



Pennsylvania
Department of
Environmental Protection

**Agricultural Advisory Board (AAB)/Nutrient Management
Advisory Board (NMAB) Joint Meeting
Meeting Minutes | August 21, 2024 9:00 AM – 12:00 PM**

DEP Southcentral Regional Office – Susquehanna Room A/B and Microsoft Teams

Welcome & Introductions – Grant Gulibon, Chair

Bob Haines conducted a roll call of AAB members; 4 of the 10 voting members were present. He noted the absence of a quorum.

Members present:

Chair Grant Gulibon, Vice-chair Christopher Uhland, Jennifer Reed-Harry, Brenda Shambaugh Destiny Zeiders, Bevin Buchheister*, Greg Hostetter*, and Tim Peters*

Members absent:

Lynn Dietrich, Matt Royer, Kerry Golden, Lily Guthrie, William Evans, and James Gillis*

**Non-Voting Member*

Review & Approval of Previous Meeting Minutes (Action) – Grant Gulibon, Chair

A quorum could not be established. No action taken.

Legislative Update – Destiny Zeiders

House

Destiny Zeiders shared that the House and Senate Agriculture & Rural Affairs committees held a joint informational meeting on On-Farm Conservation on August 14th. The House is back in session on 9/23; Senate back on 9/16.

Senate

Lily Guthrie was not present. No updates were shared.

**PAG-02 NPDES GENERAL PERMIT REISSUANCE (Informational) – Krystal Bloom,
Environmental Group Manager, DEP Bureau of Clean Water**

Krystal Bloom provided an informational presentation on the proposed revisions for the reissuance of the National Pollutant Discharge Elimination System (NPDES) General Permit (PAG-02) for Discharges of Stormwater Associated with Construction Activities.

Jennifer Reed-Harry asked for clarification on conditions that would necessitate a PAG-02. Krystal replied that as long as the activities meet the eligibility requirements, they should obtain a permit; if it involves a special protection watershed, for example, it may require an individual permit. Jennifer asked who would be responsible for performing inspections. Krystal stated that the Districts are required to conduct an inspection within 35 days of construction commencement. Grant Gulibon asked what the next steps were. Krystal stated that it would be published as final by the end of August, with renewal NOIs due by December 7th. Brenda Shambaugh asked how many times Districts would have to perform an inspection. Krystal advised that they are only required to do an inspection once, unless a complaint was initiated.

Food Processing Residual (FPR) Work Group and Final Report Update (Requested) – High Garst, Acting Director, DEP Policy Office, and Larry Holley, Director, DEP Bureau of Waste Management

High Garst and Larry Holley provided an update on the FPR workgroup and final report. The Department, along with the Pennsylvania Department of Agriculture (PDA), received a number of complaints related to FPR, with the most common complaints related to odor and concerns regarding potential threats to drinking water sources. As a result of these complaints, DEP and PDA assembled a workgroup of stakeholders to address concerns related to FPR storage and land application. The group discussed the current status and concerns of the use of FPR in Pennsylvania, evaluated the efficacy of the FPR Manual in addressing existing concerns, and proposed solutions to enhance the management of FPR land application and storage at agricultural operations.

Jennifer Reed-Harry expressed her approval and gratitude for the efforts of the workgroup. Jennifer requested elaboration on interstate concerns. High shared that some of the concerns raised were due to interstate transport of FPR and that the application of waste was done without the observance of regulatory protocols. Bevin Buchheister asked if there was any difference in seasonal application requirements in comparison with surrounding states. Larry acknowledged prior situations that required attention to ensure protocols were adhered to. Doug Wolfgang thanked High for his work and affirmed his support for FPR as a sound Ag practice that has a nutrient value, while recognizing the need for the implementation of reasonable safeguards. Brook Duer echoed Jennifer and Doug's sentiments in praising High. Brook added that he has reached out to relevant parties to organize a multi-state summit to foster collaboration and counterparts in Maryland have agreed to its utility. High answered questions from unidentified commenters, stating that he did not have any insights on whether HB 2393 would pass and advised that under the current FPR Manual, materials should be characterized prior to having a valid Land Application System (LAS) plan. Jaclyn Fiola from Delaware Valley University requested a point of contact for issues with slaughterhouse waste; Larry shared his contact information.

eReporting System for the Submission of the Concentrated Animal Feeding Operations (CAFO) Annual Report (Informational)– Kate Bresaw, Environmental Group Manager, DEP Bureau of Watershed Restoration and Nonpoint Source Management

Kate Bresaw provided an informational presentation on the background of EPA's eReporting Rule, the goals of the eReporting System, the project timeline, eReporting System basics, and DEP's 2024 Outreach Strategy for the soft release of the eReporting System for all CAFOs reporting on the crop year. The eReporting System will comply with EPA's eReporting Rule and increase

workflow efficiencies for the CAFO and DEP reviewer. The eReporting system will be released to all CAFOs reporting on the crop year for voluntary use for the CAFO Annual Report covering crop year 2023-2024 on October 1st. The current timeline with a tentative mandatory use for all CAFOs reporting on the crop year of 2024-2025 is in compliance with the EPA deadline of December 21, 2025.

