

OHIO LAKE ERIE COMMISSION MEETING
Ohio EPA Center for Excellence, Columbus, Ohio
March 20th, 2013 at 9:00 a.m.

Call to Order and Roll Call –Scott Nally, OLEC Commission Chair; Director, Ohio EPA

The Ohio Lake Erie Commission (OLEC) meeting was called to order by Commission Chairman, Ohio EPA Director Scott Nally at 9:00 a.m.

Commission Members Present:

Karl Gebhardt, Director's Designee, Ohio Department of Natural Resources (ODNR)
Denis Franz King, Director's Designee, Ohio Department of Agriculture (ODA)
Scott Nally, Director, Ohio Environmental Protection Agency (OEPA)
Myron Pakush, Director's Designee, Ohio Department of Transportation (ODOT)
Gene Phillips, Director's Designee, Ohio Department of Health (ODH)
William Murdock, Mid-Ohio Regional Planning Commission, Exec. Director
No one was present, Ohio Development Services Agency (ODSA)

Staff Present:

Gail Hesse, Executive Director, Ohio Lake Erie Commission (OLEC)
Sandra Kosek-Sills, Ohio Lake Erie Commission (OLEC)
Rian Sallee, Ohio Lake Erie Commission (OLEC)
Heidi Rife, Ohio Lake Erie Commission (OLEC)

Welcome and Agenda Overview: Scott Nally, Director, Ohio EPA, and OLEC Chairman

BUSINESS MEETING

Karl Gebhardt arrived at 9:20 a.m.

Chairman's Report – Scott Nally, Commission Chair:

There are three actions before the Commission today. The first addresses meeting minutes. The second and third are approval of 2 quarterly grant projects and Balanced Growth BLLUP project.

ODH moved the following resolution:

Resolved, that the Commission approves the meeting minutes for December 12, 2012.

ODNR seconded the motion. No discussion was offered. The Commission members voted all in favor and the motion carried. Murdock abstained from the vote.

Lake Erie Protection Fund

Grants Committee Report: Amy Jo Klei, Grants Committee Chairman

Klei presented two grant proposals to be funded for the third quarter cycle. The revenue generated by the sales of the Lake Erie license plate and other donations will be used for funding these projects. Two grants of up to \$30,000 are available this quarter to fund two specific project topics: 1) Internal Loading as a Source of Phosphorus in Lake Erie and 2) Inventory of Water Conservation Measures by Industry Sector.

Projects must assist with implementation of the Lake Erie Protection and Restoration Plan (LEPR) and provide a direct benefit to Lake Erie of its tributary watersheds in Ohio.

The Commission received four phosphorus related applications and one water conservation application for the 3rd quarter of the LEPF Small Grants cycle. The Grants Committee reviewed all applications and recommends the following grants for funding for a total of \$60,000 for the SFY13 Small Grants allocation.

- “Internal Loading of Phosphorus to Lake Erie”. Case Western Reserve University, \$30,000
- “Analysis of Water Conservation Measures by Industry Sector”, Cleveland State University, \$30,000

The SFY13 budget for the LEPF is \$150,000. With approval of the above projects, the remaining balance for the LEPF small grant program for SFY13 is \$60,000.

ODH moved the following resolution:

Resolved, that the following Lake Erie Protection Fund grant proposals be funded:

- “Internal Loading of Phosphorus to Lake Erie”. Case Western Reserve University. \$30,000
- “Analysis of Water Conservation Measures by Industry Sector”. Cleveland State University. \$30,000.

ODA seconded the motion. No discussion was offered. The Commission members voted all in favor and the motion carried. Murdock abstained from the vote.

Hesse then presented the Balanced Growth Best Local Land Use Practices 2013 Grant proposal. The Ohio Balanced Growth Program addresses the link between land use and water resources in the state of Ohio. The program recognizes that fresh water resources are critical to the economic prosperity and quality of life of the residents and businesses of Ohio; that land uses in all watersheds affect the quality and quantity of fresh water resources; and that local government must work regionally and individually to implement opportunities to protect water resources through land use policy.

The proposed set of work tasks continues the ongoing effort in conjunction with the Ohio Water Resources Council. We propose 3 elements of a new Best Local Land Use Practices grant: continuing technical assistance to local communities, outreach on BLLUP tools and resources (e.g. workshops), and “train the trainer” activities to build program capacity to provide technical assistance and outreach (based on recent OWRC action, this could in part be training for a state employee new to the program).

