York County Phase 3 WIP State Programmatic Recommendations Template

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Action #	Description	Performance Target(s)	Expected Timeline	Potential Implementation Challenges	Potential Recommendations on Improvement	Resources Needed				Reason for Change to Action Item	DEP Reported Annual Progress	York Responses to DEP Reported Annual Progress
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Programmatic Initiative 1: Recommendations for State Programmatic Changes												
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.	With the WIP 3 philosophy of local plans/effort to meet State requirements, this action is necessary to integrate water programs at the State level and make local efforts possible.	2020	Development of staff consisting of state and local planners knowledgeable of integrated water resource planning.

Costs associated with staffing, meeting, planning, either added planning department and/or expanding existing departments.

Convincing regulatory/political agencies of the need/benefit for sound integrated planning/implementation.

Having constant attendance by the same State/County staff due to complexity/specialized needs of integrating water issues/programs. | Dedicate a leadership entity within DEP to promote and implement collaboration, integrated water resource planning, and permitting changes that are important to the success of the PA WIP and County Action Plans.

The collaborative planning team should contain at least a county planner (county level is the entity that has the big picture from local up to Federal level).

Integrated planning means not only local/county/state collaboration…but also all DEP water related departments collaboration/participation.

The financial resources spent to do prudent integrated water planning should actually be offset by increasing efficiency of water related initiatives, reducing redundancy, and providing stacked benefits | Dedicated staff to lead coordination, planning and integrated water resources management efforts at least at the State and County/ municipal level | Dedicated DEP planning staff to lead integrated planning efforts. Staff from State Departments (Ag, DCNR, PennDOT, etc.) to participate in planning meetings. County staff dedicated for participation. | At least 2 dedicated Integrated planning staff at DEP and 1 at each County. Participation by other State departments

$6M | DEP/Dept Ag/DCNR general funding. | No changes to Action item. | DEP 08/21: Since 2019, the DEP Chesapeake Bay Office has supported county resource efforts with funding for Community Clean Water Coordinators in the eight pilot and Tier 2 counties.

DEP's Chesapeake Bay Office has expanded internal staffing resources to directly support county partners in CAP planning and implementation. The Chesapeake Bay Office has also contracted services from SRBC (technical support), Water Words That Work (outreach and engagement support), and Consulting with a Purpose (facilitation, meeting and strategic planning support) to further support both state and county efforts on this large scale project.

In 2020, the DEP Chesapeake Bay Office was re-organized to include complementary nonpoint source pollution prevention and watershed improvement and protection programs including Watershed Support, Ag Compliance, | YC 09/21: DEP formulated and expanded the Chesapeake Bay office that is very readily available to County Lead Entity.

This Action is red because no integrated planning program has been established within the Bay Office to spearhead State Programmatic Changes.

The responses given by DEP in regards to this Action in August 2021 do not address the Action. |

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🟥											and the Conservation District Support.	
1.2	Develop a method /model/template to capture and report non-permitted BMPs at the municipal level for credit in model/ permit	Acceptable method to capture municipal SW BMPs not needing a Chapter 102 permit	2023	Municipal resources, DEP resources, DEP involvement, will credit be worth effort? Limited municipal resources make added work difficult to achieve without added funding sources.	Any municipal stormwater ordinance requiring s/w management for development less than one acre is above and beyond the law. A standard system of tracking and reporting these BMPs is necessary to enable municipalities/PA to get pollution reduction credits.	State/County/ Municipal staff	DEP/County planning and/or Conservation Districts to develop template and then Municipal staff to track/report.	Cost of added municipal staff work.	DEP	No changes to Action item.	DEP 08/21: FieldDoc - In partnership with Chesapeake Commons, DEP's CBO collaborated to create FieldDoc, an electronic BMP reporting and tracking system to capture non-federal / state cost share programs and non-federal / state regulatory programs. Comprehensive training on FieldDoc is available on the Clean Water Academy. A comprehensive BMP tracking spreadsheet was developed by DEP's CBO to assist counties in tracking and reporting BMPs. In collaboration with SRBC, a BMP template was developed to assist in compiling BMPs for CAST runs.	YC 09/21: BMP's less than 1 acre are of no concern according to DEP's verification program. FieldDoc can only capture BMP's we have listed in our CAP. DEP says progress shown in FieldDoc is "raw" and therefore unusable in progress reporting. After spending substantial time with the DEP led Data Tools Review Team and receiving Countywide FieldDoc training, no unreported/non permitted/non cost shared/non Ag BMP's have been captured in FieldDoc for credit. The model doesn't accept the thousands of less than 1 acres BMP's that result from York County Municipal Stormwater Ordinances.

