



pennsylvania

DEPARTMENT OF ENVIRONMENTAL
PROTECTION



Chesapeake Bay Program Office

Finalizing Pennsylvania's Phase 3 Chesapeake Bay WIP

Healthy Waters, Healthy Communities
Pennsylvania Phase 3 Watershed Implementation Plan (WIP)

Nicki Kasi
7-31-2019



Purpose of Today's Meeting

To brief you on how (and why) the Phase 3 WIP has evolved from draft to final, and to ask your help to move forward with implementation through 2025

Phase 3 Watershed Implementation Plan

Agenda

- Overview of Final Phase 3 WIP
- Comments on the Draft
 - From the EPA
 - From the Public
- Revisions from Draft to Final:
 - Agriculture
 - Forestry
 - Stormwater
 - Wastewater
 - New Initiatives
- Timeline and Next Steps



Phase 3 Watershed Implementation Plan



Overview of Final Phase 3 WIP

Journey to Success for the Phase 3 WIP

Bi-monthly meetings of 20-member Steering Committee

7 active Workgroups: Agriculture, Communications and Engagement, Forestry, Funding Local Area Goals, Stormwater, Wastewater

June 2017 Kickoff & Listening Summit: 240 people working together on shared goals

Monthly meetings of Workgroup Co-Chairs

Adams, Franklin, Lancaster, York County pilots

April 2018 local planning and Community Tool Box summit with nearly 200 participants

April – June Draft WIP Public Comment Period

August 2018 Best Management Practice Verification Program Planning Summit

2018-19 Pilot County Action Plans developed

**Final Phase
3 WIP**

Pennsylvania's Modeled Numeric Reductions

The following are the modeled reductions for Pennsylvania's Final Phase 3 WIP.

Priority Initiative	Nitrogen Reductions [†]		Phosphorus Reductions [†]		Sediment Reductions [†]		Annualized Costs
	pounds	% target	pounds	% target	pounds	% target	
Total	24,806,000	73%	918,000	121%	713,710,000	n/a	\$468,949,000

[†] edge of tide

What EPA Expects from Pennsylvania*

- Build the financial capacity, technical assistance, regulatory oversight to implement the MS4 programs, stormwater management and agricultural conservation practices
- Secure legislative, regulatory, cost-share, incentive, voluntary and market-based level pollutant reduction actions across all source sectors
- Build and implement the programmatic infrastructure, tracking system, BMP verification, policies, legislation and regulations necessary to account for growth
- Identification of funding, financing, cost-share, technical assistance, voluntary, policy, programmatic, legislative, regulatory actions needed to address gaps in programmatic capacity.

** from EPA Expectations Document*

What is the Phase 3 WIP?

It's a catalyst. Water pollution comes from many sources. Clean water is the end result of efforts to reduce and clean up pollution.

