

**RESOLUTION OF TMACOG
CREATING THE WOLF CREEK COMMITTEE
AS A COMMITTEE OF TMACOG**

WHEREAS, the Toledo Metropolitan Area Council of Governments (TMACOG) is a voluntary association of local governments and non-governmental partners in northwest Ohio and southeast Michigan

WHEREAS, pursuant to §208 of the Federal Water Pollution Control Act Amendments of 1972, PL 92-500 and the Clean Water Act of 1977, PL 95-217, the *Areawide Water Quality Management Plan* was developed and adopted on December 19, 1976 by TMACOG; and

WHEREAS, the TMACOG Board of Trustees adopted the current *Areawide Water Quality Management Plan* on June 11, 2008; and

WHEREAS, the *AWQMP* is comprehensive in scope, and many streams in the region fail to meet the Clean Water Act “fishable and swimmable” goals due to nonpoint sources of water pollution; and

WHEREAS, the Governors of Michigan and Ohio have certified the *Areawide Water Quality Management Plan* as part of the State Water Quality Management Plans for Lucas, Ottawa, Sandusky, Wood Counties, Ohio; and Bedford, Erie, and Whiteford Townships in Monroe County; and

WHEREAS, Maumee Bay State Park, one of the region’s premier recreational destinations, features Lake Erie beaches, which were posted for bacterial contamination an average of 14 days out of the 100-day bathing seasons from 2000-2008; and

WHEREAS, studies conducted in partnership by the University of Toledo Lake Erie Center, the Cities of Oregon and Toledo, Lucas County, the US Geological Service, TMACOG, and other partners have identified the Wolf Creek / Berger Ditch watershed as the likely principal source of bacterial contamination; and

WHEREAS, the TMACOG Environmental Council voted to recommend adopting the Wolf Creek Committee operating procedures at its September 24, 2009 meeting,

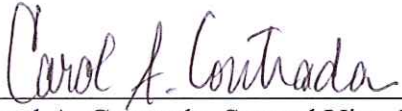
NOW, THEREFORE, BE IT RESOLVED BY TMACOG:

THAT the Wolf Creek Committee be established as a committee of TMACOG, reporting to the Environmental Council; and

THAT the President be and he is hereby authorized to provide this resolution to state and federal legislators, state and federal agencies, and local jurisdictions and agencies as a statement of TMACOG policy.

Adopted by the Executive Committee October 21, 2009

Yea 10, Nay -0-, Abstain -0-



Carol A. Contrada, Second Vice Chair
TMACOG



Anthony L. Reams, President
TMACOG

Staff Report

TOLEDO METROPOLITAN AREA COUNCIL OF GOVERNMENTS

Subject: Wolf Creek Committee

Maumee Bay is one of Ohio's premier recreational destinations. It is an attraction for swimming, boating, fishing, and wildlife preserves. The safe use of Maumee Bay and beaches, especially at Maumee Bay State Park, is often impaired by fecal contamination of recreational waters from a variety of sources.

When *Escherichia coli* (*E. coli*) levels exceed the state standard, beach managers at Maumee Bay State Park may post the beach with a beach advisory. Not only is this a loss to visitors of the area, it also may result in a loss to the local and state economy. From 2000-2008, the Lake Erie beaches were posted an average of 14 days out of each 100-day bathing season.

The Wolf Creek Committee's goal is to identify the causes of these high bacteria levels and develop measures for protecting Lake Erie beaches from contamination. Projects that have come out of this group's work include sewer extensions to eliminate onsite sewage systems, and inspection/repair of remaining systems. Wetlands systems are planned to control the remaining bacteria sources. Wetlands and riparian corridors offer environmental benefits besides controlling bacteria. They reduce sediment and nutrient loadings to Lake Erie, and provide coastal fish and wildlife habitat.

The members of the Wolf Creek Committee include political jurisdictions of the watershed, State, Wood, and Lucas county agencies, and the University of Toledo, and Ohio DNR, with TMACOG serving as a facilitator. The group was originally formed in 1995 as the Maumee Bay Bacteria Task Force. Its work identified Wolf Creek/Berger Ditch as the primary source of *E. coli* bacteria impacting the Lake Erie beaches at Maumee Bay State Park. Since reaching that conclusion, studies have focused on the Wolf Creek watershed. In 2009 the group is being reformed with a name to match its focus, as a committee of TMACOG. These operating procedures will formally establish it as a committee of TMACOG.

OPERATING PROCEDURES
OF
WOLF CREEK COMMITTEE

ARTICLE I: NAME, GEOGRAPHIC EXTENT AND PROBLEM STATEMENT

Section 1. – Name: The name of the association is the Wolf Creek Committee, hereinafter referred to as “the Committee.”

Section 2. – Geographic Extent: For the purpose of this document the geographic extent of the Wolf Creek Committee shall include all of the land that drains into Berger Ditch and Wolf Creek in Lucas and Wood counties in Ohio, their tributaries and ditches, hereinafter referred to as “the watershed.”

