

Pennsylvania Phase 3 Watershed Implementation Plan **2020 Progress Report Summary**



January 2021



2020 Overview: Record Progress in the Face of Considerable Challenge

Pennsylvania's Phase 3 Watershed Implementation Plan (Phase 3 WIP) is unique in its approach to meeting the state's Chesapeake Bay nutrient reduction goals. Whereas previous WIP phases aimed to achieve reductions using a top-down approach, in Phase 3, state agencies and their partners have established a bottom-up approach, with an energetically local focus.

Local participation is established across Pennsylvania's share of the watershed for the first time. The Phase 3 WIP focuses on working with stakeholders at the county level to create and implement Countywide Action Plans (CAPs). Participation in the creation and implementation of a CAP is completely voluntary. To encourage stakeholders to get involved, goals focus on the local benefits of cleaning up waterways, and CAP planning and implementation come with significant technical and financial support from the state.

By the end of 2020, all 34 counties in the watershed that were invited to develop CAPs had agreed to do so—a first in Pennsylvania's efforts to improve water quality in the watershed. The eight counties that contribute the highest nutrient loads have completed their plans and are at varying levels of implementation. The remaining 26 counties have committed to developing CAPs. All counties work with the DEP Chesapeake Bay Office in Harrisburg and DEP Regional Office Support Teams to develop and implement their CAPs.

Strong state government and sector support for county-level work became even more effective. State agencies and state action leaders in agriculture, forestry, stormwater and wastewater worked to determine strategic paths for reaching nutrient reduction goals using existing funding, staff, and resources. Reviews of state regulations, funding, staff, and agency-level organization led to changes that will improve the state's ability to more effectively accomplish state-level work and support county-led efforts. For example, the DEP regional offices are now connecting with the county stakeholders in their regions to support their CAP efforts. This is a new role for those offices, but one that makes a lot of sense given their familiarity with the local communities and their knowledge of state resources available for CAP efforts.

The state, sector, and local partners overcame considerable challenges to make record progress. Given the amount of outreach and on-the-ground implementation that Pennsylvania's Phase 3 WIP partners were committed to accomplishing, the COVID-19 pandemic presented sudden, unique, and difficult challenges. Nevertheless, all partners adapted and innovated to attain many successes in developing CAPs, finding new landowner partners and other support and resources, completing some water quality projects, and launching more projects.

Despite the enormous scale of the Phase 3 WIP, and the unprecedented challenges 2020 brought, Pennsylvania can report it is on track to meet the overwhelming majority of required milestones on time:

- Eighty-six percent of milestone action items are on track for completion by deadline.
- Ten percent are in-progress or only slightly off track, or parts of the milestone haven't come to full fruition according to the schedule.
- Four percent have got off track, are not started yet, or hit significant hurdles.

Details to date for each milestone are provided in the [Pennsylvania Phase 3 WIP Planning and Progress Report](#) .

Progress Highlights

Pennsylvania's Phase 3 WIP focuses on reaching nutrient reduction goals by working closely with county-level stakeholder teams, in addition to the work done by state agencies and state partner organizations. The plan and reporting documents, as thorough as they are, cannot fully capture the true scale and scope of what it takes to implement the Phase 3 WIP and all of the activities occurring in Pennsylvania that focus on the WIP.

For example, there is no place in the progress report to:

- Report how many thousands of Pennsylvanians have been engaged in the process, at some level, since work began--and the thousands more that will contribute to this effort through 2025 and beyond.
- Share how counties have built dozens of new partnerships at the local, state, and federal levels around the shared goal of cleaning up local waters.
- Delineate each new funding opportunity secured by a local organization to fund a stream buffer or conservation easement.

What the plan and reporting document do a good job of is aggregating data, actions, and efforts, so the sum total of all this work can be measured. The plan is organized into five Priority Initiatives:

1. Communications and Outreach
2. Funding and Resources
3. Expanding Capacity for Technical Assistance
4. Reporting and Tracking
5. Compliance

Each initiative was assigned relevant actions by the Phase 3 WIP planning team to help Pennsylvania reach its nutrient reduction goals. While all of the Phase 3 WIP milestone action item updates can be found in the Planning and Progress Report, the following are some progress highlights for each priority initiative.

Priority Initiative 1: Communications and Outreach

Full implementation of Pennsylvania's Phase 3 WIP relies on the ability of many partners—multiple government agencies, nongovernmental organizations, institutions, businesses, and individuals—to work together to achieve shared goals. Ongoing coordination and communication is central to the coordination and engagement of all these entities and individuals at state, regional, county, and local levels. The scale of this task necessitates that communication and outreach efforts be prioritized and as strategic as possible. Recognizing this, Pennsylvania has put special effort into its Phase 3 WIP communication and outreach efforts.

