

**March 3, 2021**  
**ENVIRONMENTAL RESOURCES TECHNICAL ADVISORY COMMITTEE**  
**Executive Committee**  
**Virtual Microsoft Teams Meeting Summary - REVISED**

**Attendance**

Rob Kastner	Wayne Soil and Water Conservation District
Ynes Arocho	Ohio EPA
Nathan Coey	City of Wooster
Stephanie Deibel	Summit Soil and Water Conservation District
Tony Demasi	City of Cuyahoga Falls
Gail Gifford	Portage County Regional Planning Commission
Kevin Givens	City of Wooster
Genny Hanna	City of Akron
Trevor Hunt	City of Barberton
Patrick Jeffers	City of Ravenna
Dan Joseph	City of Akron
Jenn Kiper	Wayne County Planning Department
Joel Montgomery	City of Wooster
Ross Nicholson	Summit County DSSS
Ali Rogalski	Summit County Public Health
Tia Rutledge	Portage County Water Resources
Pete Wearstler	Wayne County Planning Department
David White	Summit County Engineer's Office
Cody Beale	Wayne Soil and Water Conservation District
Jay Jordan	Stark Soil and Water Conservation District
Jim Hoorman	UARF, Hoorman Soil Health Services
Joseph Hadley, Jr.	NEFCO
Tom LaPlante	NEFCO
Nick Lautzenheiser	NEFCO

**Vice-Chair Kastner called the meeting to order**

**Public Comments**

None.

**Meeting Summary**

The February meeting summary was accepted as transmitted.

**Discussion Item**

***“Innovative Vegetative Technologies to Improve Water Quality (Prairie Seedings and Cover Crops),”* Jim Hoorman, University of Akron Research Foundation (UARF), Hoorman Soil Health Services**

Jim Hoorman, University of Akron Research Foundation (UARF) Fellow and owner of Hoorman Soil Health Services, gave a PowerPoint presentation on *“Innovative Vegetative Technologies to Improve Water Quality (Prairie Seedings and Cover Crops),”* which is a UARF project that received nearly \$660,000 in funding from the U.S. EPA's Great Lakes Restoration Initiative (GLRI). Mr. Hoorman discussed how traditional farming practices that use vertical tilling methods lead to a broken carbon cycle that contributes to the release of phosphorus and sediment in the Maumee River watershed, causing harmful algal blooms (HABs). His presentation demonstrated that widespread implementation of no-till farming practices with

cover crops could reduce HABs in Lake Erie and Ohio's rivers and streams. Topics covered included:

- How soil microbes harvest and recycle nutrients
- How conventional vertical tilling burns essential soil organic matter
- Comparison of nutrient fate in winter and spring with conventional- versus eco-farming
- Soil erosion losses associated with conventionally tilled fields
- Lake Erie nutrient loading and HABs
- How a broken carbon cycle in tilled soils leads to phosphorus loading in Lake Erie
- Using cover crops to lower soil concentration of phosphorus
- Overview of the UARF project: "A new HAB solution: Integrated vegetation-based technologies to prevent HABs in Ohio lakes and streams"

A discussion followed Mr. Hoorman's presentation, and he answered a question regarding whether there is a need to use more pesticides and herbicides when no-till practices are implemented. Mr. Hoorman indicated that cover crops reduce the need for these chemicals.

### **NEFCO FY2021 Work Program**

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

*NEFCO staff completes review of similar 208 policies of the other Areawides*

Mr. LaPlante reminded the ERTAC that the 208 Plan's Chapter 3, Policy 3-6a and 3-6b covers how NEFCO staff, the ERTAC, and the NEFCO Board should handle resolving conflicts between adjacent management agencies when one management agency desires to expand its sewer service into another MA's facilities planning area without the affected MA's consent. He explained that this Policy in its current version offers no solutions in a real FPA dispute situation; and, therefore, is being revised by sharpening the Policy's criteria to make them less ambiguous. He reported that to aid in the Policy revision process, NEFCO staff completed a review similar 208 policies of the other Areawide planning agencies. He noted that while all three northeast Ohio Areawides, NEFCO, NOACA and Eastgate, have some of the same ambiguous Policy criteria. NOACA has removed much of the ambiguity in its most recent 208 Plan update by adding short guidance sections for ambiguous phrases in the criteria, such as "undue harm" and "legal authority." Mr. LaPlante explained that NOACA's guidance for the phrase "undue harm" sharpens the criteria by clarifying that "undue harm" means other documented impacts to the affected MA's sewers and sewage treatment system would occur if the proposed FPA modification was approved by its Board. He added that NOACA's guidance for the phrase "legal authority" sharpens the criteria by clarifying that "legal authority" means that the applicant must have the legal authority under current Ohio and federal law to provide sanitary sewer service to the FPA modification area. Mr. LaPlante reminded the ERTAC that at the February ERTAC meeting, he showed the committee some slides of the Policy's ambiguous criteria and discussed solutions to sharpen them and make them more useful. He indicated that the review of similar 208 policies of the other Areawides has shown that another solution is to include short guidance sections to clarify and sharpen the ambiguous phrases in the criteria and staff is considering this approach for the needed Policy revisions.

#### *Use of subcommittee*

Mr. LaPlante explained that to date, the ERTAC subcommittee for this Policy revision consists of Genny Hanna from the City of Akron, Nathan Coey from the City of Wooster, and Rob Kastner from Wayne Soil and Water Conservation District. He again thanked these MAs for volunteering to serve on the Policy revision subcommittee. He indicated that the next step will be for NEFCO staff to send a memo to the larger MAs to explain the 'problem' with the current policy, explain why there needs to be some clarification in the policy's use, and recommend

some solutions, such as the ones just discussed. He further indicated that the memo will also request these MAs to provide comments. Comments which are needed prior to sending draft Policy revisions to the subcommittee and requesting its endorsement of the staff and subcommittee solution. Then that it can be brought up to the ERTAC for discussion and consideration of board acceptance.

