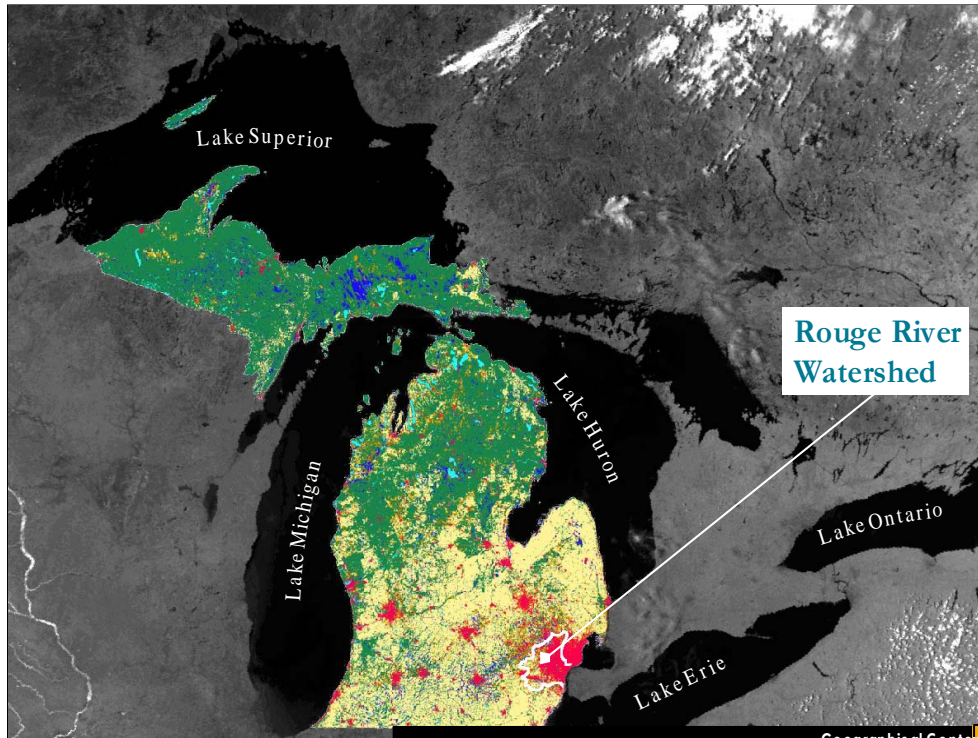




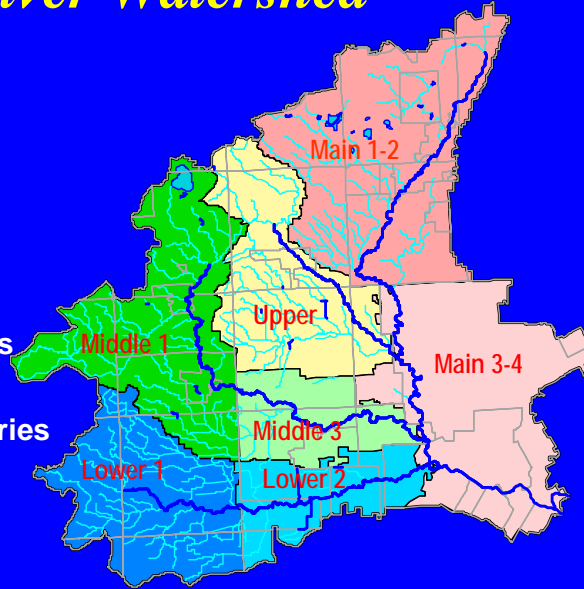
Since the early 1990s the Rouge River Watershed communities have worked together to meet the challenges of federal and state mandates and federal district court concerns about pollution problems in the River. What has been accomplished through this cooperative effort among local government agencies has become a state and national model for addressing water quality problems. Most of the progress in restoring the river has come through local initiatives, and unlike many other programs, the priorities have been set with a bottom-up approach starting with local agencies with participation by their residents, rather than through a top-down approach of mandates from Lansing and Washington.



The lessons learned in implementation of a cooperative watershed approach are being applied in other urban watersheds in Michigan. Most urbanized areas in Michigan are choosing to use the watershed-based approach to meet storm water discharge permit requirements that was conceived and implemented by Rouge River watershed communities nearly a decade ago.

