Lakefront Group Meeting May 28, 2015

The meeting opened at 7 pm with no topics on the agenda other than the election of the Lakefront Board of Directors. The nominees were:

Greg Baeppler Dick Baker Tony Yankel

Bob Bunsey Michael Prout

Vitas Cyvas Nancy Plymale

Kent Kemmerer Richard Rennell

Gina Lambert Ken Tatter

There were no other nominations and this slate was elected by acclamation.

Meeting adjourned at 710 pm.

A report was given regarding the lawsuit that was filed by the Lakefront Group regarding water front property rights that the Ohio DNR claims that water front property belongs to the State of Ohio and regulated by the Ohio DNR. A ruling was issued by Judge, Lucci and ruled in favor of the Lakefront Group. The ruling was handed down in September 2012. The ruling was appealed and the Appeals Court also ruled in favor of the Lakefront Group in April 2014. Attorney General, Mike DeWine has dropped out of the case.

The ruling was:

* Return the paid lease fees to the property owners for the last 12 years.
* Void all land leases.
* Notices are to be provided by local governments.
* Defined the natural shoreline.
* Same class certifying, all persons on the lake. Prevailing parties.
* Pay all attorney fees.
* Change the property owners’ deeds.
* Compensate the property owners for land that was taken by the DNR over the last 10 to 20 years

All shoreline property in the State of Ohio is private property belonging to the land owner. The definition of the natural shoreline was: “If your feet are not wet, you are trespassing on private property”. The ODNR continues to send lease bills to property owners of beach front property while the judge rules that this beach front property belongs to the property owners.

1

To date there have been no returned lease fees to the lakeshore property owners, either being Lake Erie or any other in-land lakes. The Lakefront Group so far has spent approximately between ¾ to 1 million dollars. There are 14, 000 land owners affected by this action by the ODNR.

In Michigan, property owners have no exclusive rights to beach property and cannot claim that a person is trespassing.

5th Amendment rights to the US Constitution are being eroded where the government is claiming and taking private property.

*Discussion on Algae*

A presentation was given by Dr. Jeff Reutter on the current state of Lake Erie.

* Lake Eris is 9,906 square miles and is the 11th largest lake in the country.
* 80% of the lakes water comes from the northern lakes through the Detroit River.

The major problem with Lake Erie is the Maumee River and the phosphorus and other nutrients that come out of the river.

Water that flows into the western basin stays there for approximately 50 days before it flushes out. If the nutrients are stopped from being washed down the Maumee River, then the algae problem can be fixed quickly. The western basin is shallow and the bottom of the lake loses oxygen because of the phosphorus and other nutrients. There are 4 major toxins that are created by the algae and one of the most dangerous id the Microsystin that caused the water crisis of August 2014. The World Health Organization recommends that if the water contains

1 part of Microsystin per billion, do not drink the water. In August 2014, Toledo water was 3 parts per billion.

Since 1971 phosphorus has been reduced out of the Maumee River from 29,000 Metric Tons to 11,000 Metric Tons. Recent studies have seen the amount of phosphorus up 144%. Of all of the phosphorus used on farms, science has determined that the crops need only 25% of what is actually put down on the land. There is 4.2 million acres of agricultural land that feeds into the Maumee River.

3 to 8% of the pollution that cause toxins are from sewage treatment plants. In the year 2000 the blooms returned to the western basin and in 2011 it was the worst year in history for algae blooms in Lake Eris. On July 9th 2015 the forecast will come out as to the rating of algae that will be produced in Lake Erie this year. The prediction is that, on a scale of 1 to 10, 2015 should be a 4.

2

The years 2010 was a 10 and 2014 was a 6. The reason for the lower rating this year is because there was a lower discharge of water flowing from the Maumee River this spring.

There is a direct correlation between wet springs that discharge a lot of water and years that the spring time is drier and not as much phosphorus and other nutrients are discharged into Lake Eris Western Basin. Dr. Reutter says that a 40% reduction of phosphorus will eliminate algae blooms. Ohio State University is working with farm organizations and other to educate people on this problem and is making some head-way.

Other information as to where the pollutants are discharged from, are the Temms River, Detroit River, Maumee River and the Cuyahoga River. The Detroit Sewage Plant excretes somewhere between 200 to 500 tons annually and the Toledo Sewage Treatment Plant discharges approximately 60 tons annually. Dr. Reutter says that these plants are not a major cause of pollution in contrast as to what the general public believes.

A question was asked of Dr. Reutter about Zebra Mussels and their role in the phosphorus problem. The Zebra Mussels do eat the algae and then release the phosphorus back into the lake.

Dr. Jeff Reutter’s contact information is:

Reutter./@osu.edu

StoneLab.osu.edu

OhioSeaGrant.osu.edu

Respectfully submitted,

Phil LaCourse

P/C CCYC 2014

3