

State Conservation Commission Meeting

January 23, 2024

Hybrid/Virtual Meeting

Agenda – SCC COPY

Briefing Session - 10:00 a.m.

- Chapter 102 Project Jumpstart and Pilot Program – Sean Furjanic, DEP
- Urban Nutrient Management – Denise Uzupis, BPI

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

A. Opportunity for Public Comment

B. Business and Information Items

1. Approval of Minutes
 - a. November 14, 2023 Public Meeting (A)
 - b. December 12, 2023 Conference Call (A)
2. Nutrient and Odor Management Program
 - a. Odor Management Plan (OMP) – Chris Hoover, Misty Hollow Acres – Amend A – Karl Dymond, SCC (A)
 - b. PDA/SCC Certification/Education Program Synopsis – Mike Aucoin, SCC (NA)
3. ACAP Bidding – Justin Challenger, SCC (A)
4. ACAP Assignment of Payment Form – Eric Cromer, SCC (A)
5. EPA MEB Award 2023 – Doug Wolfgang, SCC (A)
6. CEG Public Private Partnership Proposals – Eric Cromer, SCC (A)
7. 2024 Conservation District Director Appointment Update; Barb Buckingham, SCC (NA)
8. Annual Conservation District Audit Report, Calendar Year 2022; Jaci Kerstetter, DEP (A)
9. Chapter 102 Individual Permit Pilot Program Delegation Agreement – Krystal Bloom, DEP (A)

C. Written Reports

1. Program Reports
 - a. Nutrient and Odor Management Program Measurables Report
 - b. January 2024 Status Report on Facility Odor Management Plan Reviews
 - c. NMP Actions

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:

February 20, 2024 - Conference Call

March 12, 2024 – Hybrid/Virtual Meeting

**STATE CONSERVATION COMMISSION
MEETING**

PA DEPARTMENT OF AGRICULTURE

In-Person and Microsoft Teams

Tuesday, November 14, 2023 – 1:00 p.m.

Draft Minutes

Members Present: Executive Deputy Secretary Greg Hostetter for Secretary Russell Redding, PDA; Deputy Secretary Bevin Buchheister for Acting Secretary Jessica Shirley, DEP; Mike Flinchbaugh; Daryl Miller; Ron Rohall; Ron Kopp; Don Koontz (virtual); Tim Peters, NRCS; Drew Gilchrist, DCNR (virtual); Tree Zuzzio, DCED (virtual); and Brenda Shambaugh, PACD.

- A. Public Input** – John Dryzal, District Manager, Cambria County Conservation District noted that the PACD funding reimbursement is very successful and useful. In referring to reallocating Dirt and Gravel Road funds, John also noted the Cambria CD could use these funds and have them spent by June 30, 2024.

B. Business and Information Items

1. Approval of Minutes –September 12, 2023 - Public Meeting and October 10, 2023 – Conference Call.

Daryl Miller moved to approve the September 12, 2023, public meeting minutes. Motion seconded by Ron Kopp. Motion carried. Don Koontz moved to approve the October 10, 2023 conference call minutes. Motion seconded by Daryl Miller. Motion carried.

2. Proposed 2024 SCC Meeting Dates. Doug Wolfgang, SCC, reported that each calendar year, the Commission holds six (6) business meetings (January, March, May, July, September and November) to transact official business and six (6) conference calls (February, April, June, August, October and December) to update members. A list of proposed dates for Commission business meetings and conference calls has been provided to Commission members. All dates proposed have been vetted for potential conflicts (holidays, election days, etc.). The topic of restructuring the SCC meetings to hold the Briefing Sessions and Business Sessions all in the morning was mentioned.

Ron Rohall made a motion to approve the proposed 2024 SCC meeting dates. Motion seconded by Don Koontz. Motion carried.

3. Election of SCC 2024 Vice-Chairperson. Doug Wolfgang, SCC, reported that the Conservation District Law states that the Commission shall elect a vice chairperson at the last scheduled business meeting of the year and that this person shall serve as the vice chairperson for the next calendar year. The responsibility of the vice chairperson is to preside over any business meeting of the Commission in the absence of the chairperson. Michael Flinchbaugh currently serves as the Commission vice chairperson. Mike has indicated he is willing to serve in this capacity in 2024 if asked.

Ron Kopp made a motion to nominate Mike Flinchbaugh as Vice Chairperson for 2024. Motion seconded by Ron Rohall. Motion carried.

4. PACD Request for Funding. Justin Challenger, SCC, reported that in 2022, PACD was awarded a Growing Greener Grant from the PA Department of Environmental Protection (DEP) to offer an Ag Plan Reimbursement Program that continued the success of the DEP program that was offered beginning in 2017. PACD was awarded \$500,000 for a period of three years. Since August 2022, PACD has allocated almost \$400,000 of this funding to 362 plans covering almost 50,000 acres. PACD is requesting additional funding from the State Conservation Commission to continue offering the program until they can apply for another Growing Greener grant in late 2024.

Ron Kopp made a motion to approve the additional funding request from the SCC, for PACD, to continue offering the Ag Plan Reimbursement program until PACD can apply for another Growing Greener grant in late 2024. Motion seconded by Ron Rohall. Motion carried.

5. Reallocating Unspent Dirt and Gravel Roads Program Funds. Roy Richardson, SCC, reported that Montgomery County voted to drop the Dirt and Gravel Roads Program and return unspent funds to the Commission, but still administer the Low Volume Roads Program. This is due to overall lack of potential projects in the county. Returned funds are from the previous five-year agreement. Funds may be reallocated but must be spent by June 30, 2024. Staff asked for the Commission's approval to reallocate those unspent funds to other counties based on set criteria which was explained during the meeting.

Don Koontz made a motion to approve allowing unspent Dirt and Gravel Roads funds to be reallocated if they can be spent by June 30, 2024. Motion seconded by Ron Rohall. Motion carried.

6. FY 23-24 CDFAP UGW Fund Reserve Account Requests. Jacquelyn Kerstetter, DEP, reported that the Commission recently received eleven (11) applications for designation of FY 2023-24 CDFAP UGW funds to "reserve accounts" from the following Conservation Districts: Columbia, Dauphin, Elk, Forest, Lycoming, McKean, Montour, Sullivan, Tioga, Washington and Wyoming. Jaci reviewed these requests in detail and seek commission approval. The total amount of CDFAP and UGWF monies available to Conservation Districts is \$14,823,335.00; of that amount \$816,329.20 or 5.5% is requested to be assigned to CD Reserve Accounts. The remaining 94.5% of total funds is used for CD staff positions, administrative assistance and farmland preservation administration.

Daryl Miller made a motion to approve that the CDFAP and UGWF monies available to the conservation districts listed be assigned to CD Reserve Accounts. Motion seconded by Ron Kopp. Motion carried.

7. Update of District Audit Reports for Calendar Year 2022. Jacquelyn Kerstetter, DEP, reported that since 1999, districts have been required to conduct financial audits. These audits include all funds obtains, spent and maintained by the district over the past year. The Commission deadline for Calendar Year 2022 audits is Dec. 31, 2023. As of Nov. 2, 2023, audits have been received from 37 of the 66 districts. Audits will continue to be submitted throughout November and December. Jaci provided an

update on audits received to date and requested approval for an extension for Columbia, Juniata and Montour Counties.

Bevin Buchheister made a motion to approve the request of district audit report extensions for Columbia, Juniata, and Montour Counties. Motion seconded by Ron Rohall. Motion carried.

C. Written Reports – Self Explanatory

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

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

1. **PACD** – Branda Shambaugh thanked the Commission for their part in the Ag Plan Reimbursement Program. All plans are put into PracticeKeeper before being reimbursed. The Joint Annual Conference will be held in mid-July 2024. PACD is trying to encourage directors to attend. PACD talked to members about the dedicated funding source for PA Clean Streams – PACD has been sending emails to senators for support and is encouraging districts to do the same. The Fall Region meetings are completed, and the Spring ones are scheduled. The PACD Winter meeting will be held virtually on January 25, 2024.
2. **NRCS** – Tim Peters reported that NRCS has a planning meeting at the PACD office with partners that participate in Boot Camp trainings. There will be two weeks of Boot Camp Basic Training in April 2024 and two weeks of Boot Camp 2 training in early May 2024. NRCS is planning webinars – Field Office Tech Guide Overview (and more) for late Winter. The Intro to Planning Training was completed, and over thirty people were trained. EQIP IRA Funds received an additional \$30M on top of the \$25M of regular EQIP funds that were already there. EQIP AMA and RCPP Programs had their first round sign up deadlines of November 1, 2023. Projects will be ranked in the next couple of weeks. CSP first round sign ups have a deadline of January 1, 2024.
3. **PSU** – no report.
4. **DEP** – Deputy Secretary Bevin Buchheister reported the following: **Chapter 105 Bridge and Culvert Maintenance and Repair Tool**. The Chapter 105 Program is excited to announce the released a new and innovative online tool on our webpage. This tool, the [Bridge & Culvert Maintenance and Repair Tool](#), is designed to help bridge and culvert owners understand and be informed of permitting and notification requirements for bridge and culvert maintenance under various scenarios, including emergency situations. It does this by asking a series of questions about the proposed work, the condition of the structure,

current situation, etc. and includes ample photographs, examples, and links. The Program working with our Communications Office on publicizing this tool on social media. The program hopes to utilize this format in the future for additional efforts. If you have ideas on what else this could be used for, please send those to Andy McDonald (anmcdonald@pa.gov). Any questions can also be directed to Andy McDonald. Please feel free to share this tool with the public.

The tool has been posted on 4 of the Chapter 105 webpages:

- <https://www.dep.pa.gov/Business/Water/Waterways/Encroachments/PermittingAndAuthorizations/Pages/default.aspx>
- <https://www.dep.pa.gov/Business/Water/Waterways/Encroachments/PermittingAndAuthorizations/Pages/Emergency-Permits.aspx>
- <https://www.dep.pa.gov/Business/Water/Waterways/Encroachments/StormAndFloodingInformation/Pages/default.aspx>
- <https://www.dep.pa.gov/Business/Water/Waterways/Encroachments/Pages/Program-Updates.aspx>

Chapter 102 SOP Training Series. The next installment of the 102 SOP Training Series will be **Thursday, Nov. 30 from 9 – 11**. This session titled Construction Stormwater-Permit Review for inspections training, this training will briefly discuss reviewing the different types of permits, some basic eligibility requirements and the permit requirements themselves. A Teams Meeting notice was sent to those with CWA accounts on Sept. 28.

Agriculture (Chapter 102.4(a)) Interview Follow-Up. As a follow up to the Ag. 102 interviews that were held this summer, DEP is holding regional meetings to review the information that was gathered. Meetings were held for the NC and SC Regions on November 6. Meetings will be held for the **NE/ SE and NW/ SW on November 20**. These meetings are intended for any staff person that does work related to Ag. 102 and district managers. The purpose of the meetings is to inform participating Districts of trends identified and currently available guidance and resources and propose and seek feedback on next steps to adequately address Ag. 102 needs and responsibilities. Attendees present during the interviews this summer should have received an invitation to the meeting in your region. If you missed the meeting in your region you may attend one of the upcoming meetings. District staff that have not received an invitation and think they should have, or cannot attend the meeting scheduled for their region may reach out to Kate Bresaw at kbresaw@pa.gov for assistance.

NPS Guidelines for States and Territories: Draft Revision for Public Comment. The Environmental Protection Agency (EPA) is seeking comment on a revised draft of the nonpoint source (NPS) §319 grant guidelines. This revision incorporates two years of engagement with states, Tribes, territories, and other local community stakeholders that engage in NPS water quality projects. The Draft Revision for Public Comment of the Nonpoint Source Program Guidelines for States and Territories can be accessed [here](#). These revisions include new flexibilities and expectations to ensure the equitable delivery of §319 NPS program benefits for communities impacted by NPS water quality challenges. Among other updates and clarifications, the draft guidelines support the use of new science and information to advance climate resilience through NPS solutions. The EPA will be taking comments through **December 31, 2023**. Comments can be submitted via:

- The NPS program [§319 grant guidelines update website](#);
- Email to NPSguidelines2023@epa.gov; or
- Mail to 1200 Pennsylvania Avenue NW, MC-4503-T, Washington, DC 20460.

Webcasts to provide an overview of the guidelines:

- ACWA will host a webinar on **November 2, 2023 3:00-4:30 Eastern** [Register here](#)

- EPA will also host a webinar on **December 5, 2023 3:00-4:30** Eastern [Register here](#)

Last Chance: DEP EE Grant Round Closes Wednesday November 15. You have one more day to apply for DEP EE Grants. This year's Environmental Education Grants Program Funding Priorities supports projects that address Water and/or Climate Change and engage people living, working and/or going to school within Environmental Justice areas. The **2024 Environmental Education Grants Program Manual**, can be found at : <https://www.dep.pa.gov/Citizens/EnvironmentalEducation/Grants/Pages/default.aspx> This includes all required application documents, and other pertinent information. **Applications** must be submitted electronically: <https://www.esa.dced.state.pa.us/Login.aspx> **Questions** may be directed to the Environmental Education & Information Center: RA-epEEgrants@pa.gov

5. **DCNR** – Drew Gilchrist reported that DCNR's Bureau of Recreation and Conservation will hold its annual grant workshop this Thursday Nov 16. This free, virtual workshop will help applicants develop project ideas in preparation for submitting a grant application to the Community Conservation Partnerships Program (C2P2). The next grant round opens Tuesday, January 16, 2024 and closes Wednesday, April 3, 2024 at 4:00 PM. At the workshop, DCNR Bureau of Recreation and Conservation staff will present grant program selection criteria, review program priorities, and discuss eligible project types. There will be ample time for project-specific Q&A with DCNR's professional grant managers and regional advisors. 2024 applicants are strongly encouraged to attend. The workshop is especially suited for municipal officials, consultants, board members, trail managers, land trust staff, and park and recreation and conservation district professionals. The workshop runs from 9:00 AM to noon. A general session for all applicants will begin at 9:00 AM. Project type-specific breakout sessions will follow. Applicants should plan on attending both the general session and the breakout session for the project type they plan on applying for. The webinar will be recorded and available for review at a later time.
6. **DCED** – no report.
7. **PDA** – Executive Deputy Secretary Greg Hostetter thanked the Commission and SCC staff for all of their work. Two hearings occurred recently: Veterinary shortage (animal ag) and Hipath Avian Influenza Response. Greg and Dr. Hamberg testified on behalf of PDA. The 2024 Farm Show contest, Oh Say Can You Sing, had 40 applicants. Thirteen will be chosen. The Governor recently signed a bill for an organic logo for PA Preferred. PDA had activities to honor veterans on Veterans' Day. Secretary Redding was on the road honoring veterans and giving awards. Greg and Bevin Buchheister represented Pennsylvania at the Executive Council Meeting in Washington at the National Arboretum. PDA recently hired Dr. Jamie Green (veterinarian) to be the Eastern Regional Director. Kraig Kiehl is PDA's new Emergency Management Coordinator.

Adjournment: Meeting adjourned at 1:51 p.m.

Next Public Meetings: December 12, 2023 – Conference Call

January 23, 2023 -- Public Meeting, In-Person, Harrisburg, PA and
Microsoft Teams

STATE CONSERVATION COMMISSION CONFERENCE CALL**Microsoft Teams Conference Call****Tuesday, December 12, 2023 @ 8:30 am*****DRAFT MINUTES***

Members Present: Acting Secretary Jessica Shirley, DEP; Mike Flinchbaugh; Ron Rohall; Ron Kopp; Don Koontz; Daryl Miller; Secretary Cindy Adams Dunn, DCNR; Dennis Beck, PACD; Tree Zuzzio, DCED; and Chris Houser, Penn State.

A. Public Input: None.

B. Agency/Organization Updates

1. DCNR – Secretary Cindy Adams Dunn

PACD and the conservation districts are DCNR's first partners on buffers. Conservation districts socialized buffers in the beginning. Buffers are the most cost-effective BMP for reducing pollution in water. The 2022 numbers that were developed for the Bay Program included 4,300 acres of planted buffers. There is strong support from agencies for buffers – Teddi Stark leads these buffer efforts. There isn't just one solid funding stream for buffers. Grants across the state are used for funding. Federal grants for buffers in flood zones are also being used. Funds came in from IRA (Inflation Reduction Act) for forestry and tree canopy in urban and suburban areas. There is interest in converting lawns into meadows, which would be good for the environment. There is also a lot of interest in pollinators and soils. Thanks to all for a great 2023.

2. DEP – Acting Secretary Jessica Shirley

2024 Countywide Action Plan (CAP) Implementation Grants: This year, due to feedback provided by EPA on our Milestone programmatic progress and commitments, DEP required CAP counties to quantify the estimated nitrogen, phosphorus, and sediment load reductions as part of their CAP grant application. Based on estimates provided through FieldDoc, more than 170,000 pounds/year of nitrogen, 122,000 pounds/year of phosphorus, and 36.3 million pounds/year of sediment are expected through the implementation of projects funded by the 2024 CAP implementation grant. Of note, the FY2023 Chesapeake Bay MEB IJA funds (\$4.8 million) are awarded to Lancaster, Franklin, and York counties. The Local Government Implementation (LGI) funds (\$1.19 million) are awarded to Chester County to implement BMPs toward the Conowingo WIP.

