

APPENDIX J

COASTAL NONPOINT POLLUTION CONTROL PROGRAM AND OHIO NONPOINT SOURCE MANAGEMENT PROGRAM

The Coastal Nonpoint Pollution Control Program

As a part of the Coastal Zone Act Reauthorization Amendments of 1990 (CZARA), Congress created a stand-alone provision, Section 6217 (not an amendment of the CZMA), which requires that states and territories with approved coastal management programs develop a Coastal Nonpoint Pollution Control Program. The program must be submitted to NOAA and U.S. EPA for approval, and be implemented through changes to both the state coastal management program and the nonpoint source management program (Section 319, federal Clean Water Act). The State of Ohio will submit its updated Nonpoint Source Management Program as the basis for an approvable Coastal Nonpoint Pollution Control Program to NOAA and U.S. EPA within 30 months of approval of the OCMP (see letter from ODNR to NOAA on this matter at the end of this appendix).

The central purpose of Section 6217 is to strengthen the links between federal and state coastal management and water quality programs to enhance state and local efforts to manage land-use activities that degrade coastal waters and coastal aquatic habitats. To accomplish this purpose, the statute seeks to improve the states' and local governments' capabilities to control activities that affect coastal waters through implementation of management measures. In conformity with U.S. EPA guidance published under Section 6217(g), states may need to develop additional management measures determined necessary to achieve and maintain water quality standards. For example, additional management measures may need to be developed by the State of Ohio to address localized problems resulting from particular activities or land uses, or to manage critical coastal areas adjacent to impaired or threatened coastal waters.

Management Measures Guidance

Section 6217(g) of the CZARA requires U.S. EPA to publish (and periodically revise) "guidance for specifying management measures for sources of nonpoint source pollution in coastal waters." Management measures are defined in Section 6217(g)(5) as:

economically achievable measures for the control of the addition of pollutants from existing and new categories and classes of nonpoint sources of pollution, which reflect the greatest degree of pollutant reduction achievable through the application of the best available nonpoint pollution control practices, technologies, processes, siting criteria, operating methods, or other alternatives.

Guidance on such management measures has been published by the U.S. EPA in a document titled "Guidance Specifying Management Measures for Sources of Nonpoint Pollution in Coastal

Waters" (Office of Water, 840 B-92-002. U.S. Environmental Protection Agency, Washington, D.C. 20460, January, 1993). The guidance focuses on five major categories of nonpoint sources that impair or threaten coastal waters nationally: agricultural runoff; urban runoff (including developing and developed areas); silvicultural (forestry) runoff; marinas and recreational boating; and hydrologic modifications, dams and levees, and shoreline erosion. U.S. EPA has also included management measures for wetlands, riparian areas, and filter strips that apply generally to various categories of nonpoint source pollution.

The Requirements of Section 6217

Each state program shall provide for the implementation of management measures in conformity with guidance published by the Administrator, U.S. EPA, and shall contain the following:

1. An identification of land uses that individually or cumulatively cause or contribute significantly to degradation of coastal waters.
2. An identification of critical coastal areas adjacent to coastal waters, within which any new land uses or substantial expansion of existing land uses shall be subject to management measures in addition to those otherwise provided for in the program.
3. Management measures - implementation and continuing revision of additional management measures applicable to land uses and areas identified in 1 and 2 above.
4. Technical assistance - provision of technical assistance to local governments and the public for implementing measures referred to in 3 above (e.g., assistance in developing ordinances and regulations, training, demonstration projects, financial incentives).
5. Public participation - opportunities for participation in all aspects of the program.
6. Administrative coordination - establishment of mechanisms such as joint review, memoranda of agreement, or other mechanisms to improve coordination among state agencies and between state and local officials responsible for land-use programs and permitting, water quality permitting and enforcement, etc.
7. State coastal area boundary modification - a proposal to modify the boundaries of the state coastal area if the coastal management agency of the state determines it is necessary to implement recommendations that may be made by the Secretary of Commerce regarding the inland boundaries of the coastal area. The state may elect not to change the Coastal Management boundary if it can demonstrate that it has the necessary enforceable policies and mechanisms to ensure 6217 implementation by networking other state authorities.

