

February 3, 2021
ENVIRONMENTAL RESOURCES TECHNICAL ADVISORY COMMITTEE
Executive Committee
Virtual Microsoft Teams Meeting Summary

Attendance

Mary Helen Smith	Portage County Health District
Ynes Arocho	Ohio EPA
Nathan Coey	City of Wooster
Stephanie Deibel	Summit Soil and Water Conservation District
Tony Demasi	City of Cuyahoga Falls
Lawrence Fulton	Summit County Engineer's Office
Josh Garretson	Ohio Department of Natural Resources
Gail Gifford	Portage County Regional Planning Commission
Kevin Givens	City of Wooster
Genny Hanna	City of Akron
Bob Hempel	Wayne County Health Department
Trevor Hunt	City of Barberton
Patrick Jeffers	City of Ravenna
Dan Joseph	City of Akron
Rob Kastner	Wayne Soil and Water Conservation District
Jenn Kiper	Wayne County Planning Department
Joel Montgomery	City of Wooster
Ross Nicholson	Summit County Dept. of Sanitary Sewer Services
Brian Prunty	Summit Soil and Water Conservation District
Ali Rogalski	Summit County Public Health
Tia Rutledge	Portage County Water Resources
Mike Vinay	Summit County DSSS
Pete Wearstler	Wayne County Planning Department
David White	Summit County Engineer's Office
Pat Gsellman	City of Akron
Brian Gresser	City of Akron
Jay M. Jordan	Citizen
Amos Sarfo	Portage County Health District
Heather Ullinger	City of Akron
Bill Zawiski	Ohio EPA
Joseph Hadley, Jr.	NEFCO
Tom LaPlante	NEFCO
Nick Lautzenheiser	NEFCO

Chairwoman Smith called the meeting to order

Public Comments

None.

Meeting Summary

The January meeting summary was accepted as transmitted.

Discussion item

“Ohio EPA’s recent and planned water quality assessments, attainment status reports, and TMDLs for the NEFCO region’s subbasins”, Bill Zawiski, Water Quality Supervisor, Ohio EPA NEDO, Division of Surface Water

Mr. LaPlante introduced Bill Zawiski, Water Quality Supervisor from Ohio EPA’s Northeast District Office, and explained that the reason that Mr. Zawiski was invited to speak at this meeting was to provide some of the needed existing water quality data for NEFCO to initiate, this year, the update of the 208 Plan’s Chapter 2, which includes a major section on the current water quality conditions in the NEFCO region’s watersheds. Mr. Zawiski’s presentation and slides covered where Ohio EPA is today with its water quality assessments, what its current and future plans are, and recent changes to how the agency is assessing water quality throughout the state and included the following topics:

- The twelve watersheds of the NEFCO water quality planning area
- Ohio EPA’s recent and planned water quality monitoring of these twelve watersheds
- Ohio EPA’s new two-pronged approach to assess water quality through probability and targeted surveys, which the agency conducts on a rotating twelve-year schedule to meet the Clean Water Act’s requirement of assessing the state’s water quality every two years
- Orientation to US EPA’s new water quality database system called ATTAINS and its “How’s My Water Way?” website where Ohio’s and other state’s water quality data can be found
- Monitoring progress towards meeting the Clean Water Act objective, which is to restore and maintain the chemical, physical, and biological integrity of the Nation’s waters
- Water quality modeling for Total Maximum Daily Load (TMDL) reports, which are essentially watershed restoration plans required by the CWA and written by Ohio EPA when a stream doesn’t meet water quality standards
- What’s next for Ohio EPA’s water quality surveys in the NEFCO region after the COVID-19 pandemic suspended Ohio EPA’s water quality surveys during this fiscal year?

A discussion followed Mr. Zawiski’s presentation and he answered questions regarding where Ohio EPA will pick up with its water quality surveys this year and the agency’s plans for certain TMDLs.

