



**Ohio House Finance Committee
House Bill 96 Interested Party Testimony
Melinda Witten, President and CEO of the Ohio AgriBusiness Association
April 8, 2025**

Chairman Stewart, Vice Chairman Dovilla, Ranking Member Sweeney, and members of the House Finance Committee, my name is Melinda Witten and I am the president and CEO of the Ohio AgriBusiness Association. ("OABA"). OABA is a membership-based state trade association, originally established in the late 1800s to represent the best interests of businesses that serve Ohio agriculture. Today, our membership includes the manufacturers and wholesale/retail suppliers of plant nutrient and protection materials, the grain warehousing and marketing industry, the feed and seed industry, as well as companies providing equipment, financing, insurance, consulting, and other products and services for the agribusiness industry.

OABA has two important issues in the budget that will greatly impact our members. The first is changes to Ohio's pesticide laws proposed in the budget were removed with the adoption of the sub bill. OABA, like the other commodity groups, has a great working relationship with the Ohio Department of Agriculture's Division of Plant Health, which administers and enforces the pesticide laws in our state. Plant Health's staff provide educational training and testing for our members and are readily available to answer questions or concerns that may arise. If the pesticide language proposed in the budget is not restored, then it will be the U.S. EPA that administers the pesticide program in Ohio, not ODA.

Therefore, it is in the interest of OABA's members and for all of agriculture Ohio retains its delegated authority to administer and enforce the pesticide law through ODA. Because of this, we respectfully request that this committee supports the amendment that returns the changes needed to Ohio's pesticide law that was proposed in the budget.

Our second issue is the reduction of H2Ohio funding for the Ohio Department of Agriculture. Since Governor DeWine proposed H2Ohio and the General Assembly approved it in 2019, H2Ohio has been a great success and farmers have embraced the program, so much so that over 3,200 farmers and 2.2 million acres in the Western Lake Erie Basin ("WLEB") have enrolled in

H2Ohio to date. We have seen real results in the reduction of nutrients leaving farm fields over the last five years of the program through the investments in agricultural best management practices. For instance, the Waterville monitoring location has recorded a consistent downward movement in the flow-weighted mean concentration of dissolved reactive phosphorus. Additionally, more intensive soil testing, joined with the Tri-State Fertilizer recommendations led by OSU, and precision agriculture, have resulted in a 30 percent decrease in the amount of fertilizer applied in the WLEB. We have also seen the median soil test phosphorus levels decrease by 32 percent in the same time.

Besides the success on our farm fields and improved waterways, H2Ohio has been a great benefit to the state to help resolve litigation in federal court over the water quality of the WLEB. The Ohio Environmental Protection Agency proposed a total maximum daily load (“TMDL”) for the WLEB that, in part, relied on the H2Ohio program as evidence of the state’s continued commitment to improving water quality in the Basin as well as evidence of real results. You can read Ohio’s TMDL here,

<https://dam.assets.ohio.gov/image/upload/epa.ohio.gov/Portals/35/tmdl/MaumeeNutrient/Maumee-Watershed-Nutrient-TMDL-Final.pdf>

In September 2023, the U.S. Environmental Protection Agency (“U.S. EPA”) approved Ohio’s TMDL in large part because of H2Ohio. You can read the U.S. EPA’s decision document (“Document”) using the link, https://www.epa.gov/system/files/documents/2023-09/2023.9.24_dd_mwn_oh_tmdl.pdf. The approval document noted the consistent funding of H2Ohio by the General Assembly (“The H2Ohio funding has remained relatively consistent through the first three plus years of funding. In July 2023, the Ohio Assembly approved a state budget that included additional funding to support H2Ohio initiatives via ODA, ODNR, Ohio EPA and the Ohio Lake Erie Commission (OLEC) related project work.” Document at p. 45.)

The success of H2Ohio was also cited by the U.S. EPA,

EPA agrees with Ohio EPA’s conclusion that H2Ohio implementation efforts in the Ohio portion of the MRW [Maumee River Watershed] are making positive strides toward improving water quality. EPA acknowledges that the number and areal coverage of implementation activities will need to accelerate moving forward in order to attain the water quality targets of the MWN TMDL. EPA notes that H2Ohio funding for Ohio fiscal years 2024 and 2025 was passed in July 2023. *The continued support of the H2Ohio program by the Governor and the Ohio General Assembly demonstrates that Ohio is committed to seeing improvements to water quality across Ohio and in the Western Basin of Lake Erie. This continued monetary support is a very positive outcome for Ohio EPA and its implementing partners toward*

addressing nonpoint source inputs and ultimately improving water quality in the assessment units of the Western Basin of Lake Erie.
(Emphasis added.) Document at p. 45-46.

As you can see, H2Ohio funding is vital for our state's farmers and for the continued acceptance of the TMDL. Without it, the state will face an uphill battle in federal court as the TMDL has been challenged by extremist environmental law groups.

For those reason, on behalf of our members, we urge the Finance Committee to restore most, if not all, the Governor's budget for H2Ohio.

Thank you for your time and consideration of this important request.

Melinda Witten, President & CEO
Ohio AgriBusiness Association