

April 7, 2015  
FOR IMMEDIATE RELEASE  
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## Senate Bill 1

Water Quality continues to be a hot item. We as farmers need to take note of the attention this topic is getting throughout the state as we move forward with this growing season. This information is from the most recent C.O.R.N. newsletter and discusses the situation in Northern Ohio. This is by Glen Arnold (Manure Specialist) and Peggy Hall (Ag Law) of OSU Extension.

Ohio's legislature passed a bill intended to control algae production in Lake Erie and its western basin. The law will regulate manure and fertilizer applications in the watersheds of the western basin of Lake Erie. The effective date of this new law is June 21, 2015.

The final bill contains the following provisions:

### **Fertilizer application restrictions in the western basin**

For applications of fertilizer in the western basin, a person may not apply fertilizer, defined as nitrogen or phosphorous, under these conditions:

- (1) On snow-covered or frozen soil, or
- (2) When the top two inches of soil are saturated from precipitation, or
- (3) In a granular form when the local weather forecast for the application area contains greater than a 50% chance of precipitation exceeding one inch in a twelve-hour period,

**unless** the fertilizer is injected into the ground, incorporated within 24 hours of surface application or applied onto a growing crop.

Small and medium operations may apply for a temporary exemption from the restrictions, as explained below. The ODA will have authority to investigate complaints of potential violations and to assess penalties for violations, which may not exceed \$10,000 for each violation.

### **Manure application restrictions in the western basin**

A person may not surface apply manure in the western basin under any of the following circumstances:

- (1) On snow-covered or frozen soil;



(2) When the top two inches of soil are saturated from precipitation;

(3) When the local weather forecast for the application area contains greater than a 50% chance of precipitation exceeding one-half inch in a 24 hour period.

**unless** the manure is injected into the ground, incorporated within 24 hours of surface application, applied onto a growing crop, or if in the event of an emergency, the chief of the division of soil and water resources or the chief's designee provides written consent and the manure application is made in accordance with procedures established in the United States department of agriculture natural resources conservation service practice standard code 590 prepared for this state.

Small and medium operations may apply for a temporary exemption from the restrictions, as explained below. The ODA will have authority to investigate complaints of potential violations and to assess penalties for violations, which may not exceed \$10,000 for each violation.

#### **Exemptions for small and medium operations:**

Small and medium agricultural operations may apply for a temporary exemption from the law's restrictions on fertilizer and manure applications. The chief of the division of soil and water resources may grant an exemption of up to one year for a medium agricultural operation and up to two years for a small operation, if the operation is working toward compliance. An exempted operation may request technical assistance to reach compliance, and will not be subject to civil penalties for violations. The law defines small and medium agricultural operations in the same way as the Livestock Environmental Permitting program, based on the number of livestock according to species. ORC 1511(D).

#### **Certification requirements for persons using manure from Confined Animal Feeding Facilities:**

To utilize manure from a concentrated animal feeding facility that is regulated under ODA's Division of Livestock Environmental Permitting, a person must hold either a Certified Livestock Manager license or certification under Ohio's new fertilizer applicator certification program. The provision pertains only if applying the manure for agricultural production on more than 50 acres. This language closes the proclaimed "loophole" that allowed persons to receive and apply manure from a livestock facility without being subject to the same regulations as the facility. ORC 903.40.

#### **Implementation review:**

The final version of the legislation requires a review three years after the law's effective date by the appropriate House and Senate committees, who must assess the results of implementing the new measures and issue a report of their findings and recommendations for revisions or repeal to the Governor.

## Dates to Remember

- County Cattlemen Annual Cattlemen Banquets: Adams County is now changed to April 9, and Brown Co. is April 11.
- Pesticide Test April 13 at the Old Y Restaurant begins at noon. These tests are offered on the second Monday of each month. Go to <http://pested.osu.edu> or call the Ohio Department of Agriculture at 800-282-1955 to register. Space is limited.
- GAP for Tobacco April 14 at 7:00 p.m. in the cafeteria at Eastern Brown High School. Call Barbie to register at 544-2339.
- COBA AI Class COBA/Select Sires will again offer the training for artificial insemination at the United Producers in Hillsboro on the evenings of April 28, 29 and 30 beginning at 6:00 p.m. For details contact COBA at 800 837-2621.