

# Chapter 1

## Introduction and Overview of the Plan

This chapter presents an overview of 208 planning, summarizes the original 208 Plans completed in 1979 and 1981, outlines goals, and provides an overview of the CWP.

### I. Introduction

NEFCO's Clean Water Plan (CWP) for the Ohio River Basin is the first major update to that area's 208 areawide water quality management plan (WQMP) since 1981. It is the product of the collaborative efforts of many local public officials from the region representing counties, municipalities, sewer agencies, county health agencies, planning departments, conservation agencies and representatives of Ohio EPA, ODNR and the Ohio Department of Health and local watershed groups who assisted staff from NEFCO in formulating the proposals in this plan.

The update focuses on water quality management problems for the Ohio River Basin in Portage, Stark, Summit, and Wayne Counties. Figure 1-1 shows the Ohio River Basin Wastewater Management Planning Area.

NEFCO is the designated water quality planning agency for Portage, Stark, Summit, and Wayne Counties in the Ohio River Basin. NEFCO was designated by the Governor in 1975 to be the water quality management planning agency for Stark County, Wayne County, and the Ohio River Basin portions of Portage County and Summit County under provisions of the federal Clean Water Act (33 U.S.C. Section 1288) to perform the Areawide planning required under Section 208 of that Act. NEFCO was designated because it is an organization governed by a Board of local elected officials with regional planning responsibilities in a metropolitan area. NEFCO is organized as a Regional Council of Governments under Ohio Revised Code (ORC) 167.01 **et seq.**



## **Section 208 of the Clean Water Act**

Section 208 of the Clean Water Act sets forth requirements for water quality management planning (WQMP). In the urbanized areas of the state, the responsibilities for water quality management planning are shared by areawide and state agencies. Both municipal wastewater treatment issues and nonpoint source management and control are to be addressed in areawide water quality management plans. Water quality management plans guide implementation by defining responsibilities of management agencies with municipal waste treatment or nonpoint source management responsibilities that are thereby designated to perform specific control recommendations. Authority to perform the WQMP function is provided in state law by ORC 6111.02(A), 41-42.<sup>1</sup>

The areawide water quality management plan is one of several tools provided in the Clean Water Act for the State to address water pollution and meet designated water quality standards in lakes, rivers and streams. Other tools include water quality standards setting, water quality assessments, the issuance of National Pollutant Discharge Elimination System (NDPES) permits to control discharges, assistance in financing wastewater management facilities, enforcement, and water quality monitoring activities. In water quality assessment, the state is responsible for evaluating and establishing a water body's capacity for receiving pollutant loads without compromising its intended use. Measuring the assimilative capacity involves establishing for streams Total Maximum Daily Loads (TMDLs) and water quality-based effluent limits. These standards provide a foundation for permit issuance. Table 1-1 illustrates water quality management roles and responsibilities among state, regional and local agencies.

## **II. Original Areawide Water Quality Plan**

### THE 1981 NEFCO PLAN

On October 20, 1981, the NEFCO General Policy Board adopted a revised and expanded Clean Water Plan which addressed water quality issues in the four county planning area. The Plan contained recommendations in fifteen separate areas, addressing all known water quality problems in the four counties. Six areas concentrated on "point source" pollution, primarily caused by then inadequate wastewater treatment plants. Recommendations concerning "nonpoint source" pollution were made in six additional areas. The remaining three areas included recommendations for incorporating water quality information into local government decisions, for an ongoing data collection program to assess water quality, and for the institution of an areawide "continuing planning management structure" to coordinate on-going planning activities relating to water quality management.

