



DEPARTMENT OF ENVIRONMENTAL
PROTECTION'S AGRICULTURAL ADVISORY
BOARD AND STATE CONSERVATION
COMMISSION'S NUTRIENT MANAGEMENT
ADVISORY BOARD

DUTIES AND RESPONSIBILITIES

AUGUST 16, 2018

JOINT MEETING

INTRODUCTION AND PURPOSE

- Two distinct Boards
- Two different legal mandates
- Similar duties and functions
- Areas or overlap and interaction

DEPARTMENT OF ENVIRONMENTAL PROTECTIONS (DEP) AGRICULTURAL ADVISORY BOARD (AAB)

- DEP AAB was initially formed with Act 11 of 1993 and reaffirmed with Act 220 of 2002 (Water Resource Planning)

DEP AAB MEMBERSHIP

- 20 voting members and 4 ex-officio members
 - Represents all aspects of Agricultural Industry
- PA Farm Bureau; PA State Grange; PennAg Industries Association; PA Farmers Union.
 - Dairy producer; Livestock producer; Poultry producer; Grain producer; Fruit producer; Vegetable producer (Governor appointments)
 - Ornamental horticultural industry; Producer engaged in sustainable agriculture; Agricultural chemical manufacturers industry; Agribusiness industry. (Governor appointments)
 - PA Association of Conservation District Directors and The Pennsylvania State University.
 - Federal Farm Service Agency and the Federal Natural Resources Conservation Service., ex-officio.
 - Representatives of the Department of Agriculture and the Department of Environmental Protection. Each department shall name a deputy secretary to represent it, ex-officio.
 - The chairman and the minority chairman of the Agriculture and Rural Affairs Committee of the Senate or their designees and the chairman and the minority chairman of the Agriculture and Rural Affairs Committee of the House of Representatives or their designees to represent the General Assembly.

DEP AAB DUTIES

- The board shall have the following powers:
 - (1) Provide advice and expertise to the DEP secretary regarding the nature of agriculture in this Commonwealth.
 - (2) Assist the secretary and provide written comments on new departmental policy that will impact upon agriculture in this Commonwealth.
 - (3) Assist the secretary and provide comment on regulatory proposals pursuant to section 704 (relating to review of regulations).
 - (4) Provide comment to the secretary regarding existing departmental policy and regulations affecting agriculture in this Commonwealth.
- The board shall have 120 days to provide comments

DEP AAB FUNCTIONS

- DEPs AAB looks at all DEP regulations that have an affect on Agriculture, per their charge
- Other agencies uses the AAB as a “sounding board” for several agricultural related topics that may or may not be specific to DEP regulations or under DEP’s authority.
- Example include:
 - Spotted Lanternfly update – Pennsylvania Department of Agriculture (PDA) program
 - Environmental Stewardship Recognition Program – PDA Program
 - Poultry Avian Influenza Update – PDA Program
 - PaOneStop – multiagency and PSU initiative, none regulatory

STATE CONSERVATION COMMISSION (SCC) NUTRIENT MANAGEMENT ADVISORY BOARD (NMAB)

- SCC NMAB was initially formed with Act 6 of 1993 and reaffirmed with Act 38 of 2005 (ACRE)

SCC NMAB MEMBERSHIP

- 16 voting members appointed by SCC Chairperson
 - Ex-officio advisors as the commission sees fit
- Five active commercial farm owners or operators representing the livestock, swine, meat poultry, egg poultry and dairy industry nominated by Statewide general farm organizations
- Veterinary nutrition specialist; Feed industry; Fertilizer industry; Commercial agricultural lenders; Local government; Hydrologist; Two citizen representatives who are not farmers; Environmental representative
- Representative of academia who shall be an agronomist or plant scientist faculty member of the school of agriculture of a Pennsylvania college or university
- one representative of academia who shall be an animal science faculty member with an expertise in odor management from a school of agriculture of a Pennsylvania college or university

SCC NMAB DUTIES

- Act 38 enabling legislation states the following for the duties of the NMAB.

“The board shall review and comment on all commission proposed regulations, the interim guidelines under section 504(2) (relating to powers and duties of commission) and the interim criteria under section 504(5) developed to implement the provisions of this chapter. The commission shall have no power to promulgate regulations, interim guidelines or interim criteria under this chapter until receipt of written comments on the proposed regulations, guidelines or criteria from the board or until 60 days have expired from the date when the regulations, guidelines or criteria were submitted by the commission to the board for its comments. Existing regulations, guidelines and criteria shall continue until modified, superseded or repealed by the commission.”

SCC NMAB FUNCTIONS

- Similar to the charge of the DEP ABB, the SCC uses the NMAB as a “sounding board” for several agricultural related topics that may or may not be specific to Nutrient Management or regulations that are under the SCC’s authority.
- Example include:
 - Concentrated Animal Feeding Operation (CAFO) General Permit (GP) – DEP Program
 - Chesapeake Bay Program (CBP) Inspection Program – DEP program
 - Manure Hauler and Broker Program - PDA Program
 - Environmental Stewardship Recognition Program – PDA Program
 - Poultry Avian Influenza Update – PDA Program

DEP AAB AND SCC NMAB OVERLAP

- SCC's Nutrient Management Regulations are codified under the DEP Code
- SCC presents major program changes, such as animal weights, to both the DEP AAB and SCC NMAB
- SCC presents program changes, such as technical manuals, only to the SCC NMAB
- DEP presents program information to the SCC NMAB, on programs and initiatives that effects NM or other animal related agricultural initiatives, so the SCC NMAB can provide sound advice

QUESTIONS

The image features a blue gradient background with white circuit-like lines in the corners. These lines consist of straight paths that branch out and terminate in small circles, resembling a stylized PCB or network diagram. The lines are located in the top-left, top-right, bottom-left, and bottom-right corners.