



Working together for Ohio farmers to advance agriculture and strengthen our communities.

Members of the General Assembly:

I am writing today to ensure members have accurate information about animal agriculture and current manure management regulations and practices. During recent hearings on legislation such as HB 175 and in other public forums there have been misleading or erroneous statements made with regard to these regulations and practices. It is important to the Ohio Farm Bureau that we share accurate information from trusted scientific sources on these issues.

Fallacy 1 – Regulatory restrictions on Concentrated Animal Feeding Operations (“CAFO”) are too lenient.

As reiterated many times before, Ohio has a strict permitting and enforcement structure for concentrated animal feeding facilities/operations. In fact, Ohio’s regulatory regime is known to be one of the most stringent in the nation. CAFOs are not allowed to discharge pollutants -ZERO discharge. Every CAFO must develop and implement a manure management plan that specifies best management practices for manure and wastewater handling and disposal. That plan must also comply with an National Pollutant Discharge Elimination System (“NPDES”) permit. Every CAFO must conduct inspections and monitoring and keep stringent records. Every CAFO must submit an annual report to the Ohio EPA about their operations.

Fallacy 2 - There is not enough land to safely apply manure produced by animal agriculture.

It has been stated in recent press conferences and during witness questioning in House Agriculture and Conservation Committee that there is not enough acreage in the Western Lake Erie Basin (“WLEB”) to handle the amount of manure produced by animal agriculture. This is simply not true. Analysis conducted by the Ohio Department of Agriculture presented during the Lake Erie Commission Domestic Action Plan Technical Workshop held this April indicates the amount of manure produced in the basin supplies less than 20 percent of the annual crop nutrient removal needs in the 2.3 million acres of cropland in the Maumee watershed. No matter how many times opponents of agriculture repeat this fallacy, it does not change the fact that it is simply wrong.

Fallacy 3 – We aren’t making progress on the 40 percent phosphorus reduction goals.

Many assertions have been made that no progress has been achieved in reaching the goal of 40 percent phosphorus reduction in the Western Lake Erie Basin by 2025. Through the H2Ohio program, it is estimated we are one-third of the way to accomplishing the goal of 40 percent reduction. Recent Western Lake Erie Tributary Water Monitoring Summaries published by the

Lake Erie Commission show while total phosphorus loads have been stable, dissolved reactive phosphorus (what causes the algal blooms) is declining. New Ohio Lake Erie Commission data also shows that dissolved reactive phosphorus in the Maumee River has declined since 2015 and research from The Fertilizer Institute found a downward trend in phosphorus levels in Ohio soil tests over the last 20 years. Following this trend line, we are clearly making progress toward this goal.

Fallacy 4 – Using Phosphorus Soil Test levels of 50 ppm rather than 150 ppm as the threshold for application of manure will be better for the environment.

Some policy makers have called for a change to the threshold as to when nutrients from CAFOs should not be applied to farmland. Currently, that threshold is at soil test phosphorus (“STP”) levels of 150 parts per million (“ppm”). Some are calling for mirroring what is known as the Tri-State fertilizer recommendation, a recommendation for commercial fertilizer, which is a STP level of 50 ppm. The 50 ppm STP level for commercial fertilizer application is an economic threshold. Commercial fertilizer is expensive and studies have demonstrated that applying additional amounts when STP levels are more than 50 ppm results in diminishing returns for farmers as crop yields do not increase above this threshold, making any application above that limit a waste of fertilizer and money.

However, the 150 ppm threshold for manure is based on scientific studies of environmental impact, not economics. According to the US EPA, manure has environmental **benefits** not present in commercial fertilizer. It adds organic material to the soil, which assists in **retaining** water in the soil thereby **reducing** the runoff of dissolved reactive phosphorus. It also helps prevent erosion. Eliminating the ability to add manure and its organic material at STP levels above 50 ppm will actually remove a scientifically proven tool that helps farmers prevent nutrient runoff and improve soil health.

Agriculture’s continued commitment

The 2019 growing season was proof that over simplistic approaches such as calling for the halt of manure applications won’t solve our water quality challenges. Excessive rainfall that spring kept farmers out of the field to plant their crops or apply nutrients. Well over one million acres didn’t even get planted that spring in the WLEB. In fact, manure applications were down 85% and commercial fertilizer application was cut in half that year. Yet, there was still a large algal bloom in Lake Erie. As a result, the complexities of water quality became more evident than ever.

It is imperative that all partners in these efforts work with us and refrain from perpetuating falsehoods repeated ad nauseam by those who quite simply oppose agriculture. We have to



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question some of these groups' true intentions as the baseless attacks and unfounded solutions don't seem to be fashioned in a constructive way.

Every day, agriculture is working with our conservation, environmental, university, and soil and water conservation district partners to find science-based and workable solutions to reduce nutrient runoff and clean Lake Erie. The Ohio Agriculture Conservation Initiative (OACI) exemplifies those efforts. Through this partnership farmers are recognized for their dedication to advancing methods that improve water quality in Ohio and increasing the number of best management practices being implemented on farms. Over 1500 farmers in the Maumee River Watershed who are taking part in H2Ohio have already enrolled in OACI's Certification Program to take their conservation efforts to the next level. That number will continue to grow as H2Ohio expands.

This commitment remains resilient. We encourage you to work with us to meet the worthy goal of improving water quality in Ohio.

Sincerely,

A handwritten signature in black ink that reads "Anthony Seegers".

Anthony L. Seegers, Esq.
Director of State Policy