



## Legislation Text

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**File #:** R-482-19, **Version:** 1

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Office of the Mayor

**A Resolution Requesting The Ohio Department Of Agriculture To Require The Two Proposed Pending CAFO Permits That Would Add 14,400 (fourteen thousand four hundred) More Swine To The Maumee Watershed Provide That The Manure From These Facilities Be Treated To Human Waste Disposal Standards; And That Any Manure From These Facilities That Is Land Applied Must Meet The Phosphorous Agronomic Standards That Apply To Commercial Fertilizer.**

### SUMMARY & BACKGROUND:

In 2019 western Lake Erie experienced a severe harmful algal bloom in spite of the fact that we had less commercial fertilizer, phosphorous, and nitrogen field application because many farmers were prevented from planting from the significant spring floods.

These harmful algal blooms cost hundreds of millions of dollars and economic harm to the Lake Erie basin for things such as monitoring, treatment, capital costs for Water Treatment Plant's to deal with algae in the source water, decreased property values and reduction in revenue generated by fishing and boating and loss of enjoyment from beach closures.

In the 1980's the meat and dairy industries changed from pasteurizing animals to confining animals in order to bring them closer to market.

This change to large confined animal feeding operations significantly reduced the number of family farms raising livestock but more importantly radically changed the way manure has been disposed of, putting our lake and bay at risk.

The Great Lakes Water Quality Agreement, Annex 4, identifies the Maumee watershed as the most significant contributor of nutrients to western Lake Erie.

While investments in best management practices to reduce nutrient runoff in the Maumee/Western Lake Erie watershed are helpful, the hundreds of millions of dollars invested in these practices are not showing nutrient reductions, according to former E.P.A. Director Craig Butler.

While improving best farming practices have led to reduction in commercial fertilizer phosphorous applications in the Western Basin of Lake Erie the increase in concentrated animal feeding operations and direct manure applications have kept us from recognizing the benefits of those changing practices.

A March 2019 report by the Environmental Working Group estimates that the number of confined animals in the Maumee Watershed has increased by 126% between 2005 and 2018, the amount of manure has increased by 41% and the amount of phosphorous by 62% for the same period.

The Ohio Department of Agriculture is proposing a draft permit in the Auglaize/Maumee watershed within the Ohio EPA and the Toledo Lucas County Nutrient Source inventory states has excessive phosphorous and 9,600 more hogs will add more phosphorous and 4,800 hogs in the Tiffin/Maumee watershed that are trying to reduce phosphorous. NOW, THEREFORE,

Be it resolved by the Council of the City of Toledo:

SECTION 1. That the City of Toledo requests that the Ohio Department of Agriculture Division of Livestock Environmental Permitting require that the proposed permits for Lamar Swine Farms new 9600 Swine facilities in Van Wert County in the Auglaize/Maumee watershed and for the Brown Swine Farms new 4800 Swine facilities in Williams County in the Tiffin/Maumee watershed treat the manure generated at these facilities to the same standards as human sewage, and that soils where any manure is to be applied (treated or untreated) be required meet the same phosphorous agronomic soil limits as commercial fertilizer.

SECTION 2. That the Clerk of Council will send this Resolution to the Ohio Department of Agriculture, Division of Livestock Environmental Permitting, A.B. Graham Building, 8995 East Main Street, Reynoldsburg, Ohio 43068 and to Governor Mike DeWine, Ohio Senators Teresa Fedor and Theresa Gavarone, and Ohio State Representatives Paula Hicks-Hudson, Lisa Sobecki, Michael Sheehy and Derek Merrin.

SECTION 3. That it is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were adopted in an open meeting of this Council and that all deliberations of this Council and its committees that resulted in such formal actions, were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Revised Code of Ohio and that the reading and adoption of this Resolution complies with the provisions of the City Charter, as amended.

SECTION 4. That this Resolution shall take effect and be in force at the earliest date allowed by law.

**Adopted: October 1, 2019, as an emergency measure: yeas 12, nays 0.**

**Attest:**

**Gerald E. Dendinger**  
**Clerk of Council**

**Matt Cherry**  
**President of Council**

**Approved: October 1, 2019**  
**Wade Kapszukiewicz**  
**Mayor**