

Meeting Minutes

Quarterly Meeting, March 8, 2023
Kellogg Farms, 17392 TR 50, Forest, Ohio

Call to Order and Roll Call – Brian Baldrige, Director Ohio Department of Agriculture, Chair

Commission Members Present:

Brian Baldrige, Director Ohio Department of Agriculture, Chair
Tiffani Kavalec, Ohio Environmental Protection Agency Designee for Anne Vogel, Director
Mindy Bankey, Ohio Department of Natural Resources, Designee for Director Mertz
Tim Hill, Designee for Director Marchbanks, Ohio Department of Transportation
Scott Ryan, Designee for Director Mihalik, Ohio Department of Development
Bill Wolf, Commissioner
Jim Stouffer, Commissioner
Crystal Davis, Commissioner
Danielle Giannantonio, Commissioner
Diane Miller, Commissioner
Kate Bartter

Staff Present:

Joy Mulinex, OLEC
Lynn Garrity, OLEC
Sandra Kosek-Sills, OLEC
Nicole Mieske Knab, OLEC
Hannah Boesinger, OLEC

Guests:

Speakers: 2
15 observers in the audience

Welcome and Agenda Overview: Director Baldrige called The Ohio Lake Erie Commission (OLEC) meeting to order at 10:09 p.m. and welcomed everyone.

He asked for roll call.

(roll call)

A quorum was declared.

Director Baldrige, the newly appointed Director of Agriculture thanked Bill Kellogg, Kirk Reese and the team that works with the Demonstration Farms for hosting the meeting and noted as a 7th generation farmer he was thrilled to be there today. Director Baldrige explained that after the meeting adjourns, Bill Kellogg and other producers are going to have a roundtable discussion about H2Ohio practices if anyone in the audience would like to listen. For the members of the public, there would opportunity at the end of the meeting for public comment and to use the sign-up sheet if they would like to speak. He turned things over to Jordon

Hoewischer, Director of Water Quality & Research for Ohio Farm Bureau who gave a welcome and invited any questions about the H2Ohio project following the meeting.

ACTION: Approval of December 2022 Meeting Minutes

Motion to approve by Mindy Bankey, and Bill Wolf seconded the motion.

Motion carried with no dissent.

ACTION: Lake Erie Commission Chair

Tiffani Kavalec reported that Director Vogel was not able to be present but is willing to accept the position. Director Baldrige opened up the floor for nominations of Commission Chair, and Director Vogel was nominated.

Motion to approve by Danielle Giannantonio, and Jim Stouffer seconded the motion. Motion carried with no dissent.

ACTION: Lake Erie Commission Secretary

Director Mertz was recognized to be willing to hold that position again.

Motion to approve by Danielle Giannantonio, and second by Tim Wolf. No other nominations were offered.

Motion carried with no dissent.

ACTION: Lake Erie Protection Fund SFY23 Budget

Director Baldrige turned to Joy Mulinex and Lynn Garrity for an explanation of the Lake Erie Protection Fund budget.

- Lake Erie Commission is the beneficiary of the receipt of funds from the Lake Erie License Plate Sales and uses the funds to award competitive grants on based on priorities included in the Lake Erie Restoration and Protection Plan and statutory authority. There has been a decline in license plate sales over the years, which means there is a decline in grant funds available over time. The Commission recommends up to \$125,000 for awards in fiscal year 2023.

- In addition to Lake Erie Protection and Restoration Plan priorities, staff recommend one-time grants to provide help with Lake Erie Quality Index. The Commission identified gaps in the data set and wants to develop metrics.

- With the support of the Commission the call for proposals would come later this week, and the grant review committee would review the grants and come forward with awards that scored the most points.

Motion to approve by Diane Miller, and second by Bill Wolf.

Motion carried with no dissent.

Special Reports

Special Report: H2Ohio Agricultural Nutrient Reduction Program - Terry Mesher, H2Ohio Program Manager Ohio Department of Agriculture

H2Ohio Water infrastructure Investment Updates – Jon Bernstein, Chief, Office of Division of Financial Assistance Ohio EPA

Director Baldrige thanked the speakers for their presentations and work and asked if there are any additional questions.

