

OHIO LAKE ERIE COMMISSION MEETING

Stone Lab, Put-in-Bay, Ohio

June 22, 2016 – 10:30 a.m.

Call to Order and Roll Call – Craig Butler, OLEC Commission Chair; Director, Ohio EPA

The Ohio Lake Erie Commission (OLEC) meeting was called to order at 10:15 a.m.

Commission Members Present:

James Zehringer, Ohio Department of Natural Resources (ODNR)
Craig Butler, Director, Ohio Environmental Protection Agency (Ohio EPA)
Gene Phillips, Director's Designee, Ohio Department of Health (ODH)
John Schlichter, Director's Designee, Ohio Department of Agriculture (ODA)
Matthew McAuliffe, Director's Designee, Ohio Department of Transportation (ODOT)
Rachel Near, Director's Designee, Ohio Development Services Agency (ODSA)
Harry Allen, Great Lakes Power Group, Chairman
J. Kevin Cogan, JonesDay, Of Counsel
Paul Toth, Jr., Toledo-Lucas County Port Authority, President/CEO

Staff Present:

Karl Gebhardt, Ohio EPA/OLEC
Leanne Greenlee, Ohio EPA
Sandra Kosek-Sills, OLEC

(30 observers)

Welcome and Agenda Overview: Craig Butler, Director, Ohio EPA & OLEC Chairperson

Director Butler called the meeting to order at 10:15am, and provided an overview of the agenda along with the place for the meeting.

Zehringer moved the following resolution:

Resolved, that the Commission approves the meeting minutes for March 30, 2016.
Cogan seconded the motion. No discussion. The Commission members voted all in favor and the motion carried.

Director Butler introduced special meeting attendee, Jon Allan with Michigan's Office of the Great Lakes.

Allan introduced himself and explained what his role as Director of the Office of the Great Lakes and current chair of the Great Lakes Commission. He touched on the structure of the Office of the Great Lakes and how it is under Michigan's Department of Environmental Quality while also being part of the governor's cabinet. Michigan has 3,000 miles of shoreline on the Great Lakes and he strongly believes in the importance of having relationships with other Great Lake States. Has been talking and working with Ohio in

regards to the Collaborative. Highlighted that the Great Lakes is the third largest economy in the world. The Conference of the Great Lakes Governors and Premiers announced a 3-year Maritime Strategy process to jumpstart the maritime transportation system. The strategy's objectives are to double maritime trade, shrink the environmental footprint of the region's transportation network, and support the region's industrial core. Michigan's SeaGrant program is looking at the Islands, there are 16 remaining year-round communities that are dying out. The Michigan Island Institute is the voice of the communities and exploring ideas of supporting social and cultural aspects of these island communities.

Director Butler spoke on the structure of the Ohio Lake Erie Commission and touched on how the structure is in Michigan compared to Ohio by being more consolidated.

Director Butler gave thanks to Stone Lab and Chris Winslow for hosting the meeting and asked Chris to give a brief overview of Stone Lab and his current role.

Chris Winslow welcomed everyone to Stone Lab and went over the logistics of the day. He touched on what his current role as Interim Director of Stone Lab entails. He touched on the facility being the oldest fresh water research facility dating back to 1925. Gibraltar Island, home of Stone Lab, is owned by The Ohio State University. Stone Lab and Ohio Sea Grants is currently managing \$7 million in grants from various sources and 50 projects. A majority of the current projects relates to harmful algae blooms. Their budget comes from various sources including NOAA and donations. They believe that communication is very important, communications staff from Stone Lab is present throughout the day taking photos and releasing social media blasts. Stone Lab is currently in their busy season that runs through October. They will host at least 200 students in a year, as well as having workshops and guest lecture series. On July 7, 2016, they will be hosting the NOAA HABs Forecast.

Director Butler asked that everyone in the room introduce themselves before they started into the agenda items.

Schlichter moved the following resolution:

Resolved, that the Commission approves Ohio EPA as the fiscal administrator for SFY 2017. Allen seconded the motion. No discussion. The Commission members voted all in favor and the motion carried.

Lake Erie Commission Office Update

Karl Gebhardt gave the update on the Lake Erie Commission Office.

Gebhardt Been busy working on various activities with the Annex 4.

Butler Would like to thank Karl publically for working on the Western Lake Erie Basin Collaborative and how he took the 40% reduction and created an

action plan. The plan is currently out for public comment; comment period ends on June 28th.

Western Lake Erie Basin Collaborative Roll-Out

- Gebhardt The Collaborative was done in collaboration with various state agencies including ODA, ODNR, and ODH. Worked with Jon Allan and Michigan, as well as Ontario and Indiana. The Collaborative is Ohio's Plan, not Ohio EPA's. This plan is a collaboration of state agencies and the collaboration is how it will be implemented. The Collaborative was rolled out on May 25th is now out for public comment, and should be finalized by mid-July. The Collaborative is a living document that will change with the circumstances and as new data or issues arise. Data can create challenges and OEPA may have to restructure the monitoring programs in the watersheds. Need to look at: are the practices having an improvement on water quality? Funding is also critical to getting this accomplished. Need to look at the long-term and not just a year or two out.
- Zehringer What is being monitored?
- Gebhardt Measuring flow, load, concentration, as well as phosphorus, sediment, nitrogen, and microcystins.
- Butler Trying to make sure everyone is monitoring and measuring the same way in the Lake. Michigan, Indiana, Ohio, and Ontario are working on this so we have comparable results.
- J. Allan The Great Lakes Commission also has a role with Blue Accounting. This is to collectively and holistically measure comparable, shareable information.
- Cogan In addition to monitoring, how are we going about this?
- Gebhardt This is why we structured the Collaborative as we did, not focusing on just one point/issue. Ohio EPA identified the top 30 wastewater treatment plants that do not have phosphorus limits and are working with them. This is where funding comes in as well. Also looking at the combined sewer overflows and areas where we can make a difference as well as storm water assistance and the urban components.
- Schlichter Ag has been doing a lot of work with farmers. Edge of field monitoring is extremely important to phosphorus. A couple laws have been put into place a few years ago. Certifications are at 11,000 so far, not sure what the end number will be. There should be a better understanding after this year. OSU and NRCS are working on the phosphorus index.
- Cogan How many CAFO's

- Schlichter Seeing more CAFO's in the western Lake Erie basin, but are also popping up in the state. There are around 140 in the state with 42 in the Lake Erie basin.
- Cogan Animal Numbers?
- Schlichter Statutory set.
- Kelly Frey Comment regarding WWTP optimizations
- Schlichter A lot of unknowns, everyone is doing their part, science is evolving and using adaptive management based on science. Certification program is set up on a 3-year rotation, will need to retrain and continue to press changes.
- Phillips Health is working with local health departments on home sewer treatment systems. Creating a new 2-year system. Ohio EPA has provided some funds in the repair/replacement of systems for low income family households.
- Butler Senate Bill 512 provides funding options with flexible payment options for loans.
- Allen (Directed towards Gebhardt) Expand on trigger points if are disappointing and what are the consequences?
- Gebhardt Difficult, everyone is going to have to be doing something. Look at the models and identified watersheds. Also look at the current situations, what is going on, where are the issues, and then start monitoring. If no changes, pull in ODA, ODH, and decide what needs to be done. Adaptive management.
- Schlichter Some changes that may need to be made could be simple, some may require statutory changes with a senate bill.
- Butler Priority watersheds and all the other – look for where we need the biggest improvement and start focusing there. First we need the monitoring to be set.
- Allen Private industries working on this?
- Schlichter Yes, a lot have been working towards solutions and sharing ideas. Funding is an issue at the time. Commodities are working towards better practices.
- Gebhardt Lake Erie Commission to be the overseer of the Western Lake Erie Collaborative.

Butler Come back to the Commission when this document is in the final form. Need to be strategic as possible.

Lake Erie Commission Office Update (continued)

Gebhardt The fiscal year ends on June 30th, the handout provided is through June 12th. Currently in good shape. The projected budget is on the back; some things will need to be tweaked. Regarding the office building, plan is to shut it down and move into an office in Coastal Management (subleasing). We will maintain a visible office presence; Sandusky is where we would like to stay. Sandra Kosek-Sills will stay in Ohio EPA's Northwest District Office. This will save considerable money that can be pushed more towards programs. Looking to adding one more staff person in the future, but also looking at more work through the agencies to avoid duplication. Wanting to move more towards research and communications/education focus. We will continue to provide updates on financials at meetings, before a meeting if necessary. The Dredged Material Workshop that the Ohio EPA put on was a success, should be seeing more regional efforts around the ports to deal with the dredged material issues.

Lake Erie Protection and Restoration Strategy

Gebhardt The Strategy was approved at the last meeting, need to have a public meeting. Anticipating a public meeting end of July followed by a comment period. Action steps will be created after.

Great Lakes Commission Long-Range Plan Discussion

Gebhardt Recently had a meeting at ODNR with Tim Eder, Executive Director of the Great Lakes Commission to discuss what everyone is working on and how to keep the sharing of information going.

J. Allan A mixture of 8 states and 2 providences, \$15 million budget. Director Eder to visit with each state and discuss where the GLC wants them to direct their focus.

Senate Bill 333 Update

Gebhardt SB 333 addresses the dredged material issue and more importantly, the Ohio Lake Erie Commission. No huge changes, the bill has been introduced. There will be stakeholder meetings this summer to address questions and concerns.

Lake Erie Photo Contest Discussion

Gebhardt The photo contest is currently being done. OLEC will take the lead this year. Next year, look into finding a partner. Many other organizations are doing similar photo contests.

Schlichter and Zehringer departed at noon.

Lake Erie Protection Fund RFP

Amy Jo Klei gave a presentation, with an accompanying PowerPoint, on the Lake Erie Protection Fund Grants. The presentation included where the funding for the grants comes from, that the last 2 quarters of grants had been suspended, and a description of the 2 RFP's that were out. The Grants Committee recommended 5 grants for a total of \$220,301. An overview of each grant the committee recommends was given. There were discussions about a desire to see more of a business angel related to grant 507-16 and taking it to market. In regards to grant 511-16, there was discussion about not limiting it to the Cleveland Port, but expanding to the other ports as well. A discussion about grant 505-16 included the desire for a business plan and there may be other points to consider as well.

