



CLEAN WATER IS OUR RIGHT!
2975 113TH ST. TOLEDO, OH 43611

May 14, 2019

Dear Governor DeWine and General Assembly Leadership,

At numerous times and places Ohioans have heard you express your devotion to Lake Erie and your pledges to take care of it. Your words are commendable and we assume, sincere. If so, we believe you will honestly consider what is needed; be willing to abandon failed methods that waste millions of our tax dollars and be willing to exercise real political courage.

Quite simply, what has been done in the past has not worked, neither will what is currently proposed. The dollar amounts being discussed – upwards of a billion dollars – are no gauge of effectiveness. Indeed, unless priorities are changed they will only measure how wasteful and blind elected officials can be.

For all the millions spent over the last 20 years studying the lake, studying cyanobacteria and funding best management practices you'll have to admit that little if any progress has been made. Ohio will not come close to its goal of reducing lake phosphorus levels by 20% next year. If we are honest, we have to admit that another dangerous outbreak of microcystin toxins this summer or next depends totally on the weather.

Determining what's needed is really not difficult, despite all the hand-wringing by academics and consultants who annually call for more studies. All you have to do is look at the source of the excess nutrients. The difficult part is standing up to the political forces that keep polluters insulated from accountability and keep Lake Erie toxic every summer.

Consider:

- 1) Your EPA estimates 88% of the excess nutrients choking the lake come from agriculture.
- 2) Your Department of Agriculture can tell you by how much the use of commercial fertilizer has fallen in the last decade. Ask them.
- 3) We can show that the City of Toledo's investments to improve sewage treatment and combined sewer systems has reduced the amount of Phosphorus we put into Lake Erie to 50% below what the EPA permits. And it continues to decline over time.
- 4) We know that hog, dairy and poultry factories just in the Maumee watershed annually generate more than twice the amount of sewage coming from the cities of Chicago and Los Angeles. We know this flood of feces, urine and antibiotic-resistant bacteria, is spread without any treatment whatsoever on fields draining directly into Lake Erie.

- 5) We can show, have communicated to the previous administration and will provide documentation to you as well, that current measures are not reducing the flood of excess nutrients into the lake.
- 6) Since your EPA has declared western Lake Erie impaired, it should be implementing the required steps under the Clean Water Act that include Total Maximum Daily Loads (TMDLs), a complete pollution inventory to determine amounts and sources of the pollution – not just in rivers but all the way to headwaters in rural areas – and an enforceable action plan with mandatory deadlines.

Given all this, it makes absolutely no sense to allocate more millions to “fix” Lake Erie until you take an honest, objective look at what works and what doesn’t. Failing to do so will insure a huge waste of tax dollars and worse, continue the decline of the lake that every elected official swears to love.

Please see the appendix and attached documents backing up the above points.

We eagerly await your response.

Sincerely,

Mike Ferner, Coordinator
Advocates for a Clean Lake Erie
419-729-7273
www.advocatesforacleanlakeerie.org

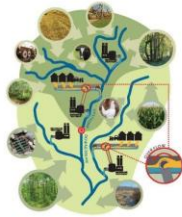
cc: Rep. Larry Householder
Sen. Larry Oboff
Rep. J. Kyle Koehler
Rep. Juanita Brent
Rep. Scott Oelslager
Rep. Jack Cera
Rep. Emilia Strong Sykes
Sen. Kenny Yuko
Sen. Frank Hoagland
Sen. Sean O’Brien
Sen. Matt Dolan
Sen. Vernon Sykes

Appendix

1)



Nutrient Mass Balance Study for Ohio's Major Rivers



Division of Surface Water
Modeling and Assessment Section
APRIL 16, 2018

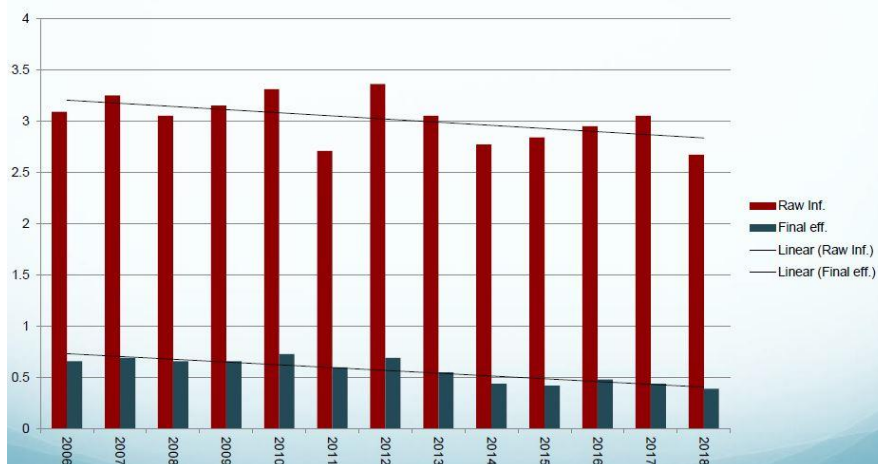
https://epa.ohio.gov/Portals/35/documents/Nutrient%20Mass%20Balance%20Study%202018_Final.pdf