Developing the Ohio Coastal Nonpoint Pollution Control Program

Ohio's coastal nonpoint pollution program will be accomplished through changes to the approved Ohio Nonpoint Source Management Program and to the OCMP. Within ODNR, the Coastal Management Section, REALM, will work with the Division of Soil and Water Conservation (DSWC), which was ODNR's lead entity coordinating the development of the Ohio Nonpoint Source Management Program, to develop coastal nonpoint source initiatives and program strategies. The National Estuarine Research Reserve Program in the Division of Natural Areas and Preserves will participate in the development and implementation of the coastal nonpoint program as part of ODNR's continuing effort to fully integrate the OWC-NERR into the OCMP's broad-based approach to managing Lake Erie's coastal resources.

The development of the coastal nonpoint pollution control program will update and expand the existing Ohio Nonpoint Source Management Program. Ohio's program has been an aggressive program, harnessing state, local, federal and private resources and initiatives. ODNR is confident that the coastal nonpoint program can be developed effectively within that framework.

A team comprised of Ohio EPA's Division of Surface Water (DSW) and ODNR's DSWC staff will lead the development and implementation of Ohio's coastal nonpoint pollution control program. The Coastal Management Program, REALM, will coordinate program development, seek funding assistance, and ensure the involvement of the OWC-NERR, the Lake Erie Office and other relevant state, local and federal agencies. Coordination mechanisms for the OCMP described in Chapter 4 and the cooperative agreement embodied in the Memorandum of Understanding between ODNR and Ohio EPA (Appendix E) will enable the state to develop and implement the necessary management measures for nonpoint source pollution to restore and protect Lake Erie coastal area waters.

Current Means to Address Coastal Nonpoint Pollution Control

The following is a description of the authorities and programs the State of Ohio currently uses to address the five major categories of nonpoint sources (and wetlands) that are identified in the U.S. EPA Guidance.

Urban Runoff

Urban storm water pollution is fast becoming the most serious type of water pollution affecting Ohio's streams and nearshore areas. Although other sources, such as agricultural runoff, are more widespread and contribute a larger total pollutant load, urban storm water pollution is increasing, and the programs associated with its control are still largely in their infancy.

Although several agencies have some regulatory control over urban storm water, Ohio EPA's is the most comprehensive. Any discharge of wastewater from a point source must be permitted under O.R.C. § 6111.04. Construction and industrial activities resulting in such discharges must obtain

either an individual or general NPDES permit. Dischargers must file a Notice of Intent (NOI), informing Ohio EPA of their desire to obtain or renew coverage under a general permit. Additional information is required for individual discharge permits. Ohio EPA's program is authorized under federal regulations (40 C.F.R. Part 122).

While the industrial portion of the storm water permit program is proceeding well, problems abound for the construction site permit program. Because of their transient and ubiquitous nature, it is difficult for Ohio EPA to keep abreast of the thousands of construction sites across the state. To help meet this need, ODNR's Division of Soil and Water Conservation (DSWC) provides approximately \$75,000 per year to county Soil and Water Conservation districts (SWCDs) to review building permit applications and compare them with NOIs in their jurisdictions. For sites without NOIs, the districts contact the site operators and inform them of their responsibilities and offer assistance in preparing a Storm Water Pollution Prevention Plan (SWPP). SWCDs provide follow-up visits in cooperation with Ohio EPA district staff.

It should be noted that several types of construction sites are exempt under the NPDES program, principally small sites under 5 acres. These sources of pollution are generally controlled by counties under O.R.C. § 307.79, or municipalities under Article XVIII, Section 3 of the Ohio Constitution.

Standards for construction site erosion control and pre- and post-storm water management from development sites are set by the DSWC under O.R.C. §1511.02. "Rainwater and Land Development" (1996) contains applicable best management practices. The division, with the help of the Natural Resources Conservation Service (NRCS), provides technical assistance and training to SWCDs and Ohio EPA field staff.

Other controls are available to reduce urban storm water pollution but are less often applied, e.g., Division of Wildlife authority under O.R.C. Chapter 1531 to prevent stream litter and/or other discharges that kill and/or endanger wild animals, including stream life.