ODOT moved the following resolution:

Resolved, that the following *Balanced Growth* grant proposal be funded: “Best Local Land Use Practices 2013”, Cleveland State University, \$35,000.

ODH seconded the motion. The Commission members voted all in favor and the motion carried. Murdock abstained from the vote.

William Murdock, MORPC, left after the vote.

Updates: presented by Hesse

Balanced Growth – Implementation Report

Hesse presented the implementation of the Balanced Growth programs.

- Three Lake County communities have implemented changes to make their PDAs more attractive to businesses.
- Swan Creek and Big Creek are continuing design & construction of retrofit projects.
- The City of Medina is pursuing six projects to enhance PDAs and protect PCAs. The Lake Erie divide goes thru Medina. There has been trail funding, land acquisition and are redeveloping unused properties.

The Port Authority of Eastlake submitted a USEPA Brownfields Areawide Planning grant for PCAs and PDAs along the Chagrin River corridor.

- City is working on a park planning project in a PCA to provide additional flood storage.

Six communities are updating local codes based on Best Local Land Use Practices and 10 SWIF grants have been awarded for projects in the Chagrin River watershed.

Discussion: Denise King of ODA - said Lake County supports farmland preservation. It is a program that promotes permanent ownership of land by state of Ohio. The land has to remain for agriculture.

Lake Erie Protection and Restoration Plan

Hesse presented the update. The document outlines the state's priorities of the plan. In September the Commission approved the 12 priority areas. The staff has been working on these areas and all are in varying degrees of development. There will be an internal agency review prior to the June Commission meeting and then a public review over the summer. Final completion is expected in September.

GLRI Synthesis Project

The synthesis project team is looking at all the funded projects in Ohio over the past 3 years. 53 projects have been funded totaling 47 million dollars. Projects need to be understandable and accessible to the public. The grant is open until next fall. The intention is to better connect research needs and management actions.

P Task Force: Phosphorus Targets

Introduction: The loading targets we recommend represent a conservative first step. Meeting these targets will significantly improve the health of Lake Erie, but may or may not reduce algal blooms to acceptable levels.

Strategy: Adaptive Management

- Annually review loads and resulting blooms against targets.
- Support robust monitoring program.
- Evaluate targets and modify as needed.
- If this approach is not acceptable, then recommended target loads must be significantly reduced.

Maumee River

- By virtue of its location, its high discharges, and its high loads and concentrations of total and dissolved phosphorus, we believe that the Maumee River watershed is the primary driver of algal blooms in the Western Basin of Lake Erie.

- The Maumee River watershed is well monitored by Heidelberg University and represents 4.2 million of the 7.1 million acres in the Western Basin watersheds between Monroe, Michigan and Sandusky, Ohio.

Considerations:

- Richard Stumpf, NOAA: correlated HABs with Maumee loads:
 - March 1 through June 30
- Heidelberg
 - Unit area loads from Monroe to Sandusky mirror Maumee loads
- Monitoring on Maumee is indicator of progress
- We believe that sufficient reductions in average loads will significantly reduce the frequency and severity of HAB-inducing P loads entering the lake

Issues Considered:

- Pros and cons of targets based on total P and/or dissolved reactive P.
- Pros and cons of seasonal versus annual P loads.
- The maximum P load from the Maumee River that will not produce a HAB.
- The minimum P concentration required to produce a HAB or the maximum P concentration that will not produce a HAB. For example, blue-green algae need a P concentration of at least "X" to produce a bloom.

Recommendations:

- Spring loads defined as 1 March – 30 June
- Recommendations for Total P and DRP
- Because of the large, weather-induced, annual variability in loads, the subcommittee is proposing targets based on reduction in multi-year average loads rather than acceptable peak loads. The 2007-12 time period was selected to better address predicted increases in the frequency of severe storms
- Recommended actions for reduction apply to watersheds between Monroe, MI and Sandusky, OH

Total P

- Average spring TP load: target of 800 metric tons
 - This represents reduction of 1,275 metric tons from the 2007-12 average, a reduction of 37%
- Average annual TP loads: target of 1600 metric tons
 - This represents a reductions of 2,630 metric tons from the 2007-12 average, a reduction 39%

Dissolved Reactive P

- Average spring DRP load: target of 150 metric tons
 - This represents a reduction of 256 metric tons from the 2007-12 average, or 41%
- No annual loading target recommended
- We are confident that restricting loads to this level or lower would significantly reduce HABs.

