NORTHEAST OHIO AREAWIDE COORDINATING AGENCY

MEMORANDUM

TO: NOACA Board of Directors

FROM: Grace Gallucci, Executive Director

DATE: September 6, 2019

RE: Resolution No. 2019-044: Facility Planning Area (FPA) Revision Request: Transfer of one (1) parcel from the Lorain County FPA to the Avon Lake/Lorain County Rural Wastewater District (LORCO) Phase I FPA in Columbia Township

ACTION REQUESTED
The Board of Directors is asked to approve the facility planning area (FPA) modification request by Lorain County Rural Wastewater District (LORCO). Specifically, the item will transfer one (1) parcel (1.0 acre) from the Lorain County FPA to the Avon Lake/LORCO Phase I (Phase I) FPA in Columbia Township.

The Planning and Programming Committee and Water Quality Subcommittee recommend this action.

BACKGROUND/JUSTIFICATION FOR CURRENT ACTION
LORCO received a request from the property owner of permanent parcel number (PPN) 12000990000009 in Columbia Township to connect to the LORCO sewer line along Hawke Road (Attachment A). The parcel currently resides in the Lorain County FPA. In order to connect to LORCO’s sewer line, the parcel must be transferred to the Phase I FPA (Attachment B). Under the federal Clean Water Act, all sanitary sewer connections must be within the FPA of the publicly owned treatment works (POTW) that treat the wastewater.

Columbia Township is not a member of LORCO. To allow for Columbia Township parcels along Hawke Road to connect to LORCO’s sewers, an agreement was reached between Lorain County, LORCO, the City of Avon Lake and Columbia Township in 2016. Under the agreement, upon a written request from a landowner along Hawke Road to connect to LORCO’s sewer line, all parties agree to give their approval for the FPA change to transfer the requesting parcel(s) from the Lorain County FPA to the Phase I FPA. The agreement also reaffirms Lorain County’s sewer planning authority as the Designated Management Agency (DMA) for the Columbia Township parcels along Hawke Road.

LORCO requested letters of support from the City of Avon Lake, Lorain County and Columbia Township on April 1, 2019. Despite the agreement between these entities, comment letters are still required to fulfill the notification requirements in Policy 4-6 of the 208 Plan. All affected jurisdictions submitted letters of support for the FPA modification (attached).
FINANCIAL IMPACT
NOACA's approval of the boundary change will not result in any financial impact to NOACA.

CONCLUSION/NEXT STEPS
Pending Board approval, NOACA staff will submit the updated FPA boundary to Ohio EPA.

GG/ea/8082b
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 City of Cleveland 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 Lorain County Rural Wastewater District (LORCO), with the support of Lorain County, City of Avon Lake and Columbia Township, proposes a modification of the FPA boundary between the Avon Lake/LORCO Phase I FPA and the Lorain County FPA to allow for the connection of sanitary sewer connections within the Columbia Township for the benefit of regional water quality and economic development; and

WHEREAS, the FPA boundary change will transfer one parcel covering 1.0 acres from the Lorain County FPA to the Avon Lake/LORCO Phase I; 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 FPA boundary 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, and 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 one parcel totaling 1.0 acres from the Lorain County FPA to the Avon Lake/LORCO Phase I 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 13th day of September 2019.

Secretary: [Signature]

Date Signed: 9-13-2019
April 11, 2019

Ms. Grace Gallucci  
Executive Director  
NOACA  
1299 Superior Avenue  
Cleveland, OH 44114  

Sent via email

Re: LORCO FPA Boundary Change Request – Hawke Road

Dear Ms. Gallucci:

Avon Lake Regional Water submits to you this letter of support for LORCO’s FPA boundary change request regarding parcel 12-00-099-000-009, (10981 Hawke Road) located in Lorain County’s FPA in Columbia Township on the east side of Hawke Road. This request aligns with the four-party agreement between LORCO, Lorain County, Columbia Township, and Avon Lake Regional Water.

