

OHIO LAKE ERIE COMMISSION MEETING
Geneva-on-the-Lake, Ohio
June 29, 2018 – 10:00 a.m.

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

The Ohio Lake Erie Commission (OLEC) meeting was called to order at 10:04am

Commission Members Present:

Craig Butler, Director, Ohio EPA, OLEC Chairman
Jim Zehringer, Director, Ohio Department of Natural Resources (ODNR)
Gene Phillips, Ohio Department of Health (ODH)
Ed Crawford, Director's Designee, Ohio Department of Agriculture (ODA)
Harry Allen, Commissioner
Amanda Bryant- Friedrich, Commissioner
Richard Hyant, Ex-Officio Commissioner
Jim Stouffer, Commissioner
Bill Wolf, Commissioner

Staff Present:

Karl Gebhardt, Ohio EPA, OLEC Executive Director
Sandra Kosek-Sills, OLEC
Chad Ferguson, Ohio EPA

(9 observers)

Welcome and Agenda Overview: Craig Butler, Director, OEPA

Director Butler welcomed everyone to the Ohio Lake Erie Commission meeting. Since Director Zehringer helped Director Butler chair the last meeting in his absence, Butler mentioned he had not had the chance to meet some of the new commissioners. He asked that to begin the meeting each commission member and audience member go around and introduce themselves.

(roll call)

Director Butler said he was glad to be up at The Lodge as he had never been there. He thanked them and ODNR for their lovely accommodations and appreciated that in the conference room the commission had a wonderful view of the lake. Director Zehringer echoed Butler's comments and said that ODNR has a great relationship with the County and the Lodge.

Chair Report: business items

Commissioner Allen moved the following resolution:

Resolved, that the Commission approves the meeting minutes from April 18, 2018. Director Zehringer seconded the motion.

Seeing no discussion, the Commission members voted all in favor and the motion carried.

Director Butler wanted to say a special thanks to State Senator Sean O'Brien for attending today's meeting. He wanted to again welcome the new commission members and said thank you for joining the commission.

Director Butler said a new family member has been added to the commission this week. David Emerman, welcomed a new baby girl this week, named Rose. He said all is well with the family and wanted to extend a congratulations from everyone at the commission. He said David will be out for a few weeks helping with the baby but left very detailed instructions for everyone while he will be out.

Director Butler said he wanted to take a minute and discuss all the work that has been going on down in Columbus. He said that the legislature just went on long break until after the November elections. He said Karl would be discussing more on SB 299 later, but Butler wanted to reference it because it was recently passed but the General Assembly and was going to the Governor's desk to be signed. The bill adds another \$36 million in funding for Lake Erie. He said that OEPA's legislative chief had put together a bill report and describes the breakdown in funding that he would be happy to share with the commission. He said that he believes the legislature, Governor and all parties are truly working hard to get to that 40% reduction rate.

He said outside the algal blooms issues in the lake, OEPA continues to have a robust HAB strategy. He said they have a long monitoring season that starts in May and ends in October. Director Butler wanted to note this because recently there has been an outbreak of microcystin in Salem, Oregon much like the Toledo outbreak. He said OEPA and ODH have done a lot of outreach to Oregon and their Department of Health. He said Ohio has assisted them on their monitoring process. He said with all the progress Ohio has made on this issue and now its not just a Lake Erie issue anymore, but it's a national issue. All of the progress Ohio has made, he said Ohio is now the place that states go to learn from what we have done.

Butler mentioned there were new emerging issues with contaminants of fluorinated compounds that have potential effects on human health. He said researchers have tested soil samples on all seven continents and found that everyone of them has it. He said that treatment for this is very hard because the sophisticated nature of these compounds. Butler mentioned that New Jersey was about to pass an emerging contaminants law. He said that the state always has new challenges to handle but that they always try to stay on top of these things to better move forward.

He closed the Chairman's Report that as the General Assembly goes on a brief recess, they will still be continuing the legislative front. He said a lot of work has been done but there is always still more to do.

Lake Erie Protection Fund – Sandra Kosek-Sills

Butler introduced Kosek-Sills to discuss this quarter's grants cycle. Kosek-Sills mentioned that this quarter's grants were a little more complicated than normal because OLEC has the potential to go over budget. She said after the Grants Committee review and the Executive Committee review, they decided to reorganize the grants and they came up with the following suggestions to fund:

The first small grant is looking at mapping soil salinity across Mentor Marsh and detecting soil salinity correlation with water salinity, temperature and precipitation. The executive committee were ok with this one. They are asking for \$33,174.