2022-2023 Chesapeake Bay Ag Inspection Program (CBAIP) Annual

Summary: Published DEP Bureau of Watershed Restoration and Nonpoint Source Management Agriculture Compliance webpage earlier today. The summary can be viewed here:

https://files.dep.state.pa.us/Water/ChesapeakeBayOffice/CBAIP_AnnualSummary_2023_FINAL.pdf

DEP and conservation districts achieved a 10.4% inspection rate (319,589 acres), exceeding the annual goal of 10%. Since the inception of the CBAIP in 2016, 77.2%, or 2.2 million acres, have been inspected. Through the efforts of participating county conservation districts and DEP staff, and the on-going multi-agency integration of tracking and reporting using a centralized geodatabase, Manure Management Plans (MMPs) and Nutrient Balance Sheets (NBS) covering over 1,036,970 acres have been verified as complete and documented in Pennsylvania's portion of the Chesapeake Bay Watershed. Between both the Manure Management Plan and Nutrient Management Plan implementation acres, more than 643,000 acres of Nutrient Management Core Nitrogen and Core Phosphorus and more than 275,000 acres of supplemental nutrient management BMPs (nitrogen and phosphorus rate, timing, and placement combined) were reported toward Pennsylvania's annual numeric progress this year.

Chesapeake Bay Partnership Section BMP Data Reporting Update: The

Chesapeake Bay Partnership Section completed its coordinated efforts to finalize and submit 2023 progress year best management practice (BMP) data reporting, in accordance with the Chesapeake Bay BMP reporting guidelines. Pennsylvania reported 14,534 BMP records to EPA, an increase of 2,808 BMP records from last year. Collectively, DEP has reported 63,587 BMPs in the past six progress years including 2023. This year's iteration of the BMP data collection was standardized to develop a clean and uniform application to collect and report all data obtained from 40 state and federal level data reporting organizations. The BMP data reported this progress year was collected by our state data reporters from July 1, 2022 – June 30, 2023 and is reported to EPA in support of reaching Pennsylvania's Chesapeake Bay TMDL goals.

Agriculture Permitting Roundtable Meeting: On December 12, a group of agriculture stakeholders, including those from PDA, PA Farm Bureau, PennAg Industries, and conservation districts, were invited to an Agriculture Permitting Roundtable meeting. Since the beginning of the Shapiro Administration earlier this year, with DEP unveiling its 10-Point Permitting Plan, the agency has had permitting reform as its top priority and mission. The agency has made progress on its Project JumpStart, addressing Chapters 102 & 105 permitting processes; in addition, the agency is working on a modernization effort as a part of its Permitting Efficiency Plan. We are eager to spend this time updating our partners and stakeholders in the Agriculture sector and community on these

efforts and to hear from folks working in Agriculture on more -- issues and permits affecting them.

District Directors Needed for State Water Plan Committees

The [Pennsylvania State Water Plan](#), is a document intended to inform leaders' decision making and educate all Pennsylvanians on sustainable use and stewardship of our lakes, rivers, streams, and groundwater and the next update is due out in 2027 and we're seeking fresh committee members to help us create it. Pennsylvania wouldn't have a State Water Plan without the help of a broad range of professionals who volunteer their expertise by serving on Regional Advisory Committees. They guide the development of regional components of the plan, provide recommendations to DEP and the statewide committee on the selection of consultants, and identification of critical water planning areas, and help facilitate a process for public input on the plan. If you're passionate about water resources, and would like to contribute to the development of the 2027 Update to the Pennsylvania State Water Plan please search Pennsylvania State Water Plan on your favorite search engine to see what openings are available on the '[Committees](#)' page.

Below is a listed committee openings:

- **Great Lakes:**
 - County Conservation District Director (1)
- **Lower Susquehanna:**
 - County Conservation District Director (1)
 - County Conservation District Director or Planning Commission Director or County Government Representative (1)
- **Ohio:**
 - County Conservation District Director (2)
- **Potomac:**
 - County Conservation District Director (2)
 - County Conservation District Director or Planning Commission Director or County Government Representative (1)
- **Upper/Middle Susquehanna:**
 - County Conservation District Director (1)

2024 Chapter 102 New Hire Small Group Training Webinars

We are happy to announce the continuation of our small group training webinars into 2024. We have expanded Channels training to quarterly instead of semi-annual. Additionally, we have added an abbreviated virtual basic training for new staff in the fall. We are hoping this will help bridge the gap for new staff who start just after the annual in-person basic training in May, until they are able to attend that training the following year.

Sediment Traps and Basins

- January 9, 2024: 9 AM - 12 PM
- April 2, 2024: 9 AM - 12 PM
- July 9, 2024: 9 AM - 12 PM
- September 24, 2024: 9 AM - 12 PM

Channels

- February 13, 2024: 9 AM - 12 PM
- June 11, 2024: 9 AM - 12 PM
- August 27, 2024: 9 AM - 12 PM
- December 10, 2024: 9 AM - 12 PM

Fall Virtual Basic Training

Two days: November 13-14, 2024: 9 AM – 12 PM both days

The quarterly sessions will be limited to the first 10 people and the fall Virtual Basic Training will be limited to the first 20 people who register.

To register, log into Clean Water Academy and visit:

<https://pacleanwateracademy.remote-learner.net/course/view.php?id=922>

A Teams meeting link will be provided in a confirmation email once you register.

3. NRCS – no report.
4. Penn State University – Chris Houser

Jennifer Fetter will be the Director of the Center for Ag Conservation Assistance Training. Jeff Hyde will return as the Extension Director on May 1, 2024. The Dean search is moving forward. The hope is to have the new Dean in place by July 1, 2024. There will be a new agronomy educator in Franklin County, starting on January 2, 2024. Thank you to the SCC for the efforts that were put into this past year.

5. PACD – Dennis Beck

Thank you for the funding from the SCC and NRCS for the Certified Planner Program. PACD hired six new certified planners. Four have already started, and the other two will be starting in January 2024. The Ag Plan Reimbursement Program has 51 plans on the waiting list, representing \$40,000 and 6,400 acres. Since the SCC has already approved an additional \$100,000, PACD will be awarding those district landowners when the paperwork is complete. The PACD Winter Meeting will be held virtually on January 25, 2024.

6. DCED – Tree Zuzzio

DCED has been building its own planning team. There will be up to ten people on the team, who will be working with the environmental sustainability mission of the SCC.

7. PDA – no report.

C. Information and Discussion Items

1. **DCNR Riparian Buffer program - (Secretary Cindy Dunn, DCNR) (NA)** – Secretary Dunn provided an update on DCNR’s initiatives, programs and efforts related to riparian buffers, including the Riparian Forest Buffer program, which provides reimbursable grants to organizations to establish buffers. Riparian buffers are proven to be one of the most effective and least costly best management practices at reducing nutrient and sediment loading to streams and waterways.
2. **2024 Director Nominations (Doug Wolfgang) – (NA)** As of November 30, 2023, fourteen (14) counties (21%) have submitted 2024 conservation district director nominations to the Commission for review. Commission staff review nominations as they are received to ensure that policy regarding conservation district directors is followed. Nominations were received from the following counties: Adams; Butler; Clarion; Clearfield; Elk; Greene; Jefferson; Mifflin; Pike; Schuylkill; Sullivan; Venango; Warren; and York.
3. **Conservation District Audit Reports for Calendar Year 2022 – (Jacqueline Kerstetter, DEP) – (A)** Starting in 1999, the SCC required conservation district financial records to be audited under supervision of a certified public accountant. District audits must include all funds received, maintained, and expended by the district. Additionally, those audits must be independent of the county audit and completed in accordance with generally accepted audit standards applicable to “Financial Statement” audits contained in the latest revision of Government Auditing Standards issues by Comptroller General of the United States. Jaci provided an update on the audits received so far for calendar year 2022 with a December 31, 2023, deadline. Jaci asked for the board to approve an extension for Clarion, Lancaster, Northumberland, and Potter Conservation districts. An attachment was shared.

Don Koontz made a motion to approve an extension for Clarion, Lancaster, Northumberland, and Potter Conservation Districts. Motion seconded by Daryl Miller, Motion carried.

4. **Agriculture Conservation Assistance Program update – ACAP (Justin Challenger) – (NA)**– To date, sixty-six districts have signed delegation agreements with roughly \$151 million in funds committed. In addition, over \$40.1 million has been obligated to contracts with farm owners. The PSU Center for Agriculture Conservation Assistance is up and running, with Jennifer Fetter named as executive director. In addition, an engineering firm has been awarded a contract to work at the Center alongside the NRCS engineer to provide job approval authority to conservation district technicians and other professionals. The Center also recently hired several educator positions to assist districts and partner agencies in carrying out ACAP. The Center developed a financial tracking tool for the program, while best management practice (BMP) information must be entered in to Practice Keeper, DEP’s tool for tracking BMPs. A statewide administrative training session took place on November 16 in State College, followed by four regional training sessions in December.
5. **Conservation Excellence Grant (CEG) Program update (Eric Cromer)– (NA)** - CEG was provided for under the 2019 Pennsylvania Farm Bill, as a tool to fund conservation

practices on farms in Tier 1 and Tier 2 counties in the Chesapeake Bay watershed. The FY 23/24 CEG budget is \$6.2 million total, including \$4.2 million in regular allocation and \$2.0 million reserved for public-private partnerships. Eric provided an update on the recent request for proposals for public-private partnership projects and will alert the board that applications will be presented for consideration in January 2024.

- 6. Sustainable Ag Board (SAB) – Mike Roth– (NA)** – Mike provided general updates on the SAB, which is a new initiative for the SCC. The SAB will use funding from EPA’s Most Effective Basin (MEB) program to award grants for sustainable agriculture projects and to create a statewide soil health program. The administration has included creation of a soil health program as priority under the Conservation Title of the upcoming federal Farm Bill. The Chesapeake Bay WIP 3 also identifies soil health as a priority for achieving water quality targets. In addition, soil health measures align with climate change adaptation, resiliency, and mitigation goals for agriculture. The board is currently being appointed with the inaugural meeting anticipated in late October or November.
- 7. General Updates – Doug Wolfgang (NA)** – Doug provided a “year in review” of the SCC activities and accomplishments over the past year, along with several other general updates, including a look ahead to 2024.
- 8. Next Meeting – January 23, 2024 – Hybrid/In-Person, PDA Building Room 309**
- 9. Adjournment**



COMMONWEALTH OF PENNSYLVANIA
STATE CONSERVATION COMMISSION

DATE: December 6, 2023

TO: Members
State Conservation Commission

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

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

SUBJECT: Odor Management Plan [Amendment "A"] Review
Chris Hoover – Misty Hollow Acres, Lancaster County

Action Requested

Action to approve is requested on the Chris Hoover – Misty Hollow Acres odor management plan Amendment "A".

Background

This farm is located at 366 Blackburn Road, Quarryville, PA 17566; East Drumore Township, Lancaster County.

I have completed the required review of the subject odor management plan (OMP) Amendment "A" (plan amendment) listed above. Final corrections to the plan amendment were received by the State Conservation Commission on December 6, 2023. The plan amendment is considered to be in its final form for consideration of action.

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

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

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

Request for Action Memo: Chris Hoover – Misty Hollow Acres – Amend A OMP

Farm Description

The Chris Hoover – Misty Hollow Acres agricultural operation is a proposed ANIMAL operation. Special agricultural land-use designations for this operation include the following:

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

Distance to Nearest Property Line – The distance to the nearest property line is 227.5 feet for the animal housing facility and 250.9 feet for the manure storage facility.

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

Other Livestock Operations – Other Livestock Operations (≥ 8 AEU) located within the Evaluation Distance Area include a cattle operation in the west 1200’ – 1800’ quadrant.

Surrounding Land Use – The surrounding land use for this area is Rural including the predominant terrain features of open farmland and large forested areas. There is a trailer park directly east of the regulated facilities (in the outer 2 eastern quadrants) and a campground in the outer northern and western quadrants.

AssessmentAmendment Changes:

The original OMP for this site was approved on January 17, 2018. The approved and constructed facilities include a (cage-free) Layer Barn with an attached Roofed Manure Storage Facility.

This Amendment “A” is for after-the-fact approval of the Sheep Run-in-Shed, and for exchanging Level II Odor BMP requirements (removing the Windbreak Shelterbelt; now called Vegetative Buffer for Screening) as a required Level II Odor BMP).

Animal Housing Facilities:

Existing Facilities – This site does not include any existing animal housing facilities.

Currently Regulated Facilities – The regulated facilities in the January 17, 2018, approved plan include 15,500 breeder hens (63.16 Layer AEU) and 1,700 breeder roosters (8.13 Layer AEU) in the following animal housing facility:

- Layer Barn – 42’ x 600’ – 17,200 bird capacity.

Request for Action Memo: Chris Hoover – Misty Hollow Acres – Amend A OMP

Proposed Regulated Facilities – This plan amendment proposes the expansion of the operation with 25 Sheep (ewes) (5.63 AEUs), 2 Rams (0.6 AEUs), and 50 lambs (1.37 AEUs) in the following animal housing facility:

- Sheep Run-in-Shed – 20’ x 10’.
- This is an after-the-fact request for approval; the facility is already constructed and populated.

Manure Storage Facilities:

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

Currently Regulated Facilities – The regulated facilities in the January 17, 2018, approved plan include the following manure storage facility:

- Roofed Manure Stacking Structure – 42’ x 28’ x 6’
- A property line setback waiver is not required to meet the Nutrient Management Program regulations.

Proposed Regulated Facilities – This plan amendment does not include a proposed expansion of the manure storage facilities for this site.

Odor Site Index

On November 8, 2023, I performed a site assessment of the surrounding houses and businesses in the ‘Evaluation Distance Area’ to confirm the buildings identified on the plan map.

Special Site Conditions: The following special site condition exists for this site and was considered in the assessment and completion of the Odor Site Index for the plan: the significant amount of existing shielding (dense vegetation and topography) in the northern and eastern quadrants.

The confirmed Odor Site Index value for this proposed cage-free layer & sheep operation indicates a high potential for impacts with a score of 116.6. Due to the high potential for impacts, the appropriate Level I Odor BMPs for a layer & sheep operation are required and are properly identified in the plan. The proposed plan provides adequate detail and direction for facilitating the operator’s Implementation and Operation & Maintenance of these required Odor BMPs, as well as the necessary documentation needed to demonstrate compliance with the plan and regulations.

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

- Earthen Windbreak Wall – This is a very large Windbreak Wall (approximately 25 feet at the highest point and it covers the entire southern length and eastern side of the Layer Barn.
- Solid Manure Storage Systems Management – The Manure Storage facility (MSF) is roofed, with concrete floors and 4 walls; the doors are normally kept closed.

Request for Action Memo: Chris Hoover – Misty Hollow Acres – Amend A OMP

Supplemental Level II Odor BMP

- Vegetative Buffer for Screening – The original approval had this as a Required Level II Odor BMP; part of this reason for this amendment is to remove this as a Required Level II Odor BMP and become a Supplemental Level II Door BMP.

Recommendation

Based on staff reviews, the OMP Amendment “A” for the Chris Hoover – Misty Hollow Acres operation meets the planning and implementation criteria established under the PA Nutrient & Odor Management Act and Facility Odor Management Regulations. I therefore recommend the plan for State Conservation Commission approval.

The Commission acted to approve / disapprove this odor management plan submission at
the public meeting held on _____.

