

## **CHAPTER 3**

### **WATER QUALITY MANAGEMENT FRAMEWORK**

#### **Introduction**

The Federal Water Pollution Control Act Amendments of 1972 called upon Areawide agencies such as TMACOG to develop Areawide Water Quality Management Plans. The Areawide Plan described under §208 of the Act, is certified by the Governor of State as part of the State's Water Quality Management Plan. Many agencies - federal, state, areawide, and local - are given specific responsibilities to implement specific provisions of the Act.

This Chapter of the Areawide Water Quality Management Plan identifies the responsibilities of TMACOG as the Areawide agency, of the local Designated Management Agencies, and how all agencies work together.

#### **Designated Management Agencies**

The Clean Water Act calls for local jurisdictions and agencies to carry out specific roles in protecting water quality. Agencies with specific responsibilities in implementing the Clean Water Act are called Designated Management Agencies, or DMAs. Several federal and state agencies have regulatory oversight in water quality management; local DMAs recognized by this plan are responsible for fulfilling legal requirements set by the federal and state agencies. The federal agencies are US EPA and US Department of Agriculture. The state agencies are Ohio EPA, Ohio DNR, Ohio Department of Agriculture, Michigan DEQ, and Michigan DNR. Chapter 4, public wastewater treatment, defines the specific role of each DMA.

Depending on its assigned role, a local DMA recognized by this plan must have the capability to:

- have legal authority to provide service to its designated area;
- carry out its assigned portion of the Areawide Water Quality Management Plan;
- accept and utilize grants or other funds from any source for waste treatment management or nonpoint source control purposes;
- raise revenues or other necessary funding, to implement its assigned portion of the Plan. Needed revenues may include staff funding, or for DMAs that own or operate sewerage systems, assessments of waste treatment charges;
- cooperate with and assist the TMACOG Environmental Council in the performance of its Plan responsibilities.

Several other DMA roles are specific to those that own and/or operate sewerage facilities:

- refuse to receive any wastes from a municipality, or subdivision thereof, which does not comply with any provision of the Areawide Water Quality Management Plan;
- accept treatment for industrial wastes;
- effectively manage waste treatment works and related point and nonpoint source facilities and practices in conformance with the Plan;
- directly or by contract, design and construct new treatment works, and operate and maintain new and

existing collection and treatment facilities;

- have the capabilities to incur short and long-term indebtedness;
- assure, in the implementation of its portion of the Areawide Water Quality Management Plan, that each participating community pays its proportionate share of related costs;

The DMAs and their responsibilities are established under this Plan, which recognizes three types of DMAs:

- Counties, municipalities, and Regional Water and Sewer Districts that collect and/or treat municipal wastewater have the following responsibilities:
  - o to protect water quality and public health by meeting the requirements of their NPDES permits, and
  - o to protect water quality by managing stormwater runoff in compliance with the applicable single and general NPDES permit(s).
- County and municipal Health Department’s responsibility is to protect water quality and public health by regulating the installation and maintenance of sewage treatment systems for one, two, and three household residences.
- Counties, municipalities, and townships are responsible for stormwater NPDES permits where required by Ohio EPA or Michigan DEQ.
- County Soil and Water Conservation District’s responsibilities are:
  - o to provide education and technical assistance to farmers in applying best agricultural management practices;
  - o to prevent water pollution from sediment, nutrients, and pesticides;
  - o and encourage fish and wildlife habitat consistent with productive agriculture.

The DMAs recognized by this Plan were established starting in the late 70s, with Designated Management Agency resolutions adopted by the elected officials, and cooperation agreements signed with TMACOG. The region’s Designated Management Agencies are

:

**III-Table 1 Designated Management Agencies**

County	Designated Management Agency	Agriculture	Stormwater	Sanitary Sewerage or Onsite
Lucas	Lucas County		●	●
Lucas	Village of Berkey			●
Lucas	Village of Holland		●	●
Lucas	Village of Harbor View		●	●
Lucas	Township of Jerusalem		●	
Lucas	City of Maumee		●	●

