Appendix L Comments on the Draft 208 Plan Update

MIAMI VALLEY REGION AREAWIDE WATER QUALITY MANAGEMENT PLAN
PLAN DEVELOPMENT RESPONSIVENESS SUMMARY

Reviewer	Date	Page	Section	Paragraph	Figure	Table	Question / Comment		Resolution/Notes	Date of Revision
Montgomery County	12/1/10						Add a clarifying statement for gaps in FPA areas between OKI and other planning commissions' areas	M Lindsay	Revised text added: MVRPC will coordinate with OKI and/or Ohio EPA to ensure issues involving FPAs that overlie County boundaries and extend beyond the MVRPC areawide planning area will be appropriately addressed by all necessary planning agencies	2/10/11
Greene County	12/1/10	33				5-1	WPAFB is located in Greene County. Affected townships in Greene County include: Bath, Sugarcreek, Miami, Beavercreek and Xenia.	L Chase	Changes made	12/8/10
Greene County	12/1/10	39				6-1	change value for Land In Farms (acres) for Greene County from 161,700 to 162,000 and reference "2009 Ohio Dept. of Ag. Annual Report: statistic")	L Chase	Changes made	12/8/10
Kenton Domer-Shank (PHDMC)	12/1/10	109	D.3.3				replace xxx with Perry Township	L Chase	Text Revised	12/8/10
Kenton Domer-Shank (PHDMC)	12/1/10	109	D.3.4				replace xxx with Jefferson Township	L Chase	Text Revised	12/8/10
Kenton Domer-Shank (PHDMC)	12/1/10	109	D.3.5				replace xxx with City of West Carrollton	L Chase	Text Revised	12/8/10
Kenton Domer-Shank (PHDMC)	12/1/10	109	D.3.6				replace xxx with City of Riverside	L Chase	Text Revised	12/8/10
Kenton Domer-Shank (PHDMC)	12/1/10	110	D.3.7				replace xxx with City of Riverside	L Chase	Text Revised	12/8/10
Kenton Domer-Shank (PHDMC)	12/1/10	109	D.3.1	2			Is the discussion outdated?	L Chase	Yes, see 12/6/10 comment. This section has been updated.	12/9/10
Joe Harmon	12/2/10						add references to the MVRPC wetland inventory and create related recommendations for the 208 plan	L Chase	Reference added.	12/9/10
Tammi Clements (City of Dayton)	12/6/10		D.3.1				In the interest of reflecting current conditions, the reviewer requests the draft plan be updated to state that the Village has completed a preliminary engineering report which indicates that the most cost effective means of conveyance and discharge is to the Montgomery County Sanitary Sewer System and the City of Dayton Advance Wastewater Treatment Plant.	L Chase	Text Revised per City of Dayton letter dated 12/6/10.	12/9/10
Bob Sowers (Fairborn)	12/10/10						Fairborn is OK with the generic prescriptions...internal ordinances say basically the same things, and it may be helpful to have two sets of prescriptions to fall back on in case of a controversial situation.	M Lindsay	No changes needed to draft plan	1/31/11
Joe Miller (Ohio EPA SWDO)	12/13/10		Appendix A				A.3.1 - Harrison and Liberty Twp., A.3.2 - Glen Karn, and A.3.3. - Village of Palestine - Unfortunately the Village of New Madison's council voted down the project that would send wastewater from Palestine and Hollansburg to New Madison. Palestine and Hollansburg are working together on another regional solution. Susan Schepis of Key Engineering is their consultant. She can be reached at 937-997-6826.	L Chase	Text revised per M. Lindsay: Palestine and Hollandsburg are working together to develop a regional solution	2/10/11
Joe Miller (Ohio EPA SWDO)	12/13/10		Appendix A				A.3.5. Gordon and Ithaca - Poggemeyer Engineering had been working with these communities on a solution to their respective wastewater problems. I sent them an inquiry on the status of plans for sewers.	L Chase	Text revised per M. Lindsay: Gordon and Ithaca are working together to develop a regional solution	2/10/11
Joe Miller (Ohio EPA SWDO)	12/13/10		Appendix A			A-2	Table A-2, Watershed Groups in Darke County (from OSU extension webpage)- The Stillwater River Association is listed as an active group. We are not certain that this group is still active.	M Lindsay	The Stillwater River Association was removed from the list of watershed groups in Darke County.	2/10/11
Joe Miller (Ohio EPA SWDO)	12/13/10		Appendix A				A.4.4 -Village of Eldorado - is not in Darke County (already include in Preble).	L Chase	Deleted reference to Village of Eldorado from this section	1/21/11
Joe Miller (Ohio EPA SWDO)	12/13/10		Appendix A				Table A-4. "Other" dischargers - The status of a few of these is changing. North Star Elementary School's NPDES permit has been revoked. The discharge has been eliminated and will be tied into the North Star sewer to Osgood. Franklin Monroe High School's discharge will be eliminated at the end of December 2010 and tied into the Pitsburg sewer. The Franklin Monroe Elementary School will be demolished in May/June 2011. The students will be going to the new K-12 facility in Pitsburg.	L Chase	Changes made to Table A-4	1/21/11
Joe Miller (Ohio EPA SWDO)	12/13/10		Appendix A				Darke County Prescriptions A.6.1. Twin Creek TMDL -"Improve treatment at Lewisburg WWTP". Since Lewisburg is not in Darke County, this should be eliminated	L Chase	Reference to Lewisburg deleted from A.6.1	1/21/11
Dale Church (Jamestown)	12/21/10						No FPA map or prescriptions specific to the Village of Jamestown. What you have provided looks good (draft 208 plan)	n/a	n/a	n/a
Pat Turnbull (Miami County)	12/30/10						See the attached exhibits for the Fletcher FPA and the Bethel Township areas that by contracts with Piqua and Clark County Miami County can serve with sewers.	E Whitehead	Revised per updated FPA mapping.	2/10/11
Pat Turnbull (Miami County)	12/30/10						Miami County should be the Primary DMA for all of the unincorporated parts of Bethel Township. Miami County has a contract with Clark County to serve the entire Southern portion of the Township and TCA and the member cities previously agreed to this in the Facilities agreement.		Revised per updated FPA mapping.	2/10/11
Pat Turnbull (Miami County)	12/30/10						See section IIID in our attached Clark County agreement where Clark County turns over primary DMA status in Miami County to Miami County		Listing revised.	2/10/11
Pat Turnbull (Miami County)	12/30/10						See Section IVJ in our attached Fletcher agreement where Fletcher turns over DMA status in the Fletcher FPA to Miami County		Listing revised.	2/10/11
Pat Turnbull (Miami County)	12/30/10						See the TCA Facilities agreement item 1. and the referenced exhibit A in the agreement where Miami County is named as primary DMA		Matt to resolve	
Pat Turnbull (Miami County)	12/30/10						Miami County should be the Primary DMA for Fletcher with that system being a Satellite system to the Piqua system.	L Chase	Added Miami County as Primary DMA for the Fletcher FPA in Table C-3; Fletcher is NOT a DMA at this time (2/9/11)	1/21/11
Gary D. Marshall (Dayton)	1/4/11						The City of Dayton Wastewater Treatment Plan has substantial Treatment capacity available. That capacity does not require any new construction expenditure. It is most efficient to utilize existing capacity, where it exists, rather than to construct new plant capacity.	L Chase	General comment: no revision required.	2/9/11
Gary D. Marshall (Dayton)	1/4/11						The City of Dayton believes the contemplated change in policy whereas FPAs are automatically amended upon annexation of a territory by a DMA, without requiring approval of the MVRPC Board of Commissions would abdicate the duties and responsibilities of the MVRPC Board f Directors, and is opposed to the proposal.	M Lindsay	During the plan update process, MVRPC staff developed a policy regarding annexation. The proposed policy was not accepted unanimously by the AFPSC and was not adopted.	2/9/11

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Gary D. Marshall (Dayton)	1/4/11						The City of Dayton's position is that any changes to the Areawide Water Quality Management Plan should be given full public disclosure, discussion, and approval by the Board of Commissioners.	M Lindsay	MVRPC is following planning policy procedures that require full public disclosure, discussion and approval by the Board of Commissioners.	2/9/11
Gary D. Marshall (Dayton)	1/4/11						12/3/10 email from Director Clements includes the most recent information on the Village of Phillipsburg.	L Chase	Utilized text from Dayton's 12/6/10 letter - assumed that information is current.	1/21/11
Christopher W. Schmiesing (Piqua)	1/10/11				C-2		Echo Lake is not shown on the map of Miami County	E Whitehead	Mapping revised.	2/10/11
Christopher W. Schmiesing (Piqua)	1/10/11		6.4				MVRPC Recommendations: First bullet - "Local government officials are encouraged to support the work performed by the SWCDs and give high priority to funding these districts." With Local government funding resources becoming increasingly limited, it may be objectionable to some jurisdictions to have this document suggest how local governments prioritize use of local funds. A simple statement that local governments should support the work of SWCDs (in the context of the 208 plan objectives) is sufficient to make the point	M Lindsay	Text revised as suggested.	2/10/11
Christopher W. Schmiesing (Piqua)	1/10/11				11-3		Miami County Facility Planning Areas: proposed revisions to Piqua FPA are not included on the map	M Lindsay	Revised per updated FPA mapping.	2/10/11
Christopher W. Schmiesing (Piqua)	1/10/11		11.3				MVRPC Recommendations: there is no reference to the proposed FPA policy regarding annexations presented for consideration by the City of Union.	M Lindsay	Reference to proposed policy was added to Section 10.	2/10/11
Jason Tincu (Xenia)	1/10/11				11-5 and E-3		The City of Xenia's Glady Run WWTP is not identified on Figures 11-5 and E-3. Glady Run WWP is located at 799 Lower Bellbrook Road, Xenia, OH 45385.	E Whitehead	Mapping revised.	2/10/11
Jerry Hirt (Bethel Twp., Miami County)	1/10/11						proposed language changes to annexation policy: 1(a) If no sewer service exists prior to filing the annexation petition, the current DMA/FPA must certify by resolution that they are incompatible and/or unwilling to provide the service and forward such to the Executive Director of MVRPC. 1(b) If after an annexation petition has been filed, the current DMA/FPA, by resolution, fails to within 30 days file an intention to service the area by resolution and forward such tot he Executive Director of MVRPC.	M Lindsay	Proposed annexation policy was dropped.	2/10/11
John Applegate (Union)	1/10/11				11-3		Miami County FPAs	E Whitehead	Revised per updated FPA mapping.	2/10/11
John Applegate (Union)	1/10/11				11-3		Montgomery County FPAs	E Whitehead	Revised per updated FPA mapping.	2/10/11
John Applegate (Union)	1/10/11				C-3		Locations of Miami County FPAs	E Whitehead	Revised per updated FPA mapping.	2/10/11
John Applegate (Union)	1/10/11				D-3		Locations of Montgomery County FPAs and WWTPs: Boundaries between Union and West Milton FPC are not correct. Boundaries between Union; Tri-Cities and Montgomery County are not correct	E Whitehead	Revised per updated FPA mapping.	2/10/11
John Applegate (Union)	1/10/11		D.3.1	2			Village of Phillipsburg: this description needs to be modified to reflect what's taken place with Phillipsburg and City of Dayton	L Chase	Utilized text from Dayton's 12/6/10 letter.	1/31/11
Christopher W. Schmiesing (Piqua)	1/10/11					C-3	Summary of FPAs, DMAs, and WWTPs in Miami County: Miami County Sanitary Engineer's office operates as a satellite (secondary) DMA in the Piqua FPA (not listed on the table).	M Lindsay	Information added	1/21/11
Christopher W. Schmiesing (Piqua)	1/10/11					5-1	This table shows Piqua as being in Greene County. Piqua is located in Miami County	L Chase	Change made	12/6/10
John Applegate (Union)	1/10/11	100				C-3	Summary of FPAS - Add City of Union to table	L Chase	Added Union to first column in Table C-3	1/19/11
John Applegate (Union)	1/10/11	110	D.4				Add City of Union	L Chase	Added Union to listing of DMAs in section D.4	1/19/11
John Applegate (Union)	1/10/11	TOC iv					Appendix C Miami County Section C.4 - add City of Union	L Chase	Automatically updates with TOC; added City of Union under Section C.4	1/19/11
John Applegate (Union)	1/10/11	TOC v					Appendix D Montgomery County Section D.4 - Add City of Union	L Chase	Automatically updates with TOC	1/19/11
John Applegate (Union)	1/10/11					10-4	Primary DMAs in Montgomery County - add City of Union to table	L Chase	Added the City of Union to table 10-4	1/19/11
Christopher W. Schmiesing (Piqua)	1/10/11					10-3	Primary DMAs in Miami County: Piqua DMA and Piqua FPA references are not included on the table.	L Chase	Changes made	1/21/11
Christopher W. Schmiesing (Piqua)	1/10/11		C.2				Water Resources: Last sentence - Echo Lake is not included on the list of lakes in Miami County. Echo Lake is located in (Piqua) Miami County	L Chase	Added Echo Lake to list of lakes in the county	1/21/11
Alice Godsey (Clark County)	1/14/11				11-3, 11-4		Section 11: Figures 11-3 and 11-4 are not consistent at the Clark County border. On Figure 11-5, the map should show Clark County serving a small area of Greene County immediately east of I-675 at the County line.	E Whitehead	Revised per updated FPA mapping.	2/10/11
Alice Godsey (Clark County)	1/14/11		K				Appendix K: The survey listings are not complete.	E Whitehead	Surveys were not submitted by all the DMAs.	2/10/11
Alice Godsey (Clark County)	1/14/11				D-3	D-3	Appendix D: Table D-3 does not list City of Huber Heights. On Figure D-3, it does not appear that the jurisdictions are shown correctly near the Clark County border.	E Whitehead/L Chase	Information added to table D-3	2/10/11
Alice Godsey (Clark County)	1/14/11		5.5				In Section 5.5, MVRPC Recommendations: information on Nonpoint Sources is missing	M Lindsay	Recommendations needed	
Alice Godsey (Clark County)	1/14/11					10-7	In Section 10, Table 10-7 should probably list City of Huber Heights Center Point 70 as a satellite FPA(?) to Clark County DMA	M Lindsay	Center Point 70 is not a publicly owned system and therefore not listed in Table 10	2/10/11

