

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

**November 14, 2023**

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

**Agenda – SCC COPY**

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

1. Environmental Justice Presentation – Justin Dula, DEP
2. Update on Recent Comprehensive Evaluation of System Response (CESR) Report – Kurt Stephenson, Virginia Tech and STAC

**Executive Session - 11:30 a.m.**

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

**A. Opportunity for Public Comment**

**B. Business and Information Items**

1. Approval of Minutes
  - a. September 12, 2023, Public Meeting (A)
  - b. October 10, 2023, Conference Call (A)
2. Proposed 2024 SCC Meeting Dates – Doug Wolfgang, SCC (A)
3. Election of 2024 Vice-Chairman – Doug Wolfgang, SCC (A)
4. PACD Request for Funding – Justin Challenger, SCC (A)
5. Reallocating Returned DGR Funds – Roy Richardson, SCC (A)
6. FY 23-24 CDFAP UGW Fund Reserve Account Requests – Jacquelyn Kerstetter, DEP (A)
7. Update of District Audit Reports for Calendar Year 2022 – Jacquelyn Kerstetter, DEP (A)

**C. Written Reports**

1. Program Reports
  - a. Nutrient and Odor Management Program Measurables Report
  - b. Nutrient Management Plan Actions
  - c. Nutrient Management Plan Update Memo

- 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**

**E. Adjournment**

Next Public Meetings/Conference Calls:

December 12, 2023 - Conference Call

January 23, 2024 – In-Person (and Virtual) Meeting

STATE CONSERVATION COMMISSION  
MEETING

PA DEPARTMENT OF AGRICULTURE

In-Person and Microsoft Teams

Tuesday, September 12, 2023 – 1:00 p.m.

*Draft Minutes*

Members Present: Executive Deputy Secretary Greg Hostetter for Secretary Russell Redding, PDA; Deputy Secretary Bevin Buchheister for Secretary Rich Negrin, DEP (virtual); Daryl Miller; Ron Rohall; Ron Kopp; Chris Houser, Penn State; Tree Zuzzio, DCED (virtual); and Dennis Beck, PACD.

A. **Public Input** – none.

B. **Business and Information Items**

1. Approval of Minutes –July 19, 2023 - Public Meeting and August 15, 2023 –Conference Call.

*Ron Rohall moved to approve the July 19, 2023, public meeting minutes. Motion seconded by Ron Kopp. Motion carried. Daryl Miller moved to approve the August 15, 2023 conference call minutes. Motion seconded by Ron Kopp. Motion carried.*

2. Nutrient Management and Odor Management Program

- a. Racetrack Op Co – Parx Racing, Bucks County - OMP. Karl Dymond, SCC, reported that the Racetrack Op Co – Parx Racing is a Level II Odor Management Plan. It is an existing equine operation located in Bucks County. This operation is a CAO/CAFO with on Odor Site Index Score of 138.5. This plan does not include any proposed animal housing facilities or manure storage facilities. This operation currently implements a Solid Manure Storage Systems Management Level II Odor BMP and is planning to implement a Vegetative Buffer for Filtering Level II Odor BMP.

*Ron Kopp made a motion to approve the Racetrack Op Co – Parx Racing Odor Management Plan. Motion seconded by Ron Rohall. Motion carried.*

- b. Lowell Nolt – Fredericksburg Farm, Lebanon County - OMP. Karl Dymond, SCC, reported that Lowell Nolt is a Level II Odor Management Plan. This OMP is for an existing swine and cattle facility located in Lebanon County. This operation is a CAO/CAFO with on Odor Site Index Score of 137.7. This operation plans to construct a Swine Nursery Barn accompanied by an under-barn manure storage facility. This operation currently implements a Manure Additive Level II Odor BMP and is planning to implement a Vegetative Buffer for Filtering Level II Odor BMP.

*Daryl Miller made a motion to approve the Lowell Nolt – Fredericksburg Farm, Lebanon County, Odor Management Plan. Motion seconded by Ron Kopp. Motion carried.*

- c. Act 38 Nutrient Management Program – Nutrient Management Planning Tool Version 9.0. Brady Seeley, SCC, reported that staff and Pennsylvania State University Cooperative Extension staff have been working on updates to the Nutrient Management Planning Tool. The current version of the planning tool, Version 8.0, which was approved by the Commission, was released in October 2021. That version was updated twice with minor revisions for the most current Version 8.2. Based on the proposed changes, staff is seeking a major version change. This updated version will become Version 9.0 and all nutrient management plans written for the 2025 crop year and beyond will need to use this updated version.

*Ron Rohall made a motion to approve the Nutrient Management Planning Tool Version 9.0 (Excel and Word). Motion seconded by Daryl Miller. Motion carried.*

- d. Act 38 Nutrient Management Program – Nutrient Balance Sheet – Planning Tool Version 7.0. Brady Seeley, SCC, reported that staff will seek Commission approval of the Nutrient Balance Sheet (NBS) Planning Tool Version 7.0 (Excel and Word). Staff and Pennsylvania State University Cooperative Extension staff have been working on updates to the Nutrient Balance Sheet (NBS) Planning Tool. The current version of the planning tool, Version 6.0, which was approved by the Commission, was released in October 2021. That version was updated with minor revisions three times to the current version 6.3. Based on the proposed changes, staff is seeking a major version change. This updated version will become Version 7.0 and all nutrient balance sheets for the Act 38 and Act 49 programs written for the 2025 crop year and beyond will need to use this updated version.

*Ron Rohall made a motion to approve the Nutrient Balance Sheet (NBS) Planning Tool Version 7.0 (Excel and Word). Motion seconded by Daryl Miller. Motion carried.*

- e. Act 38 Nutrient Management Program Technical Manual – Version 12 Record of Change. Brady Seeley, SCC, reported that staff will seek Commission approval of the record of changes for Version 12.0 of the Pennsylvania Nutrient Management Program Technical Manual. While the Commission is in the process of a possible regulatory revision, the decision was made to not produce a new edition of the Nutrient Management Technical Manual.

*Ron Rohall made a motion to approve the record of changes for Version 12.0 of the Pennsylvania Nutrient Management Program Technical Manual. Motion seconded by Bevin Buccheister. Motion carried.*

- f. Act 38 Nutrient Management Program and Chapter 91 Manure Management Administrative Manual – Version 6.0 – Record of Change. Brady Seeley, SCC, reported that staff will seek Commission approval of the record of changes for Version 6.0 of the Pennsylvania Nutrient Management and Manure Management Program Administrative Manual (Adm. Manual). While the Commission is in the process of a possible regulatory revision, the decision was made to not produce a new edition of the Nutrient Management and Manure Management Program Administrative Manual.

