

Testimony before the Ohio Senate Agriculture and Natural Resources Committee

Joy Mulinex, Executive Director
Ohio Lake Erie Commission

Regarding
Fiscal Years 2024-2025 Biennium Budget
May 9, 2023

Good morning Chairman Schaffer, Vice Chair Landis, Ranking Member Hicks-Hudson, and members of this Committee. I am Joy Mulinex, the Executive Director of the Ohio Lake Erie Commission. Thank you for the opportunity to testify before you today about the Lake Erie Commission's FY 2024-2025 budget.

The Commission is comprised of the directors of six state agencies that include the Ohio Environmental Protection Agency (Ohio EPA), and the Departments of Natural Resources, Transportation, Health, Agriculture, and Development. There are also five additional members appointed by the Governor who serve 3-year terms. Additionally, the two board members of the Great Lakes Protection Fund Board serve as ex-officio, non-voting members of the Ohio Lake Erie Commission. The members of the Commission represent the different uses of Lake Erie--a natural resource, a driver for economic development, a premier destination for recreation, a drinking water source, and a source of enjoyment for all Ohioans.

The mission of the Ohio Lake Erie Commission is to protect and restore Lake Erie's natural resources, its waters, and ecosystem, as well as to promote economic development of the region. We implement our mission through the coordination of policies and programs of state government pertaining to water quality, fish and wildlife, habitat protection, economic development, and other state actions impacting Lake Erie.

Protecting and restoring water quality in Lake Erie and waters throughout Ohio is one of Governor DeWine's top priorities, and the Commission continues to work closely with our

agency partners, the research community, and other groups and individuals to improve Lake Erie, Ohio's Great Lake. Unfortunately, harmful algal blooms continue to be the largest issue facing Lake Erie which means that there is more work to be done to prevent excess nutrients that fuel the annual algal blooms on the lake. The sources of these nutrients are under multi-agency jurisdiction including agricultural and community sources. The Commission was tasked with coordinating and helping to implement Ohio's Domestic Action Plan (DAP) which is a blueprint for reducing phosphorus loads into Lake Erie under the Great Lakes Water Quality Agreement. While the problem with Harmful Algal Blooms is not going to be fixed quickly, the Commission is pleased that progress through H2Ohio is being made towards a solution. Through the Commission's work with our agency partners engaged in H2Ohio, Governor DeWine's comprehensive water quality initiative, we have released two annual estimates of the phosphorus load reductions that resulted from H2Ohio projects. The results tell us whether we are headed in the right direction though more is needed to reach the state's targeted phosphorus reduction goal, and we will use the Domestic Action Plan and H2Ohio to continue our efforts. The U.S. Environmental Protection Agency is planning to work with Ohio, Michigan and Indiana to update the federal Domestic Action Plan in 2023.

To support the Commission's nutrient reduction work, our budget proposal has additional H2Ohio funding to improve the model being used for H2Ohio phosphorus load reductions.

By statute, the Commission is directed to prepare and implement the *Lake Erie Protection & Restoration Plan*. During the development of this Plan, the Commission consults with our state, local and nongovernmental partners so that the report reflects Ohio's priorities for Lake Erie. The Commission uses dollars from the Lake Erie license plate sales to award a small number of competitive grants for projects that help implement the objectives of the Commission's Lake Erie Protection & Restoration Plan. Additionally, these reports have provided a useful framework for securing federal funding to implement Lake Erie projects. The Commission is currently preparing the 2023 Lake Erie Protection & Restoration Plan and accepting public comments until May 23, and there are two public meetings this week for anyone who wants to learn more or talk with us.

The Commission is pleased to report ongoing progress to restore the federally designated Areas of Concern (AOCs) which are sites that do not meet the goals of the U.S.-Canadian Great Lakes Water Quality Agreement. AOCs were listed as such because of historic pollution that happened several decades ago. The Ashtabula River was Ohio's first AOC to be delisted in 2021. Three other Ohio AOCs remain—the Maumee, the Black, and the Cuyahoga Rivers. In 2022, two Beneficial Use Impairments (BUIs) were removed from the Black and Maumee Rivers, and the Commission is preparing to delist three more BUIs in 2023. Restoring and delisting BUIs will lead to the completion of restoration at AOCs. As part of the state's AOC work, the state is moving ahead on efforts to take down the Gorge Dam on the Cuyahoga River and remove approximately 900,000 cubic yards of legacy contaminated sediment currently sitting behind the dam.

Through the federal Great Lakes Restoration Initiative, U.S. EPA has provided \$85 million towards AOC work here in Ohio since 2019 with an estimated \$235 million in proposed funding over several years to complete the remaining projects to delist the remaining AOCs in Ohio.

In 2022, the Commission celebrated its 30th anniversary which provided an opportunity to look at our accomplishments. Through the revenue generated by license plate sales, the Commission's Lake Erie Protection Fund has supported 400 projects leading toward safer beaches, cleaner waters in Lake Erie, and more abundant fish and wildlife in the waters and watershed. We launched the Balanced Growth Initiative, a voluntary program to link land-use planning to water quality, and Ohio's Domestic Action Plan. We developed the Dredge Material Program so that dredged sediment can be re-used rather than being disposed of in Lake Erie. In partnership with Ohio EPA, we've delisted the Ashtabula River, Ohio's first Area of Concern to be fully restored. Over 150,000 Lake Erie License plates have been sold with the funding from those sales going to the Lake Erie Protection Fund. And after three decades of the Commission's Life On Lake Erie photo contest, an effort to highlight what makes Lake Erie great, we've had 4,300 photos submitted.

In closing, for those of you who live near or visit Lake Erie, you already know that Lake Erie is a natural resource treasure for Ohio, providing abundant recreational opportunities and drinking water for nearly 3 million Ohioans. The Ohio Lake Erie Commission looks forward to working with our partners to continue to promote, protect, and restore the lake for future generations. Thank you for your consideration of the Governor's budget request for the Ohio Lake Erie Commission, and I welcome any questions you may have.