



Avon Lake
Regional Water

Funding Stormwater Solutions: *Legal and Practical Considerations*

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The Water Infrastructure Improvement Act

Municipal Integrated Planning
was always a good concept.

NOW IT IS THE LAW.



The Water Infrastructure Improvement Act

- Adds new Section 402(s) to the Clean Water Act, 33 USC 1342(s), which incorporates US EPA's 2012 Integrated Planning Framework document into law.
- Enables a local government to identify the most important issues on which it will spend its limited public dollars, and to maximize those expenditures by integrating with other municipal programs.
- Allows a local government to incorporate its Integrated Plan into NPDES permits rather than be subjected to a federal consent decree.
- Establishes an office of Municipal Ombudsman to help EPA implement this framework and to assist local governments with Clean Water compliance.



A red brick wall background with four text boxes. The boxes are arranged in a 2x2 grid. The top-left box contains the text 'USE OF PUBLIC FUNDS', the top-right box contains 'ONGOING O&M', the bottom-left box contains 'ACCESS', and the bottom-right box contains 'PUBLIC \$\$\$'. Each box has a thin blue border.

USE OF
PUBLIC
FUNDS

ONGOING
O&M

ACCESS

PUBLIC \$\$\$

Options

Sticks

- Building / Construction Codes
- Legal mandates
- Impose fees



Carrots

- Volunteers
- Grants, subsidies, technical assistance
- Fee credit program



1 – Know your community.

- Socio-economics
- Stability
- Interest, Support

2 – Know your government leaders.

- Interest, Support
- Composition
- Political cycle

3 – Know your regulators.

- Interest, Support
- Political cycle
- Trust, Respect

4 – Know your law.

- Municipal code
- Local regulations
- Property law
- Contract law
- Tax / Finance law
- Administrative law
 - Integrated Planning is law



5 – Be flexible and think outside the box!

- Evolve, try new solutions
- Persist
- Get creative
- Use resources
- Each community sets its own priorities



So, here's Avon Lake's story...



1964

2004 LTCP

- In 2004, entered into Long-Term Control Plan with Ohio EPA
- Agreed to separate sewers by 12/31/19



In the beginning...

- Sewer separation funded by OWDA



Well-laid plans don't always work...

Avon Lake to host sewer flooding meeting

Published: Thursday, March 24, 2011

ALMU removing storm water sources into sanitary sewers to prevent flooding

Filed by [bwroten](#) May 8th, 2011 in [News](#).

Pilot program offered in Avon Lake to disconnect foundation drains

Published: Thursday, September 15, 2011, 12:08 PM Updated: Thursday, September 15, 2011, 3:47 PM

Officials: Sewers worked properly

Filed by [bwroten](#) September 22nd, 2011 in [News](#).

Meetings on flooding set in Avon Lake

Published: Friday, November 11, 2011, 12:25 PM

ALMU asking for homeowners' help get storm water out of sanitary sewers

Filed by [bwroten](#) December 8th, 2011 in [News](#).

Negative consequences



Combined Sewer Overflow; Photo credit: EPA

Which can lead to...



A Self-help moment...

