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DEPARTMENT OF ENVIRONMENTAL
PROTECTION



Bureau of Clean Water

Expanded Agricultural Inspections in Pennsylvania's Chesapeake Bay Watershed: 2017-2018 Update

Tom Wolf, Governor

Patrick McDonnell, Secretary

Agenda

- Review – Existing and new agricultural inspection programs
- Results – Inspection numbers and compliance rates
- Future – Data Collection and Data Management

Expanded Agricultural Inspections

Existing: Pennsylvania Nutrient Management Program (Act 38):

- Began: 1997.
- Led by: State Conservation Commission and Conservation Districts.
- Focus: High animal density and larger scale livestock/poultry operations, such as federally permitted Concentrated Animal Feeding Operations (CAFOs).
- Required compliance: Environmental planning and implementation requirements under DEP Chap. 83 Nutrient Management (Act 38 NMP) regulations and DEP Chap. 92 CAFO regulations.
 - Includes requirements for agriculture erosion and sediment control.

New: Chesapeake Bay Agricultural Inspection Program (CBAIP):

- Began: 2016.
- Led by: Department of Environmental Protection and Conservation Districts.
- Focus: Remaining less intensive, smaller scale agricultural operations.
- Required compliance: Environmental planning requirements for DEP Chap. 102 Agriculture Erosion and Sediment Control (Ag E&S) regulations and Chap. 91 Manure Management (MMP) Plans.

DRAFT Number of Agricultural Inspections Performed: July 1, 2017 – June 30, 2018

Total:

- Approximately 3,093,000 agricultural acres in Pennsylvania's part of the Bay Watershed
- 325,318 acres (10.6%) inspected— 2,893 farm operations

Act 38 Nutrient Management Program:

- 814 agricultural operations inspected
- 145,680 acres inspected

Chesapeake Bay Agricultural Inspections Program:

- 2,079 agricultural operations inspected
- 179,638 acres inspected

Expanded Agricultural Inspections: Compliance Rates on Initial Inspections

- **Act 38 Nutrient Management Program:**
 - 80% compliance rate for Act 38 Planning and Implementation Requirements.
- **Chesapeake Bay Agricultural Inspections Program:**
 - 66% compliance rate for Manure Management Planning requirements.
 - 68.5% compliance rate for Agricultural Erosion and Sediment Control/Conservation Planning requirements.

CB Agricultural Inspection Program – MMP

Manure Management –

- 1,647 out of 2,079 operations inspected were required to have MMPs
- At the time of initial inspection:
 - 1,160 farms were found to have written MMPs
 - 1,092 farms had administratively complete MMPs
 - 84.5% reported using assistance to develop plans
 - 856 farms that indicated records were being kept
 - 281 farms had records reviewed to ensure that nutrients were applied at less than or equal to planned rates
 - 5 Concentrated Animal Operations (CAOs) were identified

CB Agricultural Inspection Program – Ag E&S

Agricultural Erosion and Sediment Control (Ag E&S) –

- 1,651 out of 2,079 operations inspected were required to have Ag E&S Plans
- At the time of initial inspection:
 - 1,209 farms were found to have had written Ag E&S (or NRCS Conservation) Plan
 - 1,131 farms had administratively complete Ag E&S (or NRCS Conservation) Plan
 - 98% reported using assistance with development of the Ag E&S Plan

CB Agricultural Inspection Program: Enforcement

	2016-2017	2017-2018	Total
Referrals to Bureau of Clean Water	21	87	108
Notices of Violations	21	87	108
Field Orders	0	22	22
Closed Cases	7	42	49

CB Agricultural Inspections: Future

- Implementing Ag Inspection Reporting and Data Collection Efforts via centralized PracticeKeeper Geo-database
- Revised SOP for FY 2018-2019 to meet EPA BMP reporting requirements
- Chesapeake Bay Ag Inspection Program – Phase 2
 - Begin the process to incorporate “plan implementation” assessments in select counties
 - Identify counties that will fully complete their Phase 1 inspection goals over the next two years for potential “pilot” testing
 - Work with the original workgroup (CDs, DEP, SCC) and the pilot CDs to develop the guidance and edits to the report forms for the next phase



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Contact Information:

Jill Whitcomb

Nonpoint Source Compliance Section

Bureau of Clean Water

jiwhitcomb@pa.gov

(717) 783-5205