

# YORK COUNTY

## Countywide Clean Water Action Plan Overview

### JANUARY 2021 UPDATE

#### **PLAN HIGHLIGHTS**

The original York County Clean Water Action Plan (CAP) was developed in 2019 through a collaborative effort of the York County Planning Commission (YCPC), York County Conservation District (YCCD), and the York County Coalition for Clean Waters (YCC4CW). The 2019 Plan identified three Priority Initiatives for York County to make progress toward improving water quality as it relates to Chesapeake Bay TMDL goals. Within each Priority Initiative are clear Actions that must be implemented for York County to meet the goal of reducing Nitrogen loading by 4 million pounds from our streams and waterways. This would reduce our current estimated loading from 11.9 million pounds to 7.9 million pounds. York County has met its Phosphorous reduction goal, and there is not a Bay goal for Sediment. Thus, Nitrogen continues to be the pollutant of concern and the focus of the CAP Priority Initiatives and Actions.

As set forth on the Planning and Progress Template (Template 1), the three Priority Initiatives are *Programmatic Initiatives*, *Achieve Pollutant Reductions*, and *York County Conservation District (YCCD) Clean Water/Healthy Watersheds Program*. A brief description of these initiatives follows.

- *Programmatic Initiatives* identifies policy and funding Actions for York County to undertake in order to improve local water quality. In addition, there are Programmatic Initiatives that the State must undertake to achieve water quality improvement and enable the success of the countywide efforts. The State Actions are on a separate *State Programmatic Recommendations* template.
- *Achieve Pollutant Reductions* lists Actions for implementation through existing MS4 permittees and environmental entities. It also lists concrete Actions for the agricultural community to implement. Both categories of Actions rely on partnerships with municipalities; agricultural landowners and suppliers; federal, state, and local agencies; the York County Stormwater Consortium; Master Watershed Stewards; the Susquehanna Riverkeeper; and others.
- *York County Conservation District (YCCD)* identifies Actions for implementation through existing programs administered by the YCCD.

York County applauds PA DEP for taking a new approach compared to previous WIP efforts. The emphasis in the development of this Plan was, and continues to be on, obtaining local buy in and developing partnerships at all levels, including local, state, and federal agencies. Through this approach, we have seen community awareness of local water quality grow. York County still has far to go, but with ongoing multi-level support and resources, we have the best chance to date of achieving the goal.

#### **KEY FINDINGS**

Key findings from the development of this Plan include:

- York County agencies and key stakeholders understand their role within the Chesapeake Bay Watershed and the need to improve local water quality. However, that message isn't widely known or understood in the broader community. Simple and consistent messaging from federal and state agencies about the problem, the PA approach to address the problem/reach the goal, and the penalties or backstops if we don't achieve the goal would help broaden the understanding of the importance of the Plan.
- The people and agencies involved in developing the Plan appreciated the "bottom up" approach that PA DEP initiated. It helped broaden the message and develop buy in for implementation. There is a desire to have a similar approach used when developing other water quality efforts, such as MS4 permit regulations and agricultural compliance.
- There is a desire for a more holistic approach to improve water quality in general, and to achieve the Chesapeake Bay goals in specific. A more holistic approach would require programmatic changes at all levels and would include: ongoing cooperation and support to maintain partnerships at all levels of government, streamlined permitting for water quality improvement projects within the Bay watershed, consistent enforcement for compliance, recognition of successful efforts, and funding, always funding.

## **OPPORTUNITIES FOR SUCCESS & PROGRESS MADE**

York County has several active water quality groups in place that will be key to helping achieve some level of success toward our Nitrogen reduction goal. The York County Coalition for Clean Waters (YCC4CW) developed the first York County WIP. Thus, they were engaged to develop this Plan as well. The Coalition is an established stakeholder group with representation from various municipalities, the York County Conservation District, the York County Planning Commission, Master Watershed Stewards, the Susquehanna Riverkeeper, the York County Farm Bureau, sanitary treatment plant operators, and others. This Coalition will be a key to implementing the Plan and communicating awareness of its success.