The next grant looks at developing best practices for disposal of boat wash waters at Ohio marinas. Both committees were in agreement on funding this one. They are asking for \$29,790.

The final grant consists of looking at the best management practices for dewatering and stabilization of dredged materials in Ohio. Both committees were in agreement on funding this one as well. They are asking for \$47,930.

Kosek-Sills mentioned that to fund all 3 grants OLEC would be going over the budget set last year so they would need a motion. If we were to just fund 2 grants, then we would be under budget and not need to worry about the budget for next year.

Kosek-Sills said grants committee were really good with all the projects submitted, but that some of the others submitted they had seen the same research in other fields. One grant consisted of land acquisition which OLEC has tried to stay away from. She said the only comments from the Mentor Marsh project was that it might be more localized, wary if it could be replicated other places.

Kosek-Sills asked if anyone had questions. Gebhardt asked Phillips if ODH had been involved any with boat washing. Phillips replied that they had been a little because of copper.

Chairman Butler asked how many funds OLEC still had left? Kosek-Sills responded that there was still around 300,000 still in fund. She said that this group of grants funding was coming from State allocation for 2019. She said it was down a little from the previous year.

Seeing no more questions, **Commissioner Zehringer moved the following resolution: Resolved**, that the Commission approves the funding of the 3 grants proposed. Commissioner Stouffer seconded the motion.

Seeing no further discussion, the Commission members voted all in favor and the motion carried.

Gebhardt said that the Commission is continuing to fine tune its grants' process. He said they are really wanting to hone in on some of these issues and be able to use the results coming from these grants around Ohio. Kosek-Sills added for next grants cycle OLEC has a dredge specific RFP out there, wanting to use CDF dredge. Gebhardt also said they would still like to go beyond the normal projects and look also to the social sciences like Travel and Tourism.

Chairman Butler said the Commission is moving in a good direction that we are wanting to see more projects that we need to refine the process of selection. He said it goes back to the issue of lake impairment, he said OEPA reached out to the research community to develop science for designating the lake impaired. He said he would like to see a replication here with research community. Something to hone in on some of these questions or issues then go out and identify research projects. The Commission has been very passive in the past with this process that we need to do a better job.

Gebhardt said that each agency is seeing different issues that they need to come together. He said he would like to invite Commissioner Friedrich-Bryant to possibly help determine a better process. Commissioner Friedrich-Bryant would be open to discussing the grants process.

Kosek-Sills said that Sea Grant would soon be having their meeting with each agency to see where their needs are and help push the scope for the next year. Kosek-Sills had 2 closed grants to present to the Commission.

Closed Grants – Sandra Kosek-Sills

The first closed grant to be discussed was called *Elucidating Microcystin Degradation Pathway* by Xiaozhen Mou from Kent State University. Kosek-Sills said this degradation process was a little different then studies that have been done in Europe. She said they studied some genetic testing and broke down the molecules. Their data found, as they thought, that Lake Erie bacteria carried out an mlr-independent pathway for MC-LR degradation.

She said a copy of both abstracts were in the commissioners' briefing booklets. Kosek-Sills mentioned this project would helpful with the development of biofilters and understanding the potential toxicity of break-down products.

The second closed grant mentioned was *Green Infrastructure- Depaving the Cuyahoga River Area of Concern* by the Cuyahoga River Restoration's Executive Director, Jane Goodman. The project focused on bringing three projects to shovel ready status who had depaving plans for each.

Kosek-Sills said an example project could be seen in a photo displayed on the presentation. This project was in a church parking lot, where they were to take the material, properly dispose of it and then begin on the green space.

Special Report – Sarah Jamison (presentation on file)

Gebhardt introduced Sarah Jamison with NOAA to discuss Lake Erie rainfall patterns as a special report to the Commission. Sarah introduced herself as a service hydrologist for NOAA. She said she was asked to speak because NOAA has been starting to take a larger role in HAB work. She said today she would be discussing the Lake Erie drainage rainfall observations specifically in Northwest Ohio.

She said that the National Weather Service (NWS) currently uses a radar that expands 250 miles and rain gages to estimate basin runoff and flash flood potential. Jamison mentioned that given the current HAB outbreaks in the western basin there is a bigger need to increase the reliability of runoff estimates in this area.

Jamison went on to discuss NOAA's river forecast methodology which allows them to predict rises and discharges. She then proceeded to talk about how they gather doppler radar data. She said their radar continuously scans the skies and reports back to their office the intensity of the storm. She mentioned that one of the downfalls of this device is that the rainfall estimates tend to be effected by multiple sources of error. The farther the distance is from the radar usually effects the accuracy of the data collected.

