

Appendix 5.

Pennsylvania's Proposed Chesapeake Bay Agricultural Water Quality Initiative Policy

Goal:

Clean water within the Chesapeake Bay Watershed, starting with Pennsylvania local water quality and ultimately the Chesapeake Bay, and Economically Viable Farms

Objectives:

To reduce nutrient (Nitrogen and Phosphorous) and sediment loads entering surface and ground waters from agricultural operations.

To restore and reclaim water quality in watersheds that do not meet their designated and existing uses and are listed as impaired due to agricultural activities in Pennsylvania's portion of the Chesapeake Bay Watershed. .

To achieve environmental objectives in a manner that strives to maintain the economic viability of Pennsylvania farms and farm families.

To achieve environmental and economic viability of farms in a manner consistent with existing legal agreements among the Chesapeake Bay States, and state and federal laws.

Key Components of this Initiative include:

- Continue to maintain, and where possible enhance and target, the current base of technical and financial assistance provided to the agricultural community provided through local (conservation districts (CDs), non-profit organizations and agricultural organizations/consultants), state (Pennsylvania Department of Agriculture (PDA), Pennsylvania Department of Environmental Protection (DEP), Pennsylvania Department of Conservation and Natural Resources (DCNR)) and federal (Natural Resources Conservation Service (NRCS)) partners;
- Maintain a continued focus on the "Core 4 Conservation Practices" including: conservation and nutrient management plans; cover crops; streamside buffers; and no-till and low till practices;
- Focus on full implementation of existing Pennsylvania "baseline" regulatory requirements. This would include Chapter 91 and Chapter 102 compliance for all sized farms, Chapter 83 (Act-38 of 2005) and Chapter 92 where applicable, and the Clean Streams Law;
- Evaluate and modify regulatory requirements (where necessary), water quality programs and administrative tools, to help maximize attainment of the goal;
- Implement a basin-wide approach to achieve agricultural compliance focusing on a robust communications and outreach strategy coupled with an assessment of agricultural operations to achieve baseline compliance with regulatory requirements.
- Implement a targeted watershed approach to systematically assess compliance of all agricultural operations, within a targeted watershed, with existing baseline water quality regulatory requirements and to implement strategies to achieve greater compliance with these water quality requirements.

- Monitor and evaluate the progress of this initiative and make necessary revisions to the initiative as appropriate. When warranted, reassess stream segments to see if they can be removed from the 303d list as impaired waters of the Commonwealth;
- Monitor and evaluate the progress of this initiative toward meeting the nutrient and sediment reduction goals of the Chesapeake Bay TMDL and revise as appropriate.
- Work to enable and encourage agricultural operations that are found to be meeting base-line regulatory compliance to actively participate in nutrient credit trading and other market based ecosystem programs that financially reward farmers for implementing Best Management Practices (BMPs) that go beyond baseline compliance and ultimately benefit the Chesapeake Bay;
- Promote the use of nutrient reduction technologies and nutrient trades. DEP, along with its agricultural partners, should encourage nutrient capturing technologies and BMPs;
- Focus on receiving and reporting BMP data that includes non government cost shared BMPs. Verification of the BMP data, implementation to standards and specifications, and continued operation and maintenance is of up most importance;
- Initiate a renewed focus on Education and Outreach. Education and outreach will be focused on all segments, issues, and concerns include those providing technical assistance directly to farmers;
- Support the Pennsylvania's Watershed Implementation Plans (WIP) - a requirement of the Chesapeake Bay Total Maximum Daily Load (TMDL) including working with EPA to verify that the Bay Model properly accounts for implementation of BMPs implemented to achieve TMDL reduction targets;
- Promote the retention and enhancement of forest cover on agricultural lands. Promote agroforestry practices including windbreaks, buffers, forest farming, silvopasture to maximize ecological and economic benefits and retention of working farm forests (Avoided loss of forest cover).

Pennsylvania's Agricultural Water Quality Initiative builds upon implementation of current regulatory authorities by implementing a basin-wide communications, outreach, and assessment strategy and targeting of existing resources toward systematically restoring water quality within priority watersheds across the Chesapeake Bay basin. It maintains the active implementation of the existing statewide DEP Concentrated Animal Feeding Operation (CAFO) regulatory program and recognizes the need to continue to respond to and address complaints concerning potential pollution at agricultural operations all across the state.