## *Rouge River Watershed*

- **Watershed**
  - 467 square miles
  - 3 counties
  - 48 municipalities
  - 1,500,000 people
- **Rouge River**
  - Four main branches
  - 127 miles in length
  - Many minor tributaries



Approximately one of every six Michigan residents live in the Rouge River watershed that encompasses 467 square miles and includes portions of 3 counties, 48 cities, villages and townships and approximately 1.5 million people. The Rouge River has four major branches (the Main Branch, the Upper Rouge, the Middle Rouge and the Lower Rouge).

## *Rouge River Pollution Sources*

- Combined Sewer Overflows
- Sanitary Sewer Overflows
- Storm Water Runoff
- Failing Septic Systems
- Illicit Connections
- Industrial Discharges
- Contaminated Sediments
- Flow Variability



Over the years the Rouge River has been seriously impacted by various forms of pollution common to urbanized areas across the country including combined sewer overflows in the urban areas developed prior to 1960s, separate sanitary sewer system overflows in areas that developed after the 1960s, and failing septic systems in the older developed areas that do not have public sewer systems. Historical industrial waste discharges particularly to the lower portions of the river have left a legacy of pollution problems. What we have learned over the past decade is that it is not just one source but the combined effects of storm water runoff, municipal and industrial waste that are impacting the river. We have also found that the increased volume of storm water runoff has increased flooding and bank erosion problems on public and private property, as well as degraded the aquatic habitat of the river through increased sedimentation and bottom scouring.

## *History Of The Problems*

- **Early 1980s** **Priority of Michigan Water Resources Commission**
- **1985** **First River Basin Strategy**
- **1987** **Designated as one of 44 Areas of Concern in Great Lakes**
- **1987** **First Watershed Remedial Action Plan (RAP)**

The Michigan Water Resources Commission, at the urging of local residents, declared the Rouge River as a state priority for pollution control in the early 1980s and with the assistance of local governments prepared the first Rouge River Basin water quality improvement strategy. In 1987, the Rouge River was designated as one the 44 worst polluted rivers in the Great Lakes by the International Joint Commission where a multinational effort should focus on remedial actions. The first remedial actions plan, endorsed by a large number of local communities was completed in 1987.

## *Help Along the Way – Rouge River National Wet Weather Demonstration Project*

- Authorized by Congress in 1991
- Funded by USEPA with Matching Funds from Local Communities/Organizations
- Managed by Wayne County Department of Environment
- Initial Focus to Assist Funding Combined Sewer Overflows Corrective Program
- Expanded to holistic approach addressing all sources of pollution



The state, national and international attention on the Rouge River helped generate support in 1991 for a National Demonstration Project with substantial federal funding to help address the problems of the river. The federal grant funds were provided through Wayne County with an initial focus on addressing combined sewer overflows. The demonstration project was soon expanded to a watershed based approach to address all sources of pollution affecting the river.

## ***“Gentle” Prodding***

### **United States District Court (1991-1999)**

- **Oversight of Settlement Agreement for Phase CSO Control Plan**
- **Storm Water Identified by Rouge Project as a Major Source of Pollution**
- **Ordered All Rouge Communities as Parties and Proposed New “Watershed Authority” to Manage River**
- **Accepted Alternative Watershed Management Approach Proposed by Communities**

The U.S. District Court had been asked to intercede by the federal government in the early 1970s to address problems at the Detroit Waste Water Treatment Plant that serves a large portion of southeast Michigan. In the 1980s, the communities in the Rouge River asked federal court to intercede on their behalf to support an alternative phased approach to addressing combined sewer overflow issues. The court expanded its role to include a review of all pollution problems affecting the river and identified storm water runoff as a major issue that needed to be addressed and proposed a new Watershed Authority under the Michigan Drain Code to address the problems and named all the Rouge Watershed communities as part of the court case under the court’s supervision since the early 1970s. The Rouge Watershed communities objected to the proposed formation of a new independent authority to manage the river and proposed an alternative cooperative watershed approach to storm water management. The court accepted the alternative presented and gave the communities a limited period of time to implement their cooperative approach.