Agricultural Runoff

Agricultural pollution in Ohio is covered by a multiplicity of laws, rules and regulations. Principal among these is the DSWC's authority to control erosion on agricultural and forest lands and animal wastes discharges. The division's authority is contained in O.R.C. § 1511.02, which authorizes the promulgation of rules for management practices and plans and their enforcement. The division is authorized to carry out the agricultural pollution abatement program through county SWCDs, which provide on-site technical assistance and investigation of pollution complaints. The division is authorized to provide cost-sharing to land owners for the installation of management practices and provide grants to SWCDs to help implement pollution abatement programs. In state fiscal year 1996, over \$1.0 million was provided for these purposes. Along with implementation program funding, the division also develops standards and provides training to SWCD staff and

agricultural producers. These functions are often shared with the NRCS and the Cooperative Extension Service.

Ohio has a very strong SWCD program, with 88 separate districts employing over 400 staff. This, coupled with nearly 270 NRCS staff, provides a solid foundation to carry out agricultural pollution control programs across the state. SWCDs are empowered to provide technical assistance to producers, prepare and approve farm conservation plans, and enter onto private property to make natural resources inventories and other purposes under O.R.C. § 1515.08. SWCDs may also enter into agreements with DSWC to implement agricultural pollution abatement rules. At this time, all districts in Ohio are cooperating with the division for agricultural sediment, silvicultural erosion and animal waste pollution abatement.

Agricultural pollution control also falls under the purview of Ohio EPA, which is responsible for enforcing state water quality standards and issuing NPDES permits to livestock operations exceeding 1000 animal units. Such permits are often reviewed by SWCDs and ODNR, who provide technical suggestions to Ohio EPA.

The ODNR (Division of Soil and Water Conservation), Ohio EPA, Cooperative Extension Service and NRCS combine to provide an extensive educational and technical assistance capability in Ohio. Such resources are instrumental in conducting dozens of watershed projects focusing on agricultural pollution control throughout Ohio. These resources and high level of cooperation were responsible for the state achieving large reductions in sediment and phosphorus transport to Lake Erie in support of the U.S.-Canada Water Quality Agreement.

Agricultural pesticide use and distribution is controlled by the Ohio Department of Agriculture (ODA) under O.R.C. § 921. ODA is also responsible for implementing provisions of the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA) in Ohio, including certification and training of pesticide applicators, registering sellers, testing products and enforcement. DSWC can establish standards for management practices affecting sediment-bound pesticide, but has not done so, relying instead on an array of agricultural management practices developed by the NRCS.

The Division of Wildlife within the ODNR often cites agricultural sources of pollution. Under O.R.C. Chapter 1531, the division has authority to issue citations for fish kills associated with any source; however, manure discharges routinely account for a large percentage of fish kill citations each year. The division also has broad authority to cite potential and actual cases of pollution under its stream litter laws. Wildlife's strong authority stems from its ownership of all wild animals including all stream life. The division also has peace-keeping powers similar to sheriffs and municipal police officers.

Silvicultural Runoff

In general, few water quality problems are associated with forestry operations within the coastal area, primarily because there is very little forest acreage within the Ohio portion of the Lake Erie Basin. However, erosion problems associated with forestry operations are controlled by the DSWC, working in concert with ODNR's Division of Forestry. DSWC's authority is contained within the same chapter as that for agricultural operations, 1511.02, of the Ohio Revised Code. Both divisions provide training to forest operations personnel in the proper use of best management practices. When pollution problems occur, they are reported to DSWC, which uses the SWCDs to investigate them and make recommendations, just as is done with agricultural pollution. The ODA controls the use of pesticides on forests, as it does with other commercial crops.

Hydrologic Modification

Nonpoint source impacts from hydromodification activities include short and long term water quality degradation, destruction of aquatic habitat and impairment of beneficial functions of Ohio's waters. Ohio uses the following programs and authorities to address these impacts.

Ohio EPA has denied or conditioned Section 401 Water Quality Certification for nationwide permits for hydropower projects, bank stabilization, headwaters and isolated waters, and boat ramps.