**PROGRESS:** *The YCC4CW is very involved in CAP implementation. A Leadership Team and five Action Teams were created to move this initiative forward. The Action Teams include Education & Outreach, Data Management, Project Implementation, Programmatic & Legislative Change, and Revenue Building. These teams each meet on a regular basis and then come together bi-monthly at the full Coalition meetings. Although membership has expanded, there is still a need to bring more farmers and businesses to the table. Through the dedicated work of the YCC4CW Action teams, the 2020 Annual Report showed some degree of progress being made on most of the Plan action items.*

The York County Stormwater Consortium (YCSWC) is another established group comprised of municipalities working to implement the York County Regional Chesapeake Bay Pollutant Reduction Plan (CBPRP). The municipalities work together through an intergovernmental cooperation agreement to manage, fund, and implement the Regional CBPRP stormwater BMP projects. They will also be key group to implementing the Clean Water Action Plan. do

**PROGRESS:** *The YCSWC's Regional Chesapeake Bay Pollutant Reduction Plan was approved by PA DEP and strides were made to implement the water quality best management practice (BMP) projects included in the Plan. This includes completion of eleven projects, most of*

*which were stream restorations and basin retrofits, as well as having a number of projects either under construction or in the design/permitting phase. Although these projects focus on sediment reduction to meet MS4 Permit requirements, they also reduce nitrogen, which helps to achieve the CAP nitrogen reduction target. Additionally, some Consortium members are also active members of the YCC4CW.*

The YCCD administers various programs that focus on projects to improve water quality. It also has a strong working relationship with the agricultural community, which will be important in promoting the implementation of water quality best practices by farmers.

**PROGRESS:** *The YCCD is an active participant in the CAP initiative, with staff members serving on various YCC4CW's Action Teams, as well as the Leadership Team. The District has made considerable progress carrying out projects that benefit the CAP, such as completing Agricultural Conservation Plans for farms, issuing grants for project implementation, applying for grants to implement projects, and educating farmers on the importance of agricultural BMPs.*

## **CHALLENGES TO IMPLEMENTATION**

As an implementation effort of the Phase II PA WIP, the York County Coalition for Clean Waters developed a County WIP. This first York County WIP relied on voluntary implementation efforts to achieve the goals. Through that effort, we learned that voluntary efforts are not enough, and that lesson carries over into this Plan. This Plan will not be successful if we rely solely on voluntary efforts. To achieve the goals, we will need a designated entity to coordinate, provide assistance, report progress, and assist with verification. This will require funding, staff, and technical resources.

**PROGRESS:** *The York County Board of Commissioners designated the YCPC as the lead entity to provide administrative and technical support for CAP implementation, with assistance to be provided by the YCCD. PA DEP subsequently provided funding to YCPC to hire a CAP Coordinator. This position was filled in February of 2020. Thus, we now have a full-time staff member that is dedicated to overseeing the CAP initiative and coordinating the effort at all levels. In addition, PA DEP awards annual CAP Block Grant funding to YCPC for project implementation.*

One of our Programmatic Initiatives is the potential formation of a countywide stormwater authority. An authority could not only suffice for the "designated entity" mentioned above, but also provide a funding mechanism to implement the County Action Plan and likewise help the state meet its Phase III WIP. However, the challenge is educating and garnering the support of municipalities, the agricultural community, and the public. Without support, the County Commissioners may not take action to create an authority.