Ron Kopp made a motion to approve the record of changes for Version 6.0 of the Pennsylvania Nutrient Management and Manure Management Program Administrative Manual. Motion seconded by Ron Rohall. Motion carried.

3. ACAP Update. Justin Challenger, SCC, provided a detailed update on the Agricultural Conservation Assistance Program (ACAP), which provides \$154 million in Clean Streams Funds through ARPA (American Rescue Plan Act) to install best management practices on farms. The program is administered through delegation agreements with 66 counties. Updates included the latest on funds committed, projects installed, Center for Ag Conservation Assistance, GIS tracking tool, and plans in the works for administrative training this fall.

Action: No action needed.

4. CEG – EPA Most Effective Basin Funding Revision. Justin Challenger, SCC, reported that at its June meeting, the Commission approved use of the most recent EPA Most Effective Basin (MEB) program award of \$4 million as follows: \$2 million for Sustainable Ag Board, \$1.5 million for Conservation Excellence Grant (CEG) program to enhance public-private partnerships, and \$500,000 to initiate the PA Ag Conservation Stewardship (PACS) program. Staff will ask the Commission to adjust this approval by moving the \$500,000 portion to the CEG program, as MEB funds must be specifically used for practices. The resulting approval will result in an even split of these funds for Sustainable Ag Board and Conservation Excellence Grant.

Ron Kopp made a motion to approve moving the \$500,000 portion to the CEG program, as MEB funds must be specifically used for practices. Motion seconded by Ron Rohall. Motion carried

5. 22-23 CDFAP Funding – Venango Conservation District. Karen Books and Jaci Kerstetter, DEP, presented a request on behalf of the Venango County Conservation District to designate \$51,296.13 in allocated FY 2022-23 CDFAP UGW funds into a “Future Salaries/Capital Improvements Reserve Account”. The district has unspent UGW Funds for FY 22-23 which they originally planned to use toward staff salaries, but due to some unexpected staff changes/vacancies they were unable to spend the funds. Furthermore, they are unable to use the remaining allocation for administrative assistance purposes. The proposed Reserve Account will support several items including: 1.) future staff salary needs, 2.) replacement of outdated computer/software for administrative staff, and 3.) capital improvements for building upgrades. The district board plans to act on this proposal at their next monthly board meeting scheduled for September 14, 2023.

Daryl Miller made a motion to approve the Venango County Conservation District request to designate \$51,296.13 in allocated FY2022-23 CDFAP UGW funds into a “Future Salaries/Capital Improvements Reserve Account.”. Motion seconded by Ron Rohall. Motion carried.

## C. Written Reports – Self Explanatory

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

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

1. **PACD** – Dennis Beck thanked the SCC for the support to hold the Leadership Development Summit, which is taking place this week. The Pennsylvania House Ag and Rural Affairs Committee met last week to discuss invasive species. Spotted lanternfly is just starting to reach Cambria County. Cliff Lane supports the statewide invasive species program in Pennsylvania. Piper Sherburne, Berks County, provided written testimony to help in the fight against the Spotted Lanternfly. Thank you to the SCC and NRCS – because of their help, PACD will be hiring six new conservation planners and/or technicians in the near future. These people will be strategically placed across the Commonwealth. PACD would like these positions to be hired and working by the end of 2023. The PACD Winter meeting will be held virtually on January 25, 2024 at 10:00 a.m.
2. **NRCS** – no report.
3. **PSU** – Chris Houser reported that Dean Roush is stepping down after nine years as the Extension Director. Laszlo Kulcsar will be the new Dean as of September 18, 2023. Dean Roush started in 2014, and his work was heavy on water quality in Pennsylvania. He took interest and initiative in digital education. He was also instrumental in the Spotted Lanternfly Program. The ACAP Center is doing well. The Extension and NRCS recently held a successful Boot Camp.
4. **DEP** – **NPDES PAG-12 General Permit for Operation of CAFOs to be Published as Final.** On September 16, 2023, the Department of Environmental Protection (DEP) will publish a final, reissued NPDES PAG-12 General Permit for Operation of CAFOs in the *Pennsylvania Bulletin*. The PAG-12 General Permit and supporting documents will be available through DEP’s website, <https://www.depgreenport.state.pa.us/elibrary/> (select Permit and Authorization Packages, Clean Water, and PAG-12 General Permit). To maintain coverage under the 2024 General Permit, the permittee must submit the PAG-12 Notice of Intent (NOI) between September 16, 2023 and December 31, 2023 to DEP’s Southcentral Regional Office (SCRO).

**Manure Management Manual Out for Public Comment** – The updated Manure Management Manual is out of public comment until September 25 through the Department’s eComment application.

**DEP/CCD Chapter 102 Fall Training and Update Meetings.** The Chapter 102 Program announced its annual Fall Training and Update Meetings will be held virtually again this year. The three meetings are set for Oct 17 – Western Region, Oct 23 – Central Region, and Nov 2 Eastern Region. Districts are encouraged to participate in the meeting for their assigned region, but if you are unable to attend due to a scheduling conflict you may attend one of the other sessions. Some of the topics on the agenda include General Updates and Current Central Office Projects, PAG-02 Changes, RPCO Coordination, What is a Violation?, and much more. The Meeting notices and full agenda were sent to districts on August 8, 2023.

**Conservation District Watershed Specialist Meeting.** Registration is now open for the 23rd Annual Conservation District Watershed Specialist Meeting. The Watershed Specialist meeting will be held **Oct. 3-5 at Tofftrees Resort, State College.** Watershed specialists hired after October 2019 should attend all three days Tue-Thu, October 3-5. All other watershed specialists should attend Wed-Thu, October 4-5. Topics for the meeting include: Partnering w/DCNR Regional Watershed Forestry Specialists, CDWS Progress Reporting; PracticeKeeper Update; DEP Environmental Education Grants Program and much more... **It is mandatory under the Watershed Specialist Contract for all Watershed Specialists to attend this meeting.** Watershed Specialists can register by going to the “Events” page of the PACD website. If for some reason your watershed specialist is unable to attend, you must contact Shane Kleiner at [shkleiner@pa.gov](mailto:shkleiner@pa.gov) to be excused.

**Environmental Education Grants Application Round Open:** This year’s Environmental Education Grants Program **Application period opened Aug. 1 and will close Nov. 15, 2023.** The Funding Priorities supports projects that address Water and/or Climate Change and engage people living, working and/or going to school within Environmental Justice areas. **A Live Webinar** will be held September 26, 2023: Noon-1:30. All potential applicants are encouraged to attend. Please register for this event by September 22, 2023. The session will be recorded and posted on the EE Grants Homepage. **2024 Environmental Education Grants Program Manual**, can be found on the DEP Environmental Education webpage

5. **DCNR** – no report.
6. **DCED** – no report.
7. **PDA** – Executive Deputy Secretary Greg Hostetter reported that Secretary Redding is currently in Wyoming at the NASDA conference. The posting is up for the IT Business Relations Manager. Kris Adams was in this position for years but has now accepted a promotion. Frank Schneider is now the new Bureau Director of Plant Industry. PDA held the Years of Service celebration a few weeks ago. This was a good time to show appreciation to staff. The All American Dairy Show will be at the Farm Show Complex from September 14-18, 2023. This involves 21-23 states plus Canada. The Keystone International Livestock Exposition (KILE) will be at the Farm Show Complex from September 27 – October 6, 2023. PDA is thankful to have an approved budget. We are now at harvest season. Please keep safety first during this time.