Since 1989, ODNR, through the Divisions of Natural Areas and Preserves (DNAP), SWC, Forestry, and Wildlife have been working together to promote and demonstrate biotechnical engineering solutions to restore stream banks and improve aquatic habitat. The Division of Forestry's Stewardship Incentive Program (SIP) provides financial assistance up to 75 percent for landowners to stabilize stream banks and riparian corridors with woody vegetation. ODNR is working with county engineers to demonstrate BMPs to improve habitat on local agricultural ditches. And, the Division of Wildlife in conjunction with its ownership of the state's fish and wildlife resources and its enforcement authorities over the illegal killing of fish or wildlife, provides technical information to help assure protection of these resources during and following hydromodification activities.

DSWC through its NatureWorks Program and state nonpoint source pollution control funding is emphasizing riparian area protection and restoration of stream habitat. More than \$500,000 in state funds have been devoted to this purpose in the coastal area over the past two years. In addition, several divisions are preparing educational fact sheets for landowners on stream restoration; practices described in the fact sheets have been published as part of the post-development BMPs for construction sites.

The state Scenic Rivers Program administered by DNAP discourages hydromodification projects that would affect the natural qualities for which a scenic river has been designated. O.R.C. §1517.16 prohibits channel modifications within any wild, scenic or recreational river without plan approval by the Director of ODNR.

ODNR and Ohio EPA are cooperating to develop stream management policies that emphasize preservation. The agencies are cooperating to produce a video demonstrating BMPs and a Stream Management Notebook that will update the 1986 Ohio Stream Management Guide. ODNR is cooperating with SWCDs to initiate and/or complete restoration and enhancement of riparian habitat along 1,000 miles of stream per year.

Submerged lands leasing rules (O.A.C. 1501-6-01 through 06) stipulate that ODNR's review of any proposed project that would occupy the waters of Lake Erie and underlying lands must use information and findings of the Ohio Nonpoint Source Management Program.

Marinas

Marinas represent the only source category identified in the 6217 Guidance that is not explicitly addressed by the Ohio Nonpoint Source Management Program. As a result, this source has not been a significant focus of nonpoint source pollution control efforts in the State of Ohio. However, several authorities and programs are used to control marina-associated pollution.

The Ohio Department of Health (ODH) regulates marina construction, operation and maintenance under O.R.C. § 3733.21 through 3733.30 and O.A.C. 3701-35 (see Chapter 5, Policy 32). The intent of the marina law and regulations is to ensure that Ohioans using recreational watercraft, as well as surrounding areas, will be protected from unsafe drink in water, pollution hazards from improperly disposed wastes, accident hazards, and other unsanitary conditions. Marinas that provide dockage for watercraft with installed sewage holding tanks must provide sewage pump-out facilities (O.R.C. 3701-35-05).

ODH also administers the Clean Vessel Act to financially assist marina facility owners in the construction, renovation, operation, and maintenance of pump-out and dump stations for recreational watercraft. Eligible activities also include those necessary for storage and transport to sewage treatment facilities as well as information and education programs targeted to recreational boaters.

Marina construction is subject to the Ohio EPA NPDES storm water permit requirement for any earth-disturbing activity of greater than 5 acres, as described above with respect to Urban Runoff. Certain activities associated with marina operations are covered by this requirement as well. Those portions of marina facilities that are considered transportation-related are regulated. This entails such activities as mechanical repairs, fueling, painting, lubrication and equipment cleaning operations.

Under the Ohio EPA's Section 401 Water Quality Certification authority, the state has limited nationwide permit #36 to disallow authorization for boat ramps where dredging is required to establish water depths necessary for boat launching. And Ohio EPA has conditioned nationwide permit #33 for temporary construction, access and dewatering to disallow construction, maintenance or modification of marina basins.

Wetlands

In addition to the urban, agricultural, marina, silvicultural and hydromodification authorities and programs that in part can be used to address nonpoint source pollution in wetlands, the State of Ohio relies upon a rigorously enforced Water Quality Certification (Section 401) program. The following is a general description of that program as it relates to wetlands water quality protection. For a more thorough discussion of Ohio's enforcement of this program, see Chapter 5, Policy 12, and Appendix K.

In Ohio, wetlands are designated "state resource waters" (O.A.C. 3745-1-05(C)). Present ambient water quality may not be degraded for all substances determined to be toxic or to interfere with any designated use as determined by the Director, Ohio EPA. Existing uses must be maintained and protected. No lowering of water quality is allowed at all in "state resource waters." The discharge of dredged or fill material is prohibited unless the director determines that the activity will not interfere with the attainment or maintenance of water quality standards and will not result in a violation of any applicable provision of the CWA. And the director still may deny any Section 401 Water Quality Certification application if adverse long- or short-term impacts on water quality will result.

