

**Ottawa River Coalition Meeting Minutes**  
**9/27/18 Ada Village Office – 115 W. Buckeye, Ada 8:00 AM**

*In Attendance:*

Jamie Hall, Village of Ada

Kevin Cox, Perry Township

John Hoffman, Alloway

Mike Elwood, Hardin SWCD

Howard Lyle, Hardin SWCD

Cory Gonya, Nutrien

Henry Rodriguez, City of Lima Public Works

Norm Rex, ORC Past President

Jerry McBride, Hardin SWCD

Bryant Kesler, Allen SWCD

Leslie Riley, Tri-Moraine Audubon Society

Beth Seibert, Ottawa River Coalition

Sandra Springer, Allen/Hardin/Putnam SWCD

Joe Gearing, Allen Co. Engineer's Office

Nathan Davis, Allen Co. Engineer's Office

Peggy Ehora, Dominion Energy

Chairman John Hoffman called the meeting to order at 8:07 am. Self-introductions were made around the room. No additions to the agenda were requested. Since the minutes of the July meeting were not presented prior to today's meeting to the Coalition members, they were deferred to the November meeting for approval.

**Treasurer's Report** – Treasurer Mike Elwood presented the September Financial Report, outlining receipts, expenses and account balances since the July report. *Motion by Kevin Cox, seconded by Leslie Riley and carried.*

**Committee Reports**

Executive Committee – John Hoffman reported that the committee met on August 23<sup>rd</sup> to prepare for this meeting. The annual meeting will be conducted on January 12<sup>th</sup> at the City Club with John Hoffman as guest speaker with a presentation on his trip to Malawi with Water For People.

Stream Monitoring Committee

*Regulatory Update* – Cory Gonya updated the group on a number of subjects:

- Waters of the US (WOTUS) is bouncing around in the courts. In 2015 a new definition was proposed by USEPA and US Army Corps of Engineers. Opponents say it is too over-reaching. The rule had been stayed for a while but is now effective in 26 states – including Ohio. Four states have the issue in appellate court.
- A Lake Erie article in the Toledo Blade reported Toledo officials announcing the end of the 2018 harmful algal bloom (HAB) or microcystin season with levels below 1 ppb.
- \$26 million has been announced in funding for Great Lakes Restoration Initiatives (GLRI). A recent economic study is reporting that every dollar spent on the Great Lakes generates \$3.35 in economic development.

*Governor's Executive Order Targets 8 Watersheds in Western Lake Erie Basin (WLEB) in Distressed Designation* – Jerry McBride, Chairman of the Hardin Soil and Water Conservation District Board reported that on Thursday, July 11<sup>th</sup> the Governor released the Executive Order with no consultation of the agriculture and conservation communities. The next day he replaced two of the six members of the Ohio Soil and Water Conservation Commission (OSWCC) in what appeared to be an attempt to control the vote of that body to which he had assigned the decision on the executive order. The terms of these two replaced commission members had ended. The following Tuesday the OSWCC met to decide the fate of the order – but not before being bombarded by visits from the Governor's office, Ohio EPA and many others. Luckily the consensus of the OSWCC was that they needed more information to truly understand the rules. So they are in a two month

