

PENNSYLVANIA'S AGRICULTURAL PLANNING REIMBURSEMENT PROGRAM

Frequently Asked Questions

1. Are Act 38 Nutrient Management Plans eligible?

a. Yes. All act 38 NMPs are eligible; new plans, amendments, and crop year updates, as long as they were submitted on or after January 1, 2017. Since new and amended NMPs must be reviewed and approved, they must have been submitted for review on or after January 1, 2017. Because they've already been reviewed and approved, a copy of the Act 38 approval letter and paid invoice are all that's needed for reimbursement for Nutrient Management Plans.

2. Are Act 38 crop year updates eligible?

a. Yes, as long as the crop update was developed after January 1, 2017. For Crop Year Updates, the update's date of development and submission must be on or after January 1, 2017 to be eligible, since there is no formal approval process for Crop Year Updates.

3. Are plans written by Conservation District, for which a fee was paid, eligible for the program?

a. Yes, as long as there is a proof of payment such as an invoice or receipt.

4. Are plans developed or reviewed as a result of an inspection eligible for reimbursement?

a. Yes, as long as the plan was developed after January 1, 2017. If the plan was developed or reviewed by the county conservation district or DEP regional office, you only need to provide proof of compliance/completeness/approval and a paid invoice or receipt for reimbursement.

5. If I received money for plans from another cost sharing program can I apply for this Program?

a. No.

6. Can large farms break down Ag E&S/Conservation planning into multiple plans to be reimbursed individually?

a. Yes. Ag E&S Plans/Conservation Plans may be developed separately, specifically for those operations with multiple tracts and multiple landowners, as the landowner and operator are jointly responsible to have and implement the plan. The farmer will be reimbursed based on the calculations of \$500 for the first 50ac + \$10/ac above 50 acres with a maximum of \$1500/plan or whatever he paid for the plan, whichever is less.

7. If a farm has Ag E&S plans on most of their tracts, but needs them on a few newer tracts, can the program be used on the newer tracts or must all tracts be included?

a. Yes. The program can be used just for the newer tracts, as long as the existing plans still meet the requirements of Chapter 102.

8. If a farm has a manure management plan, but needs to update it for new ground or new manure sources, can the program be used to update existing MMPs?

a. Yes. The program can be used to update existing plans, if the existing plans no longer accurately reflect the management/scope of the operation and/or do not meet the requirements of Chapter 91.

9. Can the reimbursement be assigned directly to the consultant/plan writer?

a. No. The payment must be distributed to the farmer.

10. Can consultants or plan writers, other than Team Ag and Larson Design, develop plans for reimbursement under this program?

a. Yes. While both Larson Design and Team Ag may develop plans for farmers, they have been contracted under this program to review plans submitted for reimbursement to ensure the plans are administratively complete.

11. What is “proof of completeness” and how should it be provided to Team Ag and Larson Design if they are not doing the administrative review of the plans?

a. For Act 38 purposes, a District (or SCC) approval letter will need to be provided in order for the plan(s) to be reimbursed. This way, the plans are verified to meet the standards. The farmer or operator will be responsible for providing this information to the coordinator.

b. An inspecting entity (District or DEP regional office) performs an administrative completeness review of plans provided by the farmer as part of an inspection in order to ascertain that the operation is in compliance with planning requirements. When the administrative completeness review ascertains that planning requirements are met, a completeness letter verifying that the plans meet administrative requirements is sent to the farmer from the inspecting entity. This letter, from the inspecting entity stating that the farmer meets the planning obligations, will be sufficient proof of completeness in order for the plan(s) to be reimbursed. The farmer or operator will be responsible for providing this information to the coordinator.

c. On a case by case and limited basis, it may sometimes be appropriate for Team Ag or Larson Design Group to ask the inspecting entity to confirm via email that the inspecting entity has reviewed the plans and if the plans are considered complete, or to provide a copy of the letter sent to the farmer. A simple emailed response from the District would be sufficient enough to verify that the plans meet those requirements.

12. Is the reimbursement money considered taxable income?

The reimbursement may be taxable if the amount is \$600 or more. If the reimbursement amount is \$600 or greater, a W9 form may need to be filled out by the recipient and returned to the program coordinator. Please consult with your accountant or tax advisor and make sure that you provide the program coordinators with the appropriate form. If applicable, the program coordinator will send the recipient a 1099 form for 2018 tax accounting purposes.