



Comments of the Ohio Farmers Union on Proposed Legislation
LSC 130 0081-2

Submitted to:

The Ohio Department of Agriculture, David T. Daniels, Director
The Ohio Department of Natural Resources, James Zehringer, Director
The Ohio Environmental Protection Agency, Scott J. Nally, Director

Dear Directors Daniels, Zehringer and Nally:

Thank you for the opportunity to provide stakeholder comments on LSC 130 0081-2. The Ohio Farmers Union appreciates the time and attention the administration of Governor John Kasich has given to this critical issue of protecting the Lake Erie watershed and other fresh water resources in Ohio.

We understand that historically state government has been reluctant to intervene in the business operations of Ohio's agricultural producers. We are however dealing on another historic level regarding water quality in Ohio when one considers the devastating algal blooms in the western basin of Lake Erie and the de facto death of Grand Lake St. Mary's.

This spring, the Ohio Farmers Union entered into a partnership with the Ohio Environmental Council to provide high quality farmer education sessions regarding agriculture's role in the problems of the Lake Erie Watershed. We have held two sessions educating nearly 100 producers in northwestern Ohio and will be holding at least two more. Given the fact that the state has been supportive in the past of agriculture's attempts to self-regulate and "do the right thing," I want you to understand that the Ohio Farmers Union continues to prompt Ohio's family farmers to practice the four "Rs" and voluntarily adopt recognized best practices in the application of fertilizers. On the other hand, I am compelled to point out that the water quality issues taken up by the proposed legislation are also the responsibility of several other stakeholders including the City of Detroit, other Lake Erie area municipal water treatment districts, homeowners and lawn treatment professionals.

We respectfully submit the following comments regarding LSC 130 0081-2, in the order in which they appear:

- We support the changes in ORC 905.321, but believe that the definition of fertilizer (in ORC 905.31(E)) should be expanded to include manure from Confined animal feeding facilities, when applied by a Certified Livestock Manager (CLM).
- We urge the ODA to increase the tonnage fee (ORC 905.36) for fertilizer, in order to cover the costs of the program.
- We support the addition of fertilizer to ORC 1511.01

We support the language in the draft and believe that critics of this addition are missing the point: Agricultural interests must understand that fertilizer *can* be a pollutant when mishandled or over-used.

- We urge ODNR to broaden the definition of fertilizer to include manure from Confined Animal Feeding Facilities.
- We support the new authorities included in ORC 1511.023.
- We appreciate the confidentiality protection language in ORC 1511.024.

I would like to highlight the importance of including manure from confined feeding facilities within the definition of fertilizer, because we believe all sources of nutrients need to be managed under these statutes, especially if applied by a third party (CLM).

Again, thank you for your time and attention to this critical issue for Ohio's natural and agricultural resources.

Sincerely,

A handwritten signature in black ink, appearing to read "Roger Wise".

Roger Wise, President
Ohio Farmers Union