



**Testimony of Ohio Farmers Union President Joe Logan
before the Ohio House and Ohio Senate Agriculture Committees
Regarding a Review of Senate Bill 1, 131st General Assembly
June 5, 2018**

Chairman Hackett, Chairman Hill, Ranking Member O'Brien, Ranking Member Patterson and members of the committees:

I am Joe Logan, president of the Ohio Farmers Union. The Ohio Farmers Union has been an advocate of family farms in Ohio since 1936. We currently have some 4,000 farm families as members around the state with a sizable concentration of members in and around the western basin of Lake Erie. We count among our membership owners of state-permitted CAFOs as well as many family farms maintaining livestock on a much smaller scale – usually in conjunction with grain production.

Thank you for the opportunity to testify today for the review of certain provisions of Senate Bill 1, passed in 2015.

Last fall, the Ohio Farmers Union began discussing the SB 1 review among our Executive Committee, at our last two full Board meetings and at several county meetings in the affected watershed. A few of the practical concerns regarding manure spreading include reports from OFU members that manure continues to be spread on frozen and snow-covered ground in the western basin – granted that this is anecdotal evidence - and that recent weather patterns have offered very few optimal days in the fall through spring months when farmers may spread manure and stay within the letter of the law. Most farmers agree that it is good practice to avoid spreading manure in wet or winter conditions when it can more easily leave the fields. It's just "common sense." There is a growing frustration in the countryside that some farmers may still not be following best management practices when it comes to fertilizers in both categories – chemical and manure.

Over the years, OFU has advocated for regulatory programs to be "targeted toward those sub-watersheds where nutrient concentrations are known to be problematic." We appreciate that Senate Bill 1 was targeted, although broadly so. While we understand that monitoring requires a substantial investment of time and money, we believe that more precise monitoring will lead to more effective allocation of state resources and more "bang for the buck" in our efforts to protect Lake Erie and other surface waters.

Some may say the final answer to the question of whether S.B. 1 was ultimately effective came this past March when Ohio EPA deemed the entire western basin as impaired under federal EPA guidelines. OFU agrees with Director Craig Butler and others that impairment is not a "silver bullet." There are no guaranteed funds, there will not be a magic plan for cleaning the lake. We do know that over the next many months, it's likely that monitoring will increase throughout the watershed and that eventually there will be Total Maximum Daily Loads or TMDLs set. OFU and its members look forward to working with federal, state and local conservation leaders to more precisely identify sources and to develop the agronomic and regulatory tools to address hot spots as they are identified.

One opportunity for further study in the meantime is the effect of market forces on agriculture in the western basin.

Over the past few decades agricultural markets have rapidly consolidated and globalized. This trend has led to fewer market alternatives and lower farm prices for American Farmers. Thus, many have been driven into expanding livestock and cropping operations. This has spurred the proliferation of large industrial livestock operations, many in the western basin. Likewise, it has impelled remaining crop farmers to expand operations, seeking advantages of scale. In many cases, such expansions have pushed farm managers beyond their management comfort level, causing “shortcuts” in operational techniques.

Perhaps our inability to move the needle toward that 40 percent reduction in phosphorous runoff is as much a market failure as a regulatory failure. OFU remains of the general opinion that having more farms of a more manageable scale could make this wicked problem more easily solvable.

To conclude, I'd like to leave the committees with some suggestions for the immediate future. These are a few ideas that OFU could support in the effort to clean up Lake Erie:

1. In January, we passed a special order of business supporting the common-sense idea that state government action could be taken in certain watersheds or sub-watersheds mandating that all fertilizers – including manure – would be applied at a rate no higher than the agronomic rate. That rate would be based upon the nutrient demand of the crop to be planted, the current soil tests, the nutrient content of the fertilizer or manure used, and the rate of application.
2. Technological Innovation. There is hope in pushing the envelope on technology and our ability to turn waste into energy and the effluent from digesters and other systems into more benign and easily distributable soil amendments such as biochar or dried manure solids, that may help hold nutrients in place to be used by crops. Perhaps part of the state's effort to clean polluted watersheds should include public-private partnerships to demonstrate, iterate and deploy technological solutions.
3. Conservation. There are legislative efforts being advanced by some in the Ohio General Assembly to provide further tax relief to producers who follow certain conservation practices such as filter areas or buffer strips. OFU realizes that the recent reforms to CAUV had some detractors such as public school districts, but we are confident that targeting these measures to critical areas in distressed or impaired watersheds – and keeping school districts whole – would help garner broad support.

There is much work to be done to battle harmful algal blooms. Ohio agricultural advocates have stepped up in the last several years. OFU has joined with the Ohio State University Extension, USDA FSA, the Ohio Environmental Council and others to hold educational events throughout the western basin. We will continue in these efforts.

We also look forward to working with state, local and industry leaders in gathering around tables in Columbus and northwest Ohio to find common ground and find creative ways to solve these problems in practical ways that preserve the ability of family farmers to make an honest living on their farms, while improving Lake Erie water quality.

Again, thank you for the opportunity today, and I would be happy to take any questions.