## *Local Initiative*

### Watershed-Based Storm Water Permit

- **1994** Ad hoc *Rouge River Storm Water Advisory Group* Developed Cooperative Strategy
- **1995** Watershed-Based Storm Water Management Strategy developed by Rouge Communities
- **1997** State Adoption of Voluntary Watershed-Based Storm Water Permit

In 1994 an ad hoc group of local communities, working with the three counties developed a cooperative strategy that included a voluntary watershed-based, storm water discharge permit. In 1997, the state adopted the approach recommended by the communities and issued the first watershed-based storm water permit modeled after the recommendations of the Rouge Watershed communities.

## *Local Initiative*

### Watershed-Based Storm Water Permit

- **1998** Communities begin implementing storm water control activities
- **2002** First Watershed Plans Developed for Seven Subwatersheds in Rouge
- **2002** MDEQ issues Mandatory Storm Water Permit

In 1998 the Rouge Communities received their voluntary storm water permits and began implementing storm water controls. The seven subwatershed groups completed their watershed plans in 2002 and the new federal/state storm water discharge permits requirements became effective

## *Locally Driven Watershed Management Approach*

### Need:

- **Federal Funding Being Reduced**
- **Cooperation required to**
  - Restore River's Beneficial Uses
  - Meet Storm Water Permit Requirements
- **Cost Savings in Working Together**
- **Federal Court Expects Continuing Cooperation**

During 2002 the Rouge Watershed communities began working on approaches to continue the cooperative management of the river. The federal funds available to assist were being substantially reduced. The communities were now required under state and federal regulations to meet storm water permit requirements and the communities recognized the potential cost savings in working together in meeting permit requirements and restoring the river. The federal court was continuing its oversight of the cooperative alternative approach to cleaning up the river.

## *Review of Institutional Options*

- **Evaluated Alternatives for Locally Driven Cooperative Watershed Management Approach**
- **Established Guiding Principles**
- **Evaluated Watershed Organizations in the Nation and in Michigan**
- **Established Interim Organization – *Assembly of Rouge Communities* - through Memorandum of Understanding signed in **2003****

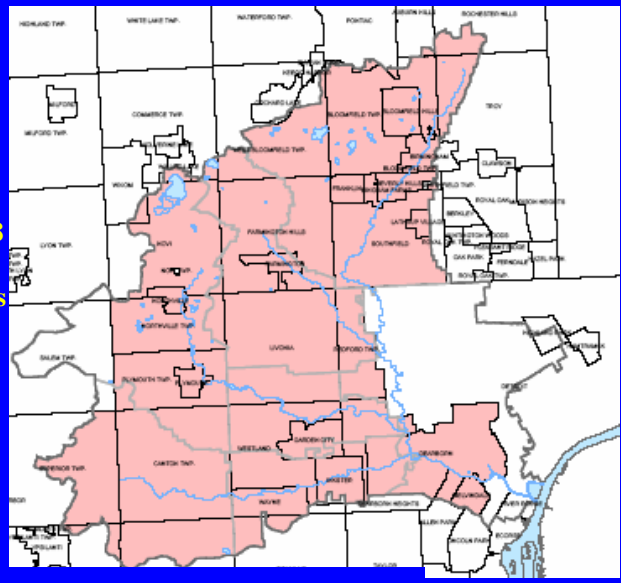
The communities took it upon themselves to examine alternative approaches to keep the locally driven cooperative approach that had been successful. Collectively the local communities established a set of guiding principles and directed a drafting committee to explore options that met the guidelines established. After reviewing various watershed-based organizations in Michigan and throughout the nation an interim organization the Assembly of Rouge Communities was created through a Memorandum of Agreement.



# Assembly of Rouge Communities

- Altus Park
- Auburn Hills
- Beverly Hills
- Bingham Farms
- Birmingham
- Bloomfield Hills
- Bloomfield Twp.
- Canton Twp.
- Commerce Twp.
- Dearborn
- Dearborn Heights
- Farmington
- Farmington Hills
- Franklin
- Garden City
- Inkster
- Lathrup Village
- Livonia
- Melvindale
- Northville
- Northville Twp.
- Novi
- Oakland County
- Plymouth
- Plymouth Twp.
- Pontiac
- Redford Twp.
- Rochester Hills
- Romulus
- Southfield
- Superior Twp.
- Troy
- Van Buren Twp.
- Walled Lake
- Washtenaw County
- Wayne
- Wayne County
- West Bloomfield Twp.
- Westland
- Wixom
- Ypsilanti Twp.

