

Appendix D: Relationship to Watershed Action Plans, TMDLs, Section 208 Planning, and Watershed Action Plan Endorsement

Ohio EPA and Ohio DNR have supported the development of Watershed Action plans to address water quality problems in watersheds. The Watershed Balanced Growth Plans address the issue of land use impacts on watersheds and could be considered or included as one portion of a Watershed Action Plan. This is in keeping with the growing understanding that the location of development in a watershed has a major impact on water quality.

There are similarities and differences between Balanced Growth Plans and Watershed Action Plans. Both plans are developed at a watershed scale by a local watershed partnership, they are meant to improve water quality, and are totally voluntary in nature. Both plans require state endorsement to benefit from state programs.

A Watershed Action Plan is intended to address the physical, chemical and biological impacts on local water resources. These are developed in response to a water quality report (such as a Total Maximum Daily Load [TMDL]) or other sources of water quality data. A Balanced Growth Plan, while also aimed at improving water quality, focuses primarily on land cover and land use information and actions that can be taken by local governments. A Watershed Balanced Growth Plan specifically targets the location of conservation and development land uses within a watershed and emphasizes not just water quality, but economic development and future growth as well.

Each program has an endorsement process which is being coordinated with the other program. The Watershed Action Plan "endorsement" typically includes both "full" and either of the "conditional" categories, pending and partial. This process is further described in the memo at the end of this Appendix. Once endorsed, the watershed becomes eligible for program incentives. The following funding programs recognize watersheds with completed, and/or endorsed watershed action plans.

- ✓ Clean Water Act Section 319 Grants - Ohio EPA
- ✓ Water Resource Restoration Sponsor Program - Ohio EPA
- ✓ Water Pollution Control Loan Fund - Ohio EPA
- ✓ Environmental Quality Incentive Program
- ✓ Abandoned Mine Land Program - ODNR

- ✓ Recreational Harbor Dredging Grants - ODNR
- ✓ Ohio Environmental Education Fund
- ✓ Ohio Watershed Coordinator Grant Program - ODNR
- ✓ Coastal Management Assistance Grants - ODNR
- ✓ Great Lakes Basin Program for Soil Erosion and Sediment Control grants
- ✓ Lake Erie Protection Fund - OLEC

However, some programs such as 319 and the watershed coordinator grant programs award more points for full endorsement.

Watershed Action Plans:

Copies of all state endorsed watershed action plans may be found at the following Ohio DNR ftp site:

[ftp://ftp.dnr.state.oh.us/Soil_ & Water Conservation/WatershedActionPlans/EndorsedPlans/](ftp://ftp.dnr.state.oh.us/Soil_&_Water_Conservation/WatershedActionPlans/EndorsedPlans/). In addition, a listing of local watershed groups in Ohio may be found at the following Ohio State University Extension site: http://ohiowatersheds.osu.edu/groups/wgp_all.php.

Total Maximum Daily Load Reports:

Information on Ohio's Total Maximum Daily Load program can be located at:

<http://www.epa.state.oh.us/dsw/tmdl/index.aspx>.

The State of Ohio Water Quality Management (208) Plan:

Water Quality Management (208) plans describe and promote efficient and comprehensive programs for controlling water pollution from point and nonpoint sources in a defined geographic area. Ohio EPA reviews and updates, as necessary, the state's 208 Plan.

Areawide Councils of Governments act as the lead planning agencies in twenty-four Ohio counties (those with large urban populations). These Areawide Agencies prepare and approve the 208 Plan in their counties. The State of Ohio prepares and maintains the 208 Plan applicable in the remaining 64 counties. The Governor then certifies the entire 208 Plan via submission to U.S. EPA for their approval. For additional information, please visit the following Web link:

<http://www.epa.state.oh.us/dsw/mgmtplans/208index.aspx>



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MEMORANDUM

TO: Watershed Action Plan Reviewers, Watershed Coordinators, Local Watershed Sponsors, and other interested parties.

FROM: David Hanselmann, Chief Division of Soil and Water Conservation

DATE: March 15, 2006

SUBJECT: **Clarification of Watershed Action Plan State Endorsement Definitions**

Watershed planning is an iterative process; therefore the best watershed management plan is always a work in progress. However, it is important to recognize the significant achievement of producing a watershed action plan that meets Ohio and U.S. EPA guidance while addressing important local water resource concerns. Furthermore, important implementation funding programs have developed eligibility or priority conditions linked to State endorsement.

Although a significant amount of guidance and literature is available on the subject, experience has shown that the watershed planning process is neither linear nor predictable; local conditions and social dynamics surrounding any given watershed action planning process makes each unique. Thus, in order to accommodate varied and sometimes unanticipated circumstances a number of categories of State endorsement have arisen. The endorsement categories as currently used are defined as follows:

1. Full State Endorsement:

The Watershed Action Plan (WAP) has undergone review by Ohio Department of Natural Resources (ODNR), Ohio Environmental Protection Agency (Ohio EPA), Ohio State University Extension, and other State officials as warranted, and all agree that the WAP has been developed according to Ohio EPA's *A Guide to Developing Local Watershed Action Plans in Ohio*, including Appendix 8, and meets the U.S. EPA *Nonpoint Source Program and Grants Guidelines for States and Territories*. In short, the inventory is thorough, the scope is comprehensive, and actions are measurable,

geographically and temporally specific, and will address identified water quality problems. The watershed entity receives an endorsement letter signed by the chiefs of ODNR Division of Soil and Water Conservation (DSWC) and Ohio EPA Division of Surface Water (DSW).

