

**Ohio EPA/ODNR Vision/Expectations for Watershed Projects
Under Ohio's Watershed Coordinator Program
November 7, 2003**

When preparing for the "Building Sustainable Watershed Projects" seminar, facilitators Ben Senturia (Institute for Conservation Leadership) and Wendy Wilson (River Network) did some preliminary interviews with watershed coordinators and boards. One theme that emerged was the appearance of shifting expectations for the watershed coordinator projects. This handout lays out some basic philosophy on why the program was created, some of the hurdles watershed programs face, contractual obligations that projects need to meet, and the sponsoring agencies perspective on a vision for the future.

History of Ohio's Watershed Coordinator Program

Environmental laws have decreased pollution discharges from industrial, municipal and wastewater sources, often referred to as "point sources" since they originate from a single discharge point, which can be relatively readily identified and treated. However, in the 1990s, there was growing recognition that if Ohio's water quality was to be further upgraded, pollution control efforts will need to focus on nonpoint source pollution.

Nonpoint sources of pollution now account for over 75% of the water quality degradation in Ohio, according to the Ohio Environmental Protection Agency (1998).

The latest definition for nonpoint source pollution is, "pollution that is a result of land use activity or disturbance of the stream system." The sources can be classified into two categories: polluted runoff and physical alterations. Polluted runoff is a result of rain and snowmelt flowing across the land surface that picks up pollutants and carries them to the river or into groundwater. Physical alterations are changes to the stream channel or its corridor, including straightening, deepening, widening or changes in flow patterns and dams.

Point sources of pollution were controlled through a permit system involving mandates, laws, regulation and enforcement. The diverse nature and origin of nonpoint sources of pollution requires a very different approach in their control, beginning with local awareness and respect for water resources and working with individual land owners and users to effect change in management practices and land use activities.

Under the Watershed Action Agenda, Ohio EPA, Ohio DNR and OSU Extension went to the State legislature in 1999 and asked for funding to allow watershed organizations to hire local watershed coordinators. The Division of Soil and Water Conservation received \$300,000 and OSU Extension sufficient funds for five watershed agent positions to initiate the program in 2000. Together with \$400,000 annually from Ohio EPA's 319 program and \$100,000 annually from the ODNR Division of Mineral Resources Management, (and since 2002 \$80,000 from ODNR's Ohio Coastal Management Program), the grants allow local units of governments and non-profit organizations to employ watershed coordinators to identify water quality impairments and work with the community to address the impairments. Watershed projects as a part of the planning

process should also identify threats to water quality and areas in need of preservation. Programs that can protect the water resource from further degradation, such as comprehensive land use plans, riparian setback ordinances, and other tools are discussed and evaluated by the stakeholders, as to which are most likely to achieve water resource goals and which are most likely to be implemented in the watershed.

The program envisioned that local units of governments and concerned citizens would see the value of water resource protection and support the watershed program as the state funds declined. In 2000, 21 local units of governments and nonprofits received grants; in 2001, four were funded; and in 2002 six more projects joined the ranks.

Specific program assumptions were that:

- ◆ Top down planning with traditional public hearing usually meets resistance. Watershed planning is grass-roots decision-making which should lead to much better buy-in and better chance of follow-through.
- ◆ The importance of engaging local landowners and governments cannot be understated. Getting local groups with the authority and mission to improve the natural resources or protect the environment on board with the planning process will lead to local buy-in.
- ◆ It was noted statewide that watershed projects with dedicated staff were more successful than projects where no one person or agency gave leadership.
- ◆ Its purpose is to build capacity at the local level. The grant declines by ten percent each year, with the expectation that watershed communities will see a value in having a watershed program, and step forward in a variety of ways to support it.
- ◆ Watershed plans that link programs and focus resources on specific, targeted problems multiply the intensity and effectiveness of restoration efforts. An early example of the effectiveness of this approach is the Indian Lake Watershed Project where a focus of state and federal resources on the 45,000 acre watershed increased the adoption of no-till from 6% to over 75% within 8 years, resulting in measurable water quality improvements in the lake and major tributaries.
- ◆ The program would increase general public support for watershed protection, resulting in greater state and local funding for planning, assessment, and implementation.

ODNR and OHIO EPA's Position

Ohio EPA and ODNR are extremely proud of the work that the coordinators have done in assisting their organizations and stakeholders to accomplish to protect and restore water resources. Our primary vision is that nonpoint source and watershed programs are ideally developed and implemented locally. As watershed plans are produced by the watershed stakeholders and their technical partners, we plan to recognize these efforts and endorse the plans as the cornerstone for addressing nonpoint source water pollution in Ohio.

