



Agricultural Advisory Board (AAB) Meeting **Meeting Minutes | December 13, 2023 9:00 AM – 12:00 PM**

PA Fish and Boat Commission Building – Susquehanna Room and Microsoft Teams

WELCOME & INTRODUCTIONS – Grant Gulibon, Chair

Grant Gulibon, Chair, called the meeting to order. Bob Haines conducted a roll call of AAB members. 6 of the 11 voting members were present, which constituted a quorum.

Members present:

Chair Grant Gulibon, Lynn Dietrich, Brenda Shambaugh, Mark Buckwalter (in for Tim Peters) *, Jennifer Reed-Harry, John Ryder (in for Bevin Buchheister) *, Matt Royer, Greg Hostetter*, and Destiny Zeiders

Members absent:

Vice-chair Christopher Uhland, Nathan Clark, William Evans, Kerry Golden, James Gillis*, and Darwin Nissley

*Non-Voting Member

REVIEW & APPROVAL OF PREVIOUS MEETING MINUTES – Grant Gulibon, Chair

Motion: Lynn Dietrich made a motion to approve past meeting minutes from March 15, 2023, June 22, 2023, July 18, 2023 special meeting, August 23, 2023, and October 19, 2023. Brenda Shambaugh seconded the motion. All voting members present voted to approve the past meeting minutes.

LEGISLATIVE UPDATE – Destiny Zeiders

Destiny Zeiders reported that the House and Senate were still in session and anticipates they will be in session again on Thursday and Friday to address items regarding the fiscal code.

PAG-12 UPDATE NPDES GENERAL PERMIT FOR OPERATION OF CONCENTRATED ANIMAL FEEDING OPERATIONS (CAFOs) – Kate Bresaw, Bureau of Watershed Restoration and Nonpoint Source Management

Kate Bresaw stated that there had been a request to share the training slides that were previously provided to DEP staff. Ms. Bresaw advised that the requested information was supplied in meeting packets that were given to members present. Ms. Bresaw reported that the referenced live training was provided to DEP staff on the RPA (Reasonable Potential Analysis) spreadsheet tool on

September 7, 2023. DEP staff who attended the training were asked to provide feedback to see how the training could be enhanced to meet their needs. Feedback received was applied to the final web-based web training, which was posted to DEP's Pennsylvania Clean Water Academy website on October 30, 2023. This on-demand learning is available to all DEP staff; Ms. Bresaw advised that any new inspectors and permitting staff hired should be encouraged to take this training.

Ms. Bresaw also reported that the PAG-12 was published final on September 16, 2023, with January 1, 2024 as the effective date of the reissued PAG-12.

Ms. Bresaw advised that NOIs be submitted by December 31, 2023. She noted that existing PAG-12 permittees will maintain coverage under the extended permit and that DEP may not grant coverage under PAG-12 to new facilities until the final permit is reissued on January 1, 2024, in accordance with EPA policy.

Mr. Gulibon asked if there were any new permittee requests for individual permits during the time of the administrative extension. Ms. Bresaw will follow-up with her staff and provide that information to Mr. Gulibon. Mr. Gulibon asked if any renewals of the new permit were received; Ms. Bresaw stated they had received approximately a dozen.

PUBLIC COMMENT – Grant Gulibon, Chair

No members of the public were present. No comments were made.

GENERAL DISCUSSION, AGENDA TOPICS REQUEST, & 2024 MEETING DATES – Grant Gulibon, Chair

Mr. Gulibon announced that the 2024 meeting dates had been circulated to the appropriate parties. Bob Haines had sent calendar invitations prior to the meeting. Mr. Gulibon asked Jill Whitcomb if she could provide input on what potential agenda topics the board should expect in the coming months. Ms. Whitcomb stated that the *Manure Management Manual* was near completion and hoping to have it ready in February 21, 2024. She offered presenting a Chesapeake Bay program progress report for a future meeting and would review milestone commitments and future objectives.