period of understanding and rewriting the distressed watershed rules. Jerry went on to explain that SWCDs are the boots on the ground – the delivery mechanism for this executive order should it come to be law. SWCD staff will write the nutrient management plans. Therefore Director Daniels at the Ohio Dept of Agriculture (ODA) expects the additional funds and staff needed to support this mandate. This order affects over 2 million acres and 7,000 farmers. The OSWCC is expected to convene in November and make a decision. Howard Lyle reflected that Distressed Watershed Rules were created for Grand Lake. A major component of these restrictions is that manure and fertilizer cannot be land applied from December through March. The WLEB farmers are currently restricted by law (since 2015) in three ways per manure and commercial fertilizer applications: 1) not applying on frozen or snow covered soil, 2) not applying on saturated soil, and 3) not applying if rain is forecast at greater than 50% chance of exceeding ½ an inch in a 24 hour period. Winter applications of manure and commercial fertilizer can only be made if injected or applied on top of a growing crop. Howard believes that these rules may be tightened up in this process. He explained that 100% of all farmers must also have a nutrient management plan and from his experience that will take an average 20 hours/plan with a technician only being able to complete about 2/week. Beth Seibert noted that according to Ohio Farm Bureau's interpretation of the order, once it becomes law all farmers must be acting in compliance immediately and that means there will not be a grace period while they wait for a plan to be written. Howard added that everything is still in draft form and there will be civil penalties for noncompliance. Bryant Kesler reported that there is an effort within the Grand Lake Watershed to write letters to the state asking them not to change their winter rules through any redefining of "distressed watershed". He also noted that SWCD does respond promptly to complaints and that issues with farmer applications of manure do pick up during frozen ground season as this is the traditional time to clean out the barn. Beth added that in our July meeting minutes the "why" is quite well defined in Cory Gonya's report. She also reported that she attended a recent Farm Bureau meeting of all County Executive Boards affected by these new rules and that organization is taking a very aggressive approach to fighting and questioning this order. Cory Gonya reflected that the order is heavy handed but the international goal of 40% reduction in phosphorus to Lake Erie by 2025 is the driver. Kevin Cox talked about how we all know it needs to be done, but is this too tough an approach? Who will enforce this program and its penalties? Howard said that would be the ODA and the Ohio Attorney General's (OAG) Office. Sandra Springer spoke of how this is currently a three-tiered, complaint-driven process. Howard explained that a 1<sup>st</sup> offense is a minimum violation with a \$250 fine. A second offense carries a fine of \$1000-\$5000 and a third offense is a major violation with a \$10,000 penalty. Bryant added that prior to the 2015 rules, the Pollution Abatement Program within the SWCD system had a long drawn-out penalty process. Beth spoke of the expectation that the new rules will provide for the completion of nutrient management plans within a two year window. The Governor's order indicates plans will follow the USDA Natural Resources Conservation Service (NRCS) Field Office Technical Guide (FOTG) standards and specification even though that agency was also not consulted prior to the order being issued. Howard noted that after the plans are written there will be follow-up required with farm visits and record inspections. Jerry spoke of his own farm operation and how fertilizer costs are too high and therefore it is not logical to over apply. So the hope is that the process self corrects. But Jerry also reported that where he applies about 60# per acre fertilizer on his farm as a result of soil testing and mapping, his neighbor applies 350# out of pure habit – because that's the way they have done it for years. So there are bad actors that have to be corrected. Cory spoke of a recent webinar by Aaron Heilers of the Blanchard River Demonstrations Farms Network where it was reported that this executive order is a knee jerk reaction. The science and understanding are going to take time. Some have thought that winter cover crops are the perfect fix but the edge of field runoff analysis is not proving that there is much change to phosphorus and

dissolved reactive phosphorus levels compared to fields without cover crops. Jerry reflected that controlling dissolved reactive phosphorus is still such a challenge to mitigate and regulate. There are different philosophies on the subject but no proof. As a farmer, Jerry told the group he needs to know that his efforts are going to work to justify changes in his operation and greater costs.

*Allentown Lowhead Dam* – Beth Seibert reported that conversations are being conducted to gain the permission of the following entities regarding the removal of the Allentown lowhead dam: Board of Allen County Commissioners and Dominion Energy as the property owners. US Geological Survey office in Columbus as the present-day agency that installed the dam, ODNR Division of Wildlife as the dam “owner”, and Ohio EPA and US Army Corps of Engineers as the regulatory permitting agencies. We are getting close to going out for public opinion on the dam removal. Cory Gonya reported that Degen Excavating was consulted recently so we could get a feel for the pricing on removing the dam, down to its footer. They gave us a price of \$13,500 and will use a pneumatic hammer to break apart the concrete dam and would like to place the material on the west bank for stabilization and erosion control. Kevin Cox asked why the dam just couldn’t be notched and Beth explained that it is serving as a fish barrier and therefore has to be significantly lowered. Peggy Ehora reported that they want to work with the Coalition on this project but they are concerned about having more material placed on the stream bank as they are currently making a plan to remove a lot of concrete and other material that has been placed there over the years. This comes from the advice of Enviroscience, a consulting firm, and reflects the policies of and conversations with the US Army Corps of Engineers out of Buffalo. As they clean up this property they may either sell it to the church and maintain their easement or keep the land and secure/gate/fence it. Many parking and other usage liberties are being taken on their lot at that location. Joe Gearing noted that Thom Mazur at Regional Planning should be consulted on the project as the County Flood Plain Manager. Cory also reported that two trees are slated for removal so that the equipment can access the stream and that kind of work will need to be done from Oct-April because of Indiana Bat habitat protocols.