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1.3	Develop a method/model/template to capture and report non-manure nutrient management	A method developed to encourage, perform, capture, and report the 4R program	2023	Will require close coordination and cooperation between regulatory agencies, private fertilizer companies, & farmers to achieve statewide model. Requesting fertilizer companies to participate in a program that could potentially reduce sales.	Dept Ag/DEP /farmers to coordinate at State level with the fertilizer industry; State or Baywide system needed for consistency. Added pollutant reductions reported from work already being done.	State ag/farming/ fertilizer industry experts	DEP/willing farmers/ fertilizer companies	Tracking/ reporting expenses not offset by increased production for farmer.	DEP/Dept Ag/DCNR general funding.	No changes to Action item.	DEP 08/21: Existing tools and resources can be utilized to capture and report non-manure nutrient management. For example, the existing Nutrient Balance Sheets (NBS) for the Act 38 Nutrient Management and the Manure Management programs consider all inorganic and organic sources of nutrients. These NBS can be used for non-manured acres; DEP and SCC have recently been working with Adams County Conservation District related to this effort. Additionally, nutrient management for non-manured acres can be captured and reported through PracticeKeeper, as the nutrient source does not limit the function of PracticeKeeper for documenting implementation of nutrient management on non-manured acres.	YC 09/21: Why is DEP working additionally with SCC and Adams County on this effort if they feel that existing tools and resources can be utilized to capture and report non-manure nutrient management? PracticeKeeper is only available to the Conservation District.
1.4	Develop a Standardized/ Centralized system to collect and report all BMP data for credit in the Model, including O & M	A standardized/ centralized data collection and reporting system	ASAP	Will need to address privacy concerns; may need changes to Right to Farm Act.	York Co online BMP reporting tool developed by the Chesapeake Conservancy or the Second Nature planning and reporting tool could potentially be modified for this purpose; York Co IWRP Flowchart Tool should also be explored.	State Ag staff/ Conservation districts/ County/ municipal planners /software experts	DEP/Dept. Ag/ Municipalities/ County staff	Software costs/staff costs	DEP/Dept Ag/DCNR general funding.	No changes to Action item.	DEP 08/21: Field Doc and PracticeKeeper were created and provide these services. PracticeKeeper allows space for O&M in the practice narrative.	YC 09/21: See previous comments about FieldDoc and PracticeKeeper. Still, neither of these programs capture BMP's of less than 1

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(yellow)												acre in size into the Model.
1.5 (red)	Provide flexibility to combine MS4/ TMDL/WIP III requirements into a single Plan. Implement ONE plan in order to meet all requirements	Elimination of WIP 3 sectors; Planning areas include entire jurisdiction; If countywide WIP 3 Plan is being implemented, it can be cited for MS4 Permit PRP/ TMDL Plan requirements	2023	EPA/DEP flexibility to allow MS4 Permittees to reduce required pollutants across entire jurisdiction; Present MS4 Permit reduces local effectiveness. May involve EPA flexibility/buy in. Requires collaboration/coordina tion/ involvement/ commitment by DEP/State departments/ counties/municipalities. Change in way of thinking/doing business.	Counties and municipalities need to be involved when developing MS4 Permits/ regulations PRIOR to and in addition to, public comment. Needs to be a partnership at all levels.	Included under Action #1.1	Included under Action #1.1	Included under Action #1.1	DEP/Dept Ag/ DCNR general funding	No changes to Action item.	DEP 08/21: MS4 permittees have the flexibility to combine local TMDL plan and MS4 Pollution Reduction Plan (PRP) requirements. When the pollutant load reduction goal of a local TMDL is greater than the load reduction requirement of the MS4 permit (as it is in most cases), MS4 permittees have the option of using the load reduction requirements of their PRP as a "short-term" plan to meet the goals of their local TMDL.	YC 09/21: York County understands how the current MS4 permit works including the little bit of flexibility involved in it. There needs to be more flexibility for municipalities to utilize their entire jurisdiction to meet pollutant reductions on a watershed basis.
1.6 (red)	Develop a regulatory model that allows for meeting water quality goals under a results oriented program vs. the current performance based program	Water Quality Monitoring system created that promotes a results oriented verification/ reporting/ permitting system; Water quality data dictates what needs to be	2025	Permit changes that allow the use of water quality data to demonstrate permit compliance; Permitting Authority coordination with permittees to achieve flexibility. Change in philosophy. EPA buy-in. Delay in obtaining enough trend data to	Money savings in reporting/reviewing/asse ssing/ can be invested in expanded data base and enlarging real time sampling system Administrative savings for MS4s may provide incentives to fund such expanded water sampling resulting in stacked benefits for State, Federal, regional, and academic agencies.	Monitoring equipment, installation, monitoring, and O&M. Data interpretation , storage, and QC.	USGS/SRBC/DEP /County	$300,000 annually	DEP/general funds/grants/SR BC/York County	No changes to Action item.	DEP 08/21: DEP published its interactive 2020 Integrated Water Quality Monitoring and Assessment Report that includes narrative descriptions of the various control and restoration programs DEP manages, trends in specific water quality parameters, and the status of Pennsylvania surface waters. The interactive report format provides easier access to a large amount of data in an easier to understand format	YC 09/21: There has been no effort by DEP to address or to discuss this Action item. Interactive report format change does not equate to programmatic change. The efforts mentioned led by Lancaster and York Counties have no connection to DEP.