Mr. Gulibon asked if Ms. Whitcomb could apprise the Board of any discussions looking beyond 2025, whether departmental, Chesapeake Executive Council (CEC), or anything other multi-state bodies whose work involve the Chesapeake Bay. Ms. Whitcomb briefed the Board on an action taken in 2022 by the CEC of the Chesapeake Bay Program, which are gubernatorial representatives; they charged the Principals' Staff Committee (PSC), which is comprised of the cabinet secretaries of the states and jurisdictions, to develop a report detailing the outcomes of the Chesapeake Bay Watershed Agreement. She explained that the Steering Committee is comprised of representatives from the Management Board and that the Management Board reports to the PSC. Ms. Whitcomb serves as a representative for the Management Board and on the Beyond 2025 Steering Committee. The Steering Committee is concurrently conducting an evaluation of the Chesapeake Bay Program and hopes to identify its faults, challenges, and opportunities, as well developing high-level topics.

Ms. Whitcomb serves as a co-lead in the Clean Water group and will provide priority initiatives and recommendations. She affirmed that there will be opportunities for external engagement and is researching how to coordinate this effort for maximum efficacy.

Ms. Whitcomb shared that there are three advisory committees that were formed by the CEC in the 1980s: the Local Government Advisory Committee, the Scientific and Technical Advisory Committee, and the Stakeholders' Advisory Committee. Ms. Whitcomb noted that Secretary Reading sent a letter in July requesting the formation of a fourth advisory committee. The Agricultural Advisory Committee is to serve in an advisory capacity to the CEC and would be considered Reaching 2025 and Beyond 2025. The goal would be to elevate the agricultural industry voice, with a focus on policy, in the Chesapeake Bay Program. The PSC discussed forming an action team that will identify the vision and membership for the Agricultural Advisory Committee, as well as create bylaws, and discuss other pertinent action items for consideration. The action team itself will be comprised of one representative per jurisdiction, with Doug Wolfgang serving as Pennsylvania's representative. Given the size and scope of this initiative, Ms. Whitcomb offered to give a more formal presentation at a future meeting.

Jennifer Reed-Harry asked how many seats would be allocated for each state within the advisory committee. Ms. Whitcomb responded that this is yet to be determined and that the action team will be identifying this.

Ms. Whitcomb shared that they're also going to be connecting with EPA and are looking to engage communities that have been historically underrepresented within the Chesapeake Bay Program. The ag sector is one of these areas and they will elicit feedback from AAB, particularly from smaller focus groups.

For future topics, Brenda Shambaugh suggested that it would be useful to have an overview of the Agriculture Conservation Assistance Program (ACAP) and an update on the funding that has been committed or spent.

Greg Hostetter would like to hear updates on DEP's permitting reform efforts, which Mr. Gulibon agreed with and the utility of an in-depth examination of the content of our regulatory structure. Mr. Gulibon had spoken to Interim Acting Secretary Jessica Shirley, who had suggested that the AAB could assist in identifying areas where recommendations on changes may have value, as well as insights on current regulations or statutes. Looking forward, Mr. Gulibon felt it may be beneficial to have this as an ongoing function of the Board as the Department continues its reform initiatives.

Bob Haines advised that he is still coordinating with relevant parties for more information on the Chesapeake Bay Foundation settlement with EPA and the States, as well as the large solar array projects as it relates to Chapter 102. Ms. Whitcomb stated this discussion should be led by EPA, since they are conducting these assessments. Ms. Shambaugh recommended, if coordinating with EPA regarding this topic, that it would be in the best interest to broaden the topic to EPA's future plans for their presence in Pennsylvania.

OFFICER ELECTIONS – Grant Gulibon, Chair

Mr. Gulibon stated a Chair and a Vice-chair needed to be elected for the next year and is hoping to receive nominations from the group. He is willing to serve one more year as Chair.

Motion: Ms. Reed-Harry made a motion to nominate Mr. Gulibon to continue another year as the Chair of AAB. Mr. Royer seconded the motion. All voting members present voted to approve Mr. Gulibon as the Chair of AAB for the upcoming year.

Motion: Ms. Shambaugh made a motion to nominate Christopher Uhland to continue as the Vice-chair of AAB for the upcoming year. Mr. Gulibon seconded that motion. All voting members present voted to approve Mr. Uhland as Vice-chair.

ADJOURN – Grant Gulibon, Chair

Motion: Ms. Shambaugh made a motion to adjourn the meeting. Mr. Gulibon seconded the motion. All voting members present voted to adjourn the meeting.