

OHIO LAKE ERIE COMMISSION MEETING

Port Clinton, Ohio

July 10, 2017 – 1:00 p.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 1:08 p.m.

Commission Members Present:

Craig Butler, Director, Ohio Environmental Protection Agency (OEPA)

James Zehringer, Director, Ohio Department of Natural Resources (ODNR)

Lance Himes, Director, Ohio Department of Health (ODH)

John Schlichter, Director's Designee, Ohio Department of Agriculture (ODA)

Lyn Tolan, Director's Designee, Ohio Development Services Agency

Harry Allen, Great Lakes Power Group, Chairman

Kevin Cogan, Ohio Bureau of Worker's Compensation, Chief Legal Counsel

Staff Present:

(18 observers)

Welcome and Agenda Overview: Craig Butler, Director, Ohio EPA

Chairman Butler decided to move around the list of agenda items to allow for 2 other commission members time to arrive because of bad weather. He asked that Travis Hartman, Lake Erie Fish Management Program Administrator proceed with his special report regarding Lake Erie Fisheries.

Special Report: Travis Hartman, ODNR Lake Erie Fish Management – (presentation on file)

Hartman began by introducing himself as Lake Erie Fish Management Program Administrator, which he has been since January 2017. He then continued with giving a brief overview of Lake Erie's Management Process. His office works with neighboring states and provinces to decide the states' quotas. To decide the state's annual quota, Hartman and his team use several methods of data collection from surveys to research projects.

Hartman then moved on to discuss the importance of Lake Erie Fishing to the State of Ohio. He mentioned that Ohio's Sport Fishing Industry is a \$2.9 billion industry. The highest targeted species in Lake Erie include: Walleye, Yellow Perch and Black Bass. The highest percentages of those catches come from the Western Basin.

Hartman decided to break down each type of species and give a little more detail as to their forecast for 2017. For walleye, Hartman said last year the harvest rate was well

under the catch and release rate and in 2015 they saw one of the best years for yearling catches. This shows their population is growing and with very nice trophy size classes. The daily bag limit for this year is 6.

Yellow Perch on the other hand has seen very consistent harvest rates over the years with a slight increase last year. However across the whole lake, the Western Basin there is increasing highs in yellow perch while the Central Basin is seeing historical lows. Hartman and his team were curious about these trends so they did some research and found some key items to the decline. They found some invasive species in their systems showing their diet has changed and found they have been having inconsistent reproductive rates. These factors contribute to allowing for a daily bag limit of 30 with the more fishable population being in the Western Basin. Looking at number per angler hour, it appears catch rate for smallmouth bass is just under one, while a largemouth catch is just under 1.5.

Commissioner Allen asked if the numbers and data Hartman was referencing was merely just recreational or did he also include commercial fishing data. Hartman said for this presentation he only included recreational data.

Discussing Lake Erie's Fish Forecast, it looks to be another great year for walleye fishing, a good year for yellow perch catches in the western basin and there is also other fishing opportunities like black bass, steelhead and panfish.

Before Hartman concluded he did touch on a little about the invasive species in Lake Erie. He mentioned the already identified threats of lamprey, zebra mussels, gobies and other issues but did discuss a little more on the Asian Carp threat. He stated that Asian carp are a critical threat that is knocking on the doors of our great lakes. Since this threat has been publicized more and more people have been reporting grass carp, an invasive species that has been in Lake Erie since the 1980s. Hartman did remark that there was a silver carp found below the O'Brien Dam, 9 miles from Lake Michigan. Thankfully legislators have been working together to do what is necessary to keep these species out of our lakes. Hartman said Ohio is taking a lot of measures to help prevent the spread of these invasive species such as a pilot study in Sandusky this year to look at capture options. Hopefully results from this study will lead to a larger regional effort next year.

After Hartman finished, the conversation was then opened for questions. Director Zehringer asked if Hartman had any pinch point updates. Hartman replied that from what he knew, St Mary's was the farthest along and the other two (Portage and Medina) were further behind. He said that the best person to have an update on that would-be Jon Navarro.

Hartman was then asked if the algae bloom on the lake had any hard, direct effect on its fish population. He replied that some fish seek the algae as a means of shade and that he had found concentrations of it in their systems. However he did not see a transfer of

toxics in their meat but as always recommends folks to properly clean their fish before eating.

He was also asked if there had been any issues with trap netters that was leading to not being able to catch in certain areas. Hartman answered that he did not see any issues and an example was in Fairport Harbor, where they haven't seen any red flags with trap netters and that area has had normal rates.

