

November 2, 2022
ENVIRONMENTAL RESOURCES TECHNICAL ADVISORY COMMITTEE
Executive Committee
Meeting Summary

Attendance

Rob Kastner	Wayne SWCD
Wesley Carder	City of Canton
Tony Demasi	City of Cuyahoga Falls
Ron Etling	Portage County Board of Commissioners Appointee
Kevin Givins	City of Orrville
Genny Hanna	City of Akron
Bob Hempel	Wayne County Health Department
Dan Joseph	City of Akron
Jennifer Kiper	Wayne County Planning Department
Ross Nicholson	Summit County Department of Sanitary Sewer Services
Tia Rutledge	Portage County Water Resources
Patricia Vanah	Ohio EPA
Bill Zawiski	Ohio EPA
Joe Hadley	NEFCO
Tom LaPlante	NEFCO

Vice Chair Kastner called the meeting to order.

Public Comments

There were no comments from the public.

Meeting Summary

The October meeting summary was accepted as transmitted.

Discussion item

“Updates on the Remediation of Mentor Marsh, Ohio’s First Nature Preserve, and on the Gorge Dam Removal Project”; Speaker: Bill Zawiski, Water Quality Supervisor, Ohio EPA Northeast District Office, Division of Surface Water

Mr. Zawiski gave an overview of the Mentor Marsh Salt Fill Remediation Project and the Gorge Dam Removal Project and provided updates on both. His presentation provided more detail on the Mentor Marsh Remediation Project than on the Gorge Dam Removal Project. He indicated that Mentor Marsh was designated as a National Natural Landmark in 1966 and, shortly afterwards, was the first site to be dedicated as a state nature preserve. However, almost concurrently with these designations, salt fill activities associated with salt mining spoils began in the southeast section of the marsh, which is its headwaters. He went over the timeline of this salt fill activity and of the water quality remediation project, showing and discussing slides of aerial photos of the marsh from 1937, when the marsh’s biodiversity was abundant, to 1973, when the marsh’s biodiversity was clearly showing signs of being negatively impacted by chlorides from the fill activity, to the present, when multi-agency and stakeholder remediation efforts are resulting in a recovery of the marsh’s water quality and biodiversity. He concluded his discussion with an update on the Gorge Dam Removal Project and provided the timeline for the next steps to remove the dam.

Mentor Marsh Remediation and Gorge Dam Removal topics covered included:

- Mentor Marsh Salt Fill Remediation Project
 - 1966: fill activities occurring at property in the southeast section of the marsh
 - 1970: Pollution Study of Marsh Creek and Mentor Marsh by US Department of the Interior
 - 1972: Ohio EPA created

- 1980's: increased sampling by multiple groups
- 2007: Ohio EPA Phase I Report
- 2011: Ohio EPA Phase II Report
- 2017: "The Big Mash at the Marsh" (to eliminate invasive Phragmites); Ohio EPA staff, contractors, partners, volunteers and inmates plant native species
- 2019: Consent Order
- 2022: migrating wading birds, waterfowl, and shorebirds starting to utilize restored marsh
- Next step after remediation: transfer property to the Cleveland Museum of Natural History
- Gorge Dam Removal Project
 - 2022-2023: design of sediment removal and permanent sediment storage site at the Chuckery Area of Cascade Valley Metro Park
 - 2023-2024: prepare the permanent sediment storage site, and install a temporary pipeline from dam pool under the Front Street bridge, then westward along Highbridge Trail to the permanent sediment storage site
 - 2024-2025: dredge sediment from the dam pool and transport it via temporary pipeline from dam pool to the permanent sediment storage site
 - 2025-2026: dam removal

Mr. Zawiski's presentation concluded with him fielding many questions from the ERTAC. Mr. Demasi noted that the public meeting that was held at The Natatorium on October 31, 2022 to provide an update on the Gorge Dam Removal Project was recorded by Summit Metro Parks and is available on its website.

NEFCO FY2023 Work Program

Canal Diversion Dam Removal project: status

Mr. LaPlante explained that NEFCO was recently notified by Friends of the Crooked River (FOCR), the USEPA grant's subrecipient and local implementor, that the screw pump's electrical component that is being replaced under warranty is not expected to arrive and be installed until the end of June 2023. He added that all federal funds from this grant were spent by the end of March 2022, and since then, NEFCO has been using local funds to administer its grant. He noted that because of this, staff consulted with the USEPA Region 5 GLNPO project officer, who initially provided NEFCO with two options: either formally request a budget amendment through GLNPO with the National Park Service (NPS) agreeing to NEFCO ending its grant on October 31st or request an extension of the grant's end date to the end of June 2023. He further said that on October 26th, in the absence of the NPS agreeing with NEFCO ending its grant on October 31st, staff met with the GLNPO project officer, GLNPO AOC coordinator, Ohio EPA, and Ohio Lake Erie Commission's Program Administrator for the AOC to discuss any project advantages or disadvantages from ending the grant on October 31st without the NPS agreeing to it. Also discussed was whether additional funding was available to administer the grant. Mr. LaPlante reported that during that meeting, GLNPO decided that NEFCO could end its grant on October 31st with a budget amendment and without the agreement from the NPS since the ecological aspect of the project is 100 percent complete and SEP funds are available for FOCR to complete the historical aspect of the project for the NPS. He further reported that staff will seek NEFCO Board approval at its November 16th meeting to alter the parameters of the grant and to close out the grant by the end of November 2022 with a budget amendment, which is needed to document that the voluntary match is about \$408,000, not \$725,000 as stated in the grant's budget. He added that FOCR and the rest of the key partners all agree that this is the best option for NEFCO. (Side note: two days prior to the November 16th NEFCO Board meeting, the NPS also gave its support for NEFCO ending its grant with GLNPO.) He further added that on November 1st, he spoke with the GLNPO project

officer who indicated that the USEPA's Grants Office recognizes that the grant expired on October 31st, and it won't require a 30-day extension to the end of this month; the Grants Office is only requiring that a budget amendment be processed.

