

State Conservation Commission Meeting

March 18, 2025

In-Person and Virtual Meeting

PA Department of Agriculture

Harrisburg, PA

Agenda

Briefing Session - 9:00 a.m.

- Biochar applications- Lydia Franks, SCC Governor's Science and Technology Fellow
- ACAP Update- Justin Challenger, SCC
- Ag Innovation and SAB Update- Mike Roth, SCC

Business Session - 10:00 a.m.

A. Opportunity for Public Comment

B. Business and Information Items

1. Approval of Minutes
 - a. January 25, 2025 Public Meeting (A)
 - b. February 18, 2025 Conference Call (Cancelled)
2. Dirt and Gravel Roads Program DSA Standard and Specifications Update – Justin Challenger, SCC & Wade Brown, Center for Dirt and Gravel Road Studies (A)
3. MEB fund / Public Private Partnerships- Eric Cromer, SCC (A)
4. Proposed changes for the FY 2025/26 REAP Program- Joel Semke, SCC (NA)
5. Status of Federal funding freeze- Doug Wolfgang, SCC (NA)
6. HB 586 and HB587-Food Processing Residuals (FPRs)- Doug Wolfgang, SCC (NA)
7. PA Ag Conservation Assistance Program (PACS) program guidelines – Doug Wolfgang, SCC and Lauren Shaffer (A)
8. Recap of NACD conference – Salt Lake City- Doug Wolfgang, SCC (NA)
9. Butler County Conservation District Four Seasons Fair Project- Justin Challenger, SCC & Ian Harrell, Butler County CD Manager (A)
10. Conservation District Audit Extension Request– Jacquelyn Kerstetter, DEP (A)

C. Written Reports

1. Program Reports
 - a. Nutrient and Odor Management Program Measurables Report
 - b. March 2025 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

E. Adjournment

Next Public Meetings/Conference Calls:

April 15, 2025 - Conference Call

May 20, 2025 – In-Person Meeting and Virtual – PA Department of Ag Building, 309

**STATE CONSERVATION COMMISSION
MEETING**

PA DEPARTMENT OF AGRICULTURE

In-Person and Microsoft Teams

Tuesday, January 21, 2025 – 10:00 a.m.

Draft Minutes

Members Present: Secretary Russell Redding, PDA; Acting Secretary Jessica Shirley, DEP; Mike Flinchbaugh; Daryl Miller; Don Koontz (virtual); Bill Iams; Chris Houser, Penn State (virtual); Ali Bowling, DCNR (virtual); and Dennis Beck, PACD (virtual).

A. Public Comment – None.

B. Business and Information Items

1. Approval of Minutes – November 12, 2024 - Public Meeting; December 10, 2024 – Conference Call.

Don Koontz moved to approve the November 12, 2024, public meeting minutes. Motion seconded by Daryl Miller. Motion carried.

Mike Flinchbaugh moved to approve the December 10, 2024, conference call minutes. Motion seconded by Daryl Miller. Motion carried.

2. State Conservation Commission – Status of 2024 Encumbrance Deadline for Federal ARPA Funds- Doug Wolfgang, SCC; Justin Challenger, SCC. In FY 2022-23, the State Conservation Commission was provided a one-time allocation of \$154 million for the Agriculture Conservation Assistance Program (ACAP) and \$22 million for Nutrient Management Administration Fund. This came through the newly created Clean Stream Fund (CSF). These funds came with a deadline for the Commission to encumber by December 31st, 2024. ACAP legislation detailed how the program funds should be appropriated. Using the factors in legislation, 92% of the funds, or \$141.7M were encumbered to 65 conservation districts, one farmland preservation board, and directly to applicants in Philadelphia by the SCC. The SCC was also able to encumber funds to several outside entities, using administrative and contracting funds laid out in the legislation. Remaining funds were encumbered to create the new PSU Center for Agriculture Conservation Assistance Training, access road research and demonstrations, an engineering firm to create ACAP practice approval system (PAS), PACD Agriculture Planners staff, and Sustainable Forestry best management practice (BMP) trainings. Funding was also utilized for SCC staff, travel, and operations. There were some miscellaneous funds that did not get committed by the end of the year.

The Nutrient Management Administration funds were encumbered to a myriad of different entities. These include supporting DEP’s delegation agreement with conservation district with funds to administer the program. Also, funds were utilized for the Conservation Excellence Grant Program, PACD Ag Plan Reimbursement Program, Stroudt Water Research, Agriculture Conservation Research, and a new PA One Stop Tool. Funding was also utilized for SCC staff, travel, and operations. There were also some miscellaneous funds here that we could not commit to contracts by the December 10th deadline that was given to the SCC by the Governor's Budget Office.

Action: No action required.

3. 2025 Conservation District Director Appointment Update- Doug Wolfgang, SCC. As of January 10, 2025, Chief Clerks from 54 counties (82% of all counties) have submitted their county's list of Conservation District Director appointments for 2025 to the State Conservation Commission. Reminder letters will be mailed to those counties that have not submitted their director appointments to the Commission.

Action: No action required.

4. Forest County Conservation District Board Composition Change Request- Donna Zofcin, Forest County Conservation District Manager. Donna asked for approval to change the composition of the Forest County Conservation District & Planning Department Board of Directors. The Forest County Conservation District & Planning Department Board of Directors has voted to recommend changing the composition of the Forest County Conservation District & Planning Department Board. The Board requested approval to change the Board composition in the following manner:

- Reduce the number of Farmer Directors from four (4) to three (3).
- Increase the number of Public Directors from two (2) to three (3).
- The number of County Commissioners will remain at one (1).

Daryl Miller made a motion to approve to change the Board composition Motion seconded by Bill Iams. Motion carried.

5. MOU Between the Conservation Districts that Comprise the Upper Susquehanna Coalition- Wendy Walsh, Upper Susquehanna Coalition. Wendy asked for approval for the PA SCC to sign their updated MOU. Wendy worked with the 22-member conservation Districts in NY and PA to get an updated MOU signed. They requested that the PA SCC sign their updated MOU. Below is a list of changes made to the original document, changes include listing additional counties that fall within the watershed making them eligible to join the USC and sign the MOU along with some changes in the language that dated the document.

A list of the changes to the MOU are as follows:

- Page 2 Section C. 5 – added Yates and Schoharie
- Page 3 Section E.5 – Changed “Tributary Strategy” to “Watershed Implementation Plans” in the first sentence.
- Page 3 Section E.5b removed “Farm Bill” and “such as CREP, EQIP, WRP” and changed to Supporting various federal programs
- Page 4 Section G.1.b removed December and changed to annual report
- Signature section added appropriate Counties.

Bill Iams made a motion to approve the PA SCC sign their updated MOU. Motion seconded by Mike Flinchbaugh. Motion carried.

6. PA Ag Stewardship (PACS) Program Update – Doug Wolfgang, SCC and Lauren Shaffer, PDA. The Pennsylvania Agricultural Conservation Stewardship Program (PACS) concept was born from the 2016 PA in the Balance conference. A pilot program, which certifies farms for having baseline environmental compliance, was rolled out with limited

success prior to Covid. The SCC/PDA is now looking to relaunch the program statewide with revised criteria and program guidelines.