Agriculture



Forestry



Stormwater



Wastewater



Air Quality



Brownfield Cleanup & Redevelopment



Mining, Monitoring & Regulation



Oil & Gas



Themes to Phase 3 WIP Implementation

Working Together to Clean Up Our Local Waters

1. Communications
2. Funding and Resources
3. Enhancing Technical Capacity
4. Tracking and Reporting
5. Compliance

Phase 3 Watershed Implementation Plan



Comments on the Draft

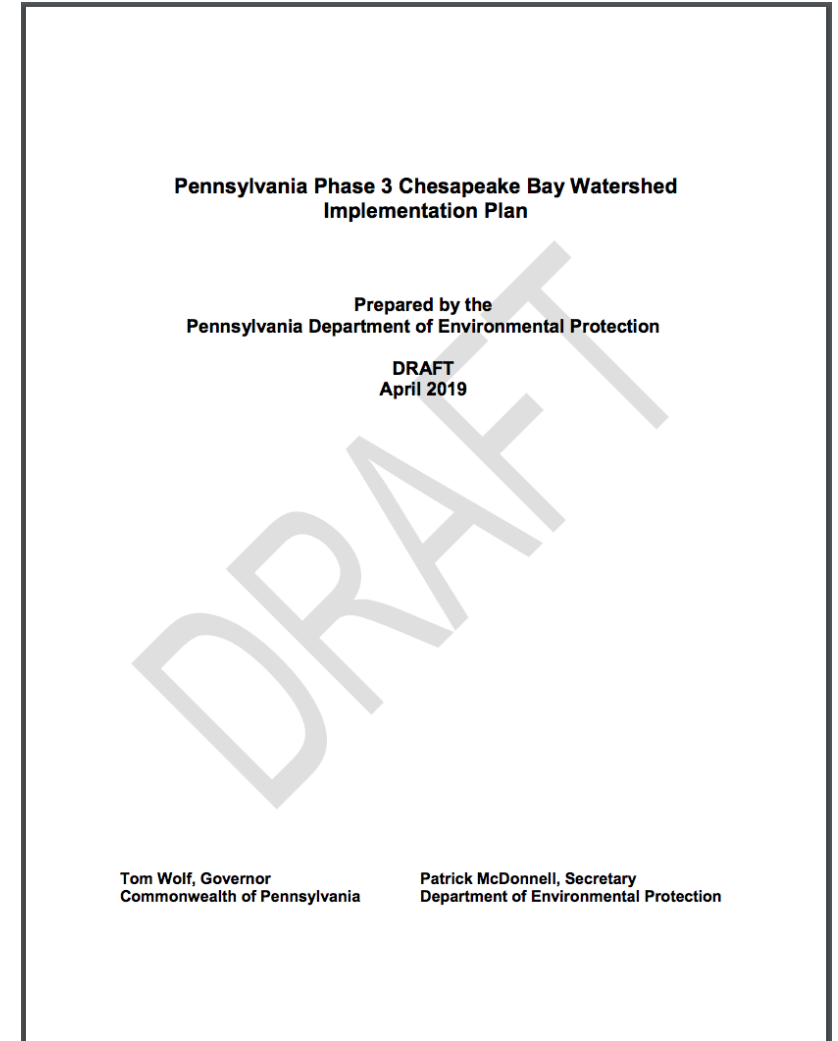
Summary of Comments

40 Commenters, 152 Comments

- Advisory council [2]
- Environmental organizations [11]
- Individual citizens [7]
- Industry associations [5]
- Local government (e.g., borough, township) [5]
- County government [3]
- State government agency [2]
- Federal government agency [1]
- Private consultant, engineering firms, etc. [4]

Other

- Workgroup review, enhancements and revisions
- Letter from Governor Hogan, Secretary Matt Strickler
- EPA Evaluation



Summary of Comments

There are some common themes among the comments:

- Support for collaborative approach
- Concern expressed over planning target and funding “gap”
- Clarification needed on how the Countywide Action Plan process will work
- Sector specific suggestions for additional enhancements, initiatives
- Concern over additional requirements, “unfunded mandates”
- Questions over costs for implementation
- Editing and clean-up needed

Summary of Comments

Response to Comments on Phase 3 WIP

- Look forward to implementation, continuing the same collaborative approach
- The Phase 3 WIP is realistic, implementable with multiple approaches to achieve the planning targets by 2025
- Flexible, with updates, improved accounting, and modifications continuing as part of the two-year milestone process to ensure success

EPA Evaluation: Pennsylvania Strengths

- Engagement of local partners/Community engagement
- Countywide Action Plans / Comprehensive road map
- Various commitments for each sector
- Inclusion of workload analysis, with an identification of available and needed resources

EPA Evaluation: Potential “Enhancements”

- Re-evaluate activities since the current effort is not projected to achieve 100% of the planning targets
- Expand beyond the approved Bay Program Partnership approved practices and approaches for other opportunities
- Evaluate Bay Program Verification Protocols to ensure the higher rate of implementation can be tracked, verified and reported.
- Expand the level of implementation detail and programmatic commitment

EPA Evaluation: How We Responded

- Added programs and practices not included to be counted towards progress.
- Re-evaluated the goals that each sector could realistically achieve by 2025.
- Refined the estimates for existing and available resources for implementation.
- Added lead agency with a timeline for completion to each action step for reporting.
- Identified additional practices and programs not currently recognized that improve water quality in Pennsylvania that should be credited.
- Identified barriers to successful verification of practices that need to be addressed.

Phase 3 Watershed Implementation Plan



Changes We Made

The Phase 3 WIP Implementation Strategy

Success of the final Phase 3 WIP depends on sufficient staff and funding to:

- Continue existing state and local programs
- Meet new State commitments, and
- Support voluntary actions identified in the Countywide Action Plans

But even with all of this effort – the model shows a gap between what we will accomplish and our targets. We will close with some new initiatives that weren't in the Draft Phase 3 WIP.

