

**October 6, 2021**  
**ENVIRONMENTAL RESOURCES TECHNICAL ADVISORY COMMITTEE**  
**Executive Committee**  
**Meeting Summary**

**Attendance**

|                  |   |
|------------------|---|
| Mary Helen Smith | Portage County Health District                      |
| Wesley Carder    | City of Canton                                      |
| Nathan Coey      | City of Wooster                                     |
| Tony Demasi      | City of Cuyahoga Falls                              |
| Josh Garretson   | Ohio Department of Natural Resources                |
| Kevin Givins     | City of Orrville                                    |
| Pat Gsellman     | City of Akron                                       |
| Genny Hanna      | City of Akron                                       |
| Bob Hempel       | Wayne County Health Department                      |
| Trever Hunt      | City of Barberton                                   |
| Patrick Jeffers  | City of Ravenna                                     |
| Rob Kastner      | Wayne Soil and Water Conservation District          |
| Jenn Kiper       | Wayne County Planning Department                    |
| Ross Nicholson   | Summit County Department of Sanitary Sewer Services |
| Tia Rutledge     | Portage County Water Resources                      |
| Patricia Vanah   | Ohio EPA NEDO                                       |
| Elaine Marsh     | Friends of the Crooked River/Summit Metro Parks     |
| Megan Shaeffer   | Summit Metro Parks                                  |
| Diane Sumego     | dms water solutions, LLC                            |
| Joe Hadley       | NEFCO   |
| Tom LaPlante     | NEFCO   |

**Chairwoman Smith called the meeting to order**

**Public Comments**

None.

**Meeting Summary**

The October meeting summary was accepted as transmitted.

**Discussion Item**

*“A ‘Dam’ Good Tale” (Canal Diversion Dam Removal Project); Speakers: Ms. Elaine Marsh; President, Friends of the Crooked River (FOCR) and Facilitator of the Canal Diversion Dam Project; and Ms. Dianne Sumego, PE; President, dms water solutions and Owner’s Representative for the Canal Diversion Dam Project*

Ms. Marsh presented an overview of the Cuyahoga River and its history, and then introduced the Canal Diversion Dam Removal project. She discussed a map of attainment status along the entire stretch of the river and how the areas of non-attainment (shown in red) correlate to dams. She explained that the National Park Service (NPS) had a ‘use conflict’ with removing the Canal Diversion Dam since water quality and recreation would improve in the Cuyahoga Valley National Park (CVNP) where the dam was located but at the same time, it would negatively impact the preservation of history. She talked about the hazards and the water quality issues caused by the Canal Diversion Dam, which were identified in an early study by FOCR, US EPA GLNPO, Ohio EPA, the NPS and all the other landowners. Other topics covered by Ms. Marsh included:

- International Joint Commission/Boundary Waters Treaty between the U.S and Canada
- The U.S.-Canada Great Lakes Water Quality Agreement, which initially designated 43 Areas of Concern (areas of significant beneficial use impairment)
- Great Lakes Restoration Initiative (GLRI), which was launched in 2010

- GLRI's priority: water quality management actions (recognized funding was needed)
- Overview of the project:
  - Deconstruction of the Canal Diversion Dam (to improve recreation/water quality)
  - Construction of a river water pump station (to preserve history of Ohio and Erie Canal within the CVNP)
- Funding sources:
  - \$900,000 in SEP funds made available to FOCR in 2017 through Ohio EPA
  - \$800,000 US EPA GLNPO grant to NEFCO in 2019, of which FOCR is a subrecipient

Mr. Sumego gave an overview of the project from an engineering perspective and explained that she has been involved with the project for over a decade and followed the Ohio Revised Code's 'Design-Build' process. She noted that FOCR hired Kokosing Industrial, Inc. (KII) to deconstruct the dam and construct the river water pump station, and Prime AE Group, Inc. as the project's engineer. Topics covered by Ms. Sumego included:

- The project being divided into two phases
  - Phase 1: Removal of the 1952 Canal Diversion Dam and the 1827 Pinery Dam
    - Required recordation for the State Historic Preservation Office and CVNP
    - Completed in summer of 2020
  - Phase 2: Installation of the river water pump station
    - Needed to make the canal operational again per CVNP's goal
    - Will operate 365 days per year/24 hours per day
    - Has a flow rate of 20 cubic feet per second
    - Plan calls for pump station structure to be poured in place
    - Archimedes screw pump is pre-manufactured
- Permitting problems due to land ownership issues and questions
- Permits needed from:
  - CVNP—for site access
  - ODNR—for removal of dams
  - Cleveland Metroparks—for site access
  - ODOT—for site access and transfer of ownership
  - US Army Corps of Engineers—for 5 permits within one permit (delayed project 9 months)
- Construction: Phase 1 (deconstruction of dams)
  - Bat study--needed to be redone due to COVID-19 delays
  - Tree removal
  - KII mobilization
  - Sign installation
  - Day 1 of deconstruction—notching day (Ms. Sumego showed a video and slides)
- Construction Challenges:
  - High water/flooding
  - Needed to build a causeway for the backhoe to access the Canal Diversion Dam
  - Number of visitors were limited due to COVID-19 (10 maximum)
- Next step:
  - Phase 2: Installation of pump, which is underway

Ms. Marsh's and Ms. Sumego's presentation concluded with slides of the free-flowing Cuyahoga River where the dams once stood, and with both speakers fielding questions from the ERTAC. A group discussion regarding progress on the removal of the Gorge Dam followed. Mr. Hadley commented that he would like to see the state fund a video of FOCR's presentation.

