
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 634 Session of
2019

INTRODUCED BY YAW AND LAUGHLIN, MAY 13, 2019

REFERRED TO AGRICULTURE AND RURAL AFFAIRS, MAY 13, 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.

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

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

8 PART V

9 SOIL AND CONSERVATION

10 [(Reserved)]

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

13 CHAPTER 31

14 CONSERVATION EXCELLENCE GRANT PROGRAM

15 Sec.

16 3101. Definitions.

17 3102. Establishment.

18 3103. Administration of program.

19 3104. Application guidelines.

1 3105. Grants, loans and tax credits.

2 3106. Project certification.

3 3107. Criteria for evaluation of applications.

4 § 3101. Definitions.

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

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

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

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

19 "USDA-NRCS." The United States Department of Agriculture
20 Natural Resources Conservation Service.

21 § 3102. Establishment.

22 The Conservation Excellence Grant Program is established
23 within the commission.

24 § 3103. Administration of program.

25 The commission shall administer the program for the purpose
26 of providing technical and financial assistance to farmers and
27 landowners for the implementation of high-quality best
28 management practice projects in high-priority locations within
29 this Commonwealth through a combination of grants, loans and tax
30 credits as authorized under section 4(7) of the act of May 15,

1 1945 (P.L.547, No.217), known as the Conservation District Law.
2 § 3104. Application guidelines.

3 The commission shall establish guidelines for the approval of
4 applications for eligible projects under the program.

5 § 3105. Grants, loans and tax credits.

6 (a) Awards.--The commission may award grants, loans or tax
7 credits to applicants for eligible projects that the commission
8 determines will further the purpose of the program.

9 (b) Appropriation.--The amount of \$2,500,000 is appropriated
10 to the commission for the purpose of awarding grants under this
11 section.

12 (c) Loans.--Loans under this section may be awarded through
13 the Agriculture-Linked Investment Program or any other loan
14 program approved by the commission.

15 (d) Tax credits.--Tax credits under this section may be
16 awarded through the Resource Enhancement and Protection Tax
17 Credit Program.

18 § 3106. Project certification.

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

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

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

1 § 3107. Criteria for evaluation of applications.

2 In approving applications for eligible projects under the
3 program, the commission shall give priority to applications
4 based upon the following criteria and this order:

5 (1) Priority locations as follows:

6 (i) Counties designated by the Department of
7 Environmental Protection as Tier 1 Chesapeake Bay
8 counties.

9 (ii) Counties designated by the Department of
10 Environmental Protection as Tier 2 and 3 Chesapeake Bay
11 counties.

12 (iii) All other counties.

13 (2) Priority practices as follows:

14 (i) Livestock exclusion fencing.

15 (ii) Stream-side buffers.

16 (iii) Streambank restoration.

17 (iv) Barnyard and feedlot runoff abatement.

18 (v) Stream crossings.

19 (vi) Off-stream watering.

20 (vii) Manure storage facilities.

21 (viii) Nutrient management plans and manure
22 management plans.

23 (ix) Agricultural erosion and sedimentation plans.

24 (x) Any other priority practices approved by the
25 commission.

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

1 (4) The extent to which an applicant is willing to
2 accept a reasonable mix of grants, loans and tax credits in
3 that order, or to supply nongovernmental matching funds for
4 the project.

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

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