

RESOLUTION NO. 010-21R

A RESOLUTION REQUESTING THE PRESIDENT OF THE UNITED STATES OF AMERICA, JOE BIDEN, TO SIGN AN EXECUTIVE ORDER FOR FEDERAL MANAGEMENT TO REDUCE TOXIC HARMFUL ALGAE BLOOMS THAT ARE COSTLY FOR MUNICIPAL WATER TREATMENT PLANTS AND RESULT IN ECONOMIC HARM TO FISHING, BOATING, PROPERTY, RECREATIONAL, AND TOURIST-RELATED BUSINESSES; AND DECLARING THAT THIS RESOLUTION SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, Lake Erie is the 12th largest freshwater lake in the world, is the warmest and most biologically productive of all the Great Lakes, and is believed to have the most productive walleye fishery in the world; and

WHEREAS, Lake Erie is the source of drinking water for 11 million people; and

WHEREAS, Lake Erie is important to the economy with a potential estimated loss of \$123 million due to fewer anglers, more beach advisories and water- quality advisories, and greater water- plant operating costs; and

WHEREAS, after the Clean Water Act was passed, Lake Erie's water quality improved and was a great success story due to the return of walleye, yellow perch and water quality; and

WHEREAS, in the late 1990s, the green slime reappeared in Lake Erie with substantial blooms in the early 2000s and subsequent increases, resulting in the 2007 creation of the Ohio Lake Erie Phosphorus Task Force One, ordered by Ohio Gov. Ted Strickland (Democrat), which was followed by the 2011 creation of the Ohio Phosphorus Task Force Two established by John Kasich (Republican), which produced a 2013 report, *Great Lakes Water Quality Agreement in 2012 Annex Four Nutrients*, calling for a 40% reduction in phosphorus by 2025, as well as the *Lake Erie Collaborative Agreement*, signed by Ohio, Michigan, and Ontario for half the needed 40% reduction in phosphorus by 2020 (which was not met), as well as the *Ohio Nutrient Mass Balance Report* in 2016 and 2020; and

WHEREAS, more than \$2 billion has been spent on programs primarily for farmers to incorporate Best Management Practices designed to reduce phosphorus and the resulting harmful algal blooms, programs that have not, however, shown reduced phosphorus discharges to Lake Erie as of the end of 2020; and

WHEREAS, in 2014, more than 500,000 people who received drinking water from the City of Toledo water plant were ordered not to drink the water because the harmful algae produced toxic microcystin in the treated water, and since then there have been reports of dog deaths and of people getting ill from contact with the harmful algae; and

WHEREAS, Lake Erie watershed cities have invested billions of dollars for infrastructure to prevent sewage overflows into Lake Erie, have reduced

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phosphorus discharge, and are now investing millions more to monitor, treat, and pay capital costs to eliminate microcystyn from drinking water; and

WHEREAS, the only nutrient reduction that has aided a U.S. watershed was via the Chesapeake Bay Executive Order signed on May 22, 2009 by President Obama, May 22, 2009 which has resulted in a return of oysters and crabs and;

WHEREAS, the federal government has significant investments in many public lands in the Lake Erie watershed including the Ottawa Wildlife Refuge and Point Mouillee, West Sister Island, whose ecosystems are at risk from harmful algal toxins;

WHEREAS, this Resolution should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter in order to immediately send certified copies of the Resolution to the President of the United States and appropriate Ohio legislators and in hopes of reducing harmful algae blooms in Lake Erie resulting in economic adversities; and

WHEREAS, in that it is deemed necessary in order to provide for the immediate preservation of the public peace, property, health, and safety of the City of Sandusky, Ohio, and its citizens, and to provide for the efficient daily operation of the Municipal Departments of the City of Sandusky, Ohio, the City Commission of the City of Sandusky, Ohio, finds that an emergency exists regarding the aforesaid, and that it is advisable that this **Resolution** be declared an emergency measure which will take immediate effect in accordance with Section 14 of the City Charter upon its adoption; and NOW, THEREFORE

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF SANDUSKY, OHIO, THAT:

Section 1. This City Commission requests the President of the United States of American, Joe Biden, to sign an Executor Order, for the federal government to lead and coordinate with states and local governments an accountable phosphorus reduction plan to help reduce costs to local government as well as economic harm to fishing, boating, swimming, property, and tourism caused by the toxin-producing harmful algae, substantially in the same form as attached to this Ordinance, marked Exhibit "A", and specifically incorporated as if fully rewritten herein.

Section 2. The Clerk of this City Commission is hereby directed to provide a certified copy of this Resolution to the President of the United States of America, Joe Biden, United States Senators Sherrod Brown and Rob Portman, and United States Representative Marcy Kaptur.

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Section 3. If any section, phrase, sentence, or portion of this Resolution is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

Section 4. This City Commission finds and determines that all formal actions of this City Commission concerning and relating to the passage of this Resolution were taken in an open meeting of this City Commission and that all deliberations of this City Commission and of any of its committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

Section 5. That for the reasons set forth in the preamble hereto, this Resolution is hereby declared to be an emergency measure which shall take immediate effect in accordance with Section 14 of the City Charter after its adoption and due authentication by the President and the Clerk of the City Commission of the City of Sandusky, Ohio.



RICHARD R. BRADY
PRESIDENT OF THE CITY COMMISSION



ATTEST: _____
MCKENZIE E. SPRIGGS
CLERK OF THE CITY COMMISSION

Passed: March 22, 2021