2) Records available from Ohio Department of Agriculture

3)

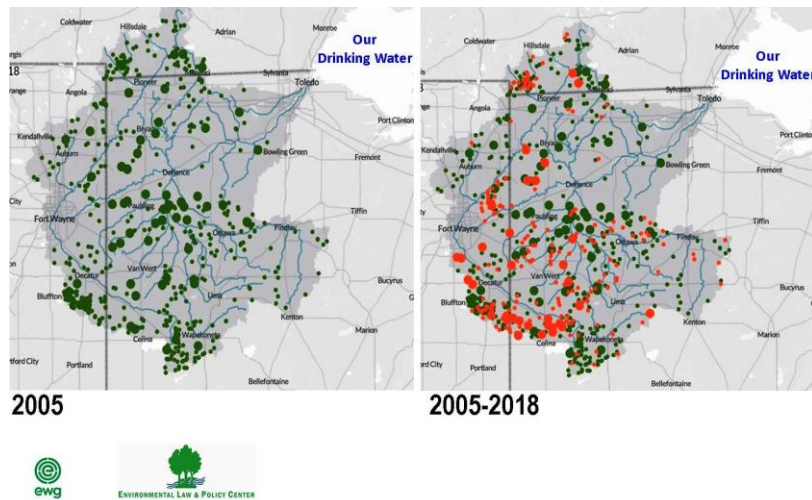
Bay View Waste Water Treatment Plant

Phosphorous: average raw and final effluent mg per liter 2006 - 2018

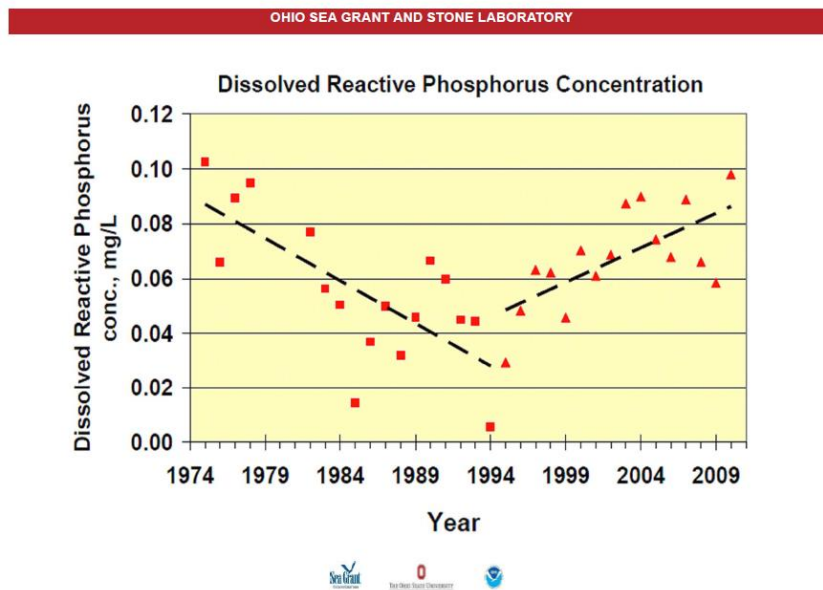


4) Investigation: Manure From Unregulated Factory Farms Fuels Lake Erie's Toxic Algae Blooms

<https://www.ewg.org/release/investigation-manure-unregulated-factory-farms-fuels-lake-erie-s-toxic-algae-blooms>



5)



<https://link.springer.com/article/10.1007/s13280-014-0624-6>

https://docs.wixstatic.com/ugd/9267e0_20b94a42ad734009889e13727e335451.pdf

6) CFR requiring TMDLs

<https://www.govinfo.gov/content/pkg/CFR-2013-title40-vol23/pdf/CFR-2013-title40-vol23-sec130-7.pdf>

EPA Procedure for developing TMDLs

<https://www.epa.gov/tmdl/overview-total-maximum-daily-loads-tmdls>