



COASTAL RESOURCES ADVISORY COUNCIL

Jim Kastelic
Chairperson

David Spotts
Vice Chairperson

Mission Statement

To advise the Director of ODNR on the Ohio Coastal Management Program and to promote, protect, enhance, and encourage the wise use of Lake Erie's coastal resources and its watershed.



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COASTAL RESOURCES ADVISORY COUNCIL

Thursday, May 22, 2008

Ottawa National Wildlife Refuge

Oak Harbor

10:00 a.m.

Notes

I. Call to Order – Salutation

- Welcome
- Facility Acknowledgements and Thanks
Eddy Pausch, Assistant Refuge Manager presented a brief overview of the refuge and facility.
- Attendance
Quorum was present.
(Sign-in sheet attached)
- Agenda Review
- February Minutes Approval

MOTION: To approve the February Coastal Resources Advisory Council meeting minutes. Motion made by Robert Heath and seconded by Vince Urbanski. Unanimously approved.

From CORD asked for permission to video tape. John said from an ODNR perspective it was fine. The council agreed.

II. OCM Update

John Watkins, OCM

A. Legislation/Lawsuit

Merrill – Taft

A decision on the Merrill-Taft class action lawsuit was announced on December 10, 2007.

Appeals of the decision have been made by the plaintiffs and interveners in the case.

Copies of the appeals can be found at:

https://phoenix.lakecountyohio.gov/pa/pa_cp.urd/pamw6500.display

Case #'s 2008-L-008 and 2008-L-007

Discussion

John Watkins: ODNR did not appeal decision. We are looking to find common ground and resolve issues if possible. OCM is proceeding forward with regulatory program based on the courts decision as it stands now.

Jim Kastelic: Did the AGO end up appealing?

John Watkins: The Ohio Attorney General is appealing.

Jim Kastelic: What does OCM anticipate?

John Watkins: OCM involvement will be minimal if at all. If technical questions come up we may gather and disseminate information on the decision. There has been no stay issued despite appeals by all parties except ODNR. We are moving forward with implementing the decision.

SB 189

No further action has occurred on SB 189. The bill, introduced in June 2007, seeks among other things to clarify the boundary of the ownership and respective rights of public private interests along the shoreline of Lake Erie. The bill can be viewed at:

http://www.legislature.state.oh.us/bills.cfm?ID=127_SB_189

Great Lakes Water Compact

House Bill 416, sponsored by Representative Matt Dolan, passed the House and is now before the Senate Natural Resources and Environment Committee. The bill and any updates can be found at: http://www.legislature.state.oh.us/bills.cfm?ID=127_HB_416

A separate bill, **Senate Bill 291**, sponsored by Senator Tim Grendell, has been introduced. Hearings have been held regarding the bill sponsored by Senator Grendell, and a proposed amendment to the Ohio Constitution has been proposed to address concerns raised about the compact. A copy of the bill can be found at:

http://www.legislature.state.oh.us/bills.cfm?ID=127_SB_291

Senate Joint Resolution 8 was introduced on May 14, 2008 and was sponsored by Senator Tim Grendell. Cosponsors included: Senators Harris, Wagoner, Niehaus, Spada, Jacobson, Seitz, Faber, Mumper, Padgett, Schuler, Cates, Carey, Schaffer, Amstutz, Austria, and Cafaro. The purpose statement of this joint resolution is: Proposing to enact Section 19b of Article I of the Constitution of the State of Ohio to affirm certain property interests with respect to ground water and other water on or flowing through a property owner's land so as to maintain the stability of Ohio's economy. The joint resolution can be found at: http://www.legislature.state.oh.us/ResolutionText127/127_SJR_8_I_Y.pdf

Discussion

Edith Chase updated the council on statehouse proceedings and hearing timeframes on Amended SJR 8 and provided the council with the amended resolution.

B. Coastal Management Assistance Grants (CMAG)

Ten Cycle 12 grant applications were submitted in November 2007. Five have been selected for funding in the amount of \$241,957. The grant awards will be announced in May 2008 and the projects will begin on July 1, 2008.

All seven Coastal Management Assistance Grant projects from NOAA Grant Cycle 9 (July 1, 2005 – June 30, 2008) have been completed. All eight Cycle 10 projects (July 1, 2006 – June 30, 2009) have been completed. However, to date only four of the Cycle 10 projects have completed the final reporting and received their final reimbursements. Six Cycle 11 grants (July 1, 2007 – June 30, 2010) are proceeding forward.