Schuring Park project, as an example of what qualifies as a 208 Plan amendment

Mr. LaPlante explained that the Chief of Ohio EPA's Division of Surface Water recently informed the six Areawides in the state, including NEFCO, that PTI consistency reviews, with respect to the 208 Plan, are considered by her to be "208 core work" that she wants us to prioritize. Mr. LaPlante further explained that on Monday mornings, Ohio EPA sends a list of draft PTIs to the six Areawides for their review. He noted that a draft PTI for the Schuring Park project, which is a proposed soccer and lacrosse field complex in Jackson Township in Stark County, was found by NEFCO staff to be inconsistent with our 208 Plan, and it has taken on a higher-level review by Ohio EPA. He further noted that NEFCO did its normal due diligence regarding this proposed PTI, communicating the inconsistency to Ohio EPA-NEDO. When the NEDO staffer recommended to the applicant that the PTI be withdrawn and resubmitted after it is consistent with the 208 Plan, that's when it became a matter of importance by Ohio EPA. He added that all at Ohio EPA have been supportive of NEFCO on this, and because there is a pending PTI for this project and there's a sense of urgency to start it, this situation qualifies as a 208 Plan amendment. He further added that NEFCO is assisting the Stark County Sanitary Engineer with this amendment, and it could be presented for the ERTAC's action as soon as next month.

Discussion of procedures for submittals of annual facilities plan updates

Mr. LaPlante indicated that the status report for this work program item is a continuation of last month's report on it. He noted that once NEFCO finalizes the procedures, submittals of annual facilities plan updates by the MAs will be strictly voluntary, and NEFCO's processing of the updates will be different from the current process for proposed 208 Plan amendments. He further noted that there's a need for some ground rules so the update process can proceed efficiently. He added that NEFCO currently lacks the resources to do all of the update's GIS mapping work and the efficiency of the update process, at least initially, will depend on the ability of the MAs to handle the GIS mapping of their respective updates prior to their submittal to NEFCO. Mr. LaPlante indicated that other suggested ground rules pertain to these four scenarios:

- When the initiator of an FPA update is a wastewater management agency (MA) for a **municipal** FPA and the area being updated is unincorporated, the update will not proceed unless the **county** MA agrees in writing to the boundary and/or wastewater prescription modification.
- When the initiator of an FPA update is an MA for a **municipal** FPA and the area being updated is within an adjoining **municipal** FPA, the update will not proceed until there is a mutual agreement to the boundary and/or wastewater prescription modification.
- When the initiator of an FPA update is a **county** MA and the area being updated is an unincorporated area within a **municipal** FPA, the update can proceed without the municipality agreeing to it; and the municipality will be able to comment during the public comment period.
- When the initiator of an FPA update is a **county** MA and an unincorporated area within an adjoining **county** is being updated, the update will not proceed unless that affected county MA agrees in writing to the boundary and/or wastewater prescription modification.

He noted that NEFCO will depend on the MAs to handle the information notification of each local government affected by a proposed update. He further noted that all affected MAs, as well as county and local governments/agencies, and citizens will have the opportunity to comment during a public comment period prior to staff seeking the ERTAC's endorsement of the FPA updates, then seeking the Board's approval of them.

NEFCO's interactive online 208 Plan map; status of recent maintenance and updating

Mr. LaPlante indicated that in recent weeks, NEFCO's GIS specialist has been performing maintenance on the agency's interactive online 208 Plan map and updating it. He indicated that he is bringing this to the ERTAC's attention in case any members have noticed missing FPA boundaries and/or missing or outdated wastewater treatment prescriptions on the map. He noted that as of November 1st, the only updating of the map that remains pertains to recent amendments.

Ohio EPA allows NEFCO to distribute map of priority unsewered areas, with disclaimer statement

Mr. LaPlante reported that NEFCO staff recently discussed with Ohio EPA Division of Surface Water a method by which the agency could allow NEFCO to distribute the region's map of priority unsewered areas (PUAs). He noted that Ohio EPA agreed that the map of PUAs could be distributed if NEFCO provides a disclaimer statement that indicates the purpose of the map, and that it is to be considered a "working map" that could change by Ohio EPA or others. He added that Ohio EPA is still manipulating the data that NEFCO and the other Areawides provided, which could result in another iteration of the map that is different than the map NEFCO has in its GIS. He indicated that staff is currently determining the best way to share the map and disclaimer statement with the contributing health districts and MAs.

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

Mr. Hempel reported that Wayne County is running out of farms that will accept septage for treatment by land application. He noted that with no wastewater treatment plants that will accept septage in Wayne County, and with a lack of farms that will accept it, transportation costs are driving the cost to pump a septic tank in Wayne County up to about \$400.

Information items requested

Mr. Etling requested copies of items 3, 5, 7, 9, and 11.

Ohio EPA and Ohio Department of Health Public Notices requested

No Ohio EPA or Ohio Department of Health public notices were requested.

Ohio Environmental Legislation Recently Signed or Introduced

None.

Other Business

There was no other business to discuss.

ERTAC Contact Hour Course List

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

Next Meeting

Vice Chair Kastner said that the next meeting would be held at 9:00 a.m. on December 7, 2022, at The Natatorium, Hopewell Room, 2345 4th Street, Cuyahoga Falls, Ohio.