Statement of Hugh F. Crowell, MS, PWS
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on
"H.B. 64 – Main Operating Budget FY2016-FY2017"

before the
Ohio House Finance Committee

March 25, 2015

Mr. Chairman and Members of the Committee,

Thank you for the opportunity to testify today in support of the proposed creation of a Certified Water Quality Professional program as presented in House Bill 64. I am Hugh Crowell, the Ecology & Wetlands Practice Leader and a Principal with Hull & Associates, Inc., an environmental, energy, and project development firm with over 160 employees in five offices across the state. