

July 19, 2018

Ohio Farm Bureau comments before the Ohio Soil and Water Commission
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Ohio Farm Bureau believes the Commission should be concerned that EPA provided ODA with skewed data to make the Watershed in Distress designation recommendation. The EPA used loading data from March through October of 2017. The Annex 4 recognized benchmark is March through July, thus EPA added three months of loading data.

The Commission should also be concerned that new data, that is counter to EPA's objectives, is being ignored. Data from July of 2018 compared to data from July of 2017 shows a near 40% reduction in the nutrient load reaching Lake Erie from the Maumee River as measured at the Waterville monitoring station. I would direct you to the Great Lakes Observing System website for this data: data.glos.us/maumee/

In addition to these two significant issues, I want to express our concern that ODA's analysis fails to make the case for how the eight targeted watersheds influence water quality of the overall Western Lake Erie Basin.

- ODA's analysis only looks at the part of the targeted streams at the testing point and does not take into consideration other potential pollution points downstream.
- ODA's analysis doesn't identify the sources of the contamination and assumes the sources are agricultural.
- ODA's analysis does not identify the human health threat in each of the eight watersheds.
- The eight watersheds are targeted solely because of their agricultural land use. Many other agricultural watersheds in Ohio have excellent or outstanding water quality. Basing a decision solely on land use appears arbitrary and capricious.
- Some of the data used cover only eight months. Partial-year data is an inadequate to justify the targeting of the 8 watersheds. In other reports, Ohio EPA recognizes that a minimum of 10 years of data are required to detect a statistically valid trend in nutrient loads.

We do not believe these questions can be satisfactorily addressed for the commission today and would urge you to delay any decision about a Watershed in Distress designation or any new rules based on this designation.