

EXECUTIVE DIRECTIVE

No. 2019-14

To: State Department Directors and Autonomous Agency Heads
From: Governor Gretchen Whitmer
Date: June 20, 2019
Re: Implementing the Domestic Action Plan for Lake Erie to Decrease Phosphorous by 40% by 2025

On February 28, 2018, the state adopted the Michigan Domestic Action Plan (DAP), a guiding document toward achieving a healthier Lake Erie ecosystem. The DAP affirms actions towards two objectives: 1) fulfilling commitments under the Western Lake Erie Basin Collaborative Agreement (Collaborative Agreement); and 2) meeting the targeted phosphorous reductions and nutrient-related ecosystem goals for Lake Erie under Annex 4 of the Great Lakes Water Quality Agreement. The DAP also outlines strategies for Michigan to reach these objectives in collaboration with local municipalities, nongovernmental organizations, other stakeholders, the states of Ohio, Indiana, Pennsylvania, New York, and the province of Ontario, and the United States and Canada.

The 2012 updated Great Lakes Water Quality Agreement (GLWQA) specified ecosystem goals for Lake Erie, including reducing harmful algal blooms in the western basin, eliminating the hypoxic zone in the central basin, and reducing Cladophora growth in the eastern basin. These goals are supported by targeted phosphorus reductions and specific objectives described in the DAP, and they require actions to be taken or supported by the Michigan Department of Agriculture and Rural Development (MDARD); the Department of Environment, Great Lakes, and Energy (EGLE); and the Department of Natural Resources (DNR). The DAP provides a focus for allocating existing resources, and it describes how Michigan will measure, track, and report progress toward meeting its objectives, considering adaptive management as necessary.

Building on the positive steps taken by the departments to date, we must take additional action to ensure Michigan meets its specific DAP objectives, including reducing the nutrient loadings from priority tributaries and associated watersheds in the Western Lake Erie Basin by 40% by 2025, compared to 2008 as the base year.

This action is necessary to allow Michigan to fully contribute to meeting the larger ecosystem goals established under Annex 4 of the GLWQA.

Acting under sections 1 and 8 of article 5 of the Michigan Constitution of 1963, I direct the following:

1. The directors of MDARD, EGLE, and DNR shall work in collaboration to adopt policies, procedures, and actions as soon as possible to ensure full implementation of the DAP and its objectives, including the objective of reducing the nutrient loadings from the following tributaries and priority watersheds by 40% by 2025:
 - (a) Annual total phosphorous loads from the Detroit River;
 - (b) Annual and Spring total phosphorous loads from the River Raisin;
 - (c) Spring soluble reactive phosphorous loads from the River Raisin;
 - (d) Annual total phosphorus, and Spring total phosphorous and soluble reactive phosphorous loading contributions from Michigan's contributions to the Maumee River.
2. The departments listed in section 1 shall disseminate the adopted policies and procedures to other state departments and autonomous agencies.
3. Upon meeting the objectives described in the DAP, including decreasing phosphorous by 40% by 2025, determine whether additional policies, procedures, and actions are needed to continue to improve water quality.
4. The departments listed in section 1 must report to the governor on their progress annually. This report must include, to the greatest extent practicable, quantifiable measures of progress toward the DAP objectives, including nutrient loading reduction targets.
5. All department directors and the heads of autonomous agencies shall revise existing departmental or agency policies, procedures, and actions as necessary to comply with this directive. Department directors and heads of autonomous agencies may also issue reasonable written work rules to implement this directive and shall make recommendations to the governor of any legislative changes that are necessary to implement this directive.
6. All department directors shall circulate this directive widely, including to all employees under their direction and supervision and to any autonomous agencies within the department.

Your cooperation in complying with this directive is appreciated.

Gretchen Whitmer
Governor