

OHIO LAKE ERIE COMMISSION MEETING

The Vern Riffe Center for Government and the Arts, Columbus, OH
March 25, 2009

The Ohio Lake Erie Commission (OLEC) meeting was called to order by Commission Chairman Sean Logan, Director; Ohio Department of Natural Resources at 10:35 a.m.

Roll Call:

Sean Logan, Director; Ohio Dept. of Natural Resources (ODNR)
Robert Boggs, Director; Ohio Department of Agriculture (ODA)
Gail Hesse, Director's Designee; Ohio Environmental Protection Agency (OEPA)
Tim Hill, Director's Designee; Ohio Dept. of Transportation (ODOT)
William Murdock, Director's Designee; Ohio Department of Development (ODOD)
(Ohio Department of Health was not represented.)

Chairman's Report

The Commission Chairman reported on the March 12, 2009 recognition event that took place in the City of Brecksville to recognize the Chippewa Creek Watershed Planning Partnership for being the first to achieve their recently completed and endorsed Chippewa Creek Balanced Growth Watershed Plan. Besides recognizing the three communities involved in developing the plan (Brecksville, Broadview Heights and North Royalton), the Cleveland Metro Parks and the Cuyahoga Valley National Park were also thanked for their support in this planning effort.

BUSINESS MEETING

Minutes

Motion was made by ODOT to accept the minutes of the December 17, 2008 meeting which took place at the Ohio Department of Natural Resources; motion was seconded by ODOD. The commission members voted all in favor and the motion carried to approve the December minutes.

Executive Committee Report

Deputy Director Cathryn Loucas, ODNR and Committee Chair, began her report by recognizing William Murdock, ODOD, as being the new designee on behalf of that agency's interim director, Mark Barbash. Ms. Loucas reported on the committee's recent meeting that reviewed and approved Grants Committee recommendations for projects to be funded this quarter from the Lake Erie Protection Fund including targeted priority projects representing larger goals for Lake Erie research. These projects will be presented in detail by the Grants Committee Chairman, Bill Goodman, ODA, in his committee report.

Grants Committee Report – Lake Erie Protection Fund (LEPF)

Small Grants Program

Bill Goodman, ODA; Grants Committee Chairman, opened his report with an overview how funds are raised for the LEPF from the sales of Lake Erie License Plates which began in 1993. Each plate sale represents a \$15.00 donation to the LEPF with over \$9.0 million being raised since inception. An average of 20,000 Ohioans participate in this program each year by purchasing (or renewing) a Marblehead Lighthouse plate or renewing their Toledo Harbor Lighthouse plate designed by Lake Erie artist, Ben Richmond.

Mr. Goodman presented the Grants Committee funding recommendation for two small grant proposals submitted third quarter of State Fiscal Year 2009 in the total amount of \$29,750. Motion was made by ODA to approve the Grants Committee recommendation and seconded by ODOD. The commission members voted all in favor and motion carried to approve the following small grant projects:

- University of Toledo project entitled, "*Sediment contribution to Lake Erie Algal Blooms*", Project Director: Cyndee Gruden in the amount of \$15,000. The goal of this research project is to determine the potential sediment contribution to the *Microcystis* bloom formation in the western Lake Erie basin and will

determine if sediments serve as a sink and potential source of both *Microcystis* colonies and/or phosphorus.

- The Ohio State University-Aquatic Research Laboratory project entitled, “*Using Satellite Imagery for Fisheries Management*”, Project Director: Dr. Stuart A. Ludsin in the amount of \$14,750. Among the project objectives will include using remotely sensed data to better understand physical habitat distribution in western Lake Erie and its influence on habitat use and recruitment of walleye and yellow perch.

