Wind Turbine Update

The Federal Court issued a decision recently in American Bird Conservancy v. Jennifer Granholm in which Lake Erie Foundation filed an amicus brief. Unfortunately, the Court dismissed the Plaintiff's (American Bird Conservancy) NEPA claims for lack of standing and granted Defendant's (DOE) motion for summary judgement on Plaintiff's Clean Water Act claim. Our amicus brief was focused on the Plaintiff's NEPA claim and, therefore, due to the dismissal for lack of standing the Court did not issue an opinion on the merits including the issues that we raised in our amicus brief.

The American Bird Conservancy does have the option to refile their suit once DOE completes its five budget periods and fully funds the project.

Lake Erie Foundation is disappointed in the Court's ruling but continues to oppose this proposed project as a threat to Lake Erie and the Great Lakes. Our Foundation continues to have grave concerns about the potential environmental impact of

The Icebreaker Wind project in Lake Erie would use six Vestas V126 3.45 MW offshore wind turbine generators, built on bucket foundations without need for pile driving. Lake Erie Energy **Development Corporation graphic**

the project and the lack of serious review by the Department of Energy. It is worth keeping in mind that the DOE has not made any final funding decisions and we hope the concerns expressed by our Foundation and others are seriously considered before the Department decides if it will fund the project.

According to John Lipaj, LEF Board Member who has been tracking this project, there has yet to be much progress. LEEDco has been given several extensions by the Dept. of Energy to secure buyers of the expected wind turbine energy. To date, they have only sold one-third of the 20.7 megawatts of electricity to Cleveland and Cuyahoga County. Part of the issue with the sale is the cost to purchase, which is significantly higher than traditional electricity. Ohio's Republican Caucus rejected the proposal in HB 389 to allow an added surcharge to bills of Illuminating Co. customers, which could be used to buy much of the produced electricity. The bill also included language to restore energy efficiency programs cut because of the House Bill 6 scandal.

LEEDco's website has no information or updates on this project as of today. However, the updated July news on UtilityDive.com mentions a six wind turbine pilot project will be completed in 2026. Updates on the wind turbine issue can be found on our website.



236 Walnut Ave Lakeside, Ohio 43440

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Join LEF Today

Become a member of Lake Erie Foundation (LEF) and help us restore and protect Lake Erie for generations to come. Your tax-deductible contribution will help LEF 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 LEF's website at www.LakeErieFoundation.org or call 419-301-3743.



From the President

As the 2023 summer comes to a close, 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 six 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 conference "State of the Science of Harmful Algae blooms" was held September 6th in Toledo. There was a wide range of topics presented throughout the day, but the takeaway from the Lake Erie Foundation members in attendance was twofold H2Ohio is being expanded to a significant number of acres in Northwest Ohio. It is 100% voluntary and almost 35% of the agriculture acres have adopted at least on H2Ohio practice. Secondly, there was a key presentation from Dr Jay Martin that referred to success in a small study that focused on Legacy or "Old" phosphorus fields. At this time old phosphorus fields are not a focus of H2Ohio.

At this point, there is some, but not significant improvement in water quality in Lake Erie. We realize it took many years to get to this point and hopefully it will not take the same amount to get to the target of 40% reduction in phosphorus run off. We learned at the State of the Science meeting that it appears that aggressively targeting high phosphorus' "legacy fields" is likely a faster way to see an improvement in water quality.

As you may recall, The Ohio Supreme Court ruled in favor of LEEDco to proceed with the wind turbine project known as Ice Breaker. Recently the Federal court issued a decision in American Bird Conservancy v. Jennifer Granholm in which Lake Erie Foundation successfully filed an amicus brief which was accepted by the Court. Unfortunately, the Court dismissed the Plaintiff's (American Bird Conservancy) NEPA claims for lack of standing and granted Defendant's (DOE) motion for summary iudgement on Plaintiff's Clean Water Act claim. Our amicus brief was focused on the Plaintiff's NEPA (National Environmental Policy Act) claim and, therefore, due to the dismissal for lack of standing the Court did not issue an opinion on the merits including the issues that we raised in our amicus brief.

LAKE ERIE WAVES

NEWSLETTER OF THE LAKE ERIE FOUNDATION

Lake Erie Foundation is disappointed in the Court's ruling but continues to oppose this proposed project as a threat to Lake Erie and the Great Lakes. Our Foundation continues to have grave concerns about the potential environmental impact and financial viability of the project along with the lack of adequate review by the Department of Energy. It is worth keeping in mind that the DOE has not made any final funding decisions and we hope the



concerns expressed by our Foundation and others are seriously considered before the Department decides if it will fund the project."

The LEEDco website has no information or updates on this project as of today. LEF Board member John Lipaj continues to track the project and has given several interviews regarding Icebreaker. The articles can be found on our website.

LEF was fortunate to have several entities support us this summer. We received proceeds of over \$2,000 from the Sandusky Wine Walk. We received a generous donation from Erie & Anchor who support LEF every year! Of note, a special thank you to our friends and longtime supporters, Clemons Boats in Sandusky, for supporting LEF during their Customer Appreciation event.

