

## **Appendix 7 Stormwater Control**

In the preparation of an Act 38 nutrient management plan, the nutrient management planner is required to conduct a review of the **adequacy of existing runoff control practices** on cropland and pasture included in the plan. This requirement is described in **Chapter 83.321**. It is understood that nutrient management planners have varying levels of experience and expertise in this area; therefore, it is strongly recommended that planners with limited expertise receive assistance from local NRCS field staff or conservation district personnel. That being said, it is the responsibility of all nutrient management planners to acquire the training necessary to develop these planning skills.

Regardless of experience and skill level, it is recommended that the nutrient management planner performs this evaluation concurrently with plan review staff from the appropriate plan approval entity (county conservation district or State Conservation Commission). Involving these technical and plan review specialists as early as possible should expedite the plan review and approval process.

This review shall be documented in Appendix 7 of the plan as described below. Please note that an entry is required in each of the four input areas. In some cases, “None”, “Not applicable” or “N/A” may be the appropriate entry (see examples).

### **Completing Appendix 7**

Appendix 7 organizes the results of the on-site evaluation under the following headings:

- Date of Site Evaluation
- Statement Documenting Areas Evaluated During Site Evaluation
- Identification of Critical Runoff Problem Areas (CRPAs)
- BMPs to Address Critical Runoff Problem Areas

#### Date of Site Evaluation

The nutrient management planner shall list the date(s) of the on-site evaluation.

#### Statement Documenting Areas Evaluated During Site Evaluation

The nutrient management planner shall describe specific areas of the farm evaluated. It is recommended that the planner also list other personnel involved in the evaluation.

Following is an example of how this section should be completed:

*“Clay E. Knobs (NMS, Hometown County Conservation District) and I evaluated cropland and pasture fields adjacent to Little Muddy Run. Specific fields include: HF1, HF4, HF7, HF9 and HFP1.”*

## Identification of CRPAs

The nutrient management planner shall indicate whether or not any CRPAs were observed. Examples of CRPAs requiring identification include:

- Non-vegetated gullies and ditches flowing directly to streams or sinkholes
- Non-vegetated and non-buffered, sloping areas immediately adjacent to streams or sinkholes, where manure is applied after the growing season (late fall or winter)

Following is an example of how this section should be completed when **no CRPAs were identified**:

*“None.”*

Following is an example of how this section should be completed **when CRPAs were identified**:

*“A 12” wide X 12” deep gully leading directly to Little Muddy Run was observed in the southwest corner of field HF4.”*

## BMPs to Address CRPAs

The nutrient management planner, in consultation with the operator, shall identify and list the Best Management Practices (BMPs) that must be implemented to address any CRPAs identified above. These BMPs cannot be in conflict with other relevant plans, such as a current conservation plan, unless otherwise justified in writing by the nutrient management planner. At this crucial point in the planning process, nutrient management planners with minimal stormwater runoff expertise may find it very advantageous to involve more experienced conservation professionals.

The plan is **not required to include BMP designs** (i.e. depth and width of a waterway, diversion, etc.); however, prior to BMP implementation, the operator is responsible for obtaining the necessary designs. The operator shall keep these designs on-site as a supplement to the nutrient management plan.

For information on commonly used stormwater control BMPs, refer to published information from USDA-NRCS: the Conservation Catalog, Pennsylvania Technical Guide or eFOTG (<http://www.nrcs.usda.gov/technical/efotg/>). BMPs installed to address CRPAs shall be designed, installed, operated and maintained in accordance with the standards and specifications in the Pennsylvania Technical Guide. BMP(s) required to address CRPAs identified in Appendix 7 shall also be identified on the list of BMPs in the “Additional NMP Requirements” section of the plan.

Following is an example of how this section should be completed when **no BMPs are required**:

“N/A”

Following is an example of how this section should be completed when **BMPs are required**:

*“Stripcropping (585) – In the spring of 2010, alternating contour strips of corn and mixed hay will be established in field HF4; minimum strip width will be 100 feet.”*

### **Act 38 Interactions with PA-DEP Erosion Control Requirements**

As described in great detail above, Appendix 7 of the Act 38 nutrient management plan deals primarily with the identification and treatment of CRPAs. Please know that the treatment of CRPAs, while extremely important in controlling soil erosion and associated nutrient loss, is just a small subset of the operator’s total erosion control requirements under Pennsylvania law.

To help ensure that operators are compliant with their erosion control requirements, which support the nutrient (primarily phosphorus) loss controls incorporated in the NMP, verification of a current Agriculture Erosion and Sedimentation Control Plan (Ag E&S Plan) meeting the requirements of the DEP Chapter 102.4 regulations, or a Conservation Plan meeting the same requirements, is now required prior to Act 38 NMP approval. The details of this **Chapter 83.361(f)** NMP review and approval requirement can be found in Section V of this manual.