

## Chapter 9: Management Plan Phase II Strategy

In the very beginning of the watershed management planning process it became apparent that the sheer size and scale of the watershed, in addition to the vast complexity of issues impacting water quality in the Niagara River Watershed, required a multi-phased approach. This Phase I of watershed planning aimed to characterize the watershed, capturing how it currently functions, what the primary issues are, and better understand the trends and major impairment contributors. The Phase I planning process also helped to identify what we don't know, where data is lacking and where we need to research further in order to outline specific management actions for each sub-watershed.

The Healthy Niagara Initiative also aims to develop a living planning document, one that evolves over time, tracks progress, and is updated regularly based on new conditions and progress. In order to reach this level, regional stakeholders and watershed management organizations aim to develop a US EPA 9-Element Watershed Management Plan for the Niagara River Watershed, across 3-4 phases of planning in the next several years. Upon completion and implementation, a 9-Element Watershed Plan will outline strategies for restoration that are based on quantifiable metrics to enable on-going tracking of watershed health and the effectiveness of restoration initiatives.

### Watershed Management Plan Phase II

The Phase II Strategy focuses on two key components: advancing the Universal Actions outlined in Chapter 8 and developing Sub-watershed Implementation Plans for all 11 sub-watersheds.

#### Advancing Universal Actions

There are several, very specific Recommended Actions that will advance the Universal Actions outlined below<sup>1</sup>, however some require more upfront work, coordination and funding, prior to putting them into action. Because of this, the following chart outlines the immediate next steps that either can be initiated now and/or need to be completed as part of Phase II watershed planning.

#### CONSERVATION, PROTECTION & MANAGEMENT

Conserve, protect and effectively manage the natural living infrastructure network that preserves watershed function, provides habitat and sustains biodiversity.

- ▶ Outline the living infrastructure network for the watershed and identify gaps or threatened components.
- ▶ Establish a protection plan for living infrastructure components by Sub-watershed.

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<sup>1</sup> See Chapter 8

- ▶ Promote the role of living infrastructure to area land trusts, conservation groups, and local municipalities.
- ▶ Promote and implement the Niagara River Habitat Conservation Strategy.
- ▶ Design restoration plans for severely altered watercourses, and to replace missing living infrastructure and habitat.

## INFRASTRUCTURE

Correct, upgrade, and install watershed related infrastructure that will protect and improve water resources, plus sustain and expand watershed function.

- ▶ Develop design guidelines and training modules on infrastructure designed to support water quality.
- ▶ Promote the benefits of green stormwater infrastructure.
- ▶ Install, evaluate, and endorse demonstration projects.
- ▶ Implement Long-Term Control Plans to address known infrastructure deficiencies.
- ▶ Inventory and identify problem stormwater infrastructure.
- ▶ Call attention to and communicate private property violations to local regulatory authorities.

## DEVELOPMENT

Create only high-quality development, in-fill and retrofits that work in conjunction with natural systems, generate no impacts on watershed health, and improve the public's relationship to water resources.

- ▶ Develop ordinance models and example zoning provisions for protecting water quality.
- ▶ Develop design guidelines and training modules on development designed to support water quality.
- ▶ Conduct outreach to municipal officials and boards on sustainable development.
- ▶ Highlight development projects that utilize low-impact and sustainable designs.

## DATA

Fill data gaps to provide better understanding and analysis of watershed conditions for effective and resilient planning of water resources.

- ▶ Advocate for new data collection and analysis.
- ▶ Highlight what certain data sets can do for planning efforts.
- ▶ Collect and analyze new data and establish comprehensive baseline conditions.

## EDUCATION

Expand local knowledge of water resources, watershed conditions, and natural living systems to foster public investment and practices to advance watershed health.

- ▶ Communicate and publicize the findings of the Watershed Management Plan.
- ▶ Conduct outreach on the tools municipalities can implement now to protect water quality.
- ▶ Educate local officials on the data available to assist with local planning efforts.
- ▶ Disseminate information on Best Management Practices.
- ▶ Incorporate water stewardship education into recreational tours and activities.

## FUNDING

Establish long-term funding mechanisms to effectively manage the watershed and water resources, including research, mitigation, restoration, and outreach.

- ▶ Secure additional grant and foundational funding to continue Phase II planning.
- ▶ Research various long-term and short-term funding mechanisms.
- ▶ Build the connection between clean water and economic vibrancy.

## REGIONAL POLICY

Institute Local, County and State policies that enhance protections on water quality and watershed health, and improve watershed planning collaboration between local, county, and state organizations.

- ▶ Conduct outreach to local, county, and state organizations.
- ▶ Communicate and publicize the findings of the Watershed Management Plan.
- ▶ Establish watershed roundtable discussions.
- ▶ Continue discussions of and outline the Watershed Manager role.
- ▶ Build relationships with elected officials and representatives to promote new policies.

### Sub-watershed Planning

Phase II watershed planning will also include the development of Sub-watershed Implementation Plans for all eleven sub-watersheds. More specifically, Phase II planning will include the following components to inform the Implementation Plans:

- conduct water quality sampling and stream visual assessments to fill known data gaps;

- analyze Total Maximum Daily Loads (TMDLs) and identify Critical Source Areas;
- develop baseline indicators to inform the creation of sub-watershed goals and future target levels; and,
- establish specific sub-watershed management actions and restoration plans to reach those goals/targets.

The result will be 11 Sub-watershed Implementation Plans that outline how to move ahead with detailed management actions, through prioritizing and ranking the most effective and influential actions (cost-benefit), as well as outlining benchmarks, timelines, partners, and funding for implementation. Stakeholders and Advisory Committee members have indicated their further participation in this process and are eager to advance the plan forward.

