

2017 Nutrient Management Standard Animal Weights Update Roll Out

1. The State Conservation Commission (SCC) approved NEW Standard Animal Weights and animal groupings on XXXXX, 2017. The SCC will publish the NEW Standard Animal Weights and animal groupings table in the *Pennsylvania Bulletin*, as soon as practical, after the SCC approves the document.
2. The NEW Standard WEIGHTS will become effective on October 1, 2019 (Start of Crop Year 2020)
3. Agronomy Fact Sheet 54 will be updated and published in 2017 with the NEW Standard Animal Weights and animal groupings.
4. NEW Standard Animal Weights will be updated in the Growing Animal Weight Calculator section of the Nutrient Management Plan (NMP) spreadsheet Version 6.0. Planners will use the updated weights when manually entering them in the Manure Group Information Input section. A table that includes the new animal types and weights will be included in the spreadsheet for reference.
 - a. NMP Spreadsheet Version 6.0 is proposed to be released in October 2017, coinciding with the release of the Nutrient Management Technical Manual Version 10, anticipated in October 2017.
 - b. Version 6.0 must be used for all Crop Year 2019 NMPs and following crop years until replaced by the next version of spreadsheet.
 - c. Note that Crop Year 2019, starts on October 1, 2018.
5. Integrating the use of NEW Standard Animal Weights in nutrient management plans.
 - a. A commercial Nutrient Management Specialist (NMS) must perform a Concentrated Animal Operation (CAO) calculation that will be verified by a delegated conservation district or the SCC.
 - i. Delegated districts can perform “preliminary” CAO calculations.
 - ii. When it is determined that an operator is close to the CAO threshold, a commercial NMS must perform the official calculation that will then be reviewed by the delegated district or the SCC.
 - b. **The Program will continue to follow the regulations at 25 Pa. Code § 83.261 (General)** after the NEW Standard Animal Weights are released:
 - Section 83.261(1)(iii) provides in relevant part: For new operations defined as CAOs and commencing before October 1, 2006, a plan shall have been submitted prior to commencement of operations.
 - Section 83.261 (3) provides in relevant part: *Operations that become defined as CAOs after October 1, 2006, due to expansion of an existing operation or loss of rented or leased land.* Existing operations that make changes to their operations that result in becoming defined as CAOs for the first time after October 1, 2006, shall meet the following:
 - o (i) An agricultural operation which becomes a CAO after October 1, 2006, due to loss of land suitable for manure application, shall submit a plan within 6 months after the date which the operation becomes a CAO.

- (ii) An agricultural operation which will become a CAO due to expansion of operations by the addition of animals shall obtain approval of the plan prior to the expansion.
- Section 83.261 (4) provides in relevant part: *New operations*. A new operation which will commence after October 1, 2006, and which will be a CAO, shall obtain approval of a plan meeting the requirements of this subchapter prior to the commencement of the operation.
- c. To determine whether an existing operation becomes a CAO ONLY due to the increase in the NEW Standard Animal Weight, calculations must be completed using the existing Standard Animal Weights and the New Standard Animal Weights.
 - i. The Calculations are as follows:
 - 1. The 1st CAO calculation will determine the Animal Equivalent Unit / Acre (AEU/Ac) using the Standard Animal Weights which existed PRIOR to the applicability of the NEW Standard Animal Weights.
 - If this CAO calculation determines that an operation is a CAO, then the operator must follow #5b above.
 - 2. The 2nd CAO calculation will determine the AEU/Ac using the NEW Standard Animal Weights.
 - This will be recognized as the official CAO calculation if the 2nd CAO calculation makes the operation a CAO. Refer to c (ii) below for further guidance.
 - ii. Once the operation is confirmed to be a CAO by using the NEW Standard Animal Weights, that CAO will have up to 2 crop years to have an approved NMP.
 - 1. These CAOs will need to have an approved NMP for Crop Year 2020.
 - 2. For a NMP to be approved before October 1, 2019, the plan should be submitted for review in June/July 2019.
 - 3. There will be a two-year period between the SCC's approval of the NEW Standard Animal Weights, which should occur in May, 2017, and the time NMPs should be submitted for review using the New Standard Animal Weights, which would be June/July 2019. There will be a two and one-half year-period between the SCC's approval of the NEW Standard Animal Weights and the effective date of the new weights, or, otherwise stated, the date that a NMP must be approved with the new weights, October 1, 2019.
 - 4. An example of this would be a small dairy that currently has an animal density of 1.8 AEU/Ac threshold and now with the NEW Standard Animal Weights the operation is over the 2.0 AEU/ac threshold.
- d. For Existing CAOs and Concentrated Animal Feeding Operations (CAFOs), after the NEW Standard Animal Weights apply, the following procedure will be completed:
 - i. New Standard Animal Weights will be utilized in the NMP when the NMP is amended.

- ii. This amendment may be at the triennial review or sooner, if one of the amendment criteria are met before the triennial review.
 - iii. This would allow up to a 3-year phase in period for existing CAO's and CAFO's
- e. For New CAFOs, that become CAFOs ONLY due to the NEW Standard Animal Weight, the following procedures apply:
- i. If the CAFO is also a CAO, they will follow paragraph 4.c. above.
 - 1. The newly defined CAFO will be required to have a CAFO permit before the new animal weights become effective (October 1, 2019). This requirement will necessitate that the newly defined CAFO submit an administratively complete CAFO permit application by April 1, 2019.
 - ii. If the operation is confirmed to be a newly defined Voluntary Animal Operation (VAO) CAFO using the NEW Standard Animal Weights, then that CAFO will have up to 2 crop years to have an approved NMP and CAFO permit.
 - 1. These CAOs will need to have an approved Crop Year 2020 NMP.
 - 2. For a NMP to be approved before October 1, 2019, the plan should be submitted for review in June/July 2019.
 - 3. There will be a two-year period between the SCC's approval of the NEW Standard Animal Weights, which should occur in May, 2017, and the time NMPs should be submitted for review using the New Standard Animal Weights, which would be June/July 2019. There will be a two and one-half year-period between the SCC's approval of the NEW Standard Animal Weights and the effective date of the new weights, or, otherwise stated, the date that a NMP must be approved with the new weights, October 1, 2019.
 - 4. The newly defined CAFO will be required to have a CAFO permit before the new animal weights become effective (October 1, 2019). This requirement will necessitate that the newly defined CAFO submit an administratively complete CAFO permit application by April 1, 2019.