**Adjournment:** Meeting adjourned at 2:20 p.m.

Next Public Meetings: October 12, 2023 – Conference Call  
November 14, 2023 -- Public Meeting, In-Person, Harrisburg, PA  
and Microsoft Teams

**STATE CONSERVATION COMMISSION CONFERENCE CALL****Microsoft Teams Conference Call****Tuesday, October 10, 2023 @ 8:30 am*****DRAFT MINUTES***

**Members Present:** Secretary Russell Redding, PDA; Jill Whitcomb for Secretary Rich Negrin, DEP; Mike Flinchbaugh; Ron Rohall; Ron Kopp; Don Koontz; Daryl Miller; Drew Gilchrist, DCNR; Ryan Cornelius, NRCS; Dennis Beck, PACD; Colin Parry, DCED; and Chris Houser, Penn State.

**A. Public Input:** None.

**B. Agency/Organization Updates**

1. DCNR – Drew Gilchrist

Last Thursday, October 5, in Bethlehem, PA, Governor Josh Shapiro and Department of Conservation and Natural Resources (DNCR) Secretary Cindy Adams Dunn announced a \$52.5 million investment for more than 225 recreation and conservation projects across Pennsylvania that will create new recreational opportunities, conserve natural resources, and help revitalize local communities. Investments are being made in a variety of proposals, including: 23 trail projects; protecting nearly 6,835 acres of open space; 13 projects for river conservation; 13 community and watershed forestry projects; and 99 projects to develop or rehabilitate recreation, park and conservation areas and facilities. The grants are administered by the DCNR's Bureau of Recreation and Conservation and [Community Conservation Partnerships Program](#) (C2P2). Funding comes from the Keystone Fund, which is generated from a portion of the realty transfer tax; the Environmental Stewardship Fund.

2. DEP – Jill Whitcomb

**The 2024 Community Clean Water Action Plan Coordinator (CCWAPC) and CAP Implementation Grant is now open!** This year's grant round opened on Friday, September 29, 2023, and closes on Tuesday, October 31, 2023. County partners within the Chesapeake Bay Watershed will need to complete and upload a grant application with projects they plan to complete during the January 1, 2024- December 31, 2024 timeframe. The main goal of CAP Grant program is to accelerate implementation of projects that deliver high nutrient reductions in priority areas, in support of a county's CAP. Applicants are now required to provide estimated nutrient reductions for each project applied for on their 2024 application. Nutrient estimates will be generated through FieldDoc.



Starting this year in an effort to address concerns and further improve the CAP grant program, a minimum threshold of \$200,000 has been established. Similar to the SCC's minimum threshold for ACAP, this means that if the allocation formula allots less than \$200,000 for a county, they will receive \$200,000. All CAP Implementation Grant materials can be found on the Clean Water Academy at: <https://pacleanwateracademy.remote-learner.net/course/view.php?id=328&section=14>

**NPDES PAG-12 General Permit for Operation of CAFOs to be Published as Final.** On September 16, 2023, the Department of Environmental Protection (DEP) published the final, reissued NPDES PAG-12 General Permit for Operation of CAFOs in the *Pennsylvania Bulletin*. The PAG-12 General Permit and supporting documents are available through DEP's website, <https://www.depgreenport.state.pa.us/elibrary/> (select Permit and Authorization Packages, Clean Water, and PAG-12 General Permit). To maintain coverage under the 2024 General Permit, the permittee must submit the PAG-12 Notice of Intent (NOI) before December 31, 2023 to DEP's Southcentral Regional Office (SCRO).

### **DEP/CCD Chapter 102 Fall Training and Update Meetings**

The Chapter 102 Program will hold three Fall Training and Update Meetings virtually again this year. The three meetings are set for:

Western Region - Oct 17

Central Region - Oct 23

Eastern Region - Nov 2

Districts are encouraged to participate in the meeting for their assigned region, but if you are unable to attend due to a scheduling conflict, you may attend one of the other sessions. Some of the topics on the agenda include General Updates and Current Central Office Projects, PAG-02 Changes, RPCO Coordination, What is a Violation?, and much more. The Meeting notices and full agenda were sent to districts on August 8<sup>th</sup>.

**Environmental Education Grants Application Round Open:** This year's DEP Environmental Education Grants Program application period will **close Nov. 15, 2023**. The Funding Priorities supports projects that address Water and/or Climate Change and engage people living, working and/or going to school within Environmental Justice areas. **2024 Environmental Education Grants Program Manual**, can be found on the DEP Environmental Education webpage

### **Shapiro Administration awards \$38.76 million in grants for environmental restoration projects**

**DEP announced \$38.76 million in funding** for six environmental restoration projects of abandoned mine lands in the first of three rounds of **the 2023 Abandoned Mine Lands and Acid Mine Drainage (AML/AMD) Grant**

**Program.** A majority of these grant funds will reach counties in Pennsylvania’s Chesapeake Bay watershed. These projects focus on reclaiming abandoned mine land, decreasing abandoned mine drainage, and treating AMD through the construction, operation and/or maintenance of an AMD treatment facility. The projects are located in: Cambria, Lackawanna, Luzerne, Northumberland, and Somerset.

3. NRCS – Ryan Cornelius

September marked the end of FY23 for NRCS. Here are statistics from FY2023:

EQIP	396 contracts	\$26.1 million	48,000 acres
-	Received additional EQIP IRA money for		
	72 contracts	\$3.1 million	9,300 acres
AMA	27 contracts	\$385,000	140 acres
CSP	232 contracts	\$8.9 million	87,000 acres

Here are two break downs included under EQIP:

Golden Winged Warbler	12 contracts	\$483,000	1,600 acres
NWQI	6 contracts	\$1,356,000	

NRCS is currently working on FY24 rollout. There were over \$25 million in practices implemented in FY23. The first round sign up deadline for EQIP AMA RCPP is November 1, 2023.

4. Penn State University – Chris Houser

The Center for Ag Conservation Assistance Training was excited to welcome four new educators in September. The Center is in the process of interviewing for two more educators. Over the summer, the Extension of Agronomy and Water Teams helped kick off training events for the Center. Over 275 people participated in these events. Individuals are interested in RFPs for engineering services...this process is underway. Interviews for Extension Director will take place this week and next week. Penn State is excited about the MOU signing, which will take place with partners on October 19, 2023.

