

**IDNR Lake Michigan Coastal Program
Coastal Advisory Board Meeting – 1st Meeting of New Session of CAB
April 18, 2007 6:15 PM
Draft Minutes**

Mike Molnar, LMCP Program Manager, opened meeting and welcomed all who attended.

ATTENDANCE

Board Members and interested parties: Dave Pilz, Jeff Jones, Gerry Hodges, Bruce Woods, Laurie Eberhardt, Kevin Breitzke, Ben Lawrence, Betty Lou Nault, Leslie Dorworth, Gene Matzat, Kay Nelson, Paul Davis, Becky Fox, Charlotte Read, Hank Bliss, Liz McCloskey, Frank Seilheimer, Bob Daum, Tim Frame, Dorreen Carey, Jim Smith, Steve West, Tom Henderson, Stephen Mosher – other attendees were inaudible.

Lake Michigan Coastal Staff present: Mike Molnar (LMCP Program Director), Jenny Orsburn (LMCP Program Specialist), Joe Exl (LMCP Coastal Nonpoint Coordinator), Susan Melnyk (Special Projects Coordinator)

OLD BUSINESS

CELCP Update:

Mike Molnar provided this update. CELCP – Coastal Estuarine Land Conservation Program – no money update. Should hear more on the Presidential budget request soon.

COASTAL 101

History of CZM:

Mike Molnar provided this update. Indiana received initial funding to partially support the planning and development of a coastal management program in the 1970s. In the 1980's, Indiana's participation in the federal program ended when H.B. 2047 was not enacted by the Indiana legislature. In the 1990's Indiana was regrouped into the CZM. In August 2002, the plan was pushed through and has been developing continuously and adding new Federal components. The basic key phrases of the program are planning, managing partnerships, and existing. This is a networked program as LMCP coordinates with other agencies and personnel that are not LMCP personnel. The focus is natural area protection. As the program develops, the focus is being directed also to historical and cultural resources, prevent nonpoint pollution, and improve government coordination and the low-priority of suburban waterfronts (because Indiana just doesn't have suburban waterfronts as other cities do).

Federal Consistency:

Mike Molnar provided this update. Federal consistency provides a state and local government with a seat at the federal table. The requirement promotes coordination, cooperation, and effective application of state coastal policies. Certain Federal actions that affect any land or water use or natural resource of a state's coastal zone must be consistent with the State's federally approved coastal program.

Section 309 of the Coastal Zone Management Act (CZMA):

Mike Molnar provided this update. Section 309 establishes a voluntary grants program to encourage states and territories with approved programs to develop program enhancements in one or more of nine areas. The program is self-assessed every 5 years and implements program changes for 2 years. 309 Enhancements were established at the Federal level, is match-free, and assessed as the program progress and development of strategy. Section 309 Goals: 1) Improve the information available to the state regarding public access in the coastal area. This is being done by A) working with division of Outdoor Recreation (data driven) B) improving the public access management plan C) working with local partners to circulate. Goal 2) Conducting an inventory of coastal wetlands – urban updates are available only at this time.

Section 306/ 306A

Mike Molnar provided this update. Section 306/ 306A is the money used for grants, administrative components, etc. since 2003 (it is the “base-funding”). In 2007 the program took a big hit as Congress did not pass the budget at the Federal level. Instead Congress decided on a continued resolution based on the 2006 funding levels and left it up to the agencies to develop a spend plan. But, the program took a hit due to administrative costs rising as the cost of living, health care, etc. rose. \$138k was lost in 2007.

CAB:

Mike Molnar provided this update. CAB (Coastal Advisory Board) Members are the linkage between the LMCP and the community. It is up to the CAB to pass information from the community onto the Program and vice versa. The CAB consists of 19 voting members and 8 ex-officio (non-voting) members. The Board assists in setting priorities for funding and adds their input. In July of 2007 there will be a public forum for grants. Board members are to be active participants with public involvement. Any administrative rules, statutes, laws, information that the Board brings forward is shared with the DNR Director, who oversees the Program. LMCP is the courier for the Stakeholder’s representation as each Member represents a group. Committee Chairs report back to the entire Board as there are 4 standing committees within the Board. The 4 committees are: Education and Outreach, Grants, Nonpoint Pollution and Coastal Community Development, and CELCP (or coastal areas of significance. There are 3 CAB Officers: the Chair (ensures the effective action of the CAB), Vice-Chair (assists the Chair in Board operations), and Secretary (serves as expert on procedural and policy issues). Today will be nominations and voting on 3 new Officers.

GRANTS 101

Overview:

Jenny Orsburn provided overview. Program began in 2003 with 14 projects totaling \$680k. The 2003 grants have been closed out. In 2004 the program funded 13 projects totaling \$614k and is set to close in July of 2007. 2005 and 2006 are currently active grant cycles. However there are now 9 projects for 2005, totaling \$510k and 14 projects for 2006, totaling \$675k. The 2007 projects are currently pending NOAA’s approval.