The Coastal Management Assistance Grant Program and portions of the state pass-through grant program are being considered for combination into one program under the Coastal Management Assistance Grant Program title. Approximately \$250,000 - 500,000 would potentially be available each year through a competitive selection process. The Office of Coastal Management is taking this opportunity to evaluate the grant priorities and review how such a program might work best. A revised priority description and general project guidance draft is being circulated to various partner agencies for comment through mid-

June. All comments will be considered, as appropriate, and the final grant application and guidance materials will be prepared released in August. Final applications for the next Grant Cycle will be due in November.

Discussion

John Watkins: Currently working on combining two grant sources into one competitive grant. Yetty Alley will be in contact with the Grants subcommittee for comment on proposal.

C. Lake Erie Shore Erosion Management Plan (LESEMP)

The final report of the Lake Erie Shore Erosion Management Plan Local Community Needs Assessment was received in late February. Produced by the Ohio State University Sea Grant office in Lake County, the report details the process of conducting the focus group sessions, developing the questionnaire, and analyzing the final data set. The information from the Needs Assessment will be used by the LESEMP project partners to direct outreach efforts and inform the development of educational materials.

The LESEMP project partners have contacted Ashtabula County Officials regarding the development of a model guidance document for the county. The model guidance document is the first product of the LESEMP and will act as a test case for the development of recommendations. Lessons learned from the model guidance document will be incorporated into the products for the remainder of the regions. With the goal of having a product that reflects the local community characteristics, it is imperative that the local officials provide information to and support of the process. A meeting between all interested parties within Ashtabula County is expected to occur over the next few weeks.

D. Lake Erie Balanced Growth Initiative

OCM staff are continuing to provide administrative and technical support to the Balanced Growth program. The pilot project managers met April 17, 2008. At this meeting, the Rocky River/Medina County watershed planning partnership announced that they have achieved the level of local support required by the Ohio Lake Erie Commission for (eventual) plan approval, tentatively scheduled for the September meeting of the OLEC. They are moving forward with completing their Balanced Growth Plan and are also scheduled to meet with the Balanced Growth State Assistance Work Group on May 14, 2008, to begin discussing projects that will implement the plan. Also at the April meeting, staff from The Trust for Public Land and the Smart Growth Leadership (and Ohio EPA) were in attendance as part of a technical assistance grant applied for and awarded to the Ohio Water Resources Council for the purpose of developing additional state incentives for communities to participate in the Balanced Growth program as well as exploring the idea of taking the program statewide. This group listened in on the usual meeting activities and asked questions. They will now be working through a research phase and will provide several workshops in the fall of this year.

Other activities of the Balanced Growth program include continuing the highly successful series of Best Local Land Use Practices workshops, and the creation of a DVD promoting their use. A website that will serve as a clearinghouse for the state inventory of programs is in progress.

E. Coastal and Estuarine Land Conservation Plan (CELCP)

There has been a lot of activity for CELCP in the last quarter. Ohio has published and advertised a request for projects for federal FY2009). The deadline for project submittal is June 16. OCM anticipates a minimum of two and possibly as many as four projects will be submitted. The CELCP review committee is scheduled to meet on June 30 to make their recommendations for project rankings. Although as of this writing NOAA has not published the federal notice of funding opportunity, they have informed us that their target date for states to submit projects will be on or around July 23. The national ranked list of

projects would then be entered into the federal budget process. The president's budget for federal FY2009 has included CELCP as a line item at an appropriation of \$15 million (which would fund ~5-10 projects). These funds would be available in May, 2009.

Due to the last minute cuts in the federal FY2008 budget, only three projects were funded from the FY2008 competitive process (about \$8 million was made available for one project each in NH, NC, and CA). None of Ohio's projects were ranked in the top 30 projects, so OCM had not anticipated receiving funding for any of them. One previously submitted CELCP project, East Point of South Bass Island, has received grant funds from Section 6 of the Endangered Species Act and will be acquired by the Put in Bay Township Park District with those funds (plus local and state match) later this calendar year. The ODNR - Division of Natural Areas and Preserves (not OCM) is contributing money towards this acquisition on behalf of the state.