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Alice Godsey (Clark County)	1/14/11		E				Appendix E: At the border between Greene County and Clark County, I believe an agreement exists between Clifton and Clark County for sewer planning purposes. I do not believe an agreement exists between Village of Yellow Springs and Clark County for sewer planning purposes, but I could be wrong.	M Lindsay	Table E-3 reflects this information.	2/10/11
Alice Godsey (Clark County)	1/14/11						Section 7 OSTS also includes Section 8 Groundwater	L Chase	Issue related to website version only	2/9/11
Alice Godsey (Clark County)	1/14/11						The map is not attached for Issue Paper #1	n/a		1/21/11
Alice Godsey (Clark County)	1/14/11		P				Appendix P is referenced in Section 10, but does not appear.	L Chase	Appendix is included in draft plan	1/31/11
Greene County	1/31/11		5			5-1	City of Piqua is in Miami County; City of Centerville (part), City of Kettering (part) and the City of Huber Heights (part) are in Greene County. Wright Patterson Air Force Base is also located in Greene County. Townships (listed) in Greene County include: Bath, Sugarcreek, Miami, Beavercreek and Xenia	L Chase	Changes made	1/31/11
Greene County	1/31/11		5.3				I think the Little Miami River has a Watershed Action Plan? Check with OEPA and the Little Miami River Partnership	L Chase	The Lower Little Miami River Watershed Action Plan does not include area within the Miami Valley Region.	
Greene County	1/31/11		6			6-1	In 2008 there 162,000 acres in farms in Greene County	L Chase	No changes needed to draft plan	1/31/11
Greene County	1/31/11		8	1			Delete Cedarville they now get their water supply from a groundwater source	L Chase	Changes made	1/31/11
Greene County	1/31/11		Appendix E				Consider replacing the Greene County Description with the provided paragraph.	L Chase	Replaced text as requested	1/31/11
Greene County	1/31/11		Appendix E			E-1	Add Fairborn to the Incorporated Communities and after Kettering add (part)	L Chase	Changes made	1/31/11
Greene County	1/31/11		Appendix E.5.6				Amend with the material provided by Ron Volkerding	L Chase	Material incorporated	1/21/11
Bob Shook (MVRPC Board of Directors, representing Miami County Park District)	3/1/11						The report I read on the net is very inclusive and covers what I believe should be covered, particularly on septic concern areas, which is our biggest problem now and near future, not storm water which has been a concern since our founding and will be with us always.			n/a
Bob Jurick (B-W Greenway)	3/5/11						I'd like the following to be a recommendation in the AWQMP: "The applicant for a rezoning of property with hydric soils shall include in the submission packet either a) a determination by an independent, certified wetland delineator that there are no wetlands on the site or b) if at least one wetland is identified, a delineation by an independent certified wetland delineator of all wetlands on the site."	M Lindsay	Recommendation not included in the 208 Plan; the Plan is not an appropriate tool for inserting provisions into local zoning codes or procedures.	3/7/11
Carolyn S. Weddington	2/13/11						I am writing to add my name to any list of Montgomery County residents who oppose continued fluoridation of our county's water supply. It is my understanding that the American Dental Assn. (ADA) as a group no longer supports this practice due to the now-acknowledged serious toxicity of this poisonous chemical, even at low levels. I would appreciate this topic being addressed at your upcoming public, water quality management meetings.	M Lindsay	The AWQMP does not address public drinking water planning issues or policies.	3/9/11
Joseph Harmon	3/7/11						What is the purpose of the other chapters in the plan report, such as the chapters on groundwater and storm water?	M Lindsay	Information on groundwater and stormwater programs are included in the AWQMP Update as required by Ohio EPA's Statewide WMP process.	3/9/11
Joseph Harmon	3/7/11						How are annual updates to the plan to be accomplished?	M Lindsay	The annual update process is described in the AWQMP Update.	3/9/11
Joseph Harmon	3/7/11						Would like to have a full explanation of the sewer PTI approval process included in the plan.	M Lindsay	Representatives from the Ohio EPA volunteered to develop a description of the PTI review process. The description will be included in the AWQMP Update if it is received within the document update timeframe.	3/9/11
Joseph Harmon	3/7/11						During the Montgomery County draft plan public meeting held on March 7, 2011 Mr. Harmon suggested additions to flesh out the plan chapters included, mapping watershed groups' coverages to identify gaps in the region's watersheds, lists of entities covered by Ohio EPA's general stormwater permit, and/or references to where these lists could be found on the Ohio EPA website.	M Lindsay	Mr. Harmon submitted a letter to MVRPC which outlined information he suggested to be added to the 208 Plan. Please see comments and resolution/notes below.	3/14/11
Sue Campbell (Concord Township Trustee)	3/8/11						If FPA boundaries are set by the jurisdictions, can public input really have any affect on this plan?	M Lindsay	Citizens wishing for changes to FPA boundaries need to bring their concerns to the DMA for the particular FPA. MVRPC has not used its role as areawide planner to alter FPA boundaries submitted by DMA jurisdictions. Such an approach would require specific direction from the MVRPC Board of Directors to the staff.	3/8/11
Sue Campbell (Concord Township Trustee)	3/8/11						How are non-member jurisdictions brought into this planning process? Non-member townships should be made aware of this plan and its contents.	M Lindsay	MVRPC staff will forward information regarding the plan process to non-member township trustees for which we have e-mail addresses.	3/8/11
Lucian Blier	3/8/11						The County should oversee the maintenance of HSTS, or require maintenance contracts for HSTS, so that the need for running new expensive sewers can be avoided.	M Lindsay	This issue is beyond the scope of MVRPC's areawide planning responsibilities.	3/8/11
Lucian Blier	3/8/11						Livestock waste management is needed, too	M Lindsay		3/8/11
John Kaiser (Darke Soil & Water Conservation	3/7/11						6.2.2 This section should also include the Great Miami Water Quality Trading Program	M Lindsay	Included the program in listing under Section 6.2.2 with the text "This program is described in Section 3.3 and Appendix G."	
John Kaiser (Darke Soil & Water Conservation	3/7/11						6.3 Conservation and Preservations Program - WHIP is not an easement program. It is a 10-year obligation for a landowner to maintain wildlife habitat practices that were created with cost-share funds supplied to the participant (from the program) - change to Conservation and Preservation Programs	L Chase	Revision made	3/14/11
John Kaiser (Darke Soil & Water Conservation	3/7/11						Table A-2, page 71. Remove Wabash Watershed Alliance. It has been merged with the Grand Lake Watershed Alliance	L Chase	Revision made	3/14/11
Joseph Harmon	3/16/11						There should be a full, complete description provided of the sewer extension process (within FPAs), including the PTI permitting process considerations and decision points. This should include a standard or template example of a typical sewer extension, highlighted with a graphic flow chart and other such explanatory aides.	M Lindsay	Added a new section 10.3 "Ohio EPA Permit to Install process" which refer readers to Ohio EPA web site for a full explanation of the PTI application and review process: http://www.epa.state.oh.us/dsw/pti/index.aspx	4/5/11

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Joseph Harmon	3/16/11						An ongoing listing of sewer extensions, with salient features identified, should be created as a database for continuing program/policy review in subsequent AWQMP updates.	M Lindsay	Also added to new section: "The Ohio EPA tracks pending PTI applications on their web site: http://wwwapp.epa.ohio.gov/dsw/pti/PtiStatus.htm"	4/5/11
Joseph Harmon	3/16/11						An explanation of the relationship between sewer extensions and water supply extensions would also be helpful information.	M Lindsay	While it is generally preferred to provide both water and sewer services to properties, it is possible to provide sewer services alone, while leaving the property on individual well(s) for drinking water. It is generally not a good idea to extend water without extending sewer as the volume of water used from public drinking water sources is often greater than that used from private wells, and tends to overwhelm a household sewage treatment system (HSTS). That said, planning and permitting for drinking water systems is fully outside the scope of this 208 Plan. (no changes made to Plan)	4/5/11
Joseph Harmon	3/16/11						In section 2.4, regarding identification of wetland/water resources, the plan should also make reference to the Federal Wetlands Inventory and the MVRPC's Miami Valley Wetlands Inventory.	M Lindsay	2.4.3 does refer to the Miami Valley Wetlands Inventory. Added text: "The National Wetlands inventory can be accessed at http://www.fws.gov/wetlands/."	4/5/11
Joseph Harmon	3/16/11						Add a reference in section 2.4.3 to coverage of wetlands permitting in section 3.2.4.	M Lindsay	Reference added.	4/5/11
Joseph Harmon	3/16/11						Add a paragraph or so describing the non-federal, state (so-called "isolated") wetlands permitting program and its requirements. Add reference to where further information is to be found (such as to the OEPA website).	M Lindsay	Added to section 3.2.4: Isolated wetlands are not connected to other surface waters. For this reason they are not classified as waters of the United States by the U.S. Army Corps of Engineers. Nevertheless, they are waters of the State of Ohio and are therefore regulated by the Ohio EPA, Division of Surface Water, Section 401 Wetlands and Streams Permitting Section. More information is available from the Ohio EPA website: http://www.epa.state.oh.us/dsw/401/IWP.aspx.	4/5/11
Joseph Harmon	3/16/11						Recommend that additional consideration should eventually be given to ways that local units of government might better cooperate, coordinate and otherwise partner with the efforts of state and federal agencies. How might local jurisdictions, in their land development activities such as site plan approvals, provide localized monitoring support in implementation of wetland permitting laws and regulations?	M Lindsay	Recommendation not included in the 208 Plan; the Plan is not an appropriate tool for inserting provisions into local zoning codes or procedures.	4/5/11
Joseph Harmon	3/16/11						An explanation of wetland permitting program considerations in the extension of sewer and water service extensions would be helpfully informative. All guidance documents used by the Division of Surface	M Lindsay	Added to Section 3.2.4: All guidance documents used by the Division of Surface Water for PTI reviews are available through the Ohio EPA web site: http://www.epa.state.oh.us/dsw/pti/PTIDocuments.aspx	4/5/11
Joseph Harmon	3/16/11						Add a discussion or reference to 401/404 general permits, describing that process. Particularly describe how notices of intent to be governed by general permits are noticed (or not) to the public, and opportunities for public participation in evaluating the legitimacy of coverage under general permits relative to the need for individualized permits.	M Lindsay	Added to Section 3.2.4: The Isolated Wetlands Permitting process, including public notice and comment periods, is fully explained on the Ohio EPA web site: http://www.epa.state.oh.us/dsw/401/IWP.aspx.	4/5/11
Joseph Harmon	3/16/11						Most importantly, describe and identify – or create – a listing of those in the area who are providing notices of intent to be governed by wetland general permits. Identify these permitees and the methods of monitoring their compliance with the terms and conditions of the general permits.	M Lindsay	This recommendation is beyond the scope of MVRPC's areawide planning designation.	4/5/11
Joseph Harmon	3/16/11						In paragraph regarding MVRPC's model ordinance, the last sentence that "these regulations are included in this plan be reference" seems inaccurate. Maybe what is intended here is that the model ordinance can be referenced.	M Lindsay	Correction made in Section 5.1.	4/5/11
Joseph Harmon	3/16/11						A statutory/regulation code reference to Phase 1 & 2 permits and regulations would be useful information – Code of Federal Regulations; Ohio Administrative Code; and also link information to Miami Conservancy District and OEPA websites.	M Lindsay	Added a reference at the end of 5.1 for further reading to the Ohio EPA web site on the storm water program: http://www.epa.ohio.gov/dsw/storm/index.aspx.	4/5/11
Joseph Harmon	3/16/11						An additional fuller description of construction activity-related regulations of Phase 1 & 2 is needed. Describe the permitting process and how "construction activities are handled on a case by case basis".	M Lindsay	Sentence changed to: Construction activities are handled in accordance with the Ohio EPA Construction Storm Water General Permit. Description of requirements for Phase I communities changed to 1 acre or greater for all Phase 1 and 2 communities.	4/5/11
Joseph Harmon	3/16/11						Given that it is now 2011, maybe reference to Phase 1 & 2 needs to be updated to avoid confusion. An historical perspective can continue to be provided, but such statements as "The baseline general permit allows a full five years for . . . plan development and implementation" is misleading and potentially confusing. The description of this program and its phases should be put into a year 2011 perspective, noting what is by now required.	M Lindsay	Revised as noted.	4/5/11
Joseph Harmon	3/16/11						Add paragraph referring to the role of the Miami Conservancy District regarding Phase 2 MS4 municipalities.	M Lindsay	Although this is a good suggestion, it would require providing an explanation of the minimum control measures (MCM) in the stormwater permits for Phase II communities, as MCD assists some communities with 2 of the MCMs. MVRPC will consider adding this information in a future update.	4/5/11
Joseph Harmon	3/16/11						Explain the designation of "rapidly developing watersheds". Provide regulatory program reference. [Likewise, a paragraph describing a declaration of a "distressed watershed" and its associated regulatory significance would be informative]	M Lindsay	As of the 2009 renewal of the general permit, all communities are on the same permit. As such, the reference to the Rapidly Developing Watershed has been removed from the text.	4/5/11
Joseph Harmon	3/16/11						Provide an illustration or example of these designations, such as how the Wolf Creek became identified as a "rapidly developing watershed", and what that meant practically for water quality efforts. A number of questions and answers might be presented in explaining such special designations. What size of hydrological unit(s) can such designations cover? Dates of applicability and current status relative to special efforts undertaken given such designations should also be provided.	M Lindsay	The reference to the rapidly developing watersheds was removed from text.	4/5/11