However, there are 17 projects totaling \$720k. 80% of the Federal Award is set aside for pass-through grants.

Grant Process:

Jenny Orsburn provided overview. The purpose of the program is to preserve, protect, restore, and where possible to develop the resources of the coastal area. The 4 project types are A) Low Cost Construction, B) Acquisition, C) Education and Outreach, and D) Planning/ Coordination/ Management. Low cost construction projects are those that are earth-moving type projects. Acquisitions are obtaining land, education and outreach projects are to connect the public with resources, and planning are coordinating projects. The Coastal Program can only fund non-profits with educational outreach and planning programs, but do partner with non-profits for low-cost construction projects. However, the Coastal Program does not fund private companies or other Federal Agencies. There is a 1:1 match rate and the maximum allocation of the grant funding is as follows per project: Low Cost Construction, \$100,000; Land Acquisition, \$150,000; Planning/ Outreach, \$5,000.

Timeline:

Jenny Orsburn provided overview. The grant process is a year long process beginning in July of each year with the Public Input Meeting that is conducted to assist in prioritizing the public's most important issues. The Coastal Advisory Board (CAB) then votes via email on the priorities. Grant workshops are held then pre-proposals are submitted. CAB then meets again to vote on the pre-proposals sending the selections to the Technical Team for review. The Technical Team consists of IDEM and DNR representatives. In February the selections are announced and followed by being submitted for Section 106 and Environmental Review. Finally in July, NOAA will release the Grant Funds. Each project has an 18 month completion deadline.

Pre-Proposal Process:

Jenny Orsburn provided overview. This is a new process, implemented in 2006, to assist applicants with their submissions. Jenny Orsburn works directly with applicants to ensure that Federal requirements are met and reduce the applicant's time spent on creating the actual pre-proposal. The end product is a 2 page pre-proposal to be submitted to the Coastal Advisory Board (CAB).

Projects Funded – Award Winning Projects:

Jenny Orsburn provided overview.

* The Dunes Creek Daylighting project was a restoration project inside the Dunes State Park. The parking lot was removed and thus daylighting the creek. A trail was also added and in 2006 the project was acknowledged as the recipient of the "Award of Excellence" by the National Association of Conservation Engineers (NACE).

* The Indiana Coastal Action Team was created as an educational outreach program by Save the Dunes. This program provided their staff restoration training for herbicide application and prescribed fire training, to name a few. This program was the recipient of the 2006 Governor's Award for Environmental Excellence in Education and Outreach.

* The Marquette Plan, a project aimed at creating a livable lakefront from the Indiana/Illinois state line to Portage was awarded the Merit Award for Planning by the Illinois Chapter of American Society of Landscape Architects. Another vision of this plan is to create a livable lakefront in Indiana to the Michigan state line while tackling the challenges that the project will entail. This has merged together partnership efforts of the Greenways and Water Trails project, LaPorte County's Comprehensive Land Development Plan, and the Highway 12/20 Corridor Plan.

* Brennan Woods was a 130 acre land acquisition project by the Portage Parks and Recreation Department. This project was partnered by Indiana Heritage Trust, Seller donation, Shirley Heinze Land Trust donation, Portage Parks Foundation donation, and Portage Parks Department funds. The project created Salt Creek corridor buffer, wetland protection, and passive recreational opportunities.

NONPOINT 101

Nonpoint Source Pollution:

Joe Exl provided overview. Nonpoint Source Pollution is generated as rain or snow move over the landscape and pick-up pollutants from various land use practices such as industrial discharge and salting the roads. Marinas and recreational boating also play a factor.

Watershed:

Joe Exl provided overview. A watershed is an area of land that drains into a single point (ex. a lake, stream, or river).

6217 Program:

Joe Exl provided overview. The 6217 Program is a Nonpoint Source Pollution Control Program that addresses water quality and habitat impairments of coastal waters while strengthening the links between existing state and federal programs to enhance efforts (or "communication"). This is also a required component for state coastal programs.

6217 Program Categories:

Joe Exl provided overview. The broad categories for the 6217 Program are:

- A) Agriculture – deals with irrigation, erosion control, nutrients, pesticides, runoff from animal facilities, and grazing
- B) Forestry – logging
- C) Urban/ Rural Areas – new and existing development, septic systems (try to get regular inspections), and how to prevent pollutants from new development from destroying the wetlands
- D) Marinas and Recreational Boating – work with marinas and boaters to reduce nonpoint pollution by working with marinas on better design plans, education, and storm water runoff
- E) Hydromodification – extreme bank and shoreline erosion, habitat restoration projects, improve fish passage (Ex: dams)
- F) Wetlands, Riparian Areas, and Vegetative Treatment Systems (VTS) – protect and restore wetlands and riparian areas, engineer sites for runoff and create wetlands for VTS - Dunes Creek Daylighting project is an example of a restored area

How to Implement 6217:

Joe Exl provided overview. Though there is little funding, the program is very creative in budgeting and obtaining funds with some guidance by NOAA. One program is the *Indiana Clean Marina Program* that is partnering with IDEM and Sea Grant to create a volunteer program to implement Better Management Practices (BMP's) through education and outreach. There are also *Coastal Community Planning and Development Workshops* that are a tool in which to educate communities of the developments occurring in their backyards. The *Hoosier Riverwatch Workshops* raise public awareness, promote volunteerism, and provides watershed monitoring education. The *CAB's Nonpoint Committee* is a vision of a formed committee for community needs in which watershed management issues are addressed.