**PROGRESS:** *Although no action was taken to create a countywide stormwater authority (SWA), the Commissioners took action to implement other recommendations included in the SWA Implementation Plan. A measure particularly beneficial to the CAP is a water quality monitoring program, in partnership with USGS, which includes six continuous state-of-the-art monitors that capture readings from 80-90% of the water flow from the County. The data gathered will inform us of the County's actual water quality and where projects to improve water quality are needed.*

*The Commissioners also provided additional funding to the YCCD to fill staff positions that will benefit CAP implementation.*

Through development of this Plan, it became evident that achieving compliance and monitoring for ongoing verification is drastically different between sectors. The MS4 permit provides a mechanism to determine compliance and on-going verification for the stormwater sector. The agricultural sector has requirements for Conservation or Ag. E&S Plans, but it is nearly impossible to quantify compliance at the local level. Cooperation and assistance from state and federal agencies is critical if we want to achieve compliance and perform ongoing monitoring and verification of agricultural accomplishments.

*PROGRESS: PA DEP issued a CAP Reporting and Verification FAQs report as a starting point and there are ongoing discussions on this topic at the state level. Additionally, it is our hope that the water quality monitoring data being collected in York County will ultimately be accepted as proof that local BMPs are operational, sound, and improving water quality.*

The biggest challenge, in our opinion, is implementation of the State Programmatic Recommendations. The recommended initiatives attempt to unify and integrate Pennsylvania's regulatory agencies so that there is coordination and consistency in providing the technical assistance, support, funding, and direction needed for local efforts to be successful in achieving the Nitrogen reduction goal. It is important to note that these programmatic changes are actually the first steps toward achieving the Integrated Water Resources Management (IWRM).recommendations in Pennsylvania's State Water Plan and SRBC's Comprehensive Plan.

*PROGRESS: Implementation of the State Programmatic Recommendations remains a key challenge, but the doors of communication are open. Representatives of PA DEP participate on the YCC4CW Programmatic and Legislative Change Action Team, as well as the Leadership Team, providing input and guidance. They also serve as a liaison between the Teams and the Department. Additionally, PA DEP initiated Permit Pre-Application meetings and developed a permitting guide to help expedite the permitting process and get water quality BMPs on the ground.*



The York CAP includes projects that will install riparian buffers and livestock stream crossings on farms to improve water quality. Nitrogen reductions from such projects are needed to reach the target.

The York CAP also includes stream restoration projects in both urban and agricultural areas. These projects include restoring the stream channel, installing riparian buffers, and reconnection to the floodplain when possible. Nitrogen reduction amounts vary depending on the components of the project.



## **OTHER PROGRESS HIGHLIGHTS**

- YCPC received a NFWF Small Watershed Grant in 2020 to development a long-term CAP messaging strategy and messaging tools. This project is underway and will boost our education and outreach efforts.
- YCPC formed a partnership with The Nature Conservancy/4R Alliance to implement a pilot project in a Codorus Creek subwatershed that will educate farmers about the CAP water quality goals and provide technical assistance regarding implementation of agricultural BMPs.
- A bi-monthly newsletter (reCAP) was created, which highlights Action Team activities, BMP spotlights, success stories, and more. It is distributed broadly.
- Conducted outreach to various farmers and the York County Farm Bureau.
- Conducted outreach to schools and municipalities regarding interest in buffer and/or rain garden projects that could provide an educational opportunity for students.

## **GOALS FOR 2021**

- Pursue a possible merger of the YCC4CW with the Watershed Alliance of York. Both entities have similar missions/visions, as well as duplicative participation. The merger would be beneficial to both and result in a more concerted effort to improve water quality in the County.
- Implement the pilot farmer education and technical assistance project in partnership with TNC.
- Roll out the new messaging strategy.
- Implement a pilot agricultural BMP data collection project.
- Continue to pursue the watershed permit concept and other programmatic/legislative changes with PA DEP.
- Develop and implement a BMP project tracking form.
- Educate landowners and municipalities about unreported BMPs in an effort to determine where such projects may exist and gather necessary data to report them for nitrogen reduction credit.

## **PLAN SUMMARY**

The York County Clean Water Action Plan consists of four (4) parts: this Narrative, the State Programmatic Recommendations Template, the York County Planning and Progress Template, and the York County Detailed BMP Template. Summarized below are the Action items on the State Programmatic Recommendations and the York County Planning and Progress Templates.