Pennsylvania's Strategy

FUNDING & STAFF RESOURCES

Progress – Existing Programs

Documented Programs

Capital Resource Conservation
NRCS
Stream Fencing
REAP
Act 38/Inspection Program
PA Game Commission
DCNR Bureau of Forestry
Dirt and Gravel Road Program
Chapter 102 Post Construction
PENNVEST
NFWF
319 Non Point Source
EPA Chesapeake Bay Grant
Chapter 105 Program
Growing Greener

Legend

Agriculture Sector

Other

Forestry Sector

Wastewater Sector

Stormwater Sector

Multiple Sectors

Pennsylvania's Strategy

FUNDING & STAFF RESOURCES

Progress – Existing Programs

Documented Programs

Programs To Be Documented

Capital Resource Conservation	Air
NRCS	Mining/Abandoned Mine Reclamation
Stream Fencing	Redevelopment/Brownfields Retrofits
REAP	Oil & Gas E&S Control Permits
Act 38/Inspection Program	Wetland Mitigation
PA Game Commission	Nutrient Trading Program
DCNR Bureau of Forestry	
Dirt and Gravel Road Program	
Chapter 102 Post Construction	
PENNVEST	
NFWF	
319 Non Point Source	
EPA Chesapeake Bay Grant	
Chapter 105 Program	
Growing Greener	

Legend

Agriculture Sector

Other

Forestry Sector

Wastewater Sector

Stormwater Sector

Multiple Sectors

Pennsylvania's Strategy

FUNDING & STAFF RESOURCES

Progress – Existing Programs



Statewide
Actions

Documented Programs

Programs To Be Documented

Capital Resource Conservation
NRCS
Stream Fencing
REAP
Act 38/Inspection Program
PA Game Commission
DCNR Bureau of Forestry
Dirt and Gravel Road Program
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Growing Greener

Air
Mining/Abandoned Mine Reclamation
Redevelopment/Brownfields Retrofits
Oil & Gas E&S Control Permits
Wetland Mitigation
Nutrient Trading Program

Wastewater
Forestry
Stormwater
Agriculture

Legend

Agriculture Sector	Other
Forestry Sector	Wastewater Sector
Stormwater Sector	Multiple Sectors

Pennsylvania's Strategy

FUNDING & STAFF RESOURCES

Progress – Existing Programs



Statewide
Actions

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Air
Mining/Abandoned Mine Reclamation
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Wastewater

Forestry

Stormwater

Agriculture



Chapter 102 Post Construction
Dirt & Gravel Roads

Legend

Agriculture Sector

Other

Forestry Sector

Wastewater Sector

Stormwater Sector

Multiple Sectors

Pennsylvania's Strategy

FUNDING & STAFF RESOURCES

Progress – Existing Programs

Statewide
Actions

County
Action Plans

Documented Programs

Programs To Be Documented

Wastewater

Forestry

Stormwater

Agriculture

York

Lancaster

Franklin

Adams

Remaining
Counties

Capital Resource Conservation

Air

NRCS

Mining/Abandoned Mine
Reclamation

Stream Fencing

Redevelopment/Brownfields
Retrofits

REAP

Oil & Gas E&S Control Permits

Act 38/Inspection Program

Wetland Mitigation

PA Game Commission

Nutrient Trading Program

DCNR Bureau of Forestry

Dirt and Gravel Road Program

Chapter 102 Post Construction

Chapter 102 Post
Construction
Dirt & Gravel
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EPA Chesapeake Bay Grant

