**YEARLY PLAN SUBMISSION or PLAN UPDATE *[chose one]* DEFICIENCY LETTER**

Date \_\_\_\_\_\_\_\_\_\_\_

Operator Name

Farm Name (*if used in NMP*)

Operator address

Operator address

Dear Mr. / Mrs. / Ms. \_\_\_\_\_\_\_, *[Operator’s Name]*

Your current approved Nutrient Management Plan (NMP, or plan), (planned for crop year (s) *[Date4]* was approved on *[Date5].* On[Date2] *[Name1]* County Conservation District (\_\_CCD, or District) received the proposed Nutrient Management Plan (NMP) *Yearly Plan Submission or Plan Update* [CD chose the appropriate document submitted], for your animal operation located at *[Address3]*. This *Yearly Plan Submission or Plan Update* [CD chose the appropriate document submitted] seeks to extend your current NMP approval through crop year *[Date6],* expiring on *(Date7).*

*[Name1]* has performed an administrative review on this *yearly plan submission or plan update* [CD chose the appropriate document submitted] and because of deficiencies, has determined that it does not meet program requirements outlined in the Pennsylvania Nutrient Management Technical Manual. Therefore ***this letter serves to acknowledge that your submitted yearly plan submission or plan update*** [CD chose the appropriate document submitted] ***has not been accepted as submitted, and consequently will not extend the life of your NMP.***

I have completed the review of your submitted *yearly plan submission or plan update* [CD chose the appropriate document submitted] and have identified the following issues that appear to be in conflict with the Nutrient Management Act program standards.

1. List the first issue (page #)
2. List the second issue (page #)
3. List the third issue (page #), etc.

Please address each of these issues by either submitting a revision to the plan addressing these concerns, or by indicating how you believe the current element in the plan does indeed conform to program standards.

**OR**

Based on obtained information, significant changes from the current approved NMP have been identified. These changes, as listed below, and described in 83.371 of the Act 38 Rules and Regulations, trigger the requirement of a formal plan amendment. Act 38 requires Concentrated Animal Operations (CAOs) and Concentrated Animal Feeding Operations (CAFOs) [CD to choose only those that are appropriate]to have a current approved plan at all times, therefore your Plan Amendment will need to be submitted to the district within 30 days, or by (date7) *[May be eliminated if a plan amendment is not needed].*

1. Greater than 10% Increase in animal equivalent units per acre.

2. Change in crop management that results in a reduction of greater than 20% in nitrogen necessary for realistic expected crop yields or the amount the crops will utilize within one crop year.

3. Change in excess manure utilization arrangements as described in the approved plan. (Example: Manure exported to a broker instead of exported to known landowners.)

a. No amendment is required to address the loss of an importer if the loss does not impair the operator’s ability to properly manage the manure generated on the operation

b. No amendment is required to address the addition of a new importer if the operator submits the nutrient balance sheet and signed agreement required by this subchapter to the delegated conservation district overseeing the exporting farm, prior to the transport.

4. If calculations in the plan as originally submitted are in error, or if figures used in the plan are inconsistent with the requirements of this subchapter, and adequate justification has not been given in writing for the inconsistency.

5. If a BMP different than that called for in the approved plan is proposed to address a manure management or stormwater management concern.

6. If after 3 years of implementing the plan, actual yields are less than 80% of the expected crop yields used in development of the plan.

7. If alternative organic nutrient sources will replace or augment nutrient sources described in the plan.

8. If additional land is brought into the operation through purchase, lease or renting.

9. If there is a change in the management system that is expected to result in a different nutrient content that requires a change in manure application rates under § 83.293 (relating to plan implementation).

10. If a change in manure application is necessary based on the reevaluation of potential phosphorous loss as part of the triennial review under § 83.362(c)(related to plan implementation).

*[These triggers need to be farm- specific. Only list those triggers that will cause the need for a plan amendment, deleting those triggers that are non-applicable]*

I am [or District Manager (Name) is] available to discuss any of the concerns identified above either on the phone, email, or in person in order to facilitate finalization of this update. Please feel free to call me at \_\_\_\_\_\_\_\_, or email at \_\_\_\_\_\_\_\_\_\_\_\_\_.

Sincerely’

Name 8

Name 1

Title

cc: Author of plan

Michael Aucoin, SCC *(if author is provisionally certified)*

*Name1 =Your conservation district name, first written out, then abbreviated thereafter (ex. Adams County Conservation district (ACCD)*

*Date 2 = Date yearly plan submission or plan update was received by the CD*

*Address 3 =Site address (minus) the state and zip code)*

*Date 4 = Crop year for which current NMP was planned (October, 20\_\_\_\_- September 30, 20\_\_\_*

*Date 5= Date your BOD took action on the current approved NMP.*

*Date 6 = Crop year planned under submitted yearly plan submission or plan date update.*

*Date 7 = Date yearly plan submission or plan update will expire. End of last crop year covered in plan. September 30, 20\_\_\_)*

*Name 8* = *preferably this would be the reviewer of record. However, it could also be a district manager, or board chairman.*