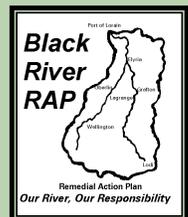


2007 Annual Report

Black River Remedial Action Plan



The East Branch Falls



The purpose of this Annual Report is to inform the watershed community on the progress made by the Black River RAP in its efforts to restore impairments to beneficial uses in the Black River watershed Area of Concern.

The Annual Report provides background information on many of the projects being undertaken by the RAP and its members.

If you would like more information on any of the topics covered in this Annual Report or would like to join the effort to restore the Black River, please to contact any of the RAP Coordinating Committee members that are referenced at the end of this report.



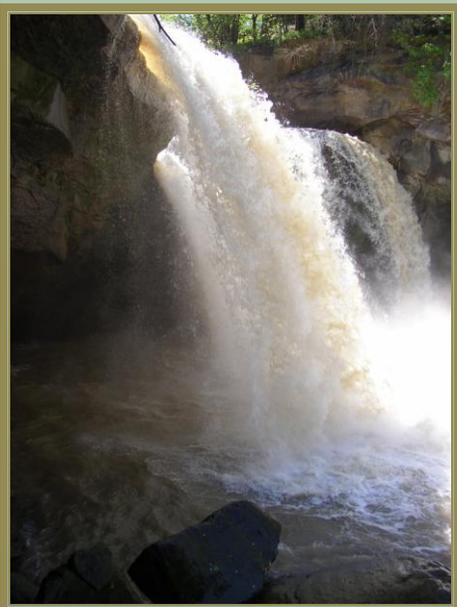
The East Branch of the Black River

Beneficial Use Impairments (BUIs)

The Great Lakes Water Quality Agreement, as amended, calls for remedial action plans (RAPs) to be developed to restore and protect any of 14 beneficial uses in Areas of Concern (AOC). An impaired beneficial use means a change in the chemical, physical or biological integrity of the AOC sufficient to cause any of the following:

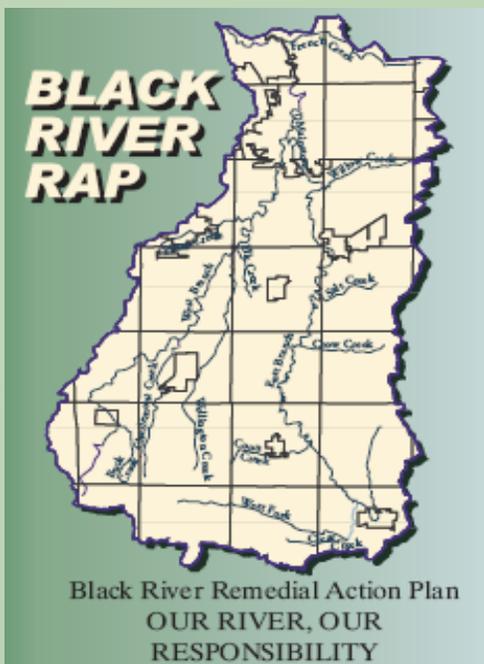
1. Restrictions on fish and wildlife consumption *
2. Tainting of fish and wildlife flavor
3. Degradation of fish or wildlife populations *
4. Fish tumors or other deformities **
5. Bird or animal deformities or reproductive problems ***
6. Degradation of benthos *
7. Restrictions on dredging activities *
8. Eutrophication or undesirable algae *
9. Restrictions of drinking water consumption, or taste and odor problems
10. Beach closings (recreational use) *
11. Degradation of aesthetics *
12. Added costs to agriculture or industry
13. Degradation of Phytoplankton or zooplankton populations ***
14. Loss of fish and wildlife habitat *

* Impaired in the Black River AOC
 ** In Recovery Phase
 *** Unknown, but impairment is unlikely



West Branch Falls In Elyria

AOC conditions, in a nutshell



Prepared by:

Black River Remedial Action Plan Coordinating Committee

Ken Pearce, Chair

Lorain County General Health
District

**Northeast Ohio Areawide
Coordinating Agency**
Black River RAP Secretariat

Anne Marie Vincent
US EPA RAP Liaison

Ted Conlin
Ohio EPA RAP Coordinator

Environmental Conditions

The communities of fish and other aquatic life are improving throughout many areas of the watershed.

Except for widespread violations of coliform bacteria criteria, water quality is generally meeting Ohio Water Quality Standards. There is a major concern for the amount of sediment and nutrient getting to the river system.

Although polynuclear aromatic hydrocarbons (PAH) levels in the lower river sediments have improved and are nearing levels expected for any urban setting, the sediments in the mainstem still contain elevated levels of metals and some organic compounds and cannot be openly disposed in Lake Erie.

Great Blue Heron numbers continue to increase in the lower mainstem.

