



Lake Erie Foundation  
Matt Fisher, Vice President  
Written Testimony on House Bill 110

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**Introduction**

Chairman Oelslager, Vice Chairman Plummer, Ranking Member Crawley and Members of the House Finance Committee, thank you for the opportunity to provide our initial comments on House Bill 110. 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.

Specifically, we are requesting the Finance Committee to consider funding the pilot program established in House Bill 7 of the 133<sup>rd</sup> General Assembly and signed into law shortly after by Governor DeWine. Our initial request to the State of Ohio for the pilot project is \$1.8 million in FY 2022 and \$2.2 million in FY 2023. As a general statement, we support, respect, and appreciate Governor DeWine's continued investment in H2Ohio to improve Lake Erie and Ohio waterways.

**Funding Pilot Program**

In the agriculture section of H2Ohio, the practices that were decided previously and are underway are the correct practices. The implementation of House Bill 7 directly complements H2Ohio and helps fill in a few significant gaps. One remaining area of concern from our perspective, is there is no specific measurement of water quality that will help determine performance of implemented practices. In the next couple years, if there is a large, dangerous algae bloom in the Western Basin of Lake Erie, there is nothing that can be pointed to that gives the public or state leadership confidence that this issue of algae blooms is figured out. This is where the pilot program that is part of House Bill 7 can be part of the solution.

One proposed location for the pilot program is Shallow Run in Hardin County. Shallow Run has three years of water quality measuring history so comparisons can be made to previous years. A team that consists of several researchers, farm groups, environmental organizations, agribusinesses, other water quality stakeholders, and the Lake Erie Foundation have put together a proposal that outlines total costs, protocols and timelines for a pilot. (**See Attachment - Pilot Watershed Overview**). With state and private investment, there is an opportunity to pull down a federal match via a grant program.

With a sub-watershed project there would obviously be key on-farm learnings and there are two major takeaways that we learn from a pilot project that will not have from H2Ohio.

First, we will learn if these practices have a positive impact on reducing phosphorus to a point of improving water quality in Lake Erie. We all believe these practices are effective, but we will learn more definitively with a pilot program and will spend significantly fewer resources in a more targeted way that will be a more efficient use of valuable funds.

Second, at the conclusion of the sub-watershed pilot program, there will be much more accurate estimates of the total when extrapolated to first Northwest Ohio, and then ultimately all of Ohio. All of Ohio will benefit from the learnings from this pilot watershed, and we will know how much it will cost to implement throughout the State.

The third aspect of House Bill 7 is the confidentiality of the data and information from farmers. This allows information to flow openly and freely to focus and direct resources to the appropriate fields.

### **Obtaining Agronomic Rate**

The Lake Erie Foundation believes that all fields should not add any fertilizer if their soil counts are above the agronomic rate which is approximately 50 ppm. The Department of Agriculture under the leadership of Director Pelanda, specifically added this provision back into a couple of the practices proposed by ODA that are part of H2Ohio. We applaud her leadership in addressing this sensitive point. This is an emotional issue, but one that needs to be resolved so that we can truly make

progress in reducing phosphorus run off. There should be some type of plan for animal farms – 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 is still not adequately addressed in H2Ohio.

### **Addressing Most Impaired Fields**

To solve the water quality problem in Lake Erie and across all of Ohio, we need to address the fields that are resulting in the greatest phosphorus run off. A small percentage of the fields likely cause most of the pollution. Funds and resources should be used for the fields in highest need and of highest impairment, not for farms with low risk of run off or farms that already implement a supported practice. We believe that after a year of rolling out a certification program, that it will be known where the impaired fields are located. We also understand that many agriculture retailers and Soil and Water county managers can help locate the fields of highest impairment. We support the language in House Bill 7 (133<sup>rd</sup> G.A) and implemented in the introduced version of House Bill 110 that directs resources by county towards fields that are impaired. With limited resources, it seems counterintuitive to spread the H2Ohio financial resources over a wide geographic area to farms that are already implementing these management practices.

Thank you for allowing this written testimony, and if there are questions, please contact Matt Fisher at [matthewvfisher@gmail.com](mailto:matthewvfisher@gmail.com) or cell 224-392-1510.