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Legend

Agriculture Sector

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Stormwater Sector

Multiple Sectors

Pennsylvania's Strategy

FUNDING & STAFF RESOURCES

Progress – Existing Programs

Statewide Actions

County Action Plans

Gap

Documented Programs

Programs To Be Documented

Wastewater

Forestry

Stormwater

Agriculture

York

Lancaster

Franklin

Adams

Remaining Counties

Further Coordination Needed

BMP Verification

Restored Stream Miles

Legacy Sediment

Dirt and Gravel Roads

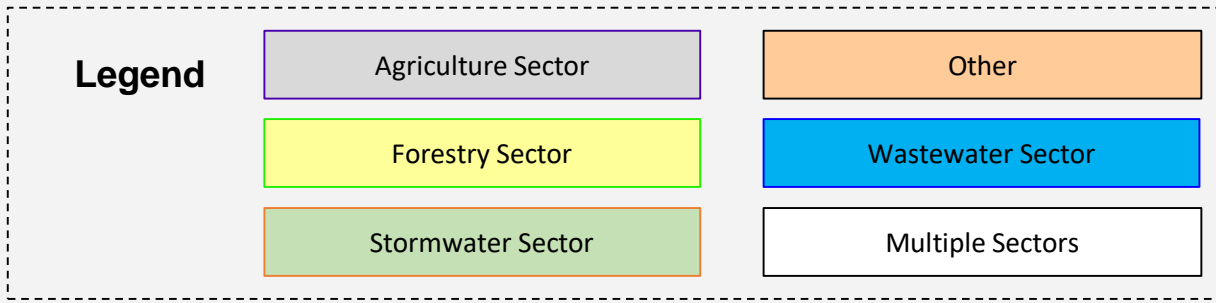
Flood Control Measures

Dairy Precision, Rotational Grazing, Cover Crop, Manure Transport

Capital Resource Conservation
NRCS
Stream Fencing
REAP
Act 38/Inspection Program
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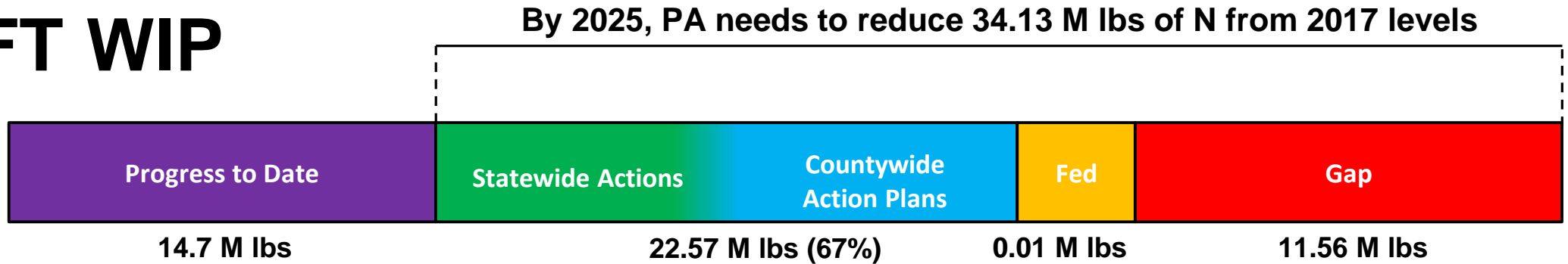
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Dirt & Gravel Roads

