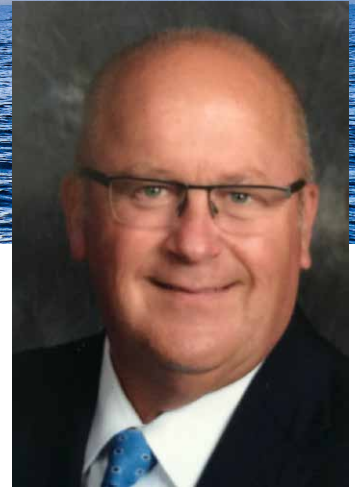
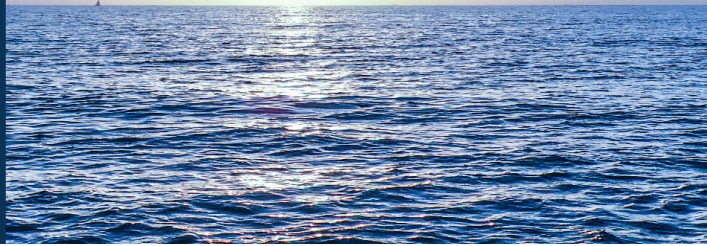




Fall 2020

LAKE ERIE WAVES

NEWSLETTER OF THE LAKE ERIE FOUNDATION



Jim Stouffer

From the President By Jim Stouffer

Certainly, for this generation, these unprecedented times feel more challenging than ever before! And yet, the beautiful season we just enjoyed should remind us at this moment in our lives to appreciate Lake Erie, and not take for granted all she has to offer. I can clearly say that in my five years of leading Lake Erie Foundation (LEF), this is the most aggressive posture we have taken in pursuing our battle to protect this Great Lake. I am truly proud of our organization's accomplishments, and of the individuals who have dedicated their time, energy, and financial resources to pursue the mission of preserving this natural wonder.

The first benchmark of the past 12 months was working with federal and Ohio agencies to lower the regulatory thresholds for applying untreated animal manure on farm fields. It is somewhat surprising, yet truly encouraging, that water clarity of Lake Erie has been spectacular this summer! This phenomenon resulted from a combination of greatly reduced rainfall from April through July, along with high water levels helping to retain excess flows coming from the Maumee River Basin; where the most prolific concentration of algae-causing nutrients merge. Specifically, LEF has been working with leaders of NRCS (National Resources Conservation Services) advocating for realignment of manure application standards, moving forward. In fact, every five years NRCS rewrites these regulations, giving us the opportunity to request the agriculture community adapt their practices to ultimately lower the amounts of phosphorus on their fields. The final rules will be issued by the end of September. To reinforce our perspective, LEF worked with well-respected Toledo Blade columnist Tom Henry to write an article which recently appeared in the Blade outlining the State of Ohio's H2Ohio campaign and their upcoming strategies.

Furthermore, LEF helped in the creation of the Western Lake Erie Report Card Study, an initiative started in 2018 to implement consistent metrics of water quality and their sources. This project was funded by Lucas County and the cities of Toledo and Oregon, Ohio. These results were published in August 2020. LEF Board members Rick Graham and Matt Fisher were involved with the project from its inception. This study was designed to provide a detailed annual assessment of the health of the western basin of Lake Erie and its watersheds. A link to the Report Card is included in this newsletter.

Lastly, board member John Lipaj has kept a close watch on the LEEDCo Icebreaker Wind Turbine Project off the shores of Cleveland, Ohio. LEF has articulated concerns through various print and social media outlets, to enlighten and educate the greater public on the long-term negative impacts of this attempted industrialization of Lake Erie. The proposed project, while initially considered a "pilot project" where six large wind turbines will be built off the Cleveland shoreline, if commenced could possibly lead to over 1,400 wind turbines being built along our lakefront and ultimately extend westward to the Western Basin and Lake Erie Islands communities.

LEF supports clean and renewable energy, however we are opposed to this specific project! LEF wrote multiple articles featured in five publications this summer that outlined the downside risks. We have voiced our strong concern to key legislatures and governmental officials. In addition, in early September we submitted an amicus brief supporting a Washington D.C. District lawsuit filed by the Black Swamp Bird Observatory and American Bird Conservancy against the U.S. Department of Energy and the U.S. Army Corp of Engineers. Read LEF Board Member John Lipaj's article in this newsletter about the status of the Icebreaker project and how you can make others aware.