From the radar data, Jamison moved to discuss rain gage data collected by NOAA. She mentioned there were two types of rain gauges, daily rainfall report and real-time rain gages. Daily rainfall reports reflect 24-hour rainfall reports that assist in more long term forecasting. Real-time rain gages measure in hour or shorter increments that are obtain via satellite. The gage network is fairly big across the state but there is still gaps that allow for poor rainfall estimates. She said that the National Weather Service would like to expand their rain gage network by partnering with agencies and other organizations in NorthWest Ohio.

Before Jamison moved on Chairman Butler asked if NWS had reached out to individual homeowners or if they were only using agencies or organizations? Jamison said they do have volunteer observers that can sign up on their website to participate.

Jamison described a 2017 flood in Findlay as a case for flash flooding. They were able to estimate the impact of the rainfall before it occurred. Director Zehringer asked if NWS only factors in rainfall, asking if they also looked into the geology of an area. Chairman Butler added thinking of how long it might be able to push through a watershed. Jamison said they take in many factors to understand the potential impact. Director Zehringer then asked if she knew for example that Hancock County has "x" number of miles of field tile that allows it to push water through faster. Jamison said yes, they are aware of certain areas characteristics that allow water to move faster that would create a higher volume of runoff.

Moving on to HABs, Jamison said during peak season NWS puts out a twice-weekly bulletin to track the potential trajectory of the bloom. Jamison said they have started to research this more because of new weather and climate changes. She mentioned they have been tracking the rising in temperatures and higher levels of precipitation. Jamison concluded her presentation with the climate predictions and its effects on the Great Lakes.

Tim Hill, ODOT, told Jamison of ODOT's rain gages and asked if NOAA knew of this and takes advantage of using them? Jamison said yes, they have many state partners and wants to continue these relationships.

Gebhardt asked if these same principles apply when they are forecasting snow? Jamison said yes and no. They use some of the same tools but there are some different ones in predicting snow fall. She no more questions she thanked the Commission for their time.

Chairman Butler said that they would take a five-minute break before resuming the rest of the meeting. He mentioned everyone should check their phone because it was just announced that Lebron James would be leaving Cleveland.

After the break, the meeting resumed with the Ohio Lake Erie Commission Report.

Lake Erie Dredged Material Program Update – Chad Ferguson

Gebhardt introduced Chad Ferguson of Ohio EPA who recently assisted David Emerman in a harbor by harbor sediment analysis. He said he was glad for Ferguson's work and that now he will be taking on a new role working on the NorthEast Ohio AOCs. He said with David out because of the baby he had asked Chad to give the Dredged Material Update.

Ferguson began by saying Ohio's Dredge Program has really come a long way and that the state really tries to promote people to use Dredge Material. However, one of the most common questions that he and other agency staff get is what is in the material, how can we use it and is it safe. These questions are what led to the Harbor Profiling Project.

He said they have largely completed their work and will be making recommendations to Director Butler in a few weeks on how to classify and get the characteristics of dredge out to the public for general use permits. Chairman Butler said he was very pleased with the work that Ferguson and team had been doing. Ferguson said once they have the Director's comments it will go out to public comment.

Ferguson said most of the harbors materials they would be using the free release concept excluding Toledo and Cleveland dredge. He said that they would be able to break down some of the material to a minor scale and that some of the Maumee material would be able for free release.

Ferguson gave an update that they had their first DRIFT meeting last week. He said he has found that a large number of farmers have come to find us about how dredge can be beneficial to them. Questions like these is what has led us to really try and market dredge for market, farm, wetland purposes.

An example of this can be seen from the habitat project in the Ashtabula harbor, where they have recently gone to the design phase from feasibility stage. This project is projecting to use about 400,000 cubic yards of material. He said what they learn at Ashtabula they want to replicate across the lake.

Gebhardt mentioned that Ohio EPA will be hosting a Dredge Summit on October 15. More details will be coming. Ferguson commented that he really has seen Ohio taking a leadership role in this and it has been great to work in this field.

Other OLEC Office Updates– Karl Gebhardt

Gebhardt then reported on OLEC's financial status. He said this week they would be wrapping up the fiscal year and are really in financially good shape. Both funds should be combining soon from money received from the Great Lakes Commission (GLC). He hopes to continue down this good path and increase license plated sales.

Gebhardt then moved to discussed Senate Bill 299 as Chairman Butler mentioned. He said that staff would get a bill report out to commission but that the bill should be on the Governor's desk to sign. He mentioned that the Ohio Department of Agriculture has primary lead on funding for projects and that there is a portion in there focused on dredge material management.