Gebhardt asked if Hartman could discuss a little bit about the reintroduction of some species. Hartman responded that there are some environmental factors that hinder restocking such as sauger that had record highs in 1950s but decreased in population due to the environmental conditions. Removing the Ballville Dam and looking at other sources from around the US, they might have a chance to reintroduce one day. They are also hoping that from a Detroit river source of Sturgeon they may be able to build off a University of Toledo pilot in 2018.

Seeing no further questions Chairman Butler thanked Hartman and proceeded to move back to the beginning of the agenda and take roll call.

(roll call)

Chair Report: business items

Commissioner Allen moved the following resolution:

Resolved, that the Commission approves the meeting minutes from May 3, 2017. Commissioner Himes seconded the motion.

No discussion.

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

Commissioner Zehringer moved the following resolution:

Resolved, that the Commission approve Ohio EPA as the fiscal administrator for SFY 17. Commissioner Schlichter seconded the motion.

There was no discussion on the motion, but Chairman Butler explained that Ohio EPA has held the post of fiscal agent in the past and didn't mind continuing that tradition.

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

Lake Erie Protection Fund

Amy Jo Klei of Ohio EPA, grant committee chair, presented the Lake Erie Protection Fund Grant proposals. Klei mentioned that the fund was provided by license plate sales. One proposal was recommended for funding this quarter by the Grants Committee.

Commissioner Allen moved the following resolution:

Resolved, that the following Lake Erie Protection Fund grant proposals be funded:
“Cost-Benefit Evaluation of Soft and Hard Approaches for Lake Erie Shoreline Protection”
University of Akron, \$15,000.

Commissioner Cogan seconded the motion.

Klei explained that this project’s focus is to evaluate the state’s best practices to protect Lake Erie’s shoreline. There are two types of protection (soft/hard) and this study will look at the most common methods of these types and make recommendations to the agency. ODNR is the partnering agency on this project.

Klei mentioned that the Committee did receive 2 other project proposals but that alternative funding was found for those. Gebhardt also wanted to clarify that the two other proposals seemed to fit into 319 funding that was recently found with USEPA and that those projects were submitted for that funding the Friday before the meeting (7/7/17). Gebhardt said he felt confident that they would qualify. He also wanted to reiterate how he believed that LEPF funding should be geared more toward demonstrations and research, which is why they only recommended one proposal for funding.

No further discussion was needed on the matter.

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

Commissioner Allen moved the following resolution:

Resolved, that the Lake Erie Protection Fund budget for SFY 2018 be \$250,000, moving to two grant cycles a year and moving to \$50,000 grants.

Commissioner Zehringer seconded the motion.

Gebhardt explained that due to lack of staff and other issues needing covered by OLEC staff, like Ohio’s Domestic Action Plan, he thought it best to move to two grant cycles a year instead of quarterly. He also recommended increasing the grants to \$50,000 to hopefully draw in more meatier projects.

Sandra Kosek-Sills said that she just received the license plate sales numbers and they had dropped another 20%. However, she mentioned there still was a good cushion that they could bear the weight to budget for \$250,000.

No discussion was needed.

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

Lake Erie Commission Office Update

David Emerman – Dredge Material Program

David introduced himself as joining OLEC in February 2017 and was in charge of finding alternative uses for open lake disposal. He said for future meetings he would be taking a few minutes in the OLEC Office Report to give a port by port review on dredging in Lake Erie.

Today however he would be giving a general overview of the dredge material program through the alternative use of Commerce and discussing Toledo's Center for Dredge Innovation. David mentioned that the two biggest alternative uses for dredge material were Commerce and Wetland Restoration. Here in Ohio, David stated there are many wetland restoration projects going on that Scudder Mackey with ODNR's Coastal Management has been assisting with. At the last meeting Scudder discussed some of those projects so David wanted to focus more on Commerce.

There are several commercial projects in Ohio using Lake Erie Dredge such as Kurtz Brothers using Federal Dredge in Cleveland. During Ohio's state of the state there was a Barnes Nursery event that highlighted Ohio's efforts of using dredge for commercial use. Barnes is a company that has used dredge turned into topsoil. Emerman said that Ohio is on the cutting edge of finding better commercial projects to use dredge material. And thanks to the passage of Senate Bill 2, he and Ohio EPA staff can create/facilitate a permit process for use.

