

Minutes

Agricultural Advisory Board Meeting

December 21, 2017

DEP South-Central Regional Office
Harrisburg, PA

In Attendance—Members

Kerry Golden, House Ag Committee
William Neilson, PA Farm Bureau
Destiny Zeiders, House Ag Committee
Matt Royer, Penn State University
Tim Schaeffer, DEP, Office of Water Programs,
Jennifer Reed-Harry, Penn-Ag Industries
Walter Moore, Dairy Producer
Gregory Hostetter, Department of Agriculture
Susan Marquart, USDA, Natural Resources Conservation Service
Christopher Uhland, Ornamental Horticulture
Vince Phillips, PA State Grange

In Attendance—Agencies, Advisors, and Guests

Kelly O’Neil, Chesapeake Bay Foundation
Gary Walters, DEP Bureau of Clean Water
Jay Braund, DEP Bureau of Clean Water
Lee McDonnell, DEP Bureau of Clean Water
Charles McGarrell, DEP Bureau of Clean Water
Doug Goodlander, DEP Bureau of Clean Water
Jill Whitcomb, DEP Bureau of Clean Water
Ramez Ziadeh, DEP, Office of Programs
Greg Robertson, PLNA
Bill Brown, DEP
Pete Vanderstappen, USDA NRCS
Mark Richards, Wojak Gov. Relations
Sean Gimbel, DEP
Frank Scheinder, SCC
William Fink, CVFF

The meeting of the Agricultural Advisory Board (Board) was called to order by Chris Uhland at 9:10 am.

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

Meeting Minutes—The meeting minutes for the previous meeting were approved. Walter Moore made the motion and it was seconded by William Neilson.

Legislative Update—Kerry Golden brought to the groups attention House Bill (HB) 1932, an amendment of the Nutrient Planning review process. Goal is to move the bill in spring. HB1486 the High Tunnel Stormwater Exception Bill has no update.

Eutrophication Cause Determination Protocol—Charles McGarrell, from the Bureau of Clean Water, gave an overview of why a protocol for eutrophication and nutrients is necessary to DEP staff. The created protocol will focus on examining excessive Dissolved Oxygen (DO) swings, a strong correlation between DO swings and temperature, and elevated water column TP and TN levels. The protocol looks to account for stream size and seasonal variability. This is accomplished through breaking the streams into 3 watershed sizes (<25mi², 25-75 mi², and >75mi²) and 4 sampling periods, each consisting of two months. Three streams were compared in this presentation to express how the protocol could be used to identify streams that had high amounts of eutrophication versus those which have low amounts of eutrophication. A question was asked on what the protocol will be used for. McGarrell responded by stating that the protocol will be used to assess nutrient impairment in the stream, not giving a definitive cause of where this eutrophication originated from (therefore not stating if its origin is from agricultural or urban/suburban). The protocol can be replicated and is defensible, replacing the current method which relied on the professional judgement of the biologist. It will primarily be used on streams that have a definitive impairment because of eutrophication, otherwise the macroinvertebrate protocol of impairment will still be the one that is primarily used.

Integrated Water Quality Report—Gary Walters, from the Bureau of Clean Water, gave an overview on the 2018 integrated water quality report format. The goal of this format is to make sure that the public can more accurately understand and access the report. Currently, the data is presented via tables and lengthy text, but the new report will use “story map” format with graphs and charts to increase accessibility. The raw data tables will still be accessible in the new report, but will not be the focus. This report overall will give DEP the opportunity to highlight progress and the intermediate steps, and not just the end goal.

Chapter 102 Erosion and Sediment Control and NPDES Permits—Lee McDonnell, from the Bureau of Clean Water, explained that the PAG-02 has stayed the same and is business as usual. The permit has a two-year time frame. The small project or low impact general permit is going forward and focuses on single households or small buildings. This permit will be called, PAG-01, and the goal with this permit is to streamline the process and get these permits out faster. DEP will meet with the EPA on the goals of the PAG-01 and PAG-02 in the first quarter of 2018.

CAFO General Permit Renewal—Lee McDonnell, from the Bureau of Clean Water, explained that the PAG-12 is due to expire in April 2018 and a draft process to replace it is currently ongoing. An overview of some of these goals are provided below:

One goal is to align the process of crop year and the reporting year, with data now being due December 1st. Electronic reporting will be the norm and must be in place by the year 2020. However, a farmer or household may have an agricultural consultant submit the report on their behalf. A leak detection system will be put in place, where DEP will collect an annual sample for NH₃-N analysis. Depth markers may also be waived for shallow and temporary manure pits.

A proposed annual fee of \$500/year or have the option to pay the PAG12 permit renewal fee. Do not need to pay both. The money collected would come to DEP's Clean Water Fund. Another goal is to ensure that the new PAG-12 permit can be put in place before it expires in April.

What hasn't changed: There was a general reorganization of PAG-12 but most of its terms and conditions remain the same. There will also be no changes to winter application of manure conditions.

Updates to Ag E&S Technical Guidance—Jill Whitcomb and Doug Goodlander, from the Bureau of Clean Water, stated that there have been updates to the Ag E&S Technical Guidance, which have not been updated since 1975. The goal is to revise this guidance to better reflect current regulatory requirements and agricultural production methods. Preliminary framework will be brought back to the board at the April meeting. The target date for having this guidance revised is 2019.

Motion for forming a subcommittee for the Ag E&S Technical guidance. The motion was provided by William Neilson and seconded by Matt Royer. The subcommittee will decide when to meet after the April meeting when Jill Whitcomb and Doug Goodlander present on the guidance.

Board/Public Comments/Concerns— Motion to approve the proposed Ag Advisory Board Meeting dates for 2018. William Neilson made the motion and it was seconded by Walter Moore.

Concerns with the spread of the spotted lanternfly. It has now been seen in New Jersey, Delaware, and New York. It has been hitting the nursey and vineyard agency. It is also spreading via the highways, thanks to a favored tree that surrounds most of Pennsylvania's highways. **Potential subject for a future meeting? In April?**

The meeting was adjourned 11:11am.

The next meeting is set for Thursday, February 22, 2018, at 9 a.m., in DEP's South-Central Regional Office.