As always, thank you to our members and donors for your support and confidence in our work. I and all of the LEF Board and staff will continue to work hard to be good stewards of your contributions. We're always interested in hearing from you so reach out with your comments and suggestions to info@ LakeErieFoundation.org.

Sincerely, Jim Stouffer President, LEF

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LEF Year End Appeal

It's time for us to wrap up the year and send our final appeal for your help and support for Lake Erie Foundation's (LEF) mission to improve the health of Lake Erie. Your generosity and support enable us to advance the importance of protecting Lake Erie through advocacy with our legislators and local government agencies, collaborating with stakeholders such as scientists, farmers, and businesses, and building awareness of the issues through the education of our community members.

As you consider your donation or renewing your membership, there are many charitable methods to support Lake Erie Foundation.

Donor Advised Funds – A Growing Way of Giving

Many donors are turning to Donor Advised Funds (DAF) to support nonprofits they value. In short, a DAF is a charitable giving tool that makes it simple for donors to dedicate funds to support their favorite charities. Donor Advised Funds are both operationally convenient and a tax-efficient method to manage your charitable giving.

According to Candid, an online foundation resource website, a donor can contribute a certain amount of assets such as cash, stock shares, or some other kind of wealth, to their DAF. Donors can then deduct the total amount of that charitable gift from that year's taxes. The funds must remain in the DAF, during which time they can be invested and continue to grow to compound the long-term value of the gift.

Increasingly, individual donors are choosing to contribute to donor-advised funds because they can advise how funds are invested and distributed but avoid the administrative requirements and operating costs of running a private foundation. According to the National Philanthropic Trust, in 2018, DAFs held more than \$121 billion and made \$23.42 billion in grants to nonprofits, an increase in giving of 18.9% over the previous year.

LEF is honored to receive DAFs from many local financial institutions that can create and manage your funds. These include community foundations such as Erie County Community Foundation, Cleveland Foundation, Stark County Foundation, American Endowment Foundation, Toledo Foundation, Columbus Foundation, Dayton Foundation, and Community West Foundation, and investment firms that manage charitable funds of Vanguard, Fidelity, and Schwab.

Donor-advised funds are an effective method to streamline your giving through one charitable tool and allow you to give directly to LEF, a cause you can believe in now and in the future.

Talk to your financial advisor about recommending a DAF grant to LEF.

Matching Gifts – Double Your Impact

Corporate matching gifts are an easy way to double the impact of your gift. Many companies will financially match donations made by their employees to nonprofit organizations. It typically requires the employee (you!) to request the match to your employer. Companies usually match donations at a 1:1 ratio, but some will go to a 2:1 or more.

Many companies include corporate social responsibility – also known as corporate citizenship - in business operations. They are conscious of the kind of impact that they have on our environment or society in general. Companies of all sizes match donations because it is an easy and structured way for them to support the excellent work of LEF and other nonprofits in our communities.

The best way to determine if your company matches your donations is to check with your human resources department

Partner Support - With a little help from our Friends!

LEF is grateful to our many business partners and passionate individuals who commit financial support and go the extra mile by donating sales proceeds or hosting a fundraising event. These activities are organized and run by local business owners who rely on and appreciate the value of Lake Erie. These essential activities provide LEF with an expanded ability to increase awareness of the issues impacting Lake Erie and to raise money to assist us in furthering our work.

If you or your business is interested in hosting an event or donating sales proceeds, don't hesitate to contact us at info@lakeeriefoundation.org, and we will be happy to partner with you!

Thank you to these businesses for their support through fundraising events and sales proceeds. We encourage you to support their businesses with your patronage. Erie & Anchor – ErieandAnchor.com – for more than four years, the owner has committed to donating a portion of annual sales proceeds to help improve Lake Erie. Clemons Boats – Clemonsboats.com - hosts their annual Customer Appreciation

- Event in August and donates proceeds from the event.
- - Hotel Kilbourne, organizer, HotelKilbourne.com
 - Crush Winebar •
 - Daly's Pub •
 - Firelands Adventure Tours • Havin' Fun Too
 - J Bistro
 - Jax Bar
 - Kharma II
 - Shores & Islands Ohio
 - Lakelynn Design
 - Lakes Eleven
 - Magroup
 - Paddle & Climb
 - Shore House Tavern
 - The Fabulous Female
- event with food, music, beverages, ice cream, and raffles.
- Lake Erie Love craft beer sales
- fundraiser and beach clean-up.
- account such as one of our supporters did on Earth Day.

Sandusky Wine Walk - an annual event in Downtown Sandusky where local

businesses donate raffle items and money to help Lake Erie Foundation

SolStay Lodging, Sandusky - Solstaylodging.com – hosted a September fundraising

Small City Tap House, Sandusky - Smallcitytaphouse.com – donating proceeds from

Lake Ridge Academy – donated funds from a student-led Malley's Chocolate

Facebook Fundraisers – individuals can run fundraisers through their Facebook