

February 5, 2025
ENVIRONMENTAL RESOURCES TECHNICAL ADVISORY COMMITTEE
Executive Committee
Meeting Summary

Attendance

Rob Kastner	Wayne Soil and Water Conservation District
Wesley Carder	City of Canton
Tony Demasi	City of Cuyahoga Falls
Dominic DiSalvo	City of Ravenna
Ron Etling	Portage County Appointee
Kevin Givins	City of Orrville
Genny Hanna	City of Akron
Kendra Heiser	Summit Soil and Water Conservation District
Jenn Kiper	Wayne County Planning Department
Ross Nicholson	Summit County Department of Sanitary Sewer Services
Justin Rechichar	Portage County Health District
Julie Reis	Summit County Public Health
Paige Seech	Stark County Health Department
Patricia Vanah	Ohio EPA
Pete Wearstler	City of Alliance
Sarah Clutter	City of Canton
Gordon Cromley	Portage County Water Resources
Dan Joseph	City of Akron
Jacob Morrison	Summit County Department of Sanitary Sewer Services
Tom Sanderson	City of Canton
David Kohlmeier	CTI Engineers, Inc.
William Greenberg	KnuKonceptz
Joe Hadley	NEFCO
Tom LaPlante	NEFCO

Chair Kastner called the meeting to order.

Public Comments

There were no comments from the public.

Meeting Summary

The January meeting summary was accepted as transmitted.

Consideration by the ERTAC of a Recommendation to the NEFCO Board

Consideration of an Amendment to the Clean Water (208) Plan to create a proposed Peninsula Facilities Planning Area (FPA) and to establish wastewater prescriptions to serve the Village of Peninsula in Summit County **ACTION REQUESTED** (transmitted with agenda mailout)

Mr. LaPlante went through the specifics of this amendment request from Summit County Sanitary Sewer Services (DSSS). He noted that Messrs. Nicholson and Morrison from DSSS were present to answer any questions about the amendment that he cannot answer. He showed a slide of amendment Figure 1 (amendment location map) and explained that the requested amendment is being driven by the Village of Peninsula downtown area contributing to pollution in the Cuyahoga River. He further explained that Figure 1 inadvertently shows a relatively small amendment location just west of Stow that isn't part of this amendment request and that DSSS has agreed to remove this from Figure 1 prior to the NEFCO board considering approval of this 208 Plan amendment for the Peninsula FPA. He noted that the amendment would allow DSSS' planned construction of a publicly owned wastewater treatment plant and sanitary sewer to serve the downtown area of the village to be consistent with the 208 Plan prior to DSSS receiving permit-to-install approval by Ohio EPA. He further noted that the new facility is being designed to handle all flow and loading from the village. He

showed a slide of amendment Figure 2A (map of existing wastewater prescriptions) and Figure 2B (map of proposed FPA boundary and prescriptions). He explained that with the proposed amendment, a new Peninsula FPA boundary would be created, and it will coincide with the village's municipal boundary. He added that the proposed amendment will also change the current prescription from "Areas without a Wastewater Treatment Planning Prescription (white)" to "Areas Expected to be Served with Sanitary Sewers within the next 20 Years (orange)" within the downtown area of the village that can be served by gravity sewers, which DSSS has termed the "new sewer district serving the Village of Peninsula". He showed and discussed Figure 3 (detailed view of the new district). He noted that the parcels comprising the areas between the new sewer district and FPA boundary will be shown as "Areas that will be Served by a POTW or by Home Sewage and Semi-Public Sewage Disposal Systems (green)". He added that the proposed amendment would create a new Appendix 3-57- Peninsula FPA in the Plan, as transmitted with the agenda mailout. He went over the three local governments/government agencies that would be affected by the amendment and noted that DSSS sent a request-for-comment letter to them, and all three indicated that they agree with the proposed amendment. He also noted that the legal notice was published in the Akron Beacon Journal on January 11 and January 18, 2025, not 2024, which was a typo in the memo staff sent to the ERTAC with agenda, and no inquiries or comments were received by DSSS during the required 15-day public comment period.