The State of Ohio's authority over wetlands extends beyond the scope of the Corps' Section 10/404 permit requirements. State law provides that the Director, Ohio EPA, may certify or deny certification to any applicant for **any** federal license or permit to conduct an activity that may result in a discharge into state waters (O.R.C. 6111.03(P)).

For approved Section 401 Water Quality Certifications that entail wetland mitigation, annual water quality monitoring is often required. Generally, grab samples are to be obtained each May and analyzed for ammonia, nitrates, total nitrogen, total and ortho-phosphorus, total organic carbon, total sulfates, total iron, total manganese, specific conductivity, pH, turbidity, total suspended solids, metals and biochemical oxygen demand.

Ohio Water Quality Certification has been denied for the following nationwide permits: 16 - return water from upland confined disposal sites, 17 - discharges associated with hydropower projects, 21 - surface coal mining activities and 23 - approved categorical exclusions. In addition, State of Ohio general conditions apply to nationwide permit numbers 3 through 7, 12 through 15, 18, 20, 22, 26, 27, 32 through 34, 37, 38 and 40. General conditions include insurance of bank stability, immediate repair of equipment-related damages and care in avoidance of unnecessary turbidity throughout the duration of the project. Ohio EPA has imposed specific conditions with respect to wetlands on several nationwide permits, as follows:

12. Utility Line Backfill and Bedding - In wetlands, at least the top 6 inches of backfill over a utility line shall consist of the topsoil material removed from the trench. Utility line installations greater than 1,000 feet in length are not authorized in forested wetlands.

26. Headwaters and Isolated Waters Discharges - Discharges in isolated wetlands and wetlands adjacent to headwaters where more than 5 acres would be adversely affected are not authorized. The nationwide permit will not authorize discharge into bogs or fens.

29. Single-family Housing - Discharge into bogs; fens; wetlands adjacent to headwater lakes; state scenic rivers; designated Coldwater, Exceptional Warmwater or Seasonal Salmonid aquatic life habitat streams; or into Lake Erie or any wetlands adjacent to Lake Erie is not authorized.

With respect to wetlands restoration (Management Measure B), the State of Ohio is using numerous programs in an increasingly aggressive manner to protect and restore wetlands. These are discussed in greater detail in Chapter 5, Policy 12. They are ODNR's State Nature Preserve Program, which includes approximately 1,200 acres of coastal wetlands; ODNR's Division of Wildlife's acquisition and land management programs, which, with completion of several new projects, will include approximately 6,900 acres of wetlands; and ODNR's state park system which now includes approximately 1,400 acres of coastal wetlands.

In addition, the Lake Erie Marshes is a focus area of the NAWMP and, as such, is of the highest priority for restoration projects with private landowners. Through 1995, ODNR's Division of Wildlife has assisted in restoration of more than 650 acres of previously drained coastal wetlands. And the Division of Soil and Water Conservation has cooperated with the U.S. Natural Resources Conservation Service to protect 250 acres of wetlands in coastal counties by offering piggy-back funding for the Wetlands Reserve Program (WRP) targeted at riparian wetlands. More than 500 additional acres in riparian areas of the Maumee River watershed are expected to enhance water quality in the Lake Erie basin, using SWC's added incentives to the WRP. ODNR's Division of Natural Areas and Preserves, through its Scenic Rivers Program, cooperates with the Ohio EPA and ODNR's DSWC to encourage watershed protection on designated streams with the aim of applying proper storm water management techniques and nonpoint source pollution control. (Segments of five Lake Erie tributaries have been designated as state Scenic Rivers.)

The Lake Erie Commission, in its 1996-1998 Strategic Plan, has identified the need to address "Loss of Habitat" and "Nonpoint Source Pollution" as two of its highest priorities, in part recommending that these areas continue to be high priorities for Lake Erie Protection Fund funding. Grants now will be available for property acquisition and for plan development in implementing measures that protect coastal wetland habitat. Projects that promote implementation of new and innovative practices to reduce urban nonpoint pollution and to support watershed planning and management to reduce agricultural nonpoint source pollution are also encouraged.

