



NORTHEAST OHIO AREAWIDE COORDINATING AGENCY

MEMORANDUM

TO: NOACA Board of Directors

FROM: Grace Gallucci, Executive Director

DATE: March 6, 2020

RE: **Resolution No 2020-017: Water Quality Management Plan (208 Plan) Development Impact Policy for Proposed Wastewater Facility Planning Area (FPA) Modification Requests**

ACTION REQUESTED

The Board of Directors is asked to approve the inclusion of the Development Impact Policy language, questions, and criteria in NOACA's new 208 Plan, *Clean Water 2020 Plan*.

The Policy Committee and Water Quality Subcommittee support this recommendation.

BACKGROUND/INFORMATION

Beginning in January 2019, NOACA staff has been working with the Policy Committee and Water Quality Subcommittee (WQS) for the inclusion of criteria that would address FPA boundary changes requested for the purpose of new housing or commercial development. The feedback received directed staff to develop criteria where development impacts are a consideration in FPA modification requests, but may or may not impact the final decision made by the NOACA Board of Directors (Board). The draft FPA modification policy language and criteria was presented at the October Policy Committee meeting and December Water Quality Subcommittee meeting. The Policy Committee requested one change: replace the word "may" with "shall." The Water Quality Subcommittee agreed with this change. The policy's language now reads:

The NOACA Board shall consider regional development impacts if the FPA boundary modification is primarily for new residential or commercial development.

The development impact policy language, questions and criteria will be incorporated into the new 208 Plan (*Clean Water 2020 Plan*). Specifically, NOACA staff will add the language to Policy 4-2: Modifications to Facility Planning Area Boundaries. The development impact questions and criteria will be integrated into the FPA Modification Request Packet and Guidelines. The Packet and Guidelines outline the information that a FPA modification applicant should provide to NOACA. The *Clean Water 2020 Plan* is anticipated to be presented to the NOACA Board and committees for consideration in 2020.

FINANCIAL IMPACT

None

CONCLUSION/NEXT STEPS

Pending Board approval, the policy will be included in the *Clean Water 2020 Plan*.

GG/ea/3121b

**Resolution No 2020-017: Water
Quality Management Plan (208
Plan) Development Impact Policy
for Proposed Wastewater FPA
Modification Requests**

**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, Medina, and the City of Cleveland; and the areawide water quality management agency for the same region; and

WHEREAS, NOACA is designated by the governor of Ohio to perform the water quality management planning under provisions from Section 208 of the federal Clean Water Act (CWA). Section 208 sets forth requirements for water quality management plans (WQMPs) developed by areawide planning agencies (Areawides); and

WHEREAS, *Clean Water 2020* is a comprehensive update of *Clean Water 2000*, NOACA's 208 Plan for the past 20 years; and

WHEREAS, development impact questions and criteria was developed to address FPA boundary changes requested for the purpose of new housing or commercial development, which are:

- Is the modification request primarily for new construction (residential or commercial)?
- Is the modification request area within a U.S. Census Bureau urban area?
- Estimate the number of new homes or structures proposed for construction.
- Estimate the new sanitary sewer infrastructure proposed to be constructed to serve the requested modification area (e.g. linear feet of gravity sewers, linear feet of force main sewers, number of pump stations, etc.).
- Is the proposed sanitary sewer infrastructure expansion part of an asset management plan?
- Is there conveyance and treatment capacity within the existing sewerage system to accept the wastewater flow from the modification request area?

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Northeast Ohio Areawide Coordinating Agency, consisting of 46 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 development impact policy language, *The NOACA Board shall consider regional development impacts if the FPA boundary modification is primarily for new residential or commercial development*, as well as questions and criteria will be incorporated into the new 208 Plan (*Clean Water 2020 Plan*). Specifically, it will be added to Policy 4-2: Modifications to Facility Planning Area Boundaries.

Section 2: The development impact questions and criteria will be integrated into the FPA Modification Request Packet and Guidelines.

Section 3: The Executive Director is authorized to enter into contracts with appropriate entities, as needed, to implement the approved projects.

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Section 4: The Executive Director is authorized to transmit a certified copy 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 March 2020.

Secretary: 

Date Signed: March 13, 2020