5. PACD – Dennis Beck

Cliff Lane and Piper Sherburne attended the House of Representatives Agricultural and Rural Affairs Committee information session on invasive species. Thanks to Piper for her leadership. Cliff testified that dedicated funding is needed for a statewide invasive species program. Thanks to the SCC for their funding on the Managers’ Summit and Preconvention Meetings in September. There will soon be a new training series on the following topics: financial issues; website accessibility; and insurance gaps. PACD is in the midst of the Fall Region meetings.

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

During the week of October 2, 2023, PDA met with Hershey Foods, Land O Lakes, and the Chesapeake Bay Alliance. These organizations are putting money into conservation work. Secretary Redding received a letter from Adam Ortiz, Region 3 EPA, about the partnership with EPA and Agriculture. This information will be shared with Commission members. An Ag Advisory Committee will soon be recognized as part of the Chesapeake Bay Commission. An extraordinary amount of work is being done on conservation. Here are some things to think about: How do we capture BMPs that are being implemented? Are we capturing all of the data?

### C. Information and Discussion Items

1. **Proposed 2024 Commission Meeting Dates (Barb Buckingham) (NA)** – Attached is a memo containing the proposed 2024 meeting and conference call dates for the Commission. Staff has checked these proposed 2024 meeting dates for any major schedule conflicts. Staff will ask the Commission to approve these 2024 meeting dates at our November business meeting.
2. **Nutrient Management Technical Manual and Nutrient and Manure Management Administrative Manuals Update – (Brady Seeley) –(NA)** SCC staff, in cooperation with Penn State, have finalized and released new versions of the Nutrient Management Planning template, Nutrient Balance Sheet template, and Nutrient Management Planning User Guides. Staff have also updated and released record of changes to the Nutrient Management Technical Manual and the Nutrient and Manure Management Administrative Manual. Staff are planning to conduct two webinars in November to review changes and updates to all certified public and commercial specialists. Staff are finalizing NMP reviews for all non-delegated counties. Out of the 30 NMPs that were due this year that the SCC manages, only one plan was not submitted before the September 30<sup>th</sup> deadline.
3. **Agriculture Conservation Assistance Program update – ACAP (Justin Challenger) – (NA)** – To date, sixty-six districts have signed delegation agreements with \$137.2 million in funds committed. Districts reported receiving 667 applications for total funding of \$83.3 million. In addition, 366 of those applications have been approved to total \$40.1 million obligated to contracts with farm owners. The contract for the PSU Center for Agriculture Conservation Assistance has received final approval. The Center is up and running, with trainings and education efforts under way. SCC staff worked with Center staff to review the request for proposals that were submitted for the engineering services to work alongside NRCS engineer. In addition, the Center recently hired several educator positions to assist districts and partner agencies in carrying out ACAP, with additional interviews in the near future, the Center will be developing 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 will take place on

November 16 in State College, followed by four regional training sessions by the end of the year.

4. **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. The regular allocations have been announced and a request for proposals will be announced for the \$2.0 million later this week.
5. **Resource Enhancement and Protection Program (REAP) - (Joel Semke) – (NA) -** Ongoing application reviews for FY 23/24 continue. It is anticipated that all \$13 million in credits will be committed by the end of October. The program continues to grow in popularity among producers and sponsors, as interest outweighs available credits. Updates this year include performance upgrade kits for conservation tillage equipment, cover crop planting drones, precision nutrient application, and silvopasture as an eligible practice.
6. **Dirt Gravel and Low Volume Roads Program (DGLVR) – (Sherri Law) (NA) –** Commission staff, in partnership with the Penn State Center for Dirt and Gravel Roads, had a successful annual meeting in September, with over 200 attendees, including district managers and staff, partner agencies, and local governments. Staff continues to conduct quality assurance/quality control (QAQC) visits across the state.
7. **Sustainable Ag Board – Mike Roth– (NA) -** Staff will provided an update on timeline for creating and convening the Board. The Board will use funding from EPA’s Most Effective Basin (MEB) program to award grants for sustainable agriculture projects and to create a statewide soil health program. The administration has included creation of a soil health program as priority under the Conservation Title of the upcoming Federal Farm Bill. The Chesapeake Bay WIP 3 also identifies soil health as a priority for achieving water quality targets. In addition, soil health measures align with climate change adaptation, resiliency, and mitigation goals for agriculture. The Board is currently being appointed with the inaugural meeting anticipated in late October or November.
8. **General Updates – Doug Wolfgang (NA) –** Staff provided general updates, including the recent Principals’ Staff Committee vote to create an Ag Advisory Committee; recap of Chesapeake Bay leaders retreat in Tangier Island, VA; and efforts to assist DEP in addressing issues related to Food Processing Residual waste (FPRs).
9. **Next Meeting – November 14, 2023 – Hybrid/In-Person, PDA Building, Conference Room 309**
10. **Adjournment at 9:31 a.m.**



**COMMONWEALTH OF PENNSYLVANIA  
STATE CONSERVATION COMMISSION**

October 1, 2023

**To:** State Conservation Commission Members  
**From:** Douglas M. Wolfgang  
Executive Secretary  
**RE:** Tentative 2024 Meeting Dates and Conference Call Dates

The following are proposed 2024 Commission meeting dates.

**2024 Proposed Meeting Dates**

<b><u>Date</u></b>	<b><u>Location</u></b>
January 23 <sup>rd</sup>	Harrisburg
March 12 <sup>th</sup>	Harrisburg
May 14 <sup>th</sup>	Harrisburg
July 16 <sup>th*</sup> - may change – in conversations with PACD	
September 10 <sup>th</sup>	Harrisburg
November 12 <sup>th</sup>	Harrisburg

**2024 Proposed Conference Call Dates**

(8:30-10:00AM)

February 20<sup>th</sup>  
April 9<sup>th</sup>  
June 11<sup>th</sup>  
August 20<sup>th</sup>  
October 8<sup>th</sup>  
December 10<sup>th</sup>



COMMONWEALTH OF PENNSYLVANIA  
STATE CONSERVATION COMMISSION

**Date:** November 1, 2023

**To:** State Conservation Commission Members

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

**RE:** Election of Vice-Chairperson 2024

**Background:**

Section 4(1) of the Conservation District Law, Act 217, states in part that, “at the last regular meeting of the Commission in the calendar year, a vice-chairperson shall be elected by the members of the Commission and shall serve in that capacity for the ensuing year.”