It is important to recognize the importance and considerable resources of the CDs, and their significant role as the primary agricultural staff (technical and financial assistance) for implementing Pennsylvania's environmental programs. NRCS's role is also significant. With current budget considerations, there is no expectation that any significant additional staff resources will become available in the near term (3-4 years). However, by targeting our existing resources to continue to provide a strong focus on Concentrated Animal Feeding Operations (CAFOs), Concentrated Animal Operations (CAOs) and on other farms with potential pollution incidents; and by implementing a new communications and outreach strategy while actively assessing all farming operations within selected targeted watersheds, Pennsylvania will be able to methodically increase compliance by agricultural operations and reduce the nutrients and sediments entering watersheds in the Chesapeake Bay basin.

I. Continue Existing Regulatory Program:

1. Continue routine CAFO inspections. The current frequency of one inspection per year by DEP (CAFOs falling under Individual Permits) and one inspection per year by CDs (remaining CAFOs that fall under the General Permit since primarily they are CAOs under Act-38) will be maintained as long as sufficient resources exist and where annual inspections are necessary. These inspections continue to yield improvements in these larger agricultural operations. If there are violations, they will be corrected either cooperatively or through an enforcement action.
2. Continue routine CAO inspections by CDs and the SCC under the Nutrient Management Act (Act 38 of 2005). These inspections continue to yield positive program improvement. If there are violations, they will be corrected either cooperatively or through an enforcement action.
3. Continue to respond to and investigate agricultural water quality complaints. In each case, field staff will pursue the development and implementation of a manure management plan and agricultural erosion and sediment pollution control (E&S) or conservation plan, if not already in place, as these are requirements of all farming operations. Utilize the complaint investigation and follow-up process to provide one-on-one education to the farm operations.

For complaints that have identified an actual pollution event:

- Require mitigation efforts if the event is in progress and has not been controlled.
- Require corrective actions. These actions may include immediate cessation of the discharge; field orders; or consent order agreements.
- Assess the need for government Technical and Financial Assistance which then may be provided
- Retain the right to assess reimbursement of cost incurred by Technical Assistance Providers (CDs, etc.)
- Assess a penalty where appropriate
- Coordinate with or referral to other State and Federal Agencies (i.e. Pennsylvania Fish and Boat Commission and EPA)

For complaints that have not identified an actual pollution event, but the operations is found to be out of their baseline regulatory requirements an escalating compliance approach will be used:

- Utilize a “3 strikes you’re out” approach to compliance.
- Send written notification of the regulatory deficiencies. Allow for voluntary corrective actions within 90 days (1st strike).
 - If the corrective action is season dependent, this time frame may be adjusted determined by field personnel.
 - Government Technical and Financial Assistance may be provided
 - If voluntary corrective actions are not started within 90 days (#1 above), give the operation an additional 45 days to comply (2nd strike)

If the corrective action is season dependent, this time frame may be adjusted determined by field personnel.

Government Technical and Financial Assistance may be provided

- If voluntary corrective actions are not started within 45 days (#2 above, 135 days total), move the operation to mandatory compliance actions that will include Field Orders, or Consent Order and Agreements, etc. (3rd strike)
 - Government Technical Assistance may be provided.
 - Financial Assistance may be provided but is not a condition for compliance.
 - Assess a penalty where appropriate
 - Coordinate with or referral to other State and Federal Agencies (i.e. Pennsylvania Fish and Boat Commission, EPA)
- DEP may exercise its enforcement discretion to adopt a more aggressive enforcement role and address compliance and enforcement activities without utilizing the preferred “three strikes” approach. DEP may consider the use of any and all compliance tools available including NOVs, field orders, compliance orders, CO&A’s, and requiring permits in situations of imminent potential threats of pollution or substantial and/or chronic non-compliance. DEP will utilize its enforcement discretion in a thoughtful and thorough manner.

For complaints that fall out of the jurisdiction of DEP, refer to the appropriate agency or agricultural organization that handles, for example:

Flies – State Conservation Commission Agriculture Ombudsman
Odors – SCC
Pesticide misuse – PDA
Mud on road – Pennsylvania State Police
Nuisance complaints - PFB

The Department has sufficient regulatory and statutory authority under the Clean Streams law to ensure compliance with all regulatory requirements as well as pollutant discharges to Waters of the Commonwealth.