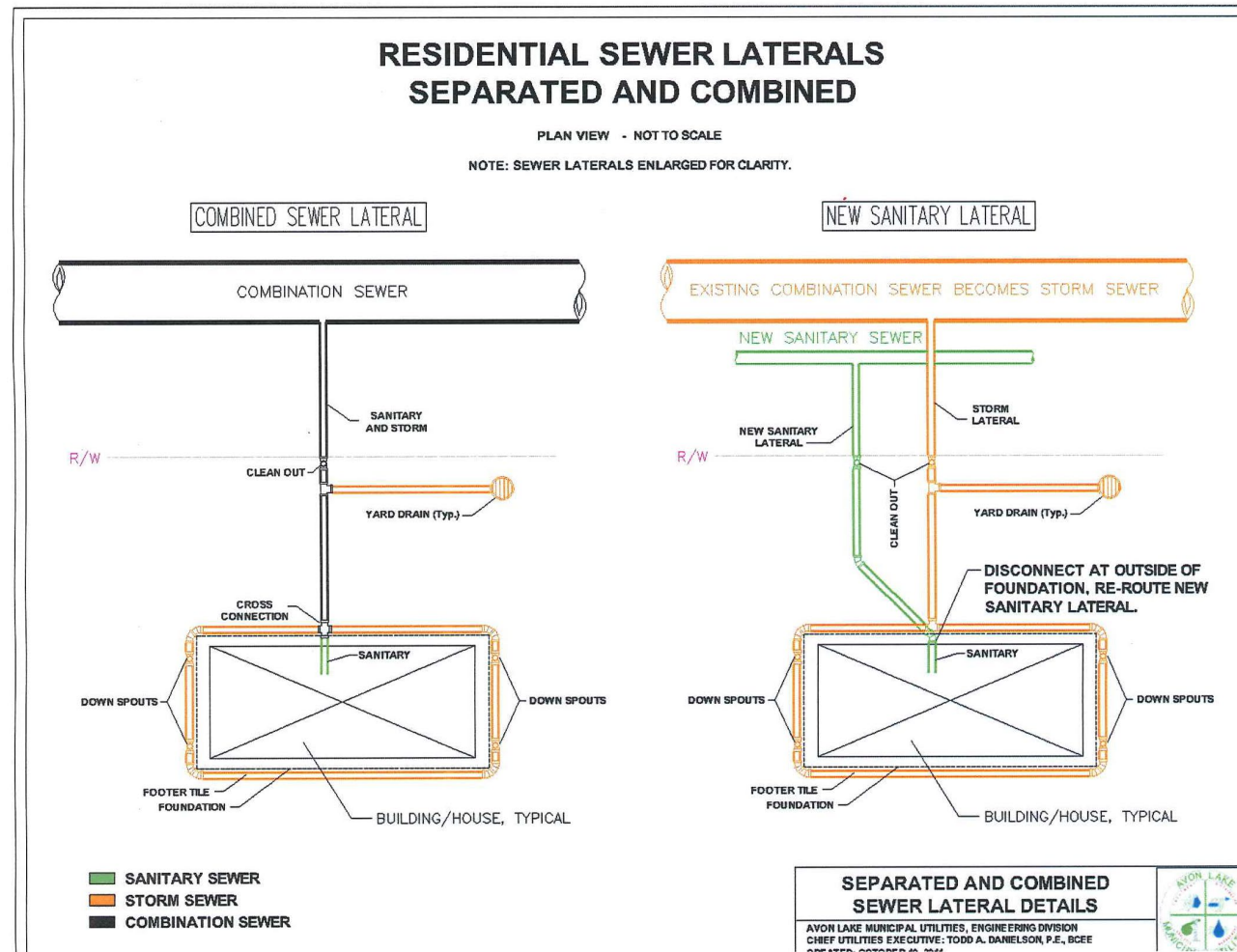
Quality of life
+ likelihood of success

$f(\text{types of } Qs, \angle\angle\angle)$

When that happens... consider options



We embarked on a new path...