### **State Programmatic Recommendations Template**

This template only includes one priority initiative, which is Recommendations for State Programmatic Changes. The Actions listed are of utmost importance for implementation of the countywide actions and achievement of the Nitrogen reduction goal by 2025.

- Action 1.1 Establish an integrated planning program at DEP within the Chesapeake Bay or Planning office to spearhead implementation of the programmatic changes listed below.
- Action 1.2 Develop a method /model/template to capture and report non-permitted BMPs at the municipal level for credit in model/ permit.
- Action 1.3 Develop a method/model /template to capture and report non-manure nutrient management.
- Action 1.4 Develop a Standardized/Centralized system to collect and report all BMP data for credit in the Model, including O & M
- Action 1.5 Provide flexibility to combine MS4/ TMDL/WIP III requirements into a single Plan. Implement ONE plan in order to meet all requirements.
- Action 1.6 Develop a regulatory model that allows for meeting water quality goals under a results oriented program vs. the current performance based program.
- Action 1.7 Establish watershed permits to expedite/ simplify permitting process for similar BMP projects.
- Action 1.8 Enforce Act 167.
- Action 1.9 Create/establish incentives (positive-economic/water quality; negative-noncompliance penalties) for all stakeholders to comply with State law.
- Action 1.10 Utilize Bay Model to establish assigned MS4 Permit baseloads/reduction requirements/ BMP credits so as to eliminate the need for permittee calculations, justifications, and rationale.

### **York County Planning and Progress Template**

This template includes three priority initiatives: Programmatic Changes, Achieve Pollutant Reductions, and York County Conservation District Clean Water/Healthy Watersheds Program. Below is a summary of these initiatives and accompanying Action items.

#### Priority Initiative 1 - Programmatic Changes

The York County Clean Water Action Plan identifies Programmatic changes for local agencies to implement. The projects and efforts to improve water quality in York County streams are not coordinated across watersheds, across agencies, or between the different water sectors as identified in the Chesapeake Bay program. Consequently, progress in and by York County is difficult to identify and quantify. The Actions identified in Priority Initiative 1 would create a coordinating entity that would identify priority locations for improvement, fund projects, and monitor water quality to identify and quantify improvement.

- Action 1.1 Form a Countywide Stormwater Authority in order to develop a sustainable, efficient, responsible County entity that can fund, administer,

coordinate, and achieve Countywide water quality/flooding efforts on behalf of all County stakeholders including the agricultural community, municipalities, industrial/commercial entities, and residents.

- Action 1.2 Continue to implement the County Comprehensive Plan that calls for development/land use strategies that restore/preserve water resources.
- Action 1.3 Establish staffing/funding program that provides realistic resources to achieve agricultural planning and implementation obligations.
- Action 1.4 Establish a sustainable real time stream monitoring network Countywide that will establish local water quality trends, impairments, hotspots, and restoration BMP needs. In the future, this system should indicate/verify countywide progress toward WIP 3 goals.

### Priority Initiative 2 - Achieve Pollutant Reductions

Priority Initiative 2 includes Actions proposed by municipalities that are MS4 permittees and are participating in the York County Stormwater Consortium to implement projects from the Regional Chesapeake Bay Pollutant Reduction Plan. It is important to note that while these projects have a dedicated funding source for implementation, that funding is not sufficient to implement the full array of projects. Participating municipalities are seeking additional funds, such as grants, to carry out projects. Additionally, many of these projects focus on maximizing sediment reduction (local waterways goal) while the York County goal for the Phase 3 WIP is Nitrogen reduction (Chesapeake Bay goal). There are also numerous Actions listed for agricultural projects, which provide greater reductions in Nitrogen, but do not have a dedicated funding source identified or property owner approval for implementation. Both categories of Actions need dedicated staff to manage the projects through implementation and on-going verification.

