

May 4, 2022
ENVIRONMENTAL RESOURCES TECHNICAL ADVISORY COMMITTEE
Executive Committee
Meeting Summary

Attendance

Mary Helen Smith	Portage County Health District
Wesley Carder	City of Canton
Steph Deibel	Summit SWCD
Tony Demasi	City of Cuyahoga Falls
Dom DiSalvo	City of Ravenna
Ron Etling	Portage County Board of Commissioners' Appointee
Kevin Givins	City of Orrville
Eric Gorczynski	City of Kent
Patrick D Gsellman	City of Akron
Genny Hanna	City of Akron
Bob Hempel	Wayne County Health Department
Trevor Hunt	City of Barberton
Dan Joseph	City of Akron
Rob Kastner	Wayne SWCD
Jenn Kiper	Wayne County Planning Department
Ali Rogalski	Summit County Public Health
Tia Rutledge	Portage County Water Resources
Paige Seech	Stark County Health Department
Patricia Vanah	Ohio EPA - NEDO
Pete Wearstler	City of Barberton
Steve Carathers	City of Orrville
Janet Popielski	Northeast Ohio Regional Sewer District
Joe Hadley	NEFCO
Tom LaPlante	NEFCO

Chairwoman Smith called the meeting to order

Public Comments

There were no comments from the public

Meeting Summary

The April meeting summary was accepted as transmitted.

Discussion Item

"Flooding, Erosion, and Water Quality"; Janet Popielski, P.E., Stormwater Program Manager, Northeast Ohio Regional Sewer District

Ms. Popielski's presentation addressed the management of stormwater, under the Northeast Ohio Regional Sewer District's (NEORS'D's) Stormwater Program, which legally operates as a utility and is funded through fees based on a property's impervious surface area. She gave an overview of the NEORS'D as an organization, which is based in Cuyahoga County, but separate and distinct from the City of Cleveland and Cuyahoga County. The overview included a discussion on the development of NEORS'D's Regional Storm Management Program, court decisions that gave NEORS'D the authority to operate as a stormwater utility, and examples of ongoing stormwater management projects. Topics covered included:

- Watershed-approach to address flooding, erosion, and water quality impairments
- NEORS'D's Regional Stormwater Management Program litigation history
- The importance of a regional program

- Map of impervious surfaces within NEORSD’s service area
- Intercommunity drainage (drives the need for regional stormwater management)
- NEORSD’s Regional Stormwater Management Program components
- Community cost-share in 2022
- Stormwater Inspection & Maintenance (SWIM)
- SWIM inspections in 2021 (1,381) and anticipated in 2022 (1,340)
- SWIM – debris maintenance on the Cuyahoga River
- Post-storm event response
- SWIM – maintenance
- Sediment and debris removal since 2013 (67,287 cubic yards from 1,197 projects)
- SWIM – project site monitoring
- Stormwater master planning (status through 3/1/2022)
- Ohio EPA Section 319 Grant Program projects
- Water resource project property acquisition
- Stormwater project prioritization
- Stormwater design and construction
- West Creek stabilization project (aka ‘flume project’), which received USEPA Region 5 GLNPO funding to improve the Cuyahoga River’s water quality and biology

Ms. Popielski’s presentation concluded with her fielding many questions from the ERTAC.

Consideration by the ERTAC of a Recommendation to the NEFCO Board

Consideration of an Amendment to the Clean Water Plan for the Wayne County Lincoln Way Facilities Planning Area (FPA) and the Orrville FPA to modify the FPA boundary and update the wastewater treatment prescriptions to enable the Wayne County Office of Environmental Services to provide sewer service to select unsewered parcels on the west side of Wadsworth Road (State Route 57), just north of U.S. Route 30