NEFCO FY2021 Work Program

208 Plan Chapter 3 update – status of completion activities

Chapter 3 update website merged with Clean Water Plan website

Mr. LaPlante made the ERTAC aware that NEFCO staff has merged the 208 Plan Chapter 3 update website with the Clean Water Plan website where all eleven chapters of the Plan can be viewed, including the 2020 Chapter 3 update, the Appendices, which are the individual facilities planning area maps and written wastewater treatment prescriptions, and the interactive online 208 map. He explained that NEFCO’s Clean Water Plan website can be found at <http://necoplanning.org/CWP.html> and he showed several slides to orient the committee to the Clean Water Plan website.

NEFCO staff correcting minor 208 mapping errors as permitted by the Board

Mr. LaPlante explained that as requests for NEFCO’s 208 GIS data begin to filter in from management agencies (MAs) that are putting together 208 amendment applications, NEFCO staff and the MAs have noticed minor mapping errors. Maia Peck, NEFCO’s GIS Specialist, has begun correcting these minor errors as permitted by the Board. He further explained that some of these errors involve two mutual FPA boundaries and are so minor that the errors are not

noticeable in the static pdf FPA maps, but when the viewer zooms in to the parcel level or closer on the online map, very small slivers, or gaps between the mutual FPA boundaries appear and are these are being corrected on an amendment-by-amendment basis. He noted that these minor corrections will be attached to amendment applications as an errata or addendum. Staff wanted to make the ERTAC aware that this is something that the committee and the Board will likely see when considering future 208 amendments.

208 Plan Chapter 3, Policy 3-6a and 3-6b

Examples of existing criteria and how they can be edited to be less ambiguous

Mr. LaPlante reminded the ERTAC that the 208 Plan's Chapter 3, Policy 3-6a/3-6b addresses how staff, the ERTAC, and the NEFCO Board should handle resolving conflicts between adjacent MAs when one MA desires to expand its sewer service into another MA's FPA without its consent. He remarked that as was recently learned, this Policy in its current version, offers no solutions in a real situation and, therefore, is being revised. He noted that staff has observed that some of the existing Policy criteria language is outdated or needs to be better defined to remove ambiguity. He showed several slides of the Policy text and discussed examples of ambiguous phrases in the Policy that an MA on either side of an FPA boundary dispute could argue supports their position. He suggested that the criteria could be made less ambiguous by ensuring that they are revised to not require judgment and to only be written in a 208 context.

NEFCO staff continuing to review similar 208 policies of other Areawides

Mr. LaPlante reported that NEFCO staff is continuing to review similar 208 policies of the other areawide planning agencies, and on January 28th, all six Areawides held a roundtable discussion for this purpose. He noted that it was determined through the discussion that four of the six Areawides, NOACA, Eastgate, MVRPC, and OKI, require an agreement between the MA seeking the FPA modification and the affected MA before presenting the modification or amendment to their committee or Board. He further noted that the northeast Ohio Areawides, NEFCO, NOACA, and Eastgate, have similar written 208 Policies, including having the same ambiguous criteria. He reported that NOACA's similar Policy states that NOACA prefers that FPA boundary disputes be resolved prior to the MA applicant's submittal of an FPA modification request. NOACA staff will not recommend approval of the change without an agreement, which sometimes needs a third-party mediator, such as the county MA.

Portage Lakes Management Study (PLMS) – Phase 5

PLMS partners met via Teams on January 21st; ODNR gave presentation on the Lakes

Mr. LaPlante presented a summary of the January 21st PLMS partners meeting, which was provided by Maia Peck, NEFCO's Watershed Coordinator for the PLMS – Phase 5. At the January 21st meeting, the Ohio Department of Natural Resources and the Summit Soil and Water Conservation District each reported on their planned activities related to the Portage Lakes for this calendar year. ODNR reported on its plans to dredge sediment and chemically and physically remove aquatic plants this year, but only in the heavily used and navigated areas of the Lakes. NEFCO staff suggested that public outreach and educational materials regarding ODNR's plans for the Lakes would be helpful. The Summit SWCD reported that it will be supporting an Upper Tuscarawas River watershed coordinator, who can play an important role with the Portage Lakes. The SWCD is currently developing memoranda of understanding (MOUs) with Portage Lakes communities that have expressed interest in assistance with several watershed restoration, protection, and education projects. Other topics discussed by the PLMS partners at that meeting included aquatic plant management in North Reservoir and the importance of reducing phosphorus from land and in the water, the need for consistent professional monitoring, the need for additional staff and resources to manage the lakes, the

time needed for a watershed coordinator/lake manager program to become effective, and the potential for future public engagement.