Targeted Priorities for SFY 2009

Gail Hesse, OEPA and chair of the Ohio Lake Erie Phosphorus Task Force, presented an overview of the targeted priorities recommended for funding by the Executive Committee and Grants Committee members. The Lake Erie Phosphorus Task Force identified key projects on critical issues affecting Lake Erie with a focus on soils as a key management tool in managing phosphorus on the land. An RFP was released last November with projects due in February that underwent review by the Executive Committee members with comments received from the Grants Committee, Phosphorus Task Force members and external reviewers. The following two targeted priority projects were recommended for funding:

- The Ohio State University-Dept of Evolution, Ecology, and Organismal Biology for project entitled, “*Connecting Phosphorus Load, Transport, and Biological Use*”, Project Director: Dr. David A. Culver in the amount of \$167,040. This project will focus on the Maumee and Sandusky rivers and will look at how *Microcystis* uses the bioavailable portion of total phosphorus to form blooms in the Maumee and Sandusky systems, and where in these systems blooms are triggered.
- The Ohio State University-Ohio Ag Research & Development Center for project entitled, “*Analysis of Soil Testing Laboratories and Data Mining*”, Project Director: Dr. Robert W. Mullen in the amount of \$74,955. This project will evaluate soil testing laboratories in Ohio focusing on both the analysis of the submitted samples and the recommendations provided to farmers based on the sample results. Data mining will be completed to review testing results for phosphorus and other soil characteristics from these laboratories.

Motion was made by ODOD to accept the funding recommendations; seconded by ODOT. The commission members voted all in favor and the motion carried to approve the two targeted priority projects that will get underway this spring.

Ohio Lake Erie Commission ~ Office Report

The following report on Commission Office projects and programs was provided by executive director Ed Hammett.

Implementation of the Balanced Growth Program ~ Pilot Projects

Ed Hammett, OLEC, reported that the three pilot projects (Rocky River, Swan Creek and Chagrin River) are completing their plans along with the local government endorsement process. The Rocky River Pilot will present their plan at the June Commission meeting for endorsement. The Swan Creek Pilot has achieved 87% support in their watershed. Both the Swan Creek and Chagrin River Pilot Projects will likely come before the Commission for endorsement at the September meeting. We are now undertaking the process of “where do we go from here” as Balanced Growth is offered statewide through the Ohio Water Resource Council.

Best Local Land Use Practices (BLLUP) - Case studies will be developed this year as model recommendations on various land use issues and quantifying the environmental and economic benefits and analysis of costs of the practices. Further training sessions will be developed based on these case studies.

Smart Growth Workshop – we will review and discuss the Smart Growth Leadership Institute’s report on the Balanced Growth Program March 25-26, 2009. We will also be developing a questionnaire or pilot program and securing input from the Technical Advisory Committee (TAC) so we can put together recommendations to the Commission on how we can go forward with this program.

Technical Advisory Committee (TAC) – will meet on April 1st and the State Assistance Work Group (SAWG) will be meeting April 6th to review endorsement for the Rocky River Pilot.

Other Projects & Programs

Western Lake Erie Basin (WLEB) Study

It was reported that the Commission Office has been providing support for WLEB including assistance at its recent conference, a strategic planning session of the WLEB Partnership held March 10-12, 2009 at Maumee Bay State Park. Six different sessions were presented focusing on issues such as nutrient loading, water quality management, dredging, and watershed planning and implementation. The group also provided input into the draft plan of the USACE Western Lake Erie Basin Study. The Commission Office provided support services for these sessions, kept minutes of the conference and also the leadership meeting which followed the conference, as well as, participation in outreach committee work tasks. One of the functions the Commission Office also provides is to maintain the WLEB Website. Currently the Office is drafting the spring WLEB newsletter.

Ohio's Coastweeks 2009 - Plans for the 2009 program are getting underway with the "Call for Events" planning brochure released today asking for cleanup events to be submitted between now and the July 9th deadline. The annual program takes place during International Coastal Cleanup Day on Saturday, September 19th along Ohio's Lake Erie shoreline, around the United States, and is one of the largest one-day volunteer cleanup efforts throughout the world. The cleanup sponsor is The Ocean Conservancy out of Washington, D.C. The Coastweeks program emphasizes public awareness for our citizens of the value and fragility of Ohio's Great Lake with a strong focus on cleanup events.