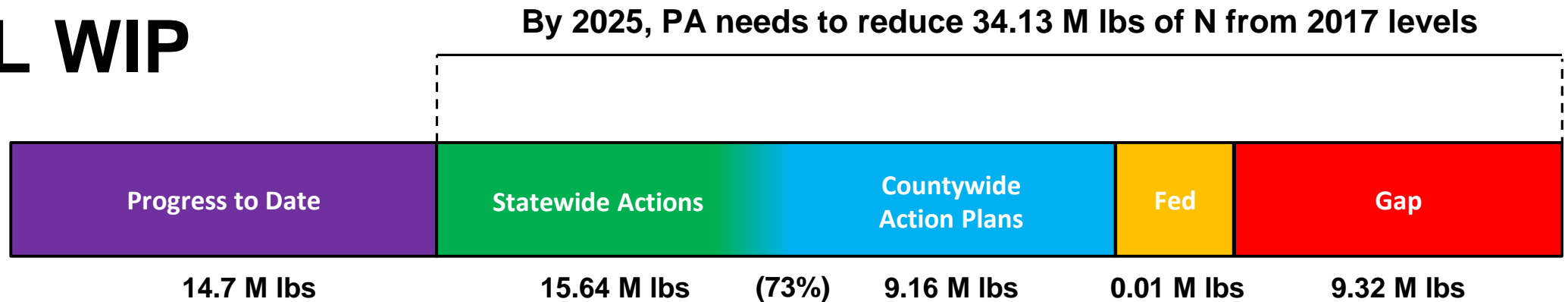


Pennsylvania's Modeled Nitrogen Progress Bar

DRAFT WIP

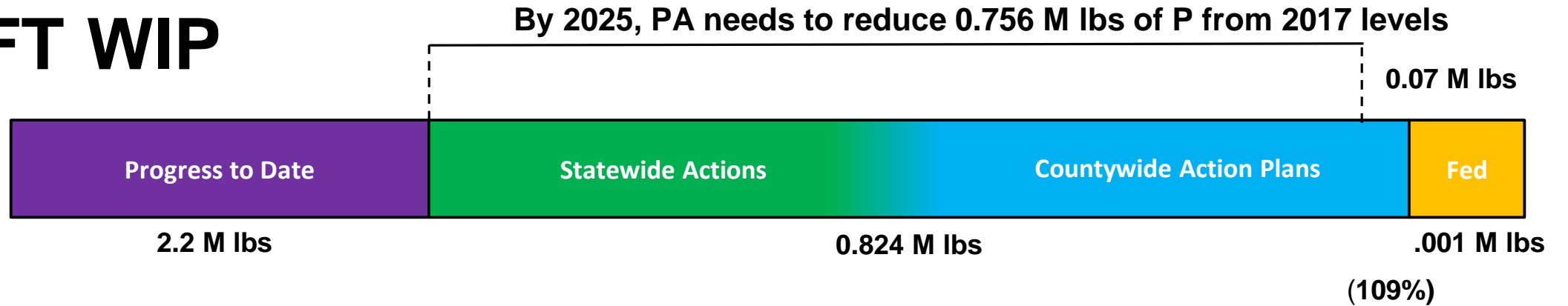


FINAL WIP

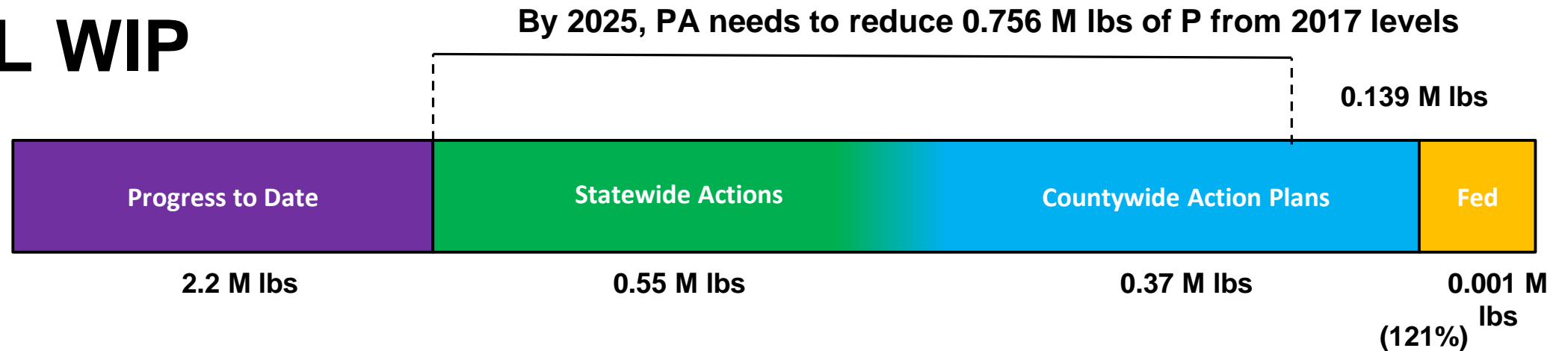


Pennsylvania's Modeled Phosphorus Progress Bar

DRAFT WIP



FINAL WIP



Pennsylvania's Modeled Numeric Reductions

The following are the modeled reductions for Pennsylvania's Final Phase 3 WIP.

Priority Initiative	Nitrogen Reductions [†]		Phosphorus Reductions [†]		Sediment Reductions [†]		Annualized Costs
	pounds	% target	pounds	% target	pounds	% target	
Total	24,806,000	73%	918,000	121%	713,710,000	n/a	\$468,949,000

[†] edge of tide

Agriculture Initiatives (Counties without CAPs)

Priority Initiative	N Reductions*		P Reductions*		Sediment Reductions*	Estimated Annualized Cost for Practice Implementation	
	Draft	Final	Draft	Final	Final	Draft	Final
Total	16,240,000	17,099,000	1,057,000	827,000	1,350,704,000	\$187,600,000	\$206,370,000
Agriculture Compliance	4,562,000	4,562,000	176,000	176,000	635,253,000	\$24,058,000	\$24,058,000
Soil Health	3,874,000	3,874,000	177,000	177,000	475,498,000	\$21,090,000	\$21,090,000
Expanded Nutrient Management (1)	460,000	1,570,000	19,000	62,000	0	\$8,611,000	\$31,735,000
Manure Storage Facilities (2)	4,084,000	4,097,000	130,000	131,000	0	\$125,615,000	\$125,615,000
Dairy Precision Feeding (3)	278,000	584,000	32,000	67,000	0	(-\$894,000)	(-\$1,901,000)
Integrated Systems for Elimination of Excess Manure (4)	421,000	441,000	48,000	65,000	0	\$2,205,000	\$3,278,000
Forest & Grass Riparian Buffers (5)	2,562,000	1,971,000	475,000	148,000	204,815,000	\$6,914,000	\$2,495,000