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PLAN DEVELOPMENT RESPONSIVENESS SUMMARY

Reviewer	Date	Page	Section	Paragraph	Figure	Table	Question / Comment		Resolution/Notes	Date of Revision
Joseph Harmon	3/16/11						Again, most importantly, elaboration and references are needed regarding Notices of Intent (to be governed by general permits for construction activities-related stormwater). In section 5.1 there is a statement that "approximately 900 notices of intent [have been] submitted to Ohio EPA from 2003 through 2009 under the construction stormwater general permit. Additionally, there are over 180 facilities in the Region that are covered by the Industrial Stormwater General Permit". Please identify the source and reference for this information. Explain how this coverage can be monitored on an ongoing, continually-updated basis. A source or reference for a specific listing of all general-permit permittees is needed.	M Lindsay	Added to the text: Lists of general permittees are available from the Ohio EPA web site: http://epa.ohio.gov/dsw/permits/gplist.aspx .	4/5/11
Joseph Harmon	3/16/11						The means of public notice and public participation opportunities relating to Notices of Intent to be governed by general permits, relating to stormwater, need to be given description. If notices of intent to be governed by general permits are not publicly noticed, indicate alternative methods for public monitoring.	M Lindsay	Added to the text: The Ohio EPA Public Interest Center provides a variety of ways for the general public to stay informed about pending agency actions and decisions: http://epa.ohio.gov/pic/participate.aspx.	4/5/11
Joseph Harmon	3/16/11						Lists and references for identification purposes are needed relating to federal grants to Ohio, and Ohio DNR and EPA grants to watershed groups, relating to watershed related non-point activities.	M Lindsay	Added reference to Section 5.2: An overview of non-point source funding programs is available from the Ohio Non-Point Source Pollution Management Plan: http://wwwapp.epa.ohio.gov/dsw/nps/NPSMP/FUND/Fundjumppage.html.	4/5/11
Joseph Harmon	3/16/11						A reference and summary of any grant-related audits or more general programmatic audits or other mechanisms of oversight applied to these watershed programs is needed. Go on to describe "in-house" state government programs, personnel and budgets related to such grant programs.	M Lindsay	MVRPC is not aware of a source for this kind of information and it is beyond the scope of MVRPC's areawide planning responsibilities.	4/5/11
Joseph Harmon	3/16/11						List and otherwise identify the "at least 19 watershed groups operating within Miami Valley Region," and any respective section 319 grants distributed to grantees, say, at least over the past five years.	M Lindsay	Watershed groups are listed by county in Appendices A through E.	4/5/11
Joseph Harmon	3/16/11						Answer what is the geographic scope and comprehensiveness of such "watershed groups". To what extent are there gaps and overlaps in coverage of hydrological units by the array of these watershed groups?	M Lindsay	This is a good suggestion for a future update of Section 5.	4/5/11
Joseph Harmon	3/16/11						Describe more fully what "watershed action plans" are, and how they are created and implemented, and who have what responsibilities relating to these plans. Where are these individual plans referenced? Is there a diagram, flow chart or textual narrative available to give watershed action plans better illustrative context. A case study/example of a Watershed Group/WAP may be illustrative.	M Lindsay	Added text to Section 5.3: A watershed action plan is a stakeholder-driven comprehensive plan for protecting and improving a watershed, including an inventory of the watershed resources, identification of problems within the watershed, goals to protect the high quality waters and resources to address identified problem areas. A fuller explanation of the role of watershed action planning is available from the Ohio Non-Point Source Pollution Management Plan: http://wwwapp.epa.ohio.gov/dsw/nps/NPSMP/WAP/WAPjumppage.html.	4/5/11
Joseph Harmon	3/16/11						What is "604(b) funding"?	M Lindsay	Added footnote: The State of Ohio receives funds under Section 604(b) of the CWA to carry out water quality management planning activities (under Sections 205(j) and 303 (e) of the Act). A portion of this funding is passed through to areawide planning agencies in Ohio for regional level planning work.	4/5/11
Joseph Harmon	3/16/11						Explain the public authority oversight and grant/(contract) enforcement activities associated with watershed group watershed coordinators, WAP development and implementation activities.	M Lindsay	This issue is beyond the scope of MVRPC's areawide planning responsibilities.	4/5/11
Joseph Harmon	3/16/11						Reference is made to the Water Pollution Control Loan Fund (WPCLF) low-interest loan program (section 5.3.1); Is this the same thing or different from the Water Resource Restoration Sponsor Program (WRRSP)? (reference in section 6.3). Please further describe these programs, including some listing of loans granted and projects sponsored thereunder, with references for additional information.	M Lindsay	Added as footnote to section 5.3.1: The Water Pollution Control Loan Fund (WPCLF) provides financial and technical assistance for a wide variety of projects to protect or improve the quality of Ohio's rivers, streams, lakes, and other water resources. Planning, design, and construction assistance is available for both public and private applicants. Information about WPCLF projects can be obtained from the Ohio EPA web site: www.epa.ohio.gov/defa. Similar footnote regarding WRRSP was added to Section 6.3.	4/5/11
Joseph Harmon	3/16/11						At the recent Montgomery County public meeting on the AWQMP update I indicated my concern that the non-sanitary/wastewater planning components of the AWQMP needed more attention. This may be made the subject of future updates, at least. I favor the overall concept that the Plan should be comprehensive, complete and encyclopedic, and that much emphasis should be given to the public-informational aspects of the Plan. Obviously that is largely the emphasis of my comments. I appreciate your responsiveness to public input, and all your other efforts in updating the AWQMP.	M Lindsay	MVRPC appreciates all comments received on the Draft 208 Plan.	4/5/11

Appendix M MVRPC Stormwater Model Ordinance

OVERVIEW

MIAMI VALLEY MODEL STORMWATER MANAGEMENT ORDINANCE (RESOLUTION)

Background

In 1999, as part of its efforts to facilitate a watershed-based approach to compliance with USEPA and Ohio EPA Phase II Stormwater Program requirements, the Miami Valley Regional Planning Commission (MVRPC) formed a Phase II Stormwater Working Group. The focus of this Group was to educate affected Phase II jurisdictions in the Greater Dayton Area on ways to collectively meet the requirements of the Phase II Stormwater Program.

In Spring 2002 the Working Group divided into three subgroups to develop strategies to meet the Phase II Programs six minimum control elements. The goal of the Pre-Post Construction Subgroup was to explore ways to address minimum control element (4): Construction Site Runoff Control and (5): Post Construction Stormwater Management in New Development and Re-Development. The general goal of these two elements are for each owner and operator of a municipal separate storm sewer system (MS4) to develop, implement and enforce a program to reduce pollutants in any stormwater runoff from construction and post-construction activities that result in land disturbances of greater than or equal to one acre.

Requirements

For the Construction Site Runoff Control element (4), Ohio's Program requires the development and implementation of:

1) An ordinance or other regulatory mechanism to require erosion and sediment controls on construction sites both during and after active construction, as well as sanctions to ensure compliance, to the extent allowable under State or local law;
2) Requirements for construction site operators to implement appropriate erosion and sediment control Best Management Practices (BMPs);
3) Requirements for construction site operators to control waste such as discarded building materials , concrete truck washout, chemicals, litter , and sanitary waste at construction sites that may negatively impact water quality;
4) Procedures for site plan review which incorporate consideration of potential water quality impacts;
5) Procedures for receipt and consideration of information submitted by the public, and;
6) Procedures for site inspection and enforcement of control measures.

For the Post Construction Stormwater Management in New Development and Redevelopment element (5) Ohio's Program requires the development and implementation of:

1) Strategies which include a combination of structural and/or non-structural BMPs appropriate for the local setting;
2) An ordinance or other regulatory mechanism to address post-construction runoff from new development and redevelopment projects to the extent allowable under State and local law; and
3) Provisions that ensure adequate long-term operation and maintenance of BMPs.

Approach

The subgroup decided that the best way to address the majority of the regulatory criteria was through the development of a model ordinance or resolution that local jurisdictions could tailor and adopt to meet the requirements. This task was somewhat simplified with the existence of a model Runoff Control and Sediment Abatement Ordinance (Resolution) that had been developed by MVRPC in 1980. Over the years, this previous ordinance had been customized and adopted in various forms by a number of jurisdictions in the Miami Valley, including Greene County and the Cities of Beavercreek, Xenia, Kettering, and Centerville.

Using the previous MVRPC model as a starting point, and incorporating various desirable components found in other local ordinances, as well as models from other parts of Ohio and the Nation, the subgroup developed the Model Stormwater Management Ordinance (Resolution) contained here. The new model addresses the current requirements of Ohio's Phase II regulations and Construction Activity Permit, as well as revises the previous model to incorporate more current approaches to storm water management. Members of the subgroup who had previous experience in working with variations of the previous model were very helpful in pointing out weaknesses and devising ways to improve upon the model and its potential implementation.

In January 2004, the draft model was distributed for review. During the following months input was gathered from a number of individuals, groups, and agencies, including the Dayton Area Homebuilders and the Ohio EPA. The model was subsequently revised to include appropriate suggestions.

The intent of developing the attached model for jurisdictions in the Miami Valley, is to provide a consistent foundation upon which local regulations can be tailored. The more that jurisdictions have regulations that are similar in basic structure, intent, and requirements, the greater the potential will be for uniform regional implementation, effectiveness, and understanding.

Model Components

The construction of the Model Stormwater Management Ordinance (Resolution) represents a phased approach to assessing potential water quality and quantity impacts from construction activities The model provides for the development of two

major components: 1) a Site Development Plan and, if needed, 2) a Stormwater Management Plan (SMP).

The Site Development Plan contains information on the site and how it is to be developed. If the evaluation of the Site Development Plan shows significant potential for runoff and erosion at the site then a Stormwater Management Plan (SMP) would be required.

The SMP focuses on the entire site to reduce both on- and off-site impacts to land and health of the watershed, as well as impacts from specific construction activities on individual portions of sites. In developing the revised model, the subgroup recognized the inextricable link between water quantity and quality in addressing construction site runoff and erosion issues. The two issues are often separated in practice and reviewed by different bodies which sometimes leads to technically- and policy-based inconsistencies. Rather than develop separate models for each, it was important to treat these two issues as being closely related, so the decision was made to deal with them together as co-elements under a common SMP.

