

2016



**Lake Erie
Protection & Restoration Plan**

Ohio | Lake Erie
Commission

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Ohio Lake Erie Commission

The Ohio Lake Erie Commission is comprised of the directors of the Ohio departments of Agriculture, Health, Natural Resources and Transportation, as well as the Ohio Environmental Protection Agency and the Development Services Agency. In addition five public members are appointed by the Governor.

The function of the Lake Erie Commission is to:

1. Ensure the coordination and implementation of federal, state and local policies, issues and programs pertaining to Lake Erie with a priority on those priority areas identified through the Lake Erie Protection and Restoration Strategy;
2. Review, and make recommendations concerning, the development and implementation of policies, programs, and issues that are consistent with the great lakes water quality agreement and other international, federal, and state compacts and agreements;
3. Serve as a clearing house and repository for information and data related to Lake Erie as determined by the commission;
4. Publish the Lake Erie Protection and Restoration Strategy;
5. Provide representation on the interests of this state in state, regional, national, and international forums pertaining to Lake Erie and the Lake Erie basin;
6. Develop, implement and coordinate an education, public information and community relations program concerning the Commission's programs, policies, issues and resources of Lake Erie;
7. Develop and implement a marketing program promoting the sale of the Lake Erie license plate and other public and private funds to carry out the programs of the commission.

These functions are implemented by the Ohio Lake Erie Commission its staff and through its member state agencies as well as stakeholders and at times in coordination with Great Lakes regional partners. The commission also oversees the Lake Erie Protection Fund, which provides grants to public sector, academic and non-profit organizations for research and demonstration projects related to the protection and restoration of Lake Erie resources.

Introduction

Lake Erie is the southernmost, shallowest, warmest and most biologically productive of the five Great Lakes. Lake Erie has three basins: the Western basin includes the islands area; the Central basin extends from the islands to about Erie, Pennsylvania; and the Eastern basin extends from Erie to the east end of the lake. Lake Erie is about 241 miles long, about 57 miles wide, and has about 312 miles of shoreline in Ohio, including the Lake Erie islands. Lake Erie's maximum depth is 210 feet the average depth is 60 feet and the Western Basin's average depth is just 24 feet. There are approximately 30,400 square miles of land that drain directly into Lake Erie from its watershed that includes Michigan, Indiana, Ohio Pennsylvania, New York and Ontario .

The *Lake Erie Protection & Restoration Plan 2016* (LEPR) reflects the state of Ohio's priorities over the next several years to protect, preserve and restore our Great Lake. The purpose of this plan is to identify the state's strategic direction for Lake Erie and the Lake Erie watershed to achieve established environmental, recreational and economic goals. The plan communicates state efforts through the various state agencies and coordinates its actions through the Ohio Lake Erie Commission. The LEPR strives to complement federal, regional and local partners' initiatives in the Lake Erie basin and throughout the Great Lakes region, and is written to be consistent with regional efforts such as the Great Lakes Restoration Initiative (GLRI) and the *Lake Erie Lakewide Management Plan* (LaMP) Great Lakes Water Quality Agreement(GLWQA) and the Lake Erie Western Basin Collaborative (Collaborative) .

The LEPR is organized into priority areas with associated goals, and strategic objectives. Specific action items will be developed by the respective state agency or other entity for implementation. In addition measurement milestones will be established in order to track progress on the objectives.

Another purpose of the LEPR is tied to the Lake Erie Protection Fund. Grant applicants are expected to indicate the strategic objective(s) from the plan that their work will support. Further action to meet the strategic objectives in upcoming fiscal years will be determined through plan updates. For more information, please visit the Ohio Lake Erie Commission's website: <http://lakeerie.ohio.gov>.

Regional Focus on the Great Lakes

Since the Great Lakes have experienced significant exposure as a national and regional priority many of the challenges to Lake Erie as well as the solutions will

require multiple partners surrounding Lake Erie both in the United States and Canada.

