

PA Chesapeake Bay Watershed Implementation Plan

Agricultural Section – Strategy to Fill Gaps

Update September 2011

Non-Regulatory Efforts

Page 82 Chesapeake Bay Implementation Grant Special Projects Funding

DEP targeted priority practices (stream bank restoration/riparian buffers, fencing, manure storages/barnyard practices, cover crops/no-till, nutrient management/E&S plans) and priority watersheds. DEP awarded 46 projects to conservation districts for a total of \$800,492.95. Of the 46 projects, 41 were awarded for priority activities including 17 projects for nutrient management/conservation plans, six for fencing and four for cover crops/no-till planting. Of the other five - less than 10% of the funds were awarded - two supported on-going staffing commitments and three were for additional outreach activities. In addition, all but two of these 46 projects were in the targeted watersheds. These two supported (1) a county-wide outreach effort in Bradford and (2) on-going staffing commitment in Susquehanna County

Page 82 Chesapeake Bay Implementation Grant Technician/Engineer Funding

DEP revised the technician contracts for 2011-2012 to include specific tasks to expand the compliance assistance outreach for agriculture. The scope of work in these technician contracts required staff to spend a portion of their time contacting farms in their county to ensure all farm operators are aware of their responsibilities under PA erosion and sedimentation control regulations and the Manure Management Manual.

Page 83 PENNVEST Non-Point Source Funding

On July 20, 2011, PENNVEST approved over \$1.9 million for six projects to address agricultural non-point source pollution. All six are in Lancaster County and will reduce nutrient runoff into local streams and the Chesapeake Bay watershed. The specific projects were:

- A \$163,213 grant to construct a manure storage facility at a poultry operation in Paradise Township.
- A \$573,188 grant to construct a manure storage facility at a farm in Ephrata Township.
- A \$176,210 grant to construct a manure storage facility at a farm in Mount Joy Township.
- A \$157,534 grant to construct manure litter storage shed at a poultry operation in Strasburg Township.
- A \$657,050 grant to construct manure composting facility as well as an infiltration basin at a farm in Drumore Township.
- A \$212,056 grant to construct a manure storage facility and make other improvements at a second farm in Strasburg Township.

On April 20, 2011, PENNVEST approved five projects to address agricultural non-point source pollution. Three of the projects (\$1.069 million) were in the Chesapeake Bay watershed in Lancaster, and Montour counties. The specific projects were:

- \$425,397 grant to construct various manure-control facilities at a dairy and poultry operation in West Lampeter Township that will reduce nutrient runoff into Pequea Creek in Lancaster County.
- \$148,802 grant to construct manure-control facilities at a poultry farm in Strasburg Township, where nutrient runoff during wet weather is contaminating Big Beaver Creek in Lancaster County.
- Montour County Conservation District received a \$495,000 grant to install manure and animal control facilities at two livestock farms where there is significant nutrient runoff into Mahoning Creek, Beaver Run and ultimately the Chesapeake Bay.

Page 86 PENNVEST Non-Point Source Funding

On April 1, the PA Association of Conservation Districts hired Paul Herzer as the Non-Point Source Application Developer (AKA “NPS Circuit Rider”) to assist county conservation districts, watershed groups, environmental groups, municipalities and DEP Regional Offices with the PENNVEST application process. Funding for this position was awarded by DEP to PACD from the EPA Section 319 grant funds.

Page 86 PENNVEST Non-Point Source Funding

PENNVEST announced the second round of nutrient credit trading auctions. These auctions will be held on November 2 and November 9 2011. The Pennsylvania Infrastructure Investment Authority (PENNVEST), working in conjunction with the Department of Environmental Protection (DEP), will be hosting auctions for the sale and purchase of nutrient credits in the Susquehanna and Potomac watersheds to be conducted this fall. There will be two “spot” auctions of verified credits, applicable to the 2011 compliance year (i.e. October 1, 2010 – September 30, 2011). Both auctions will afford wastewater treatment plants in these two watersheds to purchase credits as a means of meeting their nitrogen and phosphorous discharge limits for the compliance year.

Page 89 NRCS Training for Field Staff

NRCS, working with Penn State, developed the **AG 101: Understanding PA Farm Operations** online sessions that explore the many facets of farm types, operations management, economics, social aspects, and environmental considerations. The “winter burst” and “summer burst” of the series were held in 2011 and looked at what Pennsylvania agricultural producers manage as they grow food, fiber, and fuel. **AG 101** was developed to enhance the work of conservation practitioners who are on the front lines supporting producers in choosing, planning, and implementing the best management practices that preserve soil, water, and air quality. **AG 101** was jointly developed and sponsored by Penn State Cooperative Extension and the Pennsylvania Natural Resources Conservation Service in collaboration with PennAG Industries and the Pennsylvania Farm Bureau.