**Interim Organization made up of 38 communities and 3 counties**



Eventually 38 communities and the 3 counties signed the agreement and formed the Assembly of Rouge Communities. Wayne County agreed to provide the fiduciary services under the informal interagency agreement for the first two years.

## ***Assembly of Rouge Communities*** **ASSEMBLY BUDGET SUPPORTS**

**(\$1.2 Million 2003-2004 - 50% Federal Match)**

- **Water Quality Monitoring in All Subwatersheds**
- **Public Education to Meet Permit Requirements**
- **Technical Assistance to Subwatershed Groups**
- **Assembly and Committee Operations**
- **Advocacy for Communities on Permit Issues**



Under the agreement the 38 communities contributed half the funds for operation of the Assembly -- 50% is provided from remaining federal funding through Wayne County. The share of contributions is based upon equal weight to population and land area for that portion of each community within the watershed. Over the last two years the communities have contributed \$300,00 each year or \$600,00 over two years that has been matched by an equal amount of federal grant dollars. The money has been primarily used to support community efforts to meet the storm water permit requirements including water quality monitoring, public educations, facilitation and technical assistance to the seven subwatershed groups and operation of the Assembly itself and its Technical, Finance, Organization, and Public Information and Education committees. In addition, the funding has supported advocacy on behalf of the Assembly members before state regulatory agencies on permit issues and response to the federal court.

## ***Assembly of Rouge Communities***

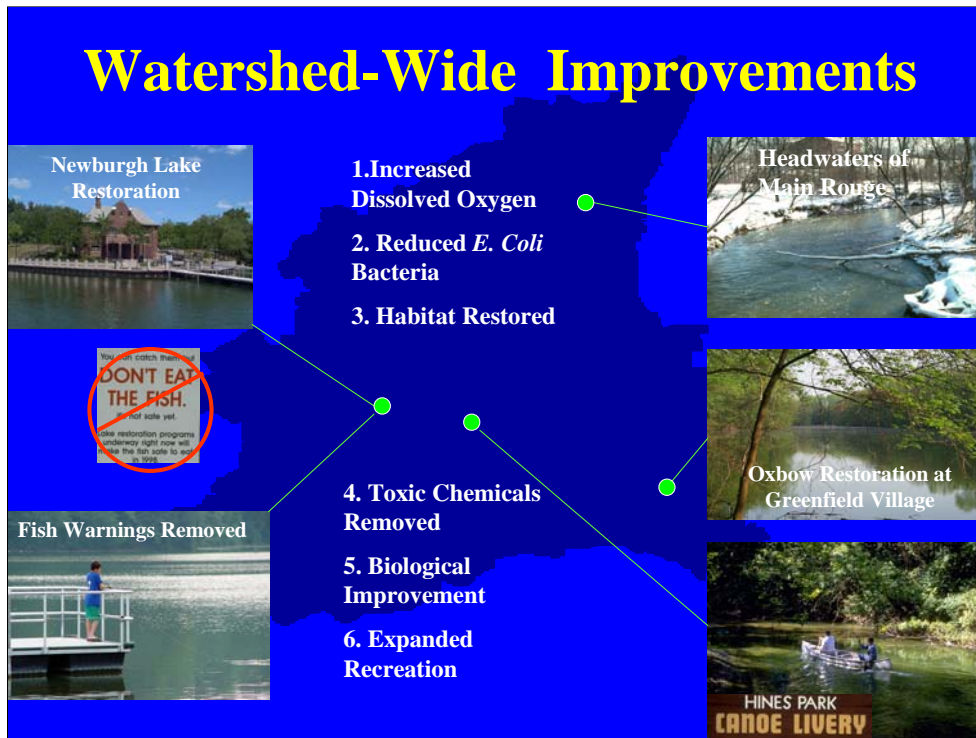
### **Accomplishments**

- **Watershed-Based Storm Water Management Plans**
  - State and National Model
- **Extensive Cooperative River Monitoring Program**
  - Measures Effectiveness of Permit Requirements
- **Cooperative Public Survey**
  - Measures Success of Public Information Permit Requirements
- **Addressed U.S. District Court Concerns**
  - Satisfied Demand for Cooperative Approach
- **Shared Materials/Information/Ideas**
  - Reduced Redundancy Among Communities
- **Measurable Improvements In River**