Mr. LaPlante went through the specifics of this amendment request from the Wayne County Office of Environmental Services (WCOES). He showed a slide of Amendment Figure 1, which is the amendment location map, and explained that the requested amendment is being driven by a request by the owner of Parcels 26-00029.000 and 26-00029.001 for sewer service from WCOES, and by the age and condition of existing septic systems in the immediate area. He added that WCOES started the amendment process in October 2021, and that the amendment is needed before WCOES applies for a Permit-to-Install (PTI) for a sanitary sewer extension from Ohio EPA. He further explained that with the proposed amendment, twelve parcels are being shifted from the Orrville FPA and added to the Wayne County Lincoln Way FPA, and nine of the twelve parcels being shifted from the Orrville FPA and added to the Wayne County Lincoln Way FPA are already entirely mapped in orange, meaning “Areas Expected to be Served with Sanitary Sewer within the next 20 Years”. He added that three of the twelve parcels being shifted from the Orrville FPA and added to the Wayne County Lincoln Way FPA are partially mapped in cream, meaning “Areas that will be Served by Home Sewage and Semi-Public Sewage Disposal Systems”, and that three additional parcels that are currently split by the existing FPA boundary would be added to the Wayne County Lincoln Way FPA, and portions of those three parcels would change from cream to orange. He noted that a list of parcels being impacted from the proposed Wayne County Lincoln Way and Orrville FPA was provided with the amendment packet and shows that a total of fifteen parcels would be affected by the amendment by placing them entirely within the Wayne County Lincoln Way FPA, all with an orange wastewater treatment prescription, as shown in amendment Figures 2 and 3. He explained that the resulting flow of wastewater that would eventually be generated from all 15 parcels in the amendment area would go to WCOES’ Riceland WWTP, which WCOES indicated has capacity to except the flow now and is in the process of doubling its capacity under a separate pending PTI. He went over the seven local governments/agencies that would be affected by the amendment and explained that all seven indicated that they either have “no concern” with the requested amendment or that it “appears

to be consistent with local plans”. He also noted that the legal notice was published in the Wooster Daily Record on January 24, 2022, and no inquiries or comments were received by WCOES during the required 15-day public comment period or to date.

Mr. LaPlante said that staff recommended approval of this amendment and requested that the committee consider recommending approval by the NEFCO Board. After some discussion between Ms. Rutledge, Mr. LaPlante, Mr. Hadley, and Mr. Kastner regarding why the prescriptions for other surrounding parcels outside of the amendment area weren't being snapped to parcel lines, Chairwoman Smith asked the ERTAC if there was a motion to recommend approval of the amendment by the NEFCO Board. Mr. Demasi made that motion. Ms. Rogalski seconded it. There were no objections or abstentions from the ERTAC. The motion carried.

NEFCO FY2022 Work Program

FY2023 Water Quality Management Planning contract with Ohio EPA

Staff considering 208 Plan maintenance projects and potential nutrient reduction projects; to be discussed with Ohio EPA

Mr. LaPlante reported that 208 Plan maintenance projects that staff is considering under the next fiscal year's WQMP contract with Ohio EPA include finalizing the draft Chapter 4 update, presenting it to the subcommittee for its input, and public notification of the draft before presenting it to the ERTAC and NEFCO Board for approval consideration. He added that staff is also considering initiating a potential annual 208 Plan Chapter 3 update with a potential fixed annual deadline for the wastewater management agencies to submit their proposed changes to Appendices text, FPA boundaries and wastewater treatment prescriptions; and public notification before presenting the draft 208 update to the ERTAC and NEFCO Board for approval consideration. He added that potential nutrient reduction projects being considered will include the continued rollout of the draft Portage Lakes Management Plan and staff support to the Portage Lakes Management Study partners. He noted that these projects and others will be discussed with Ohio EPA-NEDO, before NEFCO submits its draft Work Program to Ohio EPA's Central Office. Chairwoman Smith and Ms. Rogalski indicated that they supported an annual 208 Plan Chapter 3 update since the health districts are often faced with no wastewater treatment options for properties with failing septic when they are mapped in yellow, meaning "Areas Currently Served with Sanitary Sewer" but have no access to sewer.