Ohio has been a participant in the Great Lakes Water Quality Agreement (GLWQA) up-date. The GLWQA is an agreement between the United States and Canada to that “provides a vital framework for binational consultation an cooperative action to restore, protect, and enhance the water quality of the Great Lakes and promote the ecological health of the Great Lakes basin”. In addition to the GLWQA up-date in 2015-16, the States of Michigan, Ohio and Province of Ontario signed onto the Western Basin of Lake Erie Collaborative Agreement in June 2015. This agreement focuses solely on the issue of nutrient reduction and the collaborative approach that will be taken by the parties in achieving specific goals and timelines outlined on the Collaborative.

In addition the Ohio will continue to work with federal, provincial, state and local partners on the *Lake Erie Lakewide Management Plan (LAMP)*. The LAMP serves to coordinate the broader objectives of Lake Erie with the multijurisdictional partners that share the boundaries of the lake. Working with partners throughout Lake Erie’s watershed is important in addressing the complex issues unique to Lake Erie.

Note: *Each of the strategic objectives listed in the Priority Area will include action steps to be developed in conjunction with the respective local, state or federal agency or partner in order to achieve the objective.*

CORE PRIORITIES

Priority Area: Nutrient Pollution Reduction

Goal: Reduce excess nutrient loadings from both point source and non-point sources to Lake Erie tributaries.

Goal: Improve the assimilative capacity and ecological functions of Lake Erie tributaries to help reduce nutrient loadings.

Goal: Provide leadership with regional partners on achieving nutrient reduction targets through the Western Basin of Lake Erie Collaborative and the Great Lakes Water Quality Agreement - Annex 4.

Introduction

Nutrient pollution from multiple sources continues to impact Lake Erie, particularly in the near shore area and the western basin. The mid-1990s saw the reemergence of cyanobacteria blooms causing significant public concern. Increased nutrient loading to Lake Erie, particularly dissolved reactive phosphorus (DRP), has emerged as a primary issue of concern.

Strategic objectives will be addressed for both point sources and nonpoint sources. The LEPR will follow nutrient reduction recommendations and goals that have been proposed through the Collaborative and the GLWQA.

Strategic Objectives

The following strategic objectives for point source and non-point source pollution reduction have been identified to move Ohio closer to meeting the goals for nutrient source pollution reductions as identified in the Collaborative and GLWQA.

1. Coordinate with and support the implementation of programs and policy addressing point source nutrient reduction programs and storm water management, which include National Pollution Discharge System (NPDES) permitted dischargers, municipal separation storm sewer (MS4) and combined sewer overflows.
2. Coordinate with and support partners on non-point nutrient reduction programs and practices which include agricultural sources, and home sewage treatment systems.

3. Support and implement the approved management measures in Ohio's Coastal Nonpoint Pollution Control Program.
4. Support and implement permitted municipal separate storm sewer system (MS4s) to fully comply with implementing their Storm Water Management Programs (SWMPs).
5. Coordinate with state and local partners to reestablish more natural flow regimes in Lake Erie tributaries in order to enhance nutrient assimilation.

Priority Area: Dredged Material Beneficial Use and Management

Goal: Work with stakeholders to develop a dredged material beneficial use and management program in conjunction with the open lake disposal ban beginning in 2020.

Introduction

There are eight federal harbors and ports authorized by Congress along the Ohio's Lake Erie coast. These harbors serve commercial navigation, recreational navigation or both. This number does not include the numerous smaller areas along the shoreline dredged by public and private entities for the purpose of safe recreational navigation.

Variability in soil types in the Ohio watersheds draining into Lake Erie, from the tight clay soils in northwest Ohio to the higher sand content soils in northeast Ohio, result in wide ranging potential for beneficial uses of dredged material. Ohio continues to support strategies that address both beneficial use and land-based sediment reduction efforts. Historically, much of the dredged material was disposed of in the open waters of Lake Erie. However, with passage of Senate Bill 1, this will no longer be an option after July 1, 2020

Strategic Objectives

The following strategic objectives have been identified to help move Ohio closer to addressing its goals for dredged material beneficial use and management.

1. Support best management practices that reduce sedimentation and minimize the need for harbor and channel dredging.

2. Support research and demonstration projects on potential upland and in-water beneficial uses including habitat restoration, beach nourishment, and upland beneficial use of dredge material projects.
3. Support modification of the U.S Army Corps of Engineers (USACE) Federal Standard to provide for expanded beneficial use options by the USACE.
4. Encourage public and private equity funding for the development of private sector commercial beneficial use opportunities.