II. Evaluate and Modify Regulatory and Administrative Tools:

1. Working with appropriate partner groups, accelerate development of regulatory and administrative “tools” to better address agricultural compliance. (NOTE: “Partners” in this effort includes CDs, State Conservation Commission (SCC), DEP, PDA, USDA-NRCS, and Environmental Protection Agency Region 3 (EPA Region 3). The Ag Advisory Board (AAB), PA Agricultural Organizations / Consultants, Manure Haulers and Brokers, Chesapeake Bay Foundation (CBF) and others would be involved as efforts progress and documents are revised.)
 - a. Update Chapter 102 Administrative Manual and technical guidance to specifically address agricultural activities under Chapter 102 (Currently Underway).
 - b. Update Manure Management Manual (MMM) and Field Application of Manure Supplement to address “workable” manure plan format, phosphorus, buffers, Animal Concentration Areas (ACAs), incorporation of manure, and winter spreading of manure

- consistent with the approach taken in nutrient management program (Currently Underway).
- c. Update Chapter 96 (Water Quality Standards Implementation) to include Pennsylvania's Nutrient Trading Program, which can assist the Department in meeting Chesapeake Bay Milestones through the use of nutrient reductions technologies and trades (Became effective October 9, 2010).
2. Working with the CDs, SCC and NRCS, re-evaluate the current Chesapeake Bay Implementation Grant program to effectively utilize current technical assistance capabilities and financial resources to enhance the agricultural assessment and compliance initiative.
 - Revise Chesapeake Bay Technician's annual work plans for the 49 conservation district Bay technicians and engineers with a focus on implementing the Agriculture Water Quality Initiative. These changes would/could occur over the next 3 years beginning with the July 2011-June 2012 contracts.
 - Modify funding priorities and resource allocations for Chesapeake Bay "Special Projects." DEP allocation of Chesapeake Bay BMP funds should be assessed, and if needed, revised to best utilize this consistent/available source of BMP funds. These changes would occur with the July 2011-June 2012 contracts.
 - Explore other resources, including funding, from federal partners as well as specific sources like ACT (Agricultural Conservation Technical Assistance) funding.
 3. Working with EPA Region 3, cooperatively review Pennsylvania's existing CAFO regulatory program to ensure that it meets current federal regulations. DEP believes that Pennsylvania's approved CAFO program meets current EPA requirements. However, EPA's analysis may have identified specific issues regarding Pennsylvania's current CAFO program that may require additional review/activities. Discussion of specific issues identified by EPA's technical standards review of the PA CAFO program will be needed.
 4. Modify funding priorities and resource allocations, as appropriate, for other DEP non-point source funding programs that would include, but not be limited to, Section 319 grants, Growing Greener, Pennvest, etc.
 5. Working with partner groups and agencies, as well as developing a relationship with non-traditional partner groups and agencies, develop a system to report, track, and verify BMPs that are installed, and operated and maintained, with out cost share assistance. This is a critical component needed to reach full implementation of Pennsylvania's Chesapeake Bay WIP.
 6. Evaluate effectiveness of this Agricultural Water Quality Initiative toward meeting the Chesapeake Bay TMDL nutrient and sediment load targets. Progress will be monitored at the end of each 2 year WIP milestone period with a mid-course evaluation and recommendations for adjustment, if needed, in 2016. This will allow sufficient time for the development of any new regulatory tools needed to meet the TMDL by 2025.

III. Basin-wide Component to Achieve Agricultural Compliance with State Regulatory Requirements:

An increased effort will be developed to inform agricultural operations of their regulatory responsibilities, and opportunities to go beyond regulatory compliance through out the Chesapeake Bay watershed. Additionally, accountability is needed to ensure agricultural operations are complying with regulatory requirements basin-wide.

1. The Department, in cooperation with local, state, and federal partners, will develop and implement a communications and outreach strategy that will ensure the distribution of information to farmers about the intent and implementation of the Ag water quality Initiative, baseline regulatory compliance, Chesapeake Bay goals, going beyond baseline compliance, trading, importance of safeguarding onsite drinking water sources, technical and financial assistance, and identification and reporting of non cost-share voluntary BMPs.