Since the November 14, 2023 is the last regularly scheduled meeting of the State Conservation Commission for 2023, action to fill the position of vice-chairperson for 2024 is necessary. Mr. Michael Flinchbaugh currently serves as the vice-chairperson of the Commission and he has expressed an interest in accepting the nomination for election as Vice-Chairperson, of the Commission, for 2024.

Responsibility of the vice-chairperson is to preside over any business meetings of the Commission in the absence of the Chairman.

**Action Required:**

A motion to nominate and elect Mr. Michael Flinchbaugh as Commission vice-chairperson for 2024 is necessary.



COMMONWEALTH OF PENNSYLVANIA  
STATE CONSERVATION COMMISSION

October 18<sup>th</sup>, 2023

To: Members  
State Conservation Commission

From: Justin Challenger  
Director, Financial & Technical Assistance Programs

RE: Nutrient Management ARPA funding revision for PACD Ag Plan Reimbursement Program

**PACD Ag Plan Reimbursement Program**

The Commission was awarded \$22 million in American Rescue Plan Act (ARPA) funds dedicated to the Nutrient Management Fund from the Clean Streams fund. During the May SCC meeting, the SCC approved a funding proposal that outlined a proposed budget for these funds that included funding for the ACAP database improvements. Staff do not anticipate needing all the funds originally requested in the budget for that purpose and are requesting to reduce this line item to dedicate \$100,000 through June 30<sup>th</sup>, 2025, to continue the PACD Ag Plan reimbursement Program.

**Background**

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 time period of 3 years. Since August 2022, PACD has allocated almost \$400,000 of this funding to 362 plans covering almost 50,000 acres. With the funding being requested and allocated quicker than anticipated, PACD is requesting additional funding from the State Conservation Commission to continue offering the program until they are able to apply for another Growing Greener grant.

**Scope of Work**

The overall goal of this project is to efficiently increase the number of agricultural plans statewide by providing a reimbursement program to landowners/operators who participate. Landowner/operators will work with their county conservation districts to ensure the necessary agricultural plans are completed and reported for reimbursement. Awarded funding will be distributed after verified and approved plans are entered into DEP's PracticeKeeper database. PACD, and DEP through the PracticeKeeper system, will maintain oversight of the program.

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



<b>Proposed COVID federal funding budget:</b>					
CD Staff (increase of \$10,000 per FTE) / 4 yrs			\$1,780		\$820,000 per year, refer to multi-year budget
DEP - CD staffing increase			\$1,500		
CD Equipment (Adobe Pro, soil probes, measuring wheel, etc.)			\$150		
IT - On-line spreadsheet (NMP and OMP)			\$3,000		FY23-24 Budget
IT - Recording Keeping on-line / app			\$500		FY24-25 Budget
IT - PaPlant update			\$30		FY24-25 Budget
IT - PK enhancements (NM and ACAP)			\$30		FY24-25 Budget
PACD Plan Reimbursement Program			\$100		FY23-24 Budget
IT - ACAP Database			\$910		FY23-24 Budget
Research (precision ag, injection, etc.) / yrs			\$1,000		FY24-25 Budget
CEG (2.2M/year over 3.5 years)			\$7,709		(FY 23, 24, 25, 1/2 of 26)
SWRC PA Soil Health Coalition			\$291		FY23-24 Budget
PA OneStop			\$1,450		Encumbrance deadline - 12/2024
Training Support			\$2,050		Encumbrance deadline - 12/2024
Personnel and federal indirects			\$1,500		Ongoing
<b>total</b>			<b>\$22,000</b>		





COMMONWEALTH OF PENNSYLVANIA  
STATE CONSERVATION COMMISSION

**Date:** October 25, 2023  
**To:** State Conservation Commission  
**From:** Roy Richardson, DGLVR Program Coordinator  
**Through:** Douglas M Wolfgang, Executive Secretary  
**RE:** Reallocating Returned DGR Funds

**Background**

The State Conservation Commission (Commission) provides funding to conservation districts to implement the Dirt, Gravel, and Low Volume Roads Maintenance Program using a five-year funding agreement. Funds encumbered to conservation districts under a 5-year agreement that expired on June 30, 2023, must be spent by June 30, 2024. These are funds still available under an “old” agreement. A “new” agreement is in place that provides funding to conservation districts through June 30, 2028.

Montgomery County had a 5 year agreement to implement both the Dirt and Gravel roads program and the Low Volume roads program in their county, but at their September 14, 2023, board meeting, they voted to drop the Dirt and Gravel program and return the unspent funds to the State Conservation Commission (Commission). This action was taken by the board because the district has had continued difficulty in spending DGR funds as the county has a small and dwindling number of unpaved roads. The amount of Dirt and Gravel funds returned was \$279,841.94.

These funds could be reallocated to other conservation districts so long as the funds are spent by June 30, 2024. This is short notice for counties that would need to find and contract new projects to use these funds, but there are some counties that already have projects under contract that may be able to use additional funds. The counties that may be able to use these funds with short notice are counties that have all of their “old” funds, plus some of the funds from their “new” agreement, committed to projects that are already under contract and ready to go to construction early in 2024.

Staff recommends distributing funds to the eligible counties that wish to receive additional funds based on the following criteria:

As of November 24, 2023:

- All funds under the “old” agreement committed to projects.
- A significant amount of funds under the “new” agreement committed to projects whose timelines allow the funds to be spent by 6/30/2024.
- Projects that are under contract ready to construct by spring 2024.
- Allocations to eligible counties that wish to receive additional funds will be based on the distribution of the FY 2023-24 allocation. Any additional funds allocated must be spent by June 30,2024.



**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

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

**DATE** November 14, 2023

**RE** FY 23-24 CDFAP UGW Fund Reserve Account requests

**ACTION REQUESTED:** Approve CD Reserve Account requests

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.

Columbia:

The Columbia CCD requests to designate \$20,000 in allocated FY 2023-24 CDFAP UGW funds into a “Diana Stream Stabilization Reserve Account”. The full amount will be used toward design, materials, construction, and construction oversight for a streambank stabilization project located along Fishing Creek. The Columbia CCD Board of Director’s acted to designate the FY 2023-24 CDFAP UGW funds at its September 6, 2023 public meeting.

Dauphin:

The Dauphin CCD requests to designate \$54,005.00 in allocated FY 2023-24 CDFAP UGW funds into a “Streambank Restoration Reserve Account”. These funds will be used to establish a permanent account to support stream restoration and water quality enhancement projects. The Dauphin CCD Board of Director’s acted to designate the FY 2023-24 CDFAP UGW funds at its September 7, 2023 public meeting.

Elk:

The Elk CCD requests to designate \$6,132.51 in allocated FY 2023-24 CDFAP UGW funds into a “No-Till Drill/New Truck Reserve Account”. The full amount will support the purchase of a No-Till Drill along with a new truck to pull the drill. The drill will be available as rental equipment to county farmers. The Elk CCD Board of Director’s acted to designate the FY 2023-24 CDFAP UGW funds at its September 25, 2023 public meeting.