Lauren Shaffer addressed the group regarding the current status of the PACS initiative. She noted that the label for direct marketing services, "Green Farm Certified," is already in existence but is not progressing as expected. There was an emphasis on the qualification requirements, particularly focusing on the private sector. Lauren outlined five specific requirements needed for participation. The requirements include having current and relevant farm plans (such as conservation, nutrient management, and manure management), a fully implemented best management practice schedule, and, if applicable, a functional vegetative riparian buffer excluding livestock or restoration of streams/wetlands. Additionally, a soil health test must yield a CASH score between 70 and 100, with specific base indicators assessed, and at least one supplemental nutrient management BMP must be implemented from the Practice Keeper list. The certification process for PACS involves verification by conservation district staff and qualified technical service providers for farms that meet all requirements. The SCC staff will evaluate qualifications and maintain a list similar to REAP verification providers. Verifications must align with Phase 2 Chesapeake Bay Agriculture Inspections, and an application along with a completed verification form must be submitted to the SCC for review. Reverification is required every five years, with third-party verifiers entering BMP data into Practice Keeper. While there is no cost for certification itself, farmers are responsible for paying technical service providers for verification services and for soil testing.

Lauren outlined the benefits of the PACS program, including to the State by ensuring that the completeness and implementation of Manure Management Plans and Agriculture Erosion and Sediment Control Plans meet regulatory compliance under Chapter 91.36(b) and Chapter 102.4(a). This means participating farmers can avoid separate state inspections by DEP or conservation districts, except in cases of complaints or water quality concerns. Concentrated Animal Feeding Operations (CAFOs) will still undergo Compliance Evaluation Inspections every five years and annual reviews of their reports. Additionally, the program facilitates the verification of Chesapeake Bay best management practices through the PracticeKeeper database for EPA reporting, incentivizes regulatory compliance and conservation projects that enhance water quality, promotes soil health, and provides public education through its labeling. The PACS program offers several benefits to farmers, including preferential ranking for applications to various PDA and DEP programs such as ACAP, farmland preservation, ABDC grants, Growing Greener, and CAP. Farmers will also receive prioritized reviews of permit applications for environmentally beneficial projects under Chapters 102 and 105, along with a reduced frequency of inspections related to the Chesapeake Bay and Nutrient/Manure Management programs. Additionally, the program provides product labeling for direct marketing and may increase the percentage of tax credits awarded through REAP. Notably, farmers pursuing PACS certification for conservation projects will also enjoy these benefits. Farmers participating in the PACS program can benefit from various private sector and NGO incentives, including qualification for ESG (environmental/social/governance) programs offered by companies like Truterra and the Soil and Water Outcomes Fund. They may receive price premiums on commodities and bonus payments from companies toward inputs such as fertilizers and herbicides. Additionally, companies may cover the costs of verification or signage for farmers. Farmers can also trade ecosystem service credits (carbon, GHG, nutrients) and enjoy more marketable real estate when selling to other farmers. Furthermore, they may receive discounts on non-conservation agricultural services and higher per-acre payments for conservation easements, along with preferential ranking through land trusts like Lancaster Farmland Trust.

Lauren highlighted the next steps for the PACS program, which include connecting with more stakeholders and maintaining engagement with existing partners. The program will formally establish benefits from the private industry and add PACS status as a ranking criterion for various grants and funding programs. Additionally, verification providers will be identified and trained, and initial farmers and technical service providers (TSPs) will be selected as participants before the formal launch. The program is set to be presented at the April ACAP conference and DEP AAB, with an official launch planned for 2025.

Feedback was encouraged at this stage, particularly regarding the soil health test, which is expected to be an ongoing requirement, with re-certification every five years. Certification will be determined by the SCC, maintaining a list similar to that of verification providers. Potential funding opportunities may be available to assist with testing costs. Doug expressed his desire for this initiative to become an industry standard. Lauren shared her enthusiasm for farmland preservation and highlighted the future connection between risk and conservation. Looking ahead, discussions will include reducing or eliminating stormwater fees.

Action: No action required.

7. Conservation District Audit Extension Request– Jacquelyn Kerstetter, DEP. Jacquelyn requested approval of Audit Extensions for Carbon and Lackawanna County Conservation District to February 28, 2025. Approval of Audit Extension for Northampton County Conservation District date to be determined.

Mike Flinchbaugh made a motion to approve the Audit Extensions. Motion seconded by Don Koontz. Motion carried.

8. Conservation District Audit Report for Calendar Year 2023 – Jacquelyn Kerstetter, DEP. Jacquelyn asked for approval of Audit Extensions. Fifty-nine (59) District audits were submitted by the December 31, 2024, deadline as stated in the Commission’s audit policy, with 2 (two) audits submitted during the first week of January. Three (3) Districts were granted extensions by the Commission in November and December, and an additional extension was approved earlier during today’s meeting. As of Jan. 7th, 1 audit has yet to be submitted.

Bill Iams made a motion to approve the Audit Extensions. Motion seconded by Daryl Miller. Motion carried.

9. Update on Agriculture Innovation Fund – Mike Roth, SCC. Mike updated the Commission on the new Ag Innovation Fund, which helps farmers and other agriculture businesses implement new technologies, conservation, and renewable energy innovations – expanding their potential to generate profits, enrich soil and water resources, and produce energy on the farm. The Shapiro administration made this fund available under the FY 2024/25 budget and is the first of its kind in the nation. The current application round closed on November 15.

Action: No action required.

10. Update on PA Sustainable Agriculture Board – Mike Roth, SCC. Mike updated the Commission on the Sustainable Agriculture Board, which is using funds from EPA’s Most Effective Basin (MEB) program to award grants for sustainable agriculture projects that

prioritize soil health. Funds are initially limited to the Chesapeake Bay, per EPA requirements, with plans to expand statewide in the future if funding becomes available. The Chesapeake Bay Program WIP 3 identifies soil health as a priority for achieving water quality targets. In addition, soil health aligns with climate change and farm productivity goals. The grant guidelines have been approved internally and will be posted to the Bulletin.

Action: No action required.

C. Written Reports – Self Explanatory

1. Program Reports
 - a. Nutrient and Odor Management Program Measurables Report
 - b. January 2025 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 – PACD, NRCS, Penn State, DEP, DCNR, DCED, PDA

1. **PACD** – Dennis Beck reported their winter meeting will be held January 30th, 2025, at 10:00 am and registration is free. The six PACD standing committees are meeting prior to the virtual winter meeting. Also, the PACD ad hoc budget committee has met and is developing a strategy for meeting with legislators concerning the 2025-26 state budget. Dennis thanked Denise and NACD, Acting Secretary Shirley and DEP, Secretary Redding and Doug at the SCC for all the support of PACD.
2. **NRCS** – No report.
3. **PSU** – Chris Houser thanked all cooperating agencies they saw at Farm Show. PSU was also at the York Farm Show and Chris reported that the crowds are back at both Shows.
4. **DEP** – Acting Secretary Shirley reported the following:

Chapter 102 & 105 pilot programs -

 - DEP should have an update on the latest grant round of Growing Greener within the next 2 weeks.
 - They have received 7 bids from interested firms for the SPEED program (specifically the Chapter 102 program). DEP held 3 statewide webinars with districts to discuss SPEED and held 4 meetings with members of a Chapter 102 SPEED workgroup to assist DEP in preparing an internal FAQ document and draft SOP. A draft Q&A document was shared with all the district staff in December 2024 and the SOP for the Chapter 102 SPEED program is currently under development.
 - The pilot program for permitting: Districts have received 6 applications that have been accepted into the 102 pilot program to date; one in Lehigh County, 2 in Beaver County, one in Allegheny County, and 2 in Chester County. 2 additional applications are expected from Chester County and one individual NPDES permit has been issued by Lehigh County, with the remainder in various stages of review. This pilot program utilizes certain modified procedures that are intended to improve the quality of applications to reduce the review time frames. The one permit issued out of the pilot program by Lehigh County was issued in 73 fewer business days than the average permit through the standard review process. Only one technical deficiency cycle is allowed in the pilot program, reducing the review timeline.

