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LAKE ERIE
CHARTER BOAT
ASSOCIATION



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Anglers and conservationists call for the state to stop the Bayshore coal plant from killing billions of fish in Maumee Bay each year

Groups want the Ohio EPA and Ohio DNR to require utility giant FirstEnergy to install modern cooling towers and to regulate the facility as any angler or commercial fisherman who exceeds their daily catch limit

A group of anglers and conservationists are calling on the state to require FirstEnergy, one of the nation's largest electric companies, to:

- dramatically reduce the number of fish killed each year at its Bayshore Power Plant, located at the mouth of the Maumee River and Maumee Bay near Toledo, Ohio; and
- compensate the citizens of Ohio for every fish killed over the legally allowed amount, just like a polluter would have to pay for a massive fish kill or a sport angler or commercial fisherman would have to pay for exceeding their daily catch limit.

The Western Lake Erie WATERKEEPER Association, Lake Erie Charter Boat Association, Ohio Environmental Council, and Natural Resources Defense Council charge that the state should use its legal authority to require FirstEnergy to install cooling towers that can reduce fish kills by 95% or more and reimburse the citizens of Ohio for the lost fish.

"Any sport fisherman caught fishing without a license or taking more than six walleye or 25 perch per day are subject to a stiff fine," said Sandy Bihn, Director of the Western Lake Erie WATERKEEPER Association. "But somehow, FirstEnergy gets away with killing millions of fish each year at its Bayshore power plant. It pays nothing and does next to nothing to reduce the kills. It won't stop until the State of Ohio makes it stop."

The Bayshore power plant is a prodigious fish killing machine. According to a 2008 Ohio EPA briefing paper delivered to its director, Chris Korleski, Bayshore "probably impinges and entrains more organisms than all of the other power plants in Ohio combined." A [recent analysis](#) conducted for the Ohio EPA by a private consultant, Tetra Tech Inc., estimates that the Bayshore power plant:

- Kills more than 46 million fish per year when fish are slammed and caught (called impingement) against its cooling water system screens; and
- Kills more than 14 million juvenile fish and more than 2 billion fish in their larval form when they pass through the water intake screens and through equipment inside the power plant (called entrainment), during the 2005-2006 sampling period.
- On average, kills 126,000 fish a day by being caught on the screens and 6 million a day of fish that pass through the screens.

The power plant, located just east of Toledo on the Lake Erie coast in the adjoining town of Oregon, has operated for 55 years. The facility currently is testing reverse louvers to reduce the number of fish killed annually, but Ohio EPA's [own consultant](#) has found that louvers would not be effective and eliminated them from further consideration.

"Cooling towers can dramatically reduce the number of fish killed each year by 95%, as well as address the Bayshore plant's violations of thermal discharge standards," said Shannon Fisk, Staff Attorney in the Midwest Office of the Natural Resources Defense Council. "The science is clear that Bayshore's water intake and thermal discharges are severely impacting fisheries in Maumee Bay, and the law is clear that Ohio EPA must require cooling towers if the Bayshore plant is going to continue to operate."

The Bayshore coal plant is not only subject to Section 316 of the Clean Water Act, but also must meet water quality standards and numeric criteria for temperature applicable to discharges to Maumee Bay under the Ohio Administrative Code. In addition, under Ohio law, the public owns the fish in Lake Erie and it is unlawful to "take in any manner...any number or quantity of wild animals" without a license.

"We caution that the cost of best available technology should not be shifted to the utility giant's ratepayers," said Kristy Meyer, Director of Agricultural and Clean Water Programs for the Ohio Environmental Council. "For 55 years, the ratepayers have been footing the bill for this failed technology. To add insult to injury, consumers even have to pay to restock certain prized fish. It's time that FirstEnergy be held accountable and require its shareholders to reimburse the citizens of Ohio for the billions of fish killed each year. Since when is a robbery victim forced to reimburse the robber? Let the shareholders shoulder the burden of installing cooling towers, not the captive ratepayers."

The power plant is located near where the Maumee River meets the Maumee Bay, one of the most ecologically sensitive and biologically productive areas in the Great Lakes region. The Maumee River is Lake Erie's largest tributary and an important spawning area for walleye.

"As one who makes his living off our Great Lake's bounty, I can personally vouch that the western Lake Erie basin truly is the walleye capital of the world," said Paul Pacholski, Vice-President of the Lake Erie Charter Boat Association. "Each year the state of Ohio gains more than \$800 million from recreational fishing. Our fish are just too valuable of a resource to allow them to continue to meet an early, watery grave."

The Ohio EPA has scheduled a public hearing tomorrow evening, April 22nd, in Oregon, Ohio where the public can make their views heard on the proposed renewal of the Bayshore coal plant's Clean Water Act permit. The public hearing is set for 6:30 pm at the Clay High School Auditorium, 5665 Seaman Road in Oregon, Ohio.

The Ohio EPA is also accepting written comments on the proposed permit renewal until May 29, 2010.

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The mission of the Western Lake Erie Waterkeeper Association (www.westernlakeerie.org) is to preserve, protect, and improve the watershed, waters, and fish of Western Lake Erie, the Great Lakes' warmest, shallowest, most biologically productive area, and to increase public awareness through collaboration, education and advocacy.

The mission of the Lake Erie Charter Boat Association (www.lecba.org) is to encourage and promote sound fisheries management in Lake Erie. Advance the charter boat industry, promote a sportsmanlike conduct, create a better working relationship between the association and the sport fishing public. Provide methods for improved boating and fishing technique and a means of working towards these goals.

The Natural Resources Defense Council (www.nrdc.org) is a national, nonprofit organization of scientists, lawyers and environmental specialists dedicated to protecting public health and the environment. Founded in 1970, NRDC has 1.2 million members and online activists, served from offices in New York, Washington, Chicago, Los Angeles, San Francisco and Beijing.

The mission of the Ohio Environmental Council (www.theOEC.org) is to secure healthy air, land, and water for all who call Ohio home. The OEC is Ohio's leading advocate for fresh air, clean water, and sustainable land use. The OEC has a 40-year history of innovation, pragmatism, and success. Using legislative initiatives, legal action, scientific principles, and statewide partnerships, the OEC secures a healthier environment for Ohio's families and communities.