



Agricultural Advisory Board (AAB) Meeting

Meeting Minutes | April 17, 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. 6 of the 11 voting members were present, which constituted a quorum.

Members present:

Chair Grant Gulibon, Lynn Dietrich, Brenda Shambaugh, Matt Royer, Destiny Zeiders, Lily Guthrie, Bevin Buchheister*, Greg Hostetter*, and Tim Peters*

Members absent:

Vice-chair Christopher Uhland, Jennifer Reed-Harry, Kerry Golden, William Evans, Darwin Nissley, and James Gillis*

**Non-Voting Member*

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

Motion: Brenda Shambaugh made a motion to approve past meeting minutes from December 13, 2023, and February 21, 2024. Destiny Zeiders seconded the motion. All voting members present voted to approve the past meeting minutes.

LEGISLATIVE UPDATE – Destiny Zeiders

House

Ms. Zeiders did not have any new items to share.

Senate

Mr. Gulibon introduced Lily Guthrie, the new Executive Director of the Senate Agricultural and Rural Affairs Committee. Ms. Guthrie shared that the Senate was not in session this week but would reconvene on April 29th. She will provide updates at the next meeting.

PENNSYLVANIA'S 2023 CHESAPEAKE BAY PROGRESS UPDATE (Informational) – Jill Whitcomb, Bureau of Watershed Restoration and Nonpoint Source Management

Jill Whitcomb provided an informational presentation that offered a review of agriculture and local action support from the Department of Environmental Protection (DEP) and State Conservation Commission (SCC). Best management practice (BMP) reporting, as well as modeled and monitored nutrient and sediment reduction outcomes over the course of several years was discussed.

Mr. Gulibon noted that the Environmental Protection Agency (EPA) and the United States Department of Agriculture (USDA) formed a taskforce focused on finding ways to tally uncredited BMPs. He asked for a status update and if any of this has impacted reporting yet. Ms. Whitcomb advised that findings from the taskforce are innovations which are already employed and that there were still some challenges that needed to be overcome. Kate Bresaw agreed and added that moving forward would likely entail changes to existing statutes. Mr. Gulibon asked for an estimate on how much data was missing; Ms. Bresaw advised that a pilot study was conducted and will share its results.

MANURE MANAGEMENT MANUAL SUBSTANTIVE REVISION UPDATE (Informational) – Kate Bresaw, Bureau of Watershed Restoration and Nonpoint Source Management

Kate Bresaw provided an informational presentation on the substantive revision to the Land Application of Manure, a supplement to Manure Management for Environmental Protection (otherwise known as the Manure Management Manual). The land application of animal manures and agricultural process wastewater must follow the standards for development and implementation of a plan to manage nutrients for water quality protection using standards outlined in the Manure Management Manual unless the requirements described in 25 Pa. Code § 91.36(b) are met in another way, such as a permit or approval from DEP. The existing technical guidance document (TGD) was published in October 2011; Ms. Bresaw discussed the progress to date and identified the proposed changes in the final TGD, to be published in April 2024. .

Ms. Whitcomb recognized Ms. Bresaw’s extensive efforts in seeing this project to completion; the Board acknowledged this as an enormous undertaking and expressed their gratitude.

WATER QUALITY STANDARDS CLASS A REDESIGNATION (Informational) – Josh Lookenbill, Bureau of Clean Water

Josh Lookenbill provided a presentation regarding a proposed rulemaking, developed by the Bureau of Clean Water (BCW), which would update the designated uses for surface waters that have been classified as Class A Wild Trout waters by the Pennsylvania Fish and Boat Commission (PFBC). A surface water that has been classified as a Class A Wild Trout by the PFBC, based on species-specific biomass standards in 58 Pa. Code § 57.8a (relating to Class A wild trout streams), and following public notice and comment, qualifies for Department evaluation of the stream for High Quality designation. The proposed rulemaking is tentatively scheduled to be presented to the Environmental Quality Board (EQB) later this summer.

Mr. Gulibon asked if surface waters that have met the criteria for designation as High Quality were areas that were continuously monitored. Mr. Lookenbill said that while it is useful to have long-term data that demonstrates this, it does not necessarily have to be. He hopes to present this to the EQB as a proposed rulemaking; once given approval and the Board meeting date is scheduled, they will send notifications prior to the meeting. Mr. Gulibon was curious to know if this had any Ag impact. Mr. Lookenbill confirmed that agricultural activity in some locations have been exposed to special protection permitting requirements.

TRIENNIAL REVIEW OF WATER QUALITY STANDARDS – Josh Lookenbill, Bureau of Clean Water

Mr. Lookenbill provided a presentation regarding a final rulemaking that would fulfill the Commonwealth's obligation to periodically review and revise its water quality standards and updates the water quality standards such that the surface waters of this Commonwealth are afforded the appropriate level of protection. The Department previously presented the Draft Proposed Triennial Review of Water Quality Standards on December 8, 2022. The EQB adopted the proposed regulation on July 11, 2023. The 45-day public comment period closed on November 21, 2023 and the final rulemaking is tentatively scheduled to be presented to the EQB later this summer.

UPDATE: CHESAPEAKE BAY FOUNDATION VS. EPA SETTLEMENT AGREEMENT – EPA Representative, US EPA

Jessica Martinsen and Jennifer Fulton, representatives from the EPA, provided information regarding progress on the PA Conservation Assessment Initiative as part of the settlement agreement. In April 2023, EPA conducted agricultural site assessments to help identify and address pollutant discharges from animal ag operations in order to meet water quality objectives. The fifth site assessment is currently being planned and expected to be scheduled in late spring or early summer. Data collected was shared with DEP and evaluations are currently being developed from these reports. Once final, the evaluations will be shared first with DEP and then online.

Ms. Whitcomb thanked EPA for their support and collaboration with DEP and Conservation Districts. Bevin Buchheister asked if the EPA reports shared online will include DEP follow-up actions. Ms. Martinsen and Ms. Fulton agreed that it would be appropriate and will check into this.

PUBLIC COMMENT – Grant Gulibon, Chair

No public comments were offered virtually or in-person.

GENERAL DISCUSSION/AGENDA TOPICS REQUEST – Grant Gulibon, Chair

Evan Fitzpatrick expressed his appreciation for Ms. Bresaw for her effort and contribution.

Mr. Gulibon introduced Brady Seeley, Director of Nutrient and Odor Management Programs from the State Conservation Commission (SCC). Mr. Seeley provided an informal overview on the direction of a workgroup initiated by DEP and in conjunction with the Department of Agriculture,

as well as other agencies and interest groups. The taskforce will identify improvements to the Food Processing Residual (FPR) Management Manual and solutions relevant to odor management.

Mr. Gulibon will include this as a future agenda item. Mr. Seely offered to have a DEP representative present the final report at the August meeting.

Mr. Haines advised that the Agriculture Conservation Assistance Program (ACAP) update is scheduled for the next meeting.

ADJOURN – Grant Gulibon, Chair

Motion: Ms. Buchheister made a motion to adjourn the meeting. Mr. Gulibon seconded the motion. The meeting ended at 11:22 a.m.

Next Meeting: Tuesday, June 18, 2024