- Form a workgroup of partners to identify, collect, and develop materials for distribution to agricultural operators. Outreach materials may include:

Technical Assistance Providers (CD's, field staff, etc.):

- Education of different agricultural sectors (i.e. poultry versus swine versus dairy)
- Education on Non-point Source Pollution – Cause, sectors, effects, solutions, etc.
- Education on Pennsylvania Water Quality and the Chesapeake Bay
- Education on Rules and Regulations (State and Federal)
- Education on Programs and Policies (State and Federal)
- Education on BMP standards and specifications
- Education on BMP efficiencies and effectiveness, to include new technologies, forestry practices, and non-traditional BMPs

Agricultural Operations:

- Education on Non-point Source Pollution – Cause, sectors, effects, solutions, etc.
- Education on Pennsylvania Water Quality and the Chesapeake Bay
- Education on going above and beyond regulatory requirements (Installation of additional BMPs) to further enhance water quality
- Education on Rules and Regulations (State and Federal)
- Education on BMP effectiveness when comparing different BMPs that could be applied to the landscape

2. In addition to communications and outreach as described in #1 above, assessments of agricultural operations are needed. The Department in cooperation with local, state, and federal partners will develop a strategy to enhance accountability for compliance with baseline regulatory requirements through a prioritized farm assessment program. The Department proposes to conduct site visits by engaging conservation districts, local federal agencies, and DEP regional staff in implementing a prioritized site assessment process at selected agricultural operations. The selection process may include a hierarchy consisting of existing compliance history, size and type of animal population, state or federal cost-share history (absence of manure storage funding), or other relevant determining factors that would

assist in targeting limited resources to achieve the most environmental gain. This site visit would consist of discussion and information distribution related to the intent of the assessment, determination of regulatory compliance, identification and implementation verification of existing non cost-share BMPs, and expected follow-up by the CD or DEP.

3. Identify and engage Conservation District Bay Technicians, Engineers, and Watershed Specialists as appropriate to assist in the implementation of #1 and #2 above. This will be accomplished through revisions to job descriptions and work plan outputs associated with DEP grants to the CD.
4. Engage Conservation Districts to develop assessment and compliance plans that can be implemented at the district level with a goal of assessing agricultural operations to determine compliance with baseline regulatory requirements and then implement an approach to achieve compliance. These plans would also address verification of existing BMPs and identification of non cost-share BMPs already installed.
5. While an ultimate goal is to visit all agricultural operations in the basin, the actual number of agricultural operations assessed under this strategy will be dependent on available resources at the local, state and federal level. Resources are needed for all facets of the initiative including: communication and outreach, assessment, data management, and compliance/enforcement.
6. Work with federal, state and local partners to develop a compliance assistance and enforcement referral process to achieve compliance with baseline requirements. The focus of this effort will be on expedited compliance and enforcement approaches and will target implementation of Manure Management Plans and Agricultural Erosion and Sediment Pollution Control Plans by agricultural operations that are not CAFOs or CAOs.

IV. Targeted Watershed Approach to Assess and Achieve Agricultural Compliance:

Unlike the tools used in Number III (basin-wide approach) which are designed to get as many agricultural operations as possible into compliance to meet the Bay TMDL goals, the Targeted Watershed Approach has a primary focus of restoring local agriculturally impaired waters. This approach will allow DEP and its local, state, and federal partners to focus limited resources in a coordinated and targeted way to increase the likelihood of improving water quality in agricultural impaired watersheds in a shorter period of time.

The targeted watershed approach consists of identifying high priority watersheds for assessment and compliance inspections. Outreach and education activities will be conducted in the selected watersheds to apprise all operations of their regulatory obligations and provide a general description of the targeted assessment and compliance initiative.

The assessments will be focused on identifying the current status of the operation in regards to regulatory compliance, including baseline compliance for trading, installed BMPs, operational limitations, areas needing attention, and any regulatory violations of both federal law (NPDES violations) and state law (Chapter 83, 91, 92, 102, Clean Streams Law, etc). The assessment

results will be used to develop a strategy to evaluate, identify and prioritize follow up efforts needed to assist with compliance, and to identify and target any necessary enforcement activities where compliance cannot be obtained voluntarily (details above in the Continue Existing Regulatory Program section). If there are structural, regulatory or funding impediments, these impediments would be identified and, where appropriate, strategies to overcome the impediments would be implemented.

The proposed assessment and compliance process is described below:

- 1) DEP, working with local, state, and federal partners will select manageable-sized watersheds (e.g. both geographically and number of farming operations) for the assessment and compliance initiative.