What has the Assembly accomplished? This is a partial listing of the primary accomplishments that includes the development and implementation of 7 subwatershed management plans that have established state and national models; extensive cooperative river monitoring to determine the effectiveness of various pollution control activities (the river monitoring program is the most extensive in the state and perhaps one of the most extensive in the nation); completed the third comprehensive survey of watershed residents to evaluate the effectiveness of public information and education efforts; addressed the concerns of the U.S. District Court that once held as many as four hearings a year and has not called a hearing in nearly two years; shared materials/information/ideas among members that have reduced the cost and increased the effectiveness of pollution control efforts; and finally documented measurable improvements in the Rouge River and restoration of beneficial uses. In addition, other activities of the Assembly has included workshops for elected and appointed officials, training for agency employees on required illicit connection inspections, and extensive advocacy for members with MDEQ to improve the efficiency of meeting permit requirements and increasing the effectiveness of storm water discharge permit requirements.

# Watershed-Wide Improvements



Projects and activities throughout the watershed have made a difference. Perhaps the most visible example is the restoration of Newburgh Lake on the Middle Rouge where fish consumption warnings have been removed following dredging of the impoundment and removal of PCB sources of contamination. Progress measured in reduced bacteria problems, and increased dissolved oxygen are evident throughout the watershed and people are increasing use the river for recreational purposes. New partners are joining the efforts to restore the Rouge including Greenfield Village and Ford Motor Company in the lower Main Branch and numerous non-profit educational institutions and public organizations throughout the watershed.

## *Assembly of Rouge Communities*

### Benefits of Membership

- **Reduced Storm Water Permit Costs** (Now Required)
  - Shared Development of Informational & Educational Materials
  - Cooperatively Monitoring (5-year rotation)
  - Templates for Required Reports and Plans
  - Subwatershed Facilitation
- **Meet Federal Court Expectations**
- **Advocacy on Behalf of Members** (e.g., Watershed Alliance Law)
- **Efficiently Addressing River Problems**
  - Locally driven priorities
- **Effective Use of Available Grant Funds**



Members benefit by sharing the cost of permit requirements like public education, monitoring and in the preparation of reports and plans. The members have been relieved of responsibilities of appearing frequently in federal court since apparently the communities collective efforts have met the courts expectations. The Assembly has demonstrated its effectiveness in advocating for policy and law changes that benefit members. The recent adoption of the Watershed Alliance legislation in a matter of several weeks with unanimous support of both the House and Senate is evidence of the strength of working together for common objectives. State elected officials with all or a portion of their electorate residing in the Rouge River watershed represent a powerful bipartisan voting block on issues that have consensus support among the member communities. Working together the communities have demonstrated that they can efficiently address the problems of the river using locally driven priorities. Together the communities have been very effective in maximizing the use of available grant funding to help restore the river.

## *Watershed Alliance Legislation*

### Why Was Law Needed?

- **Interim MOA Did Not Allow Assembly to**
  - Contract for Services
  - Seek New Grant Funds
  - Hire Staff
  - Manage Finances
- **Assembly Relied on Wayne County**
  - Provide Technical and Fiduciary Services
  - Rouge Grant Dollars Diminishing
- **Existing Statutes Did Not Meet Needs**
  - Designed for Other Purposes
  - Constrained Voting, Actions, etc.
- **Local Control Emphasized**



Why was new legislation need to continue this cooperative approach? The Memorandum of Agreement provided an interim means to keep the collective efforts underway, but it depended upon the efforts of Wayne County supported through the National Demonstration Project to handle the business of the Assembly including handling the funds to hire contractors to perform the monitoring, prepare the public information materials, and provide administrative and technical support for the Assembly its committees and the subwatershed management groups that prepare and help implement the required watershed management plans. To assure that the cooperative work proceeds in the future the communities needed away to formalize it relationship so that it could, on its own behalf, contract for needed services, seek new grant funds, hire staff and manage its own finances. Existing state laws did not meet the needs of the Rouge River watershed communities since most were designed for other purposes and many constrained activities, fixed contributions and voting of members communities. The Watershed Alliance law, recommended by the Assembly of Rouge Communities, passed by the legislature in late 2004 and signed by the Governor in early 2005 provides the flexibility needed to assure local control under terms designed by the local agencies involved.