Douglas M. Wolfgang, Executive Secretary

Date

Odor Management Plan Amendment (A)

Prepared For:

Chris Hoover – Misty Hollow Acres

**Chris Hoover
366 Blackburn Road
Quarryville, PA 17566
717-286-4744**

County/ Municipality: Lancaster County / East Drumore Township

Mailing Address (if Different from Site Address)

Prepared By:

**Austin Hanssen
OM Certification # 171-OMC
TeamAg Incorporated
120 Lake Street
Ephrata, PA 17522
484-788-4266
AustinH@teamaginc.com**



For Official Use Only	
Date of Plan Submission:	<u>November 6, 2023</u>
Date of Plan Approval:	_____
Date(s) of Plan Updates (not requiring SCC action):	

Table of Contents

Chris Hoover - Misty Hollow Acres Odor Management Plan Amendment A

Planner and Operator Commitments & Responsibilities	4
Plan Development Requirements.....	4
Planner Signature & Agreement	4
<i>OMP Amendment Name:</i>	5
Operator Requirements	5
Odor Management Plan Signature Requirements.....	5
Operator Signature & Agreement	5
Plan Summary.....	6
A. Operation Summary (see Appendix 1 to view complete Operation Information).....	6
Proposed Facilities:.....	6
Currently Regulated Facilities:	6
B. Odor Site Index Summary (see Appendix 3 to view complete Index).....	7
C. Odor BMP Implementation, Operation & Maintenance Schedule	7
Level I Odor BMPs Principles.....	7
Level I Odor BMPs to be Implemented.....	7
Level II Odor BMPs to be Implemented:	10
D. Documentation Requirements.....	13
Level I Odor BMP Documentation Requirements.....	13
Level II Odor BMP Documentation Requirements	14
Odor BMP Implementation Commitment Statement	15
OMP Amendment Name:	15
Level I Odor BMPs Principles.....	15
Odor Management Plan Requirements	15
Level I Odor BMPs – Maintenance Log YEAR	16
Level II Odor BMPs – Quarterly Observation Log YEAR.....	17
LEVEL II ODOR BMP NAME:.....	17
Appendix 1: Operation Information.....	21
Part A: Odor Source Factors.....	21
Existing Facilities Description:.....	21
Currently Regulated Facilities:	21
Proposed Regulated Facility(ies) Description:	22
Part B: Site Land Use Factors.....	25
Part C: Surrounding Area Land Use Factors	25

Appendix 2: Operational Maps 26
 Topographic Map 26
 Site Map 26
Appendix 3: Plan Evaluation – OSI 27
Appendix 4: Biosecurity 28
 Biosecurity Protocol Contact Information 28
Appendix 5: Supporting Documentation 29

Planner and Operator Commitments & Responsibilities

Plan Development Requirements

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

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

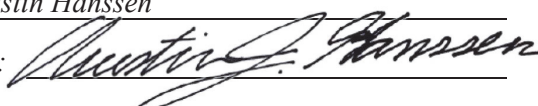
Planner Signature & Agreement

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

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

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

Planner Name: Austin Hanssen Certification number: 171-OMC

Signature of Planner:  Date: 12/6/2023

Date(s) Evaluation Distance Area Site Visit Conducted: 8/18/2023

OMP Amendment Name: Chris Hoover – Misty Hollow Acres Odor Management Plan Amendment A

Operator Requirements

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

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

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

Odor Management Plan Signature Requirements

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

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

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

Operator Signature & Agreement

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

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

Signature of Operator/ Authorized Representative: _____ *Date:* _____

Print Name of Operator/ Authorized Representative: Chris Hoover

Title of Operator/ Authorized Representative: Owner / Operator

Business Legal Name of the Operation: _____

Plan Summary

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

An amendment of the plan is being completed due to the addition of sheep to the operation including a run-in shed for the sheep. Also, a required level 2 BMP (Windbreak Shelterbelt) is being modified to be supplemental level 2 (Vegetative Buffer for Screening) due to wildlife pressures as well as poor growth conditions, note there is in place two level 2 BMPs already that are effectively helping reduce odor.

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

Proposed Facilities:

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

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

Proposed OSI Animal Type:	Sheep
Proposed Animal Numbers:	25 Sheep (Ewes), 2 Sheep (Ram), 50 Sheep (Lambs)
Proposed AEUs (per animal type):	5.63 AEUs (Ewe), 0.60 AEUs (Ram), 1.37 AEUs (Lamb)
Voluntary Existing Animal Type:	No Voluntary Animal Types
Voluntary Existing AEUs (per animal type):	0 AEUs
Regulated AEUs under Previous Plan(s): <i>(Associated with Currently Regulated Facilities below)</i>	63.16 AEUs
Total AEUs Covered by this Plan:	70.76 AEUs
 AEUs per acre for the operation:	 22.40 AEUs/Acre

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

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

Currently Regulated Facilities:

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

Plan Approval Date: January 17, 2018, plan update approval 10/11/2018

Currently Regulated AEUs: 63.16 AEUs

Animal Housing Facility <input type="checkbox"/> None	Dimensions	Livestock Capacity
Poultry Barn	42' x 600'	17,200 Chickens

Manure Storage Facility <input type="checkbox"/> None	Dimensions	Usable Capacity
Roofed Manure Storage Facility	42' x 28' x 6'	218 tons

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

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

Score: 116.6

C. Odor BMP Implementation, Operation & Maintenance Schedule

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

Level I Odor BMPs Principles

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

Definitions:

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

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

Level I Odor BMPs to be Implemented

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

None Required

Voluntary Level I Odor BMP:

Required Level I Odor BMP:

Supplemental Level I Odor BMP:

Chicken Animal Housing Facilities Related Odor BMP's

1. Steps taken to reduce dust and feed accumulation in pens, aisles, and on animals.

- Feed Cleanup – Spilled feed will be removed promptly.
- Dust Control of Ventilation Components – Fan motors, blades, and shrouds will be cleaned between flocks
- Feed Wastage – Feed wastage is generally related to substandard feed and pellet quality and will be monitored daily. Feed refusal behavior will be reported to the feed company; adjustments in feed preparation will be made as needed.
- Cleaning and Sanitation – Buildings will be pressure washed and disinfected between each flock.

2. Ventilation is managed to provide sufficient fresh airflow throughout the facility to keep animals and facility surfaces clean and dry.

- Ventilation Components – Ventilation system components including computer controls, static pressure meters, power winches, fans, and louvers will be checked daily for functionality.
- Mechanical Ventilation – The ventilation system will be designed to provide appropriate ventilation during the winter months. As ambient temperature increases, ventilation rate will automatically increase via staged ventilation. Inlet openings will be automatically controlled by a static pressure monitor or by temperature, which will also be integrated into the computer controls.
 - Fans shall be cleaned between flocks and inspected monthly
 - Inlet openings shall be adjusted daily by computer controls to provide adequate air distribution
 - Static pressure monitors will be calibrated as needed based on internal barn air quality
 - Curtains will be controlled as needed.
 - Curtains, cables, winches, and other components of the ventilation system shall be inspected annually.
- Natural Ventilation – This system will be used during the spring and fall of the year when temperatures are mild (60 to 70-degree Fahrenheit). The mechanical ventilation system will be turned off and the natural ventilation system will be used. The ventilation system will be designed to provide adequate fresh air while minimizing drafts for the laying hens and roosters.
 - Inlet openings shall be adjusted daily by computer controls to provide adequate air distribution
 - Curtains are automatically controlled by a thermostat.
 - Curtains, cables, winches, and other components of the ventilation system are inspected between flocks.

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

- Moisture Control – Water delivery system and nipples will be checked daily for leaks. Repairs will be performed as needed. The height of the nipple waterers is fixed and cannot be adjusted.
- Litter Maintenance – Floor litter will be cleaned out between flocks.
- Monitor for Egg Jams – Facility will be inspected daily for broken eggs. For systems using egg belts, seams will be monitored daily for failure. Broken eggs should not be discarded in the manure storage. Floor egg will be collected manually daily.
- Clean Egg Conveyors – Components of the egg conveyors will be monitored weekly including the egg belt.

4. Mortalities will be removed daily from the bird area and managed appropriately.

- *Composting* – Mortalities shall be removed daily and managed appropriately through the use of composting. Composting will be done in its own separate facility. Once the composting process is completed, the finished compost shall be included with the layer manure in the manure storage facility and land applied in accordance with the nutrient management plan.

5. Feed nutrients will be matched to animal nutrient requirements to avoid excess nutrient excretion.

- Professional nutritionist formulates diets to match animal nutrient requirements.

Chicken Manure Storage Facilities Related Odor BMPs

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

- *Manage Surface Water*
 - Keep surface water from entering manure storage area - Grade surrounding area to avoid run on.
- *Manure Storage Area Cleanliness* - A visual inspection of the manure storage area will be completed every time manure is hauled to ensure that any manure scattered during transport activities is cleaned up in a timely manner.

Animal Housing Facilities Related Odor BMPs – Sheep

1. Steps taken to reduce dust and feed accumulation in pens, aisles, and on animals:
 - a. *Feed Cleanup* – Spilled feed will be removed promptly.
 - b. *Cleaning and Sanitation* – Dust will be removed from stall dividers, feeder surfaces, fans, walls and other surfaces by compressed air or by power washing at least annually.
2. Manage ventilation to provide sufficient fresh airflow throughout the facility to keep animals and facility surfaces clean and dry:
 - a. *Ventilation Components* – There are no mechanical ventilation components.
 - b. *Natural Ventilation* – The Sheep Run In Shed is designed to provide adequate fresh air while minimizing drafts so that aisles, pen surfaces, and animals remain relatively free of manure. During certain times of the year (particularly during periods of extreme temperatures) bedding may be used to minimize accumulation of manure on pen surfaces and animals.
3. Manage manure to minimize damp, exposed manure that contributes to odor generation:
 - a. *Controlling Accumulated Manure* – Animals will be monitored for cleanliness and sufficient bedding will be added to keep at least 80% of exposed manure covered at all times. When bedded pack volume interferes with animal movement or when animals can no longer be kept clean, the bedded pack will be removed and replaced with fresh bedding.
 - b. *Moisture control* – Water lines and troughs will be checked daily for leaks. Repairs will be performed as needed.
 - c. *Cleaning and Sanitation* – Dust will be removed from stall dividers, feeder surfaces, fans, walls and other surfaces by compressed air or by power washing at least annually.
4. Mortalities will be removed daily and managed appropriately. Smaller mortalities can be handled in the Mortality Compost Building. Larger mortalities may be handled by composting in static piles or sending them off the farm for rendering.
5. The diet is formulated to provide animal nutrient requirements in order to avoid excess nutrient excretion.

6. Manage manure storage facility to reduce exposed surface area and off-site odor transfer:
 - a. *Manage Surface Water*
 - i. Keep surface water from entering manure storage area - Grade surrounding area to avoid run on.
 - ii. Keep moisture/leachate from leaving the manure storage area - Manage to avoid runoff of liquid from bottom of the stack by covering or mixing in dry material to absorb rainwater.
 - b. *Manure Storage Area Cleanliness* - A visual inspection of the manure storage area will be completed daily to ensure that any manure scattered during transport activities is cleaned up in a timely manner.

Level II Odor BMPs to be Implemented:

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

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

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

None Required

Voluntary Level II Odor BMP:

Required Level II Odor BMP:

1. **Solid Manure Storage Systems Management** - All layer manure will be stored in an enclosed manure storage facility at the east end of the proposed layer barn with three walls and doors to be fully enclosed to prevent wind stripping and covered with a roof to prevent precipitation from soaking the stored manure.

Implementation:

- a. The manure storage facility was constructed in the spring of 2018.

Operation & Maintenance:

- a. The odor management facility will be inspected monthly for signs of leaking or damage to the facility.
- b. Damage will be repaired and recorded within 3 weeks of the inspection.

Earthen Windbreak Wall

Designs have proven effective in reducing both downwind dust particle concentrations and odor concentrations. Serves to increase turbulence and mixing with fresh air to help dilute odorous compounds before they travel downwind from the facility.

Implementation:

- a. A earthen bank windbreak wall was constructed at the same time as regulated facilities. The wall is 15' – 25' to the height of highest point of the ventilation fans. This purpose of excavation of the regulated site is

to deflect odors from the regulated barn into the upper air current.

- b. Earthen wall embankment will be the length of the building at 10' high (average) berm placed to deflect exhaust fan emissions. See Site Map for location & layout.
- c. Erosion will be controlled on each wall by seeding the disturbed areas to a hearty grass species.
 - a. Grass species will be selected that is best suited for the soil and growing conditions located around the regulated barn.
 - b. Supplemental watering will (as needed) be implemented.
- d. Earthen bank wall will be constructed before birds are placed into regulated barn.

Operation & Maintenance:

- a. Vegetation maintained to protect the integrity of the earthen bank to minimize potential soil runoff.
- b. Eroded soil from the earthen bank wall will be repaired and reseeded
- c. Earthen bank wall will be maintained for the lifetime of the regulated barn.
- d. Monthly inspections will be conducted to verify the integrity and to determine if any maintenance activities are needed.

Supplemental Level II Odor BMP:

Vegetative Buffer for Screening

Vegetative Buffers for Screening are one or two rows of fast-growing vegetation planted sufficiently to visually enhance and beautify the facility it is planted near. Vegetative Buffers also serve to increase turbulence and mixing with fresh air to help dilute odorous compounds before they travel downwind from the facility, and the foliage on some species has been shown to absorb certain compounds, including ammonia.

Implementation

1. Planting Timeframe –

- Chris has planted trees on the edge of the property to help screen odors leaving the farm. The tree line is placed on the southwestern side of the chicken barn. The trees have been planted already.

2. Plant Materials Information

- Chris intends to plant fast growing cover that will be able to quickly establish and start screening odor. Chris has planted in Row 1 – 8 Streamco Willow trees, and warm season grasses in an area of 10' x 200'. In row 2 approximately 20 Arborvitaes have been planted.

3. Location and Layout (include drawing):

- The tree line will be placed on the south western side of the chicken barn as shown below.



4. Site Preparation & Planting Methods Notes

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

Operation and Maintenance

1. Inspections –

- a. **Year 1** – Inspect Vegetative Buffer components biweekly during the growing season (spring to fall). Identify damaged areas and protect plants from damage so proper function is maintained. Replant during growing season. A higher level of care is required until 3 years after plant establishment.
- b. **Years 2 – 4** – Inspect Vegetative Buffer components monthly during the growing season (spring to fall). Identify damaged areas and protect plants from damage so proper function is maintained. Replant during growing season. A higher level of care is required until 3 years after plant establishment.
- c. **Years 5 & on** – Inspect Vegetative Buffer components at least annually. Protect plants from damage so proper function is maintained. Replant during growing season.

2. Maintenance Activities –

- a. **Replace Deadstock** – Replace dead or dying plants as discovered or if discovered during the non-growing season, replace as soon as conditions permit during the next planting season.
- b. **Prune, Fertilize, Protect from Damage** – Prune to maintain function, only after plants are established. Apply nutrients based on soil test results. Protect plants from damage so proper function is maintained.
- c. **Weed Control** – Control competing vegetation either mechanically, chemically, or with a mulch bed to allow proper establishment and growth. Replace woody mulch; reapply mulch to a depth of 3” – 4”.
- d. **Irrigation** – Provide supplemental irrigation for a minimum of three years post plant-establishment. Ensure irrigation equipment is properly working; replace components as needed

D. Documentation Requirements

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

Level I Odor BMP Documentation Requirements

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

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

Level I Odor BMPs – Odor BMP Implementation Commitment Statement Only

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

Level I Odor BMP Documentation Criteria:

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

1. Feed Cleanup / Feed Wastage– Document occurrences of damage to the feed delivery system, and the corrective actions taken, as well as occurrences when the accumulation of spilled feed was not able to be addressed in a timely manner and the corrective actions taken.
2. Dust Control of Ventilation Components – Document discrepancies with the cleaning and sanitation process and the corrective actions taken. Document the dates of the maintenance activities and actions taken between flocks and the corrective actions taken.
3. Cleaning and Sanitation – Document occurrences of building cleaning and disinfecting and the corrective actions taken.
4. Ventilation Components – Document any occurrences of the system components not working correctly, and the corrective actions taken. Document the between-flock maintenance activities and the corrective actions taken.
5. Mechanical Ventilation – Document occurrences of the mechanical components not functioning properly, and the corrective actions taken. When necessary, document static pressure monitor calibration and the corrective actions taken.
6. Moisture Control – Document any repairs made to the water delivery system and nipple waterers and the corrective actions taken.
7. Litter Maintenance – Document if a cake out of the litter is required, and the reason for the unanticipated maintenance and the corrective actions taken.
8. Monitor for Egg Jams – Document when an above average number of eggs are breaking or jamming on the egg conveyer system and the corrective actions taken. Indicate the reason for the jams/breaks and the corrective actions taken.
9. Clean Egg Conveyors – Document discrepancies with planned monitoring and cleaning of the egg conveyer system and the corrective actions taken.
10. Mortality Management – Document any discrepancies with the planned daily disposal of the mortalities through the use of on-farm composting, and the corrective actions taken.
11. Feed Nutrients – Document unanticipated discrepancies in the planned feeding protocol, and the corrective actions taken.
12. Minimize Storage Volume – Document occurrences of manure export from the farm and the corrective actions taken.
13. Manage Surface Water – Document occurrences where surface water run-off and/or run-on is observed at the storage, and corrective actions taken.
14. Manure Storage Cleanliness – Document occurrences when manure scattered during manure export is cleaned up and the corrective actions taken.

Level II Odor BMP Documentation Requirements

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

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

Level II Odor BMP Documentation Criteria:

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

Solid Manure Storage Systems Management

1. Document occurrences when the layer manure is stored in an area other than the three-walled roofed waste storage facility.
2. Document dates (quarterly and after severe weather events) when the structural integrity of the roof and walls of the storage is evaluated. Note any problems that are identified, and the corrective actions taken to resolve the problem.

Earthen Windbreak Wall

1. Inspect earthen wall monthly for erosion and noxious weeds. Document occurrences of erosion and noxious weeds and the corrective action.
2. Control vegetation through the use of mowing. Provide adequate height of vegetation to eliminate the possibility of erosion.
3. Document occurrences when the irrigation system is utilized to provide additional water to establish the newly seeded vegetation.

Vegetative Buffer for Screening Documentation Requirements

1. Implementation - Document that you inspected the Vegetated Buffers in accordance with the OMP Plan Summary, C. Odor BMP Implementation, Operation & Maintenance Schedule details, and document any corrective actions taken.
2. Maintenance Activities : Inspection - Document that you inspected the Vegetated Buffers in accordance with the OMP Plan Summary, C. Odor BMP Implementation, Operation & Maintenance Schedule details, and document any corrective actions taken.
3. Pruning, Fertilize, & Plant Protection - Document that you inspected the Vegetated Buffers in accordance with the OMP Plan Summary, C. Odor BMP Implementation, Operation & Maintenance Schedule details, and document any corrective actions take.
4. Weed Control - Document that you inspected the Vegetated Buffers in accordance with the OMP Plan Summary, C. Odor BMP Implementation, Operation & Maintenance Schedule details, and document any corrective actions taken.
5. Irrigation - Document that you inspected the Vegetated Buffers in accordance with the OMP Plan Summary, C. Odor BMP Implementation, Operation & Maintenance Schedule details, and document any corrective actions taken.