Areawides/Ohio EPA collaborative project on sewerred and unsewered areas data collection and mapping; status of draft map of priority unsewered areas

Mr. LaPlante reported that NEFCO's GIS specialist, Maia Peck, has mapped all the individual polygons of priority unsewered areas (PUAs) in Portage and Summit Counties. He reminded the committee that Stark and Wayne Counties had already provided GIS shapefiles for these PUA polygons earlier this year. He further reported that Ms. Peck is almost ready to post an internal review version of the draft map for NEFCO staff's review.

PLMS partners to meet at Summit Soil and Water Conservation District office on April 28th to discuss draft PLMP rollout activities and materials

Mr. LaPlante reported that for the first time since the pandemic began, the PLMS partners met in person on April 28th at Summit SWCD's office to discuss the draft management plan and rollout activities and materials. He further reported that the partners indicated at the meeting that the message that we are trying to achieve with the plan needs to be clarified, as does the plan's purpose; and what exactly is meant by 'lake management' needs to be defined. He added that the partners determined that data is needed to support the plan's recommendations. He further added that the partners discussed septic systems and sewers. Ms. Rogalski added that the partners suggested that staff refrain from leading off public discussion of the plan with this topic.

Canal Diversion Dam Removal project: status of pump start-up

Mr. LaPlante indicated that at the April 6th ERTAC meeting, staff reported that the pump start-up was still scheduled for April 28th. He noted that on April 23rd, Friends of the Crooked River and the project owner's representative notified the project team that the pump start-up needed to be moved to May 12th due to a coordination issue with the control panel manufacturer.

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

Mr. Gsellman reported that after being suspended by the pandemic, the Blue Heron Homecoming will return on June 17th, 10:00 a.m. to 2:00 p.m., at Cascade Valley Metro Park in the Chuckery Area, 837 Cuyahoga Street, Akron, Ohio 44313. He noted that this is a fun and educational free event for both adults and children that celebrates all the work Akron Waterways Renewed has done to benefit the Cuyahoga and Little Cuyahoga Rivers and to welcome back the blue herons.

Mr. Demasi reported that Saturday, April 30th was the first of three scheduled Cuyahoga River clean-up events. He noted that this was the largest annual turnout to date, with 90 volunteers participating in the river clean-up event.

Chairwoman Smith reported that the Ohio Stormwater Conference is May 11th through May 13th at Kalahari Resorts in Sandusky, Ohio.

Information items requested

Mr. Etling requested items 2, 8-10, and 12. Mr. LaPlante discussed potential ramifications for WWTP operators from U.S. EPA's April 5th memo on *Accelerating Nutrient Pollution Reductions in the Nations Waters*, which was provided with the agenda mailout. He noted that the memo calls for an accelerated reduction of all non-point sources and point sources of nutrients, especially phosphorus; and calls for states to complete and implement TMDLs for nutrient pollution and impose NPDES permit limits that address those TMDLs. He further noted that the City of Euclid may be the first community in Ohio to experience U.S. EPA's new stance on nutrient limits for NPDES permits issued to WWTPs that discharge to a waterbody with a nutrient-related TMDL. He added that the federal agency has formally objected to Ohio EPA's renewal of the city's NPDES permit because the proposed limit is 1.0 milligrams per liter (mg/L), instead of the U.S. EPA's preferred 0.007 mg/L. Mr. Gsellman noted that there will be a hearing on U.S. EPA's objection to Ohio EPA's renewal of the city's NPDES permit at Cleveland State University on June 7th.

Ohio EPA Public Notices requested

Mr. Etling requested item 2 (table of contents and link).

Ohio Environmental Legislation Recently Signed or Introduced

Mr. Hadley mentioned that he has a copy of HB 175, which has been signed by the Governor, for anyone who wants to see it.

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 June 1, 2022, at The Natatorium, Hopewell Room, 2345 4th Street, Cuyahoga Falls, Ohio.