

New Regulations For Ohio Agriculture Not Part Of EPA Proposal

COLUMBUS, Ohio—The Environmental Protection Agency's plan to clean up America's waterways, which includes reducing pollution from farms, should not establish new nonpoint pollution regulations in Ohio beyond those that currently exist, said Brent Sohngen, Ohio State University Extension natural resource and environmental economics specialist.

Instead, the plan will help environmental and regulatory agencies better target funds for voluntary incentive payment programs. The incentive programs encourage farmers to adopt best management practices that reduce potential water pollutants coming from farmland, Sohngen said.

"And, with continued monitoring, agencies will be better equipped to monitor the effectiveness of these voluntary programs," he said.

The EPA strategy, announced in August, calls for states to submit plans within 15 years to clean up every waterway that fails to meet water-quality standards. The agency estimates there are more than 20,000 streams and lakes nationwide that fall into this category.

U.S. Agriculture Secretary Dan Glickman told the Senate Agriculture Committee on Feb. 23 that the impact of the proposed plan on farmers needs to be clarified.

In Ohio, what is clear is that the strategy will provide more information than currently exists on the contribution of nonpoint sources, such as farm operations, to the total pollution in Ohio waterbodies, Sohngen said.

"This may show that agriculture contributes a large or small share of the pollution to waterbodies, depending on the particular place," Sohngen said.

The strategy requires states to

develop Total Maximum Daily Load (TMDL) plans for waterbody segments—rivers, lakes and streams—that are not meeting existing standards for biological, habitat, sediment and chemical quality of surface waters. The Ohio EPA has divided the water of Ohio into approximately 5,000 waterbody segments. Of these, 881 are not meeting existing water-quality standards and require TMDL development.

TMDLs involve collecting information in waterbodies to determine total point and nonpoint source pollution loads. Loads are the quantity of pollution contributed to a stream by a single point—such as a discharge pipe from a wastewater treatment plant—or a group of nonpoint sources—such as runoff from farms, lawns or construction sites. The collected information can then be used to set maximum loads from each of these sources that can be permitted and still meet water-quality standards, Sohngen said.

Pollution load data already exists for most point sources of pollution under the National Pollutant Discharge Elimination System (NPDES) permitting process. The new initiative calls for development of similar load calculations for nonpoint sources of pollution. It will calculate loads that occur naturally, calculate maximum total loads from all sources and determine how to reduce maximum loads in trouble areas in order to meet water-quality standards, he said.

In Ohio, four subgroups of an Ohio EPA External Advisory Group are helping develop the TMDL process. One subgroup is looking at current water quality monitoring methods and how they fit into the TMDL process. Traditionally, EPA tests water quality every five years on a basin level. A basin consists of

all the land drained by a river and its branches. TMDL will require much more focused testing, Sohngen said.

A second subgroup is looking at pollution flow models as a potential way of determining TMDLs versus actual data collection. Another group is prioritizing which of the 881 waterbodies in Ohio currently not meeting water-quality standards should be targeted for improvement efforts first.

Sohngen is part of a fourth subgroup that is considering how to implement incentive programs, regulations or other methods to improve water quality in areas currently not meeting standards.

"From what I've observed, most people want to focus on effective, voluntary incentive payment programs as the first method to reduce agricultural nonpoint source pollution," Sohngen said. "But if that doesn't work, and nonpoint sources are not making good-faith efforts to improve water quality, then government regulations may become necessary to bring nonpoint sources to the bargaining table."

The unregulated, nonpoint community does not want to see regulations, but they are sensitive to the notion they need to make efforts to reduce pollution, Sohngen said. So, the question that arises is what constitutes a feasible good-faith effort that everyone can live with.

Possible voluntary efforts farmers could implement include improved manure management plans, reduced nutrient applications, conversion to conservation tillage to reduce sediment runoff, and installation of vegetative filter strips along streams to absorb sediment, nutrients or other potential water

pollutants that could wash from farm fields.

Large farms classified as Concentrated Animal Feeding Operations, which currently require a permit to be installed and may eventually be classified as point sources of pollution if other regulatory efforts under way in the state are passed, could be more susceptible to TMDL pollution restrictions, Sohngen said.

Several factors will influence the potential impact of the TMDL plans. One goal of the TMDL process is to target problem areas and direct financial resources toward them. That means incentive programs will not be spread equally across the state, he said.

There are three main government agencies that give financial incentives for agricultural environmental programs in Ohio: the Ohio EPA, the U.S. Department of Agriculture Natural Resource Conservation Service and the Ohio Department of Natural Resources. Only the Ohio EPA has TMDL efforts written into their directives.

"One key for this program to have an impact will be for these three agencies to work together to focus on TMDL priorities," Sohngen said.

Increased funding for farmer-implemented environmental incentive programs would be helpful, and Sohngen thinks the next Farm Bill will do that.

Finally, incentive programs can be made more effective by focusing on actual improvements in water quality in addition to implementing environmental measures on a farm, he said.

"Currently farmers are given money to install things like filter strips, manure lagoons and other structures. But it's not

enough just to put these things in. You have to make sure there are no spills from the lagoons or that the filter strips are in the right spot to have the largest effect," Sohngen said. "Perhaps farmers should be given some performance criteria and offered an extra payment if water quality improves in two or three years."

The TMDL process is already under way in Ohio. Five TMDL plans are to be completed by the end of the year, and four additional plans are to be completed in 2001.

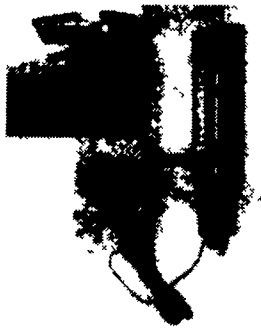
"The most important part of TMDLs is to be able to collect enough data to determine where the pollution is coming from—either point or nonpoint sources—and be able to focus resources on the impacted area or areas," Sohngen said. "If we can do that, we can design some programs that will really make a difference."

For more information on TMDLs, people can read the Total Maximum Daily Load (TMDLs) AE-7-99 fact sheet available on Ohio State University Extension's Ohioline Web site <http://ohioline.ag.ohio-state.edu/ae-fact/0007.html>. The fact sheet is also available at county offices of Ohio State University Extension.

Additional resources available on the World Wide Web include the U.S. EPA: Total Maximum Daily Load Program Description (<http://www.epa.gov/OWOW/tmdl/>), the Ohio EPA, Section 303(d) TMDL Priority List for 1999-2000 (<http://chagr.in.epa.state.oh.us/programs/tmdl/303dnotc.html>), and the Conservation Technology Information Center at Purdue University (<http://ctic.purdue.edu/kywmdl/tmdlhome.html>).

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