We want to ensure that the projects actually delivering water quality results continue to exist. This is one reason why Ohio EPA and ODNR began endorsing plans this year.

Endorsement review utilizing the Appendix 8 criteria ensures that watershed plans from around the State are produced with consistent quality and content to ensure water quality results. Ohio EPA's Division of Surface Water and the ODNR are actively pursuing tying more state resources to endorsed plans. A recent example of this is Ohio EPA Division of Environmental Financial Assistance which obligated up to one-half of \$15 million available annually of their Water Resource Restoration Sponsorship Project funds towards implementation projects recommended by endorsable watershed plans. Bringing in resources to the watershed should give projects a leg up as they pursue local funding sources or ask for additional support from the State legislature.

We realize that the pie isn't large enough to support major watershed implementation around Ohio. As the plans are produced and we have a better handle of what type of dollars are needed, we plan to explore funding from other sources so that plan implementation can move forward with more resources. \$4.2 million in pass through 319 grants is inadequate to fund real implementation in all the watersheds that are actively producing endorsable watershed plans.

At the State level, we will integrate the watershed program and its needs with an updated Nonpoint Source Management Plan and request it be included in any strategies set forth by the Ohio Water Resources Council. Program managers are also working with other Ohio EPA and ODNR Divisions to get them to put financial resources towards endorsed plans. This is why when any plan is submitted for state endorsement, it is shipped out through an internal network asking other Divisions for review.

At the Area Assistance Team level, section administrators within ODNR are creating deliverables for the field staff so that they can participate more effectively with watershed projects. Some of the deliverables being discussed are annual functional reviews with followup on providing data and information requested by the projects (calculating load estimates for pollutants, for example), and watershed plan review.

We're working with Ohio EPA to ensure that the TMDL program knows what watersheds have a local watershed group, so that future TMDLs can be scheduled where there is a coordinator to assist with meaningful local public involvement in the TMDL process. Linking these two will provide coordinators with the latest technical support that they will need to develop better watershed plans. The coordinators should look to the TMDL for technical underpinning to their work (saving them some effort) and agency commitment, and they should be providing/facilitating the vital link to the local stakeholders. The key to all this is to focus on the resource and the goal, not on any particular administrative tool to get there.

Most important, it should be noted that watershed coordinators are working in concert with or in advance of TMDLs. When working simultaneously with a TMDL, it should be understood that Ohio EPA and ODNR consider the watershed action plan the implementation component of the TMDL, as required by the Clean Water Act.

Program Hurdles

1. Over a dozen federal agencies have some water-management related duties, in addition to numerous state and local entities. Each bring valuable expertise to watershed management. Specialization is necessary, but so is coordinating the programs. Watershed management is a highly complex subject that few “experts” understand completely, most of who focus on a manageable niche. An equally narrow range of self-interests typically motivates involvement by local stakeholders (reduce flooding, safe drinking water, improved recreation).
2. Ohio EPA, ODNR, and OSU Extension work together facilitating the start-up of watershed organizations with the intention that the new groups will focus on water quality improvement. However, local stakeholders often view other resource issues such as log-jam removal or invasive species control as higher priorities. The challenge is making your plan relevant locally, and still working on restoration and protection.
3. Traditional stream management approaches throughout Ohio usually focus on providing quick and effective flood control and drainage, with little thought to the impact of the accelerated water’s change on the receiving stream downstream, and with even less thought of the critical role that floodplains play in improved water resources. To improve water quality and protect infrastructure, the functions of natural stream channels and their floodplains need to be protected and restored. We acknowledge that watershed projects have received minimal tools to assess stream channels and accomplish floodplain restoration. Please give some thoughts to what we have spelled out in the color handout on stream morphology included in this packet.
4. Aquatic life assessments are critical to assess impairment and progress related to protection and restoration. Ohio EPA cannot begin to meet the demand so that the 39 projects (28 watershed coordinators and 11 planning grant coordinators) have adequate, Ohio EPA interpreted data for their watersheds.
5. Watershed management is an emerging science, and guidance on watershed planning changes as more is known about the processes that are working. (For example, a recent study finds that planning in agricultural areas on a subwatershed size of 3,000 to 30,000 acres with 25 or less stakeholders tend to show success). Within watershed projects, new data and information becomes available that helps to finetune critical areas, leading to stronger problem and solution statements. Guidance changes add to the perception that watershed planning is a moving target which increases frustration by program participants.
6. The allocation of available 319 implementation dollars is inadequate to address even the assessed/known impairments. As an example in the AMD impacted areas of SE Ohio, three AMDAT plans have been completed for Raccoon Creek (Headwaters, Middle Basin and Little RC). AMD clean up costs in the approved

AMDAT's total \$7,571,824. By contrast, the total 319 allocation to Ohio available to fund watershed implementation is \$4.2 million annually. Therefore, State personnel are looking to tying other resources to endorsed watershed plans.