Regulatory Efforts

Page 93 Continue Existing Regulatory Programs

Pennsylvania expanded outreach to ag community to increase compliance with Chapter 102 and manure management requirements. Prepared “Am I in Compliance” brochure with distribution of ~20,000 copies since January 2011. Prepared “Ag E&S Barn sheet” for use in conservation district 100 site visits.

Three training sessions held in conjunction with NRCS and PACD on Feb 24, March 2 and March 10 for about 200 people. The training was aimed at staff from USDA Natural Resources Conservation Service (NRCS), PA Department of Environmental Protection (DEP), and Conservation Districts who are involved in agricultural erosion and sediment control plans and conservation planning. Speakers from NRCS and DEP answered the question: what is an Agricultural Erosion & Sedimentation Plan? A detailed review of the Chapter 102.4 (a) requirements will be explained. Examples of the requirements for Ag E&S plans are: maps, treatment of animal heavy use areas, near stream cover requirements, and tolerable soil loss conditions for crop fields.

Page 94 Evaluate and Modify Regulatory Tools – Chapter 102 Regulations

In July 2011, NRCS developed the “Conservation Planning and Regulatory Compliance Handbook” for NRCS staff. This guidance referenced Pennsylvania’s Chapter 102 regulations and provided tools and guidance for NRCS staff involved in conservation planning that addresses the requirements for Ag E&S. Guidance does not implement Pennsylvania’s regulatory program, but provides guidance as to what requirements are found in Pennsylvania and how this interfaces with NRCS conservation planning activities.

Page 94 Evaluate and Modify Regulatory Tools – Manure Management Manual

In 2011, DEP continued revisions to the Manure Management Manual. Final revisions were presented to DEP’s Agricultural Advisory Board in June. Manual is currently in final review to be published as a PA DEP Technical Guidance Document.

Page 98 Basin-wide Component to Achieve Agricultural Regulatory Compliance

In 2011, DEP continued revise delegation agreements with county conservation districts.

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Basin-wide Component to Achieve Agricultural Regulatory Compliance

In 2011, DEP continued development of “Model Agricultural Compliance Policy.” A preliminary draft has been developed and given a cursory review by DEP’s Bay Ag Water Quality Initiative Workgroup. Revisions are on-going with additional review by county conservation districts and others, in anticipation of presentation at “All Bay Meeting” in January 2012. On-target to meet roll-out in July 2012.

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Basin-wide Component to Achieve Agricultural Regulatory Compliance

In 2011, DEP revised the conservation district Bay technician contracts for 2011-2012 to include specific tasks to expand outreach for agriculture. The scope of work in these technician contracts required these 42 staff to undertake 100 site visits per staff person – or equivalent staff person – and DEP expects over 4,000 site visits by June 2012. Over 200 were conducted by September 2011. In addition, each bay conservation district was requested to submit a plan that identifies how each district will engage all farms in this regulatory outreach. These plans are required to be submitted in October 2011. Significant training of staff via webinar and supplies of outreach material were provided. DEP press release was made and significant positive press coverage was received.

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Basin-wide Component to Achieve Agricultural Regulatory Compliance

In 2011, DEP received \$2.466 million from EPA via the Chesapeake Bay Regulatory and Accountability Program (CBRAP) grant. DEP used these funds to, among other things, support 5 new DEP staff positions. In March 2011, four of these staff were hired. (The 5th position is not yet hired, due to DEP difficulty in hiring this one staff position.) One staff position was in Harrisburg and has been engaged in development of the Manure Management Manual and the CAFO General Permit. Two staff positions were hired for the Southcentral Regional Office and have been engaged in compliance inspections; one position was hired in the Northcentral Regional Office and has been engaged in compliance inspections and regulatory outreach activities.

WIP indicates “Conservation District Chesapeake Bay staff can address 18,000 farm operations – about half of the farms in the watershed – and inform them about compliance with their regulatory requirements.” In 2011, DEP expects over 4,000 site visits will be made by these staff. Outreach plans for these conservation districts are expected to be available by December 2011 indicating how all 40,000 farm operations will be addressed by 2015.

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