Forest:

The Forest CCD requests to designate \$109,391.00 in allocated FY 2023-24 CDFAP UGW funds into a “Environmental Stewardship Fund Reserve Account”. These funds will be used to establish a permanent account to support project sites that do not have “shovel ready” designs which do not qualify for other funding opportunities. Future projects include streambank stabilization, stormwater improvements, DGLVR and ACAP projects, and assistance to townships for stream crossings, trail design and related construction. The Forest CCD Board of Director’s acted to designate the FY 2023-24 CDFAP UGW funds at its August 24, 2023 public meeting.

Lycoming:

The Lycoming CCD requests a total of \$158,298.39 of FY 2023-24 CDFAP UGW funds to designated “Projects” and “Scholarship” reserve accounts. The Lycoming CCD Board of Director’s acted to designate FY 2023-24 CDFAP UGW funds at their September 20, 2023 public meeting.

The Lycoming CCD requests to designate \$93,963.11 in allocated FY 2023-24 CDFAP UGW funds into an “Act 13 Special Projects Reserve Account”. This permanent account is transitioning from a Plan/Design Development and BMP Implementation focus to a Stream Restoration focus (due to the availability of ACAP funds).

The Lycoming CCD is also requesting the designation of \$2,500 of FY 2023-24 CDFAP UGW funds to the District’s Envirothon Education Scholarship Fund. This account will be utilized to provide \$500 scholarships to the winning team members from the local Envirothon.

McKean:

The McKean CCD requests to designate \$71,000 in allocated FY 2023-24 CDFAP UGW funds into a “Stewardship Fund Reserve Account”. Funds will be used to support an existing streambank restoration program, stream assessments to plan AMD treatment, and other water quality improvement projects determined beneficial in protecting, maintaining, and improving the county’s natural resources. The McKean CCD Board of Director’s acted to designate FY 2023-24 CDFAP UGW funds at their October 18, 2023 public meeting.

Montour:

The Montour CCD requests to designate \$25,005.00 in allocated FY 2023-24 CDFAP UGW funds into a “Building Reserve Account”. The full amount will be used to make an additional payment on their office building mortgage. The Montour CCD Board of Director’s acted to designate the FY 2023-24 CDFAP UGW funds at its September 20, 2023 public meeting.

Sullivan:

The Sullivan CCD requests a total of \$60,000 of FY 2023-24 CDFAP UGW funds to designated “Building” and “Project” reserve accounts. The Sullivan CCD Board of Director’s acted to designate the FY 2023-24 CDFAP funds at its September 12, 2023 public meeting.

The Sullivan CCD requests to designate \$35,000 of its FY 2023-24 CDFAP UGW fund allocation toward a “Building” reserve account for building maintenance/improvements.

The Sullivan CCD is also requesting to designate \$25,000 of FY 2023-24 CDFAP UGW fund allocation toward a “Project” reserve account. These funds will be used to establish a permanent account to support BMP project designs and implementation. Project examples include stream crossings, animal walkways, and streambank stabilization.

Tioga:

The Tioga CCD requests a total of \$172,497.30 of FY 2023-24 CDFAP UGW funds to a designated “Project” and “Scholarship” reserve accounts. The Tioga CCD Board of Director’s acted to designate the FY 2023-24 CDFAP funds at its September 21, 2023 public meeting.

The Tioga CCD requests to designate \$169,997.30 in allocated FY 2023-24 CDFAP UGW funds into a “Environmental Stewardship Projects Reserve Account”. This permanent account will be used to support environmental improvement projects and education throughout the county; including, project design, streambank stabilization, tree plantings, fencing projects, Soil Health workshop, Envirothon, local school programs.

The Tioga CCD is also requesting the designation of \$2,500 of FY 2023-24 CDFAP UGW funds to the District’s Envirothon Education Scholarship Fund. This account will be utilized to provide \$500 scholarships to the winning team members from the local Envirothon.

Washington:

The Washington CCD requests a total of \$120,000.00 of FY 2023-24 CDFAP UGW funds to be designated in the “Building” and “Project” reserve accounts. The Washington CCD Board of Director’s acted to designate the FY 2023-24 CDFAP funds at its September 19, 2023 public meeting.

The Washington CCD requests to designate \$40,000 in allocated FY 2023-34 CDFAP UGW funds into a “Building Improvement Fund”. These funds will be used for HVAC unit replacement and could support other large-scale replacement/repair projects regarding building infrastructure.

The Washington CCD is also requesting the designation of \$80,000 in allocated FY 2023-24 CDFAP UGW funds into a “Ag Enhancement Program Fund”. The funds will be used to establish a permanent account to support ag BMP implementation projects and cover cost overruns for ag projects funded by Growing Greener grants.

Wyoming:

The Wyoming CCD requests to designate \$20,000 in allocated FY 2023-24 CDFAP UGW funds into an “Capital Reserve Account”. These funds will be used to establish a permanent account to support building upkeep and maintenance expenses. The Wyoming CCD Board of Director’s acted to designate the FY 2023-24 CDFAP UGW funds at its October 10, 2023 public meeting.

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. A breakdown of Reserve Account funds by category is below:

- Building Maintenance/Payment Reserve Account: \$120,005.00
- Environmental Projects Reserve Account: \$691,324.20
- Envirothon Scholarship Reserve Account: \$5,000.00

In conclusion, we request the SCC approve the 11 Conservation District Reserve Accounts as presented.





**TO** Douglas 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** November 14, 2023

**RE** Update of District Audit Reports for Calendar Year 2022

**Action Requested:** Approval of Audit Extension for Columbia, Montour, and Juniata County Conservation Districts until January 31, 2024

### **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. District audits must include all funds received, maintained and expended by the district. Furthermore, 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.

### **Audit Deadline and Number Received**

The Commission deadline for Calendar Year 2022 audits is Dec. 31, 2023. As of Nov. 2, 2023, we have received audits from 37 of the 66 Districts. Conservation District audits will continue to be submitted throughout November and December.

**List of Audits Not Yet Received**

The following is a list of Conservation Districts who still need to submit a 2022 audit:

Berks	Erie	Lancaster	Northumberland*
Bradford	Forest	Lebanon	Perry
Butler	Fulton	Lehigh	Potter
Carbon	Greene	Lycoming	Sullivan
Clarion	Jefferson	McKean	Tioga
Delaware	Lackawanna	Northampton	Warren
			Wyoming

\*District has provided status update on audit

**Audit Extension Requests for Columbia, Juniata, and Montour Conservation Districts**

Staff was notified the auditor for Columbia, Juniata, and Montour County Conservation Districts has been on extended leave. Due to this unexpected leave of absence, the auditor is unlikely to have all of the audit reports completed by the December 31, 2023 deadline. She has provided a work plan to show a timeline for audit completion. Since this is out of the districts’ control, we consider this to be extenuating circumstances. Therefore, we request an audit deadline extension to January 31, 2024 for Columbia, Juniata, and Montour County Conservation Districts.