7. The largest sources for water quality improvement funding exists in funds loaned for local capital improvement projects – sources that have historically funded point source controls. Competing for these funds is difficult for a variety of reasons: nonpoint source controls are largely voluntary by nature and lack of repayment options for loans.
8. Watershed implementation requires an adaptive approach in order to succeed. Projects built to control NPS must be evaluated on an on-going basis over a long term. Watershed incorporating multiple BMPs for protection and restoration must be evaluated on a long term basis (both chemically and biologically) in order to assess results, report back to stakeholders, and modify strategies as the data dictates. A serious challenge for all parties is providing this type of on-going assessment in each watershed.

Watershed Coordinator Grant Requirements on Project Sponsors:

1. Guide the Watershed Coordinator in the development of a stakeholder-driven watershed plan, within two years of grant receipt. Utilize “A Guide to Developing Local Watershed Action Plans in Ohio” and any pending updates for guidance.
2. Failure to produce a plan will jeopardize continued funding for the watershed coordinator grant beyond Year 4. Watershed plan submission for projects that started prior to October, 2002 shall have two options:
 - i. Watershed plan will be submitted for State endorsement. The endorsement process provides a mechanism to ensure watershed plan content and quality consistency throughout Ohio. Plan will be reviewed utilizing *A Guide to Developing Watershed Action Plans in Ohio* (June 1997) and the Appendix 8 update (which includes the 2003 USEPA guidance to the states and is now considered to be an official update to the Guide). One component of Appendix 8 is to prioritize subwatersheds and link impairment causes to sources on the 14-digit subwatershed scale, or some other subwatershed scale agreed to by both parties. While this level of detail need not be present in the initial plan submission, conditions for endorsement agreed to by the State and the project will allow the project to upgrade sections that do not meet the Appendix 8 criteria and establish a timeline for the upgrades. (Option “i” is required for all watershed coordinator grants currently in Year 1 of funding.)
 - ii. Watershed plan may be submitted to the State without requesting State endorsement. The plan will be considered as an acceptable deliverable of the watershed coordinator grant agreement. Projects

pursuing Option “ii,” however, will not be eligible for 319 implementation funding or other available funding that is tied to endorsed plans.

3. In mining impaired watersheds, develop an Acid Mine Drainage Abatement and Treatment (AMDAT) plan for restorations of the watershed per ODNR-MRM criteria.
4. Participate with Ohio EPA in coordinating the watershed planning process with the Total Maximum Daily Load (TMDL) project for the watershed, if applicable.
5. Once watershed plans, TMDLs and/or AMDAT are endorsed, apply for funds from various sources to actually build the BMPs identified in the plans as necessary for restoration or protection. As BMPs are constructed, monitor and evaluate the success of such projects and report findings to all stakeholders.
6. Work towards making the position permanent through local, sustainable financial and in-kind support within six years. As State Watershed Coordinator funding declines, coordinator must continue to work for sustainability of the project. Federal 319 funds are not eligible, based on the ODNR grant agreement language, to be used for match with this program. To move watershed projects toward long-term sustainability and to be eligible to earn Year 5 funding, the Grantee will need to demonstrate a firm revenue commitment of salary match in Year 5. This demonstration of committed funds shall be in the form of a spreadsheet with supporting documentation showing revenue sources that will support the position for the fifth year.
7. Keep proper accounting of all expenditures (including state, local, and in-kind) and provide required reports to the Division. Semi-annual technical reports and fiscal reports are due ten days after the close of the accounting period. If a project is overdue on reports for two consecutive reporting periods, the State will pursue corrective action. Semi-annual technical reports are due 15 days after the close of the semi-annual period (June 30 and December 31). Quarterly fiscal reports are due ten working days after the close of the quarter (March 31, June 30, September 30 and December 31).
8. Ensure that the watershed coordinator is paid at least the minimum amount asked for each year in the grant. (There should be no carry-over of funds from one year to another.) Keep in mind that your project is fronted the salary and fringes of your watershed coordinator. If you don't spend the entire amount of the grant, next year's payment will be shorted accordingly. Here's how we'll calculate what you need to be putting into the project to earn the maximum amount from the state:

Salary	% by locals	What the project needs to pay the Coordinator to earn the max grant
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Year One	40,000	0	40,000
Year Two	37,100	10	41,222
Year Three	34,000	20	42,500
Year Four	30,600	30	43,714
Year Five	27,100	40	45,167
Year 6	23,200	50	46,400