Ohio was awarded funding for two CELCP projects in the federal FY2007 budget cycle (Bratenahl Phase II and Port Clinton Waterfront). Both of these projects are active and the project managers are negotiating the final purchases with the land owners. Activities related to the federal FY2004 CELCP grant originally awarded to ODNR have mostly been completed (all properties have been acquired, deeds recorded, and all recipients have been reimbursed); all that remains before submitting the final report is proof of signage, which we expect to receive later this spring. The close date for that award is June 29, 2008.

OCM is still waiting on approval of Ohio's CELCP Plan, originally submitted in June 2006 and most recently revised based on NOAA-OCRM comments in November 2007. NOAA-Office of Coastal Resource Management (OCRM) has hired additional staff and hopes to resolve some of the delays in issuing approvals. For the federal FY2009 competition, NOAA will require that a state have a draft CELCP Plan in submitted to NOAA prior to the submittal deadline in order for that state's projects to be considered. They will also be evaluating the projects based on how well each meets the priorities laid out in the respective state's CELCP Plans (draft or final) for the first time. Ohio should be well positioned for this evaluation by NOAA.

NOAA-OCRM has published in the federal register on April 9, 2008 a request for comments on the Guidelines for the CELCP, which were originally promulgated in 2003. OCM staff have drafted comments and provided them to NOAA for review. The due date for anyone wishing to provide comments is June 9, 2008. The Coastal States Organization, of which OCMP is a part, has also provided NOAA with their comments on the guidelines and US. Rep. Marcy Kaptur's office has informed OCM staff of their intent to comment as well.

Discussion:

Jim Kastlic: It can be frustrating for the projects that rank high in Ohio and because of the lengthy process and then if there's a funding structure. Is maybe to earlier to see what outcome will be. Have you heard anything?

John: CSO has been lobbying to make CELCP a line item in the federal appropriation instead of earmark. NOAA has been requesting comments on guidelines and OCM has submitted comments. The priorities are set for conservation of coastal wetlands, and in Ohio most of our coastal wetlands have been filled, developed or put to other uses. Ohio's don't score as well. One comment we've made to NOAA is that not enough emphasis is put on restoration.

Robert Heath: Over the years it seems there is a bias to disregard the Great Lakes in favor of larger marine areas. Does OCM feel that is the case?

John Watkins: No. Not in his opinion. First 3-4 years it was non-competitive and Ohio benefited. It's more been who has been in charge in Congress. There has been a switch

over from competitive grants to earmarks, which should reduce the selection through earmarks process. The new CELCP process should be based more upon merit of the site.

F. Ohio Coastal Atlas/GIS Mapping Website

The Office of Coastal Management recently modified its GIS/Mapping website to better present the Ohio Coastal Atlas Project, which consolidates the printed Second Edition, the DVD and online Interactive Atlas Map Viewer. The Ohio Coastal Atlas Project web interface allows users to: (1) download individual atlas chapters from the book; (2) request the DVD product or locate DVD distribution sites; (3) create and customize maps using the Interactive Map Viewer, and; (4) download single atlas maps from the library.

G. Education & Outreach

Cleveland Lakefront State Park, School Days

The Office of Coastal Management participated in the annual School Days event at Cleveland Lakefront State Park on Wednesday May 21. Approximately 200 students viewed the Coastal activity area presentation which focused on the way people use natural resources found in the Great Lakes ecosystem, particularly how they use the multitude of resources found along Lake Erie. More than 1,000 students and their teachers from 16 different Cuyahoga County Schools were registered at the event.

Discover Lake Erie Fact Sheets

The Office of Coastal Management is collaborating with Ohio Sea Grant and Old Woman Creek NERR on a fact sheet project. The partners are working together to develop a standard fact sheet layout that can be used by all three agencies to promote a unified voice for timely, accurate and factual information about the Lake Erie-area resources. The fact sheets will be titled “Discover Lake Erie: SUBJECT NAME.” The Office of Coastal Management is leading the effort to write a series of fact sheets focused on erosion which will directly complement the Lake Erie Shore Erosion Management Plan and can be used by the partners in general outreach and education endeavors.