Questions from the Special Reports:

- In response to questions regarding specialty products that help remove phosphorus in the soil or lock it into the soil. Terry Mesher responded that ODA is looking at new technologies and products and is letting the sum of the approaches prove themselves before putting ODA behind any one. Additionally, they are at the bottom of their learning curve regarding the knowledge on phosphorus movement across the landscape. The goal now is to look at the industry and mine the phosphorus out of the soil first.
- Kate Bartter asked how big of a supply vs demand problem ODA will have in producers' interest in the program as the H2Ohio program expands across the state with limited dollars. Terry explained about new software that ODA is purchasing which will allow ODA to track practices and build a baseline of practices in place. After the FY24/25 budget, ODA will shift to a maintenance payment program for the producers involved in the program.
- Kate Bartter asked how ODA is evaluating impact. Terry mentioned that in working with Dr. Kevin King, the data won't even come quick enough, but they've asked Dr. King to use his vast data set to pull information on the H2Ohio best management practices focuses on nutrient management with a formal report will come out later this summer. They're also using some of H2Ohio funds to get better direct data on paired watershed sites. Lastly, they're trying to build a process that will connect edge of field data to bigger watershed models.
- Lastly, Kate wanted to know if this is a culture change issue. Terry explained that what they're doing on demonstration farms that will focus on nutrient management and phosphorus applications and sharing that information among farmers. And that's how they hope to capture that education piece.

Ohio Lake Erie Commission Executive Director Report

Executive Director Report: The Commission staff had their annual staff retreat at Old Woman Creek. The staff heard a presentation from the Council of Great Lakes Governors on the cruise line industry and the economic impact is having on the Great Lakes region. Additional training was added on de-escalation techniques from Ohio EPA.

OLEC's FY 24-25 budget is about 2.6 million dollars in the executive budget proposal. Director Mulinex has gone and testified in the House on the budget. There is General Assembly interest in projects on AOC and H2Ohio wetlands projects. The Controlling Board request coming up after this month to cover two GLRI grants we're managing. One is for research being done by Ohio State – collecting data and lab work on gaging toxicity of harmful algae bloom. Other grant will go towards a group doing additional evaluation and monitoring in Black River AOC.

For federal coordination, today is Great Lakes Days in Washington D.C. The Brandon Road Lock & Dam, which is a U.S. Army Corps of Engineers project to prevent invasive carp from entering the Great Lakes, is authorized with a federal match reduced to 10% though not the 100% federal that the state was advocating. Governor Pritzker and Governor Whitmer have stepped forward with funds to cover a portion of that federal match to keep the project moving forward.

Subgroups under the GL Water Quality Agreement continue to meet virtually and in-person on the range of topics covered by the Agreement.

Sandra Kosek-Sills reported that as part of the Great Lakes Water Quality Agreement Annex 4 Adaptive Management work group, they are doing the 5-year review and update. The Commission has been the lead agency for the Ohio Domestic Action Plan, and Sandra will continue to lead the effort this year on an Ohio DAP update. In addition to state actions, the DAP tracks the action of our partners. Sandra will review those areas and schedule a public meeting in the fall to go over those revisions.

Sandra said that OLEC was given a GLRI award to subaward to Ohio State and the University of Toledo to look at microcystin toxins and whether we can predict HAB toxicity.

Lynn Garrity shared updates GLRI And GLWQA. There is a progress report available on GLRI.us with information on the progress on GLRI between federal fiscal years 2019-2022. The Commission is working with state agencies GLRI focus area teams to coordinate state priorities for GLRI on FY-23 and starting to coordinate with state agencies for their state priorities for federal FY24. Additionally, there are funding opportunities through GLRI through different entities including Fish and Wildlife Foundation and the Great Lakes Commission.

There is a lot of work happening on the AOC. OLEC is preparing three recommendations for BUI removal and getting ready to kick off public comment periods this spring. There is a public meeting for the Public Horseshoe in the Maumee AOC happening next week. The Cuyahoga Gorge Dam project is a high priority and hope to share updates later this year.

Lynn provided an update on the Lake Erie Protection and Restoration Plan (LEPR). It is a requirement under the administrative code that the Commission outlines priorities for the LEPR and what the state agencies will focus funding on in the coming two years. A draft Plan along with a public meeting and public comment period will be released later this spring, with a goal of the plan published later this year.

