

OHIO LAKE ERIE COMMISSION MEETING
Voinovich Bicentennial Park – Aboard the *Lake Guardian*
June 16, 2014 1:00 p.m.

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

Chairman Butler called the meeting to order and called for the roll call.

Commission Members Present:

Craig Butler, Director, Ohio Environmental Protection Agency (OEPA)
Gary Obermiller, Director's Designee, Ohio Department of Natural Resources (ODNR)
John Schlichter, Director's Designee, Department of Agriculture (ODA)
Tim Hill, 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
Harry Allen, Great Lakes Power Group, Chairman
J. Kevin Cogan, JonesDay, Of Counsel
Paul Toth, Jr., Toledo-Lucas County Port Authority, President/CEO

Gail Hesse shared the regrets of Sadicka White, ODSA and Darrell McNair who were unable to attend. Both Commission members extended their sincere regrets for missing the meeting and the sampling demonstration.

Staff Present:

Gail Hesse, Executive Director, OLEC
Sandra Kosek-Sills, OLEC
Rian Sallee, OLEC
Heidi Rife, OLEC

Chairman Butler welcomed everyone to the *Lake Guardian*, the Lake Erie research vessel operated by USEPA. He commented on the value and importance of Lake Erie and the critical issues we are all working to address.

He then asked for a motion on the minutes from the March meeting.

Harry Allen moved the following resolution:

Resolved, that the Commission approves the meeting minutes for March 26, 2014.
ODNR seconded the motion and there was no discussion. The Commission members voted all in favor and the motion carried.

ODA moved the following resolution:

Resolved, that the Commission approves Ohio EPA as the fiscal administrator for SFY 2015.
Paul Toth seconded the motion. No discussion was offered. The Commission members voted all in favor and the motion carried.

Director Butler then gave a brief introduction to the meeting members about the commission and their role as stewards for the Lake. He also said that Lake Erie is the jewel of Ohio and how

we continue to support it and what we do is crucial to maintain the integrity of the Lake. The lake is under significant pressure with new issues constantly emerging. The right solutions and the right mix of those solutions is key to the success of helping Lake Erie. Director Butler then turned to Gail Hesse, Executive Director of the Ohio Lake Erie Commission and Amy Jo Klei, grants committee chair to present the grants committee report.

Lake Erie Protection Fund – Grants Committee Report

Amy Jo Klei described how the Ohio Lake Erie Commission administers the Lake Erie Protection Fund (LEPF) grant program with revenue generated by the sales of the Lake Erie license plate and other donations. Following the funding framework adopted by the Commission for SFY 14, the 4th quarter grant cycle was open to proposals of up to \$15,000 with no targeted topics.

Projects must assist with implementation of the Lake Erie Protection and Restoration Plan (LEPR) and provide a direct benefit to Lake Erie and its tributary watersheds in Ohio. The SFY14 budget for LEPF Small Grants is \$150,000. With approval of the above project, the remaining balance for the LEPF for SFY14 is \$13,870. She provided a brief summary of the proposed project.

This project supports a major priority of the Euclid Creek Watershed Action Plan, which is to protect and restore functionality of riparian corridors in Euclid Creek. The applicant seeks to restore stream water quality and function in urban and suburban areas through the establishment of vegetated riparian buffers in the watershed. The program objectives are: 1) Directly educate all streamside private property owners in the watershed, roughly 1,300 landowners, about the importance of maintaining and restoring functioning, forested riparian corridors, and 2) Provide tree and shrub seedlings/saplings to at least 100 landowners, sufficient to reforest at least 2 miles of riparian corridor within the Euclid Creek watershed. One year after planting a follow-up survey will be sent to landowners to measure success rates of the tree and shrub plantings. In addition, Cuyahoga Soil and Water Conservation District will conduct post-planting site visits on 15% of the participating properties.

Klei then turned to Director Butler for action on the motion.

William Murdock moved the following resolution:

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

- “Euclid Creek Riparian Tree and Shrub Planting Program.” Cuyahoga Soil and Water Conservation District. \$13,370.

ODH seconded the motion.

Director Butler asked if the project would be using native trees and shrubs. Rian Sallee stated that the program specifically states native seedlings are to be used.

The Commission members voted all in favor and the motion carried.

Director Butler turned to Hesse to present the Balanced Growth Project for consideration by the Commission.

Hesse described how the Ohio Balanced Growth Program addresses the link between land use and water resources in the state of Ohio by providing technical resources for voluntary application by local governments.

In the Best Local Land Use Practices portion of the Ohio Balanced Growth Program, training, technical assistance, and information resources are provided to individual local governments to encourage the voluntary implementation of Balanced Growth economic development and water resource-protecting practices and policies. The Best Practices program began in April of 2006 with outreach to local governments within the Ohio Lake Erie Basin.

The proposed set of work tasks by Cleveland State University builds upon progress achieved in recent years in the development of resource materials and publication of "Linking Land Use and Ohio's Waters: Best Local Land Use Practices". There will be three primary elements of the proposed project including include continuation of technical assistance to local communities, outreach on Best Practices tools and resources (e.g. workshops), and continuing development of relevant program materials. Materials to be developed will include tree and watershed protection recommendations, an inventory of Best Practice implementation in Ohio and additional case studies.