- The Chapter 105 SPEED program received 7 bids from interested firms, representing over 30 individuals with varying expertise, similar to the Chapter 102 SPEED program. DEP is evaluating those bids and accepting feedback from their regional offices. The draft SOP is currently under development and the training plan for Chapter 105 SPEED program and will be hosted on the Clean Water Academy.
 - DEP has presented the speed program at several stakeholder and other partner meetings, conferences, and trainings. They also plan to give routine updates to partners and stakeholders.
 - The first Chapter 105 pilot project was received by the South Central Regional Office in December 2024.
- 2024 Progress Report -**
- Chesapeake Bay Watershed Restoration Division finalizing nonpoint source data submissions ahead of EPA's deadline. Based on initial submission of all EPA's partners nonpoint source data, they are estimating 16,700 bmps for the 2024 progress year, which is an increase of more than 2100 bmps.
- Chesapeake Bay -**
- DEP Chesapeake Bay Watershed Restoration Division awarded 24 million in 2025 Countywide Action Plan Implementation Block Grants to 34 CAP County partners as part of its annual block grant award process. Total for 2025: \$22,241,587 was awarded for CAP implementation projects and \$1,827,824 was awarded to fund CAP Clean Water Coordinators. This year's grant will fund 18 CAP coordinators and 205 projects that will be completed in the next 12 to 18 months, which we estimate will result in nearly 110,000 lbs. per year of nitrogen reduction, 42,150 lbs. per year of phosphorus and 11.8 million lbs. per year of sediment. Half of these projects are agricultural projects, just over 40% are natural projects, primarily stream restorations or stabilizations, and almost 10% are stormwater projects. And 143 projects are in a most effective basin disadvantaged community area.
 - DEP will be hosting the second annual Clean Water Gathering - Since last January, over 60 participants have contributed nearly 1000 hours across 3 clean water progress teams to address the priority action area challenges generated at the inaugural Clean Water gathering in October 2023. These efforts have culminated in 25 actionable success strategies aimed at accelerating Pennsylvania's clean water progress as we work collectively to reach Pennsylvania's Phase three with and countrywide action plan nutrient pollution reduction goals benefiting local water quality through Pennsylvania's Chesapeake Bay watershed. The progress teams will be discussing their 25 unique recommended strategies for success, which are categorized into six key themes at aimed at overcoming challenges. The six strategies are digital tools, streamlining best management practices, research and improvement, advocacy for funding, networking and collaboration, and leadership development.
5. **DCNR** – Ali Bowling reported that DCNR hosted 74 first day hikes at 48 locations and welcomed 2488 participants. DCNR is working on updating its Climate Action Plan. They completed the largest ever stream buffer planting at Big Elk Creek State Park, improving water quality, biodiversity, and wildlife habitat. They plugged 95 abandoned oil and gas wells on state forest land, reducing greenhouse gas emissions. They also increased solar capacity across 30 installations. The Community Conservation Partnerships Program grant round opened January 21st and runs through April 2nd, 2025. DCNR has several million in funds ready to support applications for urban and community forestry, riparian forest buffers, and lawn to habitat conversion.
 6. **DCED** – No report.
 7. **PDA** – Doug Wolfgang reported the following:

- Farm Show - Recap of this year's Farm Show powering Pennsylvania, the Leopold Award, the Conservation Pod, and Public Officials Day
- Chesapeake Bay Program AG Advisory Committee – There are two recommended farmers that we have in front of the governor's office for approval to serve on that committee and looking to have the inaugural meeting sometime in March.
- Securing 21 million for the enteric fermentation and manure digester project that the SCC has with Land O Lakes.
- 2 meetings over the past week with Pennsylvania Farm Bureau and Shelley Dayhoff over concerns with local governments creating hurdles for farmers that are wanting to do certain farm related activities. Shelley Dayhoff is PDA Ombudsman who works out of Lancaster County Conservation District. This meeting was with a farmer who wanted to construct the manure digester using inputs from the farm.
- High path AI, working with SCC management team to put together some uniform guidance from the Commission on that for districts, conservation district staff and SCC stakeholder groups as it relates to farm visits.
- Salt Lake City, NACD - to present on a panel on ACAP and CACAT; Doug, Denise Coleman, Justin Challenger, Jen Fetter, and Ken Bidding from Lancaster Conservation District
- Continue to do interviews for the conservation program manager position, which will be housed out of the Commission - being the Chesapeake Bay liaison for SCC and overseeing PACS and REAP and collaboration with groups like No till Alliance, Soil Health Coalition and working on climate smart agriculture related projects. Also being a liaison with some other agencies within the PDA like Bureau of Market Development and Bureau of Farmland Preservation.

Adjournment: Meeting adjourned at 11:34 am.

Next Public Meetings: February 18, 2025 – Conference Call
March 18, 2025 – SCC Meeting, PDA, Harrisburg, Conference Room, 309



COMMONWEALTH OF PENNSYLVANIA
STATE CONSERVATION COMMISSION

February 18th, 2025

To: Members
State Conservation Commission

From: Justin Challenger
Director, Financial & Technical Assistance Programs
Steve Bloser
Director, PSU Center for Dirt and Gravel Road Studies

RE: Proposed changes to Driving Surface Aggregate (DSA) Standard and Specification

Background

The State Conservation Commission (Commission) approves the standard and specifications for Driving Surface Aggregate (DSA). The last update to the DSA specification was approved at the May 2022 meeting. Staff recommends the following change:

The only proposed change is to increase the allowable percentage of #16 sized particles from "15-30" percent passing, to "15-32" percent passing, as illustrated below.

Sieve Size	Percent Passing
1 ½ inch	100
¾ inch	65 - 97
#4	30 - 65
#16	15 - 30 32
#200	11 - 15



COMMONWEALTH OF PENNSYLVANIA
STATE CONSERVATION COMMISSION

Why is this change being proposed?

Several years ago, the fine content (#200 sieve) of DSA was increased to address some quality problems identified in the field. DSA quality has improved with these changes. However, we have seen recurring failures with the #16 sieve being just over the 30% maximum as quarries try to increase their fine content. These samples typically fail with the #16 sieve being in the 30%-31% range. The change from 30% to 32% for the upper limit of the #16 sieve is relatively minor and will not significantly impact DSA quality. The change will, however, make DSA easier to produce and reduce the number of testing failures.

When will this change be implemented?

We would like to implement this change effective April 1st, 2025, if approved. Because the change is only a “loosening” of the DSA specification, any current DSA contracts or currently made piles of DSA will not be impacted, since they will still meet the revised specification.

Additional Notes:

- Staff overviewed the change with the DGLVR Advisory workgroup.
- Staff met with the PA Aggregate and Concrete Association, who support this proposed change.
- We have worked with DCNR Forestry on making similar changes to their DSA specification.
- We will also contact PennDOT to recommend similar changes to their DSA specification to have all the specifications be identical.