* edge of stream

- (1) Includes Manured Acres
- (2) Lowered Application Rate of Enhanced NM equals additional stored manure
- (3) Increase to 70% for Dairy Precision Feeding
- (4) Slight change due to changes in application rates above
- (5) Switch in Land Use to additional upland acres, limitation with pasture acres

Forestry Initiatives (Counties without CAPs)

Priority Initiative	N Reductions*		P Reductions*		Sediment Reductions*	Estimated Annualized Cost for Practice Implementation	
	Draft	Final	Draft	Final	Final	Draft	Final
Total	4,793,000	5,053,000	671,000	532,000	574,929,000	\$67,700,000	\$53,968,000
Forest Riparian Buffers (1)	4,641,000	4,898,000	643,000	504,000	486,806,000	\$41,400,000	\$28,128,000
Tree Canopy	110	110	8	8	7,000	\$5,400	\$5,400
Woods and Pollinator Habitat	59,000	56,000	3,800	3,900	6,423,000	\$1,046,000	\$1,046,000
Forest, Farm and Natural Areas Conservation	n/a	6,000	n/a	1,000	1,788,000	n/a	n/a
Stream and Wetland Restoration	93,000	93,000	24,000	24,000	79,906,000	\$27,303,000	\$27,303,000

* edge of stream

(1) Switch in Land Use to additional upland acres, limitation with pasture acres

Stormwater Initiatives (Counties without CAPs)

Priority Initiative	N Reductions*	P Reductions*	Sediment Reductions*	Estimated Annualized Cost for Practice Implementation
Total	607,000	62,000	274,375,000	\$60,242,000
Meet Current MS4 Permit Requirements	93,000	27,000	102,097,000	\$57,789,000
New Riparian Forest Buffers	5,000	400	1,173,000	\$48,000
Control Measure for Illicit Discharge	1,000	100	0	\$451,000
Industrial Stormwater	1,000	20	583,000	\$1,953,000
Fertilizer Legislation	71,000	3,000	0	TBD
Meet Current (E&S) and (PCSM) Requirements (1)	433,000	32,000	152,517,000	0
Dirt and Gravel Roads (2)	0	0	18,005,000	0

* edge of stream

- (1) Undocumented Programs of Oil and Gas, PCSM...
- (2) Projecting Dirt and Gravel Roads Program reductions through 2025

Additional Initiatives (Counties without CAPS)

Priority Initiative	N Reductions	P Reductions*	Sediment Reductions*	Estimated Annualized Cost for Practice Implementation
Total	412,000*	1	0	\$309,000
Onsite Septic Management (1)	1,000*	1	0	\$309,000
Elimination of Offsets for On-lot Septic System Connections	TBD	TBD	TBD	TBD
Air Reductions (2)	411,000†	0	0	n/a

* edge of stream
 † edge of tide

- (1) Annual Practice
- (2) Calculated from the Volkswagen Settlement

Pilot County Implementation

County	Nitrogen (pounds) EOT	Percent of County Goal	Phosphorus (pounds) EOT	Percent of County Goal	Sediment (pounds) EOT
Adams	507,395	56%	20,398	118%	20,606,000
Franklin	1,076,799	45%	36,915	65%	31,354,000
Lancaster	5,542,383	76%	25,581	115%	113,285,000
York	2,036,329	77%	283,562	Goal Met	116,388,000
Total	9,163,000	27%*	367,000	49%*	281,635,000

*Represents total percentage of Pennsylvania's Load

Sediment Targets

- Pennsylvania's Draft Phase 3 WIP reduces **3,039,424,000** lbs of sediment edge-of-stream (EOS), **713,710,000** lbs of sediment edge-of-tide (EOT).
- The Principal Staff Committee approved standard language for inclusion in Final Phase 3 WIP about sediment and the process for calculating sediment targets on August 12. The actual sediment target will be established in the September/October timeframe and added to the Phase 3 WIP as an addendum.
- The sediment target will be based on the combination of practices put into the input deck for the Phase 3 WIP.

