

**RESOLUTION NO. 2013-002
(FRENCH CREEK / AVON LAKE
FPA BOUNDARY MODIFICATION)**

**RESOLUTION OF THE GOVERNING BOARD
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 planning 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 Governing Board, 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 the review by the NOACA staff and the NOACA Water Quality Advisory Committee; and

WHEREAS, NOACA has received a request from the City of Avon Lake as a Designated Management Agency (DMA) to transfer the area as shown in Attachment A from the French Creek FPA to the City of Avon Lake FPA; and

WHEREAS, under NOACA **Resolution No. 2011-005** a study was conducted by a third party examining the most cost effective and practical way to provide waste water services to the affected regions of the City of Avon and Sheffield Lake, and NOACA acted as the fiscal agent, and the study is now complete; and

WHEREAS, under NOACA **Resolution No. 2011-027** the Cities of Avon Lake and North Ridgeville agreed to modify the FPA boundaries on a temporary basis to allow for continued development in the Jaycox Road area pending the completion of the study conducted under 2011-005, and the agreement will terminate on passage of this Resolution; and

WHEREAS, the NOACA Water Quality Advisory Committee has reviewed this request and recommends that the Governing Board approve the boundary change in that the requesting DMA has met the relevant criteria mandated by *Clean Water 2000* Policy 4-6b; and

WHEREAS, the NOACA Governing Board voted in October 2012 to postpone action on the request until a date certain, that date being the Governing Board meeting of January 11, 2013.

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

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Section 1. The *Clean Water 2000 Plan* is amended to include the area delineated in Attachment A as part of the City of Avon Lake Facility Planning Area.

Section 2. The agreement approved in **Resolution No. 2011-027** is now terminated.

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 Governing Board of the Northeast Ohio Areawide Coordinating Agency adopted this 11th day of January 2013.

Secretary: *Daniel P. Troy*

Date Signed: *1/11/13*

