



June 29, 2022

Tera L. Fong,  
Director, Water Division  
US EPA Region 5  
77 West Jackson Blvd.  
Chicago, IL 60604-3507

Dear Director Fong:

Ohio's Grain Farmers have a long-standing commitment of resources and time to support efforts to determine economically sound and environmentally sustainable actions to restore Lake Erie since the advent of the Great Lakes Water Quality Agreement (GLWQA). Annex 4 of the GLWQA calls for a 40 percent reduction in total phosphorus loads to Lake Erie, along with 40 percent reductions in both total and dissolved phosphorus loads to the Maumee River watershed. These targets were the result of significant scientific and technical efforts on behalf of the International Joint Commission and are widely endorsed by the diverse stakeholders in the Lake Erie drainage basin. The load reductions serve as the targets for the Domestic Action Plan for Ohio and other states and US EPA. They also serve as the targets for the forthcoming Maumee Watershed Nutrient Total Maximum Daily Load (TMDL), which Ohio EPA is developing.

The Ohio Corn and Wheat Growers Association (OCWGA), the Ohio Soybean Association (OSA) and the Ohio AgriBusiness Association (OABA) represent the interests of thousands of grain farmers and agribusinesses that are stewards of over 8 million acres of farmland across the state of Ohio. In support of our members' commitment to Lake Erie, the associations are members of the Maumee TMDL Coalition – a diverse group of stakeholders including agriculture and municipal and industrial point sources. The Coalition is working to provide input to the Maumee TMDL process to help ensure that implementation of the TMDL is economically sound and environmentally sustainable for Ohio's grain farmers, municipalities, and industries. The Coalition is preparing a comment letter; however, as OCWGA, OSA, and OABA represent a sector of the agricultural community, our concerns are more limited in scope than the point source members of the Coalition. We are therefore submitting a separate letter.

We support our point source partners in the Maumee Coalition and the position of Ohio EPA regarding US EPA Region 5's objection on a specific provision in the draft National Pollutant Discharge Elimination System (NPDES) permit that Ohio EPA developed for the City of Euclid

wastewater treatment plant (WWTP). While the Euclid WWTP is not in the Maumee watershed, we are very concerned about Region 5's objection as it could set precedent for point source permits throughout the entire Lake Erie Basin, including the Maumee watershed, and the rest of the state.

The authority for such regulatory decisions should remain with the State of Ohio. Ohio EPA, not Region 5, is the most knowledgeable about water quality in Ohio and the actions necessary to restore and protect Ohio's water resources. Region 5 has proposed a "de-facto" regulation by including an NPDES permit limit not based on any water quality criterion applicable to Lake Erie. This proposed phosphorus limit is beyond the limit-of-technology and Region 5 has not demonstrated that if Euclid were to meet this limit, that there would be any improvement in Lake Erie water quality.

Further, we are disturbed as this action ignores the GLWQA and the efforts by the International Joint Commission and Ohio EPA to achieve the desired phosphorus loading targets for Lake Erie. Addressing Lake Erie's nutrient caused impairments through collaboration, strong science, and practical application remains a priority for Ohio agriculture.

Sincerely,



Tadd Nicholson  
Executive Director  
Ohio Corn & Wheat  
Growers Association



Christopher Henney, CAE  
President and CEO  
Ohio Agribusiness Association



Kirk B. Merritt  
Executive Director  
Ohio Soybean Association