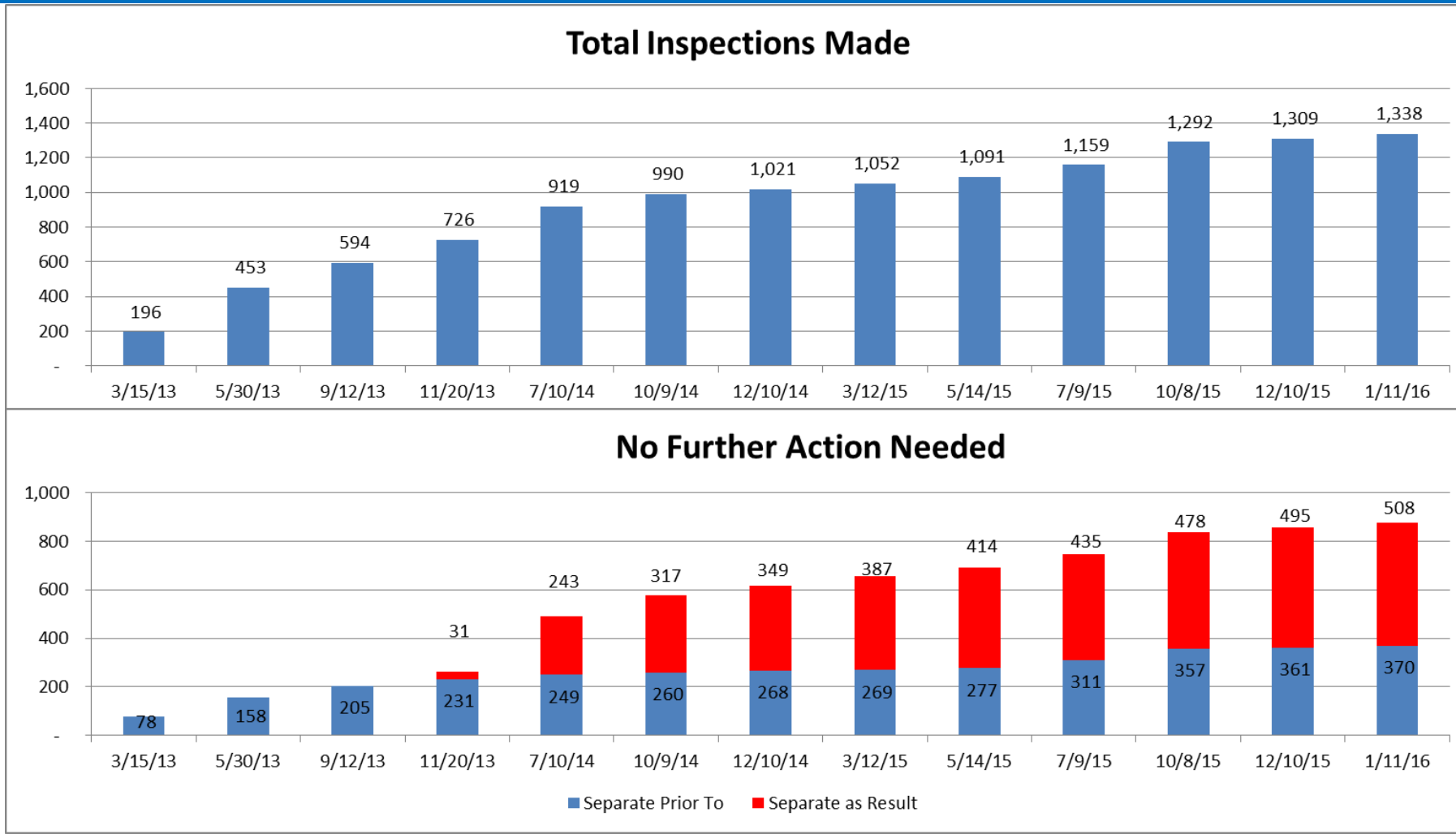


Steps we had to undertake

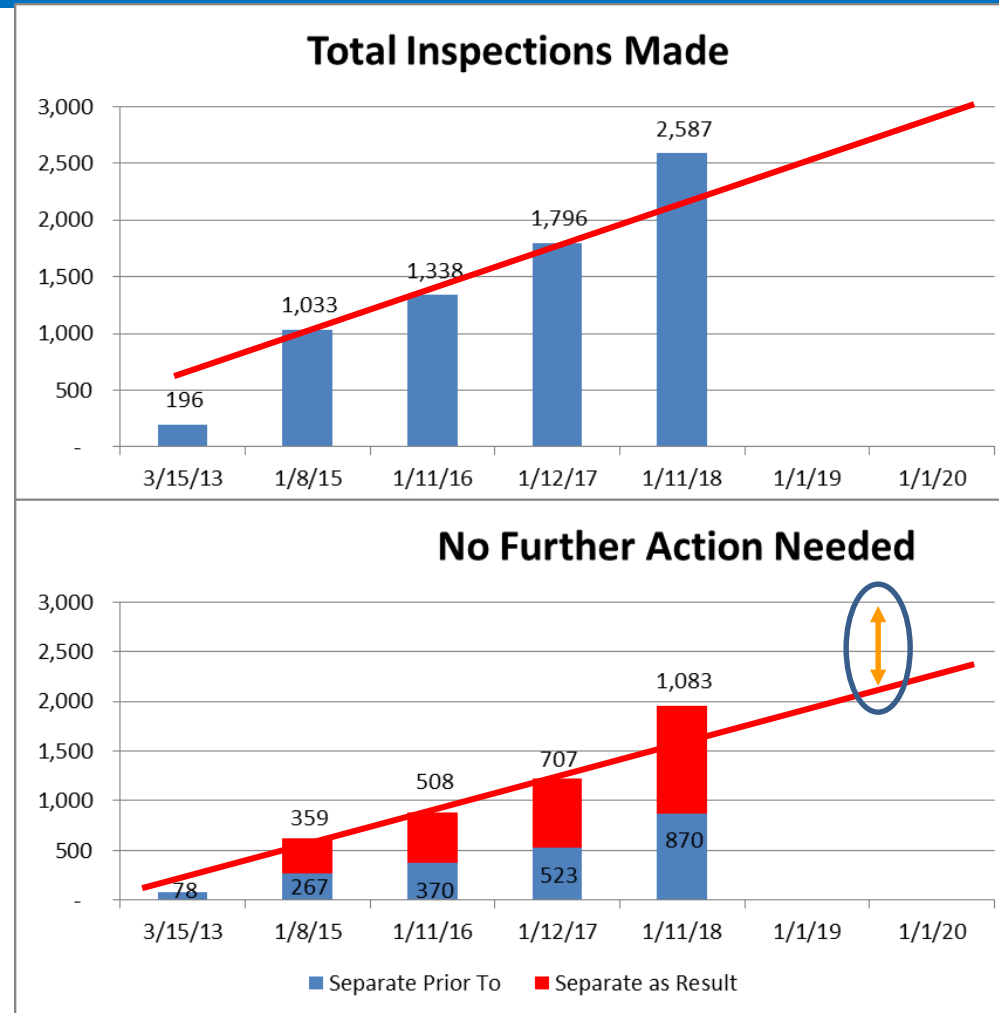
- Updated regulations
- Adopted City Ordinance
- Implemented programs



