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PA House of Representatives  
Republican Policy Committee

414, Main Capitol Building  
Harrisburg, PA 17120  
(717) 260-6144

**Rep. Joshua D. Kail**  
Chairman

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**PA House Republican Policy Committee Hearing**

**“Removing Obstacles to Opportunity: Growing Pennsylvania’s Agriculture”**

**February 27, 2024, at 1 p.m.**

**Turbotville Community Hall**

**41 Church St.**

**Turbotville, PA 17772**

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| 1:00 p.m. | Welcome and Pledge of Allegiance  |
| 1:10 p.m. | <b>William Fink</b><br><i>Facilities Manager, Country View Family Farms</i>                       |
| 1:15 p.m. | <b>Adam Pritts</b><br><i>Owner, Laurel Hill Trout Farm</i>  |
| 1:20 p.m. | <b>Grant Gulibon</b><br><i>Regulatory Affairs Specialist, Pennsylvania Farm Bureau</i>            |
| 1:25 p.m. | <b>Robert Garrett</b><br><i>President and CEO, Greater Susquehanna Valley Chamber of Commerce</i> |
| 1:30 p.m. | Questions for the Testifiers  |
| 2:00 p.m. | Closing Comments  |



## Testifier Biographies

### PA House of Representatives Policy Committee Hearing *"Removing Obstacles to Opportunity: Growing Pennsylvania's Agriculture"*

#### **William Fink**

##### **Facilities Manager, Country View Family Farms**

William "Bill" Fink is currently employed as a Facility Manager at Country View Family Farms (CVFF). CVFF operates in Pennsylvania, Ohio and Indiana with over 100 family farms raising swine under contract. Contract production enables these family farmers to build a sustainable farming business, keep their land in agriculture, while keeping their farm in the family and their family on the farm.

Bill is responsible for assuring that CVFF swine farms stay in compliance with local, state and federal environmental regulations. This includes writing, revising, and implementing Act 38 nutrient Management Plans (NMP) as well as CAFO NPDES permits where required. He is also involved with managing the permitting process of new swine farms, manure hauling and application cropland management at CVFF operated farms.

Prior to joining CVFF Bill was a Nutrient Management / CAFO Specialist with Brubaker Agronomic Services and TeamAg Incorporated for six years and Chesapeake Bay Technician with the Fulton County Conservation District from 1993 to 1999.

Bill has been involved with a variety of local, regional, state and national workgroups and committees including the Lower Susquehanna Water Resources Regional Committee, the National Pork Board Environmental Committee, DEP CAFO Stakeholder workgroup, and has participated in the development of the State Conservation Commission Odor Management Regulations and the Manure Haulers and Brokers Certification regulations. He also has worked with the PA Dairy CAFO Ad Hoc Work Group, the PennAg's Manure Applicators Counsel as well as participated in the PA CAFO General Permit renewal work group.

Bill received a Bachelors of Science in Environmental Pollution Control from the California University of PA and holds state certifications as a Certified Nutrient Management Specialist & Certified Odor Management Specialist.



#### **Adam Pritts**

##### **Owner, Laurel Hill Trout Farm**

With a long family history in aquaculture, Adam Pritts currently owns and runs Laurel Hill Trout Farm with his wife, Liz Pritts.

A family-owned company since 1964, Laurel Hill Trout Farm raises fish at 8 locations in southwestern Pennsylvania and northwestern Virginia. They specialize in providing high-quality rainbow, brook, brown and golden trout broodstock and fillets and offer public and private fee fishing at two locations.

**Grant Gulibon**  
**Regulatory Affairs Specialist, Pennsylvania Farm Bureau**

Grant R. Gulibon serves as a Regulatory Affairs Specialist for the Pennsylvania Farm Bureau, the Commonwealth's largest general farm organization providing legislative support, information, and services to Pennsylvania's farmers and rural families since 1950. In this capacity, Grant serves as a research analyst for state and federal environmental and other regulatory proposals affecting agriculture, concentrating on the topics of transportation, building codes, animal health and well-being, air and water quality, food safety, and nutrient management; as staff liaison to internal and external committees, boards, and working groups formulating and evaluating such proposals; and as a resource for individual Farm Bureau members with questions or concerns regarding regulatory matters.



Grant has more than 25 years of Pennsylvania public policy research, advocacy, and governmental relations experience, and holds a Bachelor of Science degree in economics from Saint Vincent College and a Master of Science degree in public policy analysis from the H. John Heinz III School of Public Policy and Management, Carnegie Mellon University.



**Robert Garrett**  
**President and CEO, Greater Susquehanna Valley Chamber of Commerce**

Robert "Bob" Garrett serves as the President/CEO of the Greater Susquehanna Valley Chamber of Commerce. He works closely with the Chamber's Board of Directors, committees and affiliates in order to implement and coordinate the Chamber's new strategic plan, the Chamber's mission and the daily activities of the Chamber.

