Integrated Planning Workshop

Mayor Holly C. Brinda, MPA  October 2, 2019
Introduction

- Elyria is currently subject to an older Federal Consent Decree, and has been negotiating a new one since 2015
- Complex nature of our sewer system combined with financial concerns have made negotiations difficult to date
- Fully utilizing the framework advanced by Congress in the new statute facilitates flexibility needed by cities like Elyria
  - Respond to changes
  - Leverage other available funds
  - Integrate projects with other needs
- Move away from federal Consent Decree covering all aspects of CWA obligations toward greater flexibility available through State permitting
  - Opportunities to more nimbly respond to changes
  - Avoid getting bogged down in Court modification process
  - Work with the agency who knows our opportunities & challenges best
  - Facilitate cooperative federalism, rather than federal micro-managing
City of Elyria Basics

- Founded 1817; Lorain County seat; Greater Cleveland metro area
- Current population of 53,881; covers about 20 square miles
- Historically a manufacturing center
- Situated at the fork of 2 branches forming the Black River, which flows to Lake Erie
- City-owned wastewater treatment plant, sewer collection system, stormwater collection system
- Currently in enforcement negotiations with USEPA and DOJ; subject to 1986 USEPA consent decree
- Key challenges:
  - Demographics (population, income, unemployment, rent vs owned)
  - Aging infrastructure
  - Regional competition

City of Elyria, Lorain County, Ohio
Population: 53,881
Households: 22,700
Economic Challenges

- Median Household Income (MHI)
  - $42,067
  - As % of National MHI
    - 2010 – 91%
    - 2018 – 67%

- 44% - 93% receive free or reduced-price lunch (range across schools in our district)

- 22% below poverty level (US: 15%; Lorain Co.: 14%)

- Plus population decline and departure of employers
Our Facilities

- **Wastewater Pollution Control Plant (WWPCP)**
  - Original plant built in 1929
  - Today, average daily design flow of 13 mgd and peak wet weather capacity of 32 mgd

- **Wastewater Collection System**
  - 300 miles of gravity sewers, 25 lift stations, 300+ miles of private laterals, over 100 constructed overflow locations
  - Mix of combined sewers, separate sewers, and “modified” combined sewers that don’t fit neatly under EPA’s definition due to progressive build-out during era of rapid population growth

- **Stormwater Collection System**

- **Water Treatment Plant, Pumping Station, Distribution**
Clean Water Act Enforcement

- **1986 USEPA Consent Judgment (IN EFFECT)**
  - Projects totaling > $200 million completed
  - Eliminated 53 overflow locations

- **1996 – 2011 Consolidated Wet Weather Plan**
  - Developed per NPDES permit requirements with Ohio EPA oversight
  - Proposed wet weather projects ~ $85 million (2011 $$)

- **2015 – 2019 USEPA Consent Decree negotiations (ACTIVE)**
  - Significant technical discussions and affordability analyses
  - Current possible package ~ $200 million (2016 $$)
Successes

- Proactively moving forward with projects while negotiating
  - ~$28 million in wet weather projects completed
  - Able to reach agreement with USEPA on key design aspects of first phases of major East Side Relief Sewer to avoid delays
  - Cooperation from Ohio EPA to obtain timely PTIs for East Side Relief Sewer phases and other wet weather projects
  - Able to proceed with East Avenue project sooner than planned in order to leverage other dollars (more later)

- Obtained significant zero-interest DEFA funding in 2019

- Extensive technical negotiations in order to reach mutual understanding of work to be done
  - While “agreeing to disagree” on core issue regarding CSOs versus SSOs, sought to find a “middle ground” on design criteria
  - Prepared an updated project priority list
Challenges

- **Affordability**
  - Residential Indicator > 2.0 (“high burden”) and weak financial capability indicators

- **Technical Issues**
  - Classifying “modified combined overflows” as SSOs rather than CSOs (or a 3rd group)
    - Triggers more stringent design criteria, often unrealistic
    - Causes agency to give affordability concerns less weight
  - Defining basement backups as SSOs
    - Downplays importance of the condition of private-side laterals
  - Assumptions about the degree of inflow/infiltration (I&I) into the sewers
  - Requiring City to meet both design criteria and performance criteria

- **Timing and Schedule:** Length of time to implement and in what order

- **Flexibility**
  - Asking City to commit to very long timeframe
  - Cumbersome agency and Court procedure for modifications
** What we need: Flexibility **

- **Challenges:**
  - City priorities change – need to react to local economic drivers
  - City must leverage all available funding – *When the funding becomes available*

- **Solution:**
  - Shorter planning horizons
  - More flexible implementation through NPDES permit process, with 5-year terms

- **Congress’ directive on Integrated Planning provides the framework for flexibility that Elyria needs**

- Elyria’s East Avenue Relief Sewer project is a good example of Integrated Planning at work, unencumbered by traditional consent decree restrictions and procedures
Integrated Planning and Flexibility

- East Avenue Relief Sewer
  - Wet Weather Plan Project
    - Scheduled for later in program
    - Major construction requiring extensive restoration
  - East Avenue is part of City’s Gateway Master Plan
    - Main thoroughfare / Entry to city
    - Street corridor improvements
  - Roadway grant funding became available
    - Fast-track design and construction
    - Leverage highway funds to off-set reconstruction costs
Integrated Planning and Flexibility

- East Avenue Relief Sewer
  - Leveraged other funding & met City master planning goals
  - Street improvement (paving, curbs, parking lane)
  - Avoided tearing up the street twice
  - Green Infrastructure co-benefits
    - Beautification, urban canopy, traffic calming, air quality, parking protection
- CSO control & stormwater management
  - Dual 72” pipe with in-line storage
  - Bioretention bumpouts
  - Street trees

INTEGRATED PLANNING WORKS