And started making progress...



However...



So, we searched...



Like a light shining from above...



Potential Solution – Working with Ohio EPA

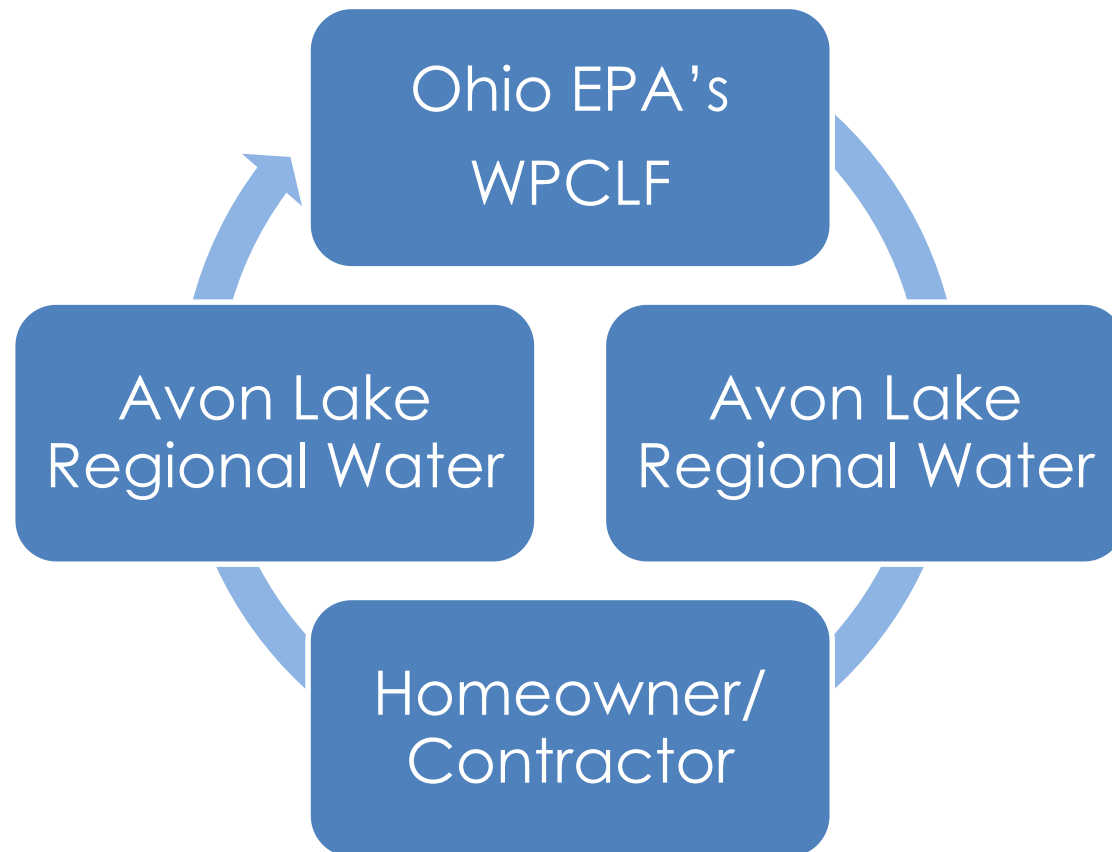
- Some customers had been expressing that they could not afford to separate their laterals
- Other customers had no desire to expend their own money