Explore the Outdoors

On May 10, ODNR kicked off a new multi-year campaign called “Explore the Outdoors” The plan’s ultimate goal is to foster generations of children that care enough for nature to protect it. This initiative reflects a growing interest in reconnecting children with nature. Around 800,000 booklets were printed and distributed to school age children listing natural resource challenges to be completed at state parks and nature preserves. Kids find posters in the parks or preserves where they are to complete the challenges and copy the secret code in the outdoor challenge books. Kids who compete 8 of the 10 challenges can submit the codes by mail or on-line to awards. The website promoting the outdoor exploration can be found at <http://www.exploretheoutdoorsohio.com/>. The Office of Coastal Management is looking at various ways to tag onto this campaign including a possible series of “Explore the Shore” education events in midsummer.

ODNR Website

Under the governor’s directive, all state agencies websites are in the process of being updated to look like www.Ohio.gov. ODNR’s new page will go live on June 1. The Office of Coastal Management is working to have our pages ready to go live by September 1.

Outreach

The Office of Coastal Management has various presentation and outreach events scheduled for this summer including: June 26 to the Lakeside Association about the Ohio Coastal Atlas and the Ohio Clean Marinas program; August 9 participation in the Burning River Festival in Cleveland, August 18 at East Harbor State Parks annual Conservation Fair, and August 23 Explore the Shore event at Old Woman Creek.

Ohio's 2008 Coastweeks observance will again focus on the preservation and protection of Lake Erie and its watershed through a variety of cleanup events along the shoreline and throughout its watershed. This year's observance will kick off Friday, September 12 at the annual meeting of the Ohio Lake Erie Commission, set for the Lake Erie Nature & Science Center in Bay Village. Ohio's Coastweeks will run through Sunday, September 21. Coastweeks is part of an annual nationwide effort to educate the public about protecting America's coastlines. The Ohio Lake Erie Commission coordinates the state's observance. Visit the OLEC Web site or call 419-245-2514 to learn more about the 2008 Coastweeks, or to obtain an application form to organize an event. The OLEC will provide the tools needed to promote an organization's Coastweeks events.

H. Ohio Clean Marinas and Ohio Clean Boaters Programs

Eleven marinas adopted plans and put into practice voluntary best management actions in order to qualify as Certified Ohio Clean Marinas. These 11 marinas were recognized at an Ohio Clean Marinas certification awards presentation and media event on January 16, 2008, at the Cleveland Boat & Waterfront Lifestyle Expo. Over 50 persons attended the event.

Three new marinas pledged to meet Ohio Clean Marina standards at two recent Ohio Clean Marinas workshops. The workshops were attended by 19 people representing 12 marinas.

Scores of boaters learned more about the clean boater program and 26 pledged to become clean boaters at an educational display for the Ohio Clean Marinas and Ohio Clean Boater Programs at the Cleveland Boat & Waterfront Lifestyle Expo January 11-20, 2008.

One-hundred and fourteen charter captains signed the Ohio Clean Boater Pledge at the 2008 Lake Erie Charter Captains Conference. Over 150 free bilge products were distributed at the Ohio Clean Boater Display manned by Comer at the charter captains conference held March 1, 2008 at the Bowling Green State University Firelands Campus.

Over 35 individuals representing Ohio Clean Marinas and partner agencies learned more about permit requirements in order to be in compliance with the new storm water regulations issued in October of 2007. A National Pollution Discharge Elimination System General Storm Water Permit for Marinas Workshop was held January 15 in cooperation with Ohio EPA Northeast District Division of Surface Water at the Cleveland IX Center in coincidence with the 2008 Cleveland Boat & Waterfront Lifestyle Expo, for Certified Ohio Clean Marinas Operators.

Over 6,000 lbs of boat shrink wrap generated by show exhibitors at the Cleveland Boat & Waterfront Lifestyle Expo on January 10, 2008 was collected in partnership with Mondo Polymers and recycled into useful products.

The 2008 Ohio Clean Marinas Spring Boat Shrink Wrap Recycling program began on April 15 with 112 marinas and boat storage facilities participating and reflecting a 9% increase from 2007. Preliminary numbers indicate over 100,000 lbs have been collected as of May 9, 2008. The current trend indicates that between 350 and 450,000 lbs will be diverted from coastal county landfills and recycled into useful products. Once again Mondo Polymers Inc. is the key partner as the service provider and end user of the material.

