

# Mercer County Farm Bureau

Newsletter of the Mercer County Farm Bureau

A quarterly publication

March 2023

## NOT SO SMOOTH SAILING ON NAVIGABLE WATER RULE

Suddenly purchasing a Pennsylvania Farm Bureau membership is the bargain of a lifetime when you compare it to attorney fees and spending your time pleading with lawmakers concerning how water on your property must be handled. The Waters of the United States (WOTUS) is back in the news as the current administration is making regulations regarding these areas on your property. Farm Bureau is your voice and fighting for you.

A couple weeks ago, AFBF filed a new lawsuit challenging EPA's latest WOTUS rule—joined by other organizations. EPA issued its new "Waters of the U.S." Rule, which will replace the Navigable Waters Protection Rule put in place during the Trump Administration. Farm Bureau is extremely disappointed in the content of the new rule, which not only does not provide the needed clarity and certainty that the regulated community has long called for, but also allows the federal government to expand its jurisdictional reach over private property. EPA and the Army Corps of Engineers (ACOE) have doubled down on their use of the troubling "significant nexus" test, which will require landowners to hire environmental consultants, attorneys and engineers to ensure that they are in compliance. Furthermore, since this rule relies on case-by-case determinations and ambiguously defined terms, it is incredibly difficult for a farmer to understand if they have a jurisdictional feature on their property. With civil and criminal liabilities attached to Clean Water Act compliance, it is critically important to have a clear line of jurisdiction.

Informative video link <https://youtu.be/5su8JtZ-CAg>

## GRANT MONEY AVAILABLE - 2023 Winter Newsletter: Nick Trivelli

The Pennsylvania state budget establishes a new Agricultural Conservation Assistance Program (ACAP). The recently passed Pennsylvania state budget includes \$154 million for a new Agricultural Conservation Assistance Program (ACAP) that will provide cost-share grants for farmers to install best management practices (BMPs). The new program will be accessed by producers through their local county conservation districts with Mercer County Conservation District (MCCD) projected to receive over \$2 million for conservation practice implementation on agricultural operations. The money will be assigned to MCCD this winter and must be spent by December 2026.

ACAP will help pay for projects from helping convert farming practices to no-till and planting cover crops to more expensive projects such as barnyard management and manure management systems. If you own or operate an agricultural operation, please contact the Mercer County Conservation District to discuss what practices you might be eligible for and how to apply for funding.

Please direct any questions about this program to Agricultural Resource Conservationist Nick Trivelli at 724-662-2242 or at [ntrivelli@mercercountypa.gov](mailto:ntrivelli@mercercountypa.gov)

## CHECK THIS OUT

It is absolutely worth your time to check out all of the items that show Farm Bureau General Store has available for purchase. Clothing, school items that you can donate to your school and great banners that would be wonderful to use for displays in the mall, at events, and fairs. <https://www.dmsfulfillment.com/FarmBureau/>

**GET YOUR RESERVATIONS IN FOR THE SPRING DINNER BY MARCH 25!**

### DATES TO REMEMBER

#### MCFB Board Meeting

County Board meets  
7:30 p.m., the first  
Monday of the  
month, at the Pig  
Barn, Munnell Run  
Farm

#### March 15

Deadline for twine  
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#### March 25

Reservations due for  
Spring Dinner

#### March 31

Spring Dinner at the  
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person

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## HELP GET WHOLE MILK BACK IN SCHOOLS

On February 21st, Representatives Glenn "GT" Thompson (R-PA) and Kim Schrier (D-WA) along with 36 members re-introduced the *Whole Milk for Healthy Kids Act* of 2023. The bill would allow unflavored and flavored whole milk to be offered again in schools.

The *Healthy, Hunger-Free Act* of 2010 has placed a devastating effect on the economic state of PA's dairy industry. PA's dairy industry generates almost \$15 billion in annual revenue and more than 52,000 jobs. Since whole milk's removal from school cafeterias in 2010, the dairy industry has seen a drastic decline in fluid milk consumption, which has impacted producers' income. The fat is what gives milk its flavor. Children are less likely to choose skim milk because its flavor and nutrition has been stripped away. Class I or bottled fluid milk is the highest paying class, so when less fluid milk is being consumed, producers are losing income. For childhood nutrition and economic benefits, it is imperative the 118th Congress pass the *Whole Milk for Healthy Kids Act* of 2023.

[Tell Your U.S. House Member to Co-Sponsor The Whole Milk For Healthy Kids Act of 2023](#)

Click the link below to log in and send your message:

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### From State and Local Government Affairs Specialist Lily Guthrie 2023 State Legislative Priorities (in alphabetical order)

Broadband  Dairy  MS4/Stormwater  Solar  Transportation  Wildlife & Crop Damage

#### PA Senate

The PA Senate passed several pieces of farm bureau supported legislation in January.

