

**OHIO LAKE ERIE COMMISSION MEETING**  
**Ohio Department of Natural Resources - Columbus, OH.**  
December 17, 2008

The Ohio Lake Erie Commission (OLEC) meeting was called to order by the Commission Chairman's Designee, Cathryn Loucas, Ohio Department of Natural Resources, at 10:14 a.m.

**Roll Call:**

Cathryn Loucas, Director's Designee; Ohio Dept. of Natural Resources (ODNR)  
Gail Hesse, Director's Designee; Ohio Environmental Protection Agency (OEPA)  
Michael Bailey, Director's Designee; Ohio Department of Agriculture (ODA)  
Gene Phillips, Director's Designee; Ohio Department of Health (ODH)  
Brad Biggs, Director's Designee; Ohio Department of Development (ODOD)  
(Ohio Department of Transportation was not represented.)

**Chairman's Report**

Commission Chairman Designee, Deputy Director Cathryn Loucas, ODNR, welcomed the commissioners and guests and reviewed the agenda topics including an invited report by Gail Hesse, OEPA, who will provide a Lake Erie Phosphorus Task Force update.

**BUSINESS MEETING**

**Minutes**

Motion was made by OEPA to accept the minutes of the September 30, 2008 meeting which took place at the Ohio Department of Agriculture; motion was seconded by ODOD. The commission members voted all in favor and the motion carried to approve the September minutes.

**2009 OLEC Meetings**

A list of recommended quarterly meeting dates was presented for calendar year 2009: March 25; June 3; September 23; and December 16. Motion was made to accept the dates by ODH and seconded by ODOD. The Commission voted all in favor and the motion carried.

**Executive Committee Report**

**Designation of 2009 Chairman and Secretary**

An action request of the Executive Committee was presented for designation of the 2009 commission chairman and commission secretary in accordance with ORC 1506.21 requiring members to elect a chairman and secretary each year. The Committee recommended that the Commission continue with the same individuals that currently serve: Sean Logan, Director of ODNR as Chairman; and James Beasley, Director of ODOT as Secretary. Motion was made by OEPA and seconded by ODOD to accept the Executive Committee's recommendation. The Commission voted all in favor and the motion carried.

**Chippewa Creek Watershed Balanced Growth Plan**

Ed Hammett, OLEC, introduced the pilot project and Executive Director Jim White of the Cuyahoga River Community Planning Organization (CRCPO) who prepared the Chippewa Creek Plan along with members of the Chippewa Creek Watershed Planning Partnership. Mr. Hammett explained that after Mr. White's presentation, the Chippewa Creek Plan will be presented today as an action request of the Executive Committee for official endorsement by the Commission members.

Mr. White presented an overview of the Chippewa Creek Plan and reported that members of the Chippewa Creek Watershed Planning Partnership (WPP) were appointed by the mayors of the three communities of Brecksville, Broadview Heights and North Royalton which represent 97% of the land area and population in the watershed that actively participated in the Plan. The WPP also included

representatives from the Cuyahoga Valley National Park, Cleveland Metroparks and additional technical support provided by the Cuyahoga SWCD, Cuyahoga County Planning Commission and Cuyahoga County Board of Health. The WPP analyzed the watershed for Priority Conservation Areas (PCAs) and Priority Development Areas (PDAs) in which 39 undeveloped areas were identified with potential for development. Conservation development was established in short term and long term goals. The short term goals included establishing a permanent Chippewa Creek Partnership; adoption of Resolutions of Support for the Balanced Growth Plan; submitting the Plan for state approval; and completion of the wetland restoration and mitigation projects. The long term goals include updating the local master plans with PCAs and PDAs; updating local ordinances (uniform storm water measures); exploring a watershed TDR program; developing a wetland/stream mitigation system; exploring tax credits for PCAs; and additional work on acquisition and restoration of critical watershed features.

The Commission Chair's Designee asked for a motion to adopt official endorsement of the *Chippewa Creek Watershed Balanced Growth Plan*. Motion was made by OEPA and seconded by ODOD. The Commission voted all in favor and the motion carried to endorse the *Chippewa Creek Watershed Balanced Growth Plan* which is the first-ever Lake Erie Balanced Growth watershed plan.

Mr. White also announced that 2009 will be the 40<sup>th</sup> anniversary of the historical burning of the Cuyahoga River. The Cuyahoga RAP is organizing a celebration of the river's recovery with events taking place in June. Mr. White encouraged the Lake Erie Commission to hold their June 3, 2009 meeting in the Cleveland area to help kick off the recovery celebration. (*Note: the June 3<sup>rd</sup> meeting has been scheduled at the Leonard Krieger Canalway Center in the Cleveland area.*)

## **Grants Committee Report – Lake Erie Protection Fund (LEPF)**

### **Small Grants Program**

Bill Goodman, ODA and Grants Committee Chairman, presented the Grants Committee funding recommendation for two small grant proposals submitted second quarter of State Fiscal Year 2009 in the total amount of \$29,819. Motion was made by ODA to approve the Grants Committee recommendation and seconded by ODH. The commission members voted all in favor and motion carried to approve the following small grant projects:

- Green Energy Ohio for project entitled, "*Great Lakes Tall Tower Wind Monitoring Project*", Project Director: Kemp Jaycox in the amount of \$14,820; and
- The University of Toledo, Department of Civil Engineering for project entitled, "*Alternatives to using potable water to flush toilets & impacts on Lake Erie*", Project Director: Dr. Defne Apul in the amount of \$14,999.

