

Resolution No. 025 - 2016

**Resolution Requesting The State Of Ohio And USEPA To
Designate The Western Basin Of Lake Erie As Impaired**

Whereas, the Cities of Oregon and Toledo, Carroll Township, Ottawa County and others commendably tested and treated for harmful algae related toxins to protect public health before there were any regulatory requirements for them to do so, and

Whereas, western Lake Erie communities are investing millions of dollars in chemicals and equipment to treat and test for the toxins coming from Western Lake Erie harmful algae blooms, with these significant costs borne by the water customers and state, local and federal taxpayers, and

Whereas, the open waters in the western Lake Erie watershed are the source of the harmful algae related microcystin toxins that have entered public drinking water intakes in the region, and

Whereas, a measurable and accountable Western Lake Erie Harmful Algae reduction plan to reduce harmful algae sources is outlined in the Clean Water Act, and begins with the designation of the western Lake Erie watershed as impaired, and

Whereas, the goal of the Clean Water Act (CWA) is "to restore and maintain the chemical, physical, and biological integrity of the nation's waters." The USEPA lists 43,000 waters in the United States as impaired under the Clean Water Act 303d list. The State of Ohio lists 273 waters impaired including 289 miles of Lake Erie shoreline (nearshore) and the nearshore waters to the Oregon and Toledo public drinking water intakes, but fails to include the open western Lake Erie source watershed, and

Whereas, the Clean Water Act requires states to submit a biennial assessment of their waters. The next report from Ohio to USEPA is due in 2016, and

Whereas, the designation of western Lake Erie watershed as impaired will trigger a Total Maximum Daily Load(TMDL) report, which will identify nutrient sources and amounts followed by a federal, state, local government and other stakeholder Implementation Plan that will publicly report nutrient reduction progress or the lack thereof annually or biennially.

City of Oregon, Ohio, 5330 Seaman Road, Oregon, OH 43616-2633

Now, Therefore, Be It Resolved By The Council Of The City Of Oregon, Ohio, That:

Section 1. That the City of Oregon requests the State of Ohio and the United States Environmental Protection Agency to declare the Western Lake Erie watershed to be impaired under Section 303(d) of the Clean Water Act.

Section 2. That this Resolution shall be in force and effect at the earliest date allowed by law.

Section 3. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were adopted in an open meeting of this Council and that all deliberations of this Council and its committees that resulted in such formal actions, were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Revised Code of Ohio and that the reading and adoption of this Resolution complies with the provisions of Article III, Section 9 of the City Charter, as amended.

Vote on Passage

Yeas 7 Nays 0 Abs. 0

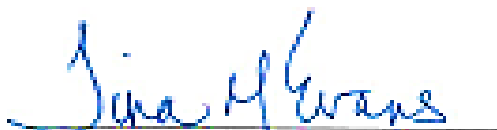
Passed this 22nd day of February, 2016

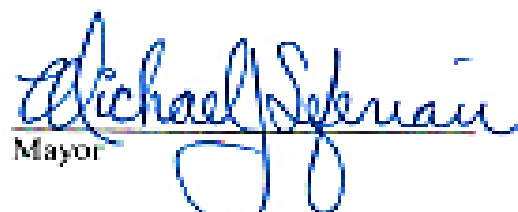
~~Failed this xxxxxx day of xxxxxx, 2016~~


Council President

Attest:

Approved:


Clerk of Council


Mayor

Resolution
~~025-2016~~
Ordinance No. 025-2016 Item No. 025-2016