A statewide wetlands inventory has been developed to assist wetlands regulation, monitoring and enforcement, acquisition and protection strategies, and planning and management efforts. ODNR's Division of Wildlife manages this remotely sensed satellite imagery inventory.

The use of engineered vegetated treatment systems (Management Measure C) for pollution control has been underway in Ohio for nearly a decade. ODNR began to experiment with this method of pollution control in the late 1980s on several streams affected by acid mine drainage. More recently, wetlands have been constructed to treat feedlot runoff and milk house waste discharges from livestock operations. Using state NatureWorks funds, wetlands treating home septic system effluent will be demonstrated in Clermont County this year. All of the systems installed to date have been successful; however, some maintenance problems, such as destruction of plants by muskrat and beaver, need to be overcome.

In the Maumee River basin, the Blue Creek wetlands restoration project was designed to study the effectiveness of wetlands in removing agricultural pollutants. A task force was formed in 1989, and a grant from the Ohio EPA and U.S. EPA was used to hire Dr. William Mitsch of The Ohio State University to conduct a preliminary feasibility study. (Dr. Mitsch is an internationally recognized wetlands expert and a pioneer in the development of engineered wetlands.) Representatives of eight public agencies (including Ohio EPA, ODNR and TMACOG) and universities form the task force. Continuing research on contaminant pathways and agricultural runoff is being conducted through the University of Toledo, Bowling Green State University and Heidelberg College.

Use of engineered systems is addressed in the short- and long-term strategies of the Ohio Wetlands Strategy. It is a recommended short-term goal to collaborate in pilot and full-scale studies on the use of created wetlands for treating domestic and industrial wastewater. The long-term recommended goal includes an interim goal of 50,000 acres of wetlands and riparian ecosystems restored or created by the year 2000 and an overall goal of 400,00 acres by the year 2010.

The Ohio Nonpoint Source Management Program

The State of Ohio has developed a statewide nonpoint source management program that consists of the Ohio Nonpoint Source Assessment (Assessment) and the Ohio Nonpoint Source Management Program (Management Program). The development of the Assessment was coordinated by the Ohio EPA (DSW) and was approved by the U.S. EPA in April, 1989. ODNR (DSWC) coordinated the development of the Management Program, which was approved by U.S. EPA in December, 1989. It is an aggressive program that demonstrates Ohio's strong and long-term commitment to reducing nonpoint source pollution entering the state waters. State and county agencies, federal agencies, universities, and nonprofit organizations initiated and continued the implementation of over 100 statewide, watershed, county and municipal nonpoint source projects with federal, state and local fund support since 1990. Many of these projects directly affect coastal waters or are in the Lake Erie watershed. A copy of the State of Ohio Section 319 Annual Report, may be obtained from Ohio

EPA, Nonpoint Source /Clean Lakes Unit, Division of Surface Water, P.O. Box 1049, 1800 WaterMark Drive, Columbus, Ohio 43216-1049.

The Ohio Nonpoint Source Assessment was updated in 1990 in part as a result of suggestions made in public comments on the 1988 Assessment to make it easier to use. The 1990 update reorganizes the Assessment into five regional volumes including Lake Erie West and Lake Erie East that comprise the Ohio watershed area of Lake Erie. The regional volumes are complete and provide an excellent reference to streams and lakes within specific drainage basins and to ground water contamination problems. The Assessment provides information on seven categories and 25 subcategories of sources of nonpoint source pollution as defined within programs administered by U.S. EPA.

The Ohio Nonpoint Source Management Program uses some authorities of state and local government. The program has a large number of activities that were initiated at all levels of government. These projects are managed and implemented through cooperative agreements between state agencies, state and federal agencies, state and local agencies, and public and independent agencies.