While discussing grant 513-16, it was noted that this grant appeared more commercial with the potential for a patent. A question arose about would OLEC be able to capture some of that money in the future if the grant was funded? After discussing the grant, it was suggested that the grant be held.

In discussing grant 512-16 Paul Toth recused himself from the vote due to the Port of Toledo the project director. Due to some concerns with various parties, it was suggested that the grant be approved with conditions. The Ohio EPA is to work on the conditions of the grant.

Butler moved the following resolution:

Resolved, that the Commission to go forward with the grants, excluding grant 513-16 and add conditions to grant 512-16. Allen seconded the motion. No discussion. The Commission members voted all in favor and the motion carried.

Toth Likes that the Commission is being more strategic with the grants, wants to continue to be even more strategic in the future.

Kosek-Sills There were a total of 9 proposals received, the grants committee only recommended 5. The dredged material workshop may have helped a little with the marketing of these RFP's.

Agency Reports

Gene Phillips, ODH – E-coli monitoring is on-going and currently working with the local health departments. Collaborating with Ohio EPA and ODNR on the HAB's strategy, this can be found online. Also updated the beach guard advisories.

Matthew McAuliffe, ODOT – Nothing to report, Todd Audet with ODOT was very impressed with the Dredged Material Workshop that was held in May.

Craig Butler, Ohio EPA – Collaborating with ODNR and ODH on the recreational HAB's strategy, Ohio has the best in the country. Rules are in place for statewide testing in drinking water making Ohio very progressive.

Rachel *, DSA** – Tourism is continuing to work on marketing and branding of "Ohio Find it Here."

Scudder Mackey, ODNR – The Compact made adjustments to Waukesha, which now has safe drinking water. LEED Co. has a \$40 million grant to move forward with the wind turbines off of Cleveland. This is an ongoing process with a way to go, hoping for construction to begin in 2018. ODNR is monitoring the Asian carp issue.

Agency Partner Reports

OSU Sea Grant Program (Dr. Chris Winslow) – March through June was field trip season at Stone Lab. In June, they see a lot of college students visiting. The busy season is in effect and lasts through October with research. SeaGrants currently has \$500,000 in grants in a 2-year cycle. They are working on refining their RFP's and glad to see that there has been collaboration between OLEC and OSG and other agencies. They are currently working on the Lake Erie Research Network (LEARN), which aims to get people involved on the water and research. Once it is off the ground in Ohio, look at expanding to other states. OSG is still looking for an Executive Director, the Vice Presidents in charge of the search have not made any progress so far.

Natural Resources Conservation Service – No Report

Northeast Ohio Area Wide Coordinating Agency (Pam Davis) – Painesville, The Nature Conservancy, and the county are working on water intake. Painesville has received a source water intake permit from Ohio EPA.

Toledo Metropolitan Area Council of Governments (Kari Gerwin) – Completed the LEPP – GI project follow-up in Toledo. Continuing to look for projects from priority areas.

Lake Erie Travel & Tourism (Larry Fletcher) – Go to shoresandislands.com. Had a great start of the season, birding is up 15% this year. Cedar Point added a new roller coaster this year. There is a new field park in Sandusky at the airport property on Route 6. Currently in the second phase and working with the Erie Metro Parks on this project. The Great Lakes Region Conference will be held at Cedar Point in September with an

off-site night at Put-In-Bay. There is a dedication today in Marblehead at the new Lifesaving Station.

Public Comment

Frank Szollosi, National Wildlife Federation – Comment on what should be included in the Great Lakes Water Quality Agreement’s Domestic Action Plan. Mentioned Lucas County Commissioner’s Nutrient Source Tool. NWF will be commenting on the Collaborative.

Kristy Meyer, The Ohio Environmental Council – Will be making comments on the Collaborative. Sampling in the navigation channels, where is the process?

Butler US Army Corp of Engineers has to do water quality certifications, including analysis.

Meyer Cleveland?

Butler Some work is ongoing with sampling in the channels and lake.

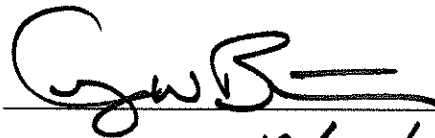
Dave Spangler, Lake Erie Charter Boats Association – The lake looks fantastic this year. Sampling values are very low. This year is like 2012, a dry year with no big rain. Also, mammoth hatch again. The fishery will be really good for many years to come.

Letter from Mike Ferner of the Advocates for a Clean Lake Erie was distributed regarding a Motion of Support for a U.S. EPA Impaired Designation.

Director Butler adjourned the meeting at 1:45 p.m.

NOTE: Next Ohio Lake Erie Commission Meeting: September 21 2016, Eastern Lake Erie area.

Signature of Chair:



Date:

10/3/16