I. Lake Erie Protection & Restoration Plan (LEPRP)

The *Lake Erie Protection & Restoration Plan* (LEPRP) was originally released in 2000 by the Ohio Lake Erie Commission to focus on the various quality metrics established in the *Lake Erie Quality Index* (another product of the Lake Erie Commission), catalogue all of the current efforts of the Commission's constituent agencies and identify additional initiatives or resources necessary to accomplish the *Quality Index* goals and objectives. Updated versions of the LEPRP were released in 2001, 2004, and 2006. Earlier this year,

the Lake Erie Commission decided to update the LEPRP again this year. To accomplish this update, the member agencies of the Lake Erie Commission were asked to provide revised objectives, goals, and anticipated actions over the past several months. The Office of Coastal Management took the lead in coordinating ODNR's updates to the plan and consulted with the Lake Erie Commission staff to ensure that ODNR's submittals met the needs of the Commission. It is anticipated that the updated LEPRP will be unveiled at the June 5th meeting of the Lake Erie Commission. The revised LEPRP will be used to help focus the grants program associated with the Lake Erie Protection Fund, which is funded by sales of the Marblehead Lighthouse license plate.

J. Lake Erie Nonpoint Pollution Control Program

Four DSWC grant proposals were submitted to the Office of Coastal Management to implement the Coastal NPS Program. The projects include: Irrigation Water Management, Lake Erie Dams, Watershed Management and alternative BMP's for stormwater management.

ONDR, DSWC was a sponsor of the National River Rally held in Huron on May 02-05. This event attracted an audience of over 500 watershed and river conservationists.

<http://www.rivernetnetwork.org/rn/rally/>

The Watershed Coordinator Grant Program Annual Review will take place over the next 2 months. This includes the Maumee, Duck and Otter Creek, Portage, Sandusky, Old Woman Creek, Black River, Rocky River, Tinkers Creek, West Creek, Grand River, Chagrin River, Vermilion River and Ashtabula River Watershed Coordinators.

<http://www.dnr.state.oh.us/soilandwater/water/watershedprograms/default/tabid/9192/Default.aspx>

The Mentor Marsh Watershed Action Plan (Lake SWCD) and the Mill Creek Watershed Action Plan was submitted for endorsement (Cuyahoga Health Dept).

The 2008 Watershed Coordinator Grant Program RFP is out for agency comment. The DSWC anticipates funding 6-8 new watershed coordinator grants in 2009.

K. NOAA Triennial 312 Evaluation

The final findings from the OCMP 312 Evaluation were released by NOAA. A full copy of the report can be found in all packets.

Jim Kastelic: Could you touch on the 312 with respect to the CRAC.

Coastal Resources Advisory Committee Program Suggestion:

“During the review period the Coastal Resources Advisory Committee (CRAC) was reorganized, providing for more positive support of the OCMP. In 2005, the CRAC organized a two-day planning retreat to set priorities for the group. The CRAC has also developed several subcommittees to allow members to work on coastal issues at a more in-depth level. While this remains a “work in progress,” this momentum should not be lost.”

PROGRAM SUGGESTION: The OCMP is encouraged to continue work supporting the development of the Coastal Resources Advisory Committee. In doing so, it might consider how similar bodies are constituted in other coastal states, such as Massachusetts and Maryland.

John Watkins: I will be attending the California 312 Evaluation this fall. I will bring back suggestions and feedback.

L. Additional Items

Dam Inspections:

Chief Watkins informed the council that the Department is gearing up to undergo a comprehensive inspection of all the major dams in Ohio. The Division of Water will be the lead. The Division of Soil and Water will be leading an effort to look at water quality impact of dams certain dams.

Discussion

Tom Denbow: Why Soil and Water? Will the Division of Water be involved?

John Watkins: Water will be a partner along with other agencies. ODNR under Director Logan had initiated a program to inspect all major dams in Ohio. A lack of funding over the years has not allowed DNR to keep up with inspections and Director has recognized the concern and is addressing it.

John Keenan: Are private dams included?

John Watkins: Yes. Most dams are privately owned. And even public owned dams might not be fully publically owned. They are inspected according to classification system.

Tom Denbow: Does an inventory of dams by class in the coastal area exist?

John Watkins: We have access to that information, however there are very few in the coastal area because of the narrowness of the coastal management area and that it exists at the mouth of rivers.

Tom Denbow: Has an interest in this and has found that the challenge is that the older dams have multiple owners and for a while ODNR didn't have good decommissioning and if the owners came in and removed the sediment would end up in streams. May want to think about that as you move forward.