Management Plan final draft to be submitted to the PLMS partners in mid-April

Mr. LaPlante noted that NEFCO staff will submit a final draft Management Plan to the PLMS partners in mid-April for its consideration of recommending that the final draft be presented to the ERTAC for its consideration.

Next PLMS partners virtual meeting scheduled for April 22nd

Mr. LaPlante indicated that the third PLMS partners meeting during this fiscal year is scheduled for April 22nd. He reiterated that the purpose of this meeting is for the PLMS partners to consider recommending that the final draft Management Plan be presented to the ERTAC. He noted that a fourth PLMS partners meeting will be held before June 30th; with the date to be announced at the April 22nd meeting.

Reports from ERTAC members

None.

Information items requested

Mr. Hadley noted that the only new item that is not on the list that was provided with the agenda packet is pertaining to Congress reestablishing the per- and poly fluoroalkyl substances (PFAS) Task Force. He briefly discussed the history of the PFAS Task Force and Ohio's involvement with it and added that anyone interested in more details should contact NEFCO staff.

Ohio EPA, ODNR, and ODH Public Notices requested

Mr. Hadley mentioned that one other notice for this list that came in after the agenda mailout and it is regarding Ohio EPA DEFA's Water Supply Revolving Loan Account (WSRLA) and its call for project nominations for the program year 2022. He reminded the ERTAC that project nominations must be submitted to the Ohio EPA by March 3rd. He added that anyone interested in more information can contact NEFCO staff.

Ohio Environmental Legislation Recently Signed or Introduced

Mr. Hadley indicated that he wanted the ERTAC to be aware that the Governor had signed HB 7, which pertains to the state's Water Quality Protection and Preservation Programs and it becomes effective on April 12, 2021. Mr. Hadley commented on the Governor's overarching interest in addressing phosphorus runoff in Lake Erie's western basin as a major priority, which is reflected by his signing of HB 7, and the Governor's commitment to provide funding for this to the Ohio Department of Agriculture, Ohio Department of Natural Resources and Ohio EPA for their respective responsibilities. Chairwoman Smith commented that this also appears to be a funding source for the Soil and Water Conservation Districts. Mr. Hadley responded that a primary focus of the Program, at least in the immediate future, appears to be to direct the funding to northwest Ohio, but the funds might eventually spill over to the rest of the state, which could be of interest to the NEFCO region's SWCDs. Chairwoman Smith commented that the Governor's H2Ohio initiatives are great for water quality, but harmful algal blooms are not just in northwest Ohio.

Other Business

None.

ERTAC Contact Hour Course List

Mr. LaPlante reminded the ERTAC that at the March 3rd ERTAC meeting, the speaker will be Jim Hoorman, a soil scientist fellow at the University of Akron Research Foundation (UARF) and owner of Hoorman Soil Health Services in northwest Ohio. Mr. LaPlante noted that Mr. Hoorman, who spoke at an ERTAC a few years ago, is an expert on no-till and cover crop farming that can be implemented to prevent excessive runoff of nutrients, especially phosphorus, that can lead to the growth of harmful algal blooms. Mr. Hoorman's presentation will be on a UARF project that received nearly \$660,000 in funding from the U.S. EPA's Great Lakes Restoration Initiative (GLRI). The project will study how to reduce sediment and phosphorus runoff from the Maumee River watershed and harmful algal blooms in the western basin of Lake Erie through no-till farming and the planting of cover crops and field-edge native prairie grass strips.

Next Meeting

Chairwoman Smith said that the next meeting would be held on March 3, 2021 as a virtual meeting via Microsoft Teams.