"Life on Lake Erie" Photo Contest – The 2009 photo contest is underway with the Commission Office now accepting photos taken between July 9, 2008 and July 12, 2009. Deadline for entries is July 16th. Winners will be announced at the Commission's September meeting and all winning images are touring the shoreline in a Lake Erie photo gallery. The gallery will be on display at the Ottawa National Wildlife Refuge for Migratory Bird Day and during Fish Ohio Day in July. All photos are public record and available for use. Director Boggs, ODA, suggested contacting the Statehouse of Riffe Center for future hosting of the photo gallery.

Next OLEC Meeting – The next Commission meeting will take place June 3, 2009 at the Leonard Krieger Canalway Center in the Cleveland area. The meeting will highlight the 40th year celebration of the recovery of the Cuyahoga River with members of the Cuyahoga RAP kicking off their program at this quarterly meeting. The Cuyahoga River has had tremendous success in its recovery since the historical fire in the late 1960's. For example, it has gone from a fishery of 20 species to over 200 demonstrating the success of both conservation and economic development.

Invited Reports

Economic Stimulus and Lake Erie

John Watkins, Chief of ODN's Office of Coastal Management, presented an overview of the potential opportunities for Lake Erie with federal stimulus funding. The stimulus bill is known as the American Reinvestment and Recovery Act and the current website for recovery Ohio is <http://recovery.ohio.gov>. There are over 18,000 projects that have been submitted with thousands just along Lake Erie. Seven key areas relate to Lake Erie where funding could be made available. These include: (1) NOAA Coastal and Marine Habitat Initiative - \$170 million for 35 states and territories. The key criteria is shovel ready projects that must create jobs; average award would likely be \$1.5- \$10 million funded on a competitive basis directly from NOAA. It is anticipated that grants will be awarded by May 1, 2009; (2) Water and Sewer Loans and Grants – loans and grants for communities and nonprofits with less than 10,000 population; awarded on a first-come, first-serve basis; (3) Brownfield Redevelopment Funds – assessment and clean up of properties; a revolving loan and grants fund awarded on a national basis; (4) US COE General Construction Funds – Flood Control Act of 1946 and 1948 for construction, repairs, restoration and modification of stream banks and shoreline protection – purpose must be to prevent flooding. Also includes WRDA – Water Resources Development Act of 1986 and 1996 – funds for review of water resources projects to determine the need for modification, i.e. dams and help improve habitat and water quality and protection of aquatic ecosystems; matching funds are required; (5) US COE General Funds - funds

available to enter into cooperative agreement for local water infrastructure projects, steam bank stabilization and habitat restoration. Funds utilized by the US COE are for maintenance at locks and dams, and dredging federal navigation channels mostly along Lake Erie; awarded on a competitive basis; (6) Watershed Infrastructure - US Dept of Agriculture/NRCS for watershed and flood prevention programs and watershed and dam rehabilitation; and (7) Other Funds would include USGS Stream Gauge upgrades; National Park Service – maintenance, critical repair and rehabilitation; National Transportation System – ports, highways, bridges, etc; Maritime Administration – assistance grants for small shipyards; and Homeland Security – port security. Additional stimulus bills will not occur until next year, at the earliest.

In the proposed federal budget for FFY 2010, under the Great Lakes Regional Collaboration, there is \$475 million for various initiatives which include invasive species, runoff pollution, degraded wildlife habitat, and contaminated bottomlands. Federal Climate Change Legislation is on the horizon with funding from additional outer continental shelf oil and gas production, which may not come to the Great Lakes states, and funding development of alternative energy in coastal waters such as wind, wave or capturing currents going through channels. Chief Watkins stated, “The opportunity to lead is resting with us” – this is the bottom line. There is a lot of funding potentially available, but Ohio needs to have shovel-ready projects ready to go. We need to tie this back to Balanced Growth with PDAs and PCAs identified and expand Balanced Growth throughout the Great Lakes. Director Boggs, ODA, commented that the Governor is putting together another stimulus program this fall with additional projects to be funded.