Mr. LaPlante said that NEFCO staff recommends approval of this amendment. After hearing no substantive discussion, Chair Kastner asked the ERTAC if there was a motion to recommend approval of the amendment by the NEFCO Board. Ms. Reis made that motion. Ms. Rutledge requested that the motion include DSSS correcting Figure 1 prior to the February NEFCO board meeting, as Mr. LaPlante discussed. Ms. Reis made that motion. Mr. Demasi seconded it. There were no objections or abstentions from the ERTAC. The motion carried.

Consideration of an Amendment to the Clean Water (208) Plan for the Hudson-Streetsboro FPA to modify the FPA boundary and change the wastewater prescription for two parcels at the end of Kilbourne Drive in the City of Hudson **ACTION REQUESTED** (transmitted with agenda mailout)

Mr. LaPlante went through the specifics of this amendment request from Summit County Sanitary Sewer Services (DSSS). He noted that Mr. Nicholson from DSSS was present to answer any questions about the amendment that he cannot answer. He showed a slide of amendment Figure 1 (amendment location map) and explained that the requested amendment is being driven by a pending PTI application that Ohio EPA received in June 2024. He further explained that the PTI application is for a sewer extension from Kilbourne Drive in the Cuyahoga Valley Interceptor FPA to two newly recorded parcels in the Hudson-Streetsboro FPA at the eastern end of Kilbourne Drive. He noted that without an amendment, the PTI application conflicts with NEFCO's 208 Plan since the proposed sewer extension would cross the FPA boundary. He showed a slide of Figure 2A/2B (existing/proposed FPA and prescriptions) and explained that with the amendment, the CVI FPA boundary that is currently located along the east end of Kilbourne Drive will be expanded farther eastward to absorb parcels 3010407 and 3010408. He noted that with the amendment, the area with the proposed boundary change will change from "Areas that will be Served by a POTW or by Home Sewage and Semi-Public Sewage Disposal Systems (green)" to "Areas Expected to be Served with Sanitary Sewers within the next 20 Years (orange)". He added that the specific proposed changes to the current Chapter 3 FPA appendices in the 208 Plan only pertain to the FPA maps in Appendices 3-6-Hudson-Streetsboro FPA and 3-30-CVI FPA. He went over the four local governments/government agencies that would be affected by the amendment and explained that they all have indicated that they either agree with the proposed amendment or don't object to it. He added that NEORSD provided a letter of support for the amendment. He noted that the legal notice was published in the Akron Beacon Journal on August 30, 2024 and September 6, 2024, and no inquiries or comments were received by DSSS during the required 15-day public comment period.

Mr. LaPlante said that NEFCO staff recommends approval of this amendment. After hearing no substantive discussion, Chair Kastner asked the ERTAC if there was a motion to recommend

approval of the amendment by the NEFCO Board. Ms. Kiper made that motion. Mr. Wearstler seconded it. There were no objections or abstentions from the ERTAC. The motion carried.

Consideration of an Amendment to the Clean Water (208) Plan to Change the Wastewater Treatment Prescriptions for Identified Parcels Adjacent to, and in the Proximity of Timber Point Trail in the Mantua FPA in Mantua Township **ACTION REQUESTED** (transmitted with agenda mailout)

Mr. LaPlante went through the specifics of this amendment request from the Portage County Water Resources Department (PCWR). He noted that Ms. Rutledge from PCWR was present to answer any questions about the amendment that he cannot answer. He showed a slide of amendment Figure 1 (amendment location map) and explained that the requested amendment is being driven by a pending PTI application that Ohio EPA received in December 2024. He further explained that the PTI application is for a non-discharging, onsite semi-public sewage disposal system installation on Timber Point Trail parcel 23-022-00-00-026-010. He noted that without an amendment, the PTI application conflicts with NEFCO's 208 Plan since the current wastewater prescription requires a connection to sanitary sewer that is neither available nor accessible. He showed a slide of Figure 2 (existing wastewater treatment prescriptions) and Figure 3 (proposed wastewater treatment prescriptions) and explained that with the amendment, the prescriptions for a total of sixteen parcels adjacent to, and in the proximity of Timber Point Trail will be modified to become "Areas that will be Served by a POTW or by Home Sewage and Semi-Public Sewage Disposal Systems (green)", making the pending PTI consistent with NEFCO's 208 Plan. He added that the specific proposed changes to the current Chapter 3 FPA appendix in the 208 Plan only pertain to the FPA map in Appendix 3-8-Mantua FPA. He went over the three local governments/government agencies that would be affected by the amendment and explained that all but the Mantua Township Board of Trustees have indicated "no objection to the amendment". He further explained that while the Portage County Health District responded in writing that it has no objection to the amendment, the Portage County Board of Commissioners' (BOC's) initial response of "no objection to the amendment" is stated in its January meeting minutes, not on a response form. He added that Ms. Rutledge will be attending the Mantua Board of Trustees meeting tomorrow, February 6th, to obtain a response form; and all response forms will be made available when they have been received, including one from the Portage County BOC, which is also expected on February 6th. He noted that the legal notice was published in the Record Courier on January 22, 2025, and no inquiries or comments were received by PCWR to date, adding that the 15-day public comment period ends on February 6th.