High-Level Program Description

- Using the WPCLF, Ohio EPA is providing “conduit financing” to Avon Lake Regional Water
- Avon Lake Regional Water, in turn, loans this \$ to its customers for lateral separations
- Customers contract with approved contractors to have their laterals separated
- Customers repay Avon Lake Regional Water as part of the water/WW bill

High-Level Program Description



High-Level Program Description

- Ohio EPA provides 0%-interest loan to Avon Lake Regional Water
- Avon Lake Regional Water provides 10-year, 2%-interest loan to customers
- Repaid with water/WW bill (1. interest, 2. principal, 3. wastewater, 4. water)
- Last loans may be issued thru 12/31/23
- Repayment to Ohio EPA begins 1/1/25

Working together to start something new requires thought



Benefits to Avon Lake

- Helps achieve compliance with LTCP
- Removes water without capital investment
- Contributors to problem pay to address
- Addresses other customer issues such as root intrusion
- Fights potential reputation as city with (basement) flooding issues

Challenges



- Streets with no storm connections
- How to gain access
- How to assure compliance
- How to get more water out

Streets with no storm connections

- A conscious decision was made to provide each property a storm connection

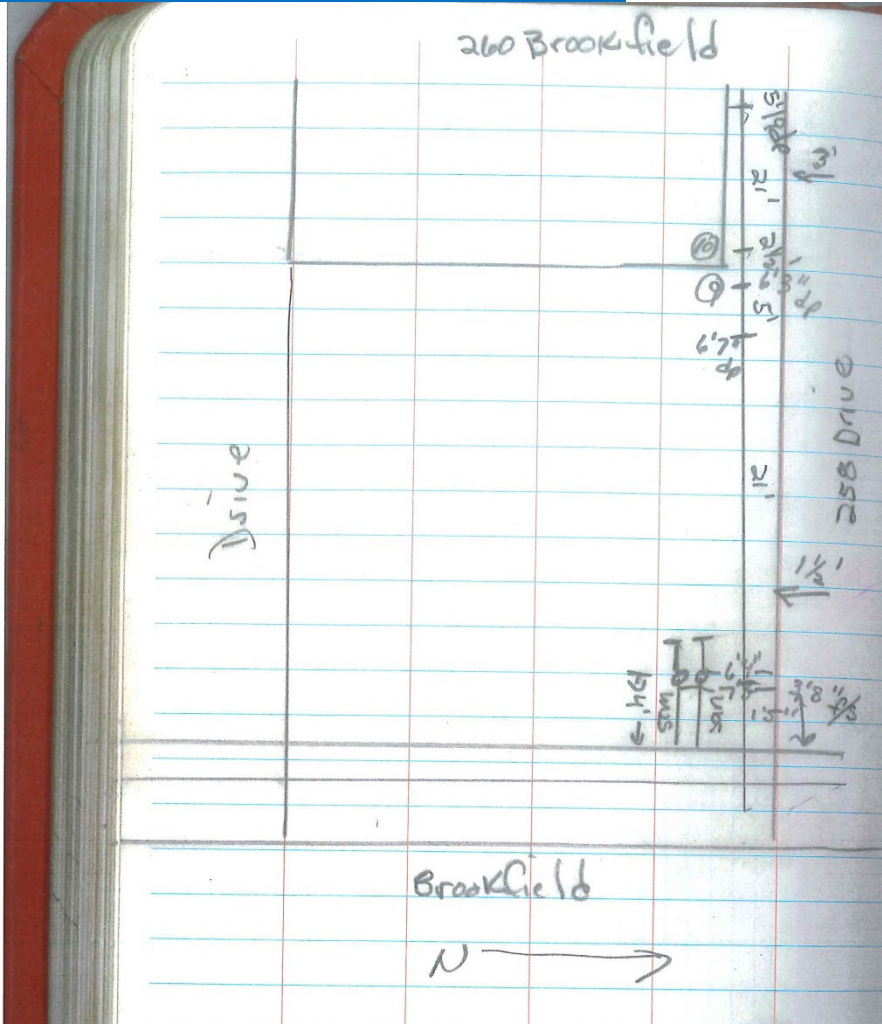


Streets with no storm connections

- The City deals with each owners when they hire a contractor to do their separation
- City pays for new connections to storm sewer and additional right-of-way drains
- Recently bid & selected one contractor to do R-O-W work (Spending \$200k per year for R-O-W work only)
- Coordinate locations of treelawn drains PRIOR to approving the work
- Add additional pipe connections for multiple home connections where possible