## **NEFCO FY2022 Work Program**

*Clean Water (208) Plan's Chapter 3, draft Policy 3-6a and 3-6b, tabled from August ERTAC meeting; status*

Mr. LaPlante gave the status of the draft wastewater management dispute policy that was tabled by the ERTAC at its August 4<sup>th</sup> meeting to allow for more time by staff and ERTAC members to study the draft more closely before releasing it for public comment. He indicated that NEFCO staff is further along with its internal review of the draft but not ready to suggest any major changes. He added that to make it easier to read, the policy's amendment guidelines found at the beginning of the document may be placed at the end of the document after the new policy criteria guidance sections.

*Clean Water (208) Plan Chapter 3 update; status of the state certification*

Mr. LaPlante reported that on September 20<sup>th</sup>, the Ohio Association of Regional Councils (OARC) held its quarterly water quality subcommittee meeting with Ohio EPA. He noted that during that meeting Ohio EPA staff said that the director had signed off on the Areawides' submitted 208 Plan updates; and they were going to the Governor's office for his signature and certification that day. He added that it took approximately 30 days for the governor to certify the previous year's 208 Plan update. He further added that after the 208 Plan updates have been certified by the governor, the Ohio EPA will submit them to US EPA for approval.

*Areawides/Ohio EPA collaborative project on sewerred and unsewered areas data collection and mapping; status*

*Discussion on 'available sewer line data' that is needed for the project*

Mr. LaPlante gave the status of this collaborative data collection and mapping project. He indicated that at a collaborative mapping project meeting on September 30<sup>th</sup>, Ohio EPA staff indicated that the agency only wants existing sewer line data that the Areawides already have available in their databases. He noted that while the Ohio EPA isn't expecting the Areawides to collect new sewer line data from the wastewater management agencies, any sewer line data that can be made available to NEFCO staff before December 31<sup>st</sup> will be used for the project.

*Continued discussion on priority areas for needed sewer connections or HSTS upgrades*

Mr. LaPlante indicated that also at the September 30<sup>th</sup> collaborative mapping project meeting, Ohio EPA provided additional clarification on its goals for this project and Areawide submission needs. He noted that while Ohio EPA's previous focus for this project was to use H2Ohio funding primarily to extend nearby sanitary sewers to medium-to-high density, low-to-moderate income households with failing household sewage treatment systems (HSTSs), the agency seems to be shifting its focus to extending sewers to mobile home parks (MHPs) served by 'package' (wastewater treatment) plants, where a potentially larger number of households with low-to-moderate incomes could be connected to nearby sewer. He further noted that Ohio EPA will be providing the Areawides with the latitude-longitude coordinates of MHPs with NPDES permits to map the MHPs along with known HSTS problem areas with low-to-moderate income households. He added that staff has been contacting the MAs, county health districts, and other stakeholders for data on the known HSTS problem areas and some of that data has already been received.

*Nimishillen Creek Watershed Partners held its annual Creek LEAP (Litter Elimination, Awareness, and Prevention) clean-up on September 18<sup>th</sup>; results*

Mr. LaPlante indicated that the results of the Nimishillen Creek Watershed Partners annual creek clean-up are pending since the lead contact is out of the office until October 7<sup>th</sup>. He noted that a group photo taken on the day of the clean-up and posted to the Partners' Facebook page shows at least 36 volunteers. He further noted that NEFCO staff attended the clean-up and collected ten 40-gallon bags of trash. Mr. Hadley gave the background of the Partners

annual creek clean up. He indicated that this is an activity that formed as a result of NEFCO's 2007 Nimishillen Creek Watershed Action Plan and has been taking place for about 15 years.

#### *Portage Lakes Management Study--Phase 6; status*

Mr. LaPlante announced that the Portage Lakes Partners will be meeting on October 21<sup>st</sup> from 9:00 a.m. to 11:00 a.m. He reported that Maia Peck, NEFCO's lead watershed planner on the project, has addressed the comments from the Technical Review draft. The purpose of this meeting is for the Partners to discuss the next steps to bring the draft Management Plan to the partner organizations and public, and seek comments and support. Mr. Hadley provided additional information regarding the draft Management Plan and indicated that he would like to see public input before bringing it before the NEFCO Board for its endorsement.

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

There were no reports.

#### **Information items requested**

There were no requests.

#### **Ohio EPA Public Notices requested**

There were no requests.

#### **Ohio Environmental Legislation Recently Signed or Introduced**

Mr. Hadley gave the updated status of HB 385, which was introduced to prohibit municipal corporations located within the Western Basin of Lake Erie from discharging any amount of waste into Ohio waters and imposes penalties (\$250,000 to \$1 million) for violations with each day a separate offense. He indicated that the bill was introduced in response to an alleged long-time discharge of untreated municipal wastewater into the Maumee River. He questioned whether any resulting law from the bill would become statewide and whether penalties being paid would increase statewide as a result. He indicated that the OARC Policy Subcommittee has been discussing this bill and any ramifications that may come from it if it becomes law. Ms. Marsh commented that a recent NEORSD study showed that nutrients from combined sewer overflows (the reason the bill was introduced) is minimal. She further commented that it's been shown that nutrients from agriculture are the main source of water quality problems. Mr. Gsellman added that this bill has a political agenda—the farmers versus the municipalities as being the main source of Lake Erie's harmful algal blooms. Mr. Hadley then gave the updated status of HB 175, which was introduced to deregulate certain ephemeral water features under various water pollution control laws. He reported that this bill was voted out of the House Agriculture and Conservation committee on September 7<sup>th</sup>, and is now in the Senate.

#### **Other Business**

None.

#### **ERTAC Contact Hour Course List**

Chairwoman Smith drew the ERTAC's attention to the list.

#### **Next Meeting**

Chairwoman Smith said that the next meeting would be held on November 3, 2021, at the Cuyahoga Falls Downtown Pavilion, 2085 Front Street, Cuyahoga Falls, Ohio.