### Stormwater Committee

*City of Lima Stormwater Report* – Henry Rodriguez is the Acting Stormwater Manager for the City of Lima since Joe Gearing took the Drainage Engineer’s job at the Allen County Engineer’s Office that Douglass Degen vacated when he retired.

- Henry noted that both the City and County Stormwater Programs were audited by Ohio EPA last week. In particular the programs being evaluated in this audit were sediment and erosion control on construction sites, construction site inspection process, and installation, maintenance and inspection of post construction best management practices. Albert Suniga is performing the site inspections on active construction sites for both the City and the County. Henry felt OEPA was impressed with Albert’s performance and our local use of the inspection software program SWPPPTrack. The challenges he sees as a result of the audit conversations are the need to have long term operation and maintenance plans for post construction water quality controls, more sensitive plan review, and ensuring that the stormwater pollution prevention plans are proper and correct and reflect the recent updates to the OEPA Construction General Permit regulations.
- Complaints about grass clippings in the roadway in multiple locations last week caused Henry and Beth Seibert to make some calls and have landowners remove that material from the stormwater system. An urban stormwater newsletter will be going out soon to some 12,000 households and businesses in Lima. The newsletter content will focus on keeping grass clippings out of the street, proper fall yard fertilization, and storm drain care.

- The stormwater improvement at Melrose will drain 60 acres into a detention basin. The property is being acquired from the First Missionary Church on Robb Avenue. They will bid this project out in late 2018 in conjunction with the Schoonover Dam project. The dam project is about restoring integrity to the dam. Joe Gearing noted that the Schoonover dam project is a massive undertaking. The bank is currently too steep and has to be moved back 25 feet. Trees and vegetation must also be removed. It is a very expensive \$2.5 million project and will require them to drain Schoonover Lake.

*Allen County Stormwater Report* – Joe Gearing also spoke of the OEPA audit and the things we have to improve on as it is our responsibility to best comply with the state regulations. The biggest issue for him moving forward is to ensure owner cooperation and understanding, and county access to the long term practices. Should the property sell in the future, what is the County’s claim over continuation of the long term water quality practices – such as a deed attachment? Joe reflected on how he is getting acclimated to his job at the County Engineer’s Office and much is going on there. Cory Gonya asked about the SWPPPTrack program and reflected that when they had their railyard project under construction he liked the timeliness of the inspection reports from Albert. Joe responded that ODOT uses it on projects across the state and EPA does like it that we are using the program.

### **New Business**

The Chairman called for the approval of a voting membership agreement submitted by the Allen Water District. *Motion by Joe Gearing to approve the Allen Water District as a voting member organization. Motion seconded by Leslie Riley and carried.*