6. Review progress and achievement of goals as appropriate at regularly scheduled watershed partnership meetings.
7. Revise project workplan as necessary and submit to the Division for approval. All coordinators need to have a valid 2 year work plan in place. The watershed plan can serve as the coordinators workplan, as long as it specially sets a strategy, time line, and definition of the coordinator's role in accomplishing that action item.
8. Present project details and experiences at state and national watershed conferences, as requested by the Division, and if a travel budget is available.
9. Sponsors will provide adequate daily supervision, training and support to the Coordinator to accomplish proposal activities.
10. Assume the responsibility to defend and indemnify the State for negligent acts, errors and omissions of the watershed organization or its authorized representatives.
11. Ensure Watershed Coordinator participation in training opportunities provided by Ohio EPA, ODNR, OSU Extension, and Ohio Watershed Academy opportunities and track as part of the progress reports.
12. Have Watershed Coordinator participate in Ohio's Watershed Academy, coordinated by OSU Extension. Many of the learning sessions will be internet-based, and the organizations sponsoring the coordinators must have access to adequate computers.

The ODNR Division of Soil and Water Conservation commits to provide:

1. State funds as approved in the project proposal, subject to continuation of the existing funding level from Ohio EPA, the Ohio General Assembly, ODNR Division of Mineral Resources Management and Office of Coastal Management.
2. In collaboration with Ohio EPA, other applicable ODNR Divisions, and OSU Extension hold an annual review with the Watershed Coordinator and project sponsor representative(s) to ensure that the watershed project is meeting programmatic objectives, and to address project concerns (information needs, etc).

3. Provide guidance for reporting achievement of goals and fiscal accountability.
4. Coordinate opportunities to share project products with other watershed groups and interested parties.
5. Develop and provide training for the Watershed Coordinator and Boards.
6. Review progress and activities of watershed group goals, and approve changes in plans or goals.

ODNR-MRM commits to provide the following to Watershed Coordinator sponsored projects (in acid mine drainage impacted watersheds only):

1. Provide technical resources in the area of hydrology, geology, engineering, project management and contract administration as an in-kind service.
2. Provide matching funds for the purpose of completing Acid Mine Drainage Abatement and Treatment (AMDAT) plans.
3. Provide water quality laboratory services for the analysis of water samples necessary for watershed characterization and monitoring of results as an in-kind service.
4. Contract for biological services as necessary (ILGARD/MBI) to assess the current aquatic life impairment in a watershed in accordance with Ohio EPA protocols as an in-kind service.
5. Sponsor through cooperative agreements, USGS gauging stations with water quality monitoring in order to assess long-term results of watershed projects.
6. Provide matching funds for the implementation of BMP priority projects as identified in the approved AMDAT plans.
7. Coordinate with Ohio EPA on the approval of AMDAT plans as Mining TMDLs.
8. Develop (through ILGARD) a field methods training manual for watershed characterization, water sampling, and flow measurement. Implement a field methods training program through ILGARD for all watershed projects planning to use the DMRM laboratory.
9. Continue to sponsor and promote a Watershed Partnership for Appalachia with the goal of providing technical support services to watershed projects in the mining impaired regions of SE Ohio.
10. Sponsor, through Rural Action and the Ohio Environmental Council, a SE Ohio Watershed Council to assist watershed groups with capacity building and provide networking opportunities.

Ohio EPA commits to provide:

1. Continued support financially and technically from the Nonpoint/319 Program for the watershed coordinator program, both locally and to state partners.
2. Intensive stream surveys as indicated by the TMDL schedule.
3. Financial and technical support for volunteer monitoring.
4. Technical and financial support (as budgets and resources allow) from other programs such as Environmental Financial Assistance, Drinking and Groundwater, etc.
5. Incorporation of the watershed coordinator and local group efforts into the TMDL process where applicable.
6. Align over \$4,000,000 annually from the 319 Grant towards implementation of projects from the watershed planning/TMDL efforts.
7. Represent the program at meetings with USEPA.
8. Provide training, resources and personnel for plan development and implementation.
9. Conduct periodic program reviews for a continuing improvement process based on federal and state guidance but largely on feedback from local watershed groups.

Ohio State University Extension commits to provide:

1. Assistance to new watershed groups in the areas of organizational development and organizing for multi-stakeholder participation.
2. Assistance to existing watershed groups in the areas of:
 - a. Constructive and innovative approaches to stakeholder involvement and public participation.
 - b. Development of watershed plans.
 - c. Public education using the best educational practices.
 - d. Utilizing water quality data in decision-making.
3. Educational and training programs for watershed coordinators, volunteers, and agency professionals who work in the area of watershed planning.
4. Opportunities and mechanisms for watershed coordinators, volunteers, and professionals to network, share ideas and information, and create professional development opportunities together.