Priority Area: Invasive Species

Goal: Minimize the potential for invasive species to negatively affect native fauna and flora and their habitat.

Introduction

Within Ohio, both aquatic and terrestrial invasive species continue to be of great concern. Vectors including ship ballasts, recreational boats, landscaping practices, and intentional introduction have contributed to the proliferation of invasive fish, mussel, plant, bird and insect species that have impacted the Great Lakes. Sea lamprey, round goby, zebra and quagga mussels, cladophora, purple loosestrife, reed canary grass, narrow-leaved cattail, Phragmites and emerald ash borer are just a few of the more publicly visible species that call the Lake Erie watershed home. These invasive species can kill or out-compete native species, creating monocultures or reducing the diversity necessary to support the intricate food web that has evolved around Lake Erie's productive ecosystem.

Asian carp have emerged as a species of concern due to their reproductive success, long life spans, and feeding habits. Their potential for introduction within the Lake Erie basin has been met with aggressive state and federal efforts to decrease the possibility of establishment.

Strategic Objectives

The following strategic objectives have been identified to help move Ohio closer to its goal for addressing invasive species issues.

1. Continue to support implementation of Ohio's *State Management Plan for Aquatic Invasive Species* and *Rapid Response Plan*.

2. Support Ohio Department of Natural Resources (ODNR) in the implementation of Asian carp prevention, monitoring, and control programs.
3. Support and when necessary coordinate invasive species management programs and activities within the Lake Erie basin including the identification of potential funding to carry out targeted control and eradication programs. .
4. Support the development an early warning system to identify the potential risk or presence of both aquatic and terrestrial invasive species linked to a Rapid Response Plan to eradicate or reduce the spread of invasive species.
5. Support the development and implementation of a landowner, boat owner and lake carriers education programs focused on the impacts of invasive species preventative measures that can be taken to reduce the introduction of invasive species and control programs.
6. Support projects that explore innovative ways to more effectively prevent, control, and manage the introduction and spread of invasive species to minimize harmful impacts on the Lake Erie ecosystem.

Priority Area: Designated Areas of Concern

Goal: Delisting the Maumee, Black, Cuyahoga and Ashtabula Rivers from the list of Great Lakes Areas of Concern.

Introduction

In 1987, the United States and Canada committed to restoring the most degraded portions of the Great Lakes basin. Working through the International Joint Commission (IJC), the Great Lakes states and provinces designated 43 Areas of Concern (AOCs), including 26 in United States waters and five in binational waterways. AOCs were identified based on 14 types of impairment, reflecting human uses—such as eating fish, drinking water and swimming—and ecological impacts, such as loss of diversity in aquatic life and destruction of fish and wildlife habitat. The most common sources of impairment are contaminated sediments, sewage treatment plant discharges and combined sewer overflows, nonpoint source runoff, runoff from hazardous waste sites, and habitat degradation and destruction.

Within Ohio, there are four Areas of Concern. They include all or portions of the Maumee, Black, Cuyahoga and Ashtabula rivers. These major Lake Erie

tributaries suffer from various impairments resulting from past industrial use along their banks and other human activities. Locally based committees worked with Ohio EPA to develop Remedial Action Plans (RAPs) that define the sources and causes of impairment and propose remedial actions. The AOC Advisory committees are comprised of state, federal and local agency representatives as well as local stakeholders. Once the committee has identified needed actions, those actions are taken by the committee, a member agency/partner, or a governmental agency with the proper regulatory authority. Implementation is often based on the grants that the committee or its partners are able to procure. Under the Great Lakes Restoration Initiative, restoration of the AOCs has been a priority, and a significant amount of funding has been directed to projects across Ohio's four AOCs since 2010. The state of Ohio will need to work with the local committees and federal partners in order to complete many of the actions presented under this priority area.

Strategic Objectives

The following strategic objectives have been identified to help move Ohio closer to addressing its goal of delisting the Areas of Concern. Each strategic objective will include actions developed by the respective agency or partner to achieve these objectives.

1. Work towards remediation (remove, seal, neutralize) of contaminated sediments within all AOC sites by 2025.
2. Support restoration efforts to eliminate Beneficial Uses Impairments (BUI) identified in Ohio's four AOCs.
3. Strongly encourage coordinating and promoting the alignment of plans and activities for Remedial Action Plans, and Watershed Action Plans, related to all four Areas of Concern as applicable.