A final “draft” form of the standard is provided as an attachment.

Staff recommends approval of the changes to the DSA standard and specifications as outlined in this memo. The full standard and specifications are attached.

effective 4/1/2025

PA State Conservation Commission

Driving Surface Aggregate Standard and Specification

- I. **Definition** - This document is for the purchase and placement of Driving Surface Aggregate (DSA) for the Pennsylvania State Conservation Commission’s Dirt, Gravel, and Low Volume Road Maintenance Program (DGLVRMP). DSA is an aggregate mixture of crushed stone designed specifically as a surface-wearing course for unpaved roads. DSA provides a durable road surface with longer maintenance cycles than conventional road surface aggregates.

- II. **Use** - For the purposes of funding under the DGLVRMP, DSA must be used in areas where it will have an environmental benefit (reduced erosion, reduced runoff). DSA shall only be placed after drainage and subgrade issues have been addressed by utilizing practices that promote Environmentally Sensitive Maintenance. DSA was originally designed to reduce erosion and runoff on road segments close to streams where drainage improvements were limited. Surface aggregate is not required on every project.

- III. **Material** - DSA to be used on DGLVRMP projects shall be tested prior to delivery by an independent lab that has no affiliation with the source quarry. Samples tested using DGLVR funds must be performed by a lab that is certified by AASHTO, USACE, or PennDOT. Samples shall be obtained by Conservation District (CD) staff, Center for Dirt and Gravel Road Studies (CDGRS) staff, or otherwise approved by the SCC. Material must meet the following requirements:

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

Sieve Size	Percent Passing
1.5”	100
0.75”	65 – 97
#4	30 – 65
#16	15 – 32
#200*	11 – 15

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

Table 1 – DSA Gradations

- A. **Abrasion Resistance:** The loss of mass (LA Abrasion) shall be less than 45%. Determine the resistance to abrasion using the Los Angeles Abrasion test, ASTM C131.

- B. **pH:** Aggregate shall be in the range of pH 6 to pH 12.45 as measured by ASTM D4972.

- C. **Moisture:** Upon delivery to the site, material shall be well mixed and placed at optimum moisture content or up to 2% below that value as determined for that particular source. The optimum percentage moisture is to be determined using Proctor Test ASTM D698, Procedure C, Standard. Aggregate provider is encouraged to perform moisture testing prior to loading material for delivery.

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

iv. Delivery and Placement

- A. **Preparation of Subgrade:** Unsatisfactory drainage and subgrade conditions shall be corrected prior to placement by scarifying, reshaping, and re-compacting, or by replacing or importing subgrade/sub-base. The subgrade/subbase shall be crowned or side-sloped to $\frac{1}{2}$ to $\frac{3}{4}$ inch per foot (4%-6% slope). Beginning and ending of DSA placements shall include a paving notch across the width of the subgrade. The paving notch shall have a minimum depth equal to the compacted DSA placement, and a sufficient length to facilitate transition into existing road surface, or a minimum of 4' in length.
- B. **Transport:** Tarps shall be used to cover 100% of the load's exposed surface from the time of loading until immediately before placement.
- C. **Certification:** A properly executed SCC DSA Certification Form shall be provided at the time of initial delivery and subsequent certification forms shall be provided if quarry conditions change. This Certification Form is to apply to the specific stockpile of DSA material being delivered from the source. The form certifies that the DSA material meets all of the specifications and requirements.
- D. **Placement:** The use of a motorized paver is highly recommended for all DSA placements. For projects and/or contracts including over 500 tons of DSA, a motorized paver is required. Paver must be in good working order and be of sufficient horsepower to be capable of pushing loaded trucks uphill while placing material in a full width pass at the required minimum depth stipulated in the contract. If the total tonnage is less than 500 tons, the DSA must be paver placed or placed by tailgating and groomed with a road grader equipped with a carbide-tipped grader blade. A track mounted paver is preferred. DSA shall be placed in a single pass across the width of the road. The crown or cross slope must range from $\frac{1}{2}$ to $\frac{3}{4}$ inch per foot (4-6%). Material shall be placed in a single 6-8 inch loose lift or layer. This lift is to be compacted with a vibratory roller as specified in Section V - Compaction. If freezing temperatures or precipitation are forecast that may cause the material to freeze, or prevent the material from

drying out, placement shall be postponed at the discretion of the road owner, Conservation District, or aggregate supplier. DSA shall not be placed before April 1st or after September 30th unless otherwise approved by the SCC.

v. Compaction

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

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

vii. References:

- A. State Conservation Commission Driving Surface Aggregate Certification Form.
http://www.dirtandgravel.psu.edu/sites/default/files/General%20Resources/DSA/SCC_DSA_Spec_2014.pdf
- B. Penn State Center for Dirt and Gravel Road Studies "Driving Surface Aggregate Handbook"
<http://www.dirtandgravel.psu.edu/general-resources/driving-surface-aggregate-dsa>
- C. ASTM C131 [AASHTO T96] - Standard Test Method for Resistance to Degradation of Small-Size Coarse Aggregate by Abrasion and Impact in the Los Angeles Machine.
<http://www.astm.org/Standards/C131>
- D. ASTM D4972 - Standard Test Method for pH of Soils. <http://www.astm.org/Standards/D4972>
- E. ASTM D698, Procedure C, Standard [AASHTO T99] – Standard Test Methods for Laboratory Compaction Characteristics of Soil Using Standard Effort (12,400 ft-lbf/ft³ (600 kN-m/m³)).
<http://www.astm.org/Standards/D698>
- F. ASTM D4318 [AASHTO T89/90] – Standard Test Method for Liquid Limit, Plastic Limit, and Plasticity Index of Soils.
<http://www.astm.org/Standards/D4318>
- G. Pennsylvania Test Method No. 100. - Method of Test for amount of material finer than 75 µm (no. 200) sieve in aggregate.
http://www.dot.state.pa.us/public/pdf/BOCM_MTD_LAB/PUBLICATIONS/PUB_19/PTM-100.pdf
- H. Pennsylvania Test Method No. 510 – Method of Test for soundness of aggregate by use of sodium sulfate.
http://www.dot.state.pa.us/public/pdf/BOCM_MTD_LAB/PUBLICATIONS/PUB_19/PTM-510.pdf
- I. ASTM D6938 [AASHTO T310] – Standard Test Methods for In-Place Density and Water Content of Soil and Soil-Aggregate by Nuclear Methods (Shallow Depth).
<http://www.astm.org/Standards/D6938>



COMMONWEALTH OF PENNSYLVANIA
STATE CONSERVATION COMMISSION

Date: March 3, 2025

To: State Conservation Commission

From: Eric Cromer
CEG Program Coordinator

RE: PA Department of Agriculture Infrastructure Most Effective Basin Public Private Partnership (MEB-PPP)

Action Requested: Approval of proposed PA Department of Agriculture Infrastructure MEB-PPP funding.

Background: Since October of 2022, the Commission received a total of \$13.3 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 Conservation Excellence Grant program (CEG) and the new Sustainable Ag Board (SAB).

The Commission spent \$4.6 million of these funds on the CEG program, with \$8.7 million remaining to allocate to commission programs. The Commission previously committed \$1 million to the SAB, leaving a total of \$7.7 million of these funds uncommitted.