Causes of Impairment

The loss and degradation of streamside vegetation continues to impact fish and wildlife communities and facilitates stream bank erosion.

High sediment loads continue to impact fish and benthic communities and decrease the aesthetics of the river system.

The amount of litter in the streams is degrading the aesthetic value of the resource.

Poorly maintained and failing home sewage treatment systems are a major source of coliform bacteria in the rural upper watershed areas. Combined sewer overflows continue to be a problem in the urbanized portions of the watershed.

Rapidly developing areas are increasing the imperviousness of the watershed and leading to flashier stream flows and erosion of stream banks.

MESSAGE FROM THE CHAIR

By Ken Pearce, Chairman of the Black River RAP Coordinating Committee and Commissioner of the Lorain County General Health District

In efforts to restore and protect natural resources such as the Black River watershed, it is becoming increasingly evident that we might have to learn hard lessons on how to protect ourselves from ourselves. In the past, little attention was paid to what we were dumping into the Black River and the river suffered from the neglect. Sad to say, but things got so bad that our Black River became known as the 'river of fish rumors' and 'the main sewer line into Lake Erie.' The neglect was not only local; it was negligence on a national scale. It was not until the Cuyahoga River caught on fire did national attention turn toward the degraded conditions of the national river systems, but, by then, it was almost too late for many river systems. It actually took a burning river to finally set off a national alarm on environmental stewardship. By then, it was almost too late for our Black River but over time, the Black River has reaped some benefits.

In 2004, the contact advisory, that warned citizens to limit contact with the waters and sediments, was lifted by the Ohio Department of Health. That same year, we celebrated the recovering health of the Black River's resident fish populations. In 2005, we were the first Area of Concern on the U. S. side of the border to completely delist impairment when the benthic community of organisms in our East Branch recovered to near exceptional levels. Yes, the Black River has witnessed major improvements.

But, as I see it, these celebrated successes had little to do with how local residents and decision-makers affected any positive changes in their own watershed. The celebrated improvements of 2004 and 2005

came by way of federal and state regulations. While we patted ourselves on the back for a job well done, land use impacts to water and habitat quality may have gotten worse.

The Black River RAP is trying to adjust its focus to rely less on federal and state regulations to continue towards improvement and to focus efforts more from initiatives generated and developed from within the watershed. We realize the watershed cannot revert to a pristine condition, but we also realize we can all do a better job. We all must become part of



the solution. In 1971, Walt Kelly noted in his comic strip, Pogo, that, 'we have met the enemy and he is us.' This is still true today. We must learn just how our actions affect the natural resources.

After rains, we see numerous media articles about flooding. Those of us who live in the watershed have, over the years, seen the lands of our watershed changing. I recently reviewed some land use data that showed an increase in impervious surfaces in the

watershed of 14.4% between 1992 and 2001. I have also reviewed data that may indicate that while river flow through the years has been increasing, rainfall in the area is remaining relatively constant.

As the landscape is covered with all the rooftops and parking lots, where do we think the rainwater will go? As more water gets to the streams, more flooding will occur. We must learn how to develop the watershed while respecting that the watershed is a critical and sensitive environment. The new initiative for the lower river may offer some insights that can be used throughout the watershed.

Driving around the watershed, I am often struck by the amount of debris in and along the river system. Old tires, car parts, appliances and general trash now dot the river's landscape. We must learn to reuse or dispose of unwanted items properly. Whatever is tossed on the land or applied to the yards and farm fields can and often does make its way to the river system. The upcoming Black River watershed TMDL report along with the new stormwater

regulations and the new initiative planned for the mainstem is a good start in restoring and protecting the Black River, but we must do more. (You can learn more about these later in this report.)

The Black River RAP has had some success and the recent sighting of a river otter promises more improvements to come. While new initiatives and regulations may help start the process, the local watershed stakeholders must strive to do more than what is minimally required. For those of us who call the Black River watershed their home, we must be willing to go beyond what is required; we must include what is right and necessary to protect our Black River.

It is our river. Ultimately, it is our responsibility.

We must learn how to live responsibly in our watershed. We must all become better stewards of our natural resources like our Black River watershed, before it is too late again.

WELCOME BACK, MR. OTTER! IT HAS BEEN A LONG TIME.

It has been decades since one of these playful animals were seen in the Black River. River otters were found to have an attractive and durable fur and which cost them dearly. By the early 1990s, over-trapping of Ohio's river otters decimated their numbers until hardly an otter could be found in the entire state and none could be found in the Black River basin.



A re-introduction of the otters began in 1986 and lasted for seven years. Although

no otters were introduced to the Black River watershed, it was hoped that their numbers would increase across the state and a few would eventually find their way back to the basin.

