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For Release Wednesday, February 21, 12:00pm

Ohio EPA public hearing, Thursday, Feb. 23, 2-3pm,

Veterans Memorial Bldg., 520 Conneaut Ave., Bowling Green. [Click here for map](#)

OEPA'S LONG-AWAITED TMDL DRAFT FOR LAKE ERIE IS "TOO LITTLE, TOO LATE"
Warning from Toledo's 2014 water crisis goes unheeded

In testimony at an Ohio EPA public hearing in Bowling Green, on Thursday, Lake Erie Advocates (LEA) members will cite research reports showing that OEPA's recommendations to stop the yearly poisoning of the lake by Microcystis bacteria, or toxic algae, are "totally and undeniably inadequate and too little, too late."

The OEPA hearing will air comments on the agency's draft TMDL (Total Maximum Daily Load) program, a document to satisfy Clean Water Act requirements that it delayed for at least a decade.

"For the hundreds of thousands of Toledoans [who had no water](#) for three days in August, 2014 and waited for a plan to get Lake Erie healthy again, the OEPA's recommendations are a deep disappointment as well as proof, if any more was needed, how corruption in Columbus reaches all the way to Lake Erie," said Mike Ferner, LEA organizer.

LEA called the Ohio EPA document "too little, too late" because:

- 1) It does not consider reducing the billions of gallons of liquid manure from some [25 million animals](#) confined in over 800 factory 'farms' that's dumped, untreated on farm fields, and assumes that amount will increase over time.
- 2) It refuses to use the latest, best available science and insists on measuring only Total Phosphorus (TP) to determine results. For over a decade, scientists have found that Dissolved Phosphorus (DP) or Soluble Phosphorus is what fuels the lake's toxic blooms every summer.

"Clearly, OEPA's first priority is to let the Farm Bureau and industrial ag interests continue governing Ohio's environmental policies. In distant second place is protecting the health of Lake Erie. That's not going to change until enough people demand such corruption ends," Ferner added. "Nobody else will talk about the factory 'farm' elephant in the room so we will and this hearing is the time to do it."

"Instead of reducing the amount of liquid manure, OEPA recommendations rely almost exclusively on expensive, ineffective 'H2Ohio' programs like no-till, buffer strips, grassed waterways and manure injection. We've reviewed the scientific literature and found such programs have not significantly improved water quality and never will," Ferner concluded. "We will cite chapter and verse from those studies at the public hearing."

The studies referred to are from academic and government sources such as Purdue University, Kansas State University, the USDA and the Swedish Royal Academy of Sciences. They conclude the H2Ohio practices provide only minor reductions and can often result in even higher levels of DP getting into waterways from manure applications.

For over four years, LEA was a plaintiff in the Federal Court suit to compel the EPA to enforce the Clean Water Act. But after researching what they consider the fraudulent claims of H2Ohio and seeing the TMDLs relying almost exclusively on them, the group decided to [withdraw from the suit](#) in December, 2021.

Written comments can be submitted to the OEPA until March 8, at this link EPATMDL@epa.ohio.gov.

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Research cited by Lake Erie Advocates:

OEPA will not consider Dissolved Reactive Phosphorus

“3.5.1 Only TP will be used to develop allocations. The science clearly shows that the DRP portion of TP needs to be reduced to meet the designated uses this TMDL addresses. However, using TP for TMDL allocations is necessary, given the constraints required of a TMDL. Part of this necessity is that it is more feasible to account for TP as it moves through the watershed compared to DRP.” [OEPA Draft TMDL, December, 2022](#)

Cover crops:

“Results from this study found the Cover Crop treatment increased DRP (Dissolved Reactive Phosphorus or Soluble P) losses compared to No Cover Crop in both cropping years...Findings from these studies suggest the use of cover crops may unintentionally result in greater DRP losses in surface runoff.” [Kansas State University, 2018](#)

Manure Injection:

“Losses of DRP were greater in both fall and spring following low-disturbance injection...In spring, DRP losses were significantly higher from plots with the recently killed cover crop.” [USDA 2011](#)

No-till, Grassed Waterways and [Subsurface Drainage](#)

“...No-till doubled SP (Soluble P) loading compared to rotational tillage...grassed waterways were shown to increase SP loads... 20 to 80% of the P lost was via the tile...None of the conservation practices tested made an impact on concentrations and loads of SP or TP (total P) through [subsurface tile](#) discharge. Many conservation practices, including no-tillage, grassed waterway, and blind inlets, were primarily designed to minimize erosion from agricultural fields...when these practices were developed, the common knowledge was that if you stop the sediment, you will stop the P. This mindset has been disproven...it does not appear adoption of these practices will achieve the target of a 41 % decrease in SP loading to Lake Erie...” [USDA, Royal Swedish Academy of Sciences, 2015](#)

“Best Management Practices”

Over the past four decades, many watershed nonpoint source projects have reported little or, in some cases, no net improvement in P loss reduction, even after extensive best management practice (BMP) implementation...the successes and benefits have proved elusive. [Journal of Environmental Quality, 2013](#)

Much of the problem is because factory “farm” manure is liquid

(Dyed, liquid) manure was injected into the soil with a drag line. The tile was dry when the experiment began. The dye was there (at drain tile ends) within seconds, and every time a pass was made over a lateral tile line, another pulse of colored liquid came through. [State Line Observer 8/30/2006](#)