

# MINUTES

## AGRICULTURAL ADVISORY BOARD MEETING

October 27, 2016

DEP South-Central Regional Office  
909 Elmerton Avenue, Harrisburg, PA

### In Attendance – Members

William Neilson, PA Farm Bureau  
Brenda Shambaugh, PA Association of Conservation Districts  
Jennifer Reed-Harry, Penn-Ag Industries  
Judi Radel, PA Farmers Union  
Darwin Nissley, Livestock Farmer  
Walter Moore, Dairy Farmer  
Christopher Uhland, Ornamental Horticulture  
Matt Royer, Penn State University  
JV Lamb, PA State Grange  
Matt Matter, Grain Producer  
John Stefanko, Executive Deputy Secretary, DEP  
Greg Hostetter, Deputy Secretary, PA Dept. of Agriculture  
Susan Marquart, PA USDA, Natural Resources Conservation Service

### In Attendance - Agencies, Advisors, and Guests

David Scott, Bur. of Plant Industry, PA Dept. of Agriculture  
Marel King, Chesapeake Bay Commission  
Peter Hughes, Red Barn  
Greg Robertson, Pennsylvania Landscape and Nursery Association  
William C. Fink, CVVF  
Kelly O'Neil, Chesapeake Bay Foundation  
Donald McNutt, Center for Dairy Excellence  
Ron Ohrel, Mid-Atlantic Dairy Assoc.  
Mark Richards, Wojdak Assoc.  
Caitlin Glazier, PA Dept. of Agriculture  
Frank Schneider, State Conservation Commission  
Debbie Jennings, DEP  
Hayley Jeffords, Policy Office, DEP  
Steven Taglang, DEP Bureau of Clean Water  
Tom Juengst, DEP Bureau of Clean Water

The meeting of the Agricultural Advisory Board (AAB) was called to order by William Neilson at 9:05 a.m.

Members of the AAB introduced themselves, as did the other meeting attendees.

**Legislative Update** – Marel King provided more details on House Bill 2114 (and Resolution 908) to enact a water resource use fees and noted that it will have to be reintroduced in the next legislative session. The bill would charge (1/10th of a cent per gallon) on daily water withdrawals in Pennsylvania over 10,000 gallons. Non-consumptive uses (i.e. water that gets returned) would have a fee of 1/100th of a cent per gallon. This bill could generate up to \$245 million annually, but it does not outline spending for these funds. Agriculture and municipalities

would be exempt. Some of the funds could go to agricultural BMPs, such as under Senate Bill 1347 that was introduced to cover funding of a Growing Greener 3 initiative. Another proposal for use of these funds is an Agricultural Conservation Excellence Program (ACEP) to provide financial and technical assistance to county conservation districts for implementing BMPs. A Pennsylvania Senate joint hearing on October 18 mentioned support for the ACEP and providing large funding amounts to address over \$300 million in estimated agricultural water quality needs.

Deputy Secretary Hostetter mentioned that HB 1103 on high tunnels is still being considered to provide stormwater exemptions and designating them as being temporary structures.

**Meeting Minutes** – The AAB approved the April 28, 2016 and June 23, 2016 meetings minutes.

**Election of the Chair and Vice-Chair for 2017** – Christopher Uhland was elected as the chair for the AAB for 2017 and JV Lamb was elected to be Vice-Chair for 2017.

**Assignment of Meeting Dates for 2017** – The AAB approved the fourth Thursdays as meeting dates for 2017, except for the third Thursday for the December meeting. The dates are February 23, April 27, June 22, August 24, October 26, and December 21. The time and location are set as 9 AM at the Susquehanna Room B of the DEP South-Central Regional Office.

**Update on Standard Animal Weights under Chapter 83** – Frank Schneider, Director, Nutrient & Odor Management Programs, State Conservation Commission covered updating the standard animal weights table used for plans under the Act 38 Nutrient Management Program. Mr. Schneider said the proposed weights came from the animal group experts at Penn State. This effort will have a 60-day comment period and include input from the AAB. The AAB set-up a six-member workgroup to provide more detailed input on this and set a workgroup meeting date of November 9. There was a comment to have the updates phased in so that all the plans would not be changed at once, which could overwhelm the planning and review processes.

**Industrial Hemp, Act 92 of 2016** – David Scott, Chief, Division of Health and Safety, Bureau of Plant Industry, PA Dept. of Agriculture covers the initial efforts to implement this law. This law allows for industrial fiber or seed production of hemp, which has THC levels less than 0.3% and it is separate from medical marijuana. The program stems from Section 7606 of the 2014 Farm Bill and enables institutions of higher education or state departments of agriculture to conduct research and to contract with farmers. Mr. Scott said there is moderate private interest to provide money for this and a program is planned to be ready for planting in the 2017 season.

**Chesapeake Bay Ag Inspections** – Steven Wm. Taglang, Chief, Division of TMDLs and Stream Restoration, DEP Bureau of Clean Water reviewed the progress being made on annually inspecting 10% of the farming operations in the Chesapeake watershed. Mr. Taglang covered how these inspections are part of an overall Chesapeake Bay effort, the training conducted for DEP and Conservation District (CD) staff, and Standard Operating Procedures that have been developed for the inspections. Twenty-nine CDs in the drainage are conducting the inspections and eight are not. DEP and EPA will conduct inspections in nonparticipating counties.

**CAFO NPDES General Permit 12 Status** – Steven Wm. Taglang notified the AAB that DEP will again be initiating the process of drafting, presenting and gaining EPA approval of the PA CAFO NPDES General Permit 12. The input from the AAB was very helpful with previous CAFO General Permit renewals. This general permit has a five-year period of coverage that will expire March 31, 2018. Winter spreading of manure was a major issue during the last approval of this permit and a winter spreading reporting form was instituted to address this issue. For last winter, 35 winter spreading notifications were filed. Also, a reminder letter on winter spreading and Annual Report requirements has been sent out to all permitted CAFOs.

**Board/Public Comments/Concerns –**

There being no additional discussions, the meeting was adjourned at 11:55 a.m.

The next meeting is set for Thursday, December 22, 2016 at 9 AM, in Susquehanna Room B of the DEP South-Central Regional Office.