



Bureau of Clean Water

# Agricultural Inspections Program Update

2018 Chesapeake Bay Program  
Conservation District and PA Agency Staff Meeting  
March 12, 2018

Tom Wolf, Governor

Patrick McDonnell, Secretary

This collage consists of seven distinct images arranged on a light blue background. Each image has a text label. The images are: 1. "Changes": Two glass bowls of water, one containing a goldfish and the other a small yellow fish. 2. "Successes": A silhouette of a person standing on a rock peak against a sunset sky. 3. "Enforcement": A stack of four books labeled "LAWS", "RULES", "REGULATIONS", and "COMPLIANCE". 4. "Challenges": A red raspberry next to a small tortoise. 5. "Time Management": Several overlapping analog clocks. 6. A quote: "DON'T JUDGE EACH DAY BY THE HARVEST YOU REAP, BUT BY THE SEEDS YOU PLANT." attributed to ROBERT LOUIS STEVENSON. 7. "Contact Us": A blue telephone handset icon next to the text "Contact Us".



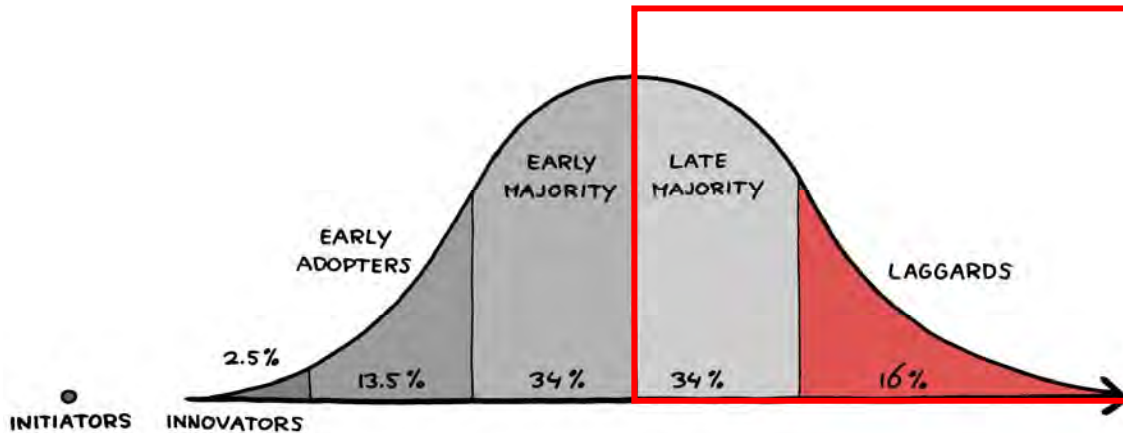
## Change...

Year	Weight
1957	905 g
1978	1,308 g
2005	4,202 g

56 d

**pennsylvania**  
DEPARTMENT OF ENVIRONMENTAL  
PROTECTION

## How are inspections linked to implementation?



## Process and Procedural Changes and Updates

- **June, 2017 - Ag Inspection SOP and Inspection Report revisions**
  - Address EPA comments on the initial SOP
  - Clarify direction in the original SOP where needed
  - Address lessons learned after the first round of inspections
  - Include the electronic collection and transfer of data (PracticeKeeper)
  - Facilitate better BMP collection and separate that task from the inspection
- **July/August, 2017 – PracticeKeeper (PK) Rollout for Districts Statewide**
  - Conservation Planning, Nutrient Management, E&S Construction, Watershed Planning, BMP Implementation and Complaint Modules
- **October, 2017 – Ag Planning Reimbursement Program (managed by DEP CBO)**
  - State funding program to offset the cost of plan development
- **November, 2017 - February, 2018 - PK Ag Inspection Module for Bay Districts/DEP Regional Offices**
  - Collect, track and report Bay inspection information
  - Collect, track and report BMP implementation





## 2016-2017 Successes

393,426 acres inspected = 2,823 ag operations

### Act 38 Nutrient Management Program:

- 743 agricultural operations inspected
- 147,762 acres inspected
- **80% compliance rate with plan and implementation requirements**

### Chesapeake Bay Agricultural Inspections Program:

- 2,080 agricultural operations inspected
- 245,664 acres inspected
- **65% compliance rate for Manure Management Planning requirements**
- **63% compliance rate for Agricultural Erosion and Sediment Control/Conservation Planning requirements**
- **As of November 1, 2017 (120 days after the end of FY2016-2017)**
  - 73 agricultural operations were referred to DEP Bureau of Clean Water for follow-up
  - **3.5% rate of continued non-compliance after initial inspection**





# 2017-2018 Quarterly Bay Ag Inspection Update

- **Chesapeake Bay Agricultural Inspection Numbers:**
  - **793** agricultural operations inspected
  - **76,612** acres inspected
- **Chesapeake Bay Agricultural Inspection Compliance:**
  - **66%** compliance rate for Manure Management Planning requirements.
  - **67%** compliance rate for Agricultural Erosion and Sediment Control/Conservation Planning requirements.











# Enforcement



## DEP Bureau of Clean Water Enforcement Update

As of February 1, 2018

- **Noncompliance referrals to DEP:**
  - 80 operations were referred to DEP for follow-up enforcement action due to lack of required MMP, Ag E&S Plan, or both.
- **Notices of Violation (NOV) sent:**
  - Total: 74 farm operations.
    - 19 NOVs resulted in submission of complete plans to DEP.
    - 2 operations submitted the required plans prior to receipt of NOV
- **Field Orders delivered:**
  - Total: 9 farm operations
    - These operations did not submit administratively complete plans to DEP by the timeframe provided in the NOV.
    - Field order provides limited time to obtain and submit plans as a “last chance” opportunity prior to penalty assessment.
    - Field order is hand-delivered by DEP Bureau of Investigation staff.
    - 4 Field Orders resulted in submission of complete plans to DEP



## Challenges



## 2016-2017 Challenges and Lessons Learned

- Absentee, hobby, and “non-responsive” landowners and operators
- Inspection and follow-up documentation is critical
- Time Management – prioritizing activities when they all seem to be high priority



## Time Management

### Finding the Right Balance for your District

- Prioritize
  - Your District's mission and goals
  - The funder's goals for their program
  - Your District's funding needs

The more these align, the better chance for program success



## Time Management

### Provide Flexibility

- Can agreements be structured to allow time for other tasks?
  - Partial agreements vs need for funding
- Can staff responsibilities be shifted?
- Will the funding source allow for multiple staff to complete deliverables?



## Time Management

### Chesapeake Bay Restoration Strategy Example

- Chester County has two Bay Technician positions
- Neither individual in these positions complete Bay Inspections
  - Separate inspection role from assistance role
  - Board allowed for position without dedicated funding
    - Position is funded through ag service fees and other partner projects



## Time Management

### Chesapeake Bay Restoration Strategy Example

- Pros
  - Allows for employee to have freedom to plan out all inspection tasks on his schedule
  - Consistency in all inspections
  - Inspections and technical assistance kept separate
- Cons
  - Inspection burnout





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ROBERT LOUIS STEVENSON



Contact Us



Bureau of Clean Water

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