the Southern Allegheny Local Food Network.
- Organizing a Southern Allegheny Local Food Network meeting to include Southern Allegheny Planning and Development, Penn State-Altoona, and Farm to Table, Western PA
- Planning multiple compost workshops to be held state-wide in partnership with Penn State Extension.
- Assisted *The Food Trust* with direct-market farmer contacts.

Meetings/Trainings/Events

- Meetings with multiple partners to discuss development of a commercial kitchen and local food hub in Altoona, PA.
- Meeting with multiple partners to develop a grant proposal for USDA-National Institute of Food and Agriculture grant
 - Penn State Extension – to develop high tunnel workshops for extending food production in food desert areas
 - Office of Vocational Rehabilitation – to develop a handicap accessible -teaching garden
- Meetings with Penn State-Altoona and Farm to Table regarding local food guide development
- Meeting with Penn State Extension to develop compost workshops
- Planning Meeting with Center for Dairy/Beef Excellence and Penn State University
- *Fly Control* presentation at the Snyder County Farmer Winter meeting
- Blair County Extension Council meeting
- Blair County Chamber of Commerce – Sustainability Committee meeting
- Phone interview with *Chesapeake Bay Journal* (article on Blair County's stormwater program)
- PA-DCNR Riparian Buffer Conference

Conflict Issues/Municipal Assistance –

- Lycoming County fly complaint - follow up with neighbors
- Cambria County – Ag Security/Municipality issue
- Bedford County – fly complaint

Reports & Grant Applications

--BCCD Board Report



BUILDING BRIDGES

Farmers * Municipalities * Citizens
Conservation Districts * Agribusiness

To: Members
State Conservation Commission

March 13, 2018

From: Shelly Dehoff
Agriculture/Public Liaison

Through: Karl G. Brown, Executive Secretary
State Conservation Commission

Re: Agricultural Ombudsman Program Update

Activities: Since mid-January 2018, I have taken part or assisted in a number of events, including the following:

- Coordinating with Cons Districts to offer Ag E&S Plan Writing or Manure Mgmt workshops, partnering with the Centers for Dairy/Beef in eastern PA
 - finished Perry County sessions
 - starting Chester County sessions; future includes Berks, Lehigh and Tioga Counties
- wrapped up participation on “Expert Panel Establishment Group regarding Livestock and Poultry Mortality Management Practices”
- hosted heavily attended session at PA Assoc’n of County Fairs session on being prepared for terrorism at fairs, through the SouthCentral Task Force Ag Subcommittee efforts
- working with Lanc Co Ag Council and Lancaster Barnstormers to plan “Farm Show Weekend” in June
- explained SCTF Ag Subcommittee role to PDA’s Farm Safety and Occupational Health Advisory Board
- participated in panel about public perception for Manure Hauler/Brokers meeting
- co-hosted and participated in meeting for farmers in Franklin County about fly minimization techniques
- coordinating details/preparing for SouthCentral Task Force Homeland Security Conference in late March
- attended and provided administrative support for Lancaster Co Ag Council Legislative Breakfast
- attended Mushroom Farmers of PA meetings
- participated in Agri-Business Career Fair for FFA Students as part of “Next Generation Day” at Farm & Home Center
- starting to plan for Lancaster County Ag Week in October 2018
- attended Chesa Bay Program Conservation District and PA Agency Staff Meeting
- attended SCC/PACD Winter meeting
- Serve as Chair of the South Central Task Force Agriculture Subcommittee
- Attended and assisted at Lancaster Co. Agriculture Council meetings

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

Chester Co—on-going attendance at meetings related to Mushroom Phorid Flies with residents/municipality and with the Mushroom Farmers of PA

Lancaster Co—asked by Cons District technician if ordinance language is reasonable or concerning

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

Chester Co—attended meetings with residents and mushroom growers related to mushroom phorid flies

Lebanon Co—assisting with on-going winery/vineyard and municipal situation, directly with Attorney General’s office

Research and Education Activities:

Dauphin Co—request from citizen for education about manure haulers having to tarp loads of manure

Fly Complaint Response Coordination: I have taken complaints or am coordinating fly-related issues in:
none currently