Hydrodynamic Modeling in Lake Erie

Dr. Ethan Kubatko, Assistant Professor, OSU's Department of Civil and Environmental Engineering & Geodetic Science, was introduced by Assistant Director Eugene Braig, Ohio Sea Grant College Program, whose agency helped fund the project. Dr. Kubatko explained that hydrodynamics is a branch of physics that deals with the motion of fluids. Computer models use equations to describe the motion. For hydrodynamic modeling, you need a computer simulation tool called ADCIRC (Advanced Circulation Model) which formulates and solves a set of equations. Solutions of these equations provide simulation and are used by a number of agencies such as NOAA, FEMA, USACE and the LSU Hurricane Center. A grid is structured using a series of qualified sized squares that are of equal size. For example, a model can be simulated of the Lake Erie shoreline. The grid is designed to simulate general circulation patterns. After construction of the geometric model, the next step is to validate the model by performing simulations and compare model results to available field data. This type of model can be used as an analysis tool for contaminant transport, water quality studies, dredging feasibility, modeling wind driven circulation, and analysis of storm surges and flooding.

Agency Reports

Robert Boggs, ODA, reported that it is a busy time for all departments with budget work and over 20,000 requests for stimulus funding working their way through all the departments. ODA will focus more on local food production, aquaculture, and bio-energy with the marketing division looking at waste energy programs such as the Biochar program. The Farmland Preservation Program is focusing on protection of row crops, smaller specialty crops, and urban food plots.

William Murdock, ODOD, reported that the agency is working with OEPA on the federal brownfields projects submitted for the stimulus package. The state put out a call for additional information on projects in that it needed to know more about the federal requirements. Deadline for projects is April 6, 2009. There are four-to-five agencies involved with Clean Ohio for the brownfields aspect and there has been a greater collaborative effort between the agencies. More information will be provided when the joint report is prepared. Also, the urban gardening piece is an economic development component to create jobs. There are a lot of residential sites and ODOD is working with OEPA to be creative in this area.

Sean Logan, ODNR, reported on Great Lakes Days that recently took place in Washington, D.C. presented by the Great Lakes Commission (GLC) February 24-25, 2009 featuring presentations and discussions on Great Lakes priorities. Chief Watkins, Office of Coastal Management, was among the

attendees and presented on Ohio's Coastal Management Program. The GLC urged Congress and the Administration to create a sustainable funding mechanism for the Great Lakes and to increase support for several existing programs such as the Harbor Maintenance Trust Fund. Also, a meeting of the 28-member advisory panel for implementation of the Great Lakes Compact will be announced today. Whether a farm or golf course, they need to register as soon as possible regarding water withdrawals from the Lake Erie basin. They can register with ODNR's Division of Soil and Water. This will help to establish a baseline for the future in how the Compact is implemented. A separate panel discussion will focus on the economic engine. Water management has been identified as a \$500 billion industry worldwide with \$200 billion just in the United States.

Tim Hill, ODOT, reported that the agency is partnering with ORDC (Ohio Rail Development Commission) on passenger train service in Ohio. Discussions are underway to re-open the corridor from Cincinnati to Cleveland with AMTRAK doing a study on start-up service. This study will identify potential corridors for passenger service while looking at corridors for high speed service and identifying long-term fixed high speed corridors in the future. Travelers will be able to choose different ways to travel to major cities. A green initiative is also underway for the agency. One main goal is how ODOT handles everything from an environmental standpoint, i.e. herbicides along the roadway, chemicals used at facilities, use of lubricants and fuels, etc. This will be a long-term adjustment and big change that not only affects what chemicals are bought, but how maintenance functions are performed, how much equipment is used, etc. This will be a long-term beneficial affect for the Lake Erie watershed.

Gail Hesse, OEPA, reported that OEPA is preparing an application to NOAA for habitat restoration in the Ashtabula River Area of Concern (AOC.) NOAA is offering \$170 million nationwide for marine and coastal habitat focusing on addressing loss of fish and wildlife and degradation of benthos in the AOC's. Now that the Ashtabula River has been remediated, the agency can move forward with habitat restoration plans. This project will include removal of debris, installing fish shelves along the river banks, and creating a connecting channel to restore hydrology between the river and backwater area. Applications are due April 6, approval date is May 1 and work must be completed within 12-18 months. Also, OEPA and the Cuyahoga River RAP are preparing documentation to delist much of the lower main stem of the River and hope to have a public announcement at the celebration of the "Cuyahoga Year of the River" events in early summer. Lastly, the Great Lakes Legacy Act and Natural Resource Damage projects focused on contaminated sediment remediation and are moving forward on the Ottawa River in the Maumee Area of Concern.