Priority Area: Toxic Pollutants

Goal: Reduce the loadings of persistent bio accumulative toxic pollutants to Lake Erie.

Goal: Clean up brownfield and other toxic pollution sources to eliminate impacts to Lake Erie and its tributaries.

Introduction

Despite a significant reduction in many persistent toxic substances during the past 30 years, aquatic and land-based toxics issues continue to impact the

quality of the environment, human health, and economic growth. Polychlorinated Biphenyls (PCB), Polycyclic Aromatic Hydrocarbons (PAH), mercury, dioxins and pesticides are among the many chemicals released into the environment that can cause harm to both wildlife and humans. Impacts to sport fish are also problematic, creating advisories for consumption throughout the basin. Persistent toxic pollutants come from contaminated bottom sediments, industrial processes, nonpoint sources, loadings from atmospheric deposition and cycling of the contaminants. Continuous cycling of these persistent pollutants within the Great Lakes system contributes to their long-term impacts. To mitigate these problems, the release of toxic pollutants must be reduced and eliminated where possible, and additional research on sources, transport, persistence and impacts is needed. Legacy sources such as brownfields, contaminated bottom sediments and airborne deposition must be addressed. A comprehensive approach to addressing the social, economic and environmental realities of toxic pollutants is critical to implementing a long-term solution.

Strategic Objectives

The following strategic objectives have been identified to move Ohio closer to addressing its goals for reducing toxic pollutants.

1. Support the on-going assessment of fish tissue and when necessary issuance of specific species fish consumption advisories.
2. Support the monitoring and quantification of toxic compounds in the Lake Erie watershed including in-lake sources.
3. Support the continued prohibition on open-lake disposal of dredged material especially those containing toxic pollutants based on state sampling data.
4. Support public and private efforts to eliminate brownfield sites through cleanup and redevelopment.
5. Support the continuation of federal and state funding for brownfield assessment and clean-up.

Priority Area: Habitat and Species

Goal: Promote natural diversity of native flora, fauna and fish by protecting and restoring critical and essential habitat.

Introduction

The presence of suitable habitats throughout the landscape and associated species diversity affects human health, ecosystem diversity, natural processes and services, and the social and economic vitality of the region and nation. Great Lakes boating, fishing, hunting and wildlife watching generate an estimated \$50 billion in economic activity annually.

The protection of a variety of habitat types is essential to the successful preservation of native flora and fauna. For example, wetland loss, especially coastal wetlands, impacts water quality and species diversity in Ohio, across the Great Lakes, and on an international scale. Lake Erie's coastal wetlands serve as rest stops for migrating avian species using heavily traveled flyways that span across North and South America. Coastal wetlands also provide critical spawning and nursery habitat for many fish species necessary to support Lake Erie diverse fishery. Preservation, creation and restoration of critical habitats are the only pathway to preserving and protecting native species diversity.

Strategic Objectives

The following strategic objectives have been identified to move Ohio closer to addressing goals to promote diversity of native flora and fauna by protecting and restoring habitat.

1. Support the protection, creation, enhancement and restoration of riparian and coastal wetlands habitats, and other important habitats.
2. Support the protection, enhancement, creation and restoration of important upland and in-water habitats including, near shore and coastal habitat, (beaches, dunes, wetlands fish spawning and nursery areas) riparian and instream habitat in channels, and streams subject to impacts from hydro-modification.
3. Support the development of in water and upland wetland habitats through the beneficial use of dredged material.

Priority Area: Monitoring & Measuring

Goal: Monitor and Measure the effectiveness of efforts to improve and protect Lake Erie.

Introduction

Lake Erie is a complex ecosystem that requires careful monitoring of ambient lake conditions both in the offshore and near shore areas. Ongoing measurement of sediment contamination, pollutant loadings from tributaries, land use changes, nutrient contributions and the condition of the shoreline are important metrics for determining trends. Economic conditions, shipping, tourism and recreational activities are also important indicators to be tracked as we gauge our impact on the lake and its impact on the people of Ohio. Finally, it is important that program actions be measured as we track our progress and chart our future. All of this information must be collected regularly and consistently, then organized and presented in a manner useable for decision makers and citizens.