P Concentration

- No recommendation at this time
- Prolonged TP concentration of 50 µg/l or higher or a consistent DRP concentration of 10 µg/l or higher in a river or lake will produce a HAB

- 50 µg/l exceeded in the Maumee River at Waterville 100% of the time between 2004-12
- 10 µg/l target for DRP was exceeded 76% of the time
- HABs have been observed at the majority of Western Basin sampling stations when the DRP concentration was 6 µg/l

Discussion:

Director Nally asked should there be a more aggressive target. Dr. Reutter responded that 2011 was a record load because of 2010 and 2011 compounding on each other. An average load is 1,275 metric tonnes, whereas 2011 had 2,300 metric tonnes. The average recommended for the targets is from 2007 – 2012 period to best reflect recent trends in weather patterns and resulting high loads along with the lower year of 2012. We anticipate that if we can get below this average we will see a substantive reduction in the blooms. Dr. Reutter also stated if it were to get below 800 metric tonnes then the impact would be reduced and that reduction would be observed in subsequent years even with years of higher loading. Karl Gebhardt said that apprehension is an issue with the agriculture community. Gene Phillips asked what strategies were going to be placed. Hesse stated that there would be a continuance to build on the momentum and the Task Force will come out with focus areas and management practices that build on recent momentum.

License Plate Design

Proposed plate is on hold because BMV is on hold for Ohio Pride plate release. We will be receiving mock ups of the printed plates and there will also be printing on the sheeting for review.

Completed projects:

Advisory Group for the Heidelberg Tributary Loading Program

- Kenneth Krieger, Heidelberg University
 - This grant provided support to plan, organize and convene an advisory group that would focus on strategies to:
 - Achieve stable, long-term support for the HTLP,
 - Prioritize and evaluate the program components and costs, and
 - Identify funding opportunities.
 - Currently developing a formal Funding Coalition that should significantly increase funding stability and the administrative efficiency of the HTLP.

Sandusky River Headwaters Runoff Reduction Project

- Mike Hall, Crawford Soil & Water Conservation District
 - Goal of project was to reduce the amount of sediment and phosphorous runoff from agricultural cropland into the headwater streams of the Sandusky River watershed.
 - Resulted in 792 acres of cover crops established in the watershed along with 1,642 acres of conservation planning on 17 farms.
 - Total storm runoff was reduced by 113,535 gal/min
 - Sedimentation reduced by a total of 598 tons of soil saved
 - Nitrogen reductions totaled 1,441 lbs.
 - Phosphorous reductions totaled 721 lbs.

Lake Erie Shoreline Creel Economic Impact Study

- Joseph Lucente, Ohio State University/Sea Grant
 - To quantify economic impacts and benefits of Ohio Lake Erie shoreline angling, the researcher, in conjunction with ODNR, utilized a creel survey of shoreline anglers in 2006 and 2007.

- On average, Lake Erie shoreline anglers made 21 annual trips to the shore to fish.
 - 50% live within 9 miles of their angling destination
 - 6.2% live over 100 miles from the Lake Erie shore
- Not including travel costs, the average angler spends \$8.22 per day locally.
 - Total angler visits of 172,665 in 2006 and 102,871 in 2007
 - Estimated total annual shoreline local spending of \$1.42 million in 2006 and \$0.85 million in 2007

Great Lakes Mall Green Infrastructure Program

- Abe Bruckman, City of Mentor
 - Received funding to explore site suitability for a green infrastructure stormwater management project within the parking lot of the Great Lakes Mall in Mentor, Ohio.
 - Test results and the proposed final design suggest that more than 50% of all water draining from 75 acres of asphalt parking lots at the Mall could be absorbed on-site.
 - Study findings and green design concepts were used to develop and obtain a \$770,000 USEPA GLRI implementation award for recommended site work.

The Year Ahead: 2013

Lake Erie Monitoring Coordination

Dr. Jeff Reutter presented an overview of collaborative monitoring program. Reutter explained that there is enough data to tell a good story about what is going on and to answer questions. A map of the monitoring locations was presented and future proposed sites. He also explained the goals of the monitoring as:

- Take advantage of strength of each program
- Better coverage of Lake Erie
- Minimize cost
- Synchronize sampling dates
- Develop uniform sampling procedures
- Identify central data repository
- Synthesize results to tell a uniform story

Discussion:

Director Nally wants to standardize the window for monitoring. Karl Gebhardt commented on the monitoring map and stated that it was important to see. He also said that over the past year the state of Ohio has been criticized because there isn't needed sampling being done. In actuality there has been a lot of sampling being done. Hesse suggested that the pins on the map be smaller. Dr. Reutter stated that the map was proposed sites and actual sites combined and needs updated.

