



September 25, 2017

Mr. Karl Gebhardt, Executive Director
Ohio Lake Erie Commission
P.O. Box 1049,
Columbus, OH 43216

Dear Mr. Gebhardt,

Thank you for the opportunity to comment on State of Ohio's Draft Domestic Action Plan (DAP). These comments are submitted on behalf of the Great Lakes and St. Lawrence Cities Initiative (Cities Initiative), a coalition of over 130 mayors and municipal leaders representing over 17 million people in the Great Lakes and St. Lawrence basin. The Cities Initiative has been involved in finding solutions to the problem of phosphorus loadings entering the Western Basin of Lake Erie, specifically in relation to public drinking water. The Cities Initiative serves on the Annex 4 subcommittee that developed the Lake Erie phosphorus reduction targets adopted by the parties to the Great Lakes Water Quality Agreement.

The Domestic Action Plans are an opportunity for each jurisdiction to be on the record not only with the parties to the Great Lakes Water Quality Agreement, but also with all stakeholders and the public. In general, we encourage the State of Ohio to continue working in collaboration with regional stakeholders around Lake Erie, focus on tangible nutrient reduction actions, continue improving monitoring and finally, communicating with all stakeholders over the actions and the positive results in nutrient reduction that will come out of the implementation of the Domestic Action Plan. To this extent, the Cities Initiative presents further comments and recommendations below.

Cities Initiative mayors all around Lake Erie are available to partner with the State of Ohio to ensure the health of Lake Erie, the safety of its water for drinking, swimming and fishing and the economic well-being of industry and agriculture in the region.

Most sincerely,

John Dickert, President and CEO
Great Lakes and St. Lawrence Cities Initiative



State of Ohio's Draft Domestic Action Plan

Public Comments and Recommendations

Prepared by: The Great Lakes and St. Lawrence Cities Initiative
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Comments and Recommendations

The Great Lakes and St. Lawrence Cities Initiative commends the State of Ohio for its understanding of the importance of monitoring phosphorus loads and the steps taken to bolster monitoring as detailed in the draft Domestic Action Plan (DAP). Monitoring and reporting will be of the utmost importance to justify the investments and efforts put forward by all stakeholders to achieve the necessary 40 percent reduction in phosphorus load to the Western Basin of Lake Erie.

The presentation of the draft DAP with clear responsibilities for each agency helps to understand the plan and track different actions and responsible parties. The Cities Initiative is pleased to see that the draft DAP could be used as a document for stakeholders wanting to understand the State of Ohio's efforts in phosphorus reduction. Using the Ohio Lake Erie Commission to coordinate the DAP is the right model as its commissioners represent a variety of agencies and stakeholders. With the right emphasis on implementation, the DAP has the opportunity to lead to the right changes for the betterment of Lake Erie.

In order to ensure success for the actions listed in the DAP, it will be of utmost importance to ensure widespread application of best practices and solid monitoring to prove their effectiveness. This is the only way the necessary 40 percent reduction of phosphorus entering Lake Erie will be achieved. The DAP also needs to be the reference guide for stakeholders to track the progress being made and the practices and activities still to be implemented. The ErieStat platform will provide the data tracking capacity, but the DAP needs to be a reference guide for all stakeholders.

Recommendation 1: Use the *Table of Actions* currently listed in the supporting files as the main mode of communication in the final DAP for activities, responsible agencies, timelines, costs and sources of funding.

Recommendation 2: Include in the final DAP additional timelines for best practice/program implementation, additional estimated costs of such practices, and potential sources of funding.

Recommendation 3: In the final DAP, expand on how the activities currently not underway will be funded and implemented.

Since the August 2014 shutdown of the Toledo drinking water system due to the presence of microcystin in source waters as well as a similar situation affecting the drinking water system serving Pelee Island, Cities Initiative members have voiced a constant concern over nutrient pollution that affects their duty to provide clean and safe drinking water to their residents. As a response to the crisis, the Cities Initiative convened a summit to address the threat of harmful algal blooms (HABs) and microcystin to drinking water. During the summit, it was agreed that the Cities Initiative would seek to work with the agricultural sector to find tangible ways to reduce phosphorus entering Lake Erie.