Strategic Objectives

The following strategic objectives have been identified to help move Ohio closer to addressing its goal of developing a comprehensive and coordinated monitoring program to track various quality and use indexes for the lake.

1. Support a coordinated near shore and open lake monitoring program among agency, university and local partners. It is imperative that monitoring protocols, sampling techniques and lab evaluation techniques be consistent at the state level and agreed to on a regional level.
2. Support the development of a tracking program for short -and long-term trends of harmful algal blooms (HABs).
3. Support efforts to consolidate and make Lake Erie monitoring data and information available and accessible to users in order to measure results and conditions.
4. Support targeted direct tributary monitoring to measure progress with in the watershed toward the goals of the GLWQA and Collaborative.
5. Support the tracking of various in-water and upland environmental indicators as well as tourism, economic indicators and over-all citizen perception of the lake and related issues.

6. Coordinate with Ohio Sea Grant program on the development of a repository and clearinghouse for research information, data and completed studies on Lake Erie.

Priority Area: Water Withdrawals

Goal: Support the Great Lakes Compact.

Introduction

On December 13, 2005, the Great Lakes Governors and Premiers signed the Great Lakes – St. Lawrence River Basin Sustainable Water Resources Agreement (Agreement). At the same time, the Governors endorsed the companion Great Lakes – St. Lawrence River Basin Water Resources Compact (Compact). The Compact was ratified by all eight Great Lakes states, consented to by Congress, signed by President George W. Bush, and became effective on December 8, 2008. The Compact is a binding agreement between the eight Great Lakes states that includes prohibitions on new diversions of water outside the Great Lakes basin with limited exceptions, and provides a framework for each state to enact measures for protection and management of the Great Lakes basin.

In May 2012, the state legislature passed Amended House Bill 473. It was signed by Governor Kasich in June 2012, and became effective in September 2012. Am. H.B. 473 addresses the Compact's requirement that each state to develop a program for the management and regulation of new or increased water withdrawals and consumptive uses (Section 4.10). Am. H.B. 473 establishes a permitting program for new or increased water withdrawals and consumptive uses within the basin.

Strategic Objectives

The following strategic objectives have been identified to help move Ohio closer to addressing the goals of the Compact. Implement the requirements of Am. H.B. 473 to carry-out the Compact.

1. Continue to work with the other Great Lakes states and provinces in the regional implementation of the Compact and the Agreement.
2. Ensure the "reasonable use standard" is maintained within the Lake Erie basin for all stakeholders.

Priority Area: Travel, Tourism, Jobs and the Economy

Goal: Promote economic opportunities including the retention and creation of jobs associated with Lake Erie.

Introduction

A healthy Lake Erie and its environs require a healthy environment and a robust economy. Ohio continues to see steady economic growth amid an ever-improving business landscape offering an optimistic outlook for the future. The Lake Erie region continues to play a critical role in Ohio's economy with shipping ports and transportation networks that provide efficient access to markets. The population centers in the Lake Erie region provide access to a workforce and education systems that are vital for continued growth. These factors, located around Ohio's Great Lake, create a region that brings people to the area for work and recreation. Tourism spending along Lake Erie generates an economic impact of more than \$12.9 billion. The economic and ecological importance of Lake Erie to the region helps drive support for its protection and restoration. Ohio's Lake Erie region is dependent on the integrated stewardship of its environmental and economic assets.

Strategic Objectives

The following strategic objectives have been identified to help move Ohio closer to addressing travel and tourism jobs and the economic goals.

1. Promote the initiatives of JobsOhio and its regional and local economic development partners, as well as other agencies in the Lake Erie basin.
2. Work with local and state tourism partners to enhance Lake Erie's image and travel and tourism opportunities.
3. Encourage increased public access opportunities to the lake, beaches, parks, nature preserves, and wildlife areas.
4. Support new "destination" opportunities along or near Lake Erie that are compatible with the natural ecosystem attributes of the lake and other habitat enhancement efforts.

Priority Area: Beach and Recreational Use

Goal: Eliminate the release of untreated and inadequately treated sewage to Lake Erie and its tributaries with special attention to uses of the Lake and its beaches.