### **Targeted Priorities for FY 2009**

It was further reported that two Requests for Proposals were released on November 24, 2008 for projects addressing the Lake Erie Phosphorus Task Force recommendations which are critical to Lake Erie's future: (1) Algal Blooms & Dissolved Reactive Phosphorus; and (2) Analysis of Soil Testing Laboratories-Priority Overview. A total amount of \$250,000 has been set aside for these targeted priorities with \$175,000 available funding for Algal Blooms and \$75,000 available funding for Analysis of Soil Testing. Proposals for both targeted areas are due to the Lake Erie Commission office by February 5, 2009. After review, the recommendations will be brought before the Commission at the March 25, 2009 meeting. Selected projects should get underway spring 2009 with projects being accomplished by spring 2010. Deputy Director Cathryn Loucas, ODNR, added that these topics were approved at the previous meeting of the Commission.

## **Ohio Lake Erie Commission ~ Office Report**

### **Balanced Growth Program**

**Pilot Projects** - Ed Hammett, OLEC, thanked the Commission for adopting the very first plan on Balanced Growth, the *Chippewa Creek Watershed Balanced Growth Plan*, which was not initially selected as a pilot project. The three pilot projects (Chagrin, Rocky River and Swan Creek) are all moving forward with their local government support. An extension has been given to each project for

no later than March 31, 2009. This extension will allow completion of their watershed endorsements which will be brought before the Commission in June 2009.

Best Local Land Use Practices - Two workshops are being planned in spring 2009 for the Best Local Land Use Practices training. The program will also develop case studies which will include feedback from these workshops.

State Assistance Work Group (SAWG) – The SAWG members have reviewed the Chippewa Creek Plan and have also been working on updating the Inventory of State Programs (state incentives.) This update will be available at the Commission website after the first of the year. SAWG will also be focusing on reviewing the overall pilot program and determining the program’s success and how to continue its implementation.

Technical Advisory Committee (TAC) – The TAC will meet December 19, 2008 which will include members of the original Blue Ribbon Task Force and Steering Committee for purposes of discussing future implementation of Balanced Growth and a review of the planning program (*Since this meeting date, the TAC meeting is currently being rescheduled.*)

### **Other Commission Projects & Programs**

Western Lake Erie Basin (WLEB) Project – The Commission Office has been providing assistance to WLEB public outreach activities which includes upgrading a new website, preparation of three newsletters and working with their public outreach committee in planning a 3-day meeting this spring.

Ohio’s Coastweeks 2008 Program - The 2008 program wrapped up September 21<sup>st</sup> with 10 successful cleanup events taking place including the *International Coastal Cleanup* on September 19<sup>th</sup>. Over 1,000 volunteers participated this year removing debris from 31 miles of shoreline with 13,448 pounds of trash removed from Lake Erie beaches, riverbanks and streams.

“Life on Lake Erie” Photo Contest – The 2009 photo contest is getting underway for the new year. The Commission office will be accepting photos taken between July 9, 2008 and July 12, 2009. Deadline for entries is July 16, 2009. Winners will be announced at the Commission’s September meeting and all winning images will tour the Lake Erie shoreline in a photo gallery.

Commission Website – The Commission website has undergone a major revamping and re-organizing to bring it up to new standards set for all State of Ohio agency websites. The new website address is <http://lakeerie.ohio.gov>

### **Invited Report**

#### **Lake Erie Phosphorus Task Force Update**

Gail Hesse, Environmental Manager with OEPA, presented an update on the meetings and findings to date of the Lake Erie Phosphorus Task Force. It was reported that the Task Force has been meeting for the past 18 months and consists of state program personnel from OEPA, ODNR, ODA, academia from around Ohio, federal, state and local agencies and organizations, USEPA from Chicago, USGS, and representatives from the Northeast Ohio Sewer District. The purpose of the Task Force is to review data in relationship to current conditions in Lake Erie including analyzing correlations in increases in Soluble Reactive Phosphorus (SRP) levels corresponding to increases in algal blooms such as the *Microcystis* bloom that appeared in September 2008 and the large floating offshore mats of *Lyngbya Wollei* and *Cladophora*. The approach of the Task Force has been to identify all possible sources of SRP, quantify information from existing data sources, consult with topical experts, consult peer-reviewed publications, identify relative contributions from possible sources, and develop recommendations. Among the possible sources being looked are industrial and agricultural point sources, stream bank erosion, upper lake loads from the Detroit River, residential impacts from lawn care fertilizers, dishwasher detergents, storm water, orthophosphates and transport mechanisms such as surface runoff and subsurface drainage. Findings do show zebra mussels trap and recycle nutrients which may contribute to algal blooms. It is anticipated that the Lake Erie Phosphorus Task Force work will be done in spring 2009 with the final report currently in its final phase. Information on the Task Force, its meetings and minutes can be accessed online through Ohio EPA’s website at [www.epa.state.oh.us/dsw](http://www.epa.state.oh.us/dsw), click on Phosphorus Task Force.