Twenty-three years ago, Bob made the difficult decision to make a career change and go to work for then - Congressman Tom Ridge and ended up serving four different governors at PennDOT in Harrisburg. Before this move, he was very active with the Greater Susquehanna Valley Chamber of Commerce as its Transportation Committee Chairman, headed up the Route 15 Coalition and was serving as the Director of the Union County Economic Development Council. Now, after his two-decade Harrisburg stint, Bob is back and ready to work hard on building partnerships, creating an economic development buzz, increasing the Chamber's membership and helping to take the Central Susquehanna Valley Thruway from the drawing boards to a ground breaking and, finally, to a ribbon cutting.

Bob grew up in southeastern Pennsylvania, graduated from the Thaddeus Stevens State School of Technology and received his teacher's certification at Penn State. In 1980, he began his professional career at the SUN Area Vocational Technical School. While director of the Union County Economic Development Council, during the 1990's, Bob had a major role in siting the Allenwood Federal Correctional Complex as well as the expansions for several well-known companies.

# Permitting

William C. Fink  
Facilities Manager  
Country View Family Farms, LLC  
2/27/24

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## Permitting

- Not all permit are issued by DEP
  - Township permits
    - Land Development approval process
    - Zoning – Variances / Approvals
    - Sewer Planning - DEP involvement
    - Storm Water Management - Can above and beyond the DEP – NPDES permits
    - Driveway Permits
  - County Conservation Districts
    - E&S Plans and Approvals
    - General NPDES Construction Permits
    - Nutrient Management Plans
  - State Conservation Commission
    - Odor Management Plans

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## Successful Permitting Process with DEP

- Determine what permits are needed
  - Use DEP guidance
- Pre-Application meeting
  - Have 75% of application / plans completed and submitted before the meeting
  - Come out of meeting knowing who is reviewing the application and their supervisor
  - Review your timeline and ask for DEP's timeline
    - Align at the meeting on a tentative schedule
- Submit a complete application
  - Public notices need to be correct.
- Ask questions once you get comments
- Respond to comments in a timely manor and directly
  - In a response letter specifically direct reviewer to where and how you addressed the comments

**Testimony**  
**PA House Republican Policy Committee**  
**Removing Obstacles to Opportunity: Growing Pennsylvania's Agriculture**  
**Laurel Hill Trout Farm**  
**Adam Pritts**

Thank you, Chairman Kail, Representative Stender and members and staff of the House Republican Policy Committee

**Farm information:**

- Started in 1964, my Grandfather bought a small fee fishing and trout farm in Laurel Highlands
- Grown over the years with 8 main farms 4 in PA and 4 in Virginia. PA locations in Fayette, Westmoreland, Somerset, Bedford, and Cumberland Counties
- Between farms raise approximately 750,000 – 1,000,000 trout per years and slightly over 500,000 lbs
- About 75% of our production goes to stocking and 25% to food markets
- Typical customers are sportsmen clubs, pond and stream property owners, and restaurant distributors
- 12 full time plus some part time employees and fleet of about 15 trucks mainly used for live hauling
- PA is #4 in trout production in the US

**Permits or Regulations needed:**

- We bridge agriculture and wildlife so we are hit from a number of sides
- Production permitted by PDA
- Stocking sales under PFBC
- Discharges regulated by DEP
- This is the short list doing a quick count I came up with at least 11 different agencies or commissions within PA that have regulations or impact over some form of our business

**Problems:** (These are just the main ones of many)

- Recent changes in stocking process by PFBC is causing confusion and frustration among stocking customers causing lost sales
- According to USDA it is likely PGC will no longer authorize our depredation permits, which will result in higher fish loss
- No good NPDES permitting structure within DEP to cover most of fish farms in PA, we are way behind other states, limits production on PA farms or forces producers to operate out of compliance

**Solutions:**

- Add knowledge, designate seats on the PFBC and PGC for farmers and sportsmen's club representative
- Change "may" to "shall" in the aquaculture act
- Change attitudes withing state agencies from how can we penalize and fine businesses to how can we help
- Make NPDES permits low cost or no cost to agriculture operations in PA (Virginia is this way)

Something to consider, it's never one regulation that forces farms out of business or hinders new ones or growth it is death by 100's of small cuts. Days of despair in my life have never come from things like floods, droughts or disease, days of despair, days where I have to find the will to keep going always seem to stem from government regulations that make me wonder how to keep going. There is an emotional tole that increasing regulations have to farmers that cannot discredited.

Thank you for your attention and consideration.