- Action 2.1 Establish a set of BMPs that will achieve desired pollutant reductions in an efficient and cost effective manner (see BMP template)
- Action 2.2 Encourage and provide support to municipalities to incorporate green infrastructure (GI) and Low Impact Development (LDI) into land use ordinances
- Action 2.3 Support local and County initiatives for pollutant reducing activities
- Action 2.4 Develop/advertise a performance-based RFP seeking bids to site, design, install, operate, and maintain BMPs to reduce a specified amount of sediment to meet PRP goals and shortfall of WIP 3 nitrogen goals in the County.
- Action 2.5 Tree Planting - Canopy
- Action 2.6 Bio swale
- Action 2.7 Forest Buffer
- Action 2.8 Wetland Restoration
- Action 2.9 Infiltration Basin
- Action 2.10 Bio retention/ Raingardens
- Action 2.11 Stormwater Performance Standard- Stormwater Treatment
- Action 2.12 Stormwater Performance Standard - Runoff Reduction
- Action 2.13 Urban Stream Restoration

- Action 2.14 Nutrient Management Plan (urban)
- Action 2.15 Land Retirement to Ag Open Space
- Action 2.16 Nutrient Management Core N
- Action 2.17 Nutrient Management Core P
- Action 2.18 Nutrient Management N Rate
- Action 2.19 Nutrient Management N Timing
- Action 2.20 Tillage Management- High Residue
- Action 2.21 Tillage Management-Conservation
- Action 2.22 Cover Crops Traditional
- Action 2.23 Animal Waste Management System
- Action 2.24 Barnyard Runoff Control
- Action 2.25 Precision Intensive Rotational/ Prescribed Grazing
- Action 2.26 Non-Urban Stream Restoration
- Action 2.27 Grass Buffer (ag)
- Action 2.28 Forest Buffer (ag)
- Action 2.29 Manure Incorporation
- Action 2.30 Off Stream Watering without fencing
- Action 2.31 Tree Planting
- Action 2.32 Soil Conservation and Water Quality Plans
- Action 2.33 Wetland Restoration – Floodplain (ag)

### Priority Initiative 3 - York County Conservation District

Priority Initiative 3 includes Actions for implementation by the York County Conservation District (YCCD) through the Dirt and Gravel Road (DGR) and Low Volume Road (LVR) Programs to control erosion and sediment runoff. It also includes Actions that YCCD will implement with the Exelon settlement funding it administers. Although dedicated funding sources exist, the existing funds provided for the DGR and LVR Programs need to be increased and/or other funding sources sought to achieve the full array of actions.

- Action 3.1 Erosion & Sediment Control Level 2
- Action 3.2 Dirt & Gravel Road (DGR) Erosion & Sediment Control-Driving Surface Aggregate + Raising the Roadbed [includes Low Volume Road (LVR) projects]
- Action 3.3 Dirt & Gravel Road Erosion & Sediment Control - Driving Surface Aggregate with Outlets (includes LVR projects)
- Action 3.4 Dirt & Gravel Road Erosion & Sediment Control - Outlets only (includes LVR projects)
- Action 3.5 Forest Buffer
- Action 3.6 Forest Buffer-Streamside with Exclusion Fencing
- Action 3.7 Grass Buffer – Streamside with Exclusion Fencing
- Action 3.8 Forest Buffer – Narrow with Exclusion Fencing
- Action 3.9 Grass Buffer – Narrow with Exclusion Fencing
- Action 3.10 Grass Buffer



- Action 3.11 Grass Buffer- Narrow
- Action 3.12 Non-Urban Stream Restoration - Floodplain
- Action 3.13 Urban Stream Restoration
- Action 3.14 Wetland Restoration – Headwater
- Action 3.15 Wetland Restoration – Floodplain
- Action 3.16 Wetland Creation – Floodplain
- Action 3.17 Wetland Creation – Headwater
- Action 3.18 Wetland Enhancement