## **Agency Reports**

Michael Bailey, ODA, reported that in the recent Ohio election, 70% of voters in 88 Ohio counties helped pass the renewal of the Clean Ohio Fund.

Brad Biggs, ODOD, reported that the agency is hoping the federal stimulus package will help with the recent release of the biomedical and energy pieces, and that suppliers to the auto industry will become a real issue for employment in Ohio.

Gene Phillips, ODH, provided an update on the agency's activities related to the required review of the sewage treatment rules.

Cathryn Loucas, ODNR, reported that a bill is in legislation to revamp the coal mining permitting process. The CREP program is still signing up acreage under the program although it has received a million dollar cut in funding this year. The Office of Coastal Management is drafting the submerged land lease rules and after public comment, the rules will be presented early next year to JCAR. The wind energy rules have been submitted for internal review. The Great Lakes Compact became effective December 8, 2008.

Gail Hesse, OEPA, commented on the stimulus package as it relates to potential projects in the Lake Erie area such as Ottawa River sediment remediation; fish and habitat restoration in the Ashtabula River, and further assessment of Duck and Otter Creek in northwest Ohio. These projects are coordinated by USEPA's Great Lakes National Program Office (GLNPO.) It was further reported that the AOC delisting update will be submitted to GLNPO by the end of the year.

## **Advisory Committee Reports**

Edith Chase, Ohio Coastal Resource Management Project, thanked ODNR for their position on the coal mining bill and expressed concerns about the state budget cuts and the 13% limited public access to the Lake Erie shoreline. Comments were also provided on the draft rules of coastal management.

Dr. Jeffrey M. Reutter, Ohio Sea Grant College Program suggested there should be a way to coordinate proposals to OEPA, the Lake Erie Protection Fund and Ohio Sea Grant and tie them together to make them stronger and more valuable to address the concerns of the Lake Erie Phosphorus Task Force. It was further reported that the Lake Erie Millennium Network hosted a recent video conference for research efforts with 60 individuals participating across the region. Stone Laboratory offered 32 courses this year and six workshops working with OEPA and ODNR on these workshops. It was further reported that collaboration is underway with members of CRAG (Coastal Research Advisory Group) to coordinate programs with Ohio Sea Grant's strategic plans and NOAA's.

## **PUBLIC COMMENT PERIOD**

Tony Logan, ODNR's Chief Legal Counsel, reported that he is the wind policy coordinator for the agency and provided information on offshore wind development in Lake Erie. Case Western Reserve's Institute of Energy has a demonstration project getting underway and is planned three miles off the coast and will deploy five to six turbines. This would be the first phase of a two-phase project. ODNR's Division of Wildlife and Office of Coastal Management are developing protocols in lessening impacts on any marine and avian species. The Governor and Lieutenant Governor have met with potential developers which could have a robust manufacturing element for Ohio. ODOD is spearheading this effort.

During the Public Comment Period, the Commission members acknowledged the recent passing of Mr. Ed Hauser. Commission representative Brad Biggs, ODOD, read the Commission's letter to the Hauser family expressing appreciation of Ed's many years of professionalism in keeping the Commission informed and engaged in the vital environmental issues affecting Ohio's Lake Erie shoreline and communities.

**Meeting Guests:**

Dick Bartz, U.S. Geological Survey  
Edith Chase, Ohio Coastal Resource Management Project  
Ed Hammett, Ohio Lake Erie Commission Office  
Julie Letterhos, Ohio EPA  
Tony Logan, ODNR; Chief Legal Counsel  
Ted Lozier, ODNR – Division of Water  
Jeff Mitchell, FSA  
Dr. Jeffrey M. Reutter, Ohio Sea Grant College Program  
Chris Riddle, Ohio Lake Erie Commission Office  
Kelvin Rogers, Ohio EPA  
Jim White, Cuyahoga River RAP  
Jill Woodyard, Ohio Lake Erie Commission Office

**ADJOURNMENT**

The meeting was adjourned at 12:20 p.m.

*Prepared by the Ohio Lake Erie Commission  
Office on behalf of the Commission Secretary*