With previous success with expanding the CEG program to enhance public-private partnerships, staff is proposing to expand those efforts to all Most Effective Basin Watersheds in the Commonwealth.

If use of these funds for public-private partnerships through CEG is approved by the Commission, staff will complete a Request for Proposals (RFP) to solicit proposals for the MEB-PPP. Private entities would then submit proposals through eGrants and the staff will collect and rank the received projects based on criteria below

The RFP will include the following requests:

1. A brief narrative describing proposed activities to be performed under the grant.

2. List of the Most Effective Basin Watersheds
3. A budget to support the activities described in the narrative according to the 'Request for Proposal'.
4. Maps / Plans for the project (if available)
5. Proposed project timeline

In evaluation the Commission staff will consider the following:

1. Proposal must include 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

Recommendation:

The Commission board to approve \$7.7 million to the PA Department of Agriculture Infrastructure MEB-PPP. Approximately \$2 million of these funds will be made available this fiscal year and the remainder contingent upon when spending authority is increased.

DATE: February 27, 2025
TO: State Conservation Commission
FROM: Joel Semke – Conservation Program Specialist
SUBJECT: Proposed changes for the FY 2025 REAP Program

Every year, the State Conservation Commission reviews the REAP Program and welcomes input from partners on how to improve the program. The changes range from minor revisions that are meant to improve the administration of the program to major changes regarding what is eligible for REAP tax credits. Staff invites suggestions and comments regarding potential changes to the FY 2025 REAP program.

The proposals listed below reflect suggestions from SCC staff and partners based on experiences over the course of the past year. Please note: Each proposal is subject to legal review prior to being incorporated into the FY 2025 REAP Guidelines and Application packet. It is the intent of Commission staff to present a detailed list of proposed changes at the April meeting of the Commission; and it is the intent of Commission staff to present final versions of the proposed FY 2025 REAP Guidelines and Application at the May 2025 meeting of the State Conservation Commission. The FY 2025 Guidelines and Application will include any proposed changes. Staff welcomes further comments and suggestions regarding the following proposals:

1. EQUIPMENT: ELIGIBLE COST CAPS

Proposal: Raise the cap on PUKs to \$110,000. Raise the cap for precision nutrient application equipment to \$80,000. Lower the cap on the REAP-eligible purchase price for new/used no-till equipment to \$280,000 per piece.

The intent of the proposal is to make it easier for new and/or small farmers to afford better no-till equipment by raising the REAP reimbursement for refurbishment of older equipment. The cap on eligible costs for precision nutrient equipment will be raised to \$80K. Funding for the increases will come from lowering the cap on new/used (non-refurbished) no-till equipment to \$280K.

2. OLDER EQUIPMENT

Proposal: Update sunset provision for no-till equipment of 20 years; and sunset provision for precision nutrient application equipment of 10 years.

The intent of the proposal is to ensure that farmers are aware that older (presumably cheaper) equipment can be eligible for REAP if the equipment is refurbished by a qualified dealer at the approximate time of purchase. Here's the proposed updated guideline:

The Commission will not approve applications for no-till planting equipment manufactured more than 20 years prior to the submission of the application. Equipment that has been refurbished and upgraded by a qualified farm equipment dealership is exempt from this restriction, if documentation of the refurbishing work is submitted. The Commission will not approve applications for precision nutrient application equipment manufactured more than 10 years prior to the submission of the application. Equipment that has been refurbished and

upgraded by a qualified farm equipment dealership is also exempt from this restriction, with required documentation of the refurbishing work.

Equipment must be refurbished within 6 months of purchase and/or prior to use on the ag operation for the nearest respective planting season. Dealer must have business receipt/invoice, website, EIN, etc. to be considered a qualified equipment dealer.

3. COVER CROPS

Proposal #1: Make the reimbursement rate for cover crop rollers consistent across the state.

The intent of the proposal is to increase the use of roller/crimpers as a cover crop termination tool. Commission staff feels that use of the roller/crimper as a cover crop tool provides a soil health benefit later in the season and potentially reduces herbicide use. The current reimbursement rate for cover crop rollers is 50% of purchase price (non-TMDL) and 90%(TMDL).

Proposal #2: Clarify REAP-eligibility for broadcast cover crop seeders.

The intent of the proposal is to provide better guidance to farmers regarding REAP eligibility for the following cover crop related equipment: air seeders mounted on vertical tillage equipment, dry spreading equipment that can be used for establishing cover crops, and drones capable spreading cover crop seed. The Commission views the use of cover crops as absolutely vital for soil health efforts in PA.

Drones: Currently, cover crop drones are eligible for REAP tax credits with a dealer and farmer certification form. Potential changes for FY 2025 REAP include:

- A. Increasing the cap on eligible cost to \$_____.
- B. Eliminating the requirement for a dealer certification form.
- C. Allow reimbursement for some things that make planting via drone more possible. E.g. Licensing fees, extra batteries, etc.

Other broadcast seeders: The Commission currently considers multi-use dry spreaders to be REAP-eligible as cover crop only if the spreader has drop tubes for the cover crop seed. The spreaders are often also used for spreading lime, fertilizer, and poultry manure. The Commission does not consider precision nutrient application components on this type of equipment to be REAP-eligible. Potential changes include: adding precision components on dry spreaders to the list of REAP-eligible equipment – subject to the current cap on precision equipment; or create a dealer/farmer certification form focusing on the cover crop capabilities of the equipment.

Vertical tillage seeders: The Commission has heard from various partners/stakeholders 2 different viewpoints on this equipment. Here are the potential changes to REAP:

- A. Clearly remove the equipment from the list of REAP-eligible equipment
- B. Clearly state that this equipment is eligible as “Cover Crop Equipment” at 50% reimbursement of purchase price. To clarify: the seeder is the only part that is REAP-eligible, and an invoice is required that clearly separates the seeder cost from the vertical tillage machine.

Proposal #3: Make the reimbursement rate for multi-species cover crops consistent across the state.

The intent of the proposal is to increase the use of multi-species cover crops across the state. The current reimbursement rate for multi-species cover crops is 50% (non-TMDL) and 90% (TMDL).

4. MANURE INJECTION

Proposal: Increase the reimbursement rate for manure injection equipment.

The intent of the proposal is to expand the practice of manure injection in PA. Currently, manure injection equipment is reimbursed at 50%. Staff is proposing to increase the effective reimbursement for manure injection equipment by adding the BMP to the list of practice eligible for a 90% credit in a TMDL watershed, or by expanding eligibility to some of the elements of the manure injection system (e.g. draglines, pumps, etc.). Applicants would be required to certify that their Ag E&S Plans and manure plans include the injection of manure.

5. ROTATIONAL GRAZING PRACTICES

Proposal #1: Expand REAP's fence guidelines to allow for temporary/mobile fencing used for the implementation of a rotational grazing system and grazing plans. Commission staff also intends to incentivize grazing of crop fields.

Here's an example of an item that would be eligible under the expanded guidelines:

https://store.am.gallagher.com/am/us/en_US/animal-management/electric-fencing/portable-fencing/posts---pigtails-and-tread-ins/tumblewheel/p/G63800

e.g. solar chargers, GPS fence systems, other

Proposal #2: Include mobile shade structures as eligible grazing infrastructure.

Proposal #3: Expand REAP's water facility guidelines to allow for other temporary/mobile watering systems.