John Watkins: There are many options including modifying the outlet structures or adding flood storage capacity.

III. Lake Erie Shore Erosion Management Plan

Amanda Wenczel, OCM

(Presentation attached)

Discussion

Rachel Tatter: Have you tried to correlate to the public that this effort is putting a good use to tax dollars.

Amanda Wenczel: Not at this time.

Jason Boyd: The reaches in the pilot I know are in Lake Co. If there are a group of property owners that are concerned and agree that they will do a standard design. Is there a potential for these property owners to become a part of the pilot project?

John Watkins: Down the road, but for now we are concentrating on Ashtabula. There are a number of places along the shore that have been impacted by erosion. There is loan program available. It's not used much. The interest rates are that much different than banks. The use of federal funding through the USACE to mitigate losses on private property due to erosion has been limited, especially if there is no public access to those areas where federal funds would be used.

George G: Sat down recently with the Army Corp recently. Have they been corporative and timely with us?

John Watkins: Each district has a change of leadership every two years. They have a few coastal engineering staff, but their time is mainly focused on the repair and maintenance of Federal Navigation Structures. Although the engineering staff is very cooperative and helpful We've found that we can't regularly access that expertise w/ the Corp due to time limitations. From the regulatory side the 404 permits responsiveness varies greatly. There are issues with constant change in leadership and people. Most of the people are great to work with. Believe the issues come with the change in leadership and staff.

GG: Met with and complained about USACE Buffalo District. There was a lot of discussion about timely responses.

Dave Spotts: Suggest that you use the LESEMP and target government agencies that have relationships with OCM to build the effort ...

Amanda Wenczel: The target of the needs assessment for the LESEMP was just for that. As the LESEMP is a non-regulatory approach we'll be relying on all levels of government to move forward.

IV. New Business

Rachel Tatter, Cuyahoga County

Sub-committee has been taking up most time, so I will defer to this afternoon's discussion.

Cindy Brookes, Sandusky County

Worked w/ OEPA and the Upper Sandusky portion of the watershed plan will be completed by 2012.

Dan Clemons, Ottawa County

Waterworks park negotiations have fallen apart. Sense is that the current administration is reviewing options. Not sure where it will go.

Rod Althaus, Ottawa County

Agree with Dan's comments on the water park, also the Walleye Festival is this weekend.

Vince Urbanski, Lake County

Lake County is currently working on several land acquisitions, a lot in the Chagrin Watershed.

David Miesmer, Wood County

Portage River log jam and sand bar removal may result in increased sedimentation and downstream flooding. Commissioners have received report and are working on cost analysis. Public hearings will be in the fall.

Robert Heath, Portage County

Taught service learning class on a local creek and it was a success. The assignment was to study the sub-watershed and determine its health.

Chairman asked for a future presentation.

Joe Hayberger, Erie County

Bellevue in Erie County has been flooded since March. Pumping is happening but not helping. Not a first time occurrence, it also happened in 1891.

Cindy Brookes: Aquifer changes most likely have contributed to the sinkholes.

Dan Donaldson, Lake County

NRCD Council could possibly assist in the Bellevue issue.

Mentor Marsh WAP application was submitted and is fairly close to approval. Mentor Marsh is an old great river channel, 800 + acres. It's now a coastal wetland and a big part of the plan will involve significant restoration. Many groups have been involved in salt mine contamination issues in Mentor Marsh and progress is starting to be made after 20 years.

Lunch

Jason Boyd, Lake County

Working on county wide master plan and will be receiving \$1.2 million in capital funding to implement. North Perry is funding a \$ 4.2 million project to restore beach.

Douglas Wright, Lucas County

Toledo Port just closed on 88 acres towards the mouth of the Maumee River. There is a stormwaters issue with property at swan creek.

Jim O'Connor, Lorain County

In Sheffield Lake there are 4 parks along the lake. The one that was eroding was worked on by the Army Corp of Engineers and the efforts ended up destroying the beach. The current mayor has taken initiative to put a boat launch and fishing pier in and should be opening up later this month. Grants from Coastal Ohio Grant and Lorain County Commissioners funded the project.

The city is also working with the private property owners to the east to build a boardwalk as an extension.

John Keenan, Ashtabula County

Ashtabula River dredging (contamination portion) is almost complete. Work is happening on scenic river designation. Ashtabula Lighthouse Preservation Society received a \$15,000 grant from the Lake Erie Protection Fund to build floating dock. Covered bridge work continues.