<b>County</b>	<b>Designated Management Agency</b>	<b>Agriculture</b>	<b>Stormwater</b>	<b>Sanitary Sewerage or Onsite</b>
Lucas	Township of Monclova		●	
Lucas, Ottawa	City of Oregon		●	●
Lucas	Village of Ottawa Hills		●	●
Lucas	Township of Spencer		●	
Lucas	Township of Springfield		●	
Lucas, Fulton	Village of Swanton			●
Lucas, Monroe	City of Sylvania		●	●
Lucas	Township of Sylvania		●	
Lucas, Monroe, Wood	City of Toledo		●	●
Lucas	Township of Washington		●	
Lucas	Township of Waterville		●	
Lucas	Village of Waterville			●
Lucas	Village of Whitehouse			●
Lucas	Toledo/Lucas County Health Department			●
Lucas	Lucas Soil and Water Conservation District	●		
Monroe	Monroe County		●	●
Monroe	Township of Bedford		●	●
Monroe	Township of Erie		●	
Monroe	City of Luna Pier			●
Monroe	Monroe County Health Department			●

<b>County</b>	<b>Designated Management Agency</b>	<b>Agriculture</b>	<b>Stormwater</b>	<b>Sanitary Sewerage or Onsite</b>
Monroe	Monroe Soil Conservation District	●		
Monroe	Township of Whiteford		●	
Ottawa	Ottawa County		●	●
Ottawa	Township of Allen		●	
Ottawa	Township of Clay		●	
Ottawa	Village of Clay Center			●
Ottawa, Sandusky	Village of Elmore			●
Ottawa, Sandusky	Village of Genoa			●
Ottawa	Village of Marblehead			●
Ottawa	Village of Oak Harbor			●
Ottawa	City of Port Clinton			●
Ottawa	Village of Put-in-Bay			●
Ottawa	Carroll Township Regional Water and Sewer District			●
Ottawa	Ottawa County Health Department			●
Ottawa	Ottawa Soil and Water Conservation District	●		
Sandusky	Sandusky County			●
Sandusky, Erie, Huron, Seneca	City of Bellevue			●
Sandusky	Village of Burgoon			●
Sandusky	City of Clyde			●
Sandusky	City of Fremont			●
Sandusky	Sandusky Township Sewer District			●
Sandusky	Village of Gibsonburg			●

<b>County</b>	<b>Designated Management Agency</b>	<b>Agriculture</b>	<b>Stormwater</b>	<b>Sanitary Sewerage or Onsite</b>
Sandusky, Seneca	Village of Green Springs			●
Sandusky	Village of Helena			●
Sandusky	Village of Lindsey			●
Sandusky	Village of Woodville			●
Sandusky	Sandusky County Health Department			●
Sandusky	Sandusky Soil and Water Conservation District	●		
Wood	Wood County		●	Through NWWSD*
Wood, Sandusky	Northwestern Water and Sewer District			●
Wood	Village of Bloomdale			● Through NWWSD*
Wood	City of Bowling Green		●	●
Wood	Village of Bradner			●
Wood	Village of Custar			Through NWWSD*
Wood	Village of Cygnet			Through NWWSD*
Wood, Seneca, Hancock	City of Fostoria		●	●
Wood	Village of Grand Rapids			●
Wood	Village of Haskins			●
Wood	Village of Hoytville			Through NWWSD*
Wood	Village of Jerry City			Through NWWSD*

\* Northwestern Water and Sewer District plans, owns, operates, and maintains sanitary sewerage facilities for these District members

County	Designated Management Agency	Agriculture	Stormwater	Sanitary Sewerage or Onsite
Wood	Township of Lake		●	
Wood	Village of Luckey			●
Wood	Township of Middleton		●	
Wood	Village of Millbury		●	Through NWWSD*
Wood	Village of Milton Center			●
Wood	Village of North Baltimore			●
Wood	City of Northwood		●	●
Wood	Village of Pemberville			●
Wood	City of Perrysburg		●	●
Wood	Township of Perrysburg		●	
Wood	Village of Portage			●
Wood	Village of Risingsun			Through NWWSD*
Wood	City of Rossford		●	Through NWWSD*
Wood	Village of Tontogany			Through NWWSD*
Wood	Village of Walbridge		●	●
Wood	Village of Wayne			●
Wood	Village of West Millgrove			Through NWWSD*
Wood	Village of Weston			Through NWWSD*
Wood	Wood County Health Department			●
Wood	Wood Soil and Water Conservation District	●		

Designated Management Agencies accept responsibility to implement their part of the Clean Water Act, and thereby protect the region's water quality. DMA status is a prerequisite to participation in the Environmental Council, through which this Plan is maintained.