The SMP contains elements aimed at avoiding or mitigating both water quality impacts via sediment and erosion controls and water quantity impacts via runoff controls. The erosion control elements deal primarily with protecting water quality during active development. The runoff control elements deal primarily with quantity issues that may result from construction/development that changes previous site flow characteristics (pre-post). In order to design structures that would serve the dual purpose of capturing sediment (quality) and providing detention of high volumes (quantity) two calculation methodologies are utilized in the model:

1) To address stormwater quality on construction sites that will disturb more than 5 or more acres or less than 5 acres if part of a larger common plan of development or sale, the model uses the WQ_v value as calculated in Ohio EPA's Construction Activity General Permit #OHC000002. The WQ_v is the total volume of runoff generated by a 0.75 inch rain for which post construction BMPs must be designed to treat. (See Section 5.04(b)(iv))

2) To address quantities of post construction runoff, the Critical Storm method is used to calculate the total critical storm volume for which detention and runoff control shall be designed. (See Section 5.06 (a))

An effort has been made to incorporate the requirements of Ohio's Construction Activity General Permit #OHC000002 into the Stormwater Management Plan (SMP) required in the model. This was done to help ensure consistency between State and local requirements and to reduce duplication of effort on the part of those having to meet them. This model requires the State's minimum Storm Water Pollution Prevention Plan (SWP3) requirements (Subsection 5.04(b)) aimed at erosion control and water quality, in addition to local supplemental requirements (Subsection 5.06) aimed at runoff control and water quantity. This allows applicants to use the SWP3 information developed for

the State to be used toward fulfillment of the local SMP requirements of this model.

Throughout the model, the ☞ symbol is used to provide specific hints, options and/or information that may be applicable for various usages various jurisdictional situations. A Model Flow Diagram is also provided that depicts the various elements of the Model and Stormwater Management Plan and how these relate to each other.

Model Availability

Digital copies of the model in Adobe PDF and Microsoft Word formats are available on MVRPC's website at www.mvrpc.org. MVRPC is available to work with local jurisdictions in tailoring the model to their specific needs.

Sources & References

Listed below are some of the major sources and references that were used in developing this model regulation.

1) Chagrin River Watershed Partners, Inc. August 2003 Phase II Compliant Model Ordinance For Erosion And Sediment Control.

2) Miami Valley Regional Planning Commission. 1980. Model Runoff Control and Sediment Abatement Ordinance/Resolution.

3) Miami Valley Regional Planning Commission. January 1995. An Evaluation of the Current and Future Use of Runoff Control/Sediment Abatement Legislation for Development Sites As A Nonpoint Source Pollution Control Technique in Miami Valley Communities.

4) Natural Resources Conservation Service. 1986. Urban Hydrology for Small Watersheds, Technical Release 55. 1986.

5) Ohio Department of Natural Resources. 1996. Rainwater and Land Development: Ohio's Standards for Stormwater Management, Land Development and Urban Stream Protection. Second Edition, 1996.

6) Ohio Environmental Protection Agency. April 21, 2003. Authorization For Stormwater Discharges Associated with Construction Activity Under The National Pollutant Discharge Elimination System (NPDES Construction Activity Permit #OHC000002).

7) Ohio Environmental Protection Agency. December 27, 2002. Authorization For Small Municipal Separate Storm Sewer Systems To Discharge Storm Water Under The National Pollutant Discharge Elimination System (Phase II NPDES Small MS4 General Permit #OHQ000001).

8) Various other sediment & erosion control ordinances and pertinent regulations from the communities of:

Beavercreek, Ohio
Centerville, Ohio
Kettering, Ohio
Oakwood, Ohio
Troy, Ohio
Xenia, Ohio
Greene County, Ohio
Montgomery County, Ohio
Traverse County, Michigan
State of Rhode Island
Seattle, Washington
Montgomery County, Maryland
Abermarle County, Virginia

Appendix N MVRPC Policies A-H: Areawide Water Quality Management Plan Policies

AREAWIDE WASTEWATER FACILITY PLANNING POLICIES

Adopted by MVRPC Board of Directors
September 1, 2005

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PURPOSE

This purpose of this document is to present background and establish policies to guide MVRPC's process for review and approval of updates to Wastewater Treatment Facility Plans and/or modifications to their associated Facility Planning Areas.

Within the Miami Valley Region, MVRPC serves as the designated Areawide Planning Agency for Darke, Preble, Miami, Montgomery, and Greene Counties. This planning region includes portions of the Great Miami and Little Miami River watersheds. In the undesignated areas of Ohio, Ohio EPA carries out the municipal wastewater planning function. Wastewater Treatment Facility Plans and their associated Facility Planning Areas are the cornerstones of MVRPC's Areawide Water Quality Management Plan (AWQMP). The purpose of periodically updating Facility Plans and Facility Planning Areas is to ensure that wastewater treatment needs are met in ways that are protective of water resources into the future.

AREAWIDE WATER QUALITY PLANNING BACKGROUND

Requirements for Areawide Water Quality Planning are specified in Sections 205(j), 208 and 303 of the Clean Water Act. Municipal wastewater treatment is one of the six elements that need to be addressed in each 208 AWQMP. One of the objectives of Section 208 of the Clean Water Act was to establish integrated and coordinated facility planning for wastewater management. In order to accomplish this objective in urban areas where competition for service areas was expected to be a concern, the Clean Water Act also called for the Areawide Planning Agencies to assist in the resolution of such conflicts as they might arise.

Owners and operators of wastewater treatment plants (WWTPs, aka Publicly Owned Treatment Works or POTWs) are identified in the AWQMP as Designated Management Agencies (DMA). Each DMA is responsible for developing and maintaining a Wastewater Treatment Facility Plan (FP) that identifies and prescribes wastewater management options in a surrounding Facility Planning Area (FPA). These management options must represent current and best understanding about where sewers will be extended and where areas will remain unsewered over the course of the next twenty years.

The original FPA boundaries were delineated by each DMA with the cooperation of MVRPC and Ohio EPA. The establishment of the FPA boundaries was approached in various ways. Some communities desired to limit their planning area to the extent of their existing jurisdictional authority. Others extended their boundaries outside of their jurisdictional boundaries based on the natural drainage boundaries. At the time, natural drainage boundaries were seldom breached, as the use of pumping stations had not yet become as commonplace as today. In some areas, the County Sanitary Engineer assumed the facilities planning role for a portion of a County. In others, special Sewer Districts took a regional approach to providing sewer service into the future.

As part of the DMA designation process, the owners/operators of treatment facilities were designated by the 208 AWQMP to have the authority for sewer-related planning in clearly delineated boundaries. These boundaries were once commonly referred to as 201 Facility Planning Areas as required under Clean Water Action Section 201

Construction Grants program. They are now simply called Facility Planning Areas (FPAs).

For all of the facility planning actions that were taken in the past, there had to be a rationale for each decision made by the DMA involved. In addition to MVRPC approval, Ohio EPA had to concur with each of these decisions, at least as to the effects that they would have on receiving streams. DMAs had to develop and implement plans that would satisfactorily solve any pollution problems associated with their system. Expansion of a service area beyond that identified in the facility plan was allowed as long as they met all applicable water quality standards and had received the consent of affected jurisdictions.

Ohio EPA's decisions concerning certain NPDES permits, permits to install (PTIs) and State Revolving Fund loans for wastewater treatment may not be inconsistent with the AWQMP. Ohio EPA and MVRPC coordinate on ensuring that new wastewater treatment-related proposals are consistent with the current AWQMP.

POLICY A: DESIGNATED MANAGEMENT AGENCIES (DMAS)

Primary DMAs

Each Facility Planning Area shall have a single primary DMA for municipal wastewater treatment. The 1983 MVRPC 208 AWQMP established the basis for evaluating all sanitary sewer plans that have been proposed since the Plan was originally adopted. For each area where sewers are planned, a single local management agency is designated to take the lead in facility planning. This agency becomes the primary Designated Management Agency (DMA) for wastewater management planning. DMAs may include municipalities, counties, and sanitary sewer districts authorized under Ohio law to perform these functions.

The designation of DMAs guards against duplication of services and investment in infrastructure by preventing multiple and potentially competing treatment facilities from being planned for the FPA. This is important because cost/benefit and feasibility analyses hinge on the projected service demand. The sizing of sewer lines and wastewater treatment plants must reflect existing and projected populations. If two POTWs were to compete for the same customers, the duplication of service would be cost prohibitive, could result in plant operation problems, or both.

The 1983 Plan specifies an entity within each FPA that serves as the primary DMA. While the designation gives the primary DMA the lead responsibility for wastewater treatment planning, it does not imply that the DMA has an exclusive right or responsibility to provide wastewater treatment within part or all of the FPA (see satellite DMAs, below). The DMAs are listed in Figure 1.

Satellite DMAs

Satellite DMAs may be identified to carry out wastewater treatment functions via agreements with Primary DMAs. Many FPAs encompass land areas that lie outside of the political jurisdiction boundaries of the DMA responsible for wastewater planning. The AWQMP recognizes all service agreements that exist among a treatment facility owner/operator and the jurisdictions serviced by that facility. Those agreements may also specify which wastewater planning functions are to be assumed by the satellite jurisdictions. Each satellite jurisdiction named in such an agreement shall be recognized as a Satellite DMA for wastewater planning in accordance with the service agreement with the Primary DMA.

POLICY B: FACILITY PLANNING AREA (FPA) BOUNDARIES

MVRPC shall maintain master maps of each DMA's FPA boundaries. The FPA serves as the "study area" for which each primary DMA shall develop and maintain a Facility Plan to provide for adequate wastewater treatment within the FPA over a 20-year time frame. Each facility plan shall include prescriptions that describe how and by whom wastewater will be managed within that DMA, as well as allocations for projected growth within that DMA.

Overlapping FPAs

The overlap of multiple FPAs will not be permitted in Facility Plan and FPA updates. The Facility Planning process is intended to provide an organized and efficient approach to wastewater treatment planning. Allowing the overlap of FPAs brings undue confusion and conflict to the process, in addition to potentially resulting in duplication of effort, unwise pubic expenditures on redundant infrastructure, and excess plant capacities.

DMAs may consider establishing a Primary-Satellite DMA relationship to resolve overlapping boundary issues.

FPA Boundary Conflicts

When the original AWQMP was developed, there was little conflict in the establishment of the FPA boundaries. Any conflicts that did arise were generally resolved to the satisfaction of all parties and subsequently incorporated into the Plan. Before Ohio EPA accepted any FPA boundary delineation, affected municipalities and counties had to agree on the boundary. As a result of this, facility planning proceeded in a timely manner throughout the Miami Valley Region.

More recently, with increased growth and development, and the renewed emphasis on wastewater treatment facility planning, there is greater potential for conflict between DMAs. Such conflicts may be in various forms: (1) One DMA desires to assume facility planning responsibility over a portion of an adjacent FPA, where that FPA's Primary DMA has not provided desired wastewater planning, or (2) Two or more DMA's desire to assume facility planning responsibilities in an area not within any FPA.

Applicants involved in such conflicts are expected to make every effort to arrive at a solution acceptable to all parties involved. A Primary-Satellite DMA agreement may be considered as a possible solution. Upon request the Areawide Facility Planning Sub Committee (AFPSC) may suggest alternatives to the parties involved. The AFPSC shall provide input to MVRPC staff as to a resolution. Staff shall make a recommendation to the Board of the MVRPC, after consultation with the Technical Advisory Committee.

POLICY C: MODIFICATIONS TO FPA BOUNDARIES

All future changes to FPA boundaries are subject to approval of the MVRPC Board of Directors. In addition, the Board must approve all new FPAs. Such changes are effective upon Board approval and will be reflected in the next AWQMP update submitted for certification.

The current AWQMP recognizes the FPA designations that are identified in Figure 1, included with this policy. A DMA requesting a change must apply to MVRPC for redefinition of its boundaries. This will require the DMA to solicit support from all affected jurisdictions, including any other DMA that may be affected by the redefinition. If a change is sought for an FPA that crosses the planning area boundary between MVRPC and OKI or MVRPC and Ohio EPA, then the approval of both involved agencies will be required.

Initial application for a change to an FPA shall be made to the AFPSC, which shall provide input to MVRPC staff as to a recommendation and/or a resolution. Staff shall recommend an action to the Board of the MVRPC after consultation with the Technical Advisory Committee (TAC).

All applications for the redrawing of existing FPA boundaries must be accompanied by plans that demonstrate that an environmentally acceptable and affordable Facility Plan exists. These plans must demonstrate that the boundary change will not jeopardize the ability of the WWTP to comply with its NPDES permit conditions. These plans must also estimate the impacts on existing rate structure of that POTW. If the requested boundary change also involves a boundary conflict, the applicant and other affected parties are expected to make every effort to resolve the conflict prior to submitting for the boundary change, per the position stated in Policy B, above.

The AFPSC shall consider the following factors when reviewing an application for FPA boundary changes:

1) The proposal's effect upon attainment of any Water Quality Standard in any applicable receiving waters;
2) The proposal's effect upon any other DMA's Facility Plan as regards, for example, facility engineering or financing;
3) The proposal's compatibility with land use plans within and surrounding the FPA;
4) The degree of local support for the proposal; and
5) The degree to which the proposed change enhances the quality, sustainability, and coordination of growth, development and conservation planning in the Region and;
6) The degree of preference for full utilization of existing facilities and sewers over expansion of other facilities and sewers.

