

Chairman Dolan, Vice Chair Burke, Ranking Minority Member Sykes and other Members of the Senate Finance Committee,

Thank you for providing the Northeast Ohio Regional Sewer District (NEORS) the opportunity to submit written testimony on minor but necessary proposed changes to Ohio Revised Code (ORC) Chapter 6119 that we support for inclusion in the FY 2020 - 2021 biennial budget bill (HB 166). If you are unfamiliar with ORC Chapter 6119, it governs regional water and sewer districts (regional districts). The majority of Chapter 6119 was adopted in 1971. NEORS was created in 1972 and has been providing sewer services in northeast Ohio since then. Dozens of other regional districts have been providing water, sewer and stormwater services to urban communities, suburban communities and rural communities ever since.

Regional Districts are crucial water resource systems that provide services for all communities and are especially helpful for communities that lack the resources to provide water and sewer for their residents. Regional Districts are also beneficial as they can support large scale capacities of sewer and water that allow for current and future economic development. These needs for large scale water and sewer capacities are something that smaller systems may not be able to support. Due to some of these stated benefits and many others, there has been a strong recent state and national push towards the regionalization of all water and sewer systems.

NEORS is a rate-payer funded political subdivision that is responsible for wastewater treatment services in Cleveland and the surrounding 61 communities. Our facilities include the area's sewer interceptor network and three sewage treatment facilities. NEORS also provides regional stormwater management services. Since its beginning in 1972, the NEORS has undertaken proactive planning and implementation strategies to ensure high quality effluent from its wastewater treatment plants, to reduce combined sewer overflows and to manage stormwater, all in an effort to protect Lake Erie and its tributary streams and rivers.

Certain types of projects by non-governmental property owners can contribute to a district's purpose and district funding could help facilitate such projects. Currently regional (6119) districts can incentivize and coordinate with other political subdivisions on the acquisition or construction of water resource projects. Prime examples are water and sewer line extensions, water management and green infrastructure projects, such as pervious parking lots and bioretention that allows stormwater to absorb into the ground, thereby removing it from the community stormwater collection system. Unfortunately, 6119 districts do not have enough flexibility to fully coordinate with private entities on similar projects.

The change to ORC 6119.06 would allow a district to make loans or grants available to entities other than political subdivisions. The change to ORC 6119.09 would clarify that districts may enter into project agreements with non-governmental entities. Current law clearly authorizes project agreements with political subdivisions but there are situations where districts wish to jointly undertake a project with non-governmental entities. For example, this could be in the form of development agreements to extend main lines or utilize existing lines or pumping facilities. It could also involve agreements with private entities for conservation purposes and improved operations of stormwater systems. The proposed revisions to ORC 6119.06 and 6119.09 would provide that flexibility and help encourage cooperation with, and participation by, private entities in the accomplishment of such projects.

The proposed change to ORC 6119.091 would ensure that districts have the option to offer assistance programs for our neediest residents. Districts are currently authorized to offer discount programs to their customers, if the district board of trustees chooses to do so. However, current language is ambiguous as

to whether such programs are limited to individuals over the age of 65. Our amendment is intended to clarify that districts may provide discount programs to qualifying customers of any age, if a district board chooses to establish such programs.

The District believes these proposed changes would clarify the law and provide greater efficiency and flexibility to districts in carrying out their missions to provide better water quality for Ohio's residents.

We thank you again for providing us the opportunity to submit written testimony on these necessary and important proposed changes. We hope you see the great value of these changes and take them under consideration as the legislative process continues forward.

If you have any questions, comments or concerns, please feel free to contact me at (216) 881-6600 or Dreyfuss-wellsk@neorsd.org or contact our Legislative Affairs Manager, Danielle Giannantonio at giannantoniod@neorsd.org or (216) 409-9715.

Sincerely,



Kyle Dreyfuss-Wells
CEO, Northeast Ohio Regional Sewer District