Access/Compliance

- Most allowed access after letters, phone calls, and/or door knocking
- A few were completed from street with side-launch lateral cameras
- After work was finished, completed follow-up inspections

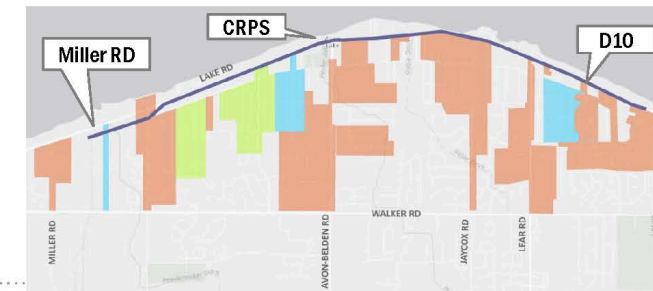


Removing more water

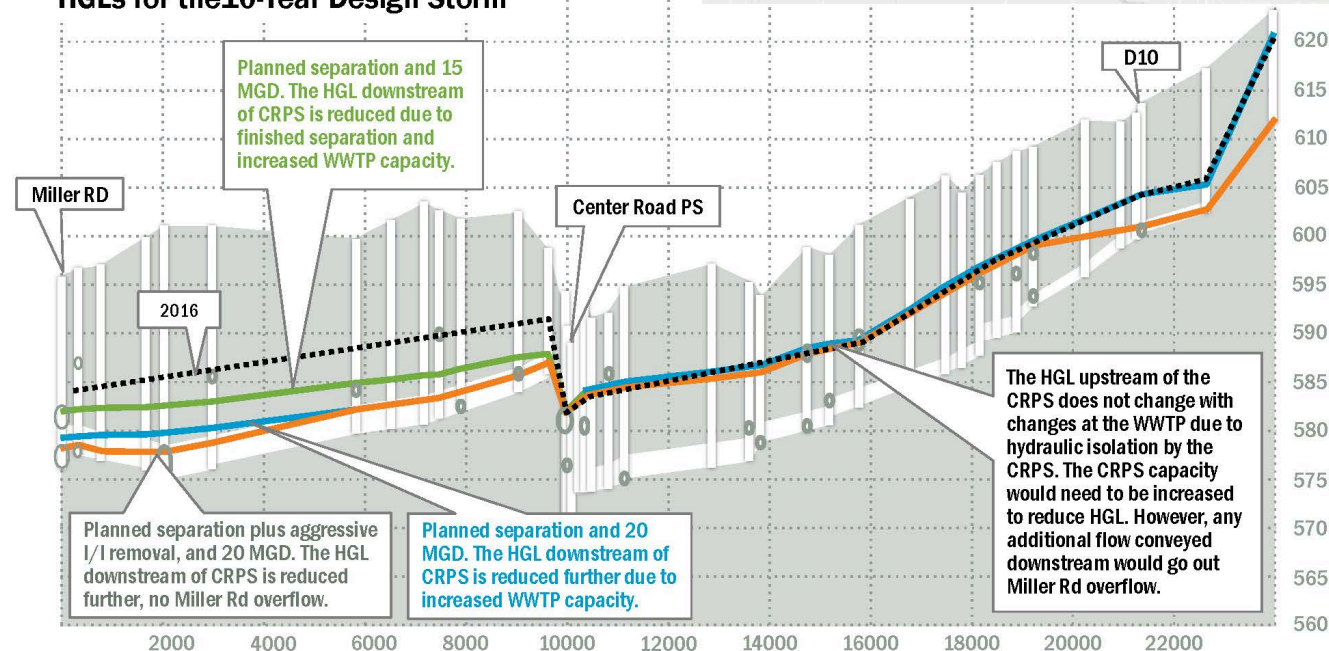
- I&I studies – will lead to sewer repair work
- Project partnering – water lines & storm sewers
- WRF improvements to pass more storm flow