Proposal #4: Add pasture renovation tools to the list of equipment that is eligible for REAP tax credits. Applicants must receive a "grazing certification" (*details to be added*) to be eligible.

The intent of the proposals is to incentivize the increased adoption of intensive rotation grazing and increased grazing of crop fields. Intensive rotation grazing and grazing of crop fields is viewed a good method to increase overall soil health on an ag operation.

6. PRESCRIPTION AG PLANS ("PRESCRIPTIONS")

Proposal: Further define language and requirements of Precision Nutrient Management/Precision Ag Prescription Plans.

The intent of the proposal is to reduce application of nutrients on crop fields by prioritizing variable rate precision placement of nitrogen and phosphorus.

Example of possible updates to the REAP Guidelines:

- A. Tax Credit Rate – 75% if you can show implementation of Precision Ag, 50% if you do not
- B. As-applied map as documentation of plan (as-applied maps)
- C. Flat rate map after getting a precision ag plan because field does not need variable application still eligible for 75% tax credit rate

- D. A precision nutrient management plan must meet all the requirements of the Field Office Technical Guide, Conservation Practice Standard (CPS) Code 590, Nutrient Management, which addresses all the components to be included in a plan.

7. Manure Digestors

Proposal: Add Manure Digestors to the list of practices that are eligible for REAP tax credits

The intent of the proposal is to expand the number of manure digestors in PA. Currently, several components of the manure digester system are eligible for REAP tax credits; e.g.; manure storage, separator, separator facility, manure transfer. However, the digester itself is not REAP-eligible. The proposed change to the REAP guidelines will involve setting a cap on the total REAP-eligible costs for digester projects. Addition of this BMP to the REAP-eligible list is contingent upon increased funding for the program.

8. MUSHROOM FACILITIES

Proposal: Clarify REAP Guidelines for mushroom facilities to state that the project must also use NRCS and/or ACAP (or other) funding to be eligible for REAP tax credits.

The intent of the proposal is to ensure that projects on REAP applications from mushroom operations are necessary to solve existing resource concerns. BMPs that are commonly seen in REAP applications from mushroom operations include Compost Facility, Compost Equipment, HUAP, and Waste Storage Facility. REAP staff is also concerned with hydrogen sulfide emissions from mushroom waste storage facilities. Current REAP Guidelines for Compost Facility BMP exclude mushroom operations from REAP-eligibility.

9. INTEGRATED EROSION CONTROL & HABITAT BUFFERS

Proposal: Add Herbaceous Buffers to the list of BMPs that are eligible for REAP tax credits

The intent of the proposal is to incentivize the establishment of a variety of perennial herbaceous areas that filter nutrient and sediment runoff, reduce dust, and provide habitat for beneficial insects. The BMP will serve as a catch-all category of buffers that includes new BMPs like Field Borders and Pollinator Habitat; and consolidates various herbaceous buffers that are already REAP-eligible e.g. vegetative buffers at poultry houses, herbaceous riparian buffers, filter strips, etc.

10. OTHER

Commission staff is interested in considering innovative projects/practices that reduce N, P, and/or sediment pollution runoff, e.g. manure irrigation technologies, alternative manure treatments, etc.

Staff will research issues and solicit further input from partners to develop details for the March and April SCC meetings.



COMMONWEALTH OF PENNSYLVANIA
STATE CONSERVATION COMMISSION

Date: March 10, 2025

To: State Conservation Commission

From: Doug Wolfgang, Executive Secretary

RE: Status of Federal Funding Freeze

Background: Commission staff will provide a quick update on federal funding freeze and potential impacts to state conservation efforts. Staff will give assurance that federal ARPA funds for ACAP and Nutrient Management and the last three years of EPA IIIA Most Effective Basin (MEB) Funds are secured for Commission use. However, funding from the USDA-NRCS Regional Conservation Partnership Program (RCPP) for \$21 million for the Commission in partnership with Land O'Lakes is still in question. Likewise, future funding commitments through EPA MEB are also in question.



COMMONWEALTH OF PENNSYLVANIA
STATE CONSERVATION COMMISSION

Date: March 10, 2025

To: State Conservation Commission

From: Doug Wolfgang, Executive Secretary

RE: Food Processing Residuals (FPRs) legislation reintroduced as HB 586 and HB 587

Background: Commission staff will provide a quick update and overview on legislation reintroduced this session to place reasonable safeguards on the land application and hauling of FPRs. Legislation is almost verbatim to the previous bills from last session. The bills would direct DEP to work with SCC to update the manual, potentially requiring additional BMPs for odor causing FPR, reaffirming requirements for a Land Application Systems (LAS) plan, and to requiring the characterization and reporting of the FPR. The legislation also establishes a certification program for haulers of FPR.



COMMONWEALTH OF PENNSYLVANIA
STATE CONSERVATION COMMISSION

Date: March 7, 2025

To: State Conservation Commission

From: Doug Wolfgang, Executive Secretary

RE: PA Ag Conservation Assistance Program (PACS) program guideline approval

Action Requested: Approval of proposed PA Ag Conservation Assistance Program (PACS) relaunch.

Background: The PACS program certifies farmers that are the standard-bearers in conservation. The program was initially launched as a pilot program in 2019 but did not realize its full potential due to the pandemic and other challenges. However, with ACAP and the onset of historic funding for voluntary incentive-based conservation, along with a growing interest from stakeholders and private industry, PDA and SCC believe it is an ideal time to relaunch. The latest proposed guidelines are the product of extensive stakeholder feedback from private and public sector partners.

In the proposed program, a farmer would need the following to qualify:

- Any relevant/required farm plans that are current (conservation, nutrient management, manure management, E&S etc.)
- A fully implemented best management practice schedule as outlined in plans to date
- A functional, vegetative riparian buffer with livestock excluded AND/OR stream AND/OR wetland restoration with livestock excluded, if there is a stream on the property
- A soil health test with a CASH (Cornell) score between 70 and 100 from the Standard Soil Health Analysis Package OR an equivalent test with the same base indicators; required base indicators of aggregate stability, soil organic carbon, plant available water, soil pH, penetrometer resistance (compaction), and mineralization potential (CO₂ respiration); tiered requirement for number of tests based on acreage
- Supplemental nutrient management practices, if applicable

Staff will review these criteria, along with other changes and discuss potential benefits to the farmer, such as permitting, marketing as a “green farm”, and scoring

for other state grant programs, etc.

Recommendation:

Will seek approval from the Commission to move forward with proposed program guidelines with anticipation of a hard launch for the program at Ag Progress Days event in August 2025.



COMMONWEALTH OF PENNSYLVANIA
STATE CONSERVATION COMMISSION

Date: March 10, 2025

To: State Conservation Commission

From: Doug Wolfgang, Executive Secretary

RE: NACD conference – Salt Lake City

Background: Doug Wolfgang will give a brief overview of his trip to Salt Lake City, Utah for the NACD conference.



COMMONWEALTH OF PENNSYLVANIA
STATE CONSERVATION COMMISSION

February 18th, 2025

To: Members
State Conservation Commission

From: Justin Challenger
Director, Financial & Technical Assistance Programs
Ian Harrell
District Manager, Butler County Conservation District

RE: Approval of Butler County Conservation District Project

Background

The State Conservation Commission (Commission) comprehensive policy requires SCC approval for districts who seek to enter into a contract, when the estimate project cost exceeds \$250,000. Butler CD is seeking approvals to receive funding and complete conservation BMPs on the Four Season Fair dairy farm.