POLICY D: DEVELOPMENT OF LOCAL WASTEWATER MANAGEMENT OPTIONS

The development of a Wastewater Treatment Facility Plan or Plan Update involves the identification of viable local wastewater management options or prescriptions. To accomplish this each FPA shall be subdivided according to the type of wastewater treatment in existence, proposed, and/or predicted. The following categories generally occur:

Table 1

Category	Description
1	Areas currently served with sanitary sewers
2	Areas expected to be served with sanitary sewers connected to an existing POTW during the next twenty years
3	Areas expected to be served with sanitary sewers connected to a new POTW in the next twenty years
4	Areas expected to remain on individual on-lot systems or semi-public systems, and where local officials are oriented to maintaining an unsewered status for the foreseeable future
5	Areas currently unsewered where local officials are oriented to accepting sewers if feasible and if found to be consistent with the AWQMP
6	Areas for which no wastewater management options have been declared

The decision as to the classification of any given area is made by the Primary DMA in cooperation with any other affected jurisdictions, MVRPC, and the Ohio EPA.

At present, DMAs develop sewering plans that are optimized from an engineering standpoint within their FPA. While coordination with local jurisdictions regularly occurs when a POTW serves more than a single community, there is no provision in the existing AWQMP that would encourage engineering plans to be amended based upon the desire of a local government to manage growth within its jurisdiction. This policy update provides such a mechanism. Local governments are being encouraged to identify where they want central sewers and where they do not. The DMA in each FPA must consult with affected jurisdictions and take into account their input in cases that do not raise engineering or efficiency limitations.

In those areas where local officials want to restrict wastewater treatment to individual on-site systems, several conditions must be met. The county or municipal health departments responsible for managing on-site systems must authorize their use in the area under discussion. The provisions of ORC 6111 and OAC 3701-29-02 (L) and (M) that require connection to sanitary sewers when they become available must be complied with. The designation of an area as “onsite systems only,” or Category 4 from Table 1, applies as long as Ohio EPA does not mandate sewers under ORC 6117.34 if a water quality problem is demonstrated.

Policies of local health departments, which have legal responsibility and authority to influence wastewater treatment, continue to be recognized under this policy. Ohio EPA

and ODH are working in consultation with USEPA to develop a NDPES permitting policy that will apply to individual on-site wastewater treatment systems that have an off-lot discharge. The AWQMP will incorporate the policy arrived at by this negotiation as soon as it is agreed to by Ohio EPA.

Local community plans may remain flexible to the extent desired by the community. These plans serve to guide the wastewater management decisions of local landowners. It is recognized that all documented wastewater-related water quality problems that exist now or that develop in the future must be remediated in a timely manner by the best means available. Where wastewater-related problems do not exist, local jurisdictions can decide if they prefer to protect water quality by utilizing individual on-site systems or centralized sanitary sewers. By identifying the areas that have no plans for sewer extensions in the next 20 years in a Facility Plan, jurisdictions notify all landowners of the need for them to plan for the installation and maintenance of on-site systems. In areas where sanitary sewers are likely to be extended, repair and maintenance of problematic on-site systems may be warranted instead of total system replacement. In all cases, landowners are provided notice by this Facility Planning Policy to consult with local government officials before proceeding with their wastewater plans.

POLICY E: AWQMP CONSISTENCY REVIEWS

Planning for future wastewater treatment needs is an inexact science. Assumptions are made relative to the size and extent of population growth. During the engineering phase of some projects, obstacles sometimes arise that render previously preferred alternatives impractical. With time, local conditions can change, resulting in modifications to previously preferred alternatives. Additions to existing treatment works or new treatment works continue to be proposed to meet growth demands. Planning changes that resulted from these factors were accommodated in the Plan by the development of a consistency review procedure.

Changes may be requested for a variety of reasons, including an increase in discharge, new discharges, upgrades in treatment processes, the extension of sewer lines to previously unsewered areas, or the installation of pump stations. As the Areawide Planning Agency, MVRPC is responsible for evaluating applications to ensure that they are consistent with the AWQMP.

All proposed plan changes shall be reviewed for consistency with AWQMP for two reasons: 1) the financial arrangements for the development of treatment works must be based on a sound estimate of future requirements and service; and 2) The AWQMP requires planning for wastewater treatment capacity to meet only actual and anticipated treatment needs. These financial and planning issues are important concerns, thus AWQMP Consistency Reviews shall be required for any project proposed by an Areawide DMA.

Under the AWQMP, any action proposed by a DMA shall be deemed consistent with the Plan as long as it:
(1) Meets Ohio EPA's regulatory and technical requirements,
(2) Consist solely of actions that are within the existing FPA boundary, and
(3) Conforms to accepted regional population projections (see Policy F).

If a DMA plans to extend service outside of its established FPA boundary, consistency will not be attained until all affected parties agree to the need for the change. If a proposal infringes on the boundary of another adjacent FPA, the applicant must secure the permission of the DMA within that neighboring FPA. In instances where applicants propose to extend service into areas where no facility planning has yet taken place (no FPA exists), such a proposal can be deemed consistent with the AWQMP by MVRPC and Ohio EPA, as long as the local jurisdictions affected by the extension agree to it. In any of these cases, the process for submitting a boundary modification to the AFPSC (see Policy C, above) should be observed.

Some communities in the Region are served by a neighboring community or regional system. The preferences expressed by these communities are subject to the acceptance of the DMA providing service. During a plan consistency review, the DMA must demonstrate that consultation has occurred with communities in its facility planning area to ascertain community preferences for sanitary sewer service.

Due to the need for timely response, Consistency Reviews shall be conducted by MVRPC staff. Staff shall keep the AFPSC informed as to Consistency Reviews performed, including subjects of the reviews, timeliness, and responses or results.

POLICY F: UTILIZATION OF AREAWIDE POPULATION PROJECTIONS

As time has passed, the population projections used in the original 1983 AWQMP have become outdated. MVRPC's original AWQMP and the Facility Plans it references were based upon population projections from the 1980 census. Facility Plan Updates and Facility Planning Area modifications since that time have been based on the most current census data available. MVRPC currently utilizes population projections based on the 2000 census for all of its planning purposes.

The Ohio Department of Development prepares the official population projections for the State of Ohio. They allocate projections to the county level. MVRPC further disaggregates the State's county level projections into traffic analysis zones (TAZ) for its transportation planning counties (Greene, Miami, and Montgomery). This is accomplished based on an evaluation of available land for development, combined with local zoning requirements. Additional inputs are used as appropriate. The most recent TAZ population projections produced by MVRPC, are the ones to be used for consistency reviews. MVRPC staff will assist jurisdictions seeking the current population projections for the TAZs corresponding to their Facility Planning Areas.

In the cases of Darke and Preble Counties, where MVRPC-produced TAZ population projections do not exist, ODOD county-level projections may be used. The county-level population projections can serve as a starting point for the evaluation of population projections within facility planning areas. The facility planning process may disaggregate county projections to smaller areas, using justifiable or documented assumptions, such as existing zoning and land use plans. MVRPC can assist in this process, if desired.

The consistency review of population projections used to size the proposed facility or project guards against the use of optimistically high projections that could lead to the inability of a community to financially support its WWTP if the projections are not realized.

AFPSC shall review all Facility Planning applicants' population projections for consistency with the MVRPC population projections. If an applicant's projections are not consistent, the applicant will be notified of the discrepancy and of the need to justify and/or rectify the projections.

POLICY G: MODIFICATIONS TO DESIGNATED MANAGEMENT AGENCIES (DMAS)

Primary DMAs that own or operate a Publicly Owned Treatment Works for wastewater have lead responsibility for sewer planning within their established Facility Planning Area, subject only to appeal to the MVRPC Board. Status as a DMA, however, does not imply that a jurisdiction or POTW has an exclusive right to provide services within an FPA.

In situations where (1) a Primary DMA has failed to provide services as outlined explicitly in its current Facility Plan, (2) the Facility Plan itself does not clearly prescribe how particular areas are to be served or by whom, (3) an Ohio EPA mandate for wastewater improvement exists, or (4) new situations arise that were not anticipated in the Facility Plan, then a case can be made for abandoning previous FPA boundaries and DMA designations so that new ones can be developed. In its 1993 Water Quality Management Plan Certification document, the Ohio EPA states:

> *"Ohio EPA will consider existing 208 planning and planning areas to the extent that the source(s) of the new discharges seeking permits were specifically anticipated and addressed in the planning process so that a specific entity was actually assigned responsibility for undertaking and providing treatment for the discharge. Where 201 Planning has been carried out and a specific alternative has been implemented, Ohio EPA will consider existing 201 planning areas to the extent that service to the entire planning area was the alternative chosen for implementation."*

Conflicts related to officially recognized FPA boundaries may occasionally occur. Furthermore, such conflicts may take on new dimensions that were not considered during the development of the original Plan. Some areas covered by an existing facility plan may want sewers to be extended to them while the Primary DMA either has no plans to extend service or has unacceptable conditions for service.

An appeal process that could result in the redefinition of existing FPA boundaries is necessary. Under this policy, the Primary DMA for an approved FPA will continue to have primacy for sewer planning, but that primacy will no longer be as absolute as in the past. A well documented request of any applicant to transfer a specified area out of a recognized FPA will be given consideration. A process to deal with the evaluation of each application must follow established guidelines. For instance, the DMA will maintain the right to provide for sewering of the designated area if it can demonstrate that its treatment system will be harmed by a redesignation. If the DMA can show that it will suffer economic harm, or if it can demonstrate that system integrity would be compromised by the change, it must be given the opportunity to maintain primacy while meeting the water quality and wastewater treatment needs of the subject area. Demonstrations of economic harm need to show that established federal guidelines for wastewater treatment affordability would not be met if the application for change were allowed to proceed.

When the need arises to consider changes to DMA designations within an FPA or affected jurisdictions seek to challenge DMA decisions and/or designations, the following policies shall apply:

1) Lead responsibility for sewer planning will be maintained by the Designated Management Agency in each established Facility Planning Area in all cases of challenge when the DMA can demonstrate any of the following:

    a) That the system affordability would be negatively impacted by the suggested change; or
    b) That system efficiency, defined as the ability to meet its NPDES permit limitations, would be compromised by a suggested change; or
    c) The change would result in a violation of a condition of a Section 201 Facilities Construction Grant received through the USEPA or a provision of a State Revolving Fund Loan administered by the Ohio EPA.

System efficiency and integrity concerns must be tied to reasonable expectations that a WWTP will be unable to maintain compliance with its discharge permit limits. USEPA or the Ohio EPA must certify those cases where 201 Facility Grant or State Revolving Fund Loan conditions preclude a requested change in FPA boundaries.

In cases where central sewers are needed to comply with an Ohio EPA order to resolve an existing water quality problem, the DMA's primacy standing would be dependent on its ability and willingness to proceed with the sewer extensions and capacity upgrades if necessary. If the DMA is not prepared or is not able to proceed in a timely manner, the applicant for change can request a redrawing of the FPA boundary.

2) Lead planning responsibility for limited areas can be transferred from the Primary DMA in an established FPA in cases of challenge when an applicant for change can demonstrate all of the following:

    a) That none of the conditions established in 1 (a) – (c) above apply (the burden of proof shall remain upon the existing DMA);
    b) That the existing DMA is unprepared or is unwilling to extend service to the challenged area, or that they have conditions that are unacceptable to the applicant jurisdiction;
    c) That an alternative sewering plan exists that protects the environment, and that the alternative plan is technically achievable, economically justifiable, and politically acceptable;
    d) That the alternative plan enhances the quality, sustainability and coordination of growth and development in the Region; and
    e) That the proposed DMA has legal authority to act.

Transfers must be approved by Ohio EPA and incorporated by amendment to MVRPC's AWQMP. A DMA's lead planning status could be dependent on its ability and willingness to proceed with the sewer extensions (and capacity upgrades if necessary) to an area assigned to an established FPA that requests such extensions. If the existing DMA is not prepared or is not able to proceed in a timely manner, and the applicant for change meets the burden required in Policy G (2), above, the applicant for change may request a redrawing of the FPA boundary (pursuant to Policy C, above) and, if necessary, the establishment of a new DMA (pursuant to Policy H). This request would be considered with the intention of identifying viable wastewater alternatives. The applicant would be required to demonstrate that a technically achievable, economically affordable and politically acceptable alternative exists. This plan could take the form of a Primary-Satellite DMA agreement. If the proposed plan is consistent with all other

aspects of the AWQMP, it can result in a change being made to the existing FPA definition in favor of the applicant.

Where no other acceptable solution can be found, a jurisdiction that is part of another jurisdiction's FPA can request the right to develop plans to direct their wastewater to an alternative treatment works. This could be another existing POTW or an entirely new facility if one can be constructed.

The applicant is expected to make every effort to arrive at a solution acceptable to all parties. However, upon request, MVRPC's ongoing Facility Planning process will provide for a meeting with all affected parties in an attempt to effect a consensus agreement. When consensus cannot be reached, the MVRPC Areawide Facility Planning Subcommittee and Technical Advisory Committee will hear all viewpoints, and offer input to a staff recommendation that will be considered by the MVRPC Board of Directors.

