TO: NOACA Board of Directors

FROM: Grace Gallucci, Executive Director

DATE: December 1, 2017

RE: Resolution 2017-048; Facility Planning Area (FPA) Modification Request: City of Avon FPA Boundary Modification Request for the Avon Lake FPA and French Creek FPA

ACTION REQUESTED
The Board of Directors is asked to approve the proposed FPA modification in the City of Avon, Lorain County.

Specifically, this action will:

- Transfer all or portions of 51 parcels covering 160.2 acres from the Avon Lake FPA to the French Creek FPA; and

- Transfer all or portions of 75 parcels covering 16.9 acres from the French Creek FPA to the Avon Lake FPA.

The Water Quality Subcommittee and the Planning and Programming Committee recommended this action.

BACKGROUND/JUSTIFICATION FOR CURRENT ACTION
The City of Avon is a Satellite Designated Management Agency (DMA) in both the French Creek FPA and Avon Lake FPA. A Satellite DMA owns and maintains the sewer lines and conducts wastewater planning within their jurisdiction. The current FPA boundary places the northeastern portion of the city in the Avon Lake FPA and the remainder in the French Creek FPA (Attachment A).

Chagrin Valley Engineering (CVE) contracts with the City of Avon to serve as the City’s Engineer. CVE recently completed a comprehensive citywide sanitary sewer system review that evaluated local sewer capacity, potential development demands, future sewer expansion within the city, flow metering and sewer district modifications. CVE and the City of Avon identified nine locations along the Avon Lake FPA – French Creek FPA boundary that need to be modified. The modifications are based on existing sewer connections, sewer depth, land use, projected development, topography and alignment with parcel lines and jurisdictional boundaries.

Attachment A shows the current FPA boundary and the areas proposed to be transferred to the Avon Lake FPA and French Creek FPA. Attachment B shows the proposed FPA boundary which will place parcels with existing sanitary sewer connections in the correct FPA, eliminate parcels split by the FPA boundary and aligns areas for future sanitary sewer connections within the FPA that is most cost effective for the City of Avon based on the city’s sanitary sewer system review.
The affected jurisdictions are the City of Avon, City of Avon Lake and the City of North Ridgeville. North Ridgeville is the DMA for the French Creek FPA because the city owns and operates the French Creek Wastewater Treatment Plant. Policy 4-6 in the 208 Plan requires Avon to notify and solicit support and comment letters from all affected jurisdictions. Avon Lake and North Ridgeville submitted letters supporting the proposed FPA boundary modifications (attached) which fulfils the notification requirements in NOACA’s 208 Plan.

**FINANCIAL IMPACT**  
NOACA’s approval of the FPA modification will not result in any financial impact to NOACA.

**CONCLUSION/NEXT STEPS**  
With Board approval, NOACA staff will submit the updated FPA boundaries to Ohio EPA.

GG/ea/2980b
RESOLUTION OF THE BOARD OF DIRECTORS
OF THE
NORTHEAST OHIO AREAWIDE COORDINATING AGENCY

WHEREAS, the Northeast Ohio Areawide Coordinating Agency (NOACA) is the Metropolitan Planning Organization (MPO) for the counties of Cuyahoga, Geauga, Lake, Lorain, and Medina, and the areawide water quality management agency for the same region; and

WHEREAS, Clean Water 2000, the current update to the NOACA Section 208 Water Quality Management Plan, was adopted by the NOACA Board of Directors, certified by the Governor of Ohio, and approved by the United States Environmental Protection Agency; and

WHEREAS, Clean Water 2000 provides for modifications to wastewater treatment facility planning area (FPA) boundaries, subject to review by the NOACA staff, the NOACA Water Quality Subcommittee, and the NOACA Planning and Programming Committee; and

WHEREAS, the City of Avon, as the Satellite Designated Management Agency (DMA) in both the French Creek FPA and Avon Lake FPA, with the support of Avon Lake and North Ridgeville, proposes a modification of the FPA boundary between the French Creek FPA and Avon Lake FPA for the benefit of regional water quality and economic development; and

WHEREAS, the FPA boundary change will transfer all or portions of 51 parcels covering 160.2 acres from the Avon Lake FPA to the French Creek FPA, and transfer all or portions of 75 parcels covering 16.9 acres from the French Creek FPA to the Avon Lake FPA.; and

WHEREAS, the NOACA Water Quality Subcommittee and the Planning and Programming Committee reviewed the request and recommended that the Board of Directors approve the prescription change.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Northeast Ohio Areawide Coordinating Agency, consisting of forty-five principal officials serving general purpose local governments throughout and within the counties of Cuyahoga, Geauga, Lake, Lorain, Medina and the City of Cleveland that:

Section 1. The Clean Water 2000 Plan's FPA Boundary Map is amended to reflect the transfer of all or portions of 51 parcels covering 160.2 acres from the Avon Lake FPA to the French Creek FPA, and transfer all or portions of 75 parcels covering 16.9 acres from the French Creek FPA to the Avon Lake FPA as shown in Attachment B.

Section 2. The Executive Director is authorized to submit the new boundaries to Ohio EPA for certification by the Governor.

Section 3. The Executive Director is authorized to transmit certified copies of this resolution to appropriate federal, state, and local agencies.

Certified to be a true copy of a Resolution of the Board of Directors of the Northeast Ohio Areawide Coordinating Agency adopted this 8th day of December 2017.

Secretary:

Date Signed: 12/8/2017

Timothy C. Lennon
ATTACHMENT A: CURRENT FACILITY PLANNING AREA (FPA) BOUNDARIES AND PROPOSED FPA TRANSFER AREAS IN THE CITY OF AVON
September 6, 2017

Grace Gallucci  
Executive Director  
Northeast Ohio Areawide Coordinating Agency  
1299 Superior Avenue  
Cleveland, Ohio 44114  

Re: Facility Planning Area boundary modifications within the City of Avon

Dear Ms. Gallucci:

In response to a request from the City of Avon, this letter shall serve as record to Avon Lake Regional Water's agreement to the Facility Planning Area (FPA) boundary modifications proposed within and by the City of Avon. The proposed changes were detailed in an August 23, 2017 letter from the Avon City Engineer which included proposed 208 FPA Boundary Exhibits, also dated August 23, 2017.

After meeting with Avon' City Engineer, we concur that the proposed boundary modifications make engineering sense and/or are clean-up issues to align the boundaries with property lines. Avon Lake Regional Water endorses the proposed changes as requested by the City of Avon. Avon Lake Regional Water's Wastewater Treatment Plant (WWTP) has capacity to treat the current and future daily sanitary flow of the proposed City of Avon service area as described in the August 23, 2017 letter and exhibits.

If you have any questions or concerns, please do not hesitate to contact me.

Sincerely,

Todd A. Danielson, P.E., BCEE  
Chief Utilities Executive

cc: John Dzwonczyk, Board Chair, Avon Lake Board of Municipal Utilities  
Avon Lake Mayor Greg Zilka  
Avon Mayor Bryan Jensen  
John Gasior, Avon Law Director  
Abraham Lieberman, Avon Lake Law Director  
Anthony Lorenzo, Avon Utility Superintendent  
Ryan Cummins P.E., Avon City Engineer  
Eric Akin, NOACA Senior Environmental Quality Planner
September 7, 2017

Grace Gallucci, Executive Director
Northeast Ohio Areawide Coordinating Agency
1299 Superior Avenue
Cleveland, OH 44114

RE: City of North Ridgeville Waste Water Treatment Plant
Facility Planning Area Boundary Modifications
Within the City of Avon

Dear Ms. Gallucci:

In response to a request from the City of Avon, this letter shall serve as record to the City of North Ridgeville’s agreement to the Facility Planning Area (FPA) boundary modifications proposed within and by the City of Avon. The proposed changes were detailed in the August 23, 2017 letter from the Avon City Engineer which included Proposed 208 FPA Boundary Exhibits, also dated August 23, 2017.

After a review of the proposed boundary modifications and our internal records, the City of North Ridgeville endorses the proposed changes as requested by the City of Avon. The City of North Ridgeville’s French Creek Waste Water Treatment Plant (WWTP) has sufficient capacity to treat the current and future daily sanitary flow of the proposed City of Avon service area as described in the August 23, 2017 letter and exhibits.

If you have any questions or concerns, please do not hesitate to contact me.

Sincerely,

Mayor G. David Gillock
City of North Ridgeville
French Creek Waste Water Treatment Plant

cc: Mayor Bryan Jensen, City of Avon
    Andrew J. Carles, North Ridgeville Law Director
    Corey Timko, French Creek WWTP Superintendent
    John Gasior, Avon Law Director
    Anthony Lorenzo, Avon Utility Superintendent
    Jeffry Armbruster, North Ridgeville Safety Service Director
    Ryan Cummins, Engineer, City of Avon
    Eric Akin, NOACA Senior Environmental Quality Planner
Facility Planning Area (FPA) Amendment Request Form

**Applicant:**
City of Avon

**FPA Amendment Type:**
The applicant requests a change in the FPA Boundary between the Avon Lake FPA and French Creek FPA.