#### **208 Plan draft Chapter 4; status**

Mr. LaPlante reminded the ERTAC that Chapter 4 addresses the management of HSTS, semi-public sewage disposal systems, and SFOSTSs. He reported that NEFCO staff has performed an internal review of the 2016 edited draft that was written by an ERTAC subcommittee of county health departments. He explained that the 2016 edited draft has written comments from Todd Paulus of Stark County Health Department and Mary Helen Smith of Portage County Health Department, which were written on May 12, 2016, and are being addressed by NEFCO staff. He further explained that staff is addressing recent observations by Todd Paulus after he commented this year that there have been several important updates at the state level that have occurred since the 2016 draft Chapter 4 was written. The most important of these are a revised MOU to conduct the HB 110 program and the revised General NPDES Permit for household sewage treatment systems. Mr. LaPlante indicated that some of the older comments and these new comments are resulting in additional chapter sections being written or modified and this is still ongoing. He added that NEFCO staff will keep the ERTAC updated on the status of the draft Chapter 4 revisions at future meetings.

#### **Canal Diversion Dam Project**

*US EPA approves extension to the grant's project period end date; clarifies end date for payment of invoices from grant's funds*

Mr. LaPlante reported that on January 26th, the US EPA approved a no-cost extension to the \$800,000 USEPA/NEFCO grant's project period end date, extending the end date from April 30, 2021 to October 31, 2021. He explained that the extension was requested last fall by Friends of the Crooked River (FOCR), the grant's subrecipient, and was needed due to the Project being impacted by manufacturers delays in getting supplies during the COVID-19 pandemic. Mr. LaPlante noted that NEFCO staff sent to US EPA in mid-November 2020 a formal written request for the extension and staff is pleased to see that the extension has been approved. He explained that the reason that grant's approved end date extension wasn't reported at last month's ERTAC meeting was that NEFCO was waiting for US EPA to clarify the end date for payment of FOCR's invoices from the grant's funds. FOCR had indicated that another extension would be needed if all invoices must be paid no later than the budget and project period end date. He noted that NEFCO received the needed clarification from US EPA on February 5<sup>th</sup>, two days after last month's ERTAC meeting. He indicated that US EPA said to be eligible for payment from the US EPA grant funds, all costs must be incurred prior to the budget and project period end date, which addressed FOCR's concerns.

*Friends of the Crooked River to give a presentation to the NEFCO Board on March 17<sup>th</sup>*

Mr. LaPlante made this brief announcement about the scheduled Friends of the Crooked River presentation for the upcoming NEFCO Board meeting. He added that NEFCO staff will invite FOCR to give the ERTAC a more technical presentation on the Project closer to the project's end date this fall.

#### **Governor's Executive Budget Proposal contains funding for the Areawides at \$450,000 per year**

Mr. LaPlante reported that on February 1<sup>st</sup>, Governor DeWine released his biennium budget recommendations for fiscal years 2022 and 2023. He indicated that within the Governor's

Executive Budget Proposal is the Ohio EPA budget, which includes a line item to provide the six Areawide planning agencies \$450,000 per year, which equates to \$75,000 per year per Areawide. He noted that the 134<sup>th</sup> General Assembly has until June 30<sup>th</sup> to consider the proposal and develop its own version of a budget for the state and to submit it to the Governor to sign.

#### **2020 Operator Contact Hours Summaries Available**

Mr. LaPlante indicated that anyone wanting a copy of the 2020 water and wastewater operator contact hours summaries should contact NEFCO staff.

#### **2020 Professional Engineer Contact Hours Summaries Available**

Mr. LaPlante also indicated that anyone wanting a copy of the 2020 professional engineer contact hours summaries should contact staff.

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

None.

#### **Information items requested**

None.

#### **Ohio EPA, ODNR, and ODH Public Notices requested**

None. However, Vice-Chairman Kastner commented regarding Item 4, the verified complaint regarding contamination of Springfield Lake from the failed infrastructure of the Village of Lakemore in Summit County, and his knowledge of the Lake's water quality impairment and the need for a stormwater management program to address contamination. Ms. Arocho commented that Ohio EPA's investigation of this complaint is ongoing.

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

Mr. Hadley indicated that this item regarding HB-264, which became law on January 9, 2021 and allows the Ohio Water Development Authority to refinance loans for certain public water and wastewater infrastructure projects and to declare an emergency was provided as an information item.

#### **Other Business**

None.

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

Mr. LaPlante reminded the ERTAC that whether or not the operators receive contact hours from Ohio EPA will depend on whether they had their video turned on during the presentation, in addition to answering the poll questions. He announced that at the April 7<sup>th</sup> ERTAC meeting, the speaker will be James Fisher, Source Water Assessment and Protection Program (SWAPP) Coordinator, Ohio EPA-NEDO. He noted that Mr. Fisher will discuss the status of the state's SWAPP program for public drinking water systems and new developments in the Program. Mr. LaPlante also mentioned, as he has in the past, that operators and registered sanitarians needing continuing education contact hours can attend Ohio EPA DEFA's upcoming webinars.

#### **Next Meeting**

Vice-Chair Kastner said that the next meeting would be held on April 7, 2021 as a virtual meeting via Microsoft Teams.