LRI Profile and HGLs

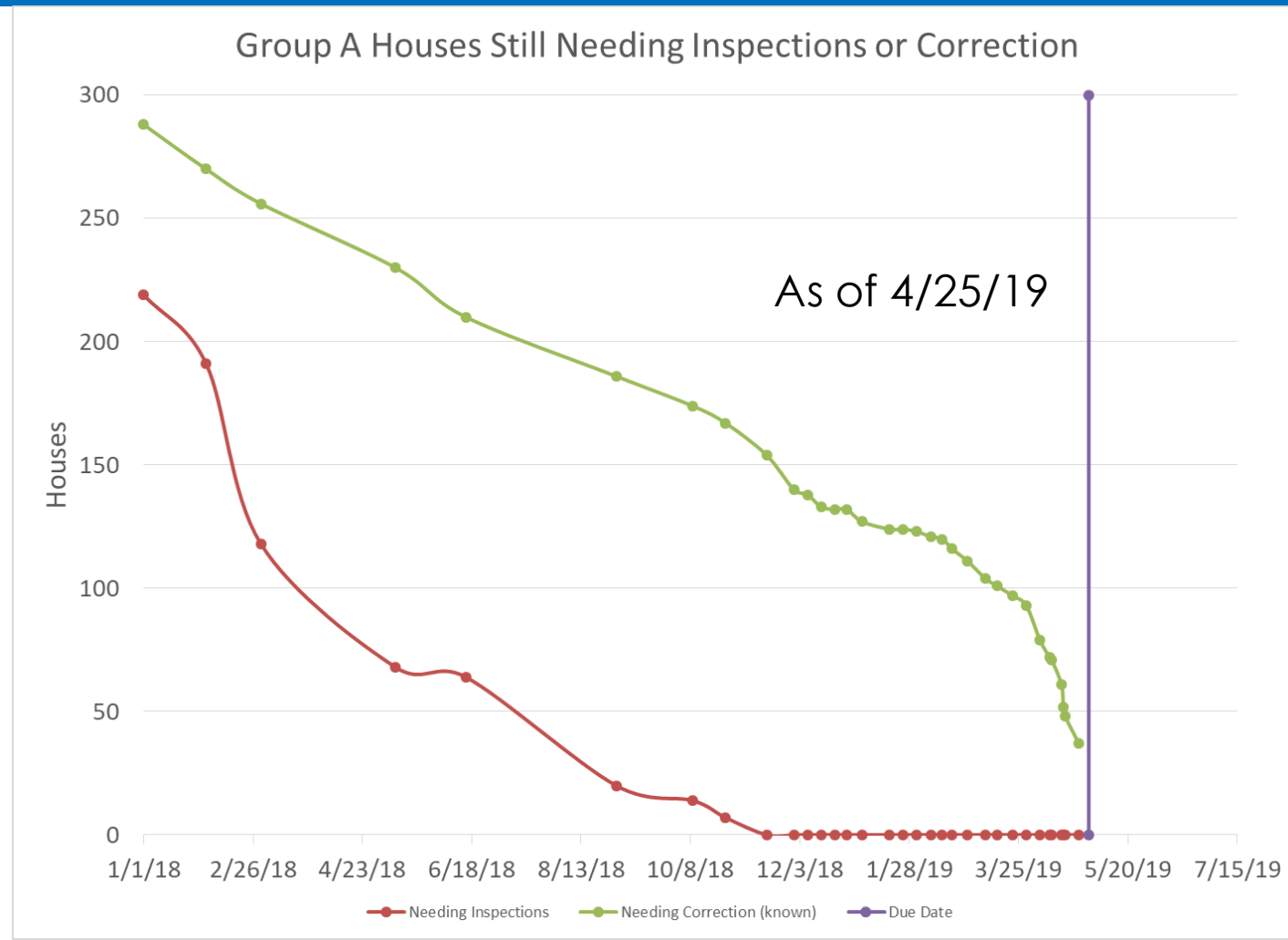
- LTCP improvements as of 2016
- Planned separation and WWTP capacity of 15 MGD
- Planned separation and WWTP capacity of 20 MGD
- Planned separation plus aggressive I/I removal, and WWTP capacity of 20 MGD