Watershed Selection and Targeting Considerations will include:

- Agricultural impaired watersheds
 - Watersheds with a Total Maximum Daily Load (TMDL);
 - Target watersheds with the potential for success considering a manageable size (up to 20 sq. miles), number and diversity of operations (20-50 farms being optimum) including consideration of operation type (animal, crop, combination, nursery), size (100-200 acres averaged optimum) and ownership, and strong partner cooperation and involvement.
 - Target watersheds with current watershed plans including: 319, Growing Greener, and County Implementation Plans.
 - Target watersheds with limited forest cover;
 - Target watersheds where the maximum available funding can occur
 - Target watershed where sufficient staffing (Conservation District and NRCS Capacity) is present. This staffing capacity is needed to assist farmers in fulfilling any compliance or required BMP findings.
- 2) Develop and implement outreach and assessment tools for use in the compliance initiative. (Additional education and outreach tools are identified in the Education and Outreach Section of this document.) Outreach efforts will be focused over a finite period of time (6-8 weeks) in advance of the actual assessments. Outreach considerations include:
 - Outreach materials developed through the basin-wide initiative
 - Use and distribution of the Agricultural Action Packet, informational meetings, press releases and direct mailings. Private sector and agricultural organizations / consultant's involvement and CD stakeholder assistance will be important.
 - Development of the assessment protocol and assessment form used in the initiative. The assessment form(s) will focus on documenting status of existing regulatory compliance, observations of pollution or operational issues impacting water quality, existing BMPs already implemented (non state or federal cost-shared), type of drinking or animal watering sources, presence or absence of "Core 4 Conservation Practices".
 - 3) Prioritize DEP regional and central office time to complete an agricultural assessment and compliance initiative in the identified watershed(s) in a finite period of time (4-8 weeks).

Conduct assessments of all agricultural operations in the watershed(s) using the assessment process developed. Assessments would be performed by either the CD or DEP staff and accompanied by agricultural liaisons (CDs, agricultural organizations / consultants, etc., if they choose to participate) that have a strong understanding of agricultural farming operations and farming logistics, and with expertise that addresses the special needs of the underserved farming groups and communities.

- If non-agricultural activities significantly contributing to water quality degradation are noticed during the assessments, they will be recorded and considered during the assessment evaluation.
- 4) Develop a tiered compliance process that encourages voluntary compliance where possible and reserves enforcement tools for uncooperative agricultural operations. The goal of this effort is to get voluntary implementation of proper agricultural activities and BMPs. If voluntary efforts are not realized, compliance measures including, but not limited to, field orders, Notice of Violation (NOVs), Consent Orders and Agreements (COAs), and assessment of penalties through Consent Assessments of Civil Penalties (CACPs). Farmers will be provided the opportunity to comply within a reasonable timeframe, but where compliance cannot be obtained, enforcement efforts will be initiated. Enforcement actions include summary criminal prosecutions, Enforcement Orders and Complaints for Assessment of Civil Penalties. This process will be a tiered compliance / enforcement approach that includes an effort to rank violations for priority compliance assistance and possible enforcement. This tiered approach would start with CD technical assistance and lead to DEP and/or EPA enforcement activities, based on the severity of the violations, potential for environmental degradation and/or the willingness to comply with regulatory requirements.

The tiered compliance process will include:

- A focus on attaining baseline regulatory compliance (compliance with Chapter 83, 91, 92, 102, clean streams law) as appropriate.
- A general compliance process that utilizes an escalating tiered approach ranging from notification of concerns, opportunity for voluntary compliance and financial assistance, and last chance for voluntary compliance prior to taking enforcement action.
- Implementation of a compliance strategy that takes into account enforcement discretion and focuses on taking action on the most egregious violators first. This strategy will utilize an escalating enforcement process known as the “3 strikes you’re out” approach (described in Section I. Above) unless a pollution discharge is occurring that requires a more immediate compliance response. DEP will consider any and all compliance tools available including NOVs, field orders, compliance orders, CO&A’s, and requiring permits as CAFOs.