2. Conditional Endorsement:

Until recently, “conditional endorsement” has been applied as a single designation and included WAPs that were either partially endorsable or close to full endorsement. Those WAPs classified with one of the following designations are considered “conditionally endorsed” for the purpose of grant or program eligibility. Both categories of conditional endorsement are intended to be temporary, and may be revoked with insufficient progress toward full endorsement.

A. Full Endorsement Pending:

State reviewers agree that the WAP is close to achieving Full Endorsement in that the inventory is generally complete, the scope is sufficiently comprehensive, most actions are measurable and closely related to identified water quality problems. Comments may be numerous yet relatively minor, and reviewers anticipate comments can be addressed in a relatively short timeframe. The watershed entity will receive a letter stating, “full endorsement is pending” (previously “conditional endorsement”) with comments and suggested revisions from DSWC and DSW staff. When re-submitted, the WAP will NOT undergo a fresh review. Instead, previous reviewers will check whether revisions have satisfactorily addressed concerns as expressed in the comment letter.

B. Partial Endorsement:

The WAP is not comprehensive in addressing all major causes and sources of water quality impairment, or sections of the plan do not meet requirements related to specificity and measurable outcomes. However, a portion of the plan does merit Full State Endorsement criteria. The watershed entity will receive a letter signed by DSWC and DSW staff granting “partial endorsement” (previously “conditional endorsement”) specifying the portions of the plan meeting full endorsement criteria, e.g. one or more specific sub-watersheds. The letter will also include comments and instructions for revising the plan in order to achieve full state endorsement. Partial Endorsement may necessitate a fresh review of the WAP, or portions therein, depending on the extensiveness of additions or revisions needed.

3. No Endorsement

The WAP does not meet criteria for State Endorsement. The extensiveness or content of comments suggest that the planning process or the WAP document itself requires fundamental improvement.

Appendix E: Sample Resolution of Support

The Watershed Planning Partnership will need an ordinance/resolution from the County Commissioners, Township Trustees, or municipal council from each participating unit of local government in order to demonstrate the necessary significant support. You may also wish to secure commitments from special districts (park districts, sewer and water districts, etc.), planning commissions, soil and water districts, and or other entities as you build support for the watershed plan. However, these do not count in the 75% of local governments, area, and population calculation. Only counties, townships and municipalities count in that calculation.

Example Resolution of Support language is presented below. Watershed Planning Partnerships, in conjunction with local communities, may modify the language as seems reasonable and appropriate. Additional examples are available from Watershed Planning Partnerships that have achieved Endorsement status.

Note that local communities are not required to act on the recommendations contained within the plan. Therefore, local communities are not required to commit to action within the resolution. However, individual local communities may wish to do so. This appendix provides three suggested alternatives for wording of Section 4 that address the interest of the community in implementation of the Plan.

A RESOLUTION SUPPORTING THE <<NAME OF WATERSHED>> *WATERSHED BALANCED GROWTH PLAN* IN COOPERATION WITH THE STATE OF OHIO'S BALANCED GROWTH PROGRAM

WHEREAS, the State of Ohio, through the Balanced Growth Program, has identified the need to enhance protection of the State's waters by supporting local governments to improve planning for development and conservation, and;

WHEREAS, the <<NAME OF WATERSHED PLANNING PARTNERSHIP>> developed the <<NAME OF WATERSHED>> Watershed Balanced Growth Plan that identifies priority areas for conservation and development through local government consensus in the watershed communities, and;

WHEREAS, the Priority Development Areas and the Priority Conservation Areas identified in the <<NAME OF WATERSHED>> Watershed Balanced Growth Plan are to be used by State of Ohio Agencies to guide State activities and programs affecting these areas and they will serve as the basis for special incentives programs to be directed to the <<NAME OF JURISDICTION>>, and;

WHEREAS, the designation of such areas will assist <<NAME OF JURISDICTION>> to minimize future flooding, erosion, and water quality problems, threats to infrastructure, and reliance on costly engineered solutions to storm water problems;

NOW, THEREFORE BE IT RESOLVED THAT:

Section 1. The Watershed Balanced Growth Plan for the <<NAME OF WATERSHED>> that identifies Priority Development Areas and Priority Conservation Areas is hereby adopted.

Section 2. The <<NAME OF WATERSHED PLANNING PARTNERSHIP>> is directed to seek endorsement of this Balanced Growth Watershed plan by the <<Ohio Lake Erie Commission OR Ohio Water Resources Council>> in order to permit the local governments in the watershed to seek the benefits and incentives provided by this endorsement.

Section 3. The Priority Development Areas and the Priority Conservation Areas identified in the Balanced Growth Watershed Plan are to be used by State of Ohio Agencies to guide state activities and programs.

Section 4. The Watershed Balanced Growth Plan will be supported by actions of <<NAME OF JURISDICTION>> to direct local resources, planning actions and best local land use practices to encourage protection of Priority Conservation Areas and development within Priority Development Areas.

Section 4. <<NAME OF JURISDICTION>> will work collaboratively with the <<NAME OF WATERSHED PLANNING PARTNERSHIP>> to review and take into consideration the <<NAME OF WATERSHED>> Watershed Balanced Growth Plan and its Priority

Development Areas, Priority Conservation Areas, and Priority Agricultural Areas as it updates the <<City's / Village's / Township's>> <<Master Plan / Comprehensive Plan>>.

Section 4. That the <<NAME OF JURISDICTION>> will consider changes to its regulations and policies necessary to implement Priority Conservation Areas and Priority Development Areas and to act on the findings of additional natural resource and land use data, all to the maximum extent possible.