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<sup>1</sup>*Confer Ohio EPA's Continuing Planning Process (Draft 6/30/98) document for a detailed review of state and federal authority to perform planning and implementation responsibilities under the Clean Water Act.*

**Table 1-1: Water Quality Management Functions in Ohio**

<b><u>Function</u></b>	<b><u>Lead Implementation Responsibility</u></b>
Water Quality Monitoring and Assessment	Ohio EPA has lead implementation responsibility
Water Quality Standards Setting	Ohio EPA has lead implementation responsibility
Water Quality Modeling and Total Maximum Daily Loads	Ohio EPA has lead implementation responsibility
Water Quality Management Planning	Ohio EPA and Areawide Planning Agencies have shared planning responsibilities
NDPES Permits Issuance	Ohio EPA has lead implementation responsibility
Point Sources	Ohio EPA has lead implementation responsibility
Storm Water Permits	Local POTWs have lead implementation responsibility with Ohio
Pretreatment	
Public Wastewater Treatment and Conveyances	Local Designated Management Agencies have lead implementation responsibility with Ohio EPA oversight
Sludge Management	Local POTWs have lead implementation responsibility with Ohio EPA oversight: (OAC 3745-40)
Waste Treatment Works Construction	Ohio EPA and OWDA share management responsibility
State Revolving Fund Loan Management	
Home Sewage Treatment System Management	Local health departments have implementation responsibility with oversight from ODH
Semi-Public Sewage Disposal System Management	Ohio EPA has primary implementation responsibility but delegates some implementation responsibilities to local health departments
Management of Combined Sewers	Local POTWs have implementation and CSO long term control planning responsibility with Ohio EPA oversight
Management of Sanitary Sewers	Local POTWs have SSO long term control planning and implementation responsibility
Nonpoint Source Administration	Ohio EPA has lead implementation responsibility
State Assessment	Ohio EPA shares implementation responsibility with ODNR
State Management Plan	Ohio EPA has lead implementation responsibility
Federal Grants Administration	ODNR has lead implementation responsibility
State Grants Administration	
Nonpoint Source Controls	Municipalities and counties have implementation responsibility
Storm Water Management	Counties and municipalities have lead implementation responsibility
Urban Sediment and Runoff	Voluntary controls by individual landowners are undertaken with incentives provided by USDA
Agricultural Pollution	
Watershed Planning	Various forms of voluntary planning by state and local agencies are undertaken

NEFCO's plan is divided into four documents:

Volume One:	Summary & Recommendations
Volume Two:	Technical Program & Baseline Documentation
Volume Three:	Point Source Documentation
Volume Four:	Nonpoint Source Documentation

### **Implementation and Updates of the 1981 Plan**

Much has happened with the implementation of the plan in the two intervening decades. The municipal waste treatment components of the 1981 plan have been virtually completed. Implementation of the nonpoint source elements has been less successful because of the voluntary nature of those recommendations. Nevertheless, some counties and cities have made progress in better management of home sewage systems and in the implementation of urban sediment control programs at construction sites. Other plan elements and responsibilities were carried out by the Ohio EPA.

Most recommendations of the earlier plan were predicated on a twenty-year planning horizon. Two decades have passed since then and it is time for a major revisiting of water quality management planning issues. While several minor updates to the original plan were made to address changes to management agencies and wastewater facilities planning areas, and to incorporate additional technical studies as they were completed, this plan update represents the first major overhaul of the plan in twenty years.

### **III. Northeast Ohio's Water Quality Problems Today**

The public investments in wastewater treatment anticipated in the 1981 plan have revitalized water quality and aquatic life. However, in spite of these improvements, significant water quality problems remain in the region due to storm water, sanitary sewer overflows and combined sewer overflows, on-site wastewater systems, agriculture, residential and commercial development, and habitat disruption.

Nonpoint sources and storm water runoff now pose greater threats to regional water quality. These threats originate from a variety of potential sources, including new point source discharges from residential and commercial developments, construction activities, and the combined effects of land disturbances. This has transformed the landscape from rural, sparsely populated, vegetated open spaces to large areas of denser populations and increased imperviousness (pavement, parking lots, and buildings). This transformation is threatening critical water resources once thought relatively secure from water pollution threats (upland drinking water reservoirs, headwaters areas, and high quality streams once far removed from urbanization). Thus, while the perceived water pollution problems of the 1970s have largely been addressed, there remains a whole new set of water pollution challenges.