Respectfully,

Adam Pritts, Member - Somerset/Fayette/Bedford/Cumberland/Westmoreland County Farm Bureaus

**Testimony of Grant R. Gulibon, Regulatory Affairs Specialist**  
**Pennsylvania Farm Bureau**  
**Pennsylvania House Republican Policy Committee**  
**February 27, 2024**

Good afternoon, Mr. Chairman, Rep. Stender, and members of the committee. On behalf of the Pennsylvania Farm Bureau and our more than 30,000 member families across the Commonwealth, thank you for the opportunity to offer comments on obstacles to opportunity facing Pennsylvania's agricultural producers, what can and should be done to overcome those obstacles, and share some of the principles that our members believe are necessary for creating a regulatory climate that safeguards essential public health and safety without encroaching on the inherent freedom of individual Pennsylvanians to better their lives and the lives of their families and neighbors.

Pennsylvania's farm families understand the need for practical regulations, particularly those that protect food security, consumer confidence, and the land, air, and water that make the other benefits of agriculture possible. However, we see the need for a few basic standards when looking at new or existing regulations. In the interest of helping to craft regulatory policies that can command broad public support, respect the inherent property rights of Pennsylvanians, and protect public health and safety, we offer the following principles for your consideration:

- The purpose of regulation should be limited.
- Agencies should enforce existing regulations prior to promulgating additional regulations on related matters.
- Agencies should also provide notice of proposed rules, regulatory changes, or other significant actions directly to targeted stakeholders, stakeholder communities as well as organizations representing affected parties.
- Government must recognize that private property rights are the foundation for resource production and must be protected.
- Regulations should be based on sound scientific data that can be replicated and peer reviewed, with more transparency and communication regarding rule development and interpretation.
- Risk assessment analysis should be conducted prior to final action, along with an estimate of the costs and benefits associated with public and private sector compliance action.
- Actions must allow for flexibility to suit varying local conditions.
- Actions should be subject to independent analysis and public scrutiny.
- Alternatives to the action must be thoroughly and publicly considered, especially market-based incentives.
- Actions must properly acknowledge and provide for the reality, practicality, and limitations of doing business in the affected sector.

While all the preceding principles are important, I would like to focus on three that I believe are crucial to developing a regulatory regime and policies that remove obstacles to the Commonwealth's productive sector and accomplish the objectives stated above.

1. **The purpose of regulation should be limited.** From the energy sources that power our daily lives, to where we choose to live and how we build our homes, to how we operate our businesses, to how and where we choose to travel, there is an increasing desire on the part of

some individuals and groups, both inside and outside government, to narrow our range of choices to a select few deemed to be “responsible” in their eyes. In far too many cases, regulations are developed and imposed not merely to protect public health and safety, but to force changes to individual behavior by foreclosing the regulated party’s options to the point where there is no “choice” but to follow one narrowly prescribed course of action. Such regulations distort the incentives and relationships necessary to generate lasting economic growth and erode Pennsylvanians’ natural rights to private property and to use that property to benefit themselves and their neighbors as they see fit (without violating the natural rights of others).

2. **Agencies should enforce existing regulations prior to promulgating additional regulations on related matters.** There is much discussion of regulatory “horror stories” in settings like these, and with good reason, because a business or individual’s negative experience with a government agency often has effects far beyond the particulars of that case, in terms of influencing the perception of the Commonwealth’s business-friendliness. What is just as destructive, but much less visible, is the steady, relentless accumulation of regulatory requirements that Pennsylvania’s farmers—and other job creators and economic generators—must comply with daily, with the specter of potentially crippling penalties a constant presence looming over their operations. Often, today’s regulatory “horror story” was decades in the making.
3. **Actions must properly acknowledge and provide for the reality, practicality, and limitations of doing business in the affected sector.** Many of our members, in addition to the steadily rising costs of farm inputs, also regularly shoulder the cost of engaging with technical professionals to make sure they do not run afoul of obscure, but important, regulatory requirements. This in turn reduces the time and financial resources available to make investments in conservation practices or other enhancements to their operations. Farmers have an ingrained conservation ethic and take active and voluntary measures to protect the soil and water on their farms. In those areas farmers justifiably view themselves as part of the solution, not the problem.

Finally, to ensure that state regulations are truly in the public interest and that scarce public and private resources are used most effectively and efficiently, the people’s representatives must use their existing regulatory review power to take a more active role in overseeing the actions of regulatory agencies. Renewed focus by state legislators on this oversight role should also foster more thoughtful consideration of whether a new regulation or regulatory change is necessary in the first place.

