Gongwer News Service

**OEPA Director Outlines ‘Targeted' Algae Strategy; Democrats Call For Action**

(10/17)

Environmentalists and Democrats want the Kasich administration to impose tighter regulations on fertilizer in northwest Ohio, but the state's chief environmental regulator recently said Lake Erie's algae problem requires a nuanced approach. Toledo's algae-spawned drinking water crisis last summer prompted many environmental groups, Democratic lawmakers and even some farmers to urge the administration to declare the Maumee River Watershed "distressed," which would trigger tougher fertilizer regulations in the area. (See Gongwer Ohio Report, August 8, 2014) Three years ago the administration responded to toxic algal blooms in Grand Lake St. Marys by designating it a distressed watershed. Local farmers had to comply with certain restrictions on handling and storage of manure and fertilizer. However, Ohio Environmental Protection Agency Director Craig Butler said the toxic algae situation in the Western Lake Erie Basin is more complicated. "If you look at the Grand Lake St. Marys watershed, you can see that it truly was a distressed watershed," he said in an interview. "If you look at the western basin of the Maumee - there's no denying there's an issue there, but if you get more granular by trying to identify in the sub-watershed what those problems are - is it all agricultural? Is it wastewater treatment overflows? Is it failing septic systems? We've been looking at that," he said. Director Butler said the administration is trying to pinpoint specific problems that contribute to nutrient loading in each watershed that flows into the lake. "You can come up with a prescription there that is tailored to a smaller watershed rather than paint it with a big, broad brush and say the whole thing is distressed, which is only focused on agriculture," he said. "We're trying to come up with a much more targeted strategy that will get us to the same goal than just automatically tagging the western basin as a distressed watershed." House Agriculture & Natural Resources Committee Chairman Dave Hall (R-Millersburg) recently outlined a similar approach. He said a mid-biennium review measure still pending in his committee (HB 490) could pick up some algae-related amendments during lame duck session, but a broader solution will likely have to wait until the next biennial budget. (See Gongwer Ohio Report, September 19, 2014) Democrats have accused Republicans of delaying action on the algae issue so as not to incur the wrath of the agricultural lobby. Rep. Michael Sheehy (D-Oregon) and Rep. John Patterson (D-Jefferson) this week pressured OEPA to set standards for safe levels of the algae-produced toxin microcystin in drinking water. The Democrats criticized Director Butler's decision to wait for the U.S. Environmental Protection Agency to set a national limit next year. "The Ohio EPA should settle on a standard so testing practices can be fine-tuned and deemed adequate before microcystin becomes a problem again next summer," Rep. Sheehy said in a statement. "It's disappointing and downright unacceptable that our state officials are sitting on their hands and unwilling to do more to prevent the next water crisis." Reps. Sheehy and Patterson, who cosponsored legislation to require OEPA to set microcystin standards (HB 625), said the administration's opposition to other federal environmental regulations, like pending climate change rules, argue for the agency developing its own drinking water standards. "This is about developing an Ohio solution for an Ohio problem," Rep. Patterson said. "This is our opportunity to make a difference at the state and local levels, but the Ohio EPA seems to be punting to the same federal government it consistently attacks for overreaching. Ohio can immediately address the toxins that are polluting our drinking water. We are only missing the will." Meanwhile, the Ohio Farmers' Union recently announced its intention to seek amendments to the MBR that would require greater information sharing about how farms are handling livestock manure. One proposal would require confined animal feeding operations or third party contractors to report information about manure shipped offsite to address what OFU calls the "manure loophole" on regulated CAFOs. The group also plans to ask lawmakers to allow local soil and water conservation districts and other agencies to share data included in nutrient management plans to develop regional pollution abatement strategies, while preventing disclosure of proprietary information. "The information we have to work with today tells us that the there is a problem in the Lake Erie watershed, but not the specific sources or locations. There's a hole in the data; we need to fill that hole," OFU President Joe Logan stated. OFU cited research by Ohio State University professor Jeffrey Reutter, director of Ohio Sea Grant, that shows a 40% reduction in phosphorous entering Lake Erie will be necessary to address the annual hazardous algal blooms. Mr. Reutter told the group's recent forum that agriculture is responsible for about two-thirds of the algae problem in the Western Lake Erie Watershed. Municipal wastewater treatment systems, aging home septic systems and residential lawn care are other significant sources of phosphorous. In other algal news, OSU's College of Food, Agricultural, and Environmental Sciences said the new fertilizer applicator certification training program created in legislation passed earlier this year (SB 150) has already trained 777 Ohio farmers since it was launched last month. Greg LaBarge, an OSU Extension field specialist, said the training covers water quality and crop production best management practices. "By advocating the continued improvement in nutrient use and efficiencies, the training can help growers boost farm profits by using just enough nutrients to maximize yield, which reduces the potential for water quality impact offsite," he said. "The training benefits farmers and Ohioans by reducing the water quality issues that we have in the state."