Odor BMP Implementation Commitment Statement

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

(Copy This Page For Future Use)

OMP Amendment Name: Chris Hoover – Misty Hollow Acres Odor Management Plan Amendment A

Level I Odor BMPs Principles

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

Odor Management Plan Requirements

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

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

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

Signature of Operator: _____ Date: _____

Name of Operator: _____

Title of Operator: _____

Level I Odor BMPs – Maintenance Log YEAR _____

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

(Copy This Page For Future Use)

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

Level II Odor BMPs – Quarterly Observation Log YEAR _____

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

(Copy This Page For Future Use)

Select Quarter: 1st Quarter (January) 2nd Quarter (April) 3rd Quarter (July)

LEVEL II ODOR BMP NAME: Solid Manure Storage Systems Management		
<i>List ACTIVITIES</i>	<i>DATE</i>	<i>NOTES</i>
<i>Alternate Storage Utilized</i>		
<i>Inspection / Repairs</i>		

Level II Odor BMPs – Quarterly Observation Log YEAR _____

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

(Copy This Page For Future Use)

Select Quarter: 1st Quarter (January) 2nd Quarter (April) 3rd Quarter (July)

LEVEL II ODOR BMP NAME: Earthen Windbreak Wall

<i>List ACTIVITIES</i>	<i>DATE</i>	<i>NOTES</i>
<i>Removed Noxious Weeds</i>		
<i>Supplemental Irrigation</i>		
<i>Repair Soil Erosion</i>		

Level II Odor BMPs – Quarterly Observation Log YEAR _____

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

(Copy This Page For Future Use)

Select Quarter: 1st Quarter (January) 2nd Quarter (April) 3rd Quarter (July)

LEVEL II ODOR BMP NAME: Vegetative Buffer for Screening		
<i>List ACTIVITIES</i>	<i>DATE</i>	<i>NOTES</i>
<i>Implementation</i>		
<i>Maintenance Activities: Inspections</i>		
<i>Pruning, Fertilize & Plant Protection</i>		
<i>Weed Control</i>		
<i>Irrigation</i>		
<i>Replacing Deadstock</i>		

Appendix 1: Operation Information

Part A: Odor Source Factors

1. **Site Livestock History:** 63.16 AEUs

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

Existing Facilities Description:

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

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

2. **List the Existing Animal Types:** No existing animal types **Existing Animal Numbers:** NA

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

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

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

Animal Housing Facility	Dimensions	Livestock Capacity	Existing Odor BMPs
NA			

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

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

Manure Storage Facility	Dimensions	Usable Capacity	Existing Odor BMPs
NA			

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

There is no existing manure handling systems or storage in this operation.

Currently Regulated Facilities:

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

Previous Plan Approval Date: January 17, 2018, plan update approval 10/11/2018

Previous OSI Score: 116.98 Currently Regulated AEU: 63.16 AEUs

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

a. **Population Date(s):** Summer 2018 *Detail the dates that each regulated animal housing facility was populated.*

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

Animal Housing Facility	Dimensions	Livestock Capacity
Poultry Barn	42' X 600'	17,200 Birds

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

- a. Storage Use Date(s): Summer 2018 *Detail the dates that each regulated animal housing facility was utilized.*
- b. *Provide a detailed description of all currently regulated manure storage facilities, manure stacking areas and manure treatment technology facilities including their dimensions and storage capacity.*

Manure Storage Facility	Dimensions	Useable Capacity
Roofed Manure Stacking Structure	42'X28'X6'	218 tons

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

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

- a. Previous Approved Odor BMPs are no longer applicable and are not part of the OMP. Yes/ No *This is only applicable when the Plan Amendment is either 1) changing Odor BMPs and that the new Odor BMPs are detailed in the Plan Summary, or that 2) due to a change from the newest evaluation for the Plan Amendment, the OSI allows for this change in Odor BMP requirement.*

Proposed Regulated Facility(ies) Description:

Detail the information below, clearly indicating:

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

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

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

Definitions:

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

9. (a) Proposed Facility OSI Animal Types: Sheep

Proposed Animal Numbers per animal type: 25 Sheep (Ewes), 2 Sheep (Ram), 50 Sheep (Lambs)

Proposed AEUs per animal type: 5.63 AEUs (Ewes), 0.60 AEUs (Ram), 1.37 AEUs (Lambs)

(b) Voluntary Existing Animal Types: No Voluntary Existing Animals

Voluntary Existing Animal Numbers: 0 animals

Voluntary Existing AEUs per animal type: 0 AEUs

(c) Regulated AEUs under Previous Plan(s) *(Associated with Currently Regulated Facilities):* 63.16 AEUs

(d) Total AEUs Covered by this Plan: 70.76 AEUs

(e) Acres for the operation associated with an approved Act 38 NMP or acres utilized for the CAO calculation: 3 acres

(f) Total AEUs/ Acre for the operation: 22.40 AEUs/Acre

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

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

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

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

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

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

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

Animal Housing Facility	<input type="checkbox"/> None Proposed	Dimensions	Livestock Capacity
Sheep Run In Shed		20' x 10'	25 Ewes, 2 Rams, 50 Lambs

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

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

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

Scrapers operate daily to remove manure under slats (nesting boxes) into the dry stack manure storage at the end of the building. There are a total of four scrapers. Two per each nesting box. The manure accumulated on the floor with shaving is clean out into the manure storage between flocks. All manure accumulates within the roofed manure stack storage. Due to small quantity of poultry mortalities the composting occurs in a separate facility located east of the manure storage facility. After the composting process in finished the compost is transfer and incorporated into the layer barn manure storage facility. Manure is loaded onto Martin’s spreader during the fall and spring with a loader. The sheep manure will be largely uncollected on pasture, any manure produced by the sheep will be mixed with the chicken litter and exported.

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

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

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

Act 38 NM Program Setback Requirements Verification

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

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

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

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

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

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

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

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

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

12. Construction activities of the proposed regulated facilities:

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

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

The Layer Barn and Roofed Manure Stacking Storage was built in the early Spring through summer 2018. The sheep run in shed was constructed in winter of 2022.

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

The sheep run in shed was constructed in winter of 2022.

Part B: Site Land Use Factors

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

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

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

Agricultural land use designations applicable to the site being evaluated:

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

Part C: Surrounding Area Land Use Factors

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

- 1. Other Livestock Operations (≥ 8 AEUs) within the evaluation distance area Yes / No
If yes, then list the type of operation, the direction (N, S, E, W) and quadrant (distance range from the facility).

Heifers are located onto pastureland by Edwin Martin on a farm located on the west quadrant at 1200'-1800' evaluation distance.

- 2. Distance to nearest property line measurements:

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

- a. Animal Housing Facility measurement 227.5 (ft.) Not Applicable
- b. Manure Storage Facility measurement 250.9 (ft.) Not Applicable

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

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

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

Act 38 of 2005, Odor Management Plan Amendment
Appendix 2: Operational Maps

Topographic Map

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

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

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

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

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

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

Site Map

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

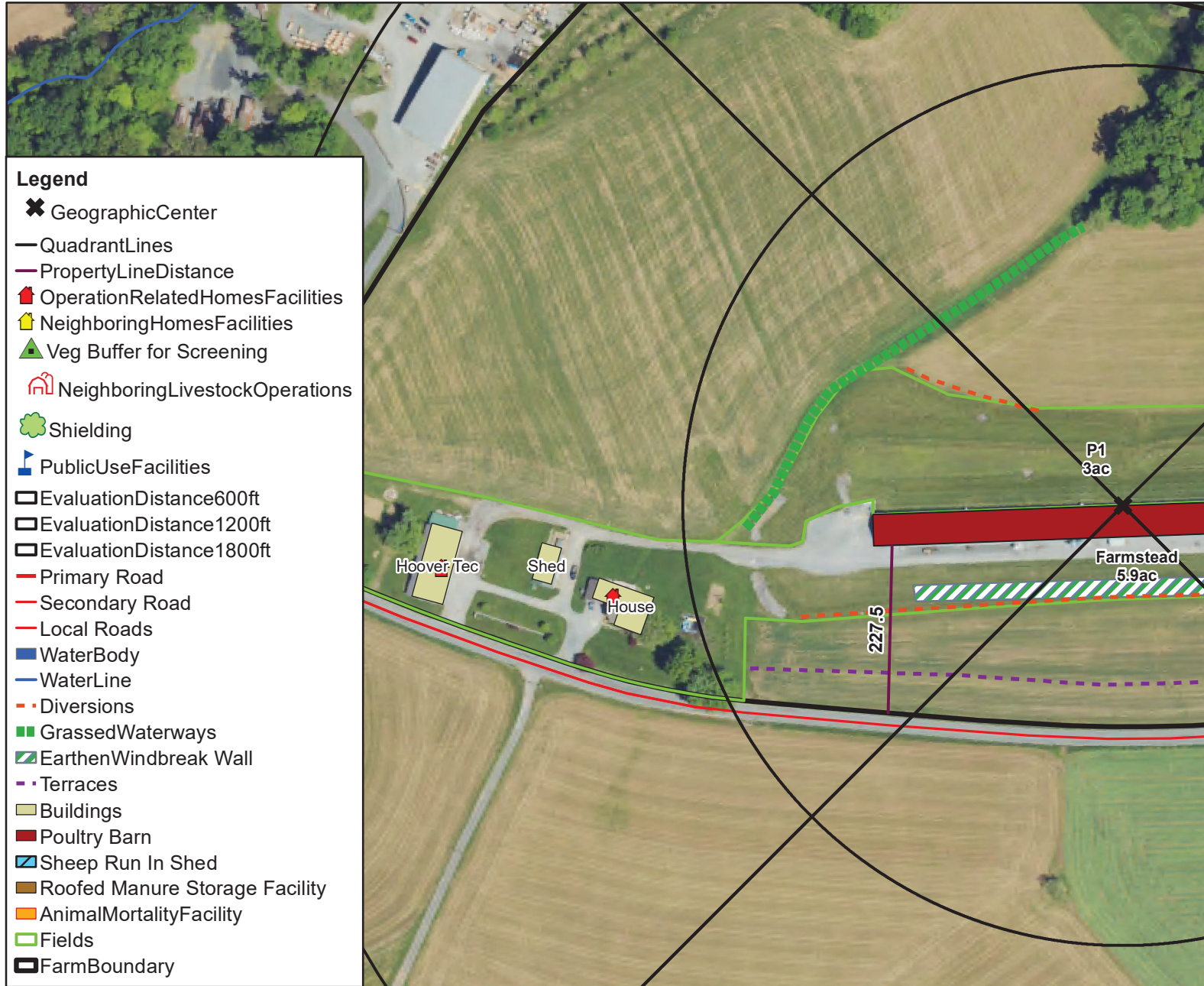
- Operation boundaries;
- Location of existing and proposed animal housing and manure storage facilities on the operation;
- Geographic center with concentric circles drawn at 600' intervals; and
- Distance to nearest property line from the nearest facility

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

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

Chris Hoover

Odor Management Plan Map



Legend

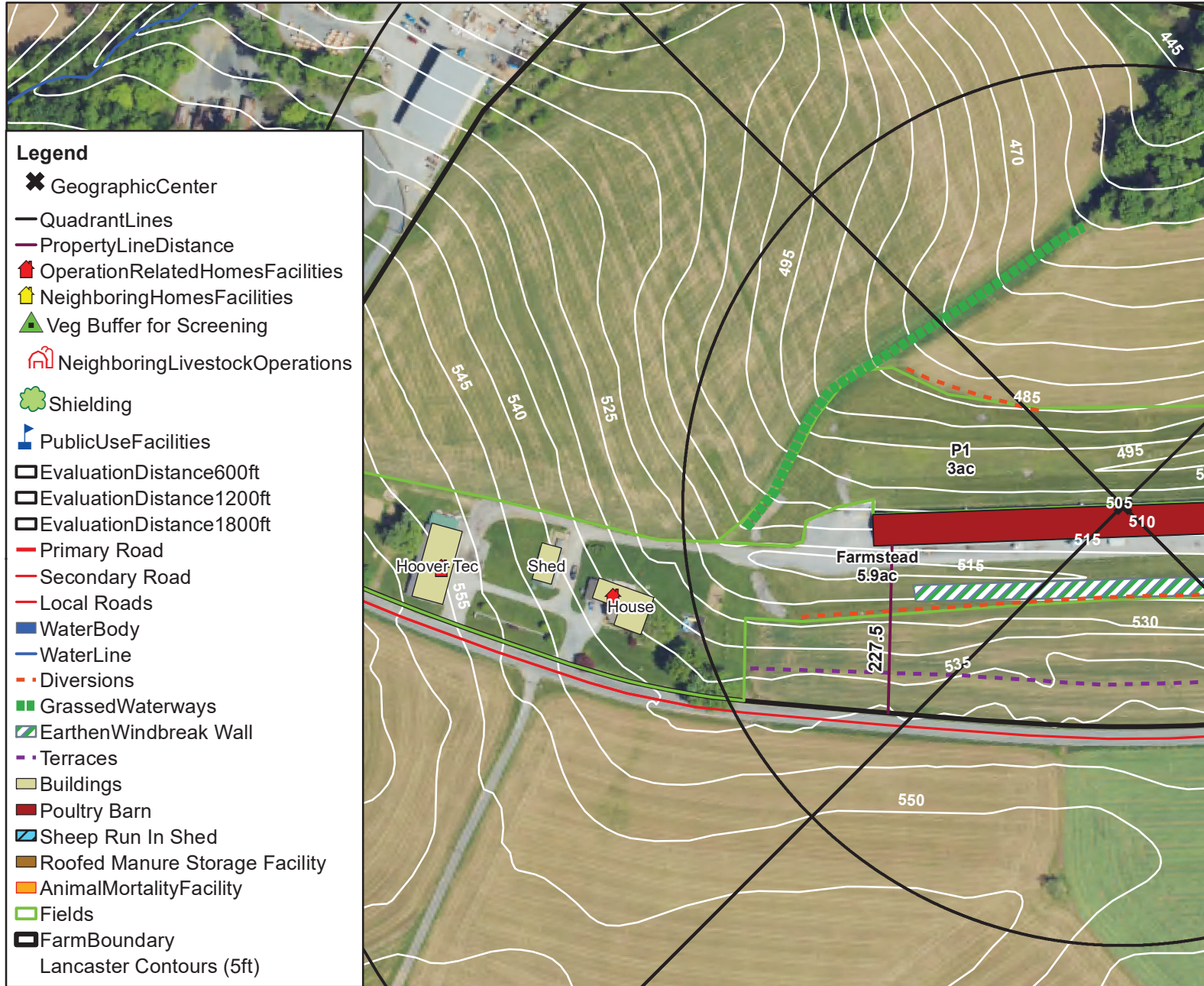
- ✕ GeographicCenter
- QuadrantLines
- PropertyLineDistance
- 🏠 OperationRelatedHomesFacilities
- 🏡 NeighboringHomesFacilities
- 🌿 Veg Buffer for Screening
- 🏠 NeighboringLivestockOperations
- 🌿 Shielding
- 🏠 PublicUseFacilities
- 📏 EvaluationDistance600ft
- 📏 EvaluationDistance1200ft
- 📏 EvaluationDistance1800ft
- Primary Road
- Secondary Road
- Local Roads
- 🌊 WaterBody
- WaterLine
- Diversions
- 🌿 GrassedWaterways
- 🧱 EarthenWindbreak Wall
- Terraces
- 🏠 Buildings
- 🐔 Poultry Barn
- 🐑 Sheep Run In Shed
- 🏠 Roofed Manure Storage Facility
- 🏠 AnimalMortalityFacility
- 🌿 Fields
- 📏 FarmBoundary



**Field verification of application setbacks and buffers is required prior to land application of

Chris Hoover

Odor Management Plan Map



Legend

- ✕ GeographicCenter
- QuadrantLines
- PropertyLineDistance
- 🏠 OperationRelatedHomesFacilities
- 🏡 NeighboringHomesFacilities
- 🌿 Veg Buffer for Screening
- 🏠 NeighboringLivestockOperations
- 🌿 Shielding
- 🏠 PublicUseFacilities
- 📏 EvaluationDistance600ft
- 📏 EvaluationDistance1200ft
- 📏 EvaluationDistance1800ft
- 🛣️ Primary Road
- 🛣️ Secondary Road
- 🛣️ Local Roads
- 🌊 WaterBody
- 🌊 WaterLine
- 🔄 Diversions
- 🌿 GrassedWaterways
- 🧱 EarthenWindbreak Wall
- 🌿 Terraces
- 🏠 Buildings
- 🐔 Poultry Barn
- 🐑 Sheep Run In Shed
- 🏠 Roofed Manure Storage Facility
- 🏠 AnimalMortalityFacility
- 🌿 Fields
- 📏 FarmBoundary
- Lancaster Contours (5ft)

