

## Lake Erie Earth Day Statement by Lake Erie Waterkeeper Sandy Bihn

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Harmful algae in Lake Erie are caused by too much phosphorus in the water.

Last time Lake Erie turned green, it was mostly from phosphorus in laundry detergent for automated washers. 28 states banned the detergent phosphorus in the 1980's resulting in phosphorus detergent removal.

Result: Lake Erie blue not green ....until the late 1990's.

What changed in the 1990's to make lake green again? Confined Animal Feeding Operations or CAFO's that came here from Netherland Dairy Factory Farmers which were recruited by The Ohio State University. Thousands of dairy cows were located in new CAFO's in the Maumee watershed that put manure in lagoons that was then untreated and the manure liquid heavily applied in tiled fields. Almost immediately Lake Erie turned green and has been getting worse since. There are now an estimated 24 million chickens, 400,000 dairy cows and 1.8 million hogs producing 5.5 million tons of manure (up from 3.9 million in 2005) located in CAFO's in the Lake Erie watershed. USDA and states created manure rules that allow 2-4 times more phosphorus than crops need.

What is being done to reduce the new manure phosphorus sources? Little to nothing.

But it almost happened In 2017 when Governor Kasich and Ohio EPA identified 8 sub watersheds (smaller areas) with the largest phosphorus sources. They are: Note the Dissolved Reactive Phosphorus(DRP) target is 0.05 = all of these are nearly three times the target (Also see attached Maps) Most of the below are in areas where untreated manure is land applied.

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|---|----------|
| A. Platter Creek Watershed (HUC 041000050206)               | DRP 0.16 |
| B. Little Flat Rock Creek Watershed (HUC 041000071207)      | DRP 0.15 |
| C. Little Auglaize River Watershed (HUC 0410000706-707-708) | DRP 0.14 |
| D. Eagle Creek Watershed (HUC 041000080301-02)              | DRP 0.15 |
| E. Auglaize River (HUC 04100007)                            | DRP 0.12 |
| F. Blanchard River (HUC 04100008)                           | DRP 0.15 |
| G. St. Mary's (HUC 04100004)                                | DRP 0.17 |
| H. Ottawa River (HUC 0410000703-704-705)(the one near Lima) | DRP 0.14 |

But the new DeWine administration abandoned focusing on the streams with the largest amounts of phosphorus going to Lake Erie in favor of H2Ohio which funds planning and practices for all acres in the watershed with no targeting of the largest phosphorus sources and no reporting of the amount of phosphorus reduced where dollars are invested. No reporting of phosphorus source reductions.

And Ohio fails to apply laws for agricultural phosphorus discharge violations into the Maumee. An example is Campbell Soup in Napoleon with years and years of excess phosphorus violations ignored by Ohio. From 2017-2021 Campbells discharged thirty-seven tons of phosphorus into the Maumee in over 2 billion gallons/year in their wastewater along with violations for oxygen depletion, ammonia, and suspended solids. To Address these violations, the US Justice Department, Environment America, and Lake Erie Waterkeeper filed suit against Campbell. In sharp contrast, Ohio went after the City of

Maumee for sixty-five million gallons/ year of sewage pipe overflow violations during heavy rainfalls (not regular everyday like Campbells does) which is now reduced to 35 million gallons per year. The city of Maumee has far less adverse impact on water quality in the Maumee than Campbells which Ohio has ignored.

Ohio must fund phosphorus source reduction in targeted large discharge updated phosphorus streams identified by the Kasich administration to reduce Lake Erie algae.

Additional recommendations to reduce Lake Erie Phosphorus sources causing harmful algae:

1. Compost manure – do not apply manure as a liquid.
2. Treat all CAFO manure for beneficial reuse.
3. Transfer manure management costs from the local CAFO farmers to big Meat and Dairy companies, Tyson, Smithfield, JBS, Cargill, Pilgrim, and others. These giants provide the cows, pigs, and chickens along with the feed to the local farmer, leaving the local farmer/operator responsible for contentious untreated land application of liquid and solid manure overapplied close to barns.
4. Require all CAFO's that are medium and larger to have ODA CAFO permits (as defined by USEPA, USDA and others) so that locations and numbers are known.

Recommendations for CAFO locations:

5. Zone Confined Animal Feeding Operations industrial to give local siting control so that neighbors have a say about odors, flies, trucks etc.
6. Require Concentrated Animal Feeding Operations to pay for road repairs caused by a large increase in truck traffic to and from the CAFO's.
7. Require county health departments to test drinking water for nitrates for all water users within two miles of CAFO's.

In summary, Ohio's failure to address massive increases in untreated manure applications and failure to target phosphorus in the areas that send the largest phosphorus amounts to Lake Erie is why Lake Erie is still green, Ohio's double standard of costly phosphorus reduction at wastewater plants while allowing millions of gallons and tons of untreated manure to be land applied is inequitable.

And Ohio's failure to help rural community CAFO neighbors from unhealthy noxious odors, flies, and pulverized roads in favor of supporting Big Meat and Dairy threatens the sustainability of Ohio rural communities and survival of true family farms.

This is an Earth Day plea for Ohio to have an effective H2Ohio program to help reduce Lake Erie harmful algae. Lake Erie deserves no less Ohio consideration than the large Meat and Dairy industries. But the evidence says Ohio paints a picture of helping Lake Erie that is not true.

I am worried that the mild winter allowed lagoons to empty liquid manure on baron fields (the ground was not frozen, so it was 'legal'). Look at a NOAA MODIS map and see how green Lake Erie is right now. Scary – THE MEAT AND DAIRY STRANGLEHOLD ON OHIO POLITICIANS THAT ALLOWS CONTINUED MANURE RUNOFF THAT KEEPS LAKE ERIE GREEN MUST STOP!