**COMMONWEALTH OF PENNSYLVANIA  
STATE CONSERVATION COMMISSION**

DATE: November 3, 2023

TO: State Conservation Commission Members

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

THROUGH: Douglas M. Wolfgang  
Executive Secretary

RE: Nutrient and Odor Management Programs Report

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

For the months of September and October 2023, staff and delegated conservation districts have:

1. Odor Management Plans:
  - a. 11 OMPs in the review process
  - b. 8 OMPs Approved
2. Reviewed and approved 156 Nutrient Management (NM) Plans in the 3<sup>rd</sup> quarter of 2023.
  - a. Those approved NM plans covered 37,145 acres.
  - b. Those approved NM plans included 62,156 Animal Equivalent Units (AEUs), generating 800,561 tons of manure.
3. Managing nine (9) ACTIVE enforcement or compliance actions, currently in various stages of the compliance or enforcement process. Monitoring an additional four (4) 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 16 hours of NM and OM continuing education.
  - b. Facilitated the following trainings:
    - i. Managing Manure Nutrients Workshop

- ii. ACA and Manure Storage Workshop
  - iii. Stormwater and Soil Loss Workshop
  - iv. P-Index Workshop
  - v. Plan Writing Workshop
  - vi. Plan Writing Refresher Workshop
  - vii. Odor Management Orientation
  - viii. Odor Plan Writing
  - ix. OM Commercial/Public Exam
  - c. Reviewed 16 Public Review Specialists NMP reviews as part of the certification training.
7. Commercial Manure Hauler / Brokers
- a. Approved 0 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:
    - i. Manure Hauler Orientation
    - ii. Broker 2 Training
8. Issued 0 new (total of 42) Ag 101 seat licenses to CD and DEP staff. 35 persons have already completed and sent in their course completion certificate.



**COMMONWEALTH OF PENNSYLVANIA  
STATE CONSERVATION COMMISSION**

**DATE:** November 3, 2023

**TO:** Members  
State Conservation Commission

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

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

**SUBJECT:** Nutrient Management Plan Actions

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

<u>Agricultural Operation (Name and Address)</u>	<u>County</u>	<u>Total Acres</u>	<u>Animal Equivalent Units (AEUs)</u>	<u>Operation Type (CAO, CAFO, VAO)</u>	<u>Animal Type</u>	<u>Approval or Disapproval</u>	<u>Date Approved</u>
Clair Ray Garman 580 Birds Hill Rd Pine Grove, PA 17963	Schuylkill	68.6	253.55	CAO	Broiler	Approved	9/6/2023
John Pfleegor 460 Gold Rd Muncy, PA 17756	Northumberland	349.4	724.9	CAFO/ CAO	Swine and Cattle	Approved	9/19/2023
Haas Farm, LLC Stephen and Virginia Haas 15 Haas Rd, Klingerstown, PA 17941	Schuylkill	2,209.6	0.26	CAFO / VAO	Layers	Approved	9/28/2023
Lauren Swicklik Dallas Equine Center, LLC – Pinewood Acres	Luzerne	24.2	18.2	CAO	Equine	Approved	10/18/2023

Granite Ridge Farms Malcolm Rudolp 200 Ginzel Rd New Oxford, PA 17350	Adams	414.8	730.70	CAFO/ VAO	Swine and beef	Approve d	10/31/202 3
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**COMMONWEALTH OF PENNSYLVANIA  
STATE CONSERVATION COMMISSION**

DATE: November 11, 2023

TO: State Conservation Commission Members

FROM: Tyler Echard  
Nutrient and Odor Management Programs

THROUGH: Douglas M. Wolfgang  
Executive Secretary

RE: Nutrient Management Plan Update Report: Mason Dixon Farms– Adams County

I have completed my review of the Mason Dixon Farms Nutrient Management Plan (NMP) Update which was submitted by William J. Rogers of AET Consulting, Inc. on August 28, 2023. This update is for the NMP that includes crop years 2022 through 2024.

The original NMP for Mason Dixon Farms an existing dairy cattle operation located in Adams County, was approved on September 29, 2021. The operation is home to 1,600 milk cows; 200 dry cows; 500 heifers less than a year old; 800 heifers greater than a year old. This operation has 487.5 acres suitable for manure application. This operation, having an animal density of 7.07 AEUs/acre is defined as a Concentrated Animal Operation (CAO) under the PA Nutrient Management Act. The operation is considered a Concentrated Animal Feeding Operation (CAFO) by the Department of Environmental Protection (DEP).

This NMP update is categorized as a Yearly Plan Submission Update. After my review, I deemed the update to be technically complete and have notified the plan writer and operator that the update has been accepted.

No Commission action is required for NMP updates.



**COMMONWEALTH OF PENNSYLVANIA  
STATE CONSERVATION COMMISSION**

**DATE:** November 1, 2023

**TO:** Members  
State Conservation Commission

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

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

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

In accordance with Commission policy, attached is the Odor Management Plans (OMPs) actions report for your review. No formal action is needed on this report unless the Commission would choose to revise any of the plan actions shown on this list at this time. This recent plan actions report details the OMPs that have been acted on by the Commission and the Commission's Executive Secretary since the last program status report provided to the Commission at the September 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 October 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	15	11	19	2	47
2023	19	12	38	3	72
<b>Total</b>	197	197	513	30	
<b>Grand Total</b>					937



As of October 31, 2023, there are nine hundred and thirty-seven **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 nine plans/ amendments are going through the **plan review process**.

## OMP Actions Status Report

Action	OMP Name	County	Municipality	Species	AEUs	OSI Score	Status	Amended
9/6/2023	Martin, Arlyn – Poultry Farm	Snyder	McClure Borough	Broilers	243.70	90.2	Approved	
9/6/2023	Stoltzfus, Jonathan & Miriam – Rolling Acre Farm	Centre	Gregg Twp	Turkey	100.00	30.6	Approved	
9/12/2023	Nolt, Lowell – Fredericksburg Farm	Lebanon	Bethel Twp	Swine	18.01	137.7	Approved	
9/12/2023	Racetrack Op Co – Parx Racing	Bucks	Bensalem Twp	Horse	0.00	8.5	Approved	D
9/19/2023	Davis, Jason – Poultry Farm	Cumberland	Lower Mifflin Twp	Duck	170.60	55.9	Approved	
9/19/2023	Penn England, LLC – Home Farm	Blair	Catherine Twp	Cattle	63.00	33.0	Approved	A
10/3/2023	Nolt, Glendon – Breezeville Poultry Farm	Berks	Greenwich Twp	Duck	109.60	22.1	Approved	A
10/18/2023	Reiff Aaron – Broiler Farm	Union	Lewis	Broilers	227.20	43.6	Approved	