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		done and where		utilize for interpretation (not immediately useful).							for county partners and the general public. The story map link can be found at: https://gis.dep.pa.gov/IRStorymap2020/ USGS is partnering with PA NRCS to provide real time loads for Total Nitrogen (TN) and Suspended Sediment Concentrations (SSC) will be available by the end of 2022 for Chiques Creek in Lancaster County near Marietta, PA (USGS 01575900). In 2019, USGS partnered with York County to provide real time loads for TN and SSC – this data will be available mid 2022 for Fishing Creek at Goldsboro, PA (USGS 01573660); Fishing Creek at Craley, PA (USGS 01576045); Kreutz Creek at Strickler, PA (USGS 01576007); West Conewago Creek near Manchester, PA (USGS 01574000); Codorus Creek near Saginaw, PA (USGS 01575598); and Muddy Creek at Castle Fin, PA (UGSG 01577500). USGS NOTE: All sites include instruments that measure continuous streamflow, turbidity, dissolved oxygen, pH, specific conductance, water temperature, nitrate and real time concentration and loads (15 minutes) are being developed for nitrate (measured	

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1.7	Establish watershed permits to expedite/ simplify permitting process for similar BMP projects	Establishment of a watershed permit	2023	Permitting Authority flexibility. Perceived reduced resource protection.		Included under Action #1.1	Included under Action #1.1	Included under Action #1.1	Included under Action #1.1	No changes to Action item.	DEP 08/21: DEP's Southcentral Regional Office (SCRO) set a recurring weekly pre-application meeting appointment for Lancaster and York Counties. DEP held meetings to provide Chapter 105 permitting explanation for county partners (York and Lancaster). DEP provided a Chapter 105 training to Adams County.	YC 09/21: It's a plus that DEP has included the Counties in the pre-app permitting process. The real potential of this opportunity is yet to be realized. York County supplied DEP with a draft Watershed Permit concept/outline in March of 2021.
1.8	Enforce Act 167	All municipal SWM Ordinances consistent with County Stormwater Management Plan and being enforced.	2025	DEP staffing; Act 167 "consistent" criteria definition.	Act 167 plan development cost could be greatly reduced if York County's Act 167 Plan & Flow Chart Tool was used as a model. Savings of plan preparation could then be directed to municipal staff to implement the plan, including tracking & reporting of BMPs.	2 Act 167 enforcement staff	DEP	$150,000	DEP general fund	No changes to Action item.	DEP 08/21: Counties are responsible for the preparation, enactment, implementation, administration, and enforcement of Stormwater Management Plans (SWMPs). DEP shares this objective.	YC 09/21: DEP is responsible for enforcing Act 167. Act 167 being somewhat outdated has potential to fill a few small niches where current Stormwater Management Plan do not cover.
1.9	Create/establish incentives (positive-economic/water quality; negative-noncompliance penalties) for all stakeholders to	Funding to implement BMPs and funding for regulatory agencies to meet responsibilities under	ASAP	Political will; this includes county Storm Water Management (SWM) Plans and subsequent municipal SWM ordinances, which will result in development that	Give municipalities in compliance with Act 167 credit/incentives toward MS4 Permit requirements. All municipalities that have land use authority should also have MS4 Permit requirements to	PA needs to adequately staff State agencies to carry out program responsibilities	DEP	Estimated cost to achieve PA's WIP III obligation alone is $380M	State Budget	No changes to Action item.	DEP 08/21: The existing NPDES CAFO and Chesapeake Bay Agriculture Inspection Program ensures that farms are complying with state and federal regulations. More DEP staff is needed to increase inspection frequency.	YC 09/21: If existing NPDES CAFO and Chesapeake Bay Agriculture Inspection Program ensures that farms are complying with state and federal regulations that means every BMP that is

