



Agricultural Advisory Board (AAB) Meeting **Meeting Minutes | February 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; 5 of the 11 voting members were present. Grant Gulibon, Chair, noted the absence of a quorum.

Members present:

Chair Grant Gulibon, Lynn Dietrich, Jennifer Reed-Harry, Brenda Shambaugh, Destiny Zeiders, Bevin Buchheister*, James Gillis*, Tim Peters, and Greg Hostetter

Members absent:

Vice-chair Christopher Uhland, Matt Royer, Kerry Golden, Nathan Clark, William Evans, and Darwin Nissley

**Non-Voting Member*

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

A quorum could not be established. No action taken.

LEGISLATIVE UPDATE – Destiny Zeiders

Destiny Zeiders shared that Governor Shapiro had presented his 2024-2025 budget proposal. The House appropriations budget hearing for the Department of Agriculture is scheduled for 2/22 at 1:00 p.m. and the Senate appropriations hearing will be held on 2/27 at 1:00 p.m. She asked how many appointments were needed for this Board. Jennifer Reed-Harry advised of vacancies and has been working with Grant Gulibon to submit a slate to DEP.

PAG-02 NPDES GENERAL PERMIT REISSUANCE – Krystal Bloom, Bureau of Clean Water

Krystal Bloom provided a presentation of the proposed revisions for the reissuance of the National Pollutant Discharge Elimination System (NPDES) General Permit for Discharges of Stormwater Associated with Construction Activities. In accordance with the reissuance, Ms. Bloom noted that all existing permittees are required to submit a renewal Notice of Intent (NOI) by December 7, 2024, however, conservation districts will have standard timeframes to review and approve.

Ms. Reed-Harry asked how many were anticipated to be received and when notice would be sent to advise of this deadline. Ms. Bloom suspects approximately 2,000 permits will be reviewed and expects notice to be given by September 2024.

Concerns were shared about whether the conservation districts were appropriately staffed to facilitate a quick turnaround of the renewals and the additional workload volume as a result of the proposal.

TRENCHLESS TECHNOLOGY TECHNICAL GUIDANCE DOCUMENT FINAL – Andrew Foley, Regional Permit Coordination Office (RPCO)

Andrew Foley gave a presentation on the *Trenchless Technology Guidance* (No. 310-2100-003), which he expects will be published as final at the end of February. The guidance is being published to establish an appropriate level of diligence recommended by DEP when using trenchless technology construction methods. Mr. Foley shared that it promotes a clear level of expectations for consistency in permitting and outlines the information needed by DEP to adequately review applications proposing trenchless technology installation methods. He mentioned that this guidance was developed by DEP in consultation with a collaborative stakeholder workgroup which included representation from industry, experts in trenchless technology, environmental advocacy groups, state, and federal agencies.

Ms. Shambaugh requested that this presentation be shared with the districts, with Mr. Foley confirming that they would continue to engage the districts.

CHAPTER 102 INDIVIDUAL NPDES PERMITTING EFFICIENCY PILOT – Krystal Bloom and Sharon Geskey, Bureau of Clean Water

Ms. Bloom and Sharon Geskey provided a presentation on the initiation of a pilot program in 2024 for the review of Chapter 102 Individual NPDES Permits, which involves modified submission and review procedures to determine if these changes have a positive impact on application review times. The pilot was introduced to twelve conservation districts, which were approached due to their representation of areas with moderate to high numbers of individual permit applications, in two meetings; comments received were considered and integrated. Ms. Bloom advised that for districts interested in participating in this voluntary program, DEP has determined that an amendment to the Chapter 102 delegation agreement is necessary. DEP obtained State Conservation Commission approval of the delegation agreement amendment on 1/23 and some districts have initiated the approval process with their Board of Directors.

Ms. Reed-Harry would like to see improved accessibility to information which clearly delineates post-construction stormwater management (PCSM) and non-PCSM delegated districts. Ms. Bloom will ensure that this is clarified.

PUBLIC COMMENT – Grant Gulibon, Chair

No public comments were offered virtually or in-person.

GENERAL DISCUSSION/AGENDA TOPICS REQUEST – Grant Gulibon, Chair

Mr. Gulibon reiterated items that were previously raised as future agenda topics, during the December meeting, such as updates on the Chesapeake Bay Foundation settlement with the EPA. Jill Whitcomb offered to provide updates during the AAB April meeting.

Ms. Reed-Harry would like to hear from DEP regarding other documents that are scheduled to be updated, as well as future discussions on engaging workgroups to discuss NPDES permit renewals, and the impact of the transition to solar energy on farmland. Ms. Reed-Harry expressed her gratitude for the reestablishment of the DEP and Ag roundtable meetings.

Another item raised for a future agenda topic is food processing regulations. Kate Bresaw shared that she will be presenting revisions on manure management during the April meeting. Mr. Haines confirmed that an Agriculture Conservation Assistance Program (ACAP) update would be provided during the June meeting.

ADJOURN – Grant Gulibon, Chair

A quorum was not established. The meeting ended at 10:30 a.m.