

As Introduced

**132nd General Assembly
Regular Session
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H. C. R. No. 25

Representatives Fedor, Sheehy

**Cosponsors: Representatives Lepore-Hagan, Patterson, Smith, K., Howse, Kent,
West, Antonio**

A C O N C U R R E N T R E S O L U T I O N

To urge the Administrator of the United States 1
Environmental Protection Agency to declare the open 2
waters of Western Lake Erie as impaired pursuant to 3
the federal Clean Water Act. 4

**BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF
OHIO (THE SENATE CONCURRING):**

WHEREAS, The federal Clean Water Act requires each state to 5
assess and identify waters within its boundaries that fail to 6
meet the state's water quality standards and submit a list of 7
impaired waters to the United States Environmental Protection 8
Agency (USEPA); and 9

WHEREAS, Ohio Environmental Protection Agency (OEPA) 10
submitted a list of impaired waters to USEPA that did not 11
include the open waters of Lake Erie's Western Basin, declining 12
to evaluate whether those waters met water quality standards 13
despite the fact that toxic algal blooms have occurred in the 14
open waters of Lake Erie and are reasonably likely to continue; 15
and 16

WHEREAS, Michigan's Department of Environmental Quality 17
included the open waters of Lake Erie within Michigan's 18

jurisdiction on its list of impaired waters that it submitted to 19
USEPA, and USEPA approved that list; and 20

WHEREAS, Lake Erie is facing a water quality crisis and has 21
been plagued by pollution, including phosphorous pollution from 22
manure, commercial fertilizer, sewage plants, septic systems, 23
and other sources that harm Lake Erie's water quality and 24
produce serious adverse conditions, rendering it unsafe for 25
recreation and for use as drinking water; and 26

WHEREAS, One such serious adverse condition includes the 27
growth of algal blooms that produce toxins that can make people 28
seriously ill and sicken and kill domestic animals and aquatic 29
life, lower the value of properties belonging to citizens and 30
businesses along the lakeshore, negatively impact sport 31
fisheries, and greatly reduce Lake Erie's potential as an 32
attractive tourist destination; and 33

WHEREAS, USEPA regulations require states to assemble and 34
evaluate all existing and readily available water quality 35
related data and information; and 36

WHEREAS, Despite these regulations and OEPA's knowledge 37
that harmful algal blooms have impaired the water quality of 38
Lake Erie's open waters in the Western Basin, OEPA did not 39
include these waters in its list of impaired waters; now 40
therefore be it 41

RESOLVED, That we, the members of the 132nd General 42
Assembly of the State of Ohio, urge the Administrator of the 43
USEPA to declare the Western Basin of Lake Erie impaired 44
pursuant to the federal Clean Water Act; and be it further 45

RESOLVED, That the Clerk of the House of Representatives 46
transmit duly authenticated copies of this resolution to the 47
Director of OEPA, the Administrator of USEPA, the Ohio 48
Congressional delegation, the news media of Ohio, and all wire 49

services available through the Ohio State House.