Funding Gap

The table below provides the updated Funding Gap with revised sector recommendations and undocumented programs.

Existing Resources	Existing Resources 2018	\$168,522,608
	Existing Staff Resources	\$28,285,954
	Total	\$196,808,562
Total Needed Resources	Statewide Practice Implementation	\$311,779,000
	Pilot County Practice Implementation	\$157,170,000
	Staffing Resources	\$52,148,734
	Total	\$521,097,905
Annual Funding Gap		\$324,289,173

Themes to Phase 3 WIP Implementation

Working Together to Clean Up Our Local Waters

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

Programmatic Commitments: Communications & Outreach

Action Step	Lead Agency	Timeline for Completion
Support for practice implementation	DEP, DCNR	December 2025
Countywide Action Plans <ul style="list-style-type: none"> • Hire 2 DEP Coordinators • Agreements for 8 County-Based Coordinators with EPA funding 	DEP Chesapeake Bay Office	Fall 2019
Public communication and outreach <ul style="list-style-type: none"> • Respond to public comment • Develop and finish outreach materials, e.g. the DEP web-based StoryMap 	Communication and Engagement Workgroup; DEP, DCNR, and PDA Communications Offices	Fall 2019 through December 2025

Programmatic Commitments: Funding & Resources

Action Step	Lead Agency	Timeline for Completion
PA Farm Bill passed, other options for dedicated funding source listed	State Legislature, DEP Legislative Office	2019-2020 Legislative Session
Block grant concept	DEP Chesapeake Bay Office	Fall 2019
Funding and capital for alternative manure treatment technologies, as well as Forestry-related practices	DEP, DCNR	By December 2025
Gather and coordinate necessary resources for staged-approach for countywide action plans	DEP Chesapeake Bay Office	Summer 2021

Programmatic Commitments: Expanding Capacity for Technical Assistance

Action Step	Lead Agency	Timeline for Completion
Center for Water Quality Excellence	Pennvest, DEP Chesapeake Bay Office	Summer 2021
BMP stormwater manual	DEP Bureau of Clean Water	December 2021
Complete Penn State Study	DEP Energy and Chesapeake Bay Offices	December 2019
Web-based and Classroom Training	DEP, PDA	December 2025
PA Agriculture Conservation Stewardship Program	DEP, PDA	January 2020

Programmatic Commitments: Expanding Capacity for Technical Assistance

Action Step	Lead Agency	Timeline for Completion
Support for practice implementation	PDA, DEP, DCNR	December 2025
Possible expansion of Stream Restoration Initiative	PA Fish and Boat Commission, DEP Chesapeake Bay Office	January 2020

Programmatic Commitments: Reporting & Tracking

Action Step	Lead Agency	Timeline for Completion
Revise PA Right to Know Law	PDA, State Legislature	2019-2020 Legislative Session
Planning and prioritization tool, data management system	DEP Chesapeake Bay Office	Fall 2020
Crediting of practices and programs not currently recognized by the Bay Program Partnership	DEP Chesapeake Bay Office	January 2021
BMP Verification Plan Approval and Implementation	DEP Chesapeake Bay Office	December 2025

Programmatic Commitments: Reporting & Tracking

Action Step	Lead Agency	Timeline for Completion
GIS-based On-lot reporting system	DEP	December 2025
“Real-time” Monitoring Gauge	DEP Bureau of Clean Water	January 2021
Track and report Phase 3 WIP progress	DEP Chesapeake Bay Office	December 2025

Programmatic Commitments: Compliance

Action Step	Lead Agency	Timeline for Completion
Action plans for State and State-affiliated agencies <ul style="list-style-type: none"> Assign planning goals for State lands 	DEP	January 2021
Permitting, inspection, compliance programs <ul style="list-style-type: none"> Agriculture Stormwater 	DEP	Ongoing
Review and revise Phosphorus Index	DEP	July 2020
Review 2018 MS4 permits and develop future permits	DEP	December 2022

Proposed Reporting Schedule

2019

	Q1	Q2	Q3	Q4
EPA Reporting			Finalize WIP, Update Program Milestones	Progress on State Programmatic Milestones (Dec.)
Progress Reporting				Progress on State Numeric Commitments (Dec.)
County Reporting		Finished Lancaster, York, Adams and Franklin County CAPs	Start Tier 2 Counties (Bedford, Cumberland, Centre and Lebanon)	