Apparently, the re-introduction worked for the state. In two decades, the estimated number of river otters in the Ohio increased, from 123 to more than 4300. The re-introduction seems to have been successful in the Black River watershed as well. On September 27, Anne Marie Vincent (U.S. EPA Black River RAP liaison) and Ted Conlin (Ohio EPA RAP Coordinator) spotted one in a tributary to French Creek. Members of the French Creek watershed group have seen this or other otters as well.

River otters are excellent swimmers. They can swim at an average of seven miles per hour and stay underwater for up to two minutes. And they are stealthy, barely making a ripple when swimming and diving. Otters are always a popular attraction at zoos because they are playful creatures; sliding, wrestling with each other, diving for and tossing rocks and clam shells, and toying with live prey.

River otters are seen as a sentinel species, or a species whose presence indicates good habitat quality and an abundance of fish. If the watershed is able to sustain a population of river otters, it is yet another sign of improving water and habitat quality in the Black River Area of Concern!

So, welcome back, Mr. Otter, it has been a while, but it is good to see you again.

AT A CROSSROADS; THE ECONOMY AND THE ENVIRONMENT

In the past, the economic well-being of a region or municipality forced the needs of the environment to be nearly forgotten. This fact led the Black River to its status as one of the most polluted river systems in the Great Lakes. As long as steel and ships and money were to be made, little concern was left over for environmental stewardship. For decades, the witches brew of wastes poured into the Black River from the factories and treatment facilities until the Black River became known as “the river of fish tumors” and “the sewer line to Lake Erie.”



In 2007, the Black River RAP started an initiative to try to merge the needs of regional economic development with the needs of the environment. The RAP Committee saw the recent economic



The Lower Black River in Lorain

woes of the City of Lorain and Lorain County. The RAP Committee took notice of reports of plans for redevelopment and urban renewal and wondered if economy would again rule the future of the mainstem. The RAP Committee decided it is not necessary to re-live the past during times of economic redevelopment.

The Committee, realizing the ultimate future of the Black River mainstem is at an important crossroads, decided to try to set into action a means of marrying economic development with responsible environmental stewardship.

Every person or organization has their own agenda and every person or organization also has their singular area of expertise. Many times, environmental people and organizations do not understand the critical need for local economic growth while developers and planners could use some assistance in understanding, planning for and incorporating environmental stewardship. Without a thriving economy, a city or region degrades. Without

environmental protection, we have seen the Black River degrade.

But, what if all parties could get together and develop a collaborative vision for the future of mainstem of the Black River and then work together to

achieve that vision? Starting in the summer of 2007, that is exactly what the RAP Committee has chosen to do. The Committee assembled a group of local stakeholders and environmental specialists to work on this effort. Eventually, it became evident the local group would need some professional help and turned to the Great Lakes National Program Office (GLNPO) of the U.S. EPA. GLNPO agreed with the importance of this initiative and has agreed to fully fund a study of the mainstem that will be grounded in the principles of stakeholder collaboration and participation. The vision and goals will be defined by a diverse array of environmental specialists, federal and state agencies, local citizens and interest groups, the City of Lorain and the Black River RAP.

Development of the plan is expected to take about 12 to 18 months. The process will begin in the spring of 2008 when a series of workshops will be scheduled. These workshops will provide the public and private stakeholders of the lower river an opportunity to become a part of the process by providing input and comment.

ON DECK, TWO IMPORTANT REGULATORY ISSUES

In 2008, two new and very important regulatory programs are coming to the Black River AOC.

In Phase II of the Storm Water Program, municipalities with a population less than 100,000 were required to apply for permit coverage by March 10, 2003. As part of that coverage, the municipalities are required to develop storm water management plans (SWMPs) that described how each municipality was going to institute controls on sources of storm water discharges that can cause environmental degradation. All the municipalities must fully implement their SWMPs by March of 2008. The Storm Water Program was designed to deal more with increasing flows of runoff water but will help lessen impacts to water and habitat quality. Information about the Ohio EPA Storm Water Program can be found on the web at:
www.epa.state.oh.us/dsw/storm/index.html

Also in 2008, the Total Maximum Daily Load (TMDL) Program comes to the Black River watershed. The TMDL program is required of any river, lake or stream system that is not attaining water quality goals. The TMDL report offers actions to help restore the watershed by either reducing the contaminant loads getting to the river or by increasing a stream's capacity to assimilate the contaminants. Many of the actions presented in the TMDL will require an increased level of participation by the watershed residents and stakeholders. More information about TMDLs can be found on the web at:

www.epa.state.oh.us/dsw/tmdl/index.html

Both of these programs can help restore the Black River AOC but only if there is sufficient local stewardship to plan for and accomplish what is necessary. Look for more information on these programs in later reports.