Now more than ever, the focus of our mission to protect Lake Erie has never been stronger, nor more direct. We believe this cherished resource should be used and available for all who respect her. We must understand that it is our collective responsibility to preserve and safeguard this jewel for future generations to enjoy. While our approach may be subtle and respectful, the talents and voices of our supporters, volunteers and board members will ring loudly. Thank you for your support!

Sincerely,
Jim Stouffer
President LEF

Update on Wind Turbines in Lake Erie

By John Lipaj, LEF Board Member

The fate of the proposed LEEDco Icebreaker wind turbine project in Lake Erie continues to be debated by the Ohio Power Siting Board (OPSB). In May the board issued a certificate to LEEDco granting them the ability to begin construction of six turbines in the lake, within view of downtown Cleveland.

The certificate did however come with a requirement that LEEDco must comply with 33 conditions. One of those conditions, shutting down the turbines at night from March 1 through November 1, was put in place to protect migrating birds and bats. Icebreaker's developers claimed this condition would prevent the project from being financially viable and actively campaigned to have it removed. Their efforts included reaching out to legislators and sympathetic media encouraging them to appeal to the OPSB to lift this restriction.

Despite LEF and other organizations also reaching out to these same audiences advocating for the restrictions to remain in place, in a meeting on September 17 the OPSB did in fact reverse their earlier position allowing LEEDco to operate the turbines at night if they so choose.

Icebreaker must still satisfy more than 30 conditions included in the May order, including the development of a radar monitoring program for birds and bats. Developers must also return to the OPSB for approval of an avian and bat impact mitigation plan before beginning construction, a condition not required of land-based wind projects. It is unknown when this plan will be ready to present and there is also the possibility that the OPSB's decisions could be appealed.

Lake Erie Foundation (LEF) supports the pursuit of clean and renewable energy. However, LEF is opposed to the Icebreaker wind turbine project due to potential long-term impacts on Lake Erie. Critical environmental studies have been bypassed by the federal government. The economic impact and job creation claims appear to be overstated by the developers who have a financial interest in the project's completion. Lake Erie Foundation Board President Jim Stouffer has published letters in the Cleveland Plain Dealer as well as Crain's Cleveland Business, detailing LEF's position. Mr. Stouffer has also sent letters to many Ohio State Representatives, outlining LEF's reasons for concern about the Icebreaker project.

LEF has also filed an Amicus Brief in federal court, supporting American Bird Conservancy and Black Swamp Bird Observatory's lawsuit against the U.S. Department of Energy and U.S. Army Corps of Engineers. The suit focuses on the agencies' failure to comply with the National Environmental Policy Act (NEPA) and Clean Water Act, during their evaluation of environmental impacts of the Icebreaker project.

Western Lake Erie Report Card Results in C+ Grade

By Rick Graham, LEF Board Member

The results of a study funded by Lucas County and the cities of Toledo and Oregon were recently released during an online event. The "Western Lake Erie Report Card" graded various aspects of the quality of water in that section of the lake and found it to be in moderate health. While some scoring criteria showed good results, others were ranked as poor. Experts from the University of Maryland with extensive experience in establishing grading mechanisms for environmental issues led the research. This same group did a similar report card for the Chesapeake Bay area in 2014.

The process began in November 2018 with meetings and interviews with key Lake Erie stakeholders including representatives from Lake Erie Foundation, and numerous scientists who deal with Lake Erie water quality issues. These conversations continued into 2019.

The Report Card provides a geographically-detailed assessment of the health of the Western Basin of Lake Erie and its watersheds utilizing 2018 data. The summer of 2018 actually saw good water quality for the western basin and there were no significant blooms until mid-September. The timing of when data is collected can have a major bearing on the results and it is therefore important to conduct this process on a regular basis. The University of Toledo has stepped up to secure funding for another report card to be run using data from 2021. We appreciate the leadership that U of T has shown in this process and going forward.

The academic institutions, non-governmental and governmental agencies involved in this project learned a great deal about the process. With additional report cards in the future, these stakeholders will be able to make better decisions on what practices and factors contribute to improving the condition of Lake Erie. The "Report Card" can be reviewed and downloaded at: <https://ecoreportcard.org/report-cards/lake-erie/>

Join LEF Today!

Join or renew your LEF membership TODAY! Memberships start at \$25. Help us restore and protect Lake Erie for generations to come. Become a member or renew your LEF membership and your tax-deductible contribution will help Lake Erie Foundation work to ensure that Lake Erie's waters are safe for drinking, fishing and swimming. Your support makes our efforts for advocating, educating, supporting innovative technology development and legal defense a possibility. For more information regarding membership visit the Lake Erie Foundation website at www.lakeeriefoundation.org or call 419-301-3743