### III-Table 2 Inclusion of Adopted "201" Facility Plans

The following Facility Plans have been adopted and are incorporated into this Plan by reference. These plans are updated and superceded by this *Areawide Water Quality Management Plan*.

COUNTY	FACILITY PLANNING AREA	YEAR(S)	CONSULTANT
Lucas	Fuller's Creekside Estates I/I	1977	FPS
Lucas	Lucas Co./Central-Reynolds SS #513	1976	FPS
Lucas	Lucas Co./Maumee River WWTP	1975, 83, 85	FPS
Lucas	Lucas Co./Jerusalem Twp	1994-2000	FPS
Lucas	Lucas Co./Neapolis	1980	FPS
Lucas	Lucas Co./Toledo Airport Area	1975	FPS
Lucas	Maumee Combined Sewer Overflows	1982	FPS
Lucas	Oregon	1974	FPS
Lucas	Oregon/Harbor View & Seaman Rd	1981	FPS
Lucas	Oregon/South Shore Park	1985	FPS
Lucas	Swanton	1975	FPS
Lucas	Toledo	1976, 8, 9, 86	Jones & Henry
Lucas	Toledo Combined Sewer Overflows	1978, 1986	Jones & Henry
Lucas	Whitehouse	1978	FPS
Lucas	Whitehouse	1981	Poggemeyer
Monroe	Monroe Co./Bedford Twp	1975	Consoer & Townsend
Monroe	Monroe Co./Luna Pier, Erie Twp	1982	FPS
Ottawa	Danbury Township	1976	Jones & Henry
Ottawa	Port Clinton - Catawba Township	1987	FPS
Sandusky	Clyde	1981	F. Browne
Sandusky	Gibsonburg	1976, 81	BG&R
Sandusky	Lindsey	1983	Poggemeyer
Sandusky	Woodville	1980	Poggemeyer
Wood	Bowling Green	1974, 76	FPS
Wood	Bradner	1985	FPS
Wood	Grand Rapids	1975	Poggemeyer
Wood	Hoytville/Wood Co. SSD 1500	1981	Poggemeyer
Wood	Haskins	1974	Poggemeyer
Wood	Luckey	1981	Poggemeyer
Wood	Northwood (Tributary to Toledo)	1979	FPS
Wood	North Baltimore	1987	FPS
Wood	Perrysburg	1977, 80	FPS
Wood	Tontogany/Wood Co. SSD 1200	1978	Poggemeyer
Wood	Walbridge	1979	Poggemeyer
Wood	Weston	1977	Poggemeyer
Wood	Wood Co. SSD 100, 120 Tracy/Metcalf	1980	FPS
Wood	Wood Co. SSD 102, Moline	1974	FPS
Wood	Wood Co. SSD 220, NE Wood Co.	1975	FPS
Wood	Wood Co. SSD 302, W. Perrysburg	1975	FPS
Wood	Wood Co. SSD 400, N. Perrysburg	1974	FPS
Wood	North Baltimore	1987	FPS

## Toledo Metropolitan Area Council of Governments

### Introduction

The Toledo Metropolitan Area Council of Governments (TMACOG) is the designated Areawide Water Quality Management Planning Agency for Lucas, Wood, Ottawa, and Sandusky, in Ohio; and Erie, Bedford,



and Whiteford Townships and the City of Luna Pier in Monroe County Michigan. The TMACOG Areawide Water Quality Management Plan was adopted on December 19, 1976 and has been certified as part of the State Water Quality Management Plans by the Governors of Ohio and Michigan. Erie County, Ohio was originally certified as part of the TMACOG plan; it was removed in 2003. TMACOG's role as the designated Areawide agency is to maintain and coordinate the implementation of the Plan through the Environmental Council and its subcommittees.

