



**Lebanon County
Conservation District
—— Act 38 ——
Nutrient Management**

Why a minimum standard “Act 38 Level” of Nutrient Management?



A PERSPECTIVE FROM THE LEBANON COUNTY CONSERVATION DISTRICT

What is an “Act 38 Level” Nutrient Management Plan?

An “Act 38 level” nutrient management plan is a plan written to meet the planning standards established by the State Conservation Commission. These farm-specific plans provide guidance on the handling, storage, and field application for nutrients such as manure and commercial fertilizers.

- **An “Act 38 level” Nutrient Management Plan is based on:**
 - **Balance**, the planned nitrogen and phosphorus application to meet net crop requirements on site specific levels.
 - **Analysis**, the planned phosphorus application will have no negative impact on local streams.
 - **Accountability**, the operator is accountable for the sources of nutrients and their storage, handling and application. This is done through keeping records of application rates on fields, crop yields, soil tests, and nutrients used on or exported from the farm.

SCIENTIFICALLY:

- Many of Lebanon County agricultural soils have elevated phosphorus (P) levels from historic over application of animal and commercial fertilizers. High nutrient levels increase the potential to pollute ground and surface waters on which all living things depend.
- Nutrient levels above optimum range not only result in unsatisfactory economic returns but also can adversely affect plant growth, animal health, and environmental quality. (Pennsylvania State University Agronomy Guide)

PHILOSOPHICALLY:

- If you are preserving your land to be held in the public trust it is important that healthy soil and water are sustained or improved in a responsible manner for future generations.

- The Lebanon County Conservation District requires a conservation plan covering all aspects of a landowner's operation (including nutrient management) for all operations on preserved farms and all landowners desiring District approval.

FINANCIALLY:

- Initial cost of nutrient management planning is negligible when considering costs of inefficient farm management, over application of nutrients, and pollution events.
- Cost share funding is available.
- Nutrient Management Plans may be required by some financial institutions and agencies to qualify for agricultural loans.
- Nutrient Management Plans are required by USDA-NRCS for any technical assistance when the practices involve manure.

REALISTICALLY:

- Government regulations concerning nutrient management are becoming more stringent with air emissions and odor now being addressed.
- The Lebanon County Conservation District requires an "Act 38 level" of planning for all programs and permits. This level of planning better protects our natural resources, and benefits landowners, operators, and private planners through consistency in program management.
- Limited liability protection is afforded to operators with an approved Act 38 nutrient management plan that can show through record keeping that they are following their plan. These plan holders are regularly subject to status reviews to document that the proper records are being maintained and the plan is being followed.

WHAT SHOULD I DO?

- **DEVELOP AND IMPLEMENT AN "ACT 38 LEVEL" NUTRIENT MANAGEMENT PLAN**
 - **Plan Development Incentive Program (PDIP)**– Receive cost-share assistance to offset your plan development costs
 - **Legal Protection** – Benefit from limited liability protection – implementing a plan and having the records to show this may protect you from lawsuits pertaining to nutrient management.
- **TAKE SOIL TESTS AT LEAST EVERY THREE YEARS**
 - *Even if an Act 38 level NMP is not sought, soil testing is imperative to good crop management and will reduce the chances of detrimental long term build-up of nutrients.*



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