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DEPARTMENT OF ENVIRONMENTAL
PROTECTION



Chesapeake Bay Program Office

Chesapeake Bay Agricultural Inspection Program Discussion

DEP Agriculture Advisory Board
SCC Nutrient Management Advisory Board
August 26, 2021

Agenda

- Purpose
- Difference between Phase 1 and Phase 2 Inspections
- Goals and Expectations
- Next Steps and Questions

Purpose

- The Chesapeake Bay Agricultural Inspection Program (CBAIP) has been conducted as part of the Chesapeake Bay Technician Required Output Measures since 2016-2017
- The Phase 2 Pilot Program was released in 2020-2021 and we used lessons learned to inform the new goals and expectations for Conservation districts and DEP Regional Offices
- Five years into the program, some counties are nearing completion of their Phase 1 (Initial) Inspections
- For those counties, DEP will ask them to transition into Phase 2 this upcoming fiscal year as part of their Chesapeake Bay Technician Agreement

Purpose

- Available Guidance:
 - Standard Operating Procedures (SOP) –
 - The CBAIP Phase 1 SOP
 - The CBAIP Phase 2 SOP (updated from the Phase 2 Pilot)
 - The PracticeKeeper Ag Inspection Module SOP
 - The PracticeKeeper BMP Module SOP (released June 1, 2021)
 - Webinars and Clean Water Academy –
 - Live webinar session with Conservation districts was held on May 25, 2021 to walk through the Phase 2 components and expectations
 - Recorded web-based training to accompany PracticeKeeper SOPs

Initial Inspections vs. Phase 2 Inspections

Initial Inspections

- Verification that a given agricultural operation has an appropriate Agricultural Erosion & Sediment Control Plan (Ag E&S Plan) and/or Manure Management Plan (MMP), as applicable

Phase 2 Inspections

- Verification that a given agricultural operation has properly implemented Best Management Practices (BMPs)

Initial Inspections vs. Phase 2 Inspections (cont.)

Initial Inspections

- Includes determination of types of agricultural activity performed, size of operation, etc.
- Need to physically view copies of MMP and/or Ag E&S Plan, as applicable, either on-site or via correspondence after inspection, and compare with current operation conditions

Phase 2 Inspections

- Includes inspection of areas of production and fields in order to determine compliance with the BMP implementation schedules and proper functioning of the BMPs
- Need to physically view existing BMPs, either in-person or via photos or teleconference, and compare with plan(s)

Phase 3 WIP

Priority Initiative – Agricultural Compliance and BMP Verification

- Focuses on verifying Phase 3 WIP priority BMPs for nitrogen, phosphorus, and sediment control
- Goal is to verify that priority practices identified in the Phase 3 WIP are installed, operational, and continue to provide pollution reductions

Violation Follow-Up

Initial Inspection SOP

- 90 days for submission of missing or incomplete plan(s), with a maximum of 180 days for extenuating circumstances

Phase 2 Inspection SOP

- 30 days for submission of plan(s) needing updates or manure application records if unavailable during the inspection
- 90 days for proper implementation of temporary BMPs needed until permanent BMPs can be implemented, if applicable
- 270 days for proper implementation of permanent BMPs

Inspection Goals – CD FTEs

Initial Inspections

- 50 inspections

Phase 2 Inspections

- If no Initial Inspections remain:
 - 25 inspections
- If both Initial Inspections and Phase 2 Inspections are conducted:
 - Subtract the number of Initial Inspections conducted from 50; multiply the remaining number by 0.5 to determine the number of Phase 2 Inspections needed

Inspection Goals – All CD Bay Techs

Meeting Inspection Goals

- The inspection workload is intended to complement:
 - Nutrient Management / Manure Management planning activities
 - Ag E&S planning activities
 - BMP design and implementation

Inspection Goals – DEP Regional Offices

Initial Inspections

- 100 inspections

Phase 2 Inspections

- 75 total inspections; this includes Initial Inspections, Phase 2 Inspections, and Follow-Up Inspections
 - At least 15 of this total should be Phase 2 Inspections

Next Steps

- Chesapeake Bay Technician and Chesapeake Bay Engineer Specialist / Assistant Agreement Announcements were provided to Conservation Districts
- The revised scope of work and accompanying forms were due to the DEP Chesapeake Bay Office by July 16, 2021
- We are currently reviewing the amended forms to identify which Conservation districts will transition into Phase 2 in the 2021-2022 fiscal year

Next Steps

- Outreach to Farmers and Agricultural Organizations:
 - Met with Ag stakeholders in early June to discuss the BMP reporting framework and notified them, generally, of this transition for certain counties and for DEP Regional Offices
 - Presenting to the Agriculture Advisory Board and Nutrient Management Advisory Board
 - Considering a press release after we identify which counties will be transitioning to Phase 2 so the information provided in a statewide release could note specific counties (similar to the Phase 2 Pilot press release last year)

Summary

Phase 2 Inspections

- Build upon Initial Inspection efforts
- Facilitate expanded BMP verification consistent with WIP and CAP goals
- Are more time-consuming than Initial Inspections
- Follow-up is significantly longer than Initial Inspections
- Workload complements Nutrient and Manure Management planning, Ag E&S planning, BMP design/implementation required output measures
- Goals for conservation districts per fiscal year are half of Initial Inspections for solely Phase 2 Inspections and otherwise prorated
- Next steps include outreach to agricultural industry leaders and the public



Questions



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Chesapeake Bay Program Office

Jill Whitcomb, Director

jiwhitcomb@pa.gov

(717) 783-5205