George Goudreau, Cuyahoga County

The National Home Builders Association groups located along Northern Ohio are becoming involved with Green Builder Program.

Contact Home Builders Association to learn more about the effort.

Tom Denbow, Cuyahoga County

The North East Ohio Stormwater conference is in Cleveland this week. Information can be found the Cuyahoga. County website. A lot of interesting stuff can be found. Also, an on-going project called the Western Lake Erie Basin Project (map attached) which was initiated by congress is underway to look and flooding and erosion in watersheds and ways to restore.

David Spotts, Ashtabula County

In Saybrook Township, ODOT has put road in and will tow bank in fall. The Ashtabula Bridge is closed for repairs. Change in command of Coast Guard today, cannon fire will go off. Cuyahoga County is planning on moving its port near the 55th Street Marina. This will have a tremendous impact on the coastal environment as well as navigation. People should be alert.

Jim Kastelic, Cuyahoga County

The port relocation is a huge undertaking and will have tremendous implications on the land. There's a lot of discussion that needs to take place. Have talked w/ officials regarding impact on Dike 14 and what role the port will play with funding.

The Chairman also reinforced that the "Local Issues" portion of the council meeting is very important and directed that 1 hour each meeting be allotted this cover section.

V. Executive/Sub-Committee Reports

Water Quality and Water Quantity Sub-Committee, Tom Denbow, Chair
Great Lakes Compact
(Report Attached)

MOTION: Motion was made by George Goudreau and seconded by Joe Hayberger to amend letter from the sub-committee to reflect recent developments and submit to the Director. Unanimously Approved.

VI. Old Business

Draft OAC Permit/Leases Rules

Highlights of proposed rules

- Inclusion of language to potentially allow landowner to design own project without a Professional Engineer (cannot contract for design). Need to check with State Board of Engineers to see if this is possible.
- Clarification of water dependant use
- Application fee reduced from \$500 - \$50
- No public access required on private structures
- All leaseholders will be allowed to convert to a submerged lands permit (or modify). Described in permit to exclude areas outside territory of Lake Erie.
- Upon conversion to submerged lands permit or modify lease, ODNR will reimburse 2007 + rentals for areas not within the territory of Lake Erie
- Add "access" to definition of "littoral rights"
- Lays out "compliance procedure that allows for opportunity to achieve..."
- Clarifies information required in applications (helps consultants provide complete applications)
- Decisions within 120 days
- Language encouraging coordination with USACE and OEPA

Discussion

Jim O'Connor: Would applications be given out through the Office of Coastal Management?

John Watkins: Yes, and you can get all now through OCM.

Jim O'Connor: What is the average cost of the EPA application?

John Watkins: It can be significant, I don't have a specific figures. OCM does not currently charge an application fee, although the new rules propose \$50 to cover the costs of mailings and public notice.

VII. Public Comment

Guests wishing to make comments will be asked to state their full name, community of residence and group or organization affiliation, if any, before beginning their comments. Guests are asked to limit their comments to five minutes unless otherwise scheduled.

(Sign-in sheet attached)

- 1.) Don Finke, C.O.R.D. (Citizens Organized for Responsible Development)
Concerned with WaterWorks Park development in Port Clinton. Would like recommendations/advice from the council on what their organization can do to preserve the wetlands adjacent to the park.

John Watkins: The project will need to obtain an EPA Section 401 water quality certification and depending on the class of wetland a State 404 water quality permit. Suggest contacting the USACE to see if a study was conducted.

- 2.) Jerry Jonke, Port Clinton, C.O.R.D.
CORD was formed in response to 1990 rezoning and ballot initiative.

A study that was conducted at the site found that soil samples were contaminated and was composed of a lot of fill. In addition, it appears to be in a floodplain. Are there any safeguards that can be taken?

John Watkins: There is a National Floodplain Insurance Program. However there is not an outright prohibition against developing in a floodplain. If the site is within the Coastal Erosion Area it will need a permit from ODNR.

Jason Boyd, Lake County: Does the city have a master plan?

Jerry Jonke: No. The Group asked for further assistance from OCM on what they can do to stop development.

John Watkins: ODNR/OCM can provide technical assistance only. The political issues of the project are up to the locals to resolve.

VIII. Adjournment