Goal: Develop and implement programs to restore beaches and shoreline habitat.

Goal: Provide safe, healthy, publically accessible coastal areas for all Ohioans.

Introduction

As a source of drinking water, and recreational opportunities for millions of Ohio residents and tourists, the near shore waters of Lake Erie should pose a *minimum* human health risk through direct contact. A goal of swimmable, fishable, drinkable (with conventional treatment) waters is considered appropriate for all near shore areas non-point pollution, coastal erosion issues, aging wastewater infrastructure, failing home septic systems, and combined sewer and sanitary sewer overflows impact the quality of near shore areas. In addition to the direct impact on health and property, secondary impacts may include reduced property values and lower tourism rates. Elimination of human health threats from bacteria and assuring safe and appropriate use of coastal property is a state priority.

Strategic Objectives

The following strategic objectives have been identified to help move Ohio closer to addressing its goals for Beach and Recreational Use.

1. Reduce bacterial contamination and other pollutants coming from inadequate and non-functioning private home sewage treatment systems.
2. Continue efforts to eliminate combined sewer and sanitary sewer overflows according to each community's Long Term Control Plan (LTCP) with a focus on those that can be completed in the shortest period of time.
3. Support incorporation of "living shoreline principles" for new coastal development and the rehabilitation/restoration of existing coastal areas.

4. Support efforts to provide accurate and timely information on water quality conditions at Lake Erie swimming beaches and for other recreational uses and areas. Information will include E.coli and algal bloom data.
5. Support Coastweeks and other local beach and shoreline cleanup programming and marine debris prevention efforts.
6. Support efforts to provide accurate and timely information to the public related to the lake-wide presence and distribution of algal blooms and algal toxins associated with harmful algal blooms (HABs).

Priority Area: Community Relations and Education

Goal: Serve as the clearing house and primary source of information, for Lake Erie and represent the state's Lake Erie interests at the international, federal, state and local levels.

Introduction

The Commission is well positioned through the resources of member agencies and public members to serve as a primary clearing house for information and outreach to the public, media and specific user groups related to Lake Erie.

Strategic Objectives:

The following strategic objectives have been identified to help move the commission closer to the community relations and education goals.

1. Create an advanced communications strategy, program and initiative which would include the hiring of a communications-focused Commission staff member and increase coordination with and use of agency communications staff.
2. Conduct a communications audit of the various communications methods currently being used by the commission including the website, social media, print materials, and other promotional materials and programs.
3. Develop a long-term marketing program directed at increasing sales of Lake Erie license plates and promoting the option for direct donations into the fund.
4. Increase communications and engagement with local community leaders and residents along the Lake Erie coast.

PRIORITY AREA: Lake Erie Related Funding

Goal: Improve coordination of and maximize the effective use of federal, state, and local funding and other resources to address the State of Ohio's Lake Erie Restoration and Protection Plan.

Introduction

Significant dollars and other resources are made available annually from various federal, state, local and private sources to address the issues of Lake Erie. These funds include the Great Lakes Restoration Initiative Funds (GLRI), 319 Grants, and other federal funding programs through USDA, USEPA, NOAA, USACE USFWS, and USGS. Several state agencies; ODNR, OEPA, ODA, and ODH also have provided significant funding over the years to help address Lake Erie issues. While the combination of funds are significant and it is often easy to point to the resulting projects, there continues to be the need to identify and maximize the measurable outcomes and ensure dollars are being directed to projects and programs that truly address priority issues. In addition it is important that state and federal agencies are aware of proposals being considered for funding. The Lake Erie Commission due to its make-up and statutory authority is well positioned to review proposed funding requests directed at Lake Erie issues.

Strategic Objectives

1. The Lake Erie Commission will take the lead to ensure there is annual coordination between state and federal funding agencies for establishing priority programs, priority areas, and timelines for funding related to but not limited to GLRI dollars.
2. The Lake Erie Commission will seek cooperation, request coordination and review funding requests made to federal or state agencies from state agencies, government subdivisions and organizations for funding related to Lake Erie or Lake Erie Basin projects. The Commission does not have the authority to approve or disapprove an application but will evaluate the funding request to confirm if the project is helping to achieve state or federal priorities related to Lake Erie or the Lake Erie Basin.