Advisory Committee Reports

Edith Chase, Ohio Coastal Resource Management Project, commented on the state's budget issues and offered help from OCRMP with GRF funding. Edith stated, "tax the bads instead of the goods."

Eugene Braig, Ohio Sea Grant College Program, reported on Sea Grant's research grant cycle wherein requests can be submitted up to \$60,000 per project, up to three years. Once they receive word on the allocation, they will be able to release an RFP in April. The Lake Erie Millennium Network held a video conference with 75 participants with five proposals submitted, all being funded. This RFP was in collaboration with the Lake Erie Protection Fund. It was reported that Ohio Sea Grant usually receives funding from the state in the amount of \$300,000, but it was recently cut. Sea Grant will continue to offer 32 college courses this summer along the its research program with nine in-house scholarships awarded in the amount of \$30,000. Two new collaboration projects were announced. Two interns will work at Perry's Monument serving as uniformed interpretive staff. And, Ohio Sea Grant will take over the fish hatchery at South Bass Island and are currently pursuing funding for that facility.

Michelle Lohstroh, NRCS, reported on the recent WLEB conference (March 10-12, 2009) with over 70 attendees at Maumee Bay State Park. Presentations and information on the conference will be placed at the WLEB website along with recommendations from the WLEB steering committee. Regarding the economic stimulus package, NRCS is engaged in the flood plain easement portion with much interest in western Lake Erie basin. The Farm Bill program's best management practices will open its

application period April through May. In the Wetland Reserve program, there are additional funds available for land protection. It was further reported that Biochar has been a USDA conservation, innovative grant program and, in some cases, is funded nationally and as a state program.

Matt Horvat, TMACOG, reported that TMACOG is continuing to work with the jurisdictions along with continued collaboration on the stimulus package. The agency is wrapping up the Swan Creek Balanced Growth Watershed project and is currently reconfirming jurisdictional support on the pilot project.

(NOACA was not represented.)

PUBLIC COMMENT PERIOD

Russell Bimber, retired research chemist from Oberlin, OH, provided comments regarding a one-acre hazardous landfill area containing over 100,000 gallons of solvents. The concern was expressed that the waste may not be contained. A handout on this issue was provided to the Commissioners with information from 1981 and 1982. OEPA will follow up with Mr. Bimber on his inquiry.

Meeting Guests:

Dick Bartz, U.S. Geological Survey; Russell Bimber, Retired Chemist – Diamond Shamrock; Eugene Braig, Ohio Sea Grant College Program; Edith Chase, Ohio Coastal Resource Management Project; Liang Cheng, OSU – Mapping & GIS Laboratory; Joe Conroy, The Ohio State University; Hugh Crowell, Hull & Associates, Inc.; Dr. David Culver, The Ohio State University; Kirby Date, CSU; Levin College; Eric Foote, Battelle; Bill Goodman, ODA; David Gross, Sahbra Farms, Inc.; Ed Hammett, Ohio Lake Erie Commission Office; David Hanselmann, ODNR; Matt Horvat, TMACOG; Dr. Ethan Kubatko, The Ohio State University; Ding Le, OSU - Mapping & GIS Laboratory; Z-Chieh Lee, OSU – Mapping & GIS Laboratory, Julie Letterhos, Ohio EPA, Michelle Lohstroh, Natural Resources Conservation Service, Cathryn Loucas, ODNR, Sara Lynaugh, ODNR / OWRC, Chris Riddle, Ohio Lake Erie Commission Office, John Watkins, ODNR-Office of Coastal Management, Jill Woodyard, Ohio Lake Erie Commission Office

ADJOURNMENT

The meeting was adjourned at 12:50 p.m.

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