If you have any questions regarding our position, please feel free to contact me. Thank you for your time.

Sincerely,

Todd A. Danielson, P.E., BCEE  
Chief Utilities Executive
April 19, 2019

Ms. Grace Gallucci
Northeast Ohio Areawide Coordinating Agency (NOACA)
1299 Superior Avenue,
Cleveland, OH 44114

Re: PPN 1200099000009 Facilities Planning Area (FPA) Modification

Dear Ms. Gallucci,

On April 1, 2019, I received a request from Mr. Gene Toy with LORCO requesting a letter of support for the modification of the existing Facilities Planning Area (FPA) for the referenced parcel. The parcel is currently located within the Lorain County FPA boundary and the modification would place the parcel into LORCO’s FPA with Lorain County serving as the Satellite Management Agency.

In order to accommodate the development of the above listed parcel, the Lorain County Commissioners are providing this letter of support to the request made by Mr. Gene Toy to modify the Facilities Planning Area to include the parcel in the LORCO FPA.

Should you have any questions or need additional information, please feel free to contact me directly at 440-329-5760.

Sincerely,

James R. Cordes
Lorain County Administrator

Cc: Lorain County Commissioners
Ken Carney, P.E., P.S., Lorain County Sanitary Engineer
Gene Toy, Executive Director, LORCO
April 24, 2019

Ms. Grace Gallucci
Executive Director
Northeast Ohio Areawide Coordinating Agency (NOACA)
1299 Superior Avenue
Cleveland, Ohio 44114

Re: LORCO FPA BOUNDARY CHANGE REQUEST – HAWKE ROAD
PERMANENT PARCEL 1200099000009

Dear Ms. Gallucci:

The Columbia Township Board of Trustees support the request of the property owner Ken Limpert to change the Facility Planning Area (FPA) for permanent parcel 1200099000009 from Lorain County's FPA to LORCO'S FPA. The property is located on the east side of Hawke Road in Columbia Township. We support this modification based on the Memorandum of Understanding between Lorain County, LORCO and Columbia Township for Hawke Road.

Please feel free to contact Trustee Dick Heidecker at 440-552-3511 if you have any questions or need additional information.

Yours truly,

COLUMBIA TOWNSHIP
BOARD OF TRUSTEES

[Signatures]

Mark C. Cunningham
Dick Heidecker
Michael G. Musto
ATTACHMENT A: CURRENT FACILITY PLANNING AREA (FPA) BOUNDARY FOR PARCEL 1200099000009 IN COLUMBIA TOWNSHIP, LORAIN COUNTY.

DATA SOURCES:
NOACA
LORCO
Lorain County
Elyria
French Creek
Lorain Co.
Vermilion
Oberlin
Avon Lake
Avon Lake/LORCO Phase I
Amherst
Wellington
Grafton
LaGrange

NOACA makes no representations or warranties with respect to the accuracy and/or completeness of the map.

Jurisdiction Boundary
Current Facility Planning Area (FPA) Boundary
Gravity Sewer Line
Parcels
Parcel 1200099000009

Lorain County FPA Boundaries
Eaton Township
Columbia Township

Provisional Changes
Lorain County FPA Boundaries
ATTACHMENT B: PROPOSED FACILITY PLANNING AREA (FPA) BOUNDARY FOR PARCEL 1200099000009 IN COLUMBIA TOWNSHIP, LORAIN COUNTY.

DATA SOURCES:
NOACA
LORCO
Lorain County

NOACA makes no representations or warranties with respect to the accuracy and/or completeness of the map.

Proposed Changes

Jurisdiction Boundary
Proposed Facility Planning Area (FPA) Boundary
Gravity Sewer Line
Parcels
Parcel 1200099000009

0 150 300 600 Feet

Lorain County FPA Boundaries
Eaton Township
Columbia Township
Avon Lake/LORCO Phase I FPA

Proposed Changes
Facility Planning Area (FPA) Modification Request Form

**Applicant:**
Lorain County Rural Wastewater District (LORCO)

**FPA Amendment Type:**
The applicant requests a change in the FPA boundary between the Avon Lake/LORCO Phase I FPA and the Lorain County FPA.