**Location of Transfer Area:**
The transfer areas are in the City of Avon (Attachment A)

**Transferring From:**
51 whole or partial parcels covering 160.21 acres from the Avon Lake FPA
75 whole or partial parcels covering 16.85 acres from the French Creek FPA

**Transferring To:**
51 whole or partial parcels 160.21 acres to the French Creek FPA
75 whole or partial parcels covering 16.85 acres to Avon Lake FPA

**Total Acres:**
177.06 acres

**Total Parcels:**
126 whole or partial parcels

**List of Affected Parties:**
Designated Management Agencies (DMAs) – Avon Lake and North Ridgeville
Satellite DMAs – Avon
208 Plan Consistency Review
Facility Planning Area Review - Applicant Needs to Solicit Support from Affected Parties

- Applicant is the Designated Management Agency for all of the affected area.

  - Applicant is not the Designated Management Agency for all or part of the affected area
    - Applicant has secured the approval of the entity or entities that are.
    - Applicant has not secured the approval of the entity or entities that are.

Service Extension/Community Plan Review – Amendment Should be Consistent with the Prescriptions for Wastewater Treatment

- Applicant does not propose the extension of any sewer service.
  - The proposed project is limited to sewer system rehabilitation work.
  - The proposed project is limited to a plant expansion or modification to better handle wet weather flow volumes

- Applicant does propose the extension of sewer service to an area lying entirely within the established facility planning area of the project sponsor.
  - The proposed extension is consistent with the current Prescriptions for Wastewater Treatment for the affected area.
  - The proposed extension is not consistent with the current Prescriptions for Wastewater Treatment for the affected area.
  - The applicant proposes new Prescriptions for Wastewater Treatment for the affected area.

- Another entity proposes the extension of sewer service to an area lying entirely within the established facility planning area(s).
  - The proposed extension is consistent with the current Prescriptions for Wastewater Treatment for the affected area.
  - The proposed extension is not consistent with the current Prescriptions for Wastewater Treatment for the affected area.
  - The applicant proposes new Prescriptions for Wastewater Treatment for the affected area.

Plant Expansion Review (if applicable)

- The application involves a plant capacity expansion that is consistent with extant population projections included in the Clean Water 2000 Plan as most recently updated.

- The application involves a plant capacity expansion that is not consistent with extant population projections included in the Clean Water 2000 Plan as most recently updated.
  - The applicant has provided information that has sufficiently resolved any population project discrepancy.
  - The applicant has not provided information that sufficiently resolved the population projection discrepancy.

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1 Prescriptions for Wastewater Treatment are referred to as Community Plans for Wastewater Treatment in the Clean Water 2000 plan.
**Staff Comments:**
The City of Avon is a Satellite Designated Management Agency (DMA) in both the French Creek FPA and Avon Lake FPA. Chagrin Valley Engineering (CVE) recently completed for the City of Avon a comprehensive citywide sanitary sewer system review that evaluated local sewer capacity, potential development demands, future sewer expansion with the city, flow metering and sewer district modifications. From the review CVE and the City of Avon identified nine locations along the Avon Lake FPA – French Creek FPA boundary that need to be modified. The modifications are based on current sewer depth, land use, existing sewer connections, topography and alignment with parcel lines.

Attachment A shows the current FPA boundary and the areas proposed to be transferred to the Avon Lake FPA and French Creek FPA. Attachment B shows the proposed FPA boundary which will place parcels with existing sanitary sewer connections in the correct FPA, eliminate parcels split by the FPA boundary and aligns areas for future sanitary sewer connections within the FPA that is most cost effective for the City of Avon based on the city’s sanitary sewer system review.

The affected jurisdictions are the City of Avon, City of Avon Lake and The City of North Ridgeville. Policy 4-6 in the 208 Plan requires Avon to notify and solicit support and comment letters from all affected jurisdictions. Affected jurisdictions have up to 90 days to comment on proposed FPA revisions. Avon notified Avon Lake and North Ridgeville on August 23 and received letters of support from both entities (attached). The letters of support fulfills the affected jurisdictions notification requirements in the 208 Plan.

**Staff Disposition:**
The staff recommends approval of the Avon’s proposed FPA boundary modification between the Avon Lake FPA and French Creek FPA. The proposed modifications are consistent with NOACA’s efforts to align FPA boundaries along parcel lines, reduce duplicative infrastructure and maximize gravity flow. The update would also make existing sanitary sewer connections within the transfer areas consistent with NOACA’s 208 Plan.

**Water Quality Subcommittee Disposition:**
Recommended for approval at the September 15 meeting

**Planning and Programming Committee Disposition:**
Action Item for October 13

**Executive Committee Disposition:**

**Board of Directors Disposition:**