*As of October 31, 2023*

**DATE:** November 6, 2023  
**TO:** State Conservation Commission  
**FROM:** Joel Semke, REAP Coordinator  
**SUBJ:** FY 2023 Program Update  
 Resource Protection and Enhancement Program (REAP)

**REAP Program Summary**

The FY 2023 REAP application period opened August 7<sup>th</sup>, 2023 with a funding allocation of \$13 million. The deadline for submission of FY 2023 REAP application was 10/31/2023. The pace of applications was extremely high this round and all FY 2023 funding was allocated by August 16<sup>th</sup>. For comparison, all FY 2022 funds were allocated by Oct 1<sup>st</sup>, 2022. In fact, FY 2008 was the last round of REAP funding that was exhausted so quickly. All eligible FY 2023 applications that were not able to be funded with the FY 2023 allocation will be rolled over to the next round of the REAP program. There will be no need for farmers to reapply.

In general, REAP is seeing some of the impacts of ACAP and other increases in BMP funding. The amount of other public funding included in application for REAP funding more than doubled; to \$7.3 million (see below). It had stayed steady the previous 5-6 years. This means that a higher percentage of REAP’s funding is going to eligible equipment even though the number of eligible applications for constructed BMPs has increased over previous years. The average amount of REAP credits awarded per applicant is approx. \$43,500. However, the average REAP credit amount per equipment application has increased significantly while the average for other BMPs has dropped. Funded applications for cover crops dropped in FY 2023 as some farmers turned to ACAP for cover crop funding. The fast pace of FY 2023 funding made it difficult to gauge farmer interest in any of the new additions to the program for this round (drones, precision upgrade kits, precision mapping, etc.).

**(1.) Summary of approved Applications - FY 2022 & FY 2023**

<b>Applications</b>	<b>Total Cost</b>	<b>Other Public Funds</b>	<b>REAP Requests</b>	<b>Credits Granted (to date)</b>
FY2022 330	\$34.2 million	\$3.2 million	\$14.2 million	\$11.9 million
FY 2023 298 (Plus rollovers)	\$42.5 million	\$7.3 million	\$13.8 million	\$7.1 million

**(2.) Summary of selected BMPs - FY 2022 & FY 2023**

	<b><u>FY2022</u></b>	<b><u>FY2023</u></b>
REAP Request (project types)		
Proposed Projects	\$1.7 million	\$4.6 million
Completed Projects	\$12.2 million	\$9.2 million
No-Till Equipment, Manure Injectors, Rollers	\$8.7 million	\$9.0 million
Structural BMPs	\$4.0 million	\$3.9 million
Plans (Ag E&S, Precision Ag, Manure & Nut. Mgt.)	\$70,000	\$117,000
Cover Crops	\$1.0 million	\$678,000
Precision Ag Equipment	\$450,000	\$358,000
Sponsored Applications	55	55



## BUILDING BRIDGES

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

To: Members  
State Conservation Commission

November 14, 2023

From: Shelly Dehoff  
Agriculture/Public Liaison

Re: Agricultural Ombudsman Program Update

**Activities:** Since mid-September 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 September and October Subcommittee meetings
  - Finalized details and executed Ag Safety Day for 1<sup>st</sup> Responders in Cumberland Co
  - Participated in assorted Exec Comm and TE&E meetings
  - Fielded assorted communications following rescue of child in grain cart; SCTF purchased the rescue kit used in rescue
- Participated and recorded minutes for September Lancaster Co. Agriculture Council meeting
- Planned, coordinated and executed the 9<sup>th</sup> annual Denim & Pearls dinner for Ag Council
- Coordinated Conservation Foundation of Lanc Co meetings, and Exec Comm meetings; continuing strategic planning follow up including updating Mission statement and assorted policies
- Participated in first Farm Safety Occupational Health Advisory Board meeting on behalf of SCTF and Ombudsman
- Started participating in new PA FPR group
- Starting to work on creation of publication for statewide distribution related to manure spill response for farmers at request of Franklin Co CD
- 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 meeting—researched AVMA website about shortage of large animal veterinarians (reality vs perceptions)

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

- **York Co**—resident with poultry, mayor with enforcement authority, neighbors want changes

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

- **Lancaster Co**—poultry incinerator management needs improvement
- **Cumberland Co** – neighborhood frustrations from mortality composting site and FPR site, complaints are multiple and issues are combined to make “perfect storm”; talking with PDA, DEP, Extension and fielding phone call

**Research and Education Activities:**

- **York Co**—researched keeping of backyard chickens to provide information to resident, so she was better prepared to face questions from neighbors and boro regarding her existing chickens
- **Alliance for the Bay**—talked with rep for awhile about realities of owning/rental programs for manure injection equipment or any other similar equipment
- **Alliance for the Bay**—requested information on mortality composting for company that has poultry growers
- **Lancaster Co**—farmer interested in dog kennel having ordinance/municipality denial questions, researched Municipalities Planning Code and asked for input from 3 sources with legal knowledge.
- **PACD**—requested input about model ordinances related to non-traditional yards/vegetation

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

- **Perry Co**—well known situation, receiving new complaints
- **Lebanon Co**—well known farmer, additional complaint from new source



## 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 Agricultural BMP projects implementation.
  - Assisting communities with installation and maintenance of green infrastructure projects.
  - 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.
- Hosted ACRE workshop for the Clinton/Lycoming County area with Mr. Willig PA Senior Deputy Attorney General
- Administering PADEP Growing Greener Grant
  - This funding will cost-share manure storage design development.

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

----Lycoming Co. – assist with zoning and ACRE

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

Sept 7 – Green Infrastructure meeting with consultants – Hollidaysburg YMCA – NFWF Grant  
 Sept 14 – Farm Lane construction – Biddle Farm – NFWF Grant  
 Sept 21 - Spotted Lantern Fly workshop with Tyrone Twp \_PDA SLF Grant  
 October 2 – meeting with Taylor and North Woodbury Twps to plan Spotted Lantern Fly event – PDA SLF Grant  
 October 9 - Green Infrastructure planting with Duncansville Borough – NFWF Grant  
 October 11 – Stream Site visit with consultants – NFWF Grant  
 October 17 – Farm Lane visit with consultants – NFWF Grant  
 October 19 – PADEP meeting for Growing Greener Grant  
 October 26 – ACRE workshop in Lycoming County  
 October 31 – Farm Lane visits with consultant – NFWF Grant

### **Reports & Grant Applications**

Growing Greener – quarterly report  
 NFWF – Preparing annual report for 2023.