**Senate Bill 35**, passed, 29-19. This bill stops the automatic gas tax increase.

**Senate Bill 95**, streamlines the home delivery of milk and other agricultural products with a farm vehicle registration plate. This legislation passed out of the Senate unanimously.

**Senate Bill 254** passed out of the Environmental Resources and Energy Committee. This bill addresses the issue of new California Air Resources Board (CARB) 2022 Engine Requirements for diesel emissions and warranty periods in Pennsylvania. Since 2002, the Pennsylvania Department of Environmental Protection's (DEP) Heavy-Duty Diesel Emissions Control Program has required heavy-duty highway diesel engines sold in the Commonwealth to have CARB certification. Ending this requirement will protect individuals and businesses from having to pay thousands of dollars more to purchase, register, or title new vehicles in Pennsylvania simply because California adopted a warranty provision as part of their new requirements.

**Senate Bill 211** passed out of the Environmental Resources and Energy Committee. This bill establishes decommissioning and bonding requirements for project developers who seek to install or operate commercial solar electric generation facilities in Pennsylvania. Establishing reasonable decommissioning and bonding amounts will help to address challenges as to how to properly decommission a site or handle associated waste. We realize the potential of solar energy development and the opportunities it brings for agriculture but believe strong protections must be in place to ensure that farmland can be restored after solar leases expire.

**Senate Resolution 9** passed out of the Environmental Resources and Energy Committee. This resolution urges the President of the United States to restart and expedite the completion of the Keystone XL pipeline. PFB supports

**Senate Bill 297**, which authorizes the provision or sale of Pennsylvania milk in PA schools.

**Senate Resolution 48** This resolution urges the US Dept. of Ag. to include 2% & whole milk in the Nutrition Standards for the National School Lunch and Breakfast Programs. It also

urges the US DOH to recommend to the Dietary Guidelines Advisory Comm. to modify standards. Both pieces of legislation are sponsored by **Senator Michele Brooks**. Farm Bureau supports these efforts.

## **From Federal Affairs Specialist Bailey Thumm**

### **118th Congress:**

Congressman "GT" Thompson (PA-15) was elected by his colleagues to be the Chair of the U.S. House Agriculture Committee for the 118th Congress. This is the first time since the Civil War that PA chairs the U.S. House Agriculture Committee. Congressman David Scott (GA-13) was elected to serve as Ranking Member of the U.S. House Agriculture Committee. In the other chamber, **Senator John Fetterman (PA)** was assigned to serve on the Senate Agriculture, Nutrition, and Forestry committee

**Farm Bill:** The Senate is hosting their first Farm Bill hearing of the 118th Congress concerning trade and horticulture. The Congressional Budget Office (CBO) released their estimates for the 2023 Farm Bill. The main takeaway was for the first time in history, CBO is **predicting a trillion-farm bill**.

**Broadband:** On November 18th, the FCC released the new National Broadband Map. The map is a part of a series of requirements by the Broadband DATA Act, which AFBF supported. Roughly 400,000 challenges were submitted to the map. As part of a bulk challenge performed by PBDA, over 35,000 challenges were submitted by the authority. PFB hopes to see an accurate, updated, and more granular map, so funds are distributed correctly. An updated version of the FCC Speed Test App that will allow users to challenge the coverage reported by their provider by submitting mobile speed test data. We encourage members to download the "FCC Speed Test" app on either Apple App Store or Google Play Store. If you already have the app, simply update the app to use the new features. Additionally, the NTIA publicized their plan to announce the Broadband, Equity, Access, and Deployment (BEAD) program fund allocations by June 30, 2023. The BEAD program was authorized under the Infrastructure and Investment Jobs Act (IIJA), which AFBF supported. The \$42.5 billion BEAD program is the single largest broadband investment in U.S. history. An updated and granular FCC broadband map is crucial because NTIA will be using the map as a guide to distribute those funds.

### **Environmental Update -From Environmental Specialist Grant Gulibon**

Farm Bureau Informs Members on Pennsylvania HPAI Incident Response Farm Bureau continues to participate with PA Department of Agriculture (PDA) officials, industry professionals, and other stakeholders regarding the state's response to recent outbreaks of highly pathogenic **avian influenza** (HPAI) across Pennsylvania. Six commercial turkey flocks were depopulated in November, with a loss of over 128,000 birds. Outbreaks also occurred on both the Pennsylvania-New Jersey and Pennsylvania-Maryland border, with implications for cross-state poultry movement in both cases. On Jan. 30, a commercial duck flock of 40,000 birds in Lancaster County was affected, along with a backyard flock in Allegheny County. Continued vigilance is cautioned in the coming months, as the spring migration season begins and wild birds continue to spread avian illnesses. PDA recently recommended that all poultry be maintained indoors, updating and expanding its earlier recommendation regarding organic poultry.

**Farm Bureau Continues Work on Updated PAG-12 (CAFO) Permit.** DEP reported plans to proceed with the one-year administrative extension of the PAG-12 (until March 31, 2024).