A Board action on requests to modify a DMA would constitute an update to the AWQMP as far as future consistency reviews are concerned in the challenged area. It is important to note that Ohio EPA cannot issue a permit for any action that is not consistent with the AWQMP. FPA boundary disputes must be resolved prior to the review for consistency of any project by the MVRPC Board.

POLICY H: NOMINATION OF NEW DMAS

All entities that are not designated as a DMA must apply for such status before their permit application can be processed. To become a DMA designee, the applicant must have adequate legal authority under Ohio law and clearly identify the geographical extent of its proposed facility planning area and the wastewater treatment options to be selected for the area. It must also demonstrate that all affected local governments have been consulted in the development of the project. Evidence of support from all affected jurisdictions (municipalities in incorporated areas and county government in unincorporated areas) must be secured. Any FPA infringements must be resolved either with the approval of the affected DMA or by appeal to the MVRPC Board. The applicant may propose an area for designation as an FPA that is larger than the current or proposed project service area. This can be done where it makes sense for purposes of future sewer planning.

The AFPSC shall review such applications for new DMAs, and provide input to staff as to a resolution. Staff shall recommend action to the MVRPC Board of Directors, after an Ohio EPA technical review and consultation with the Technical Advisory Committee.

The AFPSC shall consider the following factors when reviewing an application for designation of a new DMA:

1) The proposal's effect upon attainment of water quality standards in any applicable receiving waters;
2) The proposal's effect upon any other DMA's Facility Plan as regards, for example, facility engineering or financing;
3) The proposal's compatibility with land use plans within and surrounding the FPA;
4) The degree of local support for the proposal; and
5) The degree to which the proposed change enhances the quality, sustainability, and coordination of growth and development planning in the Region.
6) The degree of preference for full utilization of existing facilities and sewers over expansion or other facilities and sewers.

II. RECOMMENDATIONS FOR SUPPORTING ACTIONS BY LOCAL JURISDICTIONS

In wastewater treatment planning it is important to recognize the priorities and input of local governments and agencies.

Recommendation A: The content and recommendations found in local and regional land use plans and comprehensive plans should be incorporated into the development of individual Wastewater Treatment Facility Plans and the AWQMP. The effectiveness of the AWQMP will be enhanced to the extent that it is consistent with these locally approved documents.

Recommendation B: Local jurisdictions should consider the use of the Joint Economic Development District (JEDD) approach or the Community Economic Development Agreement (CEDA) approach to address conflicting interests in the process of wastewater treatment infrastructure. Numerous cases exist in the Region where a municipality owns and operates a POTW whose FPA includes portions of surrounding townships. Some of these communities have a policy of extending sewer service only to areas that are annexed into the community. This is required because the municipalities have used their tax base to support the construction, operation, and maintenance of their sewer infrastructure and are attempting to insure all beneficiaries pay a fair share of these costs. Annexation is the tool that they choose to use to accomplish this, but compulsory annexations in order to receive sanitary sewer service are often strongly contested.

Consideration of substitute measures such as a JEDD or a CEDA is encouraged to meet the needs of both the municipality in question and the neighboring township. A JEDD or CEDA can be established by neighboring communities and can allow an exchange of services and a sharing of tax revenues. In the scenario of a municipality attempting to recover capital costs, township residents in the area to be affected by the extension of sewer lines agree to be subject to a tax sharing agreement that would provide the municipality with the funds that they seek before extending the sewer lines. Where loss of business base is an issue, additional tax sharing may have to be negotiated. While not a solution for every case, consideration of the JEDD or CEDA approach is encouraged by MVRPC as a means of attaining the goals of the AWQMP.

Appendix O Guidelines for Facility Plan and Facility Planning Area Update Proposals: Content, Submittal & Review

Guidelines for Facility Plan (FP) and
Facility Planning Area (FPA) Update Proposals:
Content, Submittal & Review

Facility Plan Updates
(With or without change in Facility Planning Area)

I. As part of its NPDES permit process, the Ohio EPA is encouraging, and in some instances requiring, Publicly Owned Treatment Works (POTWs) to update their Wastewater Treatment Facility Plans (previously known as 201 Facility Plans). As the Designated Planning Agency responsible for their review and approval, MVRPC is requiring that Facility Plan and Facility Planning Area Update proposals shall include the following minimum elements:

A. Appropriate map(s) rendered as an ESRI GIS dataset (i.e., coverage, shapefile, or geodatabase) projected in Ohio State Plane South, Feet, NAD83. Alternatively, an electronic CAD file (i.e., .dwg or .dxf) can be submitted. Maps must include the following elements:
   1) all existing wastewater treatment plants (including package plants);
   2) the current FPA boundary;
   3) any proposed FPA boundary changes;
   4) sub-area boundaries (where applicable) as described by the following table:

Sub-area Category	Description
1	Areas currently served with sanitary sewers
2	Areas expected to be served with sanitary sewers connected to an existing POTW during the next twenty years
3	Areas expected to be served with sanitary sewers connected to a new POTW in the next twenty years
4	Areas expected to remain on individual on-lot systems or semi-public systems, and where local officials are oriented to maintaining an unsewered status for the foreseeable future
5	Areas currently unsewered where local officials are oriented to accepting sewers if feasible and if found to be consistent with the AWQMP
6	Areas for which no wastewater management options have been declared

   5) appropriate water bodies, and watershed boundaries with HUC numbers; and
   6) appropriate jurisdictional boundaries.

B. Twenty (20) year population projections for the existing FPA and any proposed FPA changes based on the most recent census data. Population projections must be in relative agreement with MVRPC population projections.

C. Description of existing and proposed wastewater treatment options for the FPA including future options prescribed for the unsewered / undeveloped areas within the FPA, i.e. on-site septic systems, package plants. Treatment options shall be described for the following scenarios within the FPA, as appropriate.

1) Areas currently served with sanitary sewers;
2) Areas expected to be served with sanitary sewers connected to an existing POTW during the next twenty years;
3) Areas expected to be served with sanitary sewers connected to a new POTW in the next twenty years;
4) Areas expected to remain on individual on-lot systems or semi-public systems, and where local officials are oriented to maintaining an unsewered status for the foreseeable future;
5) Areas currently unsewered where local officials are oriented to accepting sewers if feasible and if found to be consistent with the WQMP; and
6) Areas for which no wastewater management options have been declared.

D. Description of plans to provide wastewater treatment to any proposed FPA additions and verification of capability to do so. This should include information on current plant flow, current plant capacities, and estimates of future flow and population projections (based on current census data) for any new area to be incorporated, as well as schedules for planned upgrades.

E. Table(s) showing current plant permit limits, existing plant capacities, and projected plant capacities.

F. Discussion of how the proposed wastewater treatment options (current and projected treatment type, capacity, coverage, etc.) will meet the needs of the projected population and/or additional population to be served by an FPA boundary modification.

G. Discussion of how the prescribed wastewater treatment options will be protective of pertinent critical water resources (groundwater, lakes, rivers, streams, wetlands, prime farmland, etc).

H. Discussion of how any proposed changes in the FPA boundaries and associated wastewater treatment options agree or conflict with the plans (zoning codes, comprehensive land use plans, watershed plans, etc.) of contiguous FPAs and potentially impacted jurisdictions.

I. Documentation of any public participation involved in updating the FP and/or FPA along with endorsements from any other sewer districts, FPAs, and/or jurisdictions located within and/or adjacent to the Facility Planning Area. MVRPC recommends DMAs employ a public involvement strategy along the lines of the Public Participation rules detailed in 40 CFR Part 25.1 throughout the FP and FPA update processes.

II. Submissions of proposed plan updates shall provide elaboration commensurate to the complexity of the proposal. Facility Plan and Facility Planning Area Update proposals shall consist of
   A. A cover letter formally outlining the nature of the request and
   B. A summary document (maximum of 20 pages) containing the information required in Subsection A through H above (20 page maximum excludes the supporting documentation described in Subsection I. above). The letter, summary and supporting documents, and maps must be submitted electronically for rapid distribution to the appropriate review committees. Hard copies may be requested by MVRPC, as needed.

III. The process for review and approval of Facility Plan and/or Facility Planning Area Update proposals shall follow the following sequence:

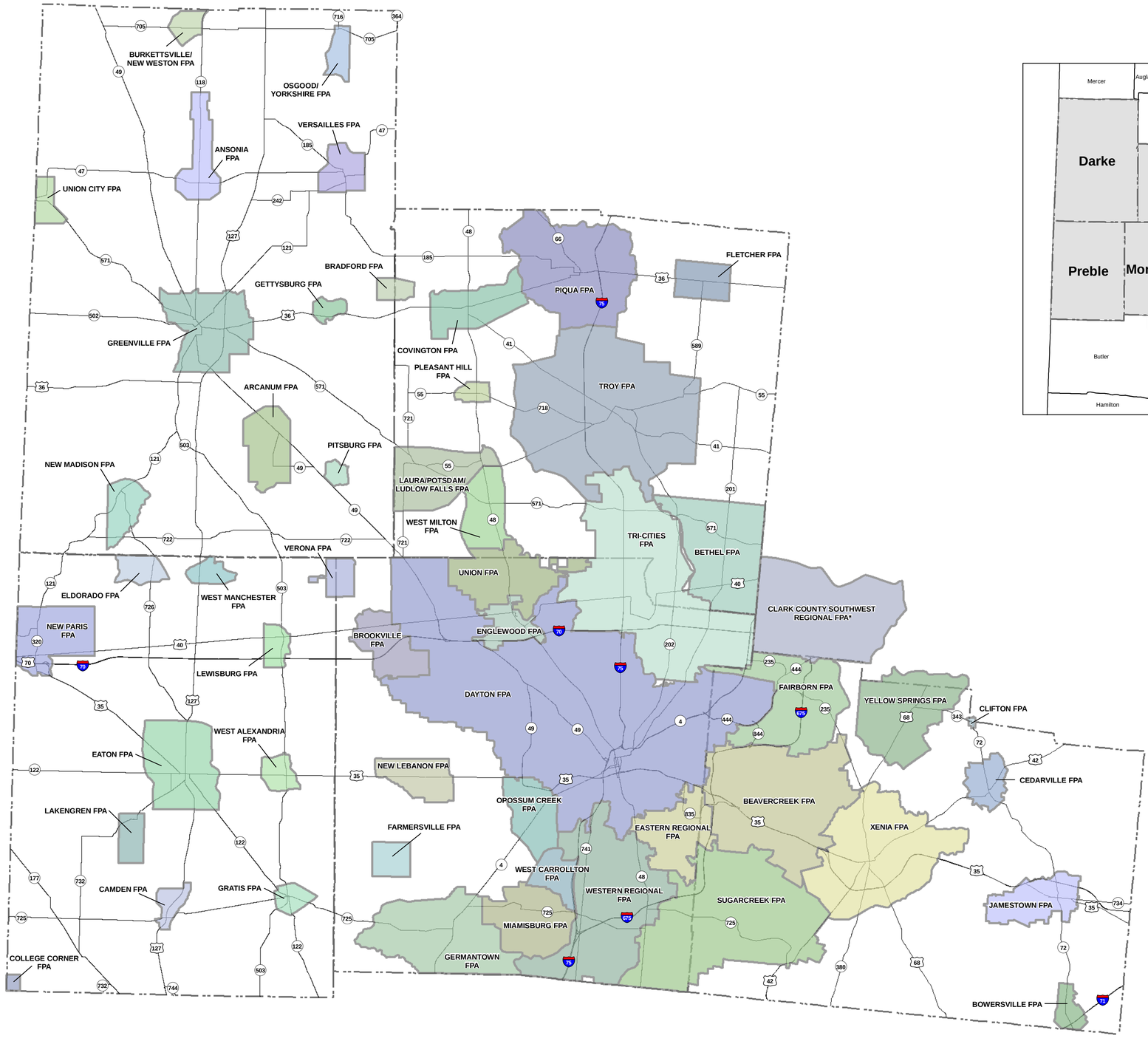
   A. Proposals will be reviewed by MVRPC staff for completeness. MVRPC may request additional information as appropriate.
   B. MVRPC staff will submit complete proposal for review and input to the MVRPC Areawide Facility Planning Subcommittee. Applicant will have the option of making a brief formal presentation on the proposal to the Subcommittee.
   C. Staff collects input on the proposal from the Areawide Facility Planning Subcommittee.
   D. Staff forwards proposal and input to the MVRPC Technical Advisory Committee for additional input. Applicant will have the option of making a formal presentation on the proposal.
   E. Staff summarizes all input and develops recommendation.
   F. Staff presents proposal, input, and recommendation to MVRPC Board of Directors for action.
   G. Approved updates are included in future amendments and revisions to the MVRPC's Areawide Water Quality Management Plan, and subsequently forwarded to the Ohio EPA for State and Federal certification.