#### IV. The Current 208 Plan Update

##### **Goals of this 208 Plan Update**

Several goals were established as a framework for plan development:

- 1) The plan should adopt a watershed and subwatershed approach that coordinates agencies addressing point and nonpoint pollution sources as the basis for management planning;
- 2) The plan should optimize the use of existing infrastructure for development prior to investing public monies in new infrastructure;
- 3) The plan should be protective of what has been gained in environmental quality and outline measures needed to be undertaken to meet designated uses with particular attention to enhanced protection of critical water resource areas;
- 4) The planning process should educate local public decision makers on regional water quality management issues; and
- 5) The plan should elicit public support for plan implementation.

##### **Focus of this 208 Plan Update**

This plan update primarily focuses on the threats to water quality posed by the rapidly developing areas of the region. Thus, attention has focused on issues of planned sewer expansions in the suburban counties, on better management of home sewage systems and semi-public sewage disposal systems, on more vigorous attention to the control of nonpoint source pollution, and on the protection of the region's regionally important water resources.

The plan is also concerned with the problems of the older urbanized areas which for the most part have addressed the problems of point source discharges from sewage treatment plants.

The plan includes three forms of directive: **policies, recommendations and strategies.**

**Policies** are definitive water quality management planning responsibilities of the designated areawide planning agency (NEFCO).

**Recommendations** include (1) proposed actions to be undertaken by local public jurisdictions and state agencies to implement the plan under existing authorities of state law or (2) legislative recommendations which require changes in law to implement the plan.

**Strategies** outline planning steps needed to support implementation of the plan.

The plan articulates the region's future goal to balance development and economic growth with sustainable high water quality. The plan implores public officials and the general public to undertake actions to protect the region's water resources for the next generation. It sets an agenda for continuing water quality management planning in NEFCO's counties for the coming decade.

## V. Steps to Certification

Once the NEFCO Board accepts the draft plan it will be circulated to local jurisdictions, agencies and the public within the area, and to the Ohio EPA for review and comment. NEFCO will revise the plan in light of comments received, and resubmit it to the NEFCO Board for approval. The final plan will then be submitted to the Ohio EPA for certification by the Governor and to USEPA for approval. Once approved, the plan will become operative. See discussion of timetable in Chapter 11 below.

## VI. Plan for this Document

The plan for this document is as follows:

**Executive Summary** - provides a summary of the plan.

**Chapter 1** - provides an overview of the plan.

**Chapter 2** - summarizes existing water quality conditions and expected development trends over the next twenty years.

**Chapter 3** - presents the plans of local and county jurisdictions concerning new wastewater infrastructure, sewers and wastewater treatment facilities, anticipated to be necessary over the next twenty years. These plans are the result of consultations with county, municipal and township officials who developed the local plans. Chapter 3 also discusses how updates to these sewer plans will be addressed by NEFCO in the Clean Water Plan.

**Chapter 4** - presents recommendations for better management of home sewage systems for those large areas of the region which will remain unsewered over the next twenty years. These recommendations are the result of a year long discussion among the seven county health departments with management responsibility in Northeast Ohio.

**Chapter 5** - presents recommendations for the implementation of nonpoint source controls by local jurisdictions in several areas including storm water management, riparian protection, urban sediment control, construction site design and others. This chapter also discusses the need for better wet weather standards in the region's urban streams.

**Chapter 6** - identifies regionally important water resources in Northeast Ohio and makes a series of recommendations for enhancing the protection of these resources.

**Chapter 7** - describes water quality conditions in urban areas of the region and presents an urban streams restoration planning process.

**Chapter 8** - makes recommendations on augmenting the role and impact of watershed planning groups in the region.

**Chapter 9** - describes the processes by which the counties, local jurisdictions and the public have been involved in the plan's development.

**Chapter 10** - presents the program of continuing planning that will be required to assure that the plan is implemented.

**Chapter 11** - describes the process by which this plan will be reviewed and certified by the State.