HOME SEWAGE TREATMENT SYSTEM VIDEO TO GO STATE-WIDE AND BEYOND

The new Black River RAP educational video on home sewage treatment systems has been receiving a lot of interest. The RAP Committee, realizing that impacts from these systems are not specific to our Area of Concern, has decided to make a special copy available to every county health department in the Ohio Lake Erie watershed.



The video will contain contact information that is specific for each county. From this starting point, the health departments can produce their own copies for distribution in their areas.

In addition, word has spread about our video effort and requests for this video have come literally from coast to coast. The Black River RAP has been contacted by the County of Los Angeles,

Department of Public Health and the Maine Health Beaches Program of the University of Maine Cooperative Extension Service/Maine Sea Grant, both asking for copies of the video. A small number of copies will be made available to any other health department around the state and country who request them.

In 2006, the Black River RAP received money from the Ohio EPA for this video effort. The video is being produced in association with the Lorain County General Health District and will discuss home sewage treatment systems (HSTS), the potential problems with these systems, the

need for routine maintenance, how to recognize system failure and who to contact should failure occur. A copy will be presented to every new and current HSTS owner in Lorain County at the time of system inspection by health department personnel.

The Black River RAP would like to thank Gay Eyerman, for scriptwriting; Marc Baskt, and his staff at the Lorain County Community College for videographic and production services and Stephanie Charles of the Lorain County General Health District for keeping the whole project organized.

RAP DELISTING GUIDELINES UNDER REVIEW

In 2005, the State of Ohio RAP Coordinators, representing the Ashtabula River, Cuyahoga River, Maumee River and Black River Areas of Concern, developed a guidance document that set targets for delisting the beneficial use impairments

Areas of Concern, can be found on the web at:

http://www.epa.state.oh.us/dsw/rap/DelistingTargetsOhioAOC_Final_June20-2005.pdf.

At the time, the Black River RAP Coordinating Committee adopted this document as their delisting guidance. Ohio's RAP Coordinators as well as the Black River RAP Committee are in the process of reviewing the delisting guidance in light of new monitoring approaches, especially with respect to possible changes to addressing the Fish Tumors and Other Deformities beneficial use impairment.

A request has been made by the U.S. EPA to all RAP organizations on the U.S. side to develop and adopt guidance principles for BUI delisting by the end of 2008. The guidance is to include targets and milestones. Look for more information on delisting guidelines and targets in future RAP annual reports.



Septic discharge to a small stream

(BUIs) for the four RAP areas in Ohio. This document, called *Delisting Targets for Ohio*



French Creek

**The Black River.
It is our river. It is our responsibility.**

Black River RAP Coordinating Committee Members

Local Jurisdictions

Lorain County General Health District
Ken Pearce, Chairman, Black River RAP

Lorain County Board of Commissioners
Commissioner Betty Blair

Lorain County Community Development Dept.
William Ulik
Dan Gouch, Local Watershed Coordinator

City of North Ridgeville
Cathy Becker

USDA/Natural Resources Conservation District
Karl Schneider

Lorain County Metro Parks
Dan Martin

NOACA
Andy Vidra

USDA/Natural Resources Conservation District
Karl Schneider

Lorain Soil & Water Conservation District
Robert Ternes

Medina Soil & Water Conservation District
Jeff VanLoon

City of Elyria
Terry Korzan

City of Lorain
Hon. Craig Foltin, Mayor

State/Federal Agencies

U.S. EPA
Anne Marie Vincent, RAP Liaison

Ohio EPA
Ted Conlin, State RAP Coordinator

OSU Sea Grant
David Kelch

Industry/Commercial Representatives

Lorain County Chamber of Commerce
Michael Challender

Lorain County Port Authority
Rick Novak

Lorain County Farm Bureau
Julie Hruby

Lorain County Community Alliance
Rebecca Gray

National Gypsum
Matt May

Citizen Representatives

Cheryl Wolfe-Cragin

Charles "Eddie" Herendorf

Brad Masi

Jennifer Wasilk

Black River RAP Contacts

Lorain County General Health District

9880 South Murray Ridge Road
Elyria, OH 44035
440-322-6367

Northeast Ohio Areawide Coordinating Agency

1299 Superior Avenue
Cleveland, OH 44114
216-241-2414

United States Environmental Protection Agency

Region V – Cleveland Office
25089 Center Ridge Road
Westlake, OH 44145
440-250-1720

Ohio Environmental Protection Agency

Northeast District Office
2110 East Aurora Road
Twinsburg, OH 44087
330-963-1200

Lorain Soil & Water Conservation District

42110 Russia Road
Elyria, OH 44035
440-366-4160

Medina Soil & Water Conservation District

6090 Wedgewood Road
Medina, OH 44256
330-722-2628, Ext. 3

Lorain County Community Development Department

226 Middle Avenue
Elyria, OH
440-328-2322

Lorain County Metro Parks

12882 Diagonal Road
LaGrange, OH 44050
440-458-5121