The AAB also heard updates from DEP regarding:

- Ongoing revisions to the state's BMP manual for post-construction stormwater management.
- Ongoing revisions to the state's manure management manual. Those revisions are working through DEP's internal approval process, with the AAB expected to receive them in the first quarter of 2023.
- Positive results for ag from the DEP Expanded Ag Inspection Program, particularly in the areas of completed manure management and agricultural erosion & sediment control (E&S) plans. State Conservation Commission Continues Development of Revisions to Nutrient, Manure, Odor Management Regulations

### **FDA Draft Milk Guidance on Plant-Based Alternatives**

FDA issued a draft guidance for "Labeling of Plant-Based Milk Alternatives and Voluntary Nutrient Statement". The proposed guidance would allow for plant-based dairy beverages to be labeled as milk.

### **U.S. and Canada Dairy Dispute in the USMCA**

The U.S. has established a second U.S.-Mexico-Canada Agreement (USMCA) dispute panel with Canada over their application of tariff-rate quotas (TRQs) for dairy products. The issue remains that Canada is not following the decision of the December 2021 USMCA dispute settlement panel, where the U.S. won.

### **TRANSPORTATION**

East-Palestine, OH Train Derailment

PA Department of Agriculture (PDA) Secretary Russell Redding held a press conference to address the concerns of animal health on the western PA border following the East Palestine train derailment. According to Secretary Redding, PDA has received no reports of animal health problems as a result of the air and water contamination. Although, there were two reports from private veterinarians treating horses affected by smoke inhalation from the controlled burn. It should also be noted that PA DEP will be conducting an independent test of water quality due to the ambiguities surrounding whether the water is potable. **Representative Kelly (PA-16)** has been working to get federal funding for those affected in surrounding areas

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## Publications

PFB adds value to membership and keeps members informed through a variety of print and digital publications. Members receive 5% off advertising rates in our print publications. Contact advertising coordinator for details.

A total \$6 portion of annual member dues covers subscriptions to these publications, \$3 for Positively Pennsylvania and \$3 for Pennsylvania Farm Bureau Grassroots Advocate (formerly Country Focus). Members receive 4 issues of each publication per year on a quarterly basis. Publication frequency and details are subject to change.



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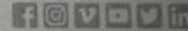
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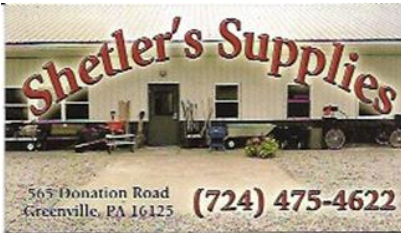
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21 Kidds Mill Road, Greenville PA 16125  
p 724.588.3297 | 724.588.5834

### BRIAN F. SIEGE BUILDING AND CONSTRUCTION

BRIAN F. SIEGE  
contractor/builder

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Greenville, PA 16125  
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### Farm & Lawn Equipment

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**watson's Inc.**  
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1-800-466-6515  
[www.watsonsinc.com](http://www.watsonsinc.com)

Dealer of  
• Krone  
• Simplicity  
• Grasshopper

**WAYNE SAMPSON**  
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FRESH/SMOKED COUNTRY MEATS

Dealer - Meadow Creek® BBQ Equipment  
Wholesale • Retail • Fed. Inspection #8609

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Sam Whiting  
sam@whitingweber.com

Phone: 724-946-8633  
Fax: 724-946-8667

## Are You Turning 65 This Year and Going on Medicare?



Pennsylvania Farm Bureau Health Services

Choosing your Medicare plan can be overwhelming. It can be hard to figure out what you want, or more important, what you need.

Farm Bureau's experienced and trained staff are ready to help. At no cost to you, we can:

- Answer your questions
- Explain and compare options
- Work within your budget
- Help with informed Medicare coverage decisions

Knowledgeable. Helpful. Dedicated.  
To check availability in your county call 800.522.2375.

stamp

Mercer County Farm Bureau  
Steve Paxton, President  
409 Springfield Church Road  
Grove City, PA 16127

**RESERVATIONS for the March 31 Spring Dinner**  
**\$20 per person\_Reservations are due March 25, 2023**

The dinner is at 6:30 p.m. on March 31, *at the Mercer County Extension Office, Route 19, Mercer, PA 16137*

Mail reservations to Sandy Craft, 27 Cassidy Drive, Mercer, PA 16137. You can also RSVP to Sandy at 814-715-4244 or [smvcraft5@gmail.com](mailto:smvcraft5@gmail.com) . She also accepts text messages.

Number of people attending \_\_\_\_\_ @ \$20 total \_\_\_\_\_

Make checks payable to Mercer County Farm Bureau

Name \_\_\_\_\_

Address \_\_\_\_\_

City, State, Zip \_\_\_\_\_

Phone \_\_\_\_\_