## **TMACOG Responsibilities**

The Areawide role includes:

- Continuing the planning and updating of the Areawide Water Quality Management Plan
- Providing a forum for Areawide policy decision-making on water quality concerns
- Coordination among the DMAs
- Coordinate activities among DMAs to solve point and nonpoint source water quality problems
- Serve as a regional advocate on environmental issues at the State and Federal levels
- Resolve conflicts among DMAs and with the Areawide Water Quality Management Plan
- Coordinate Areawide Water Quality Management Plan with other State, Federal, and Regional plans, including:
  - o The State Implementation Plan (SIP) for Air Quality
  - o Coastal Zone Management Plan
  - o Watershed plans covering all or part of the major drainage basins: the Maumee, Portage, Sandusky
  - o Sewerage funding programs through HUD, USDA, and the state revolving loan programs

## **The Environmental Council within the TMACOG Structure**

The Environmental Council is the principal forum for reviewing and making the Plan. The Environmental Council uses a representative structure for broad participation, both in terms of geography and expertise. The Environmental Council Operating Procedures, presented in Appendix II-9 are included as part of this plan by reference.

Although not every DMA has a seat on the Environmental Council, DMAs may bring issues before the Environmental Council and request Plan Amendments. Membership in TMACOG is open to all DMAs, but is not a prerequisite for participation on the Environmental Council.

The Environmental Council is one of TMACOG's programmatic councils. Its Chair is a member of the Executive Committee. Plan Amendments recommended by the Environmental Council go to the Board of Trustees for final action. The TMACOG Bylaws and the TMACOG organizational chart are included in this Plan by reference.

## **Legal Basis**

TMACOG has all of the authority necessary to assume responsibility for the Areawide monitoring, planning, coordination, and conflict resolution responsibilities that are assigned to it as the designated Areawide Water

Quality Management Planning Agency. The current versions of the following documents are incorporated into this plan by reference:

- §208 of the Federal Water Pollution Control Act Amendments (P.L. 92-500) as amended by the Clean Water Acts of 1977, 1982, and 1987 (P.L. 95-271, 97-440, and 100-4)
- Federal Register §35.1521 et seq. Vol. 44 No. 101, Wednesday May 23, 1979, Rules and regulations
- Ohio Revised Code Section 167.01 - 167.08, "Regional Councils of Governments"
- Ohio Revised Code Section 6111.03, "Powers of Director of Environmental Protection."
- Urban Cooperation Act of 1967, Michigan Public Act No. 7, §124.501 - 124.512 (Ex. Sess.).
- Syllabus: Ohio Attorney General's Opinion 79-018 (May 24, 1979)
- Bylaws of the Toledo Metropolitan Area Council of Governments
- Implementing Documents and Resolutions

### **Plan Amendment Process**

The Areawide Water Quality Management Plan is maintained by the Environmental Council, and may be amended between regular updates to meet changing conditions. The amendment process is as follows:

- A DMA or member of the Environmental Council may raise an issue regarding the Areawide Water Quality Management Plan, which, in their opinion, requires a Plan Amendment, to the attention of the Chair of the Environmental Council, or the TMACOG Vice President of Environmental Planning.
- TMACOG will convene meeting(s) of the affected parties to discuss the issues and attempt to reach a solution by mutual agreement.
- Following meeting(s) of the affected parties, the proposed Plan Amendment will be placed on the Environmental Council agenda at the request of any DMA or member of the Environmental Council. All parties to the issue will be given an opportunity to present their issues to the Environmental Council.
- The Environmental Council shall make recommendations on the proposed Plan Amendments according to its Operating Procedures. Its recommendation, regardless of outcome will be forwarded to the Executive Committee.
- The Executive Committee shall review the Environmental Council recommendation and vote whether or not to approve the requested Plan Amendment. Executive Committee shall forward both its and the Environmental Council's recommendations to the Board of Trustees.
- The TMACOG Board of Trustees shall review the recommendations of the Environmental Council and Executive Committee, and vote whether or not to adopt the requested Plan Amendment.
- If the TMACOG Board of Trustees action results in changes to the Areawide Water Quality Management Plan, TMACOG will submit the revised Plan to the Governors of Ohio and Michigan for Certification.
- DMAs recognize that a vote by the Board of Trustees on a Plan Amendment is TMACOG's final

decision on proposed changes to TMACOG'S *Areawide Water Quality Management Plan*.