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(yellow)	comply with State law	established laws /regulations		addresses water quality.	address the impacts of that land use authority.						Nutrient Management and Manure Management programs have existing compliance policies in place and all farmers are expected to be in compliance.	placed on a farm is above and beyond compliance and should be creditable at that standard.
1.10 (red)	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	Permit assignment issued directly to permittees based on Bay Model so all Chesapeake Bay efforts are based on uniform criteria	2023	Change in philosophy.\n\nBay Model may not be accurate/usable at municipal scale.\n\nCurrent MS4 permit identifies municipal level data but requires costly calculations.\n\nVarious DEP/State programs attempt to manage/administer programs at differing scale which isolates these programs into "silos' rather that working at the same scale in order to overlap/stack efficiencies of all programs (watershed scale…State Water Plan/Act 167, county scale…WIP III, municipal/partial municipal scale…MS4).	Utilize the resource developed for tracking/ improving/validating water quality for the Bay (CAST). Interpolate for the municipal level if need be for PLANNING purposes so that municipal money being spent on mapping, calculating, designing projects for PRPs can be utilized for BMP installment.	Existing CAST resources	EPA/DEP	No more than existing.	EPA/DEP/ municipalities	No changes to Action item.	DEP 08/21:\nThe planning area for a MS4 permittee is the drainage area within the municipality's jurisdiction that drains to sediment and/or nutrient impaired waters. This is, in many cases, a smaller scale than what can be calculated using the Bay Model (CAST). Therefore, the MS4 program must use other modeling approaches (Simplified Method, MMW) that can be used at a local scale to calculate pollutant loads.	YC 09/21:\nYork County knows what the current MS4 permit says, a better permit needs designed. York County has submitted several comments and suggestions on how to achieve a better MS4 permit.

Phase 3 Watershed Implementation Plan (WIP) Planning and Progress Template

Each county-based local area will use this template to identify:

1. Inputs – These are both existing and needed resources, public and private, to implement the identified priority initiative. These include both technical and financial resources, such as personnel, supplies, equipment and funding.

2. Process – what is each partner able to do where and by when. These are the action items listed under each priority initiative.

3. Outputs and outcomes – both short and long-term. These are the priority initiatives identified by each county.   The performance targets are the intermediate indicators that will measure progress.

4. Implementation challenges – any potential issues or roadblocks to implementation that could impede outputs and outcomes

For each Priority Initiative or Program Element: Use the fields, as defined below, to identify the inputs and the process that will be followed to achieve each priority initiative. This is the "who, what, where, when and how" of the plan:

Description = What. This may include programs that address prevention, education, or as specific as planned BMP installations that will address the Priority Initiative. A programmatic or policy effort will require some ability to quantify the anticipated benefits which will allow calculation of the associated nutrient reductions.

Performance Target = How. This is an extension of the Description above. The Performance Target details the unique BMPs that will result from implementation of the Priority Initiative and serves as a benchmark to track progress in addressing the Priority Initiative. Performance Targets may be spread across multiple Responsible Parties, Geographies, and Timelines based on the specifics of the Initiative.

Responsible Party(ies) = Who. This is/are the key partner(s) who will implement the action items though outreach, assistance or funding, and who will be responsible for delivering the identified programs or practices.

Geographic Location = Where. This field identifies the geographic range of the planned implementation. This could extend to the entire county or down to a small watershed, based on the scale of the Priority Initiative, range of the Responsible Party, or planned funding/resources. *NOTE: Resource limitations alone should not limit potential implementation as additional funding may become available in the future.*

Expected Timeline = When. Provide the expected completion date for the planned activity. This should be a reasonable expectation, based on knowledge and experience, that will aid in tracking progress toward addressing the Priority Initiative.

Resources Available: Technical & Funding = This field will note technical and financial resources secured/available to implement the program (Description). This is the total of the resources identified in the County Resources Inventory Template below allocated to the priority initiative as a whole; or, if available, to each action.

Resources Needed: Technical & Funding = This field will note technical and financial resources needed/outstanding to implement the program (Description). This is the total of the additional resources projected and identified as needed in the County Resources Inventory Template below allocated to the priority initiative as a whole; or, if possible, to each action.

Potential Implementation Challenges/Issues = This field will note challenges and issues that may delay program implementation (Description)