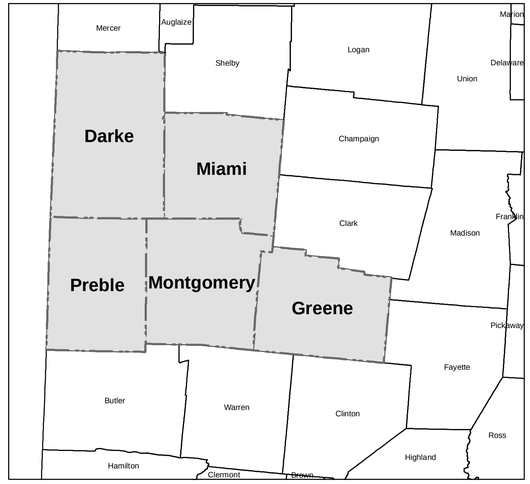
IV. To facilitate timely review and action on Update proposals, the applicant should be aware of the general meeting schedule of each of the committees mentioned above. Depending on when in the schedule an FPA boundary change proposal is submitted, it may take from 2 to 3 months to go through the approval process, assuming no additional information is requested of the applicant. The following general meeting schedule is used:

Committee	**Meeting Schedule**
Areawide Facility Planning Subcommittee	As needed. Strive to schedule with quarterly meetings of the Great Miami River Watershed Network (March, June, September, December)
MVRPC Technical Advisory Committee	3rd Thursday of the month. (9:30 a.m.)
MVRPC Board of Directors	1st Thursday of each month. (9:30 a.m.)

Approved by the MVRPC Board of Directors
On September 1, 2005.

Appendix P Miami Valley Region Facility Planning Areas





*Note: The Clark County Planning Commission is responsible for land use planning with Clark County

Geographic Information Systems

Stantec

11687 Lebanon Rd. Cincinnati, OH 45241-2012 Phone 513-842-8200 Fax 513-842-8250 www.stantec.com

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Miami Valley Regional Planning Commission

Facility Planning Areas

5/4/2011

Appendix Q Available Resources and Funding Sources

This section provides a brief overview of some of the available sources of funding for wastewater collection system and treatment plant improvements.

Program Name	Agency	Type of Project Funded	Application Deadline
Ohio Environmental Infrastructure Program Section 206 Grants	USACE	aquatic ecosystem restoration and protection projects	
USEPA Targeted Watershed Grants Program (TWAG) Urban Watershed Capacity Building Grant	USEPA	capacity building projects within urban areas	
USEPA State and Tribal Assistance Grant (STAG)	USEPA	capacity building projects to implement compliance assurance activities (training, studies, surveys and investigations)	
Water Pollution Control Loan Fund (WPCLF)	OEPA	Finances publicly owned wastewater treatment works for new construction or expansion of facilities including treatment plants and collection systems	
Water Resource Restoration Sponsor Program (WRRSP)	OEPA	Finances planning and implementation of projects that address nonpoint source pollution	
Section 319 Nonpoint Source Pollution Control Grants	OEPA, Division of Surface Water	Fund projects that address nonpoint source impairments and/or restore impaired waters such as stream and/or wetland restoration, agricultural best management practices, riparian restoration and protection	
EDA Economic Development Administration Public Works Administration	EDA	Construction, expansion or upgrade of essential public infrastructure and facilities	
CDBG Water & Sanitary Sewer Program	ODOD	create safe and reliable drinking water and proper disposal of sanitary waste through installation of water and sewer lines, construction/rehabilitation of water and sewer facilities etc.	Open-Window Cycle
OWDA Master Program: Fresh Water Group	OWDA	Loans for drinking water, wastewater, stormwater projects such as development or acquisition of potable water sources, construction/expansion of water and WWTP, installation or improvement of water distribution and wastewater collection systems, well-head protection studies, or stormwater management facilities	15th of the month
Community Assistance Loan Program	OWDA	Reduced rate loans for drinking water or wastewater systems development or improvement	15th of the month
Village Capital Improvement Fund Program	OWDA and OEPA	Short term interest fee funds to plan and design drinking water supply, distribution, wastewater collection or treatment facilities	Due at OEPA 60 days prior to January, April, July October OWDA Board meetings
Local Economic Development Program	OWDA	funding for drinking water and wastewater projects for industries that make a significant investment in the state and that create new jobs	15th of the month
Aquatic Ecosystem Restoration (CAP Section 206)	U.S. Army Corps of Engineers	aquatic ecosystem restoration projects that will improve the quality of the environment, are in the public interest, and are cost-effective.	TBD
Bring Back the Natives Grant Program	US Fish and Wildlife Service (FWS), Bureau of Land Management (BLM), USDA Forest Service (FS), and Trout Unlimited (TU)	funds on-the-ground efforts to restore native aquatic species to their historic range	February 1, 2011
Community Development Block Grants/Entitlement Grants	US Dept of Housing and Urban Development	develop viable urban communities, by providing decent housing and a suitable living environment, and by expanding economic opportunities, principally for persons of low and moderate income	For formula grants, no earlier than November 15 or no later than August 16 of the fiscal year for which the funds are allocated
Community-based Habitat Restoration Partnership Grants	NOAA	funds for small-scale, locally driven habitat restoration projects that foster natural resource stewardship within communities	TBD
Conservation Reserve Program	USDA	funds annual rental payments and cost-share assistance to establish long-term, resource conserving covers on eligible farmland	TBD
Cooperative Endangered Species Conservation Fund	U.S. Fish and Wildlife Service's (USFWS)	development of programs for the conservation of endangered and threatened species. The assistance provided to the state or territorial wildlife agency can include animal, plant, and habitat surveys; research; planning; monitoring; habitat protection, restoration, management, and acquisition; and public education.	TBD
Drinking Water State Revolving Fund	EPA	loans are provided to eligible public water utilities (publicly- and privately-owned) to finance the costs of infrastructure projects	States are required to apply for capitalization grants. Procedures for applicants to receive loans and other types of assistance vary by state.
Emergency Watershed Protection	USDA Natural Resources Conservation Service	funding for such work as clearing debris from clogged waterways, restoring vegetation, and stabilizing river banks	Funds are issued on an emergency basis only. The sponsor has 60 days to request assistance from the time of an emergency declaration
Environmental Education Grants	US EPA	educational	TBD
Environmental Quality Incentives Program	USDA Natural Resources Conservation Service	conservation	Applications may be submitted by eligible producers at any time during the year.
Farm and Ranch Lands Protection Program (FRPP)	USDA Natural Resources Conservation Service	conservation easements	Varies.
Five-Star Restoration Program	US EPA	wetland and riparian restoration projects	TBD
Flood Mitigation Assistance Program	DHS, FEMA	planning and technical assistance	TBD
Forest Legacy Program	USDA Forest Service	protect environmentally sensitive forest lands from the conversion to non-forest uses through the use of conservation easements and fee-simple purchase	Applications are submitted to the State Lead Agency in each participating State. While some States have discrete open seasons others accept applications year-round.

Program Name	Agency	Type of Project Funded	Application Deadline
Grassland Reserve Program	NRCS	restoring and conserving two million acres of grassland, rangeland, and pastureland	Continuous sign-up period
Healthy Forests Reserve Program	NRCS	restoring and enhancing forest ecosystems	Upon availability of funds a signup time period would be announced.
Land and Water Conservation Fund	US Dept of Interior, National Park Service	Outdoor Recreation, Acquisition, Development and Planning Grants	Varies by state
Landowner Incentive Program	US Fish and Wildlife Service (FWS)	projects that protect and restore habitats of listed species or species determined to be at-risk	Typically late summer or early fall. State wildlife agencies normally have 60 days once a Request for Proposals is published in the Federal Register and Grants.gov
Marine Debris Research and Technology Grants	NOAA Marine Debris Program and National Fish and Wildlife Foundation	projects to improve our understanding of the impacts of marine debris on our marine and coastal resources, and to reduce and prevent debris in our marine environment	TBD
NOAA Open Rivers Initiative	NOAA	community-driven,small dam and river barrier removals, primarily in coastal states	November 17, 2010
National Integrated Water Quality Program (NIWQP)		funding for research, education, and extension projects aimed at improving water quality in agricultural and rural watersheds	TBD
National Wildlife Refuge Friends Group Grant Program	National Fish and Wildlife Foundation	operational support, capacity building, conservation education programs, outreach, habitat restoration	TBD
Native Plant Conservation Initiative	National Fish and Wildlife Foundation	protection and restoration, information and education, inventory and assessment	TBD
Nature of Learning Grants Program	National Fish and Wildlife Foundation	community-based environmental initiatives	TBD
Nonpoint Source Implementation Grants (319 Program)	EPA	BMPs for animal waste, design and implementation of BMP systems for stream, lake, and estuary watersheds; basinwide landowner education programs; and lake projects previously funded under the CWA section 314 Clean Lakes Program	Varies by state
North American Wetlands Conservation Act Grants Program	U.S. Fish and Wildlife Service	habitat protection, restoration and enhancement	TBD
Not-for-Profit Acid Mine Drainage Reclamation	U.S. Department of Interior	construction projects designed to clean streams impacted by Acid Mine Drainage (AMD)	Applications will be accepted until all available funds have been awarded.
Partners for Fish and Wildlife Program	U.S. Fish and Wildlife Service	fish and wildlife habitat restoration	No deadline
Pesticide Environmental Stewardship Grants	EPA	pollution prevention projects	TBD
Pollution Prevention Grant Program	EPA	pollution prevention projects, outreach, data analysis	March 28, 2011
Project Modifications for Improvement of the Environment (CAP Section 1135)	USACE	ecosystem restoration	None
Public Works and Development Facilities Program	US Dept of Commerce, Economic Development Administration	water and sewer facilities, primarily serving industry and commerce; access roads to industrial parks or sites; port improvements; business incubator facilities; technology infrastructure; sustainable development activities; export programs; brownfields redevelopment; aquaculture facilities; and other infrastructure projects	Applications are accepted on a continuous basis and are processed as funds become available.
Pulling Together Initiative	National Fish and Wildlife Foundation	invasive and noxious plants management, outreach	TBD
Rivers, Trails,and Conservation Assistance	National Park Service	park, greenway, open space creation	August 1 for the following fiscal year
Small Flood Damage Reduction Projects (CAP Section 205)	USACE	structural flood damage reduction features such as levees, channels, and dams or non structural alternatives such as flood warning systems, raising and/or floodproofing of structures, and relocation	None
Snagging and Clearing for Flood Control (CAP Section 208)	USACE	channel clearing and excavation	None
Source Reduction Assistance Grant Program	EPA	pollution prevention measures (source reduction and resource conservation)	February 24, 2011
State Wildlife Grant Program	U.S. Fish and Wildlife Service	wildlife conservation	No deadline
Sustainable Agriculture Research and Education	USDA	education programs, management techniques	
Targeted Watershed Grants Program	EPA	watershed-based, on-the-ground implementation projects, capacity building	
Water Resources Research National Competitive Grants Program	USGS	research on topics of water supply and water availability	
Water and Waste Disposal Systems for Rural Communities	USDA	installation, repair, improvement, or expansion of a rural water facility including costs of distribution lines and well pumping facilities	
Watershed Protection and Flood Prevention Program	NRCS	watershed protection, flood mitigation, water supply, water quality, erosion and sediment control, wetland creation and restoration, fish and wildlife habitat enhancement, agricultural water conservation, and public recreation	Eligible project sponsors may submit formal requests for assistance to the NRCS state conservationists in each state at any time.
Watershed Rehabilitation Program	NRCS	rehabilitation of aging dams	Applications may be submitted anytime during the year.
Wetlands Program Development Grants	EPA	wetlands protection, restoration or management program	Deadlines are determined annually and vary from region to region.
Wetlands Reserve Program	NRCS	wetlands protection	Applications are accepted year-round.
2011 Clean Ohio Agricultural Easement Purchase Program	Ohio Dept of Agriculture	agricultural easements	April 6, 2011

Appendix R 2010-2040 Population Projections for Facility Planning Areas

Miami Valley FPA Population Projections

Methodology Description

The purpose of this project is to provide for the participating Designated Management Agencies under the MVRPC Areawide Water Quality Management Plan a set of year 2040 population projections that are:

1. Tailored to the needs of wastewater treatment planning performed by the Management Agencies;
2. Consistent with Facility Planning Policy F, which requires use of the population projections published by the Ohio Department of Development (now known as the Development Services Agency);
3. Developed in a consistent manner across the Miami Valley.