Gebhardt said that the Great Lakes Commission's ErieStat site is up and going. This is a GLC project that is essentially a database of federal, states and provinces Annex 4 data. Has been an ongoing process that Ohio has commented on.

Gebhardt said that OLEC has been assisting in policy discussions about Senator Rob Portman's Vessel Discharge bill. He said this issue is of great importance to Lake Erie and Portman. He said the state has had numerous attempts to deal with ballst water discharge. Gebhardt described that there are two different types of ships – lakers/ salties (international) and most of the invasive species have come from ballast water that hangs on these ships. States mostly have their own standards but there has been an ongoing effort for standardization among states. It hasn't been able to happen until this Portman legislation that would create a commission that would create a process for standardization of this. There have been several discussions on this and Ohio, a member of the Great Lakes Commission, has provided comments to GLC on this legislation.

Gebhardt mentioned that OLEC completed a proposal for a DAP implantation grant for USEPA. He said OLEC was able to submit our application yesterday and are hoping to hear back soon. There are two parts for this grant that focuses on work on watershed

management plans and monitoring in the western basin. He said most can't get 319 funds without these plans so this would be very helpful. He said a big shoutout goes to Sandra Kosek-Sills who worked very hard to organized the proposal.

Chairman reiterated Gebhardt comments and said he appreciated the efforts by Gebhardt, Kosek-Sills and team for their completion of this grant application.

Gebhardt wanted to conclude with the report by saying congratulations to Kevin Cogan who has been reappointed to the Commission. He said he is very excited Cogan has been appointed as he has always been a voice for efforts on the lake. And that soon OLEC would be hiring for a new Position. This is to help carry out programs and communications plan for OLEC. He said that the position is currently posted, and they are taking applicants. Chairman Butler proceeded with agency reports.

Agency Reports:

Ed Crawford, ODA – Crawford said ODA is currently working with USDA on farm field management plans.

Tim Hill, ODOT – Hill mentioned that ODOT is in the middle of their summer construction season. They have several Lake Erie projects under way including recent work on dredging in Maumee and working to reuse that material.

Director Jim Zehringer, ODNR – Director said he encourages all Ohioans to get out fishing on lake. He mentioned that ODNR will be hosting a Fish Ohio East July 18-19, a reception on the 18th followed by fishing the next day. He said that Ohio is continuing to experience high water levels which is why he invited Steve Holland with ODNR's Coastal Office to speak on the matter.

Holland said ODNR has seen a high number of applicants for shore structure permits that allow to put in temporary infrastructure to protect homeowners and landowners from erosion damage. They hope to expedite the processing of these permits so that property owners can take necessary measures to protect their property.

Director Craig Butler, Ohio EPA – nothing that has not already been reported on.

Lyn Tolan, ODSA – not present.

Gene Phillips, ODH – In the middle of their beach monitoring season. He said that ODH is partnering with local health districts to get more monitoring information out. He said they are also in the process of giving doctors a report on HABs.

Chairman Butler then asked if any of the Commissioners would like to make a comment.

Jim Stouffer – Mentioned he and Matt Fisher of the Lake Erie Foundation had the opportunity to sit down and meet with Chairman Butler and Gebhardt and discuss the

impairment issue. He appreciated their time and that they were willing to sit down and discuss the matter.

Public Comment –

Kristen Fussell, Ohio Sea Grant – Ohio Sea Grant's Annual HAB forecast will be Thursday, July 12. If anyone would like more information regarding the forecast, please see her. She said Sea Grant is working on creating more of a water management plan based on the forecast.

She mentioned that final reports for Ohio Department of Higher Education projects were due soon. ODHE would be releasing those reports at their September meeting. She said that round two of funding for the fiscal years of 17-18 began mid-April. Other than that, Fussell said they have been enjoying their summer up at Stone Lab.

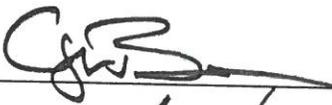
Keith Banachowski, USGS – Mentioned that USGS had additional gages in Lake Erie. Banachowski commented on Jamison's presentation and said USGS has been in discussion with Ohio EMA at looking at application for their ground monitoring network and how they can assist in these weather predictions.

Seeing no more public comment Chairman Butler again commented on how nice the facility at Geneva is. He said the Commission would be sending out details regarding the next meeting very soon. For now, he said that the Commission is working on transition documents for the next administration. He hopes to have a seamless transition for OLEC.

Director Zehringer commented and thanked all the commissioners who had and continue to serve. With that Chairman Butler asked for a motion of adjournment.

Meeting adjourned at 12:31 p.m.

Signature of Chair:



Date:

7/25/18