Section 3. – Problem Statement: Wolf Creek arises in an agricultural landscape and drains fields and unsewered residential areas. The lower portion of Wolf Creek, called Berger Ditch, is a deep roadside ditch within the seiche influence of Lake Erie that captures surface runoff from roadways and residential areas. Both Wolf Creek and Berger Ditch have been extensively hydrologically modified leading to poor conditions for aquatic life and pollutant assimilation. Wolf Creek/Berger Ditch has been demonstrated to carry excessive quantities of pollutants including sediment and bacteria to Maumee Bay. The mouth of Berger Ditch at Maumee Bay is within Maumee Bay State Park, which has experienced beach advisories due to bacterial contamination. Within Maumee Bay State Park and adjacent coastal areas, coastal wetlands have largely been removed along with their functions including pollutant assimilation and wildlife habitat.

ARTICLE II: MISSION AND GOALS

Section 1. – Mission: Protect and improve water quality, coastal and riparian habitat, and drainage of the watershed; specifically to provide safe water for human use and aquatic life

Section 2. – Goal: Plan and implement basic scientific research, conduct programs and projects that will reduce, control, or remove pollutants; improve drainage; and restore wetlands and floodplains within the watershed.

ARTICLE III: REPRESENTATION AND MEMBERSHIP

Section 1. – Eligibility: Any individual that subscribes to the mission and goals of the Committee is eligible to serve as a member and fill a position as listed in Section 2.

Section 2. – Types of Membership: Members will be sought to fill and maintain positions as listed below:

1. City of Northwood
2. City of Oregon
3. Jerusalem Township
4. Lucas County Engineer
5. Lucas Soil and Water Conservation District
6. Ohio DNR, Maumee Bay State Park
7. Toledo/Lucas County Health Department

8. University of Toledo Lake Erie Center
9. Wood County Health Department
10. Ohio EPA, non-voting
11. University of Toledo designated consultant, non-voting
12. U.S. Geological Survey, non-voting
13. TMACOG — facilitator, non-voting

Section 3. – Role of Members: Members are responsible for working to fulfill the Mission and Goals of the Committee as listed in Article II. The members of the Committee will be expected to attend regular meetings as scheduled. Members may appoint alternates who may represent them fully at meetings. Alternate appointments must be made in writing.

Section 4. – Subcommittees: the Committee may appoint advisory subcommittees as it deems necessary.

ARTICLE IV: SELECTION PROCEDURE

Section 1. – Selection: Representatives of members listed in Article III Section 2 shall be appointed by member organizations by letter to TMACOG. The Committee must approve nominations by a majority vote at a regular meeting, confirmed by the Chair of the TMACOG Environmental Council.

ARTICLE V: TENURE

Section 1. – Terms: member representatives serve on the Committee for a period of one year, subject to annual reappointment at the TMACOG General Assembly. Any representative who resigns from the Committee will be replaced through the above listed methods. The replacement member will be eligible to fill the position for the remainder of the current term.

Section 2. – The Wolf Creek Committee shall be a Committee of TMACOG pursuant to Section X of the TMACOG bylaws, reporting to the Environmental Council. The Committee will exist for the duration that it has active projects and business to conduct.

ARTICLE VI: MEETINGS

Section 1. – Regular Meetings: The Committee will normally meet once per quarter while there are one or more active projects before the committee. The Committee will schedule its meetings as needed to accomplish its tasks.

Section 2. – Special Meetings: Special meetings of the Committee may be called if circumstances require such an event. When possible, two-weeks' notice will be given before a special meeting is held.

Section 3. – Attendance: Failure for a Committee member to attend at least 2 regular meetings over a one-year period will result in replacement of that committee member by the means listed above under Article IV.

Section 4. – Voting – Each Committee member will cast one vote each time a vote is called for. If a member is absent from a meeting, their vote will be forfeited. Voting by e-mail, fax, or conference call is not permitted.

Section 5. – Quorum – A quorum shall consist of one more than half of the appointed members (see Article III, Section 2). Vacant membership slots are not counted in determining number needed for a quorum. All committee activities will comply with TMACOG’s policy on the Ohio Open Meeting Act.

ARTICLE VII: OFFICERS

Section 1. – Facilitator: TMACOG will designate a staff member to coordinate the committee and facilitate meetings.

Section 2. — TMACOG staff shall provide secretarial support for the committee.

ARTICLE VIII: AMENDMENTS

Section 1. – Proposals: Any Committee member may make Proposals for amendments to these bylaws at any time. Proposals shall be formally presented to TMACOG in writing for consideration by the full committee. All amendments must be ratified at a Committee meeting.

ARTICLE IX: PARLIAMENTARY AUTHORITY

Section 1. – Parliamentary Authority: Except where otherwise specified within these bylaws, the rules contained in the most recent edition of Robert’s Rules of Order shall govern Committee proceedings.

ARTICLE X: BYLAW RATIFICATION

Section 1. – Ratification: These bylaws will go into effect after approval by a majority vote of the Committee members, and approval by the TMACOG Environmental Council and Executive Committee.