This would include using the General Assembly’s authority to disapprove regulations that do not conform with the preceding three principles and the others I have outlined. A good example of how this process can be used took place during the 2021-22 legislative session, during which both houses of the General Assembly passed resolutions disapproving of former Gov. Wolf’s entry of the Commonwealth into the Regional Greenhouse Gas Initiative (RGGI). (On a related note, Farm Bureau testified before this committee in support of a regulatory veto reform amendment to the Pennsylvania Constitution last year).

In conclusion, we believe that adherence to these common-sense principles is the best way to ensure that Pennsylvania creates and maintains a regulatory climate that allows the Commonwealth’s farmers to farm more and better and protects their inherent rights, because when we do that, every Pennsylvanian benefits. Thank you for providing Pennsylvania Farm Bureau the chance to offer our views today, and I would be happy to entertain your questions.



## TESTIMONY

Provided by: Robert A. Garrett, P.E.

President/CEO/CCO-Greater Susquehanna Valley Chamber of Commerce

PA House of Representatives

Republican Policy Committee Hearing

**Host:** Rep. Mike Stender

Removing Obstacles to Opportunity: Growing Pennsylvania's Agriculture

Turbotville Community Hall

### **Agricultural Independence needs Energy Independence**

For more than three decades, the Greater Susquehanna Valley Chamber of Commerce has included an Agricultural Committee. This committee was inspired by the late-Guy Temple who served many years as our region's Community Development Agent with the Cooperative Extension. Temple's simply premise was that the people of our region needed to be "reminded of where their food came from..." and continues to motivate our Ag Committee activities today.

With today's testimony I hope to link this reminder of the source of our nutrition with the source of our energy. Together, these two resources are foundational to our shared and hopefully, ever expanding, prosperity.

Much of my testimony is drawn from conversations and interviews with North Dakota Governor, Ed Shafer, who also served as the Secretary of United States Department of Agriculture for President George W. Bush. North Dakota's example of linking his state's seemingly boundless energy resources with the retention and expansion of family farms and agri-business across his 'Peace Garden State.'

If you will please permit me, the history, and the geography of the land on which we stand today is as important as any issue we discuss here today. These lands have been cultivated for literally thousands of years. Initially, by the people of the Lenni Lenape and Susquehannock Tribes of the Delaware Nation. This School District is called Warrior Run in remembrance and respect for these original people. Later, for the past two or three centuries hard-working people who by in large trace their ancestry to Europe have farmed these fields and cared for our forests.

Geographically, the rich soils that have created our goodly heritage were deposited by the mighty Susquehanna River, we're told the second oldest river on Earth. Geographic events over the millennia left behind huge deposits of carbon eventually becoming relatively clean burning and high heat producing anthracite coal just 30 miles to our south. This is the product that fueled our nation's great Industrial Revolution and the jobs it created.

These same forces created huge reserves of nature's gas, Natural Gas, in the Marcellus Range less than 20 miles to our north. I submit to you that these combined forces of fertile soil and ample energy place the Greater Susquehanna River Valley at the confluence of society's next great economic revolution: Feeding the World.

Consider for a moment the testimony of the farmers, the producers, who spoke before me. Now think about the agri-business that's all around you. Just down the road in Milton is ConAgra, you might better recognize the name Chef Boy-ar-Dee. That's where it comes from. Go down the same road a little further and you'll see the fields and production facilities of Furmano Foods. Growers and makers of tomato and other canned products that are cherished by chefs far and wide. A few more ticks, and there's Weis Foods with their dairy and ice cream operations serving both private labels and other customers with tons of pure food up and down the middle Atlantic every day. Go either way across the river and you'll run into more agri-businesses ranging from the fifth largest case-ready beef processor in our nation at National Beef, to feed and grain processors such as Kreamer Feed and Pawling Station, to wood products value adding firms such as Bingaman's, to one of our newest, most exciting controlled-environment operations known as Bright Farms.

All these operations, from family farms to massive agribusinesses have these two things in common: 1.) a commitment to affordable, high-quality, nutritious food, 2.) a need for abundant fuel at predictable (hopefully lower) prices. I submit to you that the free market is the best tool for guiding both. As research uncovers better, cheaper, and more environmentally sound practices, they will naturally be adopted.

Government regulations tend to be inorganic and to be written for the bad actors. Rather than top-down regulations, served up by some faceless, nameless bureaucrat tending to stymie innovation, growth, and prosperity. A better approach would be, on the other hand, locally developed guidelines, created by engaged and knowledgeable citizens, who share a common bond and community. That's what created this 'breadbasket to the world' and it will always work best. Energy, which is locally sourced, outside of the influences of massive multinational companies, or our sworn enemies, will best serve the interests of the farmer/the producer and the rest of us who simply like to eat.

Finally, they're not making new farmland anymore. The very best farmland preservation tool out there is to keep farming profitable. Energy independence equals ag independence. Together, they will lead us to prosperity for all.