NOTE:

- If BMPs must be installed as part of the corrective action, a reasonable timeframe will be established in the baseline regulatory plans that take into consideration the financial capacity of the farm, alternate BMPs, season of installation, etc.
 - In particular cases of recalcitrant agricultural operators DEP will share information with and may request EPA involvement as appropriate.
- 5) Maximize availability of funding opportunities to agricultural and forestland operations in the targeted watershed. DEP will designate these targeted watersheds as priority watersheds for Growing Greener and other state funding (ex. PennVest's Nonpoint source funding program.) In addition, DEP will work with federal partners (EPA 319, NRCS, FSA, EPA-Chesapeake Bay Program) to prioritize to the extent possible these federal funds for use in the priority watersheds. Program partners will work together to maximize staff availability in developing Manure Management Plans, E & S Plans, and designing BMPs to be installed during the same period in the priority watersheds.
 - 6) Develop a strategy to track implementation of existing and future BMPs, planning, or operational changes at agricultural operations in response to the assessment and compliance initiative in the watershed.

Following corrective actions on watershed, DEP may initiate stream biological surveys on the targeted watershed to assess improvements to aide in the calculations of nutrient and sediment reductions realized through the implementation of BMPs as part of the Bay Model verification process. In addition, articles, success stories, watershed tours, etc. could be planned to celebrate the successes of this joint assessment and compliance initiative. (Partners: DEP, EPA, PDA, CDs, DCNR).

NOTE: EPA could provide assistance in the follow-up biological and water quality monitoring.

- 7) Focus on receiving and reporting voluntary BMP Data that includes non-government cost-shared BMPs. Verification of the BMP data, implementation to standards and specifications, and continued operation and maintenance is of up most importance.

V. Monitor and Evaluate Progress and Effectiveness of the Assessment and Compliance Initiative:

As this initiative is implemented, a workgroup will meet consisting of key partners (CDs, PDA, SCC, EPA, DCNR, NRCS and ag organizations) on a periodic basis to discuss progress, effectiveness, impediments, and successes. These discussions will be used to make revisions to or enhance the initiative as well as evaluating its use for implementation outside the bay basin or even taking the fundamentals of the process and apply to other sectors. Information gained through this initiative may also help in identifying the need for future regulatory revisions or even statutory revisions to ensure the protection of water quality from agricultural activities.

VI. Implementation Considerations

This Agricultural Water Quality Initiative Policy has been developed to meet the 4 key objectives listed at the beginning of this document. This is an ambitious initiative requiring cooperation and resources from local, state, and federal partners as well as the agricultural

operations to meet the common goal of improved or restored water quality of our local Pennsylvania streams as well as the Chesapeake Bay.

As the initiative is rolled-out the following initial implementation considerations should be noted:

1. DEP plans to finalize the Chapter 102 Administrative Manual and technical Guidance and the Manure Management Manual as high priorities (targeted completion March 2011)
2. DEP considers the Chapter 96 regulations, related to establishing Pennsylvania's trading program, as a high priority (Became Effective October 9, 2010)
3. DEP plans to amend CD/DEP contracts for Chesapeake Bay technicians, engineers, and watershed specialists job descriptions and work outputs (Beginning July 2011)
4. Ongoing Discussion with EPA regarding Pennsylvania's CAFO Program will continue. (Resolution in March 2011)
5. A workgroup (co-chaired by DEP and a representative from the Agricultural sector) consisting of representatives from local CDs, agricultural organizations, NRCS, DCNR, DEP (regions and CO), EPA, SCC, and PDA will be formed to develop the necessary tools, schedules and strategies to implement the Agriculture Water Quality Initiative including: communications and outreach materials, component implementation strategies, roles and responsibilities of partners, assessment protocols and forms, BMP tracking tools, targeted watershed selection criteria, basin-wide assessment criteria, CD assessment and compliance plan objectives, funding and resource commitments, and evaluation and monitoring tools needed to implement the Basin-wide and Targeted Watershed compliance approaches. (Targeted workgroup formation January 2011)
6. Complete final implementation strategies. (Targeted Completion July 2011)
7. Rollout communication and outreach. (Targeted for all operations September 2011 – March 2012)
8. Select Targeted Watersheds for 2012. (Target – 3 watersheds/year)
9. Rollout implementation of basin-wide and targeted watershed initiatives. (Target March 2012 – October 2012 each year)
10. Continue process steps 7-10.
11. Begin County level CD compliance plan development and implementation, (Beginning 2012 for all CDs in bay watershed)
12. The workgroup established in number 5 will continue to meet on a regular basis to evaluate and address implementation issues and concerns. Progress will be monitored at the end of each 2 year WIP milestone period with a mid-course evaluation and recommendations for adjustment, if needed, in 2016.