Dr. Reutter's full presentation is on file at the Ohio Lake Erie Commission office.

Bacteria Monitoring Program

Gail Hesse presented an overview and update of monitoring season. USGS has been working on updated NOWCAST – also doing data collection efforts for Lorain and Lake counties. Funding is uncertain beyond 2014. Gene spoke to say that they are waiting to see what happens with federal funding.

- Lake Erie: Approximately 62 public and semi-public beaches monitored every season
- Sample results posted on ODH BeachGuard site and the BeachCast mobile app
- NowCast running for four Lake Erie beaches and on the Cuyahoga River.
 - NowCast may go live at one to two beaches in Erie County in 2013
 - Data collection efforts underway at beaches in Lorain and Lake counties
- No federal funding lined up beyond 2013
- ODH programming may be impacted by changes to the State's recreational water quality criteria

Gene Phillips- ODH, left the meeting at 10:03 a.m.

Toledo Harbor Dredged Sediment Pilot Project Pilot Project Goals:

- Estimate time for material to decant before planting
- Demonstrate feasibility of soil fertility in dredged material for growing crops
 - Ensure no unacceptable human health or environmental risk
- Demonstrate integration of edge-of-field treatment and other nutrient management strategies
- Outreach with agricultural community to support full scale implementation

Lake Erie Bicentennial Celebration

The Bicentennial will be celebrated on Labor Day weekend at Put-in-Bay with a reenactment. A total of 13 tall ships will be featured, including the USS Brig Niagara. The actual battle reenactment will take place on Monday, September 2, 2013. The U.S. Mint will be releasing a quarter in April featuring the Perry's monument and Oliver Hazard Perry. A commemorative stamp will be released by the U.S. Post Office in September.

Office update – presented by Hesse

Life on Lake Erie Photo Contest 2013 – deadline is July 31, 2013.

Coastweeks – 2012 clean up numbers are out from the International Ocean Conservancy. Ohio's numbers were: 1,307 total volunteers; 21,195 pounds of trash collected; 20 clean up events were completed.

Agency Reports

Denise Franz-King, ODA: The exotic animal facility is open. There are separate parts for all animals. ODA is continuing to work on the phosphorus issues by trying to educate producers on options, proposed legislation and which changes in definitions.

ODSA: *no report*

Gene Phillips, ODH: *no report*

Karl Gebhardt, ODNR: Legislation about the oil/gas is a huge issue right now. The 1st advisory committee for establishing structure is being formed.

Myron Pakush, ODOT: Budget bill passed and is now going to the House. There are changes in the Turnpike Commission. The new name is now the Ohio Turnpike and Infrastructure Commission. ODOT and the expanded Ohio Turnpike Commission will work more closely together to address the critical infrastructure needs of the state. The first downtown Cleveland inter-belt bridge is open. Demolition of the existing bridge will be done. The second bridge will be open in 2016.

Commission Chair and Director, Scott Nally, OEPA: Detroit Waste Treatment plant is going to take an active role in managing their waste system.

Advisory Group Reports:

- **OSU Sea Grant Program-** Dr. Chris Winslow – All the vessels are in the water. Hiring seasonal staff. Working with the Nature Conservancy with monitoring at Cedar Point. Solar Panels are working. Status of the budget is unknown.
- **Natural Resources Conservation Service** – Michelle Lohstroh – The sign up for the Ohio Farmers for Key Conservation program has closed. GLRI is funding edge of field monitoring for the western basin and nutrient management promoting the 4R's – Right fertilizer, Right rate, Right time, and the Right Placement. A Soil Health campaign is going on. Also working with the Grandview group for farmer awareness and engagement projects. June 20th is the Western Lake Erie Basin Strategic Partnership Meeting.
- **Northeast Ohio Areawide Coordinating Agency** – Pam Davis – not in attendance.

PUBLIC COMMENT PERIOD

No comments made

Director Nally adjourned the meeting at 10:43 a.m.

Powerpoint presentation slides used at this meeting are on file at the Ohio Lake Erie Commission Office.

NOTE: Next Lake Erie Commission Meeting: NASA Plum Brook Testing Facility, Sandusky, Ohio.