### Member and Partner Reports

- Beth Seibert reminded the group that the Johnny Appleseed Metro Park District (JAMPD) Apple Festival is this coming weekend at their Allen County Farm Park.
- Sandra Springer, Allen SWCD, described the recent display she created for the local fairs – “Soil Your Undies”. She buried 100% cotton men’s underwear in five different crop fields for six weeks and then dug them up. The more deteriorated the fabric, the better the soil health in that field. Jerry McBride said that the display was very eye catching as it featured an extra-large pair of white men’s underwear. Bryant Kesler noted that she also had the display at the Farm Science Review and received emails and calls from several reporters. They all agreed it showed an amazing difference. #soilyourundies
- Howard Lyle, Hardin SWCD, reported that they completed installation of eight miles of grassed waterways this year. The agencies are waiting to learn what the Farm Bill is going to do as that dictates local cost-share and program dollars.
- Bryant Kesler, Allen SWCD reported that his workload involves designing and installing drainage projects and grassed waterways with landowners. He is also taking over the Natural Resources Review (aka Site Review) Program and works with landowners, the Health Dept and Township Zoning Officials in evaluating a property for development. Kevin Cox acknowledged that site reviews are very beneficial to decision making, especially when you consider the large, long-term investment in a new home.
- Kevin Cox, Perry Township, told the group that they are currently working on regular road and road-side ditch/swale maintenance. Their recent Township Community Day was a fun family event with free food and games that put the Township “on display”. They were pleased with this first-time event and enjoyed a great turnout by Township residents.
- Leslie Riley, Tri-Moraine Audubon Society, reported that they are currently featuring their monthly guest speakers. Tami Lunan is the Ohio field organizer for the National Audubon

Society and she spoke recently on plants that attract birds. On October 14 their group will take a field trip to Myeerah Nature Preserve. Leslie welcomed anyone interested to participate in these events that are open to the public.

- Joe Gearing, Allen County Engineer's Office, reported that much of his work is responding to property owners requesting storm sewer replacements or improvements that commonly involve multiple or many property owners. Joe asked Bryant about the levels of the site review program regarding whether that information would be helpful in their drainage work. Joe also asked if site review information could be extended out to local realtors, developers, etc. He definitely believes that realtors need educated on natural resource and infrastructure limitations. Nathan Davis added that Joe is just getting acclimated to his position and is a great addition to their staff.
- Norm Rex was the Ottawa River Coalition (ORC) Chairman in 2000 representing the Village of Ada. He is the father-in-law of Ada Village Administrator Jamie Hall. He was pleased to be able to participate in today's meeting. He certainly enjoyed the conversation today. As he looked across the room he noted that except for Beth, the faces have changed but it was clear to him that organization's mission and purpose are still going strong and as important today as it was 18 years ago. The progress on the river has been unbelievable. He feels he was very fortunate to have been involved with the ORC in those early stages. Norm reflected on the Ada sewer separation project in the late 1970s. As a result of that project and so many others in the watershed over the years, the Ottawa River is the clear winner. Protecting that natural resource and the health of the watershed community is the goal that enjoys you all, said Norm.
- Jamie Hall, Ada Village Administrator welcomed the group to Ada. Population of the Village is approximately 3,500 but can reach 5,900 during the school year with the influence of the Ohio Northern University. Ada conducts four major festivals during the year: the Harvest and Herb Festival is in its 33<sup>rd</sup> year and is conducted in late September, the Farmers and Merchants Picnic is 103 years old, the Third Annual Wilsons Football Drop is a six hour event that highlighted the making of footballs in 2018, and their newest event is the July Ada VFW Cruise-N-Ada. Jamie also noted how Norm Rex is a former Ada Mayor and Council member. Jamie spoke of how the Ohio Northern University is a grand supporter of most Village projects. The Village swimming pool just underwent a \$1.2 million renovation. It is a busy place with eleven days this summer over 300 guests being recorded at the pool. Their Village Council has made a considerable infrastructure maintenance commitment. In 2015 the wastewater treatment plant was upgraded at a cost of \$15 million. The plant capacity was increased from 2 million gallons per day (MGD) to 8 MGD. One of their next projects is an elevator for this municipal building – an important accessibility project. John Hoffman thanked Jamie for hosting us today.
- John Hoffman spoke of fall workshops that Alloway is conducting. The October workshops are titled "Making Sense of Defensible Data" and features a biologist presenter and sessions on math and statistics. Their November workshop is aimed at wastewater and drinking water operators. Look for an email in the coming weeks.

*Motion by Kevin Cox to adjourn the meeting, seconded by Nathan Davis. Motion carried, meeting adjourned at 9:57 am.* The next regular meeting of the Ottawa River Coalition is Thursday, November 15 at the Cambridge Center in Lima.

Minutes transcribed by Coalition Coordinator Beth Seibert.