Coastal Nonpoint Pollution Control Program (6217) Document:

Joe Exl provided overview. This document is available online and a link can be found on the LMCP website. It is thick, but informative and worth everyone should look over it whenever you find the time.

COASTAL and ESTUARINE LAND CONSERVATION PROGRAM (CELCP)

Susan Melnyk provided overview. CELCP is a land acquisition/ conservation program. It is a NOAA initiative program that in order to participate in CELCP states have to put together a plan that identifies the states priorities for land conservation. The CELCP plan is put together by a public technical workgroup, current partners of the program, and sent to NOAA. The CELCP boundaries are also determined by the public technical workgroup. These boundaries are also the LMCP boundaries.

Newsletter:

Susan Melnyk provided overview. "Shorelines" is the Lake Michigan Coastal Program's newsletter. It is published quarterly and can be found on the LMCP website. The newsletter was created to be used as an outreach tool.

2007 COAST WEEK INFORMATION

Mike Molnar provided overview. Coast week is designed to highlight coastal resources in the region. Joe Exl is working on offering a workshop in the Coastal Services Center. The big attraction is going to be that the Denis Sullivan Sail boat is going to be brought in and available for free sails in the harbor. This will also mark the 200th Anniversary of NOAA as well as LMCP's 5th Anniversary.

Ecosystems Poster:

Mike Molnar provided overview. The poster is given away to those who would like one. Round 2 of the ecosystems poster is now in process. The round 2 poster is set to be revealed this summer.

Sign Design Contest:

Mike Molnar provided overview. The winning sign design for this contest has been

selected. The target date to reveal the winning design and get the actual sign into the ground is late May or early June.

QUESTIONS

There were a few questions asked during this session. One question was regarding Federal Consistency and the National Environmental Policy Act. However, the question asked was not audible. Another question regarded the wetland program document law changes. This question too was inaudible.

CAB CHAIR NOMINATIONS

Mike Molnar provided overview. Officers within the board are nominated and elected for a 1 (one) year term. The term will begin this evening and run through April 2008. Officers are able to hold the same position (Chair, Vice-Chair, and Secretary) for no more than 2 terms and Officers cannot hold other positions. Board member terms are 2 years. The duty of the chair includes running the CAB meetings. Since tonight's meeting was informative meeting, it was run by the LMCP staff.

Nominations:

*Dorreen Carey was nominated to become the new Chair as she was the Vice-Chair for 2 (two) years. The nomination received a second motion and Dorreen accepted the position.

*Dave Pilz was nominated for Vice-Chair. The nomination received a second motion and Dave accepted the position.

*Paul Labus was nominated for Secretary. The nomination received a second motion and Paul accepted the position.

NATURAL RESOURCES DAMAGE ASSESSMENT BOARD

Carl Woodrich provided overview. Carl was previously employed by IDEM and is with the DNR as a Program Director.

Public Trust Doctrine:

Carl Woodrich provided overview. The Public Trust Doctrine is a body of law which reads in English as a common law which proves that state public lands, living resources, are held in trust for the benefit of the citizens of the state.

Natural Land Trustees:

Carl Woodrich provided overview. The Natural Land Trustees are liable for any unlawful participation of funds and for failure to protect the trust. Legislative mandates for the trustees for natural resource damages are the Clean Water Act, The Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), and the Oil Pollution Act (OPA). Trustees are the Secretariats of Agriculture, Commerce, Defense, Energy, and the Interior. Indiana's state trustees were designated by the Governor of Indiana. Other states do have tribal trustees as well. Indiana, however, does not have any.

Mission:

Carl Woodrich provided overview. The mission of the Public Trust Doctrine's Trustees is to protect and restore resources that are injured by any hazardous substance releases and to compensate the public for any lost surfaces of those natural resources that they provided to the public.

Information:

Carl Woodrich provided overview. CERCLA and OPA provide the authority for the trustees to respond to any injuries to natural resources and allow that damages can be recovered by the trustees. Natural resource damages are not a civil or criminal penalty, they're actual damage claims. The main goals are: A) restoration, B) Compensate the public for losses, and C) Create new resources.

ANNOUNCEMENTS

Next CAB meeting: July 18, 2007 will be held in Michigan City and this is a Public Forum meeting as it is the Priority Input Session for the 2008 grant cycle.

Project Design and Evaluation Workshop: seats up to 30 people and only has 7 slots left.

At Purdue University on April 26, 2007, an energy efficiency forum is taking place. It is veered towards businesses to look for efficiency solutions.

Meeting adjourned