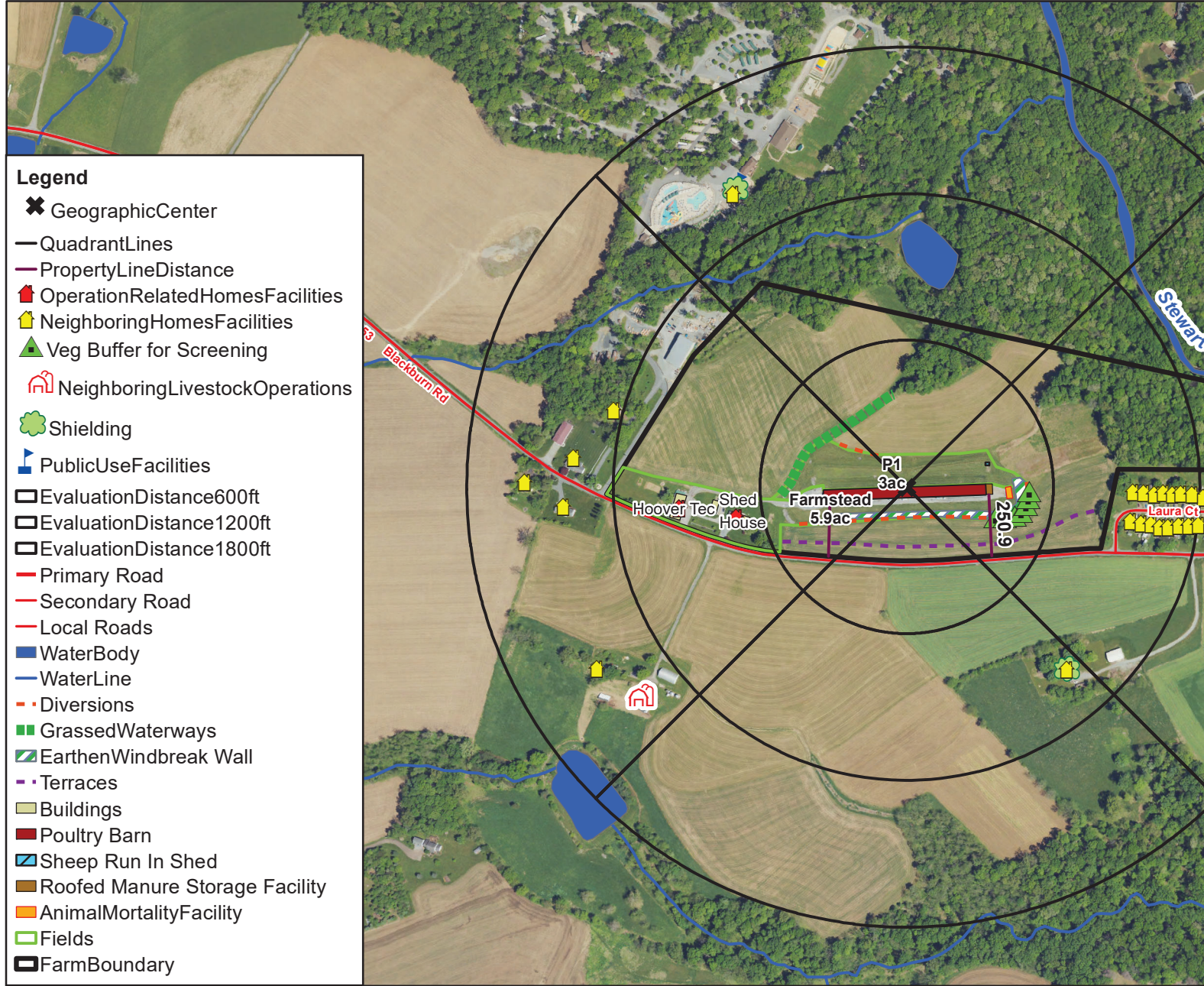


0 300 600 Feet

**Field verification of application setbacks and buffers is required prior to land application of

Chris Hoover

Odor Management Plan Map



Legend

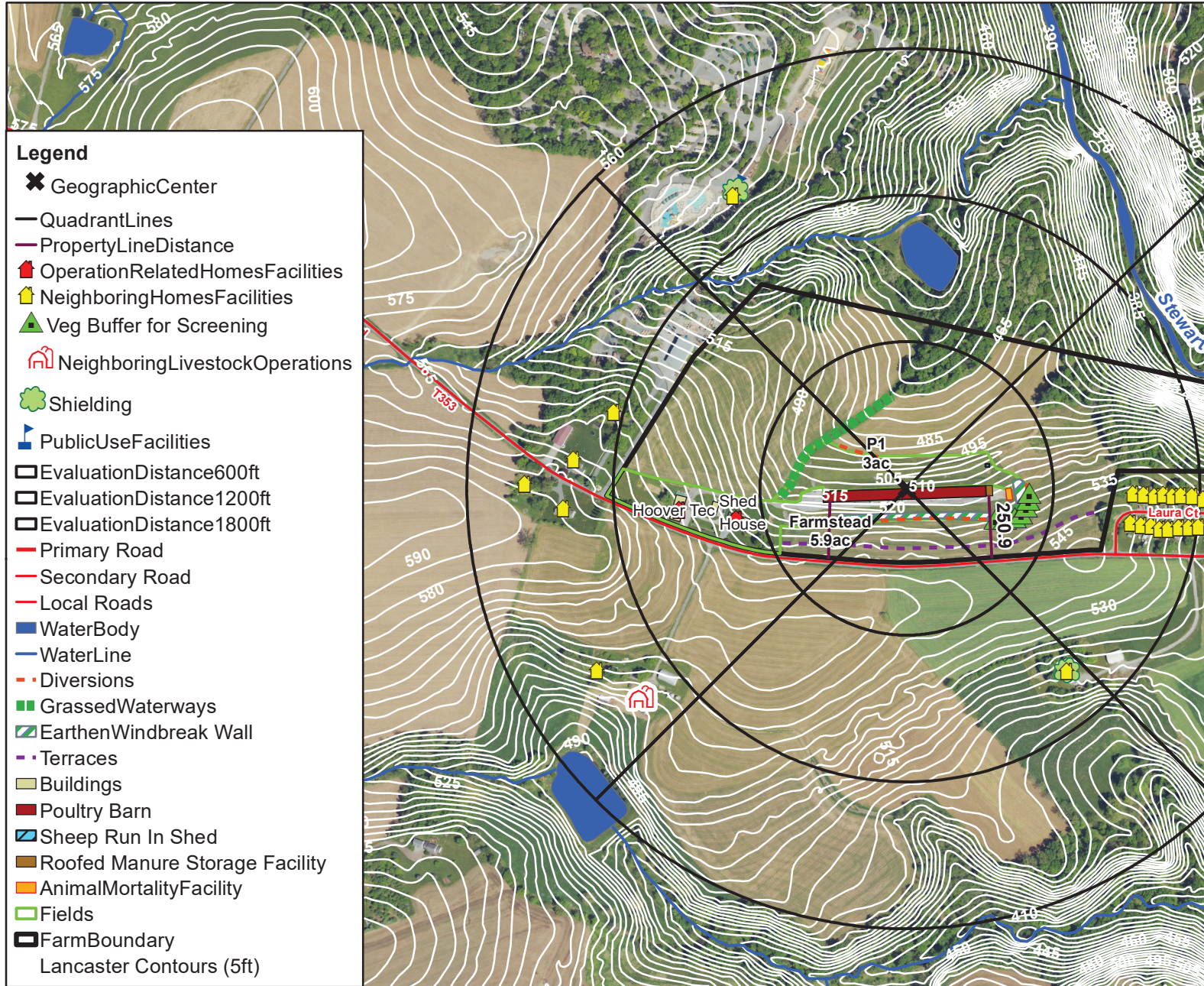
- ✕ GeographicCenter
- QuadrantLines
- PropertyLineDistance
- 🏠 OperationRelatedHomesFacilities
- 🏡 NeighboringHomesFacilities
- 🌿 Veg Buffer for Screening
- 🐄 NeighboringLivestockOperations
- 🌳 Shielding
- 🏛️ PublicUseFacilities
- ◻ EvaluationDistance600ft
- ◻ EvaluationDistance1200ft
- ◻ EvaluationDistance1800ft
- Primary Road
- Secondary Road
- Local Roads
- 🌊 WaterBody
- WaterLine
- - Diversions
- 🌱 GrassedWaterways
- 🛡️ EarthenWindbreak Wall
- - Terraces
- 🏠 Buildings
- 🐔 Poultry Barn
- 🐑 Sheep Run In Shed
- 🏠 Roofed Manure Storage Facility
- 🏠 AnimalMortalityFacility
- 🌱 Fields
- 🏠 FarmBoundary



**Field verification of application setbacks and buffers is required prior to land application of

Chris Hoover

Odor Management Plan Map



**Field verification of application setbacks and buffers is required prior to land application of

Appendix 3: Plan Evaluation – OSI

Act 38 Odor Management Plan - Odor Site Index

Operator Name	Chris Hoover - Misty Hollow Acres - OMP Amendment A		
Planner Name	Austin Hanssen - 171-OMC		
Type of Operation	Layers		
Voluntary Existing AEUs	0		
Proposed AEUs	7.6		
Previously Approved AEUs	63.16		
AEUs Covered by OMP	70.76		
Evaluation Distance	1800'		
Part A: Odor Source Factors			OSI Score
Facility Size Covered by OMP	70.76		2
Site Livestock History	50-199 AEUs _6pts		6
Manure Handling System	Poultry - 3 sided,roofed,attached shed(air dried)_2pts		2
			10.0
Part B: Site Land Use			
Ag Security Zone	Yes (-5 pct)		-6.856
Ag Zoning	Yes (-10 pct)		-13.712
Preserved Farm	No (0 pct)		0
			-20.5
Part C: Surrounding Land Use			
Other Livestock >8 AEU in evaluation distance	1 or more (0 pts)		0.00
Distance to Nearest Property Line	151' to 300' (5 pts)		5.00
If nearest property is <300', is it preserved farmland	Yes (-5 pts)		-5.00
Neighboring Homes			125.6
Public Use Facilities			1.50
			127.1
Species Adjustment Factor	Layers,pullets,cattle (0)		116.55
Final OSI Score			116.55
Level 2 BMPs Required			

Act 38 Odor Management Plan - Odor Site Index

East Quadrant	<600	600-1200	1200-1800	1800-2400	2400-3000		
# Neighboring Facilities	0	16	6	None	None		
Facility Value	15	7	3	0	0		
Home Shielding	Select From List	600-1200 None (1)	1200-1800 Some (.5)	Select From List	Select From List	Total Facilities	121.0
# Public Use Facilities	0	0	0	0	0	Total Public	0.0
Public Use Value	40	20	10	5	3		
Public Use Shielding	<600 None (1)	600-1200 None (1)	1200-1800 None (1)	1800-2400 None (1)	2400-3000 None (1)	Total East	121.0
South Quadrant	<600	600-1200	1200-1800	1800-2400	2400-3000		
# Neighboring Facilities	0	1	0	None	None		
Facility Value	10	5	2	0	0		
Home Shielding	Select From List	600-1200 All (.4)	Select From List	1800-2400 None (1)	2400-3000 Some (.5)	Total Facilities	2.0
# Public Use Facilities	0	0	0	0	0	Total Public	0.0
Public Use Value	30	15	7	4	2		
Public Use Shielding	<600 None (1)	600-1200 None (1)	1200-1800 None (1)	1800-2400 None (1)	2400-3000 None (1)	Total South	2.0
North Quadrant	<600	600-1200	1200-1800	1800-2400	2400-3000		
# Neighboring Facilities	0	0	1	None	None		
Facility Value	6	3	0.5	0	0		
Home Shielding	Select From List	Select From List	1200-1800 All (.25)	1800-2400 None (1)	2400-3000 None (1)	Total Facilities	0.1
# Public Use Facilities	0	0	1	0	0	Total Public	1.5
Public Use Value	25	13	6	3	1		
Public Use Shielding	<600 None (1)	600-1200 None (1)	1200-1800 All (.25)	1800-2400 None (1)	2400-3000 None (1)	Total North	1.6
West Quadrant	<600	600-1200	1200-1800	1800-2400	2400-3000		
# Neighboring Facilities	0	0	5	None	None		
Facility Value	6	3	0.5	0	0		
Home Shielding	Select from list	Select from list	1200-1800 None (1)	Select from list	Select from list	Total Facilities	2.5
# Public Use Facilities	0	0	0	0	0	Total Public	0.0
Public Use Value	25	13	6	3	1		
Public Use Shielding	Select from list	Select from list	Select from list	Select from list	Select from list	Total West	2.5
						Grand Total	127.1

Appendix 4: Biosecurity

Biosecurity Protocol Contact Information

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

Name: Chris Hoover Phone: 717-286-4744
E-mail: chris.dh@hoovertec.com Relationship: Owner/Operator

Appendix 5: Supporting Documentation

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

Provide a heading for each topic discussed in this Appendix.

Site Land Use Factors

- Attached are maps for Ag Security Area and Ag Zoning for Chris Hoover
- Neighbor Preserve Farm:
Loren Butcher - 337 Blackburn Road, Quarryville, PA 17566 (See Attached Map)
- There is a camp ground north/west of the site. This camp ground was informed about the new construction. People come to camp on the weekends. The managers are the only people that live at the resort year-round. There are cabins people can rent, but they do not live there permanently. At least half of this camp ground is not in the evaluation distance.

Animal Equivalent Unit Calculation

The max number of chickens remains 17,200 for the chicken barn, the odor plan reflects this AEU value as to ensure that if animal numbers change the max amount can still be used in the barn, the NMP reflects current numbers of chickens at 16,200. For this reason, there is a difference in AEU's in the NMP and OMP.