Most recently Erie County Department of Environment and Planning and Buffalo Niagara Riverkeeper have received funding to complete a portion of this work. The NYS Local Waterfront Revitalization Program will fund the next three year effort to complete the Implementation Plan components outlined above for 5 Priority Sub-watersheds. The 5 Priority Sub-watersheds have not been finalized yet, but will be selected with Advisory Committee input from the 8 Prioritized Sub-watersheds identified in Chapter 8.

## **Structure for Implementation**

### **Watershed Plan Manager**

One of the most important factors to developing and implementing a successful watershed management plan is the collaboration and organization of key stakeholders and watershed-related organizations. Partnerships between governmental entities, environmental organizations, citizens groups, local and regional experts, and even businesses and utilities (water and sewer) are all instrumental to move this plan toward action. Many of these organizations have been involved in the development of the plan as Advisory Committee members; while others were consulted throughout the process (see Chapter 6). Still there are other entities that need to be engaged further, such as schools, municipal boards and local environmental commissions as planning enters Phase II.

It is also important to outline a structure by which this effort and subsequent planning efforts will be overseen and directed, in essence a watershed manager. In a watershed with so many important partners, stakeholders, and different governmental jurisdictions, identifying who or what type of organization will lead the plan into action is essential.

An Inter-municipal Coordinating Organization (ICO) is just one possible structure to steer these efforts. ICOs are a popular option for watershed plan management in New York State, as regulatory authorities rely heavily with municipalities in a Home-Rule state and many recommended actions typically focus on policy and zoning regulations. Development of an ICO usually involves the creation of a body or commission of municipal and county partners across the watershed. The decision making structure of these organizations varies and funding municipal participation in ICOs can be a challenge.

The Western New York region does not have a regional planning body that would make set up of an ICO easier. Because of this, discussions at the Advisory Committee level have not yet yielded a complete organizational structure either. The only consensus generated during the planning process was the requirements that:

- no new organization or body be created;
- nor should any one county, water quality committee, environmental organization, or soil and water conservation district take on the lead role;
- nor should an individual entity take on the lead role without continuous adequate funding to do so.

The Advisory Committee does expect to continue this discussion as part of the Phase II watershed planning process. Despite the completion of Phase I, many Committee members are still fully engaged in outlining the watershed manager role, even researching other management structures employed elsewhere in the country.

### **Key Stakeholders & Implementation Partners\***

The following entities are considered essential players, partners and stakeholders for the implementation of the Phase I plan and for engagement in Phase II planning efforts:

US Environmental Protection Agency	Erie County
US Fish and Wildlife Service	Niagara County
US Army Corps of Engineers	Genesee County
National Oceanic and Atmospheric Administration (NOAA)	Wyoming County
NYS Dept. of Environmental Conservation	Tuscarora & Seneca Nations
NYS Dept. of State	County Soil & Water Conservation Districts
NYS Empire State Development	University at Buffalo
NYS Environmental Facilities Corporation	UB ERIE IGERT Program
NYS Sea Grant	Buffalo State College
	BSC Great Lakes Center

County Water Quality Committees	Buffalo Niagara RIVERKEEPER
Tonawanda Creek Watershed Committee	WNY PRISM
Municipalities	WNY Environmental Alliance
WNY Land Conservancy	Sewer Districts & Water and Sewer Utilities
Land Trusts	Fishing, Sportsman/Outdoorsmen's Groups

*\*Please note this is not meant to be an exclusive list and can be expanded moving forward.*

**Funding\***

Continued and on-going funding is necessary to implement the Phase I watershed plans and future planning efforts. The funding necessary to implement many of the Universal and Recommended Actions outlined previously, as well as subsequent planning, will require a mixture of resources including grant monies, foundation grants, volunteer in-kind donations, capital campaigns, and public and private investments. The list below outlines some of these potential funding resources:

- US EPA Great Lakes Restoration Initiative
- US EPA Nonpoint Source Pollution (Section 319) Funding
- US EPA 5 Star Restoration Funding
- US EPA State/Local/ Tribal Wetlands Grant Programs
- US Fish and Wildlife Service (Various Grants & Cooperative Agreements)
- US Army Corps of Engineers (various Sections relative to habitat, flood infrastructure, navigation and shoreline protection)
- USDA NRCS Conservation Innovation Grants
- NYS Water Quality Management - 604(b) Funding
- NYS Water Quality Improvement Program
- NYS Great Lakes Basin Small Grants Program
- NYS Landowner Incentive Program
- NYS Conservation Partnership Program
- NYS Urban Forestry Grants
- NYS Environmental Justice Grants
- NYS Environmental Facilities Corporation
- NYS Environmental Protection Fund
- NYS Sea Grant (various programs)
- NYS Canal Corporation
- EFC Green Innovation Grant Program
- Margaret L. Wendt Foundation
- John R. Oishei Foundation

Community Foundation for Great Buffalo  
NYPA Greenway Commission (Standing Committees)

*\*Please note this is not meant to be a comprehensive list, only outline the variety of resources available to the Niagara River Watershed.*

Future planning efforts should also look to establish consistent long-term funding mechanisms and incentive programs that will foster watershed health, such as development impact fees, transfer of development rights, tax assessment programs, in-fill and brownfield tax credits, utility districts and utility incentive programs, adopt-a-stream programs, and green infrastructure incentives and tax credits. There are many areas of the country where such programs are successfully financing the protection and management of living infrastructure, including Portland, Oregon and Milwaukee, Wisconsin.