Progress highlights:

- State agency and partner organizations increased communications on the availability of funding (technical or financial) to support best management practices (BMPs), with special emphasis on the following:
 - Conservation tillage and no-till
 - Cover crops
 - Pasture management
- The Department of Conservation and Natural Resources (DCNR) led new forest buffer-related outreach:
 - DCNR, in cooperation with partners on the Riparian Forest Buffer Advisory Committee, launched a riparian forest buffer outreach effort to landowners in June 2020.
 - DCNR conducted public polling on the importance of forests to people and will incorporate these results into future work.
- DEP led a range of new outreach:
 - The Chesapeake Bay Office supported county and state efforts by hiring additional coordination staff to assist with CAP efforts and working with facilitation and outreach contractors to develop and share extensive training and outreach materials.
 - DEP staff produced [The Pennsylvanian's Guide to Permitting for Watershed Improvement Projects](#) in response to county partner requests for clearer permitting information.
 - DEP worked with Penn State Extension to produce "Urban Stormwater Basics" training courses that will be published to DEP's Clean Water Academy for public use.
 - The Region CAP Support Teams, with the aid of the Chesapeake Bay Office, conducted numerous outreach meetings with each of the Tier 3 and 4 counties.
- The DEP Communications Office:
 - Launched [Healthy Waters, Healthy Communities](#), a storymap focused on public education on nutrient and sediment pollution, during Chesapeake Bay Watershed Awareness Week in June 2020.

- Launched the [Phase 3 WIP News](#) monthly newsletter, a go-to resource for the latest updates at the state and county levels and in funding, data and reporting, and other areas of the Phase 3 WIP effort.

Priority Initiative 2: Funding and Resources

The total amount of funding and resources needed to achieve all goals in the Phase 3 WIP numbers is in the hundreds of millions of dollars. Pennsylvania has worked to reprogram funds and reorganize programs to better position funds and staff to support the Phase 3 WIP.

Additional funding and resources will come from a variety of stakeholders and likewise be used by a variety of stakeholders. To reach full implementation, the state and partner organizations/entities will need to pursue novel partnerships and funding sources, in addition to tried-and-true sources.

Progress highlights:

- DEP:
 - Announced the Growing Greener Plus awards on December 30, 2020. More than \$16 million was awarded to projects in the Chesapeake Bay Watershed, with many of those projects focused on agricultural BMPs and forested riparian buffer implementation.
 - Provided Pennsylvania Environmental Stewardship Funds to counties to:
 - Hire eight Community Clean Water Action Plan Coordinators in the Tier 1 and Tier 2 counties;
 - Hire 10 more coordinators to support the Tier 3 and Tier 4 counties.
- DCNR:
 - Continues to make state funding available for forestry BMP implementation, including:
 - Riparian forest buffers
 - Urban tree canopy
 - Urban forest expansion
 - Conservation landscaping
 - Forest conservation through easements and acquisition.
 - Awarded funds to turf conservation programs directly and through partner grants.
- The State Conservation Commission is actively implementing its new Conservation Excellence Grants (CEG) program through five agreements totaling nearly \$6 million with Lancaster, York, Cumberland, and Franklin County Conservation Districts and a pending agreement with Lancaster Farmland Trust and Salisbury Township (Lancaster County).

Priority Initiative 3: Expanding Capacity for Technical Assistance

Much of the work that needs to be done on the ground and behind –the scenes to meet Pennsylvania’s Phase 3 WIP goals requires significant technical skill. The plan includes actions

to ensure needs for technical support, expertise, and training are met through technical training, hiring technical support staff, and leveraging partnerships with organizations with needed technical resources/expertise.

Progress highlights:

- DEP:
 - Developed new training in agriculture erosion and sediment control planning:
 - Staff developed four web-based training modules for the Agriculture Erosion and Sediment Control Manual and opened them for public use on DEP's Clean Water Academy.
 - DEP entered into an agreement with Penn State Extension to create additional in-person curriculum.
 - Provided wastewater treatment plants technical assistance to:
 - Support reductions in nutrient loading
 - Purchase new equipment and service existing equipment
 - Provide training to staff on nutrient load reduction methods
- DCNR increased technical assistance to landowners interested in implementing riparian forest buffers by:
 - Filling a new staff position that helps conduct outreach on riparian forest buffers.
 - Continuing to make C2P2 grants available to help partner organizations fund positions for buffer outreach and implementation work with landowners.
 - Working with the Alliance for the Chesapeake Bay through the Correctional Conservation Collaborative program. The program encourages individuals with barriers to employment to become new buffer planting and maintenance entrepreneurs.
- The Pennsylvania Fish and Boat Commission hired four fisheries biologists in 2020 to expand its stream restoration model in the northcentral region and move into the southcentral region.

