

**AG ONE Newsletter**  
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*AG ONE is a periodic newsletter on legislation, regulations and agricultural topics produced by Phillips Associates expressly for the Pennsylvania State Council of Farm Organizations (PSCFO), an organization of over 60 organizations sharing an interest in promoting Pennsylvania's Number One industry, Agriculture. Questions or comments should go to PSCFO leadership or to 717/232-9665 or email to [xenobun@aol.com](mailto:xenobun@aol.com). AG ONE Newsletter, PA State Council of Farm Organizations, 26 North Ninth Street, Lemoyne, PA 17043. Material may be cited as long as PSCFO is given appropriate credit.*

**Dear Reader:**

This issue contains information about a DEP proposal that could complicate the permitting process and potentially encroach on laws designed to protect normal farming practices. Read the proposal and let me know if you agree. Comments are due next month.

Sincerely, *Vince Phillips*

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**DEP PLANS PERMIT 'GUIDANCE ' DOCUMENT**

The permitting process of the PA Department of Environmental Protection (DEP) will be affected by a change in the way the DEP Office of Environmental Justice determines what is an Environment Justice Area. These areas are now broken down by census blocks where 20% or more of the population are below the Federal Poverty Line and/or at least 30% being a nonwhite minority. The consequence is an increase in these areas to now include 32.5 percent of Pennsylvanians.

What does this mean to PA Agriculture? The guidelines require public participation (hearings) when DEP considers a permit application for biosolid application and CAFO. A concern about this expansion is that it could compromise Right To Farm law in Pennsylvania. There is a comment period which closes August 28, 2018.

- To find out where the new Environmental Justice Areas are, there is an interactive map: <http://www.dep.pa.gov/PublicParticipation/OfficeofEnvironmentalJustice/Pages/PA-Environmental-Justice-Areas.aspx>
- To comment: <http://www.dep.pa.gov/PublicParticipation/OfficeofEnvironmentalJustice/Pages/Summaries-and-Documents.aspx>

**MILK MARKETING BOARD PLANS TWO HEARINGS**

The PA Milk Marketing Board (PMMB) plans two hearings. The first will be held September 5 to receive testimony on the level and duration of Class 1 over-order premium. Written testimony must be submitted by August 8 along with a list of witnesses. The second hearing will take place on October 3. Its purpose is to receive testimony concerning cooperative milk procurement costs and a method to incorporate those costs in minimum resale milk prices.

Requests to testify for October must be submitted to PMMB by August 3 with written testimony needed by August 7. Both hearings will be held in Room 202, PA Department of Agriculture, 2301 North Cameron Street, Harrisburg, PA. Details: [deberly@pa.gov](mailto:deberly@pa.gov)

## **FDA PLANS REVIEW re USE OF WORD ‘MILK’**

On July 17, U.S. Food & Drug Administration (FDA) Commissioner Dr. Scott Gottlieb told a Politico conference that the FDA will open a docket to receive input in order to help develop a guidance document for the FDA to begin enforcing existing standards as to what the term ‘milk’ is. Dairy interests have long complained that the Federal Government’s non-enforcement of rules specifying that milk is a lacteal secretion has allowed a proliferation of plant-based drink consumption. According to [www.foodnavigator-usa.com](http://www.foodnavigator-usa.com), FDA commissioner Dr Scott Gottlieb said that the agency can’t “act unilaterally” and respond to milk producers’ concerns by simply banning terms such as ‘almond milk’– having tacitly endorsed such terms on food labels for a decade - but says he will solicit public comment on the issue.

## **LEGISLATIVE NOTES:**

- **House Resolution 1010** sponsored by Rep. Carol Hill-Evans (D-York) was introduced to recognize August 2018 as “Pennsylvania Produce Month”.
- **House Bill 1929** (Marsico-R-Dauphin) enacted as Act 42 of 2018 established the Private Dam Financial Assurance Program. This is a state-run insurance plan for owners of private dams. In addition, there is a revolving loan program for costs connected with maintenance, repair or permanent breach of a private dam. Funds will come from private dam owners through a premium and an initial \$1,000 registration fee.

## **PROGRAM NOTES**

- USDA’s National Agricultural Statistics Service (NASS) reminds potato growers to respond to the annual Potato Processing Survey which will include data such as potato quantity for chips, frozen French fries, dehydrated potatoes, etc. Results will be published September 3, 2018. Details: King Whetstone, 800-498-1518
- Eligible farmers have until August 17 to sign up for the Conservation Reserve Program (CRP). Details: Local Farm Service Agency office or [www.fsa.usda.gov/crp](http://www.fsa.usda.gov/crp)
- On July 21, the PA Malt & Brewed Beverage Industry Promotion Board announced its grant solicitation and application procedures. One-page concept papers and one-page budgets must be received by September 12. Details: [www.pabulletin.com](http://www.pabulletin.com), [nchilds@pa.gov](mailto:nchilds@pa.gov)

## **GRANT OPPORTUNITIES**

Several state agency grant programs of interest to the Agriculture Community were announced July 21. The Department of Conservation & Natural Resources (DCNR) offers grants to property owners for “multifunctional riparian forest buffers”. Another DCNR program is for projects “proposing land acquisition, planning, development, rehabilitation, maintenance, equipment purchase or educational programs” for ATV or snowmobile trails. The application period is August 1– September 28, 2018. Details: <https://brcgrants.dcnr.pa.gov/Pages/Home.aspx>

The Department of Environment Protection (DEP) offers grants of up to \$9,500 to small businesses which create energy efficiency, pollution prevention, or natural resource conservation projects. Eligible projects must save the business at least \$500 in operating costs and at least 25% annually in energy consumption or pollution-related expense but natural resource projects such as riparian buffer plantings and barnyard runoff controls are exempt from those requirements. Grants are given out on a first-come basis until the million dollars is gone. Details: Small business Ombudsman Office 717-772-5160, [www.dep.pa.gov](http://www.dep.pa.gov) (search ‘Small Business Advantage Grant’).