Emerman then moved on to discuss Toledo's Center for Dredge Innovation. He brought a few pictures of one of the plots there, to show the growth of some greenery there after dredge material was placed on it a year ago. They will soon be putting more dredge there and have the plots open for places wanting to do research on it.

Emerman closed by asking if there were any questions. An audience member asked if any seeds were planted on the plot? Emerman responded that there had been none planted but that he expected the seeds for some wildflowers came from an existing seed bank or birds.

Emerman was then asked how can he and Ohio EPA determine that this material would be safe to say use for topsoil? He said that there will be a permit process to come and levels set in those permits. He mentioned that if certain dredge material was to meet certain criteria it could eventually be used for topsoil. Chairman Butler continued by stating that in Senate Bill 2, legislators gave Ohio EPA the ability to determine factors for use and setting up a scientific process to determine factors.

Gebhardt added that since Emerman has come on they are working on taking new soil samples to allow people to research the type of dredge and what it can be used for by a harbor to harbor basis. Emerman mentioned this process is putting together Ohio's model of only handling dredge material once to save on cost and get more people encouraged on using it.

Emerman was also asked if Ohio was taking any ideas from the dredge work being done in New Orleans or other states? He said while there is other research out there

each harbor is unique and he does communicate with other states but primarily focuses on the work being done on Lake Erie.

Chris Winslow, Ohio Sea Grant asked if there was a report that came from the Lorain County Community College Event hosted by Pam Allen last year on alternative uses. He was interested in seeing the results and some of the ideas that came from that event. Emerman replied that all the information from that event could be found on Ohio EPA's website and that he was looking at hosting another event in the future.

Sandra Kosek-Sills – Water Monitoring

Kosek-Sills said she would be presenting a little information on the water monitoring sites on Lake Erie after Commissioner Allen had made an inquiry about their data. Kosek-Sills showed a map of Lake Erie tributary monitoring sites in the Western Basin. She said the map shows Ohio EPA Division of Surface Water site, new USGS sites and Heidelberg sites. So far she mentioned there has been 5 set of samples taken in 2017 and those results would appear on Ohio EPA DSW site.

Commissioner Allen then asked what we had learned so far from this year. Kosek-Sills replied that she was waiting on gauge data from USGS and that Heidelberg had preliminary data that they would be presenting at Ohio Sea Grant later in the week. She said that looking from estimates it would not be as bad as '14 but higher from last year because it was a low year. Chris Winslow chimed in and said that there would be a release out Thursday for the results but that from what he had seen Kosek-Sills was on track with estimates.

Commissioner Zehringer asked if the data was all still independent? Kosek-Sills responded that agencies were working on putting a summary together. Commissioner Allen followed up with asking how does the commission push this information back to the areas? Gebhardt said that they were working with the associated priority watersheds regarding nonpoint /point source data they find and that was all coming together in the Domestic Action Plan.

Sandra Kosek-Sills – Life on Lake Erie Photo Contest

Kosek-Sills mentioned that this will be the 25th year of the photo contest. She has been working with Brenda Culler of Coastal Management on some new flyers and ideas. She introduced Culler to discuss a little more about this year's contest theme. Culler said that this year's theme she has been working with local watersheds to come up with a theme of "Lake Erie Starts Here". Normally the contest draws only pictures of people or activities on the lake but this year they will also accept pictures of Lake Erie's watersheds and people trying to exhibit best practices to help keep the Lake clean. She mentioned they will also be pushing people to promote or send photos through social media.

Karl Gebhardt- GLRI Process Update

Gebhardt discussed working statewide to better coordinate funding for projects. He said he attended a meeting in Chicago held by USEPA to discuss GLRI. During this meeting, it lead Gebhardt to create an agency contact sheet with focus areas of who works to obtain GLRI funds. Hoping that this will create less surprises of what funding comes to Ohio.

Director Butler -Federal Budget Update

Chairman Butler said there was no new news regarding the federal budget but mentioned Administrator Pruitt has been open to states' input and thought Pruitt was more into giving states more rights.

Greg Vergamini - Legislative Update

Chairman Butler introduced Greg Vergamini with Ohio EPA to quickly touch on the State Budget Bill and Senate Bill 2. Vergamini discuss how Ohio EPA funding is appropriated. He mentioned that really the only money that comes from the GRF is from e-checks. The rest of the funding comes from permits or the federal government. Governor signed the state budget on June 30, 2017, going into effect immediately. Some highlights from that included TMDLs (process to outline, review and approve current and future TMDLs) and Asbestos certification transfer from ODH to Ohio EPA.

