



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

USEPA Public Meeting – Great Lakes Restoration Initiative (GLRI)
University of Toledo Law School June 13, 2018 (rev. 6-22-18)
Remarks by Mike Ferner, Coordinator, Advocates for a Clean Lake Erie

We are glad to see officials from the USEPA on the road to hear from the public about the Great Lakes Restoration Initiative.

When “The Donald” proposed to eliminate GLRI funding early in his term, I started looking into it closely for the first time. I added my voice to other Toledo citizens and elected officials against the cuts, but in public meetings I had to mention something else I discovered about GLRI programs and spending.

I learned that between 2010 and 2016, GLRI funded 4,378 projects for over \$2,000,000,000. Searching through the “purpose” section of the EPA report revealed the equivalent of a book – 194 single-spaced pages with 63,145 words – in which the word “manure” was mentioned a grand total of two times. And confined animal feeding operations (CAFOs) were not mentioned at all!

Friends, what we have here is a \$2 billion elephant sitting not just in the room but on our laps and we refuse to recognize it.

In our watershed over a billion gallons of animal feces and urine are spread, untreated, on fields draining into Lake Erie, a volume considerably greater than the sewage output of Chicago and Los Angeles.

To put it in terms we can almost grasp, just one dairy CAFO in our watershed, in Williams County, has 3900 cows. It produces waste equivalent to the NW Ohio cities of Perrysburg, Sylvania, Maumee, Fremont and Defiance.

If all these cities are required to have sewage treatment plants that meet USEPA discharge requirements, why do CAFOs get to use Lake Erie as a free toilet? Indeed, if those mayors told the USEPA, “we can’t afford sewage treatment any more so we’re just going to dump it all in the nearest river,” how long would it be before U.S. Marshals hauled them off in chains? But CAFOs have been magically written out of the equation of the Great Lakes Restoration Initiative, ignoring a tsunami of excess phosphorus, nitrates, E. coli, viruses and antibiotic-resistant bacteria pouring into western Lake Erie and our drinking water supply.

The GLRI does much good work that benefits the Great Lakes – from keeping out invasive species to cleaning up toxic waste dumps. That’s why I joined in protesting the funding cuts.

But here in the western Lake Erie watershed, where our calendars include an official “harmful algal bloom season” every year and where we’ve become the national poster child for this problem, we believe a billion gallons of animal waste ought to merit much more than two words out of a whole book.

So I’m going to make three brief points:

- 1) The Great Lakes Restoration Initiative is doing just about nothing to eliminate harmful algal blooms in Lake Erie
- 2) Lake Erie’s unique problems that GLRI funding ignores
- 3) How GLRI funding needs to be changed

1): Restoration Initiative funding and programs do not address our HAB problems. Some may point to the projects and dollars directed at Lake Erie from the GLRI, but those projects are doing almost nothing to address the causes of harmful algal blooms – excess nutrients, nearly 90% from agriculture and much of that from confined animal feeding operations. For proof of this I offer two exhibits: a) is a [graph prepared by Dr. Jeff Reutter](#), former head of Ohio Sea Grant and a well-known lake researcher. It shows that we are back to the same dissolved Phosphorus levels we were at in 1974 – when waste water treatment plants were blowing out raw sewage and before Phosphates were banned from detergents. Exhibit b) is a reference from the Ohio EPA’s 2018 [Nutrient Mass Balance](#) report, pg. 22, which shows that Total Phosphorus coming down the Maumee River increased from about 2,200 metric tons in 2013 – the year before Toledo’s water emergency, to just over 3,000 metric tons in 2017.

2) Lake Erie’s unique problems that GLRI ignores:

- Exhibit c) is a map indicating the concentration of [subsurface drainage systems](#). You’ll notice that nowhere else on the North American continent is that concentration greater than in our watershed, the former Great Black Swamp. When a fecal tsunami is dumped on fields underlain by this concentration of drainage tiles, a large amount of it never “runs off” the land. It runs straight into the waterways.
- Exhibit d) is a paper titled [“Things that don’t work for \\$41 million.”](#) In it you will see summaries of research done by the US Department of Agriculture and the Royal Swedish Academy of Science that show beyond a doubt that traditional “best management practices” like buffer strips and cover crops do nothing – repeat – nothing to stop dissolved Phosphorus. “conservation” practice, no-till, actually makes it worse. This is why Dr. Reutter’s graph looks the way it does. This is why we say GLRI funding does not address the ongoing poisoning of Lake Erie.

That brings me to the third point: how GLRI funding needs to be changed.

Since the ag-related best management practices funded by GLRI don’t work for our problems, ACLE recommends that \$10 million out of the \$300 million dollar GLRI budget be moved from so-called best mgt. practices and made available for work to establish a Total Maximum Daily

Load or a “pollution diet” and enforceable watershed management plans as directed by the Clean Water Act.

It’s unfortunate that we have to, but our organization along with the Environmental Law and Policy Center is suing the USEPA to establish a TMDL for the western Lake Erie basin and we will continue that effort and others until we succeed. But today we have a rare opportunity to talk with you directly and hope that common sense prevails.