## ***Watershed Alliance Law*** (Act 517, P.S. 2004)

- **Modeled After Rouge Assembly MOA**
  - Voluntary
  - Assessments/Operating Procedures Determined by Members
  - No New Authority to Tax or Assess Fees to Public or Businesses
  - No New Regulatory Authority
- **Emphasizes**
  - Local Cooperation and Control



The legislation is modeled after the successful memorandum of agreement that established the Assembly of Rouge Communities. It is

- Voluntary
- Allows members to establish their own operating and assessments procedures
- Does not authorize new taxing or assessment authority, nor does it contain any new regulatory authority
- Again it emphasizes local control through cooperation among local governmental units

## ***Watershed Alliance Law*** (Act 517, P.S. 2004)

- **Authorized By Local Adoption of Bylaws**
  - Development of Watershed Plans
  - Receipt of Grants, Gifts, and Contributions
  - Hiring Staff, Issuing Contracts for Services, Implementing Watershed Plans
  - Advocating for Members and Obtaining Permits and Authorizations on Behalf of Members



The statute authorizes a Watershed Alliance to :

- development and implement watershed plans
- Receive grants, gifts and contributions
- Hire staff, issue contracts for services needed to implement water plans
- Allows an Alliance to obtain state and federal permits on behalf of members

## *Alliance of Rouge Communities*

### Proposed Bylaws

- Closely Tracks Successful Assembly MOA
- Sets Boundary of Alliance/Election of Officers
- Outlines Voting Members Within Rouge Watershed
  - Primary – Cities, Townships, Villages, Counties
  - Associate – Public Schools, Authorities, College & Universities With Water Discharge Permits
- Assessments and Voting Shares for Primary Members
  - Prorated Based Upon Population/Area Within Watershed
- Annual Member Approval of Budget/Assessments
- Terminate Membership at Anytime
- Assessments for 2005 same as 2003 & 2004



The Watershed Alliance legislation requires that the governing body of each member agency approve a set of agreed upon bylaws.

The proposed Alliance of Rouge Community bylaws as required by statute:

- Establishes the boundaries of the Alliance/ process for electing officers, voting shares of members, structure of committees, and decision-making
- Determines the method for adopting budgets and establishing assessments to members (essentially identical to the current Assembly of Rouge Communities)
- Provides for termination of membership at anytime
- Establishes the first year's budget (2005) that is the same as for the Rouge Assembly in 2003 and 2004.

## **Future of Proposed *Alliance of Rouge Communities***

- Continue to Improve the Rouge River, Return Beneficial Public Uses, and Prevent Future Problems
- Reduce Costs for Meeting Storm Water Permit Requirements Through Cooperative Efforts
- Provide a State and National Model for Locally Driven Watershed Approaches that Minimize the Need for State/Federal Mandates



The proposed Alliance of Rouge Communities has three primary purposes:

- Provide a means to continue to collectively restore the quality of water in the Rouge, return beneficial public uses, and prevent future problems
- Further reduce local government costs to meet state/federal storm water permit requirements through cooperative efforts and increase the effectiveness of needed expenditures.
- Provide and state and national model for locally driven watershed approaches that minimize the need for further state and federal mandates encouraging bottom-up approaches to solving problems based on locally established priorities.

## *Declining Participation in the ARC = Tackling Storm Water Solo*

- Communities will have to reapply for coverage under an individual jurisdictional storm water permit
- Communities will have to individually meet all permit obligations at an increased cost
- Communities will lose their collective voice with the Federal Court and MDEQ



## *Working Together through the Alliance Makes Sense*

- Communities are obligated, under the terms of their SW permit, to take actions to protect and improve the Rouge River
- Communities will save money by working cooperatively through the Alliance to meet the obligations of their storm water permit
- The Federal Court appears satisfied with this cooperative approach
- It's Working! River Water quality continues to improve and people are returning to the river