

DRAFT

MINUTES

AGRICULTURAL ADVISORY BOARD MEETING

June 19, 2013

DEP South Central Regional Office
Susquehanna Room A
Harrisburg, PA

In Attendance – Members

Jennifer Reed-Harry, PennAg Industries

John Stefanko, Department of Environmental Protection

J. V. Lamb, Pennsylvania State Grange

Matt Royer, Penn State University

Stephen Hershey, Poultry Producer

Greg Hostetter, USDA Farm Service Agency

Jay Howes, Pennsylvania Department of Agriculture

Grant Gulibon, Pennsylvania Farm Bureau

Carl Meiss, Pennsylvania State Grange

Susan Marquart, USDA Natural Resources Conservation Service

Robert Maiden, Pennsylvania Association of Conservation Districts

In Attendance - Agencies, Advisors, and Guests

Kelly O’Neil, Chesapeake Bay Foundation

Frank Schneider, State Conservation Commission

Peter Hughes, RedBarn

Bridget Dougherty, Penn State University

Denise Coleman, USDA Natural Resources Conservation Service

Sean Gimbel, Steve Taglang, Tom Juengst – DEP

The June 19, 2013 meeting of the Agricultural Advisory Board (AAB) was called to order by board member Jennifer Reed-Harry at 10:00 a.m.

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

The meeting dates for the year were approved. Steve Taglang conducted the voting for the chairperson with Jennifer Reed-Harry being elected as chairperson, followed by William Neilson being elected as vice-chairperson. Also, the minutes for the June 20, 2012, October 17, 2012 and February 20, 2013 were approved. The votes for the meeting dates, board positions and minutes were all unanimous.

Legislative Update. Jay Howes provided his view that the agriculture items were going forward as in the Governor's budget proposal, which would not have adverse effects on current operations.

Revisions to CAFO Permits. Steve Taglang, DEP Bureau of Conservation and Restoration, provide a presentation on the status of permits for the CAFO program. For the last reporting period, the total number of CAFOs in the state increased slightly to 373. The efforts on the CAFO General Permit 12 (GP-12), which were started in September 2011, became final in March 2013. The CAFO general permit now has major re-formatting of its look and numerous smaller changes were added to be consistent with the revised federal EPA CAFO rules. A significant new requirement is for prior reporting of when winter manure application actually occurs (this would be manure application between December 15 and February 28).

For those CAFOs that fall under the CAFO Individual Permit and had their application for renewal become accepted after March 15, 2013, EPA will require that those operations follow along with the updated federal and state CAFO requirements. EPA is now exercising its right to review each Individual Permit. DEP has worked to make the requirements between the Individual and General Permits as similar as possible. Deadlines, paperwork and new requirement for Annual Reports are areas of EPA focus. Also, water quality effects for dander and air deposition have come up as an issue. A DEP central office change for CAFOs is that all NPDES Permits, including those for CAFOs, will be directly handled through the Bureau of Point and Non-point Management. Steve said that DEP is allowed to fill the Nutrient Management Section chief position that is now vacant due to the retirement of Kenn Pattison.

EPA Settlement Agreement. Steve Taglang also reviewed an EPA “Modification of Settlement Agreement” A short EPA written description of this was handed out at the meeting. This is a settlement of a lawsuit against EPA by the Chesapeake Bay Foundation related to its Chesapeake Bay pollution reduction efforts. Pennsylvania is not a party in the suit or the settlement agreement. There are four EPA efforts described in this settlement: An Animal Feeding Operation (AFO) and CAFO program assessment for each Bay state; an on-farm assessment of one or more AFOs; EPA review/oversight of each individual CAFO permit; and, CAFO regulation assessment. Recent Pennsylvania efforts work to follow with the EPA-approved Bay WIP, such as updating the Manure Manual, extending activities under the Manure Manual and finalization of the CAFO GP-12 to be consistent with current requirements. Also, it is likely EPA will inspect several operations in a small watershed, probably with DEP and the local conservation district involvement. One point of these inspections is to discover direct discharges, as they relate to the federal rules for Medium CAFOs. DEP draws upon the Pennsylvania Clean Stream Law, Act 38 and the Manure Manual to address these situations. Jay Howes asked how this relates to the Chesapeake WIP, and Steve said that this generally matches with our current outreach and inspection efforts.

Overview of the Agricultural Advisory Board. Steve Taglang covered the history and charge of the Ag Advisory Board. It started in 1975 as an informal advisory committee for what was then DER. In 1993, it became established under law as an advisory board to DEP. In 2002, the voting membership included 10 farm sector representatives, 4 legislative representatives, and to have the Secretary (or deputy secretary) participation from the PDA and DEP. Jennifer Reed-Harry said that the use of subcommittees has worked well and Jay Howes said that both the informal and formal groups have provided important awareness and input to DEP and the ag community.

Potential Future Focus and Board Comments. Jennifer Reed-Harry requested topics that could be part of future board activities. The following topics were mentioned: the definition of Animal Feeding Operations; EPA needs for training on farm systems and having reviews with technical staff prior to farm visits; Use and results of Manure Manual mini-grants; Soil Nitrogen Stabilizers; Digester use of various/different food wastes; Poultry operations issues, including

dust and dander, examples of nuisance suits, use of fans and air issues, BMPs and relationship to water quality; and Human/animal safety issues.

The next meeting is set to be on August 21 at 10 a.m. at the DEP SCRO. There being no additional discussions, the meeting was adjourned at 11:45 a.m.