

**News From:**  
**Advocates for a Clean Lake Erie**



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**LAKE ADVOCATES TO OEPA DIRECTOR: INTIMIDATION AND LIBEL WON'T  
CLEAN UP LAKE ERIE**

**TOLEDO** – Advocates for a Clean Lake Erie (ACLE) sent a letter today to Ohio EPA Director, Craig Butler, responding to his [September 30 editorial in the Toledo Blade](#), calling his “...intimidating and libelous statements highly inappropriate for a director of the Ohio EPA,” adding, “We believe you owe the public an apology.”

ACLE’s letter to Butler (attached) negated claims the OEPA chief wrote that said opponents of his agency’s Lake Erie policies, deal in “misconceptions and outright inaccuracies...along with false claims that an impairment designation is the magic solution.”

Butler went on to claim “...a firm commitment by Gov. John Kasich, his administration and the General Assembly to fix the problem...which only those with an agenda outside the limits of reality will contort themselves to deny.”

The environmental group’s letter responded:

*But lest you think we write only to rebut your attacks on the integrity of people who criticize your agency, let us get back to what matters most, which is the health of Lake Erie.*

- *You praise OEPA for listing only near-shore areas impaired, claiming the evidence isn’t there to similarly designate the lake’s open waters, ‘a fact on which the U.S. and Ohio Environmental Protection Agencies both agree.’ Then why did the U.S. EPA agree last year when Michigan put its portion of Lake Erie’s open water on the federal impaired list?*
- *You warn that, as with Chesapeake Bay, an impaired designation would likely result in ‘long-running and divisive lawsuits.’ But you neglect to include that the biggest lawsuit, one that took five years for the U.S. Supreme Court to finally dismiss, was filed by the American Farm Bureau and Big Ag lobby groups.*
- *You boast, ‘Since 2011, Ohio has invested \$2.5 billion in upgrades to area wastewater treatment plants, drinking water treatment plants and failing septic systems – all as a way to cut phosphorous discharges into the lake.’ You may want to do the math and subtract from that figure the amount spent on water treatment plant upgrades, which has nothing to do with reducing phosphorous discharges into the lake, but only adds to Toledoans’ cost of treating polluted water. Billions in state and local tax dollars for treatment plant upgrades and more chlorine are not a rational solution to what’s poisoning the lake.*

*A rational solution would be what your agency so scrupulously avoids: determining sources and amounts of pollution, determining who is putting how much and what kind of pollution into streams and then setting legally binding limits to hold those polluters publicly accountable.*

*Ironically, that is precisely what an impaired designation requires. And just to be clear, we know it is not 'instantaneous' or 'magical.' It will require hard work and good faith on the part of everyone now happy to say they love clean water, but even happier to have Ohio politically insulate them from any accountability for poisoning that water.*

The ACLE letter added that Butler's deputy director in charge of Lake Erie policy, Karl Gebhardt, a former Farm Bureau lobbyist, "...*actually does make misinformed claims by repeating that voluntary measures, the same things proven to go nowhere in Chesapeake Bay for three decades, will restore Lake Erie if we're just patient.*"

It concluded that millions of people who draw their drinking water from Lake Erie are waiting "*with diminishing patience,*" but that while "*Patience will not clean up Lake Erie, organizing will. And we are learning as we organize – learning it's no coincidence that voluntary measures are just one more subsidy for factory farms that use our lake as a free toilet, dumping much more untreated feces and urine on fields draining into Lake Erie than the amount of treated sewage from the watershed's human population.*"

ACLE was started in March, 2016, in response to Toledo's 2014 water emergency which cut off water to over 400,000 people for nearly three days. The group calls for an "impaired watershed" designation for the western basin of Lake Erie and a moratorium on licensing any more CAFOs (concentrated animal feeding operations).

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