LEGEND

 Township Boundary

 Parcels

 Surrounding Municipalities

 Water Bodies

Zoning

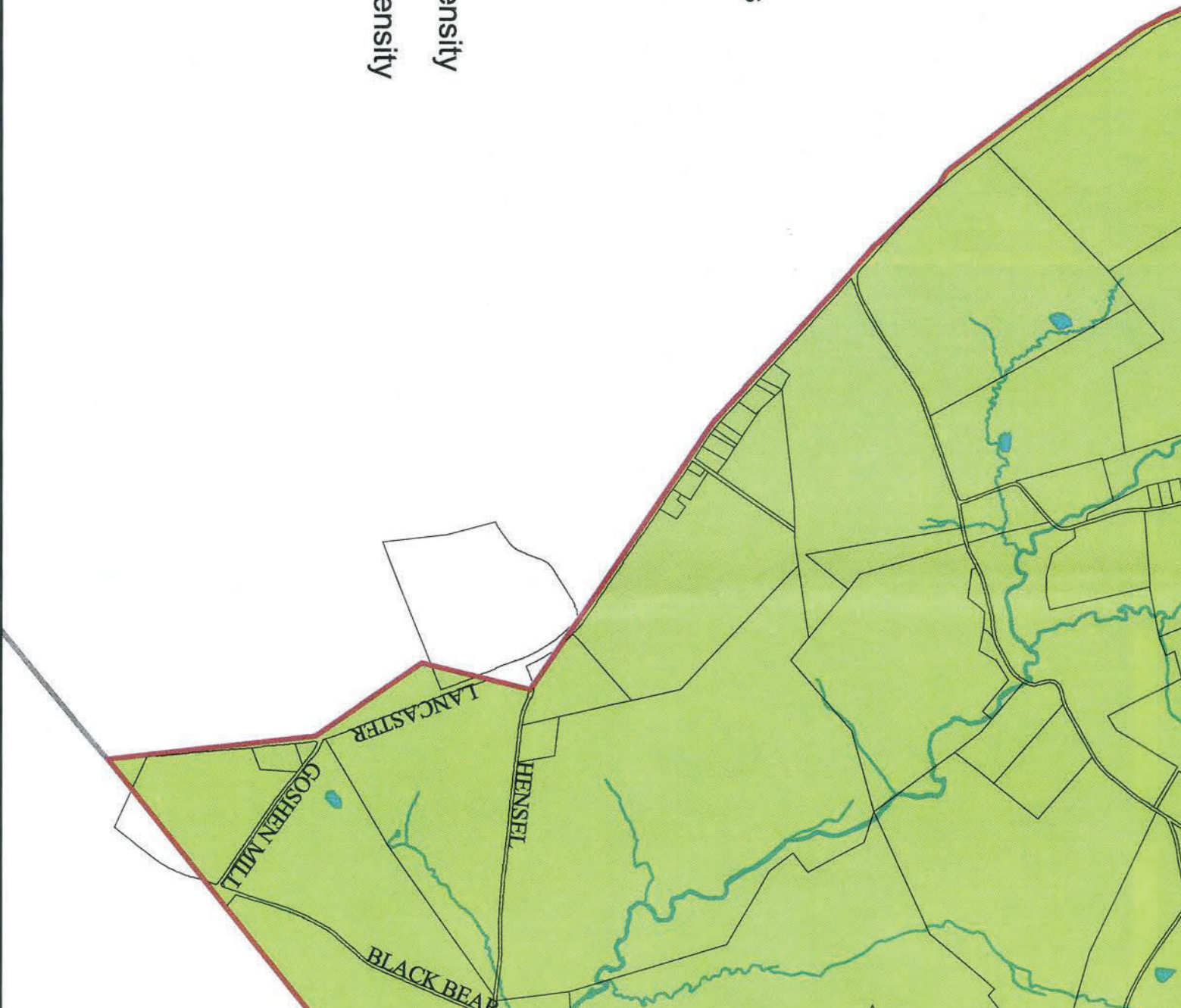
 C Commercial

 I Industrial

 R-1 Residential - Low Density

 R-2 Residential - High Density

 A Agricultural

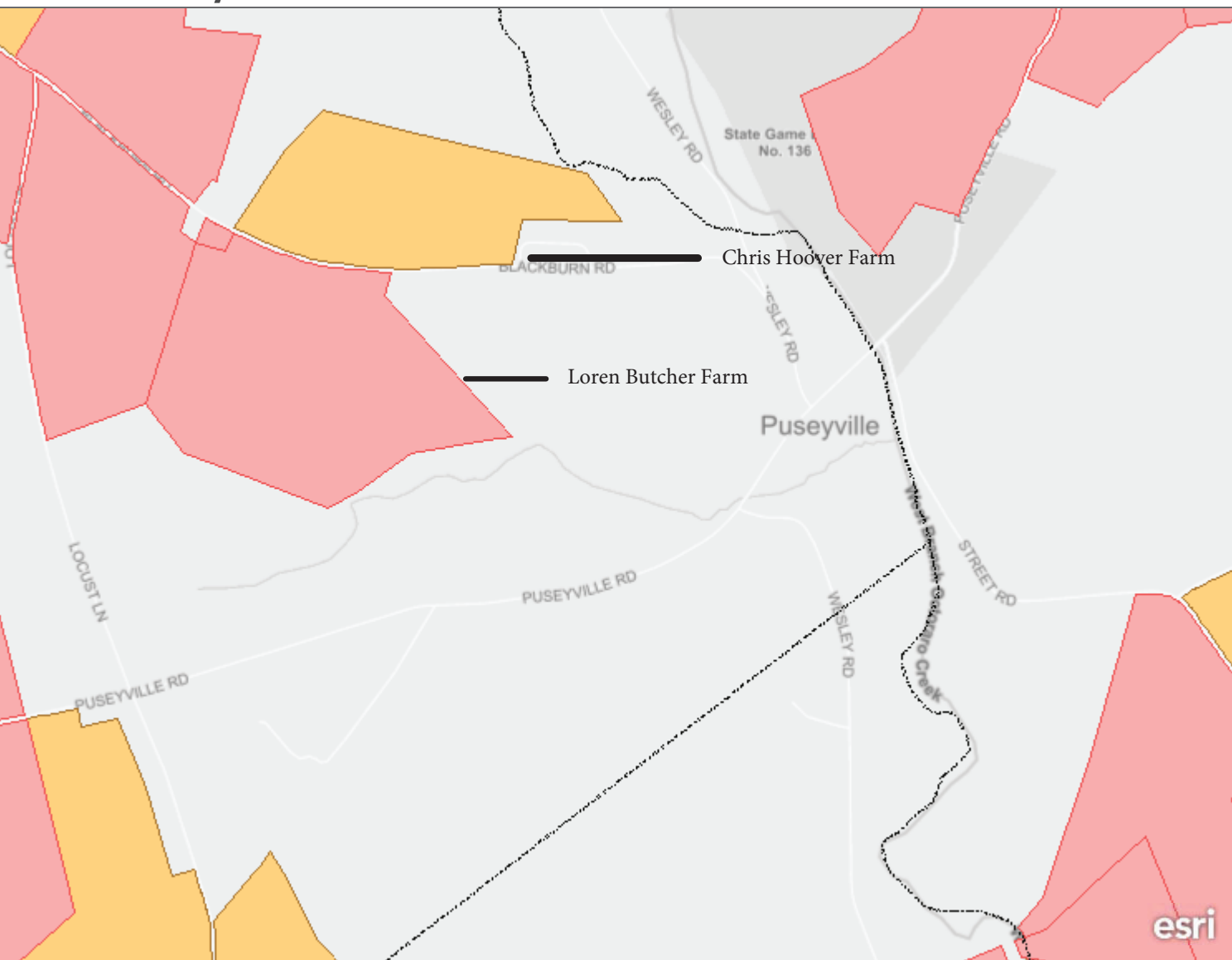


Prepared by:



270 Granite Run Drive
Lancaster, PA 17601
(717) 569-7021

Lancaster County

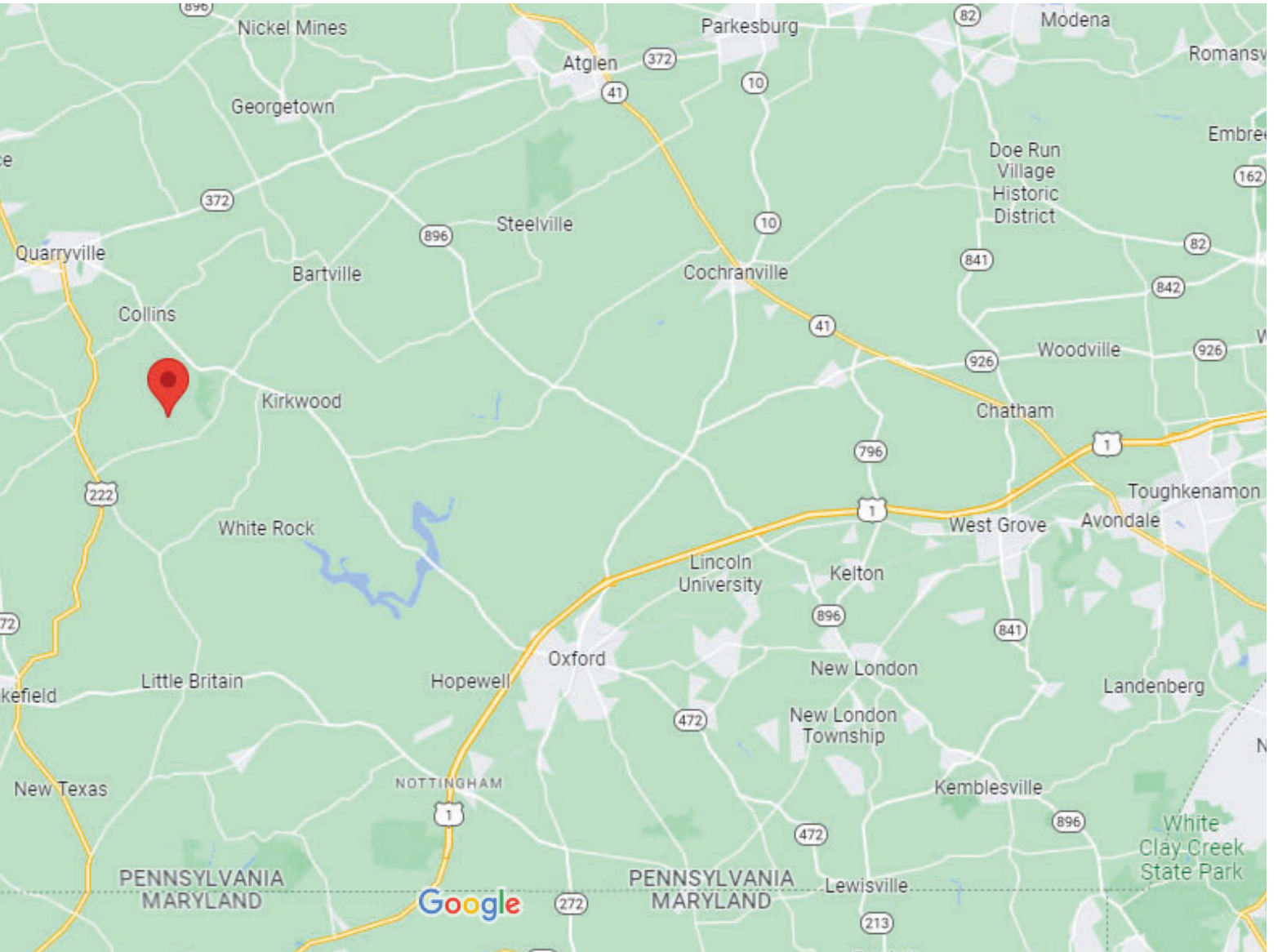


Agricultural Security Areas, Ag Zoning and Designated Growth Areas

0.4mi

© OpenStreetMap © MapBox

Blackburn Rd



Map data ©2023 Google 2 mi



PDA/SCC Certificate Education Program Sync

Administration of Three Statewide Certification Programs

- ▶ The three certification and educational programs administered and trained for are the following:
 - ▶ Nutrient Management
 - ▶ Commercial Manure Hauler and Broker
 - ▶ Odor Management

Number of NM Certified Active Specialists

- ▶ There are currently as of 11/1/2023
 - ▶ 300 Active Nutrient Management Specialists

This means they have attended all the following mandatory trainings and may have attended the optional trainings.

In total there are 7 mandatory trainings and the equivalent of 11-12 days of trainings depending on course over the course of about 4 months.

Mandatory and Optional NM Training

- ▶ NM Orientation (Overview of Law and Regulations)
- ▶ Managing Manure Nutrients
- ▶ Stormwater & Soil Loss
- ▶ P-Index
- ▶ ACA(Animal Concentration Areas)
- ▶ Plan Writing
- ▶ Plan Review (Public Specialists)
- ▶ Exam
- ▶ Introduction to Livestock (Optional)
- ▶ Soil Hydrology and Irrigation (Optional)

Categories of NM Specialists

- ▶ Commercial (Consultants)
- ▶ Individual (Farmers)
- ▶ Public Review
- ▶ Public Dual

Final Certified Specialists

- ▶ To become final certified specialists, a person must complete their planning requirements within 3 years of completing their class trainings and passing the exam
- ▶ Planning requirements are based on the category of person is trying to obtain

Other Items of Interest and Responsibilities

- ▶ Work with Penn State, NRCS, DEP and Conservation District
- ▶ Enforce specialists that improperly develop or review NMP
- ▶ Perform Reviews of plans that are reviewed by public spec seeking final certification
- ▶ Promulgate, write, review regulations and develop policies
- ▶ Process licenses and fees
- ▶ Reciprocity with Maryland and Virginia (Waiver from state
- ▶ Have helped other locations that approached us for help in starting similar programs. Places such as Ireland, Moldova, Edward Island

Number of Commercial Manure Handlers and Brokers

- ▶ There are currently, as of 11/1/2023, 700 final certified
- ▶ Depending on categories the person has a 1-3 days of training and passed the required exams

Categories Available

- ▶ Hauler Level 1
- ▶ Hauler Level 2
- ▶ Hauler Level 3
- ▶ Broker 1
- ▶ Broker 2

Responsibilities

- ▶ Perform record keeping inspections which primarily focused on the hauler level 3 and broker 1 and 2 consist of about 300 of the 700 total

Record inspections are complaint driven or by random

Handle enforcement cases against certified people who improperly utilize manure or record keeping

Enforcement can include monetary penalties, suspension, and revocation of licenses

Process licenses and fees

Number of Odor Specialists

- ▶ There are currently, as of 11/1/2023, 40 commercial active certified specialists
- ▶ Specialists have completed 2.5 days of training and passed exam
- ▶ As of now only commercial specialists may be certified since SCC does not currently have delegation agreements with Districts. SCC review plans so SCC staff must perform all reviews

Responsibilities

- ▶ Conduct trainings as needed
- ▶ Process licenses and fees
- ▶ Enforcement of compliance to commercial specialists that develop proper plans



**COMMONWEALTH OF PENNSYLVANIA
STATE CONSERVATION COMMISSION**

January 9th, 2024

To: Members
State Conservation Commission

From: Justin Challenger
Director, Financial & Technical Assistance Programs

RE: Agriculture Conservation Assistance Program Bidding Requirements

Background

According to the Final Rule of the Coronavirus State and Local Fiscal Recovery Funds (SLFRF) FAQ document, federal procurements requirements apply to ACAP funds. The FAQ details that states are required to follow their own procurement policies while meeting certain federal requirements when using SLFRF award funds. Commission staff discussed the state bidding requirements in detail with Department of General Services (DGS) and Department of Ag (PDA) legal counsel in January of 2023. During these discussions, legal counsel recommended the SCC apply for a waiver of state procurement requirements, to streamline bidding for farmers and districts. This waiver was approved by DGS in February of 2023.

The bidding requirements for ACAP as approved by DGS were overviewed with the SCC during the March meeting. SCC staff in conjunction with legal counsel felt the SCC should formally adopt these requirements, retroactive to March 14, 2023, with a formal vote.

Commission staff provide the following bidding requirements for ACAP for SCC consideration.

Bidding Requirements

These requirements follow the federal bidding requirements with details on what is required for each bidding threshold. The requirements are based on guidance from both PDA legal counsel as well as Department of General Services legal counsel. These requirements were approved by DGS on February 9th, 2023.



**COMMONWEALTH OF PENNSYLVANIA
STATE CONSERVATION COMMISSION**

Procurement Method	Expense Amount	Requirements
Micro-purchase (No quotes required)	Less than \$10,000	<ul style="list-style-type: none"> • Consider price to be reasonable • Distribute equitably among suppliers to the extent practical
Small Purchase Procedures (Relatively simple and informal)	\$10,000 - \$249,999	<ul style="list-style-type: none"> • obtain/document price or rate quotations from a reasonable number of qualified sources • written or documented quotes required to be kept in the contract file
Sealed Bids	\$250,000 or more	<ul style="list-style-type: none"> • Bids must be publicly advertised using standard bidding requirements • Bid must allow for a minimum of 15 days for response time • Bids must be solicited from an adequate number of qualified sources • Sealed bids must be opened publicly • Contract award must be made to the lowest responsible bidder • Contract must be for a firm, fixed price



COMMONWEALTH OF PENNSYLVANIA
STATE CONSERVATION COMMISSION

Date: January 10, 2024

To: State Conservation Commission

From: Eric Cromer
ACAP/CEG Program Manager

RE: Assignment of Payment for ACAP Grant Recipients

Action Requested: Approval of Assignment of Payment for ACAP Grant Recipients

Background: The Agriculture Conservation Assistance Program(ACAP) guidelines provide for reimbursement of eligible costs for projects approved by the Commission or delegated conservation districts as provided under the program. Program staff believes that according to Section 10(b) of the ACAP Program guidelines noted below, the Commission, and its delegated agent, has the flexibility to reimburse grant recipients by any method deemed appropriate by the Commission.

Section 10. Funding Limitations:

(b) The Commission may choose to reimburse grant recipients based on eligible actual project costs, incentive payments for certain completed BMPs approved by the Commission or any other method deemed appropriate by the Commission.

Staff has received requests from delegated conservation districts for the ability to pay contractors directly. There are many reasons districts have asked this such as some farmers do not like taking direct payments from the government, contractors have shown concern of not getting paid for the work they have completed, just to name a couple.

By allowing this Assignment of Payment, districts will be able to provide this form to landowners who do not wish to receive direct payments. Landowners could complete the form attached and submit this to the conservation district to reassign where reimbursement payments will be directed. They would basically be relinquishing their right to receive reimbursement and would be giving it to the contractor. The contractor is providing a service to the landowner therefore would be eligible for the reimbursement for that service. With SCC allowing this, it would make projects in certain areas of the state easier to navigate and give the conservation district another tool to use to make this program successful.

Legal Counsel has reviewed, provided comments and approved the language included of the ACAP-Assignment of Payment.

See ACAP-Assignment of Payment

Agricultural Conservation Assistance Program

Assignment of Payment Form

PART 1: LANDOWNER INFORMATION

Landowner Name		
Farm/Operation Name		
Work Site Address		
City	State	Zip
Email		Phone Number
Best Management Practice(s)		

PART 2: CONTRACTOR INFORMATION

Contractor/Vendor Name		
Business Name		
Address		
City	State PA	Zip
Email		Phone Number
Tax ID Number		

PART 3: INVOICE/RECEIPT INFORMATION

Line Item	Date of Expense	BMP	Service/Material/Activity	Invoice Amount
1				
2				
3				
4				
5				
			Total	

PART 4: TERMS AND CONDITIONS

- A. Original paperwork must be submitted to the _____ County Conservation District at _____ (address or email).
- B. A new Assignment of Payment Form must be filled out for each new contractor – No more than one contractor per form.
- C. Payments will be made in chronological sequence based on the order that they were received.
- D. Neither any disbursing officer, nor any other State Conservation Commission or Conservation District employee or official, shall be subject to any suit or liable for payment of any amount if payment is inadvertently made to the landowner and not the contractor.

ACAP – Assignment of Payment Form

- E. This assignment does not extend to any successor of the contractor, nor may the contractor re-assign this assignment.
- F. The contractor understands that it will receive reimbursement for eligible expenses in the form of a check. This check will be made out only to the contractor after the landowner provides invoices that demonstrate purchase of materials and/or services.
- G. The landowner and contractor understand that payments will be issued only to the extent and on the same terms as the landowner would have been reimbursed.
- H. The ACAP Program Certification Form must be submitted in conjunction with this form to ensure the BMPs have been installed according to program standards.
- I. The landowner understands they are responsible for securing all necessary contractor information on the Assignment of Payment Form, and ensuring all necessary receipts accompany the reimbursement request.
- J. This assignment of payment may only be revoked by the landowner signing Part 6 of this Agreement.