The Ohio Nonpoint Source Management Program has implemented many projects in the Lake Erie watershed and coastal waters. Examples include:

- Enhancing Phosphorus Reduction Efforts from Agriculture in the Maumee River Remedial Action Plan Area of Concern (Project Manager: ODNR; Federal Cost = \$198,986; Local and State Cost = \$100,000)
- Enhancing Phosphorus Reduction Efforts from Agriculture in the Central and Eastern Lake Erie Drainage Basin (Project Manager: ODNR; Federal Cost = \$198,986; Local and State Cost = \$100,000)
- Upper Tiffin Watershed Protection PL-566 (Responsible Agency: SCS; Project Manager: Ohio EPA; Federal Cost = \$60,000; Local and State Cost = \$0)
- Ottawa County Paired Watershed Study (Responsible Agency: Ottawa Soil and Water Conservation District; Project Manager: Ohio EPA; Federal Cost = \$50,000; Local and State Cost = \$33,333)
- Cuyahoga Remedial Action Plan Nonpoint Source Education Project (Responsible Agency: Cuyahoga River Community Planning Organization; Project Manager: Ohio EPA; Federal Cost = \$30,000; Local and State Cost = \$10,000)
- Ottawa River/Swan Creek Urban Runoff Control (Responsible Agency: Toledo Metropolitan Area Council of Governments; Project Manager: Ohio EPA; Federal Cost = \$63,000; Local and State Cost = \$63,000)

- East Branch Rocky River Urban Nonpoint Source Project (Responsible Agency: Cuyahoga Soil and Water Conservation District; Project Manager: Ohio EPA; Federal Cost = \$63,000; Local and State Cost = \$42,000)
- Non-Agricultural Phosphorous Reduction in Lake Erie (Project Manager: ODNR; Federal Cost = \$100,000; Local and State Cost = \$99,000)
- Old Woman Creek Nonpoint Source Project (Responsible Agencies: Erie County Soil and Water Conservation District, ODNR; Project Manager: ODNR; ASCS has awarded \$187,000 in special water quality funds to the watershed)
- Water Quality Impact of No-Till and Fall Plow Systems with High and Low Input (Responsible Agency: The Ohio State University - Ohio Cooperative Extension Service; Project Manager: Ohio EPA; Federal Cost = \$50,084; Local and State Cost = \$13,208)
- Accelerating Awareness and Use of Prescription Farming (Project Manager: ODNR; Federal Cost = \$21,000; Local and State Cost = \$14,000)
- Maumee River Remedial Action Plan (Project Manager: Ohio EPA; Federal Cost = \$641,000 awarded for land use management measures and technical assistance)
- Black River Remedial Action Plan (Project Manager: Ohio EPA; \$200,000 awarded for a conservation equipment buy-down program, and technical assistance to land users in applying for conservation practices)

The program also uses enforceable authorities to control certain activities that may cause nonpoint source pollution. Agricultural pollution abatement rules enacted by ODNR's DSWC (O.A.C. 1501:15-5-01 through 1501:15-5-16) provide enforcement authority to correct agricultural and silvicultural erosion and animal waste discharges. Ohio EPA, under O.A.C. 3745-33-02 can issue NPDES permits and PTIs to agricultural animal confinement facilities for more than 1,000 animal units that are not excluded by 40 C.F.R. § 124.11.

Ohio EPA administers NPDES stormwater discharge permits for medium sized cities (Toledo, in the coastal area) and for industries under authority of O.R.C. § 6111.03(J) and 6111.03(5), in accordance with O.A.C. 3745-33 and 3745-38. (Such permits also apply to large sized cities such as Cleveland, but Cleveland is not required to file for a permit because larger portions of the city are served by combined sewers.) The definition of "industry" covered by these regulations includes landfills, hazardous waste facilities, transportation facilities, steam electric generating facilities and construction activities disturbing more than 5 acres in addition to numerous standard industrial classification facilities. The Ohio Department of Agriculture enforces regulations concerning the use of pesticides, including sanitizers, germicides, insecticides, fungicides, rodenticides and herbicides

(O.R.C. § 921.0 to 921.28 and O.A.C. 901:5-11). Local health departments regulate on-site treatment systems for 1- 2-and 3-family dwellings and manage sanitary landfills. Minimum standards are established by O.R.C. § 3701.34.

ODNR's Division of Wildlife has authority to cite, arrest and/or fine for several types of nonpoint source pollution to protect the state's wildlife resources. DOW has prosecuted cases involving thermal waste, pesticide, fertilizer and other pollutants when fish and other wild animal kills have occurred.