

Meeting Minutes of the PCB Advisory Board Meeting

Date: August 29, 2022

Time: 3:30 pm – 4:30 pm

Location: 50 West Town Street, Suite 700 Columbus, Ohio, EPA Conf. Room A

PCB Advisory Board Voting Members Present in Person:

- Mark Johnson, Assistant Director of the Ohio Environmental Protection Agency (Ohio EPA)
- Tracy Intihar, Assistant Director of the Ohio Department of Agriculture (ODA)
- Steve Gray, Assistant Director of the Ohio Department of Natural Resources (ODNR)
- Gene Phillips, Chief of the Office of the Bureau of Environmental Health and Radiation Protection of the Ohio Department of Health (ODH)
- Aaron Farmer, Assistant Chief, Environmental Enforcement, Office of Ohio Attorney General Dave Yost

Others Attending in Person:

- Janine Maney, Ohio EPA, Supervising Attorney, Division of Materials and Waste Management

Others Attending by Video Conference:

- Ann Fischbein, Ohio EPA, Assistant Chief Legal Counsel and Supervising Attorney

Chairperson Mark Johnson calls to order the Second Meeting of the PCB Advisory Board and welcomes everyone.

The Chair convened the meeting and sought approval of the minutes from the last meeting on August 8, 2022. The Board so approved last meeting's minutes.

Grant Review. The Chair and the Board Members discussed the grant-review process and its two-tier approach:

- initial step – establish eligibility criteria and review applications to see if they qualify based on the criteria.
- second step – evaluate those applications that are eligible.

Engaging Applicants. The Chair and the Board then discussed plans to engage applicants as follows:

- Ohio EPA will provide a news release on its website including basic information about the Board and the application framework.
- Ohio EPA will develop a website to remind the public of the settlement, the funds, and the funds' purpose, and allow applicants to submit proposals.

- Board members may promote the application process among agency stakeholders.
- Board members may network with universities and other stakeholders to promote the application process.
- Representatives from each agency may propose a project to the Board.

Proposal Framework. While the settlement provides no hard-and-fast deadline to fund projects, the Board agreed that it would be ideal to fund all projects over the next year or two with the majority to be spent earlier during this period. The period keeps in mind that the Board will submit all recommendations to Director Stevenson, Ohio EPA.

Potential Project Ideas. The Chair opened dialogue on potential project ideas to date. Board Member Gray provided a summary of project considerations.

Overview. The Ohio Department of Natural Resources is proposing four projects for consideration in the use of Monsanto Settlement Funds. These include: 1) contributing support for removal of the Ohio Edison Gorge Dam on the Cuyahoga River (hereafter, Cuyahoga Gorge Dam); 2) funds to bolster the State Scenic River program; 3) capital improvements at State Fish Hatcheries; 4) revision of *A Guide to Ohio Streams*; and 5) Funds for reintroductions of previously impacted aquatic species. Each of these projects have a strong nexus to water quality and associated aquatic habitats, public awareness of the importance of water quality, and water-related recreation.

Cuyahoga Gorge Dam. Removal of the Cuyahoga Gorge Dam was recommended by the OEPA and USEPA nearly 20 years ago and is supported by the Cuyahoga River Area of Concern (AOC) Advisory Board and local communities. Dam removal will significantly reduce or eliminate contaminants and excessive nutrients, improve water quality and aquatic life, and facilitate delisting the river as an AOC.

One consideration is to direct \$20 million in settlement funds to Ohio EPA for this project.

To Protect Ohio's Best Remaining Waterways - The State Scenic Rivers. Ohio has 15 designated scenic rivers that meander 830 river miles. These streams range from Conneaut Creek in the extreme northeastern corner of Ohio to the Little Miami River in the southwestern part of the state.

Each of the 15 streams has a Scenic River Advisory Council of local citizens appointed by the Director of the Ohio Department of Natural Resources (ODNR). All of the streams are monitored regularly to ensure that water

quality remains high. This program is known as SQM (Stream Quality Monitoring).