**Location of Transfer Area:**
The transfer area is in Columbia Township, Lorain County

**Transferring From:**
Lorain County FPA

**Transferring To:**
Avon Lake/LORCO Phase I FPA

**Total Acres:**
1.0 acre

**Total Parcels:**
One (1) parcel (PPN 1200099000009)

**Prescriptions Change Summary:**
No prescription changes proposed

**List of Affected Parties:**
Designated Management Agencies (DMAs) – Lorain County and City of Avon Lake
Satellite DMAs – LORCO
Others – Columbia Township
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 Treatment¹

✓ 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.

¹ Prescriptions for Wastewater Treatment are referred to as Community Plans for Wastewater Treatment in the Clean Water 2000 plan.
Staff Comments:
Hawke Road is on the boundary between Eaton Township and Columbia Township in Lorain County. It is also on the divide between the Avon Lake/LORCO Phase I (Phase I) FPA and Lorain County FPA. Eaton Township is a member of LORCO and within the Phase I FPA. Columbia Township is not a member of LORCO and within the Lorain County FPA. LORCO has a sanitary sewer line that runs along Hawke Road and Brokaw Road. Due to the current FPA boundary, only the properties along Hawke Road in Eaton Township can connect to LORCO’s sewer. All sanitary sewer connections must be within the FPA of the publicly owned treatment works (POTW) that treat the wastewater.

In 2016, LORCO, Lorain County, City of Avon Lake and Columbia Township signed a sanitary sewer service agreement for the Columbia Township parcels along Hawke Road, which would like to connect LORCO’s sewers. The agreement stipulates that if a property owner along Hawke Road requests in writing to be connected to LORCO’s sanitary sewers, the affected jurisdictions would all support the proposed FPA amendment to transfer that parcel(s) from the Lorain County FPA to the Phase I FPA. In the agreement, Lorain County would remain as the sewer planning Designated Management Agency (DMA) for all Columbia Township parcels along Hawke Road regardless of the FPA.

LORCO received a request from the property owner of permanent parcel number (PPN) 1200099000009 to connect their planned home, currently under construction, to LORCO’s Hawke Road sewer. The landowners included a Columbia Township building permit application, a photo of the home at the time of the request, and a letter from Lorain County Public Health that does not object to the connection of this home to sanitary sewers (attached). The 1.0-acre parcel on which the home resides is within the sanitary sewer service agreement area between LORCO and the affected jurisdictions.

The current FPA boundary has the parcel within the Lorain County FPA (Attachment A). LORCO has requested an FPA modification to transfer this parcel from the Lorain County FPA to the Phase I FPA (Attachment B). No prescription changes are requested.

Even with the sanitary sewer service agreement between LORCO, City of Avon, Lorain County and Columbia Township, NOACA’s FPA modification policy still requires LORCO still must solicit support from the affected jurisdictions to satisfy the notification requirements in Policy 4-6 of the Clean Water 2000 Plan (208 Plan). All affected jurisdictions support the FPA boundary modification request.

Staff Disposition:
The staff recommends approval of the requested FPA boundary modification between the Phase I FPA and the Lorain County FPA. LORCO has an existing sanitary sewer along Hawke Road and Brokaw Road with the capacity to accept the flow from the proposed development. The request also satisfies the provisions in the sanitary sewer service agreement between the affected jurisdictions to provide sewers, upon request, to the Columbia Township property owners along Hawke Road. Lastly, the request is supported by all the affected jurisdictions and Lorain County Public Health.
Water Quality Subcommittee Disposition:
Supports FPA modification request.

Planning and Programming Committee Disposition:
Action Item for July 12, 2019

Executive Committee Disposition:

Board of Directors Disposition: