



*Meeting Minutes*

**OHIO LAKE ERIE COMMISSION MEETING**

**Webinar**

Friday, June 17, 2020 10:00 a.m.

**Call to Order and Roll Call--Laurie Stevenson, Director, Ohio EPA and Commission Chair**

The Ohio Lake Erie Commission (OLEC) meeting was called to order at 10:09 a.m.

**Commission Members Present:**

Laurie Stevenson, Director, Ohio EPA, OLEC Chair  
Jack Marchbanks, Director, Ohio Department of Transportation (ODOT)  
Mary Mertz, Director, Ohio Department of Natural Resources (ODNR)  
Lydia Mihalik, Director, Ohio Development Services Agency (ODSA)  
Gene Philips, Director's Designee, Ohio Department of Health  
Dorothy Pelanda, Director, Ohio Department of Agriculture (ODA)  
Bill Wolf, Commissioner  
Kevin Cogan, Commissioner  
Amanda Bryant-Friedrich, Commissioner  
Jim Stouffer, Commissioner  
Richard Hyland, Commissioner  
Kate Bartter, Commissioner

**Staff Present:**

Joy Mulinex, OLEC  
Lynn Garrity, OLEC  
David Emerman, OLEC  
Sandra Kosek-Sills, OLEC

**Welcome and Agenda Overview: Laurie Stevenson, Director, OEPA**

Director Stevenson called the meeting to order and welcomed everyone. She asked for a roll call.

(roll call)

**Commissioner Bill Wolfe moved the following resolution:**

Resolved, that the Commission approves the meeting minutes from April 17, 2020.  
Richard Hylant seconded the motion.

No discussion followed. A roll-call vote was held, and Commission members voted all in favor. The motion carried.

**Director Mary Mertz moved the following resolution:**

Resolved that the Commission approve the proposed By-law amendments accepted at the December Commission meeting.

Jim Stouffer seconded the motion. A roll-call vote was held, and Commission members voted all in favor. The motion carried.

Jack Marchbanks moved to amend the By-laws by striking the first sentence of Article III Paragraph C and replace it with the following "Consistent with Ohio Revised Code 1506.21, a director may designate an agency employee to serve in the director's place as a member of the Ohio Lake Erie Commission by filing a designation form to such effect with the Commission."

Gene Phillips seconded the motion. A roll-call vote was held, and Commission members voted all in favor. The motion carried.

**Director Mary Mertz moved the following resolution:**

Resolved that the Commission reappoint Laurie Stevenson as Commission Chair. Jack Marchbanks seconded the motion.

No discussion followed. A roll-call vote was held, and Commission members voted all in favor. The motion carried.

**Director Dorothy Pelanda moved the following resolution:**

Resolved that the Commission reappoint Mary Mertz as Commission Secretary. Kevin Cogan seconded the motion.

No discussion followed. A roll-call vote was held, and Commission members voted all in favor. The motion carried.

Lynn Garrity, OLEC, provided Commissioners background information on the Lake Erie Protection Fund (LEPF) grant review process and the Grant Review Committee recommendations for grant awards.

**Director Lydia Mihalik moved the following resolution:**

Resolved that the Commission approve the Lake Erie Protection Fund Grants FY20. Jack Marchbanks seconded the motion.

No discussion followed. A roll-call vote was held, and Commission members voted all in favor. The motion carried.

## **Ohio Maritime Assistance Program Special Report:**

Mark Locker, ODOT, provided information to the Commission on the Maritime Assistance Program (MAP). The MAP was created by HB 166 to focus on port authorities in Ohio. The program is available to port authorities that own an active marine cargo terminal located on the shore of Lake Erie or the Ohio river or on a Lake Erie tributary. The funds are very flexible and eligible uses include land acquisition, construction/improvements of harbor infrastructure, construction/repair of marine cargo terminals, acquisition of cargo handling equipment, and planning/design associated with construction. The first round of applications was announced in January 2020. Thirteen applications for projects were received and six were selected. The second round starts June 30<sup>th</sup>, 2020 and closes August 28<sup>th</sup>, 2020. Selections will be made in September.

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

Joy Mulinex reported that Commission staff continue to telework. It is going well, and staff are very busy. She reported that sales of the Lake Erie license plates are slowly declining, and there is an expected decline in revenue from the Great Lakes Protection Fund. The Commission will also be implementing the mandatory cost-savings measures for personnel. The Commission staff are exploring funding options from federal partners. The 2020 Domestic Action Plan (DAP) updates are finalized and available on-line. One area that may be financially impacted is the Dredged Material program because there may not be a capital budget. The Commission has been doing a lot of internal coordinating among the Commission agencies to discuss the state's efforts and future priorities under GLRI and the 10 annexes of the Great Lakes Water Quality.

Sandra Kosek-Sills reported that the DAP and supporting documents are on the website. The Lake Erie Protection Fund (LEPF) has one closed grant. Sandra is working on a water monitoring summary report, and it will be available by the next meeting. A new update to the Lake Erie Quality Index is in process. This will parallel the GLWQA Annex 10 State of the Great Lakes report.

David Emerman reported on the Ashtabula wetland project. A public relations event about the project will be held virtually within the next two weeks. The project is a triple win by addressing wave energy in the harbor, focusing on fish habitat, and creating storage for dredge material.

The USACE budgeting process for dredge material management has a two-year lead time, which is challenging. In 2019, all federal harbors were dredged. In FY 2020, the Cleveland and Toledo harbors received extra money. They have the funds to erase the need for open lake disposal. For FY 2021, Ashtabula, Cleveland, Conneaut, Huron, Sandusky, and Toledo harbors need more money to meet open lake disposal bans.

Lynn Garrity discussed Areas of Concern (AOCs). The five-year work plans are submitted. Twenty-six acres of wetlands were acquired in the Maumee AOC. GLRI is

managed through the GLPO. They are continuing to work with state agencies for July 1, 2020 submission. GLRI FY20 funded projects in areas two and three.

The OLEC photo contest is accepting submissions until July 31. Winners will be announced in September.

### **Agency/Commissioner Reports:**

**Director Jack Marchbanks, ODOT:** The agency is adapting in responding to the pandemic. They have implemented cost savings and are going beyond to look at further operational savings. ODOT has 5,000 employees and 3200 front-line workers, of which, two tested positive for Covid 19 and have recovered.

**Director Mary Mertz, ODNR-** The H2Ohio program kick-off unveiled 26 wetland projects, the majority of which are in the western Lake Erie basin. The design for these projects is underway. Director Mertz offered Commissioners one to one updates on those projects. She discussed the GLRI and the important role Ohio can play in deciding the applicability of current priorities. She asked what role OLEC can play with federal partners in reviewing the focus of funding priorities.

**Director Dorothy Pelanda, ODA-** The agency is excited about rolling out H2Ohio and Governor DeWine's commitment to improve Lake Erie. The response from farmers has been better than anyone expected. The ODA is working through applications and agreements with producers in fourteen counties in the lower western Lake Erie basin. She reports that farmers have been exceedingly patient. They will start distributing money in the fall.

**Rachel Near for Director Lydia Mihalik, ODSA-** It has been a tough spring for tourism. The agency expects to distribute 400,000 travel guides.

**Amanda Bryant-Friedrich, Commissioner-** She is excited to hear where H2Ohio is going and that it survived budget issues. She would love to personally do more to assist with it's success.

**Jim Stouffer, Commissioner-** We are in prime tourism season and are seeing a rebound. We are watching the HABs reports. The Lake Erie Foundation is concerned with wind turbines and LEEDco. Boat sales are up, and fishing is great. He congratulated ODNR on the management of fishing during the pandemic.

**Richard Hylant, Commissioner-** The Great Lakes Protection Fund has performed well during turbulent times. The Board of Directors have been great stewards of the fund. He is impressed with the acreage involved in the H2Ohio program.

**Kate Bartter, Commissioner-** She supports Director Mertz's comments about the GLRI, and thinks the commission is in a great position to take a longer view and ask, "are we maximizing federal resources?"

**Director Laurie Stevenson, OEPA-** She agrees with Commissioner Bartter and Director Mertz about the GLRI. She reports that the Ohio EPA team is busy. Water quality is a priority. She is very thankful that H2Ohio funds remained whole.

### **Partner Reports:**

**Chris Winslow, Ohio Sea Grant-** Universities are water sampling again, and are working collaboratively. HAB research was delayed in the spring. Sea Grant is setting priorities for grant funding. They have worked with the USACE and the OLEC to establish priorities for HAB-related work.

**Sara Guiher, TMACOG-** Staff are adjusting to remote working. They have organized wastewater training via webinar. TMACOG is updating the 208 Areawide Water Quality Management Plan.

### **Public Comment (Comments were received electronically via the webinar's chat function):**

**Kris Patterson-** asked ODOT if there were opportunities to try innovative seawall or bulkhead replacements that encourage fish communities and habitat along the lower Maumee River? Mark Locker responded that there are no projects so far, but the idea would be considered. Tim Hill with ODOT added that a successful example was built in Cleveland. Kris also asked the ODA if the acreage involved in H2Ohio contains duplicates. Director Pelanda responded that the reported acreage for producers is not counted more than once.

**Sandy Bihn-**The phase one Toledo Lighthouse Restoration contract has been approved to begin work this year. This project has a \$500,000 grant with a 20% match from the Toledo Lighthouse Society. She thanked the ODOT, Lucas County, TMACOG, and Genoa Bank, along with lighthouse supporters. Boaters will be able to see restoration progress from the water. Additional funding is needed to complete the restoration.

Ms. Bihn expressed concerns about new CAFOs being permitted in the Maumee watershed. She requested that the commission request the ODA to change rules for new or expanding CAFO permits to be limited to an agronomic rate that is the same as commercial fertilizer.

Ms. Bihn expressed frustration over trying to purchase a Toledo Lighthouse/Lake Erie Fund license plate. The license bureau was not aware it existed. She fears that funding may be hurt by this.

**Doug Deardorff-**The NRCS Ohio will invest over \$30 million in 2018 Farm Bill authorized programs through individual contracts with producers for BMPs on

agricultural and urban landscapes for water quality improvement. Many are in the Lake Erie watershed.

Commissioner Cogan moved to adjourn the meeting. Commissioner Hylant seconded. A roll-call vote followed.

Meeting was adjourned at 12:07 p.m.

**Signature of Chair:** Laurie A. Stevenson

**Date:** October 19, 2020

**Signature of Secretary:** Mary C. Metz

**Date:** October 15, 2020