Mr. LaPlante said that NEFCO staff recommends approval of this amendment, contingent upon response forms being received from all three affected local governments/agencies prior to the board's February 19, 2025 meeting, each indicating no objection to the amendment; and no comments objecting to the amendment being received by PCWR at the close of business on February 6, 2025. Ms. Vanah asked why the two parcels with road frontage along S.R. 82, west of the sixteen parcels with proposed wastewater prescription changes, are not changing with the amendment. She noted that near the road, those two parcels are shown as "Areas Currently Served with Sanitary Sewers (yellow)", while they are shown as "Areas that will be Served by a POTW or by Home Sewage and Semi-Public Sewage Disposal Systems (green)", elsewhere. Mr. LaPlante and Ms. Rutledge explained that the area near the S.R. 82 road right-of-way is likely where an inaccessible sewer force main is located and PCWR needed to make to a decision regarding where to stop changing the prescriptions. Ms. Reis asked why this amendment is being rushed through the ERTAC without all response forms being received from the affected entities and while the public comment period hasn't ended. She suggested delaying the ERTAC's recommendation to the NEFCO board by one month. Mr. LaPlante and Ms. Rutledge explained that PCWR and NEFCO staff view a pending PTI application that conflicts with the 208 Plan as an urgent matter that needs to be handled quickly and efficiently by NEFCO when requested by a management agency, such as PCWR. They noted that both agencies had been working on this amendment since November 2024. Mr. LaPlante noted that it is very likely that his stated contingencies will be met the day after the ERTAC meeting, making a one-month delay unnecessary. Mr. Hadley noted that the ERTAC is the advisory committee to the NEFCO board, and the board is the approval authority. He asked the ERTAC to consider a

recommendation of conditional approval by the board. After hearing no further discussion, Chair Kastner asked the ERTAC if there was a motion to recommend approval of the amendment by the NEFCO Board, contingent upon response forms being received from all three affected local governments/agencies prior to the board's February 19, 2025 meeting, each indicating no objection to the amendment; and no comments objecting to the amendment being received by PCWR at the close of business on February 6, 2025. Mr. Wearstler made that motion. Mr. Nicholson seconded it. Chair Kastner asked for a show of hands from those in favor of recommending conditional approval of the amendment and a show of hands from those in objection to it. There were eight ERTAC members in favor of recommending conditional approval of the amendment by the NEFCO board; and there were two objections. There were no abstentions. The motion carried.

NEFCO FY2025 Work Program

FY2025 201/208 FPA update submitted to Ohio EPA, next steps for state certification

Mr. LaPlante reported that on January 14th, staff submitted NEFCO's 208 Plan amendments and updates from April 2024 through December 2024 to Ohio EPA for state certification. He added that public notification by Ohio EPA of NEFCO's and the other Areawides' submitted Plan amendments and updates from 2024 is expected to occur in March 2025. He noted that this is Ohio EPA's first step in the state certification process for the Areawides' submitted 208 Plan amendments and updates from the calendar year 2024.

