

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 634 Session of 2019

INTRODUCED BY YAW, LAUGHLIN, J. WARD, STEFANO AND YUDICHAK, MAY 13, 2019

SENATOR BROWNE, APPROPRIATIONS, RE-REPORTED AS AMENDED, JUNE 17, 2019

AN ACT

1 Amending Title 3 (Agriculture) of the Pennsylvania Consolidated
2 Statutes, in soil and conservation, providing for
3 Conservation Excellence Grant Program; and making an
4 appropriation. <--

5 The General Assembly of the Commonwealth of Pennsylvania
6 hereby enacts as follows:

7 Section 1. The heading of Part V of Title 3 of the
8 Pennsylvania Consolidated Statutes is amended to read:

PART V

SOIL AND CONSERVATION

[(Reserved)]

12 Section 2. Part V of Title 3 is amended by adding a chapter
13 to read:

CHAPTER 31

CONSERVATION EXCELLENCE GRANT PROGRAM

16 Sec.

17 3101. Definitions.

18 3102. Establishment.

1 3103. Administration of program.

2 3104. Application guidelines.

3 3105. Grants.

4 3106. Project certification.

5 3107. Criteria for evaluation of applications.

6 § 3101. Definitions.

7 The following words and phrases when used in this chapter
8 shall have the meanings given to them in this section unless the
9 context clearly indicates otherwise:

10 "Best management practice." A practice or combination of
11 practices determined by the State Conservation Commission or
12 United States Department of Agriculture Natural Resources
13 Conservation Service to be effective and practical, considering
14 technological, economic and institutional factors, to manage
15 nutrients and sediment to protect surface water and groundwater.

16 "Commission." The State Conservation Commission established
17 under section 4 of the act of May 15, 1945 (P.L.547, No.217),
18 known as the Conservation District Law.

19 "Program." The Conservation Excellence Grant Program
20 established under section 3102 (relating to establishment).

21 "USDA-NRCS." The United States Department of Agriculture
22 Natural Resources Conservation Service.

23 § 3102. Establishment.

24 The Conservation Excellence Grant Program is established
25 within the commission.

26 § 3103. Administration of program.

27 The commission shall administer the program for the purpose
28 of providing technical and financial assistance to farmers and
29 landowners for the implementation of high-quality best
30 management practice projects in high-priority locations within

1 this Commonwealth through grants as authorized under section
2 4(7) of the act of May 15, 1945 (P.L.547, No.217), known as the
3 Conservation District Law.

4 § 3104. Application guidelines.

5 The commission shall establish guidelines for the approval of
6 applications for eligible projects under the program.

7 § 3105. Grants.

8 ~~(a) Awards.—The commission may award grants to applicants~~ <--
9 ~~for eligible projects that the commission determines will~~
10 ~~further the purpose of the program.~~

11 ~~(b) Appropriation.—The amount of \$2,500,000 is appropriated~~ <--
12 ~~to the commission for the purpose of awarding grants under this~~
13 ~~Chapter.~~

14 § 3106. Project certification.

15 The commission shall ensure that a project satisfies the
16 requirements of the program in accordance with the following:

17 (1) Except as provided under paragraph (2), if a
18 project's best management practice requires review and
19 certification by a registered professional engineer under the
20 applicable laws or regulations of this Commonwealth, the best
21 management practice shall be certified by a registered
22 professional engineer.

23 (2) Any other project shall be certified by a technical
24 service provider, staff from a conservation district or the
25 USDA-NRCS or any other person who has appropriate training
26 and expertise and is approved by the commission.

27 § 3107. Criteria for evaluation of applications.

28 In approving applications for eligible projects under the
29 program, the commission shall give priority to applications
30 based upon the following criteria and this order:

1 (1) Priority locations as follows:

2 (i) Counties designated by the Department of
3 Environmental Protection as Tier 1 Chesapeake Bay
4 counties.

5 (ii) Counties designated by the Department of
6 Environmental Protection as Tier 2 and 3 Chesapeake Bay
7 counties.

8 (iii) All other counties.

9 (2) Priority practices as follows:

10 (i) Livestock exclusion fencing.

11 (ii) Stream-side buffers.

12 (iii) Streambank restoration.

13 (iv) Barnyard and feedlot runoff abatement.

14 (v) Stream crossings.

15 (vi) Off-stream watering.

16 (vii) Manure storage facilities.

17 (viii) Nutrient management plans and manure
18 management plans.

19 (ix) Agricultural erosion and sedimentation plans.

20 (x) Any other priority practices approved by the
21 commission.

22 (3) The level and extent of planning and technical
23 assistance, including inventory and evaluation, design work,
24 permits and similar types of assistance, already completed to
25 allow for accurate estimates of project costs and for
26 completion of the project in a timely fashion.

27 (4) The extent to which an applicant is willing to
28 supply nongovernmental matching funds for the project.

29 (5) Any other criteria as adopted by the commission.

30 Section 3. This act shall take effect in 60 days.