



Lake Erie Foundation
Matt Fisher, Vice President
Proponent Testimony on Senate Bill 2
Ohio House Energy and Natural Resources Committee

Chairman Vitale, Vice Chairman Kick, Ranking Member Denson and members of the Committee, I am Matt Fisher with the Lake Erie Foundation and I am here today as a proponent of Senate Bill 2. The Lake Erie Foundation is a 501(c)(3) organization established in 2016 to serve as Lake Erie's advocate for economic sustainability, legal defense, education, outreach and innovative sustainable technology. The Lake Erie Foundation is confident that there can be clean water and profitable farming and we want to support Agriculture to come up with solutions to meet the 40% reduction in phosphorus run off into the Maumee.

We respect Governor DeWine's leadership in unveiling the H2Ohio plan about three weeks ago and applaud all the individuals in the DeWine Administration in the effort that they put into developing the plan. We are, however, somewhat discouraged that the agriculture section of the current H2Ohio plan is 100% voluntary and does not specifically target the fields in greatest need. Although we have not seen complete detail of how the plan will be implemented, we understand that one of the main parts of the plan is a certification program for the farmers/producers that use recommended best practices to reduce nutrient run off. We appreciate that the \$30 million that ODA has for H2Ohio and the \$20 million from Senate Bill 299 is a good start, but the certification program is being offered to all farmers rather than being targeted towards the fields that have the biggest need. With limited resources, it seems counterintuitive to spread these financial resources over a wide geographic area to farms that are already implementing these management practices.

The management practice that is listed first on the recommendations for H2Ohio is to ensure that farmers test their soil for the amount of phosphorus. We entirely agree that this is the correct practice to start the program. Once this data is confidentially collected, the coordinators will possess the information that is needed to target the specific fields that have the highest soil counts.

In contrast, Senate Bill 2 as it is currently written, is a more targeted approach by watershed and says the Director of Agriculture shall direct the soil and water leaders to prioritize and target the fields who are providing the greatest amount of nutrient run off. In section 940.36 (B) and (C) of Senate Bill 2 it is clearly stated that a watershed planning and management

program would be developed and that the areas of water quality impairment would be identified and prioritized.

We also believe that all fields should not add any fertilizer if their soil counts are above the agronomic rate which is approximately 50ppm. This is an emotional issue, but one that needs to be addressed so that we can truly make progress in reducing phosphorus run off. There should be some type of plan – even if that plan has a 5,7, or 10 year ramp down to reach the agronomic rate. The Lake Erie Foundation is concerned that this wasn't adequately addressed in H2Ohio.

There is a path forward that would provide a compromise and address many of the issues that appear to be of concern. This path – a sub watershed pilot program - is actually written into Senate Bill 2 in Section 3; the last 3 paragraphs of the bill.

A sub watershed pilot program would address many of the concerns that both Agriculture and some Environmental groups have with H2Ohio. A team met last summer and chose a watershed in the Maumee basin that had data from previous years to provide a good base for historical comparison, and this watershed was costed out and believed to be an appropriate representation of impaired watersheds. Again, this is not in the current H2Ohio plan. This pilot program can still be implemented this as a part of H2Ohio so that four issues or questions are addressed that will not be addressed with the current H2Ohio plan.

- 1) The farmers in the sub watershed would implement these plans with 100% support
- 2) After 2-4 years, it could be determined which practices are most effective by measuring impact of water quality downstream from the pilot fields
- 3) With successful results there will be a wider support from farmers across the state
- 4) After managing the pilot for a couple years we will be able to extrapolate how much it will cost to roll out an effective program throughout first north west Ohio , then throughout the entire state.

While H2OHIO certainly has good intentions and possibly some improvements, the focused pilot project would ultimately provide clearly defined protocols and structure, complemented by defined ROI measurements and input costs. It would be measured, accurate and provide desperately needed clarity to so many theories and outright speculation.

Thank you for the opportunity to testify today on this important issue and I'd be happy to answer any questions at this time.