PART 5: SIGNATURES

The undersigned Landowner and Contractor agree to the terms and conditions contained within this agreement.

Landowner Signature	Date
---------------------	------

Contractor Signature	Date
----------------------	------

PART 6: REVOCATION OF ASSIGNMENT

Assignment of payment authorization above is hereby revoked.

Landowner Signature	Date
---------------------	------

The contractor hereby acknowledges that the landowner has revoked the Assignment of Payment and contractor will no longer receive payments from the conservation district.

Contractor Signature	Date
----------------------	------

FOR SCC/CD USE ONLY

(This table should reflect the same BMP's and line of Part 3)

Line Item	BMP	Invoice Amount	Eligible Costs	District Cost Share	Payment to Contractor
1					
2					
3					
4					
5					
				Total	

SCC/CD Approval	Date
-----------------	------

W-9 Submitted

1099 Filed



COMMONWEALTH OF PENNSYLVANIA
STATE CONSERVATION COMMISSION

MEMORANDUM

DATE: January 11, 2024
TO: State Conservation Commission
FROM: Doug Wolfgang, Executive Secretary
RE: EPA Most Effective Basin Funds award – 2023

Last June, the Commission reviewed and approved an award of \$4 million in EPA Most Effective Basin (MEB) Infrastructure Investments and Job Act (IIJA) for 2023. The \$4 million allocation was set to be split equally (\$2 million each) between the Sustainable Agriculture Board (SAB) and the Conservation Excellence Program (CEG). Staff is proposing to the Commission that \$1 million of allocation originally approved for SAB funds instead be dedicated to the CEG program, to accommodate the more immediate need to fund projects that leverage public-private partnerships. This will result in a \$3 million allocation to CEG and a \$1 million allocation to SAB.

The following reflects the proposed allocation of these funds:

- **\$3 million to support the Conservation Excellence Program**
 - CEG was created under the Pennsylvania Farm Bill in 2019. The program provides funding to conservation districts for agricultural best management practices in Tier 1 and Tier 2 counties of the Chesapeake Bay watershed. CEG has been vastly successful and provided the framework for ACAP. The Commission opened a request for proposals (RFP) for public-private partnerships, with total project funding requests exceeding the original \$2 million split.
- **\$1 million to support the PA Sustainable Agriculture Board grants.**
 - This program would award projects up to \$25,000 (or \$50,000 if the second \$25,000 dollar allocation is met with a per-dollar match). This will provide the opportunity for Pennsylvania, through the Commission, to develop a statewide soil health program. Soil health is identified as a priority in the Chesapeake Bay Watershed Implementation Plan (WIP 3) and is the foundation for regenerative farming practices, like cover crops and no-till.



COMMONWEALTH OF PENNSYLVANIA
STATE CONSERVATION COMMISSION

Date: January 5, 2024

To: State Conservation Commission

From: Eric Cromer
CEG Program Coordinator

RE: Conservation Excellence Grant (CEG) Chesapeake Bay Watershed Public-Private Partnerships/Special Projects

Action Requested: Approval of proposed CEG Chesapeake Bay Watershed Public-Private Partnerships/Special Projects

Background: The Commission received \$4 million through EPA's Most Effective Basins-Infrastructure Investment and Jobs Act Grant Fund (MEB-IIJA). The Commission and EPA staff agreed on a scope of work that would split the funds between the CEG program and the new Sustainable Ag Board.

The Commission staff sent out a Request for Proposals (RFP) on October 18, 2023, to solicit proposals for the CEG Chesapeake Bay Watershed Public-Private Partnership/Special Projects. The RFP included the following requests:

1. A brief narrative describing proposed activities to be performed under the grant.
2. A budget to support the activities described in the narrative according to the 'Request for Proposal'.
3. Maps / Plans for the project (if available)
4. Proposed project timeline

In evaluation the Commission staff considered the following:

1. Proposal includes both public (conservation district) and private partners.
2. The project/s fit within the guidelines and policies of the CEG program.
3. Effectiveness of the project to reduce sediment, Nitrogen and/or Phosphorus pollution from waters of the commonwealth.
4. Show a need for special project consideration.
5. Other criteria deemed necessary by the SCC

Commission staff have received four complete proposals. The following briefly describes each proposal and the amount of funds requested (in no particular order):

1. Centre County Conservation District (CCCD) - \$510,000

CCCD works with a variety of non-profit, state, federal, and private sector companies to implement conservation projects that help achieve conservation goals across the county. As a Tier II Chesapeake Bay County, many established partnerships are focused on the rapid installation of best management practices to mitigate the runoff impacts from nitrogen, phosphorus, and sediment that negatively impact the Chesapeake Bay. This proposal will provide funding to implement two projects located within priority watersheds in Centre County. The Smith Farm, located in MEB section 55, near Julian, PA, is a large horse farm located directly beside Bald Eagle Creek; a priority focal area for Centre County to achieve pollution reduction goals. The second project, the Weaver Farm, located in MEB section 71, near Port Matilda, has been a focal point for water quality improvements within the Halfmoon Creek Watershed for years, and is set for project implementation through the Rapid Delisting Partnership directed by the Chesapeake Conservancy. These projects' needs have been identified through routine partnership meetings involving the Chesapeake Conservancy, the Chesapeake Bay Foundation, the Clearwater Conservancy, the Natural Resources Conservation Service, Trout Unlimited, CCCD, and HRG. The partnership has worked closely with the farm operations to communicate goals and pursue funding for project implementation without success. The partnership is further limited by technical capacity and has partnered with HRG to provide overall technical assistance and project management to help execute the projects through this initiative.

2. Franklin County Conservation District (FCCD) - \$300,000

FCCD is proposing the Restore. Exclude. Vegetate. (REV) Program. This program stemmed from the annual Franklin County Winter Ag Meeting. Adam Ortiz, Environmental Protection Agency's Mid-Atlantic Regional Coordinator, and his staff attended the Franklin County Winter Ag Meeting and held a panel discussion with local farmers to hear concerns and answer questions. During discussions with the Conservation District staff after the meeting, Mr. Ortiz asked how livestock exclusion fencing could be advanced in Pennsylvania. District staff replied that a program that offers landowners 100% cost-share for livestock exclusion fencing, off-stream waterers, livestock crossings and vegetated buffers would be ideal. Mr. Ortiz asked FCCD to put together proposals for pilot projects in Franklin County. This was the beginning of this proposal.

The R.E.V. program will offer 100% cost-share to landowners to complete livestock exclusion fencing (including moving old, existing fencing farther back off the stream to create a buffer), off-stream waterers (including piping and wells, if necessary), livestock crossings, vegetated buffers, and private engineering fees (if necessary). The

goal of this grant is to make sure that landowners have no excuse not to complete livestock exclusion fencing and the associated Best Management Practices. The focus will be on one watershed in the southeast portion of the county, Antietam Creek.

FCCD has partnered up with the Antietam Watershed Association (AWA) to monitor the health of the stream. Monitoring the upstream and downstream sections of the Antietam Creek project sites, the AWA will be able to calculate the impact of the REV program.

3. Lancaster Farmland Trust (LFT) - \$1,133,191

Lancaster Farmland Trust (“LFT”) submits *Strength in Numbers: Effectively Reducing Nitrogen on 10 Preserved Farms in the Pequea Creek Watershed via Collaborative Funding* for consideration through the PA State Conservation Commission’s Public-Private Partnerships/Special Projects grant program. Located across the 8th-ranked MEB, this project aims to effectively reduce nitrogen flowing into the Chesapeake Bay through the implementation of agricultural and stream best management practices (“BMPs”) on **ten** preserved farms in the Pequea Creek Watershed. Working with a multitude of funding partners, including the National Fish and Wildlife Foundation, the Lancaster County Conservation District (“LCCD”), and the PA Department of Environmental Protection, LFT will assist these ten committed farmers will implementation projects that deliver significant nitrogen reductions in the Pequea Creek Watershed for the cost-effective price of \$13 per pound. LFT will also provide the LCCD with new and/or updated conservation plans developed for the participating farms, furthering our shared objectives of widespread adoption of agricultural conservation practices, and the documentation of those practices for the purposes of meeting Pennsylvania’s Chesapeake Bay goals. Most importantly, LFT will enhance our ability to scale water conservation within the preserved-farmer community.

4. Alliance for the Chesapeake Bay (Alliance) -\$1,300,000

Alliance is partnering with Maryland and Virginia Dairy Milk Producers Cooperative Association, (MDVA), and independent farm owners to implement best management practices (BMPs) on Pennsylvania farms located in Lancaster County, a Tier 1 CEG county, and Snyder County, a Tier 3 CEG county. The Alliance also partners with Conservation Districts and NRCS staff across Pennsylvania to collaboratively serve farmers in their counties. Through these partnerships, the Alliance has developed a waiting list of farmers who are interested in implementing the practices in their Conservation Plans. To enhance the environmental effectiveness of these farms’ conservation projects, the Alliance has conducted outreach to encourage riparian forest buffer implementation and required this practice for all farms participating in this PA CEG proposal.

This project’s goals are to achieve cost-effective and timely nitrogen load reductions for the Bay watershed, and to improve local water quality. Specific objectives include the implementation of targeted best management practices for each farm, the acceleration of riparian forest buffer installation on farms, and economic support of farmers through the operational co-benefits of conservation practices.

Recommendation:

In June of 2023 the Commission board allocated \$2 million for the CEG Chesapeake Bay Watershed Public-Private Partnership/Special Projects and \$2 million for the Sustainable Ag Board (SAB). Commission staff have convened and evaluated each proposal based on the evaluation criteria stated in the RFP. With limited funds of \$2 million for CEG and \$1 million from SAB funds (pending commission approval on 1/23), the funding recommendations are as follows:

Allocations :

Centre County	\$510,000
Franklin County	\$300,000
LFT	\$1,095,000
Alliance	\$1,095,000

***Due to limited funding, SCC was not able to fund LFT and the Alliance at their requested amount. However, SCC anticipates another allocation from the EPA around October 2024. If this comes to fruition, SCC will ask for the commission board's approval to make up the shortfall of both LFT and the Alliance with the 2024 funds.**



COMMONWEALTH OF PENNSYLVANIA
STATE CONSERVATION COMMISSION

Date: January 9, 2024

To: Members
State Conservation Commission

From: Douglas Wolfgang, Executive Secretary

RE: 2024 Conservation District Director Appointments

As of January 9, 2024, Chief Clerks from 47 counties (71% of all counties) have submitted their county’s list of Conservation District Director appointments for 2024 to the State Conservation Commission. Those counties noted below with an asterisk are those counties where appointments **have not** yet been received by the Commission. Reminder letters will be mailed to those counties that have not submitted their director appointments to the Commission.

- | | | | |
|----------------|----------------|---------------------|------------------|
| 1. Adams | 18. Clinton* | 35. Lackawanna* | 52. Potter* |
| 2. Allegheny* | 19. Columbia* | 36. Lancaster | 53. Schuylkill |
| 3. Armstrong | 20. Crawford | 37. Lawrence | 54. Snyder |
| 4. Beaver* | 21. Cumberland | 38. Lebanon | 55. Somerset* |
| 5. Bedford | 22. Dauphin* | 39. Lehigh* | 56. Sullivan |
| 6. Berks* | 23. Delaware* | 40. Luzerne* | 57. Susquehanna |
| 7. Blair* | 24. Elk | 41. Lycoming | 58. Tioga |
| 8. Bradford | 25. Erie* | 42. McKean | 59. Union |
| 9. Bucks | 26. Fayette | 43. Mercer | 60. Venango |
| 10. Butler | 27. Forest | 44. Mifflin | 61. Warren |
| 11. Cambria | 28. Franklin | 45. Monroe | 62. Washington |
| 12. Cameron | 29. Fulton | 46. Montgomery* | 63. Wayne |
| 13. Carbon | 30. Greene | 47. Montour* | 64. Westmoreland |
| 14. Centre | 31. Huntingdon | 48. Northampton* | 65. Wyoming* |
| 15. Chester | 32. Indiana | 49. Northumberland* | 66. York |
| 16. Clarion | 33. Jefferson | 50. Perry | |
| 17. Clearfield | 34. Juniata | 51. Pike | |



TO Doug Wolfgang
Executive Secretary
State Conservation Commission

FROM Jacquelyn Kerstetter
Water Program Specialist
Conservation District Support Section

THROUGH Karen Books
Environmental Group Manager
Conservation District Support Section

THROUGH Carl Deluca
Environmental Program Manager
Nonpoint Source Management Division

DATE January 23, 2024

RE Review of District Audit Reports for Calendar Year 2022

ACTION REQUESTED: Accept report of district audits for calendar year 2022.

Background

Starting in 1999, the State Conservation Commission (Commission) required conservation district (District) financial records to be audited under the supervision of a certified public accountant. Those audits must be independent of the County audit and completed in accordance with generally accepted auditing standards and the standards applicable to “Financial Statement” audits contained in the latest revision of *Government Auditing Standards* issued by the Comptroller General of the United States.

Compliance with Audit Deadline

Sixty-one (61) District audits were submitted by the December 31, 2023 deadline as stated in the Commission’s audit policy, while 1 (one) was submitted during the first week of January. Seven (7) Districts were granted extensions by the Commission in November and December; 3 of said Districts have submitted their audits while the remaining 4 will aim to complete audit submission by their extended due date of Jan. 31, 2024. I am pleased to report that all 62 conservation district audit reports received so far were independent of the County audit as required by Commission Policy.

Summary of Audit Findings

Since 1999, Districts have consistently made positive efforts in addressing the recommendations and findings reported in their audits. For calendar year 2022, forty (40) District audit reports had “no reportable findings”. This is one more District with “no reportable findings” compared to last year’s 2021 audits. Many of the more common findings identified during the initial years have been addressed; however, the most common finding which continues to be noted is “*Lack of Segregation of Duties*”. This finding was noted in 17 of the current audits which is three less than last year; however, this number may increase as the remaining audits are submitted. For audits currently submitted, this finding comprised 53% of all findings noted. Explanations of this finding are as follows:

“*Lack of Segregation of Duties*” is related to the small number of staff in some district offices. Due to this small number of staff, these Districts have difficulty achieving the segregation of duties recommended for an efficient system of internal controls over their finances. As an interim measure, District auditors consistently recommend that District directors take an active role in the financial functions of their district. This involvement is intended to minimize the possibility that any errors or irregularities could occur.

To permanently address “*Lack of Segregation of Duties*”, Districts should implement a policy that increases the number of District staff and directors overseeing/reviewing District financial activities. Commission and Agency staff have been looking into this issue and plan to recommend some options or policy in the future to help Districts address these findings.

Summary of Compliance with the Commission’s Audit Policy

I am also pleased to report that the 2022 audits show all Districts are following the guidelines approved by the Commission dealing with *Custodial Credit Risk*, for both bank deposits and investments. In 2022 there were no Districts with unsecured funds exposed to *Custodial Credit Risk*.

For newer Commission members and those that need a refresher, the following is an explanation of *Custodial Credit Risk*:

Custodial Credit Risk is the risk a District assumes when its deposits over a certain federally insured amount, currently \$250,000, may or may not be available in the event of failure of the financial institution that has pledged securities as collateral to protect these funds. These deposits, in excess of \$250,000, are not covered by federal depository insurance, but are protected by collateral securities held by a pledging financial institution.

These securities are typically not held under the District’s name and in the event that the pledging institution would fail, the District may not be able to recover the full value of its investment or collateralized securities that are in possession of this institution.

To minimize the risk to bank deposits and investments that fall under the category of *Custodial Credit Risk*, the Commission recommends that Districts follow the guidelines presented on the second page of the investment *Model Policy* approved by the Commission in May 2010 and distributed to all districts. The guidelines are as follows:

The Conservation District board should assure that:

- The District has a written agreement with the institution regarding the collateral pledge,
- The pledge is approved by the institution's board of directors or loan committee, and such approval is reflected in the institution's minutes and is kept continuously as an official record of the institution,
- The market value (not just the face value) of the pledged securities is tested frequently and is at least equal to the amount of the deposits plus accrued interest,
- The pledged securities are U.S. Government Securities, and
- The District receives, from the bank, monthly reports on the amount of this deposit, the identity of the collateral and the market value of the collateral.



TO Doug Wolfgang
Executive Secretary
State Conservation Commission

FROM Krystal Bloom, CPSS
Environmental Group Manager
Stormwater Construction Section

THROUGH Sean M. Furjanic, P.E.
Environmental Program Manager
NPDES Permitting Division

DATE January 23, 2024

RE Chapter 102 Individual Permit Pilot Program Delegation

ACTION REQUESTED: Approve the Chapter 102 Individual Permit Pilot Program Delegation Agreement

Background

DEP is initiating a pilot program for the review of Chapter 102 Individual NPDES Permits in 2024. The pilot program would involve modified submission and review procedures to determine if these changes have a positive impact on application review times. DEP has held two meetings with a group of districts to introduce this process and integrate their comments. The initial group of districts included in the process are known to receive high to moderate numbers of individual permit applications. To participate in this voluntary program DEP has determined that an amendment to the Chapter 102 delegation agreement is necessary. Included with this memo is the amendment to the 102 Delegation Agreement for the Chapter 102 Individual NPDES Permit Pilot Program for the State Conservation Commission review. This amendment will only be added to agreements for districts that have board approval to participate in this Program.