MVRPC staff reviewed the projections published by the Development Services Agency (DSA) on March 30, 2013 and generally MVRPC disagrees with the most recent projections in the MPO area, particularly those for Greene and Miami Counties. A summary of the DSA projections for the five MVRPC water quality planning counties and the MVRPC endorsed MPO area projections are as follows:

Table 1: Summary of Development Services Agency and MVRPC Population Projections for 2040 (Excerpt)

Location	2010-2040	2010	2015	2020	2025	2030	2040 State	2040 MVRPC
	% Change	Census	Projection	Projection	Projection	Projection	Projection	Projection
State of Ohio	1.2%	11,536,504	11,549,120	11,574,870	11,598,670	11,615,100	11,679,010	
Darke	-12.6%	52,959	52,190	51,270	49,670	48,280	46,280	
Greene	1.1%	161,573	163,500	164,940	165,950	165,780	163,300	194,079
Miami	1.4%	102,506	102,700	102,590	103,160	103,500	103,990	109,789
Montgomery	-8.6%	535,153	524,370	513,830	504,770	496,650	489,390	519,246
Preble	-4.8%	42,270	42,260	42,060	41,860	41,460	40,260	
TOTAL	**-5.7%**	**894,461**	**885,020**	**874,690**	**865,410**	**855,670**	**843,220**	

The task of sub allocating these 2010 Census figures and the DSA projections into the current waste-water facility planning areas was assisted by sub allocations performed by ODOT for transportation planning studies in Preble and Darke Counties.

Transportation Analysis Zones (TAZ) were developed for Preble and Darke Counties using ODOT's statewide transportation planning model and are generally larger than those used in an urban area. TAZs for Greene, Miami and Montgomery Counties were developed by MVRPC as part of the Long Range Transportation Planning process, and use a 2040 population projection different from that of the most current Development Services Agency. The TAZs projections are developed using a similar methodology and staff reviews land and current zoning to determine

the potential for future development in each TAZ. From there, countywide population projections are suballocated to each TAZ for the projected future year. The most recent data was developed for the 2012 Long Range Transportation Plan incorporating the results of the recent 2010 Census population release and using data developed by ODOD (DSA) in June 2011 that extended the Long Term Population Projections for the State to 2040.

The projections were used for all counties with the exception of Greene, as the original 2040 projection for Greene County was lower than the 2010 population count. MVRPC worked with ODOT and ODOD (DSA) to develop a new population forecast for the county.

It is important to note here that the population projections are a factor, but not the sole determinant of flows to wastewater treatment plants. These residential population projections are different from employment projections, which may have some relationship on industrial wastewater flows in the region, but are not addressed in this analysis.

The TAZ data provided by ODOT was developed prior to the final release of 2010 Census figures and the DSA 2040 Population projections. To normalize the population data the following steps were taken to perform the FPA-level review:

1. The 2010 population figures and the 2040 TAZ population projections were factored to ensure that the total 2040 populations for Darke and Preble equal the 2010 census counts and the DSA-provided population projections for those counties, respectively. This was also a spreadsheet operation that decreased the Darke and Preble 2040 population projections by factors necessary to make county totals for 2040 match the DSA projections. The factors are: Darke .8739; Preble .87124. The resulting county totals equal the 2040 DSA projections, while preserving the relative populations within the ODOT-set TAZ.
2. MVRPC GIS staff performed an analysis of 2010 Census block data in conjunction with the TAZ information and the current Facility Planning Area (FPA) boundaries. The goal of the operation was to look at Census blocks within each TAZ and determine what percentage of the TAZ population (2010) was also within any FPA within the TAZ. For Preble and Darke Counties *most* FPA are smaller, geographically, than the ODOT TAZ. In the other three counties, the TAZ are generally smaller than the FPA.
3. The final step for the 2040 FPA population projections was to apply the percentages found in Step 2 to the adjusted 2040 DSA population projections developed in Step 1. The resulting figures are projections of FPA-based populations in 2040, based on the 2011 FPA boundaries.

The following tables and map depict the findings from this methodology.

Table 2: Darke County Facility Planning Areas				
FPA Name	2010 Population	2040 Projection	Numeric Change	Percent Change
Ansonia/Rossburg	1,636	1,365	-271	-16.6%
Arcanum	3,013	2,690	-323	-10.7%
Bradford*	1,818	1,780	-38	-2.1%
Burkettsville/New Weston	252	216	-36	-14.3%
Gettysburg	635	564	-71	-11.2%
Greenville	14,539	13,138	-1,401	-9.6%
New Madison	1,015	830	-185	-18.2%
Osgood/Yorkshire	407	297	-110	-27.0%
Pitsburg	633	522	-111	-17.5%
Union City	1,942	1,721	-221	-11.4%
Versailles	2,976	2,458	-518	-17.4%

Table 3: Greene County Facility Planning Areas				
FPA Name	2010 Population	2040 Projection	Numeric Change	Percent Change
Beavercreek	41,936	53,033	11,097	26.4%
Bowersville	436	474	38	8.7%
Cedarville	4,351	4,570	219	5.0%
Clifton	109	109	0	0.0%
Fairborn	37,659	42,981	5,322	14.1%
Jamestown	4,463	5,000	537	12.0%
Sugar Creek*	50,386	57,092	6,706	13.3%
Xenia	30,686	34,571	3,885	12.7%
Yellow Springs	4,224	4,843	619	14.7%

Table 4: Miami County Facility Planning Areas				
FPA Name	2010 Population	2040 Projection	Numeric Change	Percent Change
Bethel	3,873	4,231	358	9.2%
Covington	3,521	3,655	134	3.8%
Fletcher	644	659	15	2.3%
Laura/Potsdam/Ludlow Falls	2,327	2,406	79	3.4%
Piqua	22,719	23,696	977	1.0%
Pleasant Hill	1,223	1,279	56	4.6%
Troy	33,942	36,855	2,319	8.6%
West Milton	5,377	5,840	463	8.6%

Table 5: Montgomery County Facility Planning Areas				
FPA Name	2010 Population	2040 Projection	Numeric Change	Percent Change
Brookville	6,488	6,732	244	3.8%
Dayton*	243,537	226,061	-17,476	-7.2%
Eastern Regional*	44,664	43,505	-1,159	-2.6%
Englewood	11,075	11,320	245	2.2%
Farmersville	1,289	1,293	4	0.3%
Germantown	8,696	9,016	320	3.7%
Miamisburg	22,143	22,530	387	1.7%
New Lebanon	4,694	4,674	-20	-0.4%
Opossum Creek	6,882	6,144	-738	-10.7%
Tri-Cities*	68,088	69,083	995	1.5%
Union*	7,864	8,389	525	6.7
West Carrollton	10,012	9,720	-292	-2.9%
Western Regional	81,412	82,535	1,123	1.4%

Table 6: Preble County Facility Planning Areas				
FPA Name	2010 Population	2040 Projection	Numeric Change	Percent Change
Camden	2,077	2,036	-41	-2.0%
College Corner	266	303	37	13.9%
Eaton	8,930	8,026	-904	-10.1%
Eldorado	606	606	0	0.0%
Gratis	962	885	-77	-8.0%
Lakengren	3,400	2,574	-826	-24.3%
Lewisburg	2,003	1,962	-41	-2.0%
New Paris	2,697	2,529	-168	-6.2%
Verona*	730	807	77	10.5%
West Alexandria	1,789	1,693	-96	-5.4%
West Manchester	592	593	1	0.2%

* These Facility Planning Areas cross county lines and have population in two counties.

At a future date MVRPC and/or Ohio Department of Transportation might make updated TAZ-based population projections incorporating the DSA's latest projections for county population. At that time, MVRPC will further update these FPA population projections.

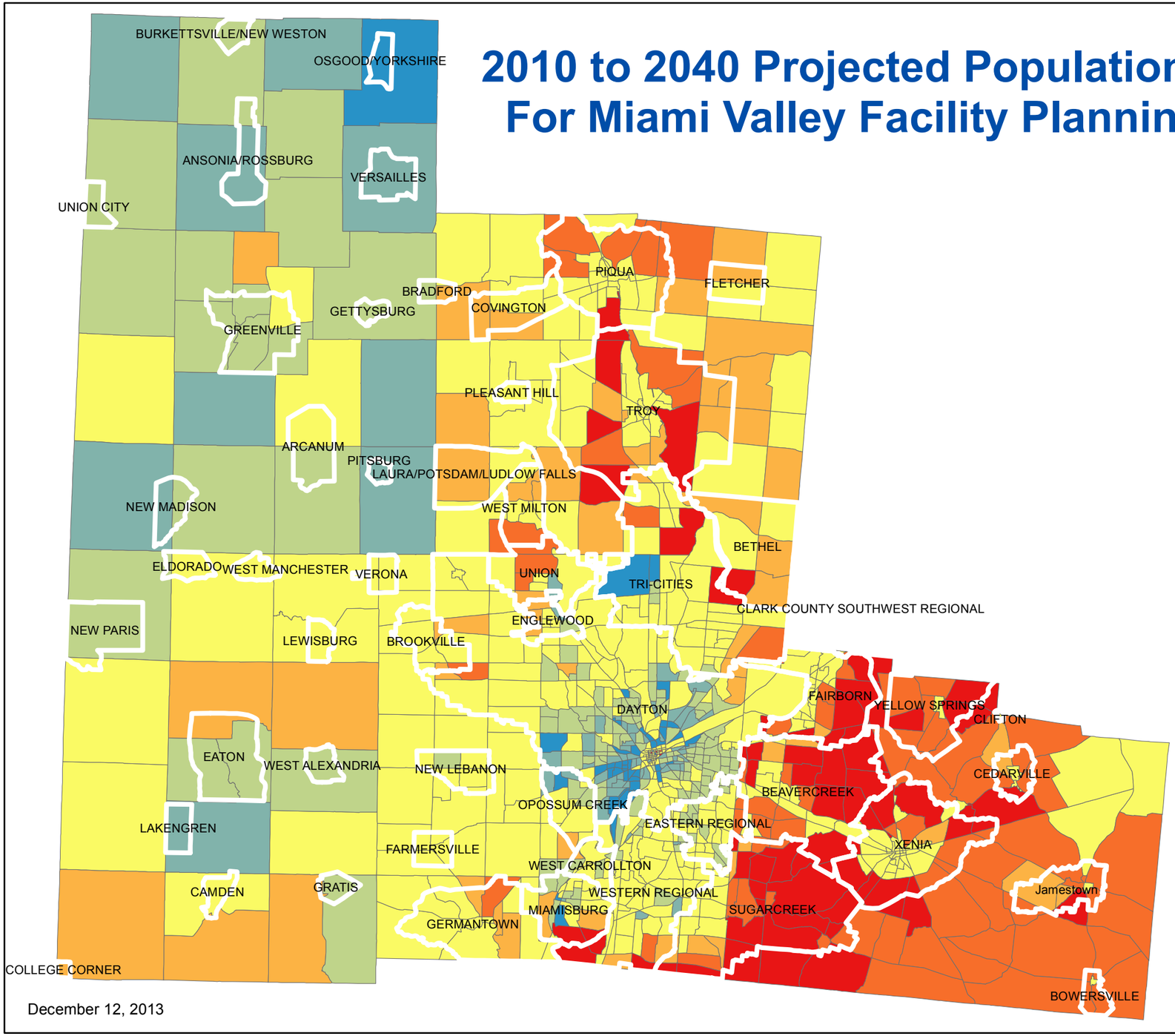
General Conclusions

- Using different sources for the TAZ data has some visible effects upon this analysis. The ODOT-developed TAZ in Preble and Darke Counties are much larger than those developed by MVRPC in the more urbanized counties (Greene, Miami, and

Montgomery). The rural/urban split was joined in the different conclusions about 2040 population. ODOT uses the Development Services Agency's projections for county population, which indicate slower growth and some significant decreases for the region over the next decades. MVRPC's projections for the MPO counties foresees modest population gains in Greene and Miami Counties balanced by less severe population losses in Montgomery County.

- There are discrete areas outside of any Facility Planning Areas that are predicted to see high population growth, particularly in southern and eastern Greene County. These areas may need to be considered for inclusion in future FPA expansion areas.
- Several established communities (e.g. Piqua, Troy, Centerville, Union, Fairborn, Xenia, and Jamestown) show a development pattern with future growth areas near the edges of the current FPA boundaries. Extensions of sewer infrastructure are expensive and represent additional, permanent commitment to maintenance. Efforts to direct development and redevelopment to the existing sewer service areas may represent a more sustainable path.

2010 to 2040 Projected Population Change For Miami Valley Facility Planning Areas



December 12, 2013

This map breaks down the projected population change for Miami Valley Facility Planning Areas (FPA) into Traffic Analysis Zones developed by the Ohio Department of Transportation (Preble and Darke Counties) and the Miami Valley Regional Planning Commission (Greene, Miami and Montgomery Counties). Warmer colors (red and orange) indicate positive population change. Cooler colors (blue and green) indicate population reductions between 2010 and 2040. Aggregate population change for each FPA can be found in the tables.

Legend

Traffic Analysis Zones (TAZ)

Projected Percent Population Change

- 25% Decrease or more
- - 25% to -15%
- -15% to -5%
- -5% to +5%
- 5% to 15%
- 15% to 25%
- 25% Increase or more
- FPA Areas

0 2.5 5 10 15 20 Miles

N