Beginning in 2015, the Cities Initiative has worked with the Ontario Federation of Agriculture to develop the Thames River Phosphorus Reduction Collaborative (PRC) to reduce phosphorus loss from agricultural land and to identify treatment technologies that can remove phosphorus from agricultural runoff. The PRC has led to identification of best practices on land and in drainage schemes.

As a member of the Annex 4 committee, the Cities Initiative has seen firsthand the level of communication and synergy between the jurisdictions surrounding Lake Erie. This is an example for other inter-jurisdictional committees to emulate and all members of the committee, including the State of Ohio, need to be commended. This group represents a mine of information and practices that need to be used to find additional practices and policies that can help Ohio. Throughout each of these jurisdictions, academic research and NGO-led initiatives are being tested and implemented to help reduce phosphorus loads. A large majority of stakeholders are willing and able to help and the DAP is an opportunity to show how government, academia, NGOs, private enterprises, farmers and municipalities can work together towards a common goal.

Recommendation 4: In the final DAP, the State of Ohio should commit to using proven, efficient practices developed by NGOs and academia and ensure their application on the most relevant sources of phosphorus, including practices developed in Ontario identified through the Thames River PRC.

Working under a much stricter regulatory framework, municipalities operating a wastewater treatment plant are expected to comply with NPDES permit standards as point sources of effluent. Many treatment plants have invested massively in the recent years to comply with standards and now contribute a small fraction of the phosphorus load to Lake Erie. These more urbanized areas can still contribute to the 40 percent reduction by implementing cost-effective green infrastructure and policy changes, such as lawn fertilizer controls. As point sources are generally easier to monitor, there has been an emphasis on end-of-pipe water quality standards.

In addition, infrastructure investments are a stated priority of the new U.S. administration. However, water infrastructure has not been directly identified as a potential target for federal investment. Lake Erie and the Great Lakes are a shared resource between Canada and the United States. Water infrastructure improvements can lead to direct improvements in water quality and waterfront usages. Therefore, all help and advocacy from the State of Ohio and other stakeholders to ensure that water infrastructure is part of federal infrastructure investments will potentially lead to phosphorus reductions. Mayors of the Cities Initiative certainly plan on advocating for water infrastructure as part of federal infrastructure investments.

Recommendation 5: The final DAP should recognize the efforts, investments and improvements by point source contributors of phosphorus over the last few years and ensure that all feasible methods, including green infrastructure and innovative grey infrastructure are allowed to achieve any new point source water quality standards.

Recommendation 6: The final DAP should provide information on potential funding sources for any wastewater treatment improvements proposed.

Recommendation 7: The final DAP should state that water infrastructure, due to its potential positive impacts on phosphorus reductions, should be part of the federal infrastructure plan.

The DAP is an effective communication tool for the State of Ohio to show its priorities for action. Many stakeholders of all sectors are interested to see how the State will tackle the phosphorus issue and what activities will take place. It is important that the State, through the coordination of the DAP by the Ohio Lake Erie Commission, use all available forms of communication to

showcase successful activities, share transparent results on phosphorus loads, and inform all stakeholders of the progress. Robust communications from all DAP agencies around Lake Erie will also allow for comparison between jurisdictions and a joint push for action.

Recommendation 8: The DAP should include a communication strategy for the rollout of its proposed activities, monitoring of loads and displaying of results. This includes extensive, sensible outreach to both municipal and agricultural stakeholders.

Conclusion

The Great Lakes and St. Lawrence Cities Initiative thanks the State of Ohio for the opportunity to comment on its draft Domestic Action Plan. Collaborative work with all stakeholders of the region is the most efficient way to work towards the 40% reduction in phosphorus loads necessary to restore Lake Erie to the environmental, economic, and social driver it can be. The mayors of the Great Lakes and St. Lawrence Cities Initiative, by their upcoming initiatives in Ohio, their work in the Thames River Basin and their presence in binational decision-making bodies, look forward to continued collaboration to protect Lake Erie and make it more enjoyable for current and future generations.

About the Cities Initiative

The Great Lakes and St. Lawrence Cities Initiative is a binational coalition of 131 cities in the United States, Ontario and Quebec representing over 17 million citizens. The mayors work with governments, First Nations and Tribes, and non-governmental organizations throughout the basin to protect, restore and enhance the world's largest source of freshwater.