Four Seasons Fair – Penn Township, Butler County

This dairy farm operates on approximately 241 acres, with around 200 head. The farm has a manure storage facility that has passed its serviceable lifespan. The current heifer facility is located adjacent to a stream. The facility has no roof over the scrape alley, and runoff often runs to the stream. The proposed project would use funds from ACAP, Penn VEST, and EQIP. The proposed project will relocate the animals away from the stream, built a new manure storage facility, decommission the old manure facility, and provide stormwater controls.

The project includes a Penn VEST grant to the Butler County Conservation District in the amount of \$1,120,000. The overall project will be \$2,236,452. The Butler County Conservation District is requesting the approval to enter into the contract/agreement with Penn VEST to acquire the grant funding. We are also requesting the approval to enter into contracts with the lowest qualified bidder to install the BMPs and practices.

The Butler County Conservation District is requesting the SCC's approval to receive a line of credit in the amount of \$450,000 dollars from First Commonwealth Bank. This was approved by the District Board on February 13, 2025. Please see the attached resolution. The line of credit will be used to bridge the payments for an Ag BMP project that is utilizing Penn VEST



**COMMONWEALTH OF PENNSYLVANIA
STATE CONSERVATION COMMISSION**

and ACAP funding. Both funding sources require a holdback on payments until the project is completed, and therefore we require the loan. All the funding sources have been approved. We will require the line of credit to be able to close on the Penn VEST grant.

SCC staff have visited the site and reviewed the Inventory and Evaluation for the project with the district. SCC staff the project has significant environmental benefits.

SCC staff recommend approval of the Butler CD Penn Vest agreement, contracts for the lowest qualified bidder, and the line of credit from Frist Commonwealth Bank.



**BUTLER COUNTY
CONSERVATION DISTRICT**

Conserving Natural Resources for Our Future

120 Hollywood Drive • Suite 201 • Butler PA 16001 • Phone (724)284-5270 • www.bccdonline.org

WHEREAS, the Board of Directors of The Butler County Conservation District, desires to apply for a line of credit with First Commonwealth Bank to facilitate its PENNVEST grant to construct agricultural BMPs on the Four Seasons Dairy Farm;

WHEREAS, the Board of Directors has determined that it is in the best interest of the District to secure a line of credit in the amount of \$450,000.00;

WHEREAS, the Board of Directors deems it necessary and advisable to approve a hold on the District's General Fund as collateral for the line of credit;

NOW, THEREFORE, BE IT RESOLVED that:

1. The District is hereby authorized to apply for a line of credit with First Commonwealth Bank in the amount of \$450,000.00 on terms and conditions acceptable to the District Manager;
2. The District Manager is hereby authorized to negotiate, execute, and deliver any and all documents necessary or advisable to effectuate the line of credit, including, but not limited to, the credit agreement, security agreement, promissory note, and any other agreements or documents required by First Commonwealth Bank;
3. The District Manager are hereby authorized to approve a hold on the District's General Fund as collateral for the line of credit, in an amount necessary to secure the line of credit;
4. Any and all actions heretofore taken by the District in connection with the foregoing matters are hereby ratified, approved, and confirmed;
5. This resolution shall take effect immediately upon its adoption.

Adopted this 13th day of February, 2025, by the Board of Directors of the Butler County Conservation District.

Edward W. Thiele 3/3/25
Edward Thiele, Chairman Date



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 Kathryn Bresaw
Acting Environmental Program Manager
Nonpoint Source Management Division

DATE March 18, 2025

RE 2023 Audit Extension Requests

Action Requested: Approval of 2023 audit extensions for Carbon and Lackawanna County Conservation Districts to May 31, 2025. Update on 2023 audit process for Northampton County Conservation District.

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 2023 audits was Dec. 31, 2024. Currently, 63 audits have been received and reviewed, with three outstanding audit submissions. The Commission approved audit due date extensions for all three outstanding audits during their January 2025 meeting.

Audit extension requests for Carbon and Lackawanna Conservation Districts, audit update for Northampton Conservation District

Carbon and Lackawanna: The accountant working on both audits recently contacted Department of Environmental Protection staff explaining the inability to meet the Feb. 28th deadline due to his current workload and ongoing health issue. To ensure audit requirements are met, we respectfully request the 2023 audit completion due date be extended to May 31, 2025. All parties have agreed that open communication will continue as a priority so the task can be completed in a timely manner. Consequently, we also request the opportunity to approve a flexible due date in the future if the need arises.

Northampton: Two written proposals are expected to be submitted to the district office the first week of March. The manager has board approval to accept a suitable contract within a specified dollar amount. Both proposals describe starting the audit process in early spring (April – June), with audit completion occurring July – August. The Northampton CD manager will continue to provide regular updates to several DEP staff.

In summary, we ask approval to extend the Carbon and Lackawanna CD audit due dates to May 31st, with flexibility to extend further if needed.



**COMMONWEALTH OF PENNSYLVANIA
STATE CONSERVATION COMMISSION**

DATE: March 10, 2025

TO: State Conservation Commission Members

FROM: Brady Seeley, 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 January / February 2025.

For the months of January and February 2025, staff and delegated conservation districts have:

1. Odor Management Plans:
 - a. 8 OMPs in the review process
 - b. 11 OMPs Approved
 - c. 0 OMPs Rescinded
2. Reviewed and approved 115 Nutrient Management (NM) Plans in the 4th quarter of 2024.
 - a. Those approved NM plans covered 23,303 acres.
 - b. Those approved NM plans included 50,190 Animal Equivalent Units (AEUs), generating 697,191 tons of manure.
3. Managing sixteen (16) 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 42.5 hours of NM and OM continuing education.
 - b. Facilitated the following trainings:

- i. Introduction to Livestock Production Systems
 - c. Reviewed 3 Public Review Specialists NMP reviews as part of the certification training.
- 7. Commercial Manure Hauler / Brokers
 - a. Approved 6.5 hours of MH/B continuing education.
 - b. 17 Act 49 inspection letters sent (includes in-office, onsite and affidavit letters).
 - c. Facilitated the following trainings:
- 8. Issued 8 new (total of 87) Ag 101 seat licenses to CD and DEP staff. 63 persons have already completed and sent in their course completion certificate.



**COMMONWEALTH OF PENNSYLVANIA
STATE CONSERVATION COMMISSION**

DATE: March 7, 2025
TO: Members, State Conservation Commission
FROM: Karl J. Dymond
 State Conservation Commission *KJ Dymond*
SUBJECT: March 2025 Status Report on Facility Odor Management Plan Reviews

Detailed Report of Recent Odor Management Plan Actions

In accordance with Commission policy, attached is the Odor Management Plans (OMPs) actions report for your review. No formal action is needed on this report unless the Commission would choose to revise any of the plan actions shown on this list at this time. This recent plan actions report details the OMPs that have been acted on by the Commission and the Commission’s Executive Secretary since the last program status report provided to the Commission at the January 2025 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 March 6, 2025.