Vergamini then proceeded to discuss Senate Bill 2. He mentioned that the Governor signed that bill into law on Friday, July 7, 2017. It started out as Ohio EPA's MBR measure but did not have enough time to make it through both houses so thankfully legislators made it a priority this General Assembly. In it outlined the Great Lakes Water Quality Agreement, structure for the use of dredge material and clears up asset management problems seen by public water systems by asking them to plan for the future.

Agency Reports

John Schlichter, ODA – Has had 17,700 applicators trained with 17,000 applying for certification. Those classes continue through September. ODA may find more when enforcement begins. ODA will be rolling out a pilot voluntary verification program for farmers to show best practices, encouraging counties in the Western Basin to be examples. Also, they will be unveiling a new application forecast weather service to assist in helping farmers know when is the best time to put fertilizers down.

ODOT – Not present

Director Zehringer, ODNR – Lonz Winery on Middle Bass Island has officially opened. The RFPs for operators for the winery are due on July 12th. Director thanked the General Assembly and Governor for signing the state budget that included a 5% maintenance fee

for state parks. Tomorrow is Fish Ohio, Director thanked Lake Erie Shores and Islands and Lake Erie Charter Boat Captains Assoc. for their assistance.

Director Butler, OEPA– No report, updates had been provided in OLEC Office Report.

Lyn Tolan,– ODSA – Currently in peak season for Ohio Tourism. Optimal dates for Ohio Tourism is March through November. They are working on their fall campaign that includes tv advertisements. Recently unveiled their new “Find It Here” rest stop in Bowling Green, Oh. Just keep working to push the Tourism Campaign.

Director Himes, ODH – Beach Guard is currently up on ODH’s website for the season. Director Himes asked Gene Phillips to assist with update. Phillips mentioned that Beach Guard now can be accessed from your mobile device and currently working on adding an alert system to send notifications to citizens about the beaches they like. E Coli monitoring is also in place.

Agency Partner Reports

Chris Winslow, Ohio Sea Grant – This Thursday is NOAA HABs Forecast. Release will go out at 1:00pm followed by a webinar from 2:00-4:00pm. September 14th will be State of the Lake in Toledo.

A lot of grant activity going on. Ohio Department of Higher Education’s call for \$1.4million in funding grants is currently out. And thanks to the budget being signed, ODHE has another 2 years of grant funding. There is currently 32 projects being funded with 18 just getting finished. Report coming soon with highlights from all grant projects. Call for Ohio Sea Grant applications is out. Most grants we are looking for are tied to non-HAB related since they tend to fall through the cracks.

Regarding the Federal Budget, a House Committee just passed out a bill with continued funding for Sea Grant programs. Winslow also mentioned they would be hosting a grant writers workshop soon and told OLEC Commissioners Sea Grant would like to help promote plate sales any way they can.

Kurt Erichsen, TMACOG – Currently working on their 2 year study to identify sewer areas and looking for estimates that lead to phosphorous and the densities of septic systems. They are ahead of schedule on this.

Will be hosting TMACOG Tech that brings Ohio and Michigan together on November 15th at Monroe County Community College. The day before on the 14th, they will be hosting a best management bus tour through Ottawa, Sandusky and Seneca counties.

Larry Fletcher, Lake Erie Shores and Islands – Marcy Kaptur will be hosting a Lake Erie Leaders roundtable tonight at Rocky River. And on Wednesday, Lake Erie Shores and Islands will be hosting Dan Egan author of *Death and Life of Lake Erie* from 10:30-12:00 at Lakeside.

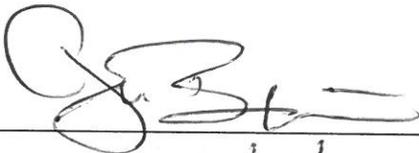
Doug Deardorff, NRCS – Have \$20 million to fund conservation projects at farm level. There will be a detailed report when it is completed. They also have \$5.3 million funds for easement of wetlands, majority in the Western Basin. Blanchard River project, a 5-year agreement with the Ohio Farm Bureau is off and going. Kevin King is doing an edge of field monitoring on it with Ohio State assisting. The goal of the project is to show best practices for water quality. Finally, AgSolver a company out of Des Moines, IA that can analyze each field that determine loss for farmers is in the early stages here in Ohio.

Seeing no more reports from agency partners, Chairman Butler motioned for adjournment of the meeting.

Public Comment

Director Butler adjourned the meeting at 3:27 p.m.

Signature of Chair:



Date:

10/3/17