The Annual Life on Lake Erie Photo Contest Kick Off. Photos taken to highlight life on Lake Erie between August 1, 2022, and July 2023. Winners will be announced at the September Commission meeting.

Commissioner Reports

Commissioner Diane Miller: The Consul General of Canada, Colin Bird, stopped by University of Toledo to talk to the university and water research experts on approaches in addressing algae blooms.

Commissioner Bill Wolf: Has been looking into lawncare work and when/how they apply fertilizer and the bans on residential fertilizer in phosphorus in the 11 states that surround us. He has spoken with the University of Penn State which has done a lot of work on residential fertilizer best management practices.

Commissioner Crystal Davis: The Alliance of the Great Lakes partnered with the Ohio Environmental Council and released a report last month detailing current investments in best management conservation practices to reduce nutrients. While the groups appreciate the progress being made in Ohio, there is a long way to go in terms of impacting algae blooms in the Western Basin. More investment is needed. The report is available on greatlakes.org.

Commissions Jim Stouffer: Noted Lake Erie water levels are down from high levels it suffered the last few years, and according to the Corps of Engineers report, additional water is starting to make its way down from Lake Superior and Michigan. Lake Erie tourism is alive and well. Jim's

also noted that two groups he's involved in came together to put together a letter in support of additional railroad dynamics.

Commissioner Kate Bartter: She announced that she had recently been appointed by Governor DeWine to the Soil & Water Conservation Commission, which she served on in the past. Water is her passion, and she values the opportunity to contribute in these spaces. She also noted the passing of Sam Speck, who passed on March 1, and had a life to be celebrated and encouraged Lake Erie Commission on how to honor him.

Tim Hill, Designee for Director Marchbanks, Ohio Department of Transportation

ODOT is partnering with Erie County, the City of Sandusky, City of Huron, Perkins Township, and Huron Township in the development of the ERI US 6 Connectivity Corridor including Sandusky Bay Pathway project. This project is being designed to enhance safety, increase efficiency, improve multi-modal transportation options, and increase community connectivity across Erie County. This project consists of converting three signalized and two unsignalized intersections into modern roundabouts, installation of continuous two-way left turn lane through a portion of the corridor, extensions of the Sandusky Bay Pathway multi-use path, and installation of a new multi-use path along US 6 and Rye Beach Road to connect the Sandusky Bay Pathway to City of Huron. The project is in the design phase and was awarded almost \$25 million dollars through the RAISE Grant. Construction is expected to begin in 2024.

Mindy Bankey, Designee for Director Mary Mertz, Ohio Department of Natural Resources

Noted the passing of Sam Speck and his accomplishments. In addition to the Great Lakes Compact, Speck served as Chair of Great Lakes Commission and was instrumental in the acquisition of North Bass Island. ODNR has 126 H2Ohio wetland projects; the team is doing a great job in that area. They look forward to adding an Ohio Competitive Grant round in July and working on rivers initiative. Last week they were part of the Clean Marina Partners, where they recognized for certified clean marinas.

Commissioner, Danielle Giannantonio: NEORSD submitted information for the Clean Watershed Needs survey. It happens every 3 years, and communities can submit infrastructure needs.

Tiffani Kavalec, Designee for Anne Vogel, Ohio Environmental Protection Agency: Noted they're on the homestretch of Maumee watershed TMDL. OEPA public noticed the draft TMDL in December, hosted two public hearings in February, and is receiving public comments through end of today. The goal is the submittal of the TMDL to US EPA by June 30th. The US EPA will have 30 days to approve/deny.

Scott Ryan, Designee for Director Mihalik, Ohio Department of Development

Shared that their wastewater infrastructure grant program received a \$250 million extension to the program.

Director Baldridge asked for a moment of silence for Sam Speck.

Public comments:

- Is there or what is any impact that we have seen in development of subdivisions on old farm fields when it comes to phosphorus? Central basin is experiencing great growth. They probably didn't have field tested before and are now undergoing radical change roads, sewers, basements.

Motion to adjourn by Jim Stouffer, and Scott Ryan seconded the motion.
The motion carried on a voice vote.

The meeting was adjourned at 11:51am

Signature of Secretary:

Mary Metz

Date: June 22, 2023

Signature of Chair:

Anne M Vogel

Date: June 22, 2023