In addition to the primary tasks, the grantee will continue to collaborate with the Ohio Lake Erie Commission and the Ohio Water Resources Council and other state agencies on integrating Best Local Land Use Practices recommendations with state programs as applicable.

Director Butler commented about the deliverables for the project and asked will they have them available at a certain time. Hesse responded that OLEC guides them as to when they are to be ready as well as workshops. There is a constant ongoing relationship. Final reporting and all deliverables are due at the end of the grant period.

ODA moved the following resolution:

Resolved, that the Commission approves Balanced Growth grant proposal be funded: "Best Local Land Use Practices 2014", Cleveland State University, \$35,000.

ODOT seconded the motion. No discussion was offered. The Commission members voted all in favor and the motion carried.

Hesse continued with the Lake Erie Protection Fund budget for SFY15. The Ohio Lake Erie Commission (OLEC) administers the Lake Erie Protection Fund (LEPF) grant program with revenue generated by the sales of the Lake Erie license plate and other donations. OLEC staff proposes to keep the budget allocation for SFY 2015 the same as recent years, providing up to \$150,000 for small grant projects and \$50,000 for project(s) to support the Ohio Balanced Growth Program.

Projects must assist with the implementation of the Lake Erie Protection & Restoration Plan and address at least one of the Strategic Objectives.

Small grants have traditionally been available for projects up to \$15,000 and require at least 25% match. Grant awards are paid out 70% up front and 30% upon approval of the final report. Each grant applicant is required to identify an agency advisor that is employed by any of Ohio's

23 cabinet agencies. Each project also requires an outreach and dissemination component, namely to ensure that appropriate agency staff are aware of the project and its outcomes.

All Balanced Growth grant(s) or contract(s) will come before the Commission for review and final action. We anticipate continuing work on Best Local Land Use Practices and implementation of endorsed Watershed Balanced Growth Plans.

Director Butler commented that he wants the Commission to spend time addressing how they can be creative with the funds and ideas to generate more interest in the plates. He also asked Hesse what she thought the revenue might be for the following year. Hesse stated that it could be around \$190,000. She also mentioned that there is a reserve and currently we are only awarding grants at the anticipated level of revenue to be generated for a given year. Butler mentioned that looking ahead there are new topics to consider –a good planning project might address beneficial uses of dredging materials and the other could be a project relevant to the new SB150.

Paul Toth moved the following resolution:

Resolved, that the Lake Erie Protection Fund budget for SFY 2015 be \$150,000 for small grant projects and \$50,000 for project(s) to support the Ohio Balanced Growth Program.

Harry Allen seconded the motion. No discussion was offered. The Commission members voted all in favor and the motion carried.

OLEC Office Report

Gail Hesse presented the OLEC office report to the commission. There are three public outreach projects currently underway: “Life on Lake Erie” Photo contest, Ohio Coastweeks, and Lake Erie Award nominations.

Agency Reports:

Tim Hill, ODOT: nothing to report

Gene Phillips, ODH: E.-Coli monitoring is underway. 7 local contractors are doing the monitoring and sampling. All results are posted online.

Gary Obermiller, ODNR: Dredging is important. There are more requests for it being made. It remains a high priority. Support and approvals of disposal facilities to handle material are necessary.

Commission Chair and Director, Craig Butler, OEPA: Introduced Karl Gebhardt to the Commission. He will be the Deputy Director of Water Resources. This gives the public a good central contact. Gary Obermiller, Chief of Watercraft will be taking on a new role at ODNR as the Chief of Parks. Fish Ohio is coming up on July 9th with the governor and excited to have him there.

John Schlichter, ODA: Senate Bill 150 passed with the nutrient management. ODA is now working on the rules with DNR and a RCPP process. ODA is also busy with county fairs.

Amy Jo Klei, OEPA: All management actions have been completed in the Ashtabula River and three Beneficial Use Impairments were removed this year. It is anticipated that as the River continues to recover the remaining three BUIs will be removed and then the AOC can be delisted. USEPA Regional Administrator Susan Hedman was planning to participate in an

upcoming celebratory event. Karl Gebhardt also said that the Port Authority of Cleveland/ Toledo are working on reuse instead of open lake disposal. The reduction of open lake disposal will take 5 years. \$10 million will provide opportunities. A meeting with USACE is coming up.

Harry Allen of Great Lakes Power, Inc. asked if the E. Coli readings/warnings can be put up on highway boards. Tim Hill of ODOT responded that it was a good chance that the Federal Highways would not support it. Gene Phillips of ODH said that the E. Coli readings/warnings are posted online and released in social media as soon as they are issued.

PUBLIC COMMENT PERIOD

Sandy Bihn of Lake Erie Waterkeepers asked how the Microsystin & E. Coli alerts are being coordinated. Gene Phillips of ODH responded that they are posted online and there is a mobile app available for downloading.

Director Butler adjourned the meeting at 1:41 p.m. The *Lake Guardian* would be leaving the dock shortly for a sampling demonstration by USEPA.

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

NOTE: Next Lake Erie Commission Meeting: Wednesday September 24 , 2014 – 10:00 am.
Ottawa National Wildlife Refuge 14000 West State Route 2 Oak Harbor, Ohio 43449.

Post meeting note: The September meeting date was later changed to Thursday, September 25 at 10:00 am at the same location.