

# Chapter 4

## Water Quality Management Framework

### I. Introduction

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

This chapter of the AWQMP identifies the responsibilities of TMACOG as the Areawide agency, of the local Designated Management Agencies (DMAs), and how all agencies work together.

### II. 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 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 U.S. Environmental Protection Agency (U.S. EPA) and U.S. Department of Agriculture (USDA). The state agencies are Ohio EPA (Ohio EPA), Ohio Department of Natural Resources (ODNR), Ohio Department of Agriculture (ODA), Michigan Department of Environment, Great Lakes, and Energy (Michigan EGLE), and Michigan DNR (Michigan DNR). **Chapter 5**, 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 AWQMP;
- 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 sewage systems, assessments of waste treatment charges; and
- Cooperate with and assist the TMACOG Water Quality Council in the performance of its Plan responsibilities.

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

- Refuse to receive any wastes from a municipality, or subdivision thereof, which does not comply

with any provision of the AWQMP;

- Accept treatment for industrial wastes, subject to the provisions of a pretreatment program approved by Ohio EPA or Michigan EGLE;
- 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; and
- Assure, in the implementation of its portion of the AWQMP, 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 National Pollutant Discharge Elimination System (NPDES) permits, and
  - o To protect water quality by managing stormwater runoff in compliance with the applicable single and general NPDES permit(s).
  - o If a municipality sells or gives its sanitary sewage system to another public agency (such as an Ohio Revised Code (ORC) §6119 District) or political subdivision of the state, this Plan will delist the original DMA, and transfer the DMA designation to the new owner of the infrastructure.
- 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 EGLE.
- 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; and
  - o Encourage fish and wildlife habitat consistent with productive agriculture.

The DMAs recognized by this Plan were established starting in the late 1970s, with DMA resolutions adopted by the elected officials, and cooperation agreements signed with TMACOG. The region’s DMAs are shown in Table 4-1.

**Table 4-1: Designated Management Agencies**

County	DMA	Agriculture	Stormwater	Sanitary Sewage or On-Site
Lucas	Lucas County		•	•
Lucas	Village of Berkey			•
Lucas	Village of Holland		•	•
Lucas	Village of Harbor View		•	•
Lucas	Township of Jerusalem		•	
Lucas	City of Maumee		•	•
Lucas	Township of Monclova		•	
Lucas, Ottawa	City of Oregon		•	•
Lucas	Village of Ottawa Hills		•	•
Lucas	Township of Spencer		•	
Lucas	Township of Springfield		•	
Lucas	Township of Swanton		•	
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	City 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			•

County	DMA	Agriculture	Stormwater	Sanitary Sewage or On-Site
Monroe	Monroe County Health Department			•
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			•
Sandusky, Seneca	Village of Green Springs			•
Sandusky	Village of Helena			•
Sandusky	Village of Lindsey			•
Sandusky	Village of Woodville			•
Sandusky	Sandusky County Health Department			•

County	DMA	Agriculture	Stormwater	Sanitary Sewage or On-Site
Sandusky	Sandusky Soil and Water Conservation District	•		
Wood	Wood County		•	•
Wood, Sandusky	Northwestern Water and Sewer District			•
Wood	City of Bowling Green		•	•
Wood	Village of Bradner			•
Wood, Seneca, Hancock	City of Fostoria		•	•
Wood	Village of Grand Rapids			•
Wood	Village of Haskins			•
Wood	Township of Lake		•	
Wood	Village of Luckey			•
Wood	Township of Middleton		•	
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	Township of Troy		•	
Wood	Village of Walbridge		•	•
Wood	Village of Wayne			•
Wood	Wood County Health Department			•
Wood	Wood Soil and Water Conservation District	•		

DMAs 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 Water Quality Council, through which this Plan is maintained.

**Table 4-2: Inclusion of Adopted "201" Facility Plans**

The following Facility Planning Areas (FPAs) have been adopted and are incorporated into this Plan by reference. These plans are updated and superseded by this Plan.

<b>County</b>	<b>Facility Planning Area</b>	<b>Year(s)</b>	<b>Consultant</b>
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, 1983, 1985	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, 1978, 1979, 1986	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, Eire Twp.	1982	FPS
Ottawa	Danbury Twp.	1976	Jones & Henry
Ottawa	Port Clinton – Catawba Twp.	1987	FPS
Sandusky	Clyde	1981	F. Browne
Sandusky	Gibsonburg	1976, 1981	BG&R
Sandusky	Lindsey	1983	Poggemeyer
Sandusky	Woodville	1980	Poggemeyer
Wood	Bowling Green	1974, 1976	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, 1980	FPS
Wood	Tontogany / Wood Co. SSD 1200	1978	Poggemeyer

County	Facility Planning Area	Year(s)	Consultant
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

### III. 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 AWQMP 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 Water Quality Council and its subcommittees.

#### TMACOG Responsibilities

The Areawide role includes:

- Continue planning and updating the AWQMP;
- Provide a forum for Areawide policy decision-making on water quality concerns;
- Coordinate activities among DMAs to solve point and nonpoint source water quality problems;
- Serve as a regional advocate on water quality issues at the State and Federal levels;
- Resolve conflicts among DMAs and with the AWQMP; and
- Coordinate AWQMP 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 Housing and Urban Development (HUD), USDA, and the state revolving loan programs

## **The Water Quality Council within the TMACOG Structure**

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

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

The Water Quality Council is one of TMACOG's programmatic councils. Its Chair is a member of the Executive Committee. Plan Amendments recommended by the Water Quality 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 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 Water Quality Council and may be amended between regular updates to meet changing conditions. The amendment process is as follows:

- A DMA may raise an issue in which it has a material interest regarding the AWQMP, which, in their opinion, requires a Plan amendment, to the attention of the Chair of the Water Quality Council, or the TMACOG Director of Water Quality 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 Water Quality Council agenda at the request of any DMA that is affected. All parties to the issue will be given an opportunity to present their issues to the Water Quality Council.
- The Water Quality Council shall make recommendations on the proposed Plan amendments according to its Operating Procedures. Its recommendation, regardless of outcome will be forwarded to the Board of Trustees.
- The TMACOG Board of Trustees shall review the recommendations of the Water Quality Council 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.