Priority Initiative 4: Reporting and Tracking

Progress reporting and tracking are critical parts of the Phase 3 WIP. By devising methods for state employees, partner organization staff, local government staff, and others to report progress, Pennsylvania can track which efforts are successful and areas where additional support is required.

DEP and partners improved and expanded new centralized reporting methods in 2020 that are easy to use and accessible to key stakeholders. In addition, concerted effort was put into assessing what existing practices and partners were missing from both the PracticeKeeper and FieldDoc data reporting systems to prioritize their input into the tool.

Progress highlights:

- FieldDoc was expanded and tailored to meet the needs of local stakeholders. The Data Tools Review Team lead by the county coordinators from Tier 1 and 2 provided input on how to improve FieldDoc to meet the data management needs of county partners.
- BMP tracking in PracticeKeeper, FieldDoc and program reporting was improved through coordination with state agencies and partner organizations. Some examples:
 - The Pennsylvania Department of Transportation added approximately 1,000 BMPs to the list.
 - The Chesapeake Bay Foundation reported trees planted through their 10 Million Trees Initiative.
 - Agricultural grass buffers are being reported, as well as the BMP Partner submission module through the Agriculture Reimbursement Plan Program.
 - DCNR Forestry entered BMPs from 2017 – 2020 and they were reported as part of 2020 progress to EPA.
- DEP is now using an electronic system for recording MS4 inspections (“e-Inspection”).
- Countywide Action Plans:
 - The four pilot counties submitted annual CAP Progress Reports to DEP in the fall.
 - The four Tier 2 counties finalized their CAPs, for a total of eight completed CAPs as of December.

Priority Initiative 5: Compliance

Pennsylvania and its partners identified ways to increase and support compliance with nutrient management and nutrient reduction goals, standards, ordinances, and laws.

Compliance is an area where permitting and other regulatory functions play an important role. It is also an area where setting clear expectations and providing needed assistance can save time, money, and frustration down the road. Achieving 100 percent compliance with permitting and regulatory standards will require support from several internal and external agencies and organizations. Pennsylvania will continue to direct internal resources, and leverage relevant partnerships, to ensure compliance and enforcement actions are fully implemented.

Progress highlights:

- DEP reviewed planning requirements for land application of biosolids. DEP is on track and currently developing draft permits to reissue for the beneficial use of sewage sludge (PA General Permits 07, 08 and 09).
- Concentrated Animal Feeding Operation inspections are on track, as are complaint follow-up inspections.
- Chesapeake Bay Agriculture Inspection Program Phase 1:
 - Standard Operating Procedure was updated in May.
 - The 2019-2020 Annual Inspection Summary was developed and published on the DEP Ag Compliance website.
- Chesapeake Bay Ag Inspection Program Phase 2:

- Standard Operating Procedure was finalized in June, along with the Phase 2 Inspection Program Funding Guidelines (provided via DEP Environmental Stewardship Funds).
- Phase 2 Inspections began in Lancaster, Chester, and Adams counties by the Conservation Districts, and in York County by the DEP Southcentral Regional Office.
- DEP is on track to complete NPDES MS4 Permit and NPDES Industrial Stormwater Permit.

Challenges to Implementation

As COVID-19 pandemic work-from-home protocols were put in place, state staff and local county teams and stakeholders pivoted, adapted and continued to work on the Phase 3 WIP. Nevertheless, this unprecedented hurdle slowed progress on some efforts by both the Phase 3 WIP core partnership and the broader circle of partners.

- On-the-ground implementation was delayed or halted on some projects.
- Proposed revisions to Pennsylvania's Right To Know Law to better incentivize reporting of BMP implementation in the agricultural sector were delayed, because they require partnering non-agency entities to take the lead. Progress also requires action from the legislature.
- Development of comprehensive "Soil Health Practices" was delayed, as partners with specific expertise are needed to develop this comprehensive approach to establish a creditable practice or combination of practices for implementation of advanced soil health strategies or plans on farms in the Chesapeake Bay Watershed Model.
- While Senate Bill 915, the Fertilizer Bill, made good progress during the 2019-2020 legislative session, the session ended prior to its passing.

Lastly, because the Phase 3 WIP is an ambitious plan, it requires significant funding, staff, land, and material resources. While Pennsylvania has taken many meaningful steps to meet these resource needs, considerable ongoing effort is required. Phase 3 WIP state agency, county, and sector partners are committed to doing everything possible to ensure all funding and resource needs are met, so that Pennsylvania can continue to make progress in improving water quality.