Evan Fitzpatrick with Country View Family Farms participated in the pilot study and suggested that the requirement of having hard copies of the annual report should be noted and included in the training. Amber Fink with Rosetree Consulting mentioned that careful consideration should be given to accommodate individuals who are not technologically savvy and may not have the patience for access issues. Jennifer Reed-Harry requested clarification on who would need to be responsible for the Trading Partner Agreement (TPA). Kate advised that the form that required completion as part of the workflow in establishing roles and is done by the individual as they are establishing their role. Jennifer asked Kate to share a copy of the notification letter. Attendees shared potential obstacles for those reporting in meeting the cited deadlines.

PAOnesStop Demonstration (Requested) – Jennifer Weld, Ph. D., Penn State Extension

Jennifer Weld, Ph. D., provided a demonstration of PAOneStop. PAOneStop provides reliable online mapping and planning tools to help farmers meet requirements for Agricultural Erosion and Sedimentation Control Planning, Manure Management Planning, and Nutrient Management Planning.

Doug Wolfgang requested clarification on the relationship between PAOneStop and PracticeKeeper. Dr. Weld advised that currently, there was no connection between those tools but confirmed that there have been discussions regarding this and that it is an area of interest. Rich Huether asked if there were plans to update the background photos to more recent photos; Dr. Weld confirmed that this was currently in the works and advised that the migration process would be complete by fall.

Nutrient Management Planning Spreadsheet Revision and Nutrient Balance Sheet Spreadsheet Revision (Action) – Don Orner, Penn State

Don Orner of Penn State Extension gave an overview of the changes that are being proposed in the Nutrient Management Planning Spreadsheet Revision Version 10.0 and the Nutrient Balance Sheet Spreadsheet Revision Version 8.0. Major version updates occur whenever there a change that is substantially different from previous version and/or the same input will generate a different output. A major version update to the spreadsheets will coincide with Nutrient Management Technical Manual updates or record of changes.

These versions 10.0 and 8.0 updates for their respective spreadsheets are primarily to fix an error that occurred in the ammonium Nitrogen availability factor for Late Fall/Winter – Next summer use after unharvested cover crop. The incorrect availability factor was using 0.00 when it should have been using 0.50. Pushing these major version updates ensures that everyone is using the most correct and up to date spreadsheets moving forward.

Due to a lack of quorum, this agenda item could not be voted on. There was no objection to these changes so this will move on to the State Conservation Commission at their September meeting for action.

Nutrient Management Technical Manual Record of Change (Action) – Brady Seeley, State Conservation Commission

Brady Seeley of the SCC requested action to make a recommendation to the SCC version 12.1 Record of Change of the Pennsylvania Nutrient Management Program Technical Manual.

The current version (Version 12.0) of the Tech Manual was released in October 2021. A record of change to the Tech Manual occurred in October 2023 to address minor updates to the Tech Manual and to accommodate a major version revision of the Nutrient Management Plan Spreadsheet Template Version 9.0 and Nutrient Balance Sheet Spreadsheet template Version 7.0. Since that time, two minor updates to the NMP Spreadsheet template have occurred bringing it to Version 9.2 and two minor updates to the NBS Spreadsheet template bringing it to Version 7.2.

Version 10.0 of the NMP Spreadsheet template and Version 8.0 of the NBS Spreadsheet template will take those minor updates and require NMPs submitted for Crop Years 2026 and beyond to use the most complete and accurate template.

Due to a lack of quorum, this agenda item could not be voted on. There was no objection to these changes so this will move on to the State Conservation Commission at their September meeting for action.

If approved by the SCC, final document processing will occur, and the Technical Manual 12.1 Record of Change will have a release date of October 2024 and an effective date for NMPs submitted for Crop Year 2026 and beyond.

Nutrient Management Administrative Manual Record of Change (Action) – Brady Seeley, State Conservation Commission

Brady Seeley of the SCC explained that action on a Nutrient Management Administrative Manual Record of Change will not occur at this meeting but will be asked for at a later meeting date. The Nutrient Management Administrative Record of Change will be primarily for incorporating DEP's new ag compliance strategy. Kate Bresaw explained that DEP is looking to standardize their guidance for ag compliance and complaint response.

Public Comment – Grant Gulibon, Chair

No public comments were offered virtually or in-person.

General Discussion/Agenda Topics Request – Grant Gulibon, Chair

No suggestions were offered. Bob Haines encouraged Board members to submit requests by email

Adjourn – Grant Gulibon, Chair

A quorum was not established. The meeting ended at 11:28 a.m.

Next Meeting: Wednesday, October 16, 2024

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