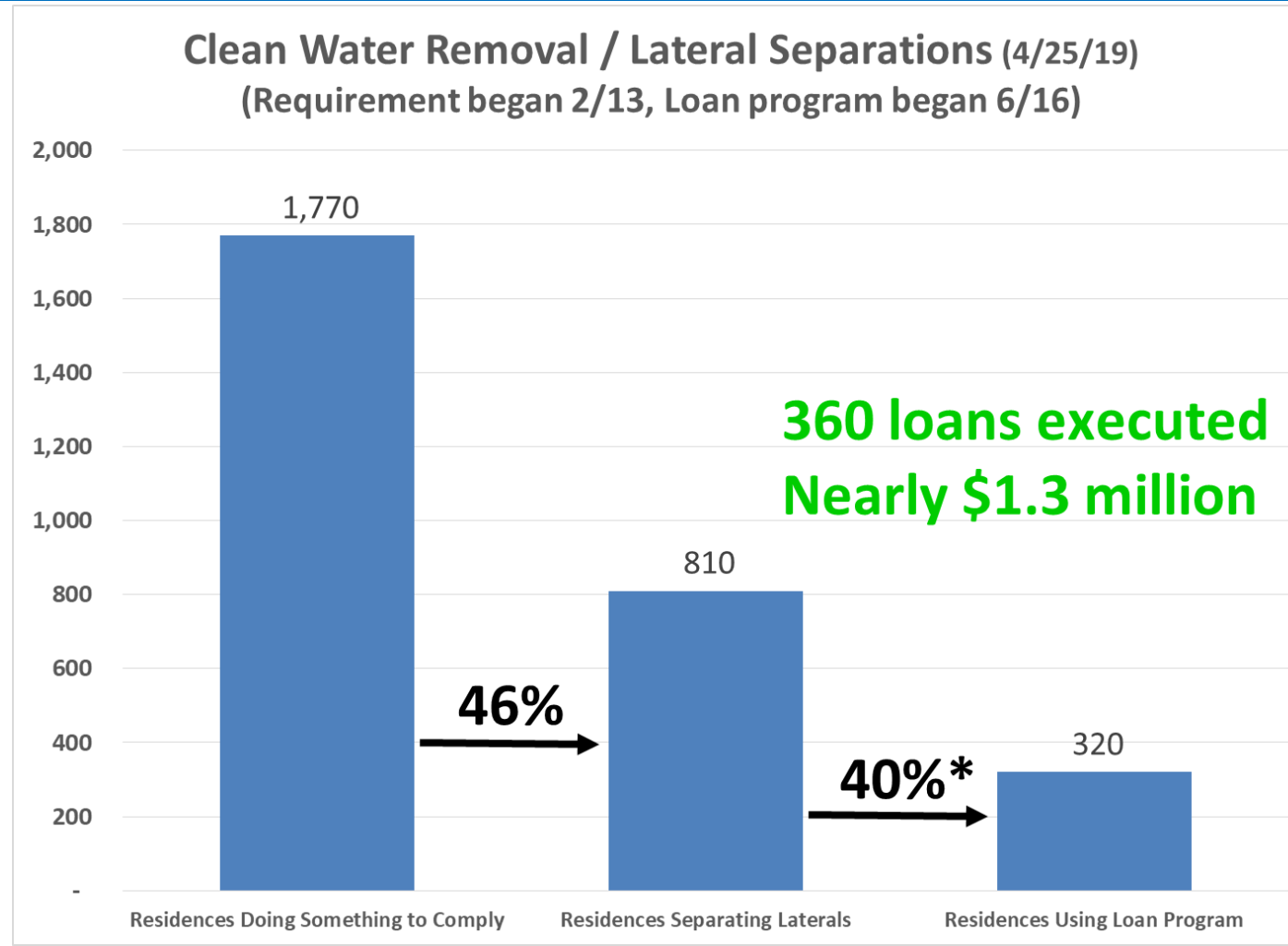
HGLs for the 10-Year Design Storm



For the rest of the story...



For the rest of the story...



Integrated Planning & Funding Solutions

- Other community examples
 - MSDGC Lick Run
 - City of Lakewood
 - NEORSD
 - Muskingum Watershed Conservancy District

“Life is like a sewer: What you get out of it depends on what you put into it.”
- Tom Lehrer

Thank You!

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