Website maintenance and updating for NEFCO's approved FY2025 208 Plan update; status

Mr. LaPlante mentioned that, also on January 14th, NEFCO staff completed the needed website maintenance and updating for the FY2025 FPA update that was approved by the NEFCO Board on December 18, 2024. He reported that all updated Chapter 3 FPA Appendices have been posted on the website and the interactive online 208 Plan map has been updated to reflect the FY2025 FPA update, noting that everything on the website is current as of December 18, 2024.

Lessons learned from the FY2025 201/208 FPA update: NEFCO staff's planned response

Mr. LaPlante noted that NEFCO announced last year's facilities planning areas update on February 16, 2024, further noting that staff learned that it should not be announced any later than mid-February. He added that like the previous year, most MAs requesting an update didn't allow time for both draft mapping and any mapping revisions required by NEFCO before the FPA update submittal deadline. He reported that the biggest lesson learned was that when the MAs are proposing hundreds of updates for an FPA, having the MAs first submit draft PDFs maps of existing and proposed FPA boundaries and wastewater prescriptions, followed by having them submit revised draft PDFs maps, followed by having them submit GIS shapefiles may not be the most efficient approach. He added that NEFCO staff's planned response to this lesson is to consider having the MAs first submit the GIS shapefiles for their proposed FPA boundaries and wastewater prescriptions within the first two months after the update begins, followed by NEFCO's GIS staff reviewing the data and grouping update areas for the MAs to insert into NEFCO-generated templates of the split-screen existing/proposed maps for the MAs to submit to NEFCO in final draft PDF format by the submittal deadline.

FPA update mapping subcommittee volunteers needed for a short meeting at 11:00 a.m., or immediately following the end of this ERTAC meeting

Mr. LaPlante asked those interested in serving on the ERTAC's FPA update mapping subcommittee to meet for a short meeting immediately following the end of this meeting. He noted that the purpose of today's subcommittee meeting is to get your input on our planned response to the lessons learned from last year's FPA update. (Note: Five subcommittee members met immediately following the ERTAC meeting and agreed that the most efficient approach for the next 201/208 FPA update is to have the MAs first submit the GIS shapefiles for their proposed FPA boundaries and wastewater prescriptions within the first two months after the update begins, followed by NEFCO's GIS staff reviewing the data and grouping update areas for the MAs to insert into NEFCO-generated templates of the split-screen existing/proposed maps for the MAs to submit to NEFCO in final draft PDF format by the submittal deadline.)

FY2026 201/208 Facilities Planning Areas (FPA) update; status

Mr. LaPlante reported that NEFCO staff met in January to discuss any changes needed to the update guidelines. He noted that the staff is currently updating the mapping guidelines and determining the general timeline for the FY2026 FPA update. He said NEFCO staff anticipates the update starting during the middle of this month. He added that like the previous two years' updates, the FY2026 update will begin with NEFCO staff sending notification of it to the primary MAs and scheduling a virtual meeting with them to go over the FPA update mapping guidelines.

Reports from ERTAC members (a chance for members to report on activities or problems affecting their communities)

There were no reports from ERTAC members.

Information items requested

Chair Kastner and Mr. Etling requested a copy of selected articles.

Ohio EPA Public Notices requested

While no copies of Ohio EPA public notice were requested, Mr. Hadley mentioned that another Ohio EPA public notice came in yesterday from the Division of Drinking and Ground Waters (DDAGW). He noted that DDAGW is seeking input from stakeholders on its draft rules under Ohio Administrative Code (OAC) Chapter 3745-81 pertaining to the requirement to protect surface water sources from potential contaminants as outlined in the Safe Drinking Water Act. He added that this Interested Party Review comment period deadline is March 6, 2025.

Ohio Environmental Legislation Recently Signed or Introduced

Mr. Hadley mentioned that HB 257 (Remote Meeting Authority) that the Ohio Association of Regional Councils has been pushing was signed by the Governor on January 8, 2025, and becomes effective April 9, 2025,

Other Business

There was no other business.

ERTAC Contact Hour Course List

Chair Kastner drew the ERTAC's attention to the list.

Next Meeting

Chair Kastner said that the next meeting would be held at 9:00 a.m. on **March 5, 2025** at The Natatorium, Hopewell Room, 2345 4th Street, Cuyahoga Falls, Ohio.