There are currently 2,879 acres of Scenic River land owned by ODNR and an additional 4,678 acres in conservation easement held by ODNR along state scenic rivers. Scenic River Lands are defined as property owned by ODNR along the state designated scenic rivers for the expressed purpose of protecting the watersheds and thus protecting water quality in the waterways.

One consideration is to direct \$7 million in settlement funds to the Ohio Scenic River program for increased SQM and for acquisition of an additional 1,000 acres of Scenic River Lands at multiple strategic and opportunistic locations along Ohio's State Scenic Rivers.

\$1,000,000 for increased SQM over the next four years.

\$6,000,000 for the acquisition of a total 1,000 additional acres along Ohio's 15 existing State Scenic Rivers.

Capital Improvements at State Fish Hatcheries. Ohio has seven state fish hatcheries that annually produce approximately 40 million fish to stock in state waters. Specifically, the Hebron State Fish Hatchery, Licking County, is a 235-acre facility containing 63 fish production ponds (60 acres of water) and fish production, storage, and office buildings. The hatchery produces walleye, saugeye, blue catfish, and channel catfish stocked statewide and bluegill and hybrid sunfish needed for the State Fair. Operations are supported primarily by gravity-fed water from Buckeye Lake transported through the adjacent Ohio-Erie Canal. This source water suffers from poor quality most of the year because it initiates from a low-quality water source and takes 13 days to reach the hatchery and through the nutrient-rich canal, thereby reducing fish production capacity and consistency.

The *Statewide Fish Hatcheries Assessment and Master Plan* (executive summary attached), developed by HDR Engineering, identified two priorities to improve source water filtration, quality, and delivery. First, to expedite water transport from Buckeye Lake, a 30-inch water line and control structures are recommended in or under the bed of the canal to reduce transport time from 13 days to 6 hours and eliminate the need for water to move through the canal. Second, improved filtration of water as it is received on hatchery grounds is necessary to remove unwanted aquatic life before entering production ponds.

One consideration is to direct \$6 million in settlement funds for fish hatchery upgrades, with the funds used primarily for much needed improvements at the Hebron State Fish Hatchery.

(Note: Channel catfish are routinely stocked in Fox, Forked Run, Dow, and Veto lakes to provide sport fishing opportunities. These fish were sampled by ODNR, Division of Wildlife during 2019-2021 to provide consultants with fish to test for contaminants as part of the Ohio AG investigation associated with this settlement. The stocked fish are sourced from the Hebron, Senecaville, and St. Marys state fish hatcheries.)

Revision of A Guide to Ohio Streams. In the year 2000 A Guide to Ohio Streams was published by the Ohio Chapter of the American Fisheries Society. There were numerous partners and financial contributors to publishing the booklet, including the Ohio Environmental Protection Agency, the Ohio Environmental Education Fund, and the Ohio Department of Natural Resources. In total, 22 different sponsors are acknowledged in the guide.

The guide has been used for more than 20 years by professionals and the general public as a resource related to water quality and stream conservation. Although much of the information is still accurate, a revision of the book would keep it relevant for years to come. Additionally, making the guide into a digital e-book format would increase its usefulness. The revised book could be available in 2025 on the 25th anniversary of the original.

One consideration is to update and reprint the guide while also producing it in a digital format that could be linked to partner websites. The cost to do this through contract services would be approximately \$250,000.

Reestablish Aquatic Species. Set aside funds for reintroductions of aquatic species that have been lost or seriously imperiled due to poor water quality. Research would need to be conducted along with data mining of known inventories to assess possible reintroductions.

One consideration would be to set aside \$500,000 to do the initial research.

The Chair and the Board began brainstorming other project ideas as well and will continue to do so.

Next Steps. The Chair will work on Ohio EPA's news release and the website over the next couple of weeks and has targeted the week of September 12th for the news release and the draft of the website.

The Board will review procedures for project review and project procurement and consider ways to promote the application process. One such procedure may be that applicants must submit their proposals by December 15th. Another procedure may be that proposals will be opened by the Board, and those submitted to the Board would be reviewed. The Board would then have the proponents attend the Board meeting to answer any questions from the Board. Finally, the Board would convene to vote on the project.

The Chair set the next meeting for September 12th from 3:30 to 4:30.

The Chair announced the meeting is adjourned.