DEP respectfully requests the Commission approve the amendment to the 102 Delegation for the Chapter 102 Individual NPDES Permit Pilot Program.

**ADMINISTRATION RESPONSIBILITIES IN THE
EROSION AND SEDIMENT POLLUTION CONTROL (E&S)
PROGRAM
AND NATIONAL POLLUTANT DISCHARGE ELIMINATION
SYSTEM (NPDES) PERMITTING PROGRAM FOR THE
DISCHARGE OF STORMWATER ASSOCIATED WITH
CONSTRUCTION ACTIVITIES**

AMENDMENT NO. _____

THIS _____ AMENDMENT to the Agreement for the Administration Responsibilities in the Erosion and Sediment Pollution Control Program (“E&S”) and National Pollutant Discharge Elimination System (“NPDES”) program for the Discharge of Stormwater Associated with Construction Activities (“Agreement”), attached hereto as Exhibit A, is entered into between the Commonwealth of Pennsylvania, Department of Environmental Protection (“Department”) and the _____ County Conservation District (“District”).

The Agreement, attached as Exhibit A, provides for the District to be the Department’s designee for the administration of the E&S Program and NPDES program for the Discharge of Stormwater Associated with Construction Activities. The Department is introducing a Pilot program for the streamlined processing of Individual NPDES permits. The parties intend to amend the Agreement to include the Pilot program as outlined in Exhibit B.

The parties, intending to be legally bound, agree to amend the agreement as follows:

1. The Agreement shall be amended to include Section 5a., which shall read as follows:

“The Department agrees to delegate to the District, and the District agrees to accept delegation from the Department, certain responsibilities for the Pilot program in accordance with all applicable federal, state, and local statutes, rules, regulations, including those concerning agriculture, and with all requirements as referenced in the Erosion and Sediment Pollution Control Manual, Standard Operating Procedures, the Program Administrative Policy and Permitting Manual, and Program Compliance Assistance and Enforcement Manual.”
2. The District will assume all duties and responsibilities related to the administration of the Pilot program as outlined in Exhibit B.
3. The parties agree to execute minor adjustments to the Pilot program through a fully executed letter of mutual consent and significant adjustments to the program through a fully executed written amendment to this Agreement. Minor adjustments shall include changes to the Required Output Measures in Exhibit B.
4. All other terms and conditions of this Agreement shall remain unchanged and in full force and effect.

IN WITNESS WHEREOF, the parties have signed this Amendment to this Agreement on the dates indicated below.

COUNTY
CONSERVATION DISTRICT

COMMONWEALTH OF PENNSYLVANIA

DEPARTMENT OF ENVIRONMENTAL
PROTECTION

(Chairperson) (Date)

Executive Deputy Secretary (Date)
for Programs

(Secretary/Treasurer)

Deputy Secretary for Water Programs (Date)

STATE CONSERVATION COMMISSION

Executive Secretary (Date)

**APPROVED FOR
FORM AND LEGALITY**

CHIEF COUNSEL
DEPARTMENT OF ENVIRONMENTAL
PROTECTION

OFFICE OF ATTORNEY GENERAL

OFFICE OF GENERAL COUNSEL

EXHIBIT A
(Current Delegation Agreement)

EXHIBIT B

Conservation District Levels of Program Delegation Responsibilities And Required Output Measures for the Department's Chapter 102 Pilot Program

The procedures herein are specific to Individual NPDES Permit applications that have been accepted by the Department and the District into the Pilot program.

The District will:

1. Explain the Pilot program procedures and eligibility requirements to any interested applicant.
2. Participate in informal and formal pre-application meetings with each applicant seeking acceptance into the Pilot program.
3. Confirm applications were received concurrently by DEP when the District receives the applications.
4. For applicants that have participated in the informal and formal pre-application meetings, review the application within 7 business days of receipt (eligibility review period) in coordination with the appropriate Department regional office to determine program eligibility.
5. Notify the applicant of acceptance or denial into the Pilot program through email within the eligibility review period.
6. Districts without PCSM delegation will:
 - a. Conduct a concurrent review as follows: 1) completeness review of the application and the Erosion and Sediment Control (E&S) Plan; and 2) technical review of the application and E&S Plan using the Department's Fact Sheet template for Individual NPDES Permits and the standard or expanded E&S checklists, within 47 business days of receiving these application materials (initial review period).
 - b. Provide a list of completeness and technical deficiencies to the Department regional office to include in a deficiency letter the Department will send to the applicant within the initial review period.
 - c. Where a deficiency letter has been issued and the applicant has resubmitted the application and E&S Plan, conduct a second review of these application materials within 22 business days of receiving the resubmittal (second review period).

- d. Notify the Department regional office within the second review period of whether the application materials are adequate or inadequate and recommend issuing a draft permit or returning the application to the applicant.

7. Districts with PCSM delegation will:

- a. Conduct a concurrent review as follows: 1) completeness review of the application, E&S Plan and Post-Construction Stormwater Management (PCSM) Plan; and 2) technical review of the application, E&S and PCSM Plans using the Department's Fact Sheet template for Individual NPDES Permits, the standard or expanded E&S checklists, and the Managed Release Concept Review Checklist (if applicable), within 47 business days of receiving these application materials.
- b. Issue a deficiency letter if the District determines that there are significant completeness and/or technical deficiencies. This letter must be signed by the District Manager or a supervisor and a copy must be provided to the Department regional office.
- c. Issue a draft permit, cover letter, and public notice for the applicant to post if the District determines that there are minor completeness and/or technical deficiencies that the applicant could correct during the public comment period or there are no deficiencies. The draft permit should not be signed and must contain a DRAFT watermark. The cover letter must be signed by the District Manager or a supervisor. The cover letter must list all deficiencies identified. The District will coordinate with the Department regional office to post public notice in the *Pennsylvania Bulletin*.
- d. Where a draft permit cover letter listed deficiencies or where a deficiency letter was issued and the applicant resubmitted materials, conduct a second review of these materials within 22 business days of receiving the materials. If significant deficiencies remain, the District will follow step 7.g below. If no deficiencies or minor deficiencies remain, the District will follow step 7.c, above if a deficiency letter was issued or step 7.e, below, if a draft permit was issued.
- e. If a draft permit was issued and no deficiencies remain, issue the final permit in accordance with the Standard Operating Procedures (SOP) for Review of Individual NPDES Permit Applications within 5 business days of the end of the public comment period, except the final cover letter must be signed by the District Manager or, in the absence of the District Manager, a supervisor.
- f. Notify the Department regional office prior to issuing the final permit to allow the Department regional office to prepare the *Pennsylvania Bulletin* posting.
- g. If significant deficiencies remain following an applicant's response to a deficiency letter or if significant deficiencies are identified during the concurrent review that would warrant redesign of a project, the District will consult the Department regional office and return the application to the applicant. Applications that are returned will be retained for a minimum of 9 months.



**COMMONWEALTH OF PENNSYLVANIA
STATE CONSERVATION COMMISSION**

DATE: January 12, 2024

TO: State Conservation Commission Members

FROM: Brady Seeley, Conservation Program Specialist 2
Nutrient and Odor Management Programs

THROUGH: Douglas M. Wolfgang
Executive Secretary

RE: Nutrient and Odor Management Programs Report

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

For the months of November and December 2023, staff and delegated conservation districts have:

1. Odor Management Plans:
 - a. 9 OMPs in the review process
 - b. 9 OMPs Approved
2. Reviewed and approved 151 Nutrient Management (NM) Plans in the 4th quarter of 2023.
 - a. Those approved NM plans covered 36,288 acres.
 - b. Those approved NM plans included 67,905 Animal Equivalent Units (AEUs), generating 1,318,617 tons of manure.
3. Managing eleven (11) ACTIVE enforcement or compliance actions, currently in various stages of the compliance or enforcement process. Monitoring an additional two (2) other cases of enforcement / compliance / interest.
4. Continue to daily answer questions for NMP and OMP writers, NMP reviewers, delegated Conservation Districts, and others.
5. Assisted DEP with various functions and as workgroup members in Federal and State settings for the Chesapeake Bay Program.
6. NM/OM Certification/CEC:
 - a. Approved 30 hours of NM and OM continuing education.
 - b. Facilitated the following trainings:

- i. Plan Review Training
 - ii. NM Commercial/Public Exam
 - c. Reviewed 5 Public Review Specialists NMP reviews as part of the certification training.
- 7. Commercial Manure Hauler / Brokers
 - a. Approved 3 hours of MH/B continuing education.
 - b. 8 Act 49 inspection letters sent (includes in-office, onsite and affidavit letters).
 - c. Facilitated the following trainings:
- 8. Issued 4 new (total of 46) Ag 101 seat licenses to CD and DEP staff. 37 persons have already completed and sent in their course completion certificate.



**COMMONWEALTH OF PENNSYLVANIA
STATE CONSERVATION COMMISSION**

DATE: January 9, 2024
TO: Members, State Conservation Commission
FROM: Karl J. Dymond
 State Conservation Commission *K Dymond*
SUBJECT: January 2024 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 November 2023 Commission meeting.

Program Statistics

Below are the overall program statistics relating to the Commission's Odor Management Program, representing the activities of the program from its inception in March of 2009, to December 31, 2023.

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

	Central	NE/NC	SE/SC	West	Totals
2009	7	6	28	1	42
2010	5	7	25	2	39
2011	10	12	15	2	39
2012	9	17	16	2	44
2013	10	11	38	3	62
2014	13	16	44	2	75
2015	15	15	61	2	93
2016	19	16	59	5	99
2017	25	24	44	3	96
2018	14	13	40	1	68
2019	12	11	14		37
2020	9	11	42	1	63
2021	15	15	30	1	61
2022	16	11	19	2	48
2023	24	12	42	3	81
2024			1		1
Total	203	197	518	30	
Grand Total					948

As of December 31, 2023, there are nine hundred and forty-eight **approved** plans and/or amendments, nine plans have been **denied**, sixteen plans/ amendments have been **withdrawn** without action taken, one hundred and six plans/ amendments were **rescinded**, and eleven plans/ amendments are going through the **plan review process**.

OMP Actions Status Report

Action	OMP Name	County	Municipality	Species	AEUs	OSI Score	Status
11/9/2023	Dotterer, Paul & Sons, Inc – Home Farm	Clinton	Porter Twp	Cattle	1785.10	85.0	Approved
11/9/2023	Star Rock Dairy, Inc & Star Rock Farms, LLC	York	Chanceford Twp	Cattle	380.00	18.0	Approved
11/21/2023	Blank, David – Blank’s Valley Farm	Clinton	Logan Twp	Veal	91.00	45.0	Approved
11/21/2023	Emway Pullets, LLC – Pullet Farm	Dauphin	Lykens Twp	Pullets	386.78	28.3	Approved
11/21/2023	Lafferty, Tyler – Poultry Farm	Bedford	Napier Twp	Duck	85.50	73.7	Approved
11/21/2023	Pleasant View Farms, Inc – Frosty Hollow Farm	Bedford	Woodbury Twp	Cattle	397.30	28.3	Approved
12/6/2023	King, Daniel L – Dairy Farm	Lancaster	Earl Twp	Cattle	139.10	75.4	Approved
12/6/2023	Shale-Rock Acres, LLC – Mountain Drive Farm	Lebanon	Swatara Twp	Broilers	130.56	48.0	Approved
12/13/2023	Martin, Brendle – Chambersburg Turkey Farm	Franklin	Green Twp	Turkey	106.12	74.8	Approved

As of December 31, 2023



**COMMONWEALTH OF PENNSYLVANIA
STATE CONSERVATION COMMISSION**

DATE: January 12, 2024

TO: Members
State Conservation Commission

FROM: Brady Seeley, Conservation Program Specialist 2
Nutrient and Odor Management Programs

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

SUBJECT: Nutrient Management Plan Actions

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

<u>Agricultural Operation (Name and Address)</u>	<u>County</u>	<u>Total Acres</u>	<u>Animal Equivalent Units (AEUs)</u>	<u>Operation Type (CAO, CAFO, VAO)</u>	<u>Animal Type</u>	<u>Approval or Disapproval</u>	<u>Date Approved</u>
William Hoffman Sr. & Jr. 518 Hockley Hill Rd, Turbotville, PA 17772	Northumberland	31.9	186.66	CAO	Broilers	Approved	11/9/2023
Daniel Stoltzfus 300 Old Stonehouse Rd Herndon, PA 17830	Northumberland	62.15	105.91	CAO	Turkey	Approved	11/13/2023
Snyder Poultry House LLC 398 Brier School Rd Rebeck, PA 17867	Northumberland	10	243.88	CAO	Broilers	Approved	12/6/2023



BUILDING BRIDGES

Farmers * Municipalities * Citizens
Conservation Districts * Agribusiness

To: Members
State Conservation Commission
January 23, 2024

From: Shelly Dehoff
Agriculture/Public Liaison

Re: Agricultural Ombudsman Program Update

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

- Coordinating manure injection educational and promotion effort for farmers in Lancaster County, and handling incentive program applications and invoice payment processing; asking to extend one grant to pay invoices
- Events as South Central Task Force (SCTF) Agriculture Subcommittee Planning Specialist:
 - Hosted/facilitated November and January Subcommittee meetings
 - Participated in assorted Exec Comm and TE&E meetings
 - Listened to AgriSafe Network webinars about Lyme Disease and QPR/Suicide Awareness and Prevention
 - Hosted a breakout session for the PA State Association of County Fairs convention on human trafficking and agriculture
 - Finalized speakers and topics for Homeland Security Conference
 - Listened to webinar by FBI about “The Great Corn Caper” regarding ransoming of information and the importance of cyber security in agriculture
- Participated and recorded minutes for November Lancaster Co. Agriculture Council meeting
- Listened to Nutrient Management and Manure Management Update webinar
- Notified of being granted a breakout session at PSATS convention in April 2024; organizing flow of the presentation between Ombudsman Program and PA Ag and Shale Law Center re: ACRE 101
- Co-coordinated Conservation Foundation of Lanc Co meetings, and Exec Comm meetings; continuing strategic planning follow up including updating Mission statement and assorted policies; creating manual for Board members with historic and guidance documents
- Started participating in new PA FPR group
- Working on publication for statewide distribution related to manure spill response for farmers at request of Franklin Co CD
- Reading portions of the PA FPR Manual to familiarize myself with the current guidelines
- Attended Lancaster Chamber “Ag Issues Forum” on biosecurity
- Working with Beth Futrick to organize a Fly Camp in 2024 for CDs, PDA and other interested parties
- Participated in PA’s Workforce Development Board meetings, including one during PA Farm Show
- Being introduced to reps from the EcoSystems Management Consortium who are interested in talking Atmore about environmental credits for manure injection
- Attended portions of PSU Cover Crop Day

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

- **None currently**

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

- **Cumberland Co** – neighborhood frustrations from mortality composting site and FPR site, did site visit with PDA of mortality composting site; assisting with some neighbor complaints
- **Montgomery Co**—PA State Representative and his staff have contacted me about 2 groups in his are that have organized and are offering suggestions to local municipalities about how to handle FPRs

Research and Education Activities:

- **None currently**

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

- **None currently**



BUILDING BRIDGES

Farmers* Municipalities* Citizens
Conservation Districts* Agribusiness

To: Members October 31, 2023
State Conservation Commission
From: Beth Futrick
Agriculture/Public Liaison
Through: Douglas Wolfgang, Executive Secretary
State Conservation Commission
Re: Ombudsman Program Update – Southern Alleghenies Region

Activities: July-August

- Administering NFWF-INSR Grant
 - Inspection of on-going Agricultural BMP projects implementation.
 - Organizing a 2024 regional farmer event to promote grass-based farms, soil health, and regenerative agricultural practices.
 - Partnering with Project Grass and NRCS.
- Administering Spotted Lantern Fly grant
 - Organizing events with Blair municipalities and developing a stand-alone web page on the Ombudsman Website for SLF education.
- Planning a second ACRE workshop for the Blair County area with Mr. Willig PA Senior Deputy Attorney General and Mr. Brook Duer with Center for Agricultural and Shale Law – Penn State Law
- Administering PADEP Growing Greener Grant
 - This funding will cost-share manure storage design development.

Conflict Issues/Municipal Assistance

---- Union County – ACRE regarding road bonding and manure management plan information

Meetings/Trainings/Outreach

--October 18 – Web Develop meeting – update Ombudsman website
 --October 19 – DEP – Growing Greener grant meeting
 --October 26 – ACRE Law workshop – Lycoming Co
 --October 30 – Spotted Lantern Fly workshop – Martinsburg
 --November 7 – Southern Alleghenies Conservancy board meeting
 --November 8 – Meeting with NRCS to plan upcoming grazing group meeting
 --November 20 – Local Food Local Places meeting w/ Cambria County – Center for Population Health
 --November 20 – Penn State Extension – Blair County Committee meeting
 --December 6 – Regional Grazing Group meeting

Reports & Grant Applications

Growing Greener – quarterly report
 NFWF – Annual report for 2023.
 PDA – Spotted Lantern Fly grant final report
 DEP – Environmental Education Grant application