2020

	Q1	Q2	Q3	Q4
EPA Reporting		Progress on State Programmatic Milestones		Progress on State Programmatic Milestones (Dec.)
Progress Reporting				Progress on State Numeric Commitments (Dec.)
County Reporting	Pilot Counties Annual Reporting Tier 2 Counties Finalize CAPs Start Tier 3 & 4 Regional Planning Process			

Proposed Reporting Schedule

2021

	Q1	Q2	Q3	Q4
EPA Reporting	Update State Programmatic Milestones			Progress on State Programmatic Milestones (Dec.)
Progress Reporting				Progress on State Numeric Commitments (Dec.)
County Reporting		Pilot Counties Revise 2-year Milestones Tier 2 Counties Annual Report	Finalize First Half of Tier 3 & 4 Regional Plans	Finalize Second Half of Tier 3 & 4 Regional Plans

2022

	Q1	Q2	Q3	Q4
EPA Reporting		Progress on State Programmatic Milestones		Progress on State Programmatic Milestones (Dec.)
Progress Reporting				Progress on State Numeric Commitments (Dec.)
County Reporting	Pilot Counties Annual Reporting Tier 2 Counties Revise 2-year Milestones			Tier 3 & 4 Annual Reporting

Proposed Reporting Schedule

2023

	Q1	Q2	Q3	Q4
EPA Reporting	Update State Programmatic Milestones			Progress on State Programmatic Milestones (Dec.)
Progress Reporting				Progress on State Numeric Commitments (Dec.)
County Reporting		Pilot Counties Revise 2-year Milestones Tier 2 Counties Annual Report		Tier 3 & 4 Regional Plans Revise 2-year Milestones

2024

	Q1	Q2	Q3	Q4
EPA Reporting		Progress on State Programmatic Milestones		Progress on State Programmatic Milestones (Dec.)
Progress Reporting				Progress on State Numeric Commitments (Dec.)
County Reporting	Pilot Counties Annual Reporting Tier 2 Counties Revise 2-year Milestones			Tier 3 & 4 Annual Reporting

Proposed Reporting Schedule

2025

	Q1	Q2	Q3	Q4
EPA Reporting	Update State Programmatic Milestones			Progress on State Programmatic Milestones (Dec.)
Progress Reporting				Progress on State Numeric Commitments (Dec.)
County Reporting		Pilot Counties Revise 2-year Milestones Tier 2 Counties Annual Report		Tier 3 & 4 Regional Plans Revise 2-year Milestones

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Phase 3 Watershed Implementation Plan



Timeline and Next Steps

Next Steps for the Phase 3 WIP

Phase 3 WIP	What's Next	When
Public Comment	<ul style="list-style-type: none"> • Comment Period April 12 – June 7 Completed • Finalize Public Comment Response Document 	August 23, 2019
Finalize the Phase 3 WIP	<ul style="list-style-type: none"> • Agency, Governor Office Review • Review by Phase 3 WIP Steering Committee • Phase 3 WIP finalized and submitted 	August 16, 2019 August 23, 2019
Sediment Target Addendum	<ul style="list-style-type: none"> • Finalize Sediment Reduction Targets • Add targets as an Addendum to the Phase 3 WIP 	
EPA and Partnership Response		
Implementing the Phase 3 WIP	<ul style="list-style-type: none"> • Phase 1 Countywide Action Plan development begins -- Bedford, Centre, Lebanon and Cumberland Counties • Phase 2 begins 	September 2019 May 2020



Phase 3 WIP Call to Action

ACTION #1: Plan Support

- Is there anything in the final Phase 3 WIP that you cannot support?
- Are you ready to support moving from planning to action?

Phase 3 WIP Call to Action

ACTION #2:

Implementation and future partner involvement

- Invite the Steering Committee members to lead the Phase 3 WIP Action Team
- The Action Team will meet 2-3 times/year to:
 - review and revise milestones;
 - assess progress;
 - course correct, as needed; and
 - discuss lessons learned.
- Workgroups would be used to vet ideas, revisions, and advise as needed



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PROTECTION



Chesapeake Bay Program Office

Contact Information:

Veronica Kasi

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717-772-4053

DEP Chesapeake Bay Program Website:

<http://www.dep.pa.gov/ChesapeakeBay>

Phase 3 WIP Website:

www.dep.pa.gov/chesapeakebay/phase3

Sign Up for Participation in Countywide Action Plan

RA-EPChesBay@pa.gov



Clean water:
Great for PA
Good for the Bay