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	8	11	42	1	62
2021	15	15	30	1	61
2022	16	11	19	2	48
2023	24	12	42	3	81
2024	12	13	40	1	66
2025	1	4	12		17
Total	215	214	569	31	
Grand Total					1029

As of March 6, 2025, there are one thousand twenty nine **approved** plans and/or amendments, nine plans have been **denied**, twenty plans/ amendments have been **withdrawn** without action taken, one hundred and eleven 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
1/22/2025	Beiler, Samuel U – Layer Farm	Perry	Tuscarora Twp	Layers	231.00	39.4	Approved	
1/22/2025	Hess Brothers Poultry LLC – Broiler Farm	Lancaster	E Donegal Twp	Broilers	410.05	29.3	Approved	B
1/22/2025	King, Coby & Wayne – King Spring Farm	Lancaster	Eden Twp	Broilers	233.42	46.5	Approved	A
1/22/2025	Weaver, Anthony – Little Mountain Farm	Berks	Bethel Twp	Broilers	183.18	32.4	Approved	
1/30/2025	Horst, Derrick – Pullet Farm	Lebanon	E Hanover Twp	Pullets	149.15	16.5	Approved	
1/30/2025	Powl Associates, LLC – Goshen Mill Farm	Lancaster	E Drumore Twp	Layers	231.00	42.7	Approved	
2/7/2025	Franklin View Farms, LLC – Home Farm	Lancaster	Manor Twp	Cattle	707.82	73.9	Approved	A
2/7/2025	Walter, Scott R – Broiler-Breeder Farm	Snyder	Jackson Twp	Layers	174.50	38.3	Approved	A
2/7/2025	Wooly Feathers Farm Mt. Zion, LLC – Broiler Farm	Lebanon	Bethel Twp	Broilers	192.40	56.7	Approved	
2/10/2025	Brubaker, Robert L, Jr - Camp Road Farm	Lancaster	Mount Joy Twp	Broilers	345.36	49.3	Approved	C
3/4/2025	Martin, Ben – Poultry Farm	Lancaster	W Cocalico Twp	Broilers	166.44	54.7	Approved	A
3/4/2025	Martin, Dana – Green Park Farm	Perry	Tyrone Twp	Pullets	68.71	18.5	Approved	
3/4/2025	Martin, Jerome – Waggoners Gap	Perry	Spring Twp	Broilers	190.83	79.5	Approved	
3/4/2025	Mountain View Hogs, LLC – VanHorn Rd Hog Farm	Bradford	Troy Twp	Swine	510.64	63.4	Approved	
3/4/2025	Roaring Creek Egg Farms LLC – Numida Drive Farm	Columbia	Locust Twp	Pullets	58.80	45.5	Approved	
3/4/2025	Snider, Tyler – Mountain Foot Farm	Huntingdon	Dublin Twp	Swine	1008.99	26.1	Approved	B

As of March 6, 2025



**COMMONWEALTH OF PENNSYLVANIA
STATE CONSERVATION COMMISSION**

DATE: March 10, 2025

TO: Members
State Conservation Commission

FROM: Brady Seeley, 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>
JoBo Holstein Farms, LLC 200 Tall Oaks Rd Gettysburg, PA 17325	Adams	1021.5	1826.72	CAFO/VAO	Dairy	Approved	1/30/25
Patrick Bodmer & Courtney Coddington 2625 Tract Rd Fairfield, PA 17320	Adams	0.2	171.35	CAO	Turkeys	Approved	2/7/25



BUILDING BRIDGES

Farmers * Municipalities * Citizens
Conservation Districts * Agribusiness

To: Members
State Conservation Commission

March 18, 2025

From: Shelly Dehoff
Agriculture/Public Liaison

Re: Agricultural Ombudsman Program Update

Activities: Since mid-January 2025, 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
 - Opened new NFWF INSR grant for injection, focusing more on education of CCAs and NMSs, in addition to farmers, through Sustainable Chesapeake
 - Working to enter/download injection documentation in Lanc Co recorded in PracticeKeeper
 - Created application for rental of horse drawn dribble bar incentive program
- Events as South Central Task Force (SCTF) Agriculture Subcommittee Planning Specialist:
 - Hosted January and February monthly Ag Subcomm meetings
 - Participated in multiple TE&E meetings
 - Facilitated a panel for PA State Association of Fairs Convention session in Jan 2025 on group disturbances, crowd management and trends in civil disobedience resulting in violence and police involvement
 - Attended Amish Safety Committee meeting
 - Planning Farm Safety Day for First Responders with Extension staff for later in 2025
 - Participated in PA Farm Safety & Occupational Health Advisory Board meeting at PDA
- Participated and recorded minutes for January and February Lancaster Co. Agriculture Council meeting
- Continuing to assist with Conservation Foundation of Lanc Co meetings, and Exec Comm meetings
- Finalized and had publication printed for statewide distribution entitled Manure Spill Response in PA; started distributing it to CDs, DEP, PSU upon requests
- Helping plan LCCD's 75th anniversary celebration year and events in 2025 and chairing one sub-committee
- Had virtual meeting with Doug Wolfgang and PA Farm Bureau reps to get to know each other and for the OMB program to work with PFB when needed to support farmers and agriculture, then followed up with in person meeting a month later
- Beth F and I gave a webinar presentation about the OMB program as part of PACD's educational sessions for CD staff
- Met with new PennAg employee to explain OMB program and role with SCTF Ag Subcommittee

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

- Had virtual meeting with Chester Co EDC reps who focus on agricultural economic development, to understand each other's roles better and work together in future to promote agriculture and the economic impacts of ag

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

- **Franklin Co--** Received inquiry about poultry feathers in manure spreading by the wind onto other properties. Gave advice on situation and if PDA should be notified for possible improper disposal of composted poultry.

Research and Education Activities:

- **Allegheny Co**—inquiry from person about permits needed for roadside stand, new buildings to grown flowers, offer classes onsite, etc. Referred her to municipality ultimately, but I still read applicable parts of her zoning ordinance and explained the details to her
- **York Co**—Talked with multiple people about neighbor/farmer concerns with composting site, but it's very far in the property, not visible by road or neighbors and miles away from the complaints, so I will keep an ear out, but question the legitimacy of the issue

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 February 28, 2025
 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: January-February

- Administering NFWF-INSR Grant
 - Preparing for riparian buffer project using this funding.
 - Finalizing the budget.
 - Preparing the final report for this grant.
- Administering PADEP Growing Greener Grant
 - Prepare quarterly reports, submit reimbursement requests, and manage invoice information.
- Organized a new regional grazing network committee – we held our first meeting of the year to plan 2025 pasturewalk events.

Conflict Issues/Municipal Assistance

- Mifflin County – on-going Darkling Beetle complaint – follow up phone calls with producer, neighbor and CD staff.
- Lycoming County – on-going fly complaint.
- Centre County – fly complaint – follow up with Penn State Extension and CD regarding next steps
 Planning a farm visit with Centre CD staff.

Meetings/Trainings/Outreach

- PA – Urban Ag meeting in Harrisburg – January 9
- Ag Law Webinar – January 24
- Presented and “Ombudsman” presentation for PACD training – January 29
- Centre County farm visit – follow up on a fly complaint – January 30
- Penn State Extension – Blair County Committee meeting – February 18
- KDC - Allegheny Regional Food-Hub meeting – February 22
- Regional Grazing Network Committee meeting – February 25
- Biosecurity webinar – February 25
- Ag Law Webinar February 27

Reports & Grant Applications

Growing Greener grant reimbursement and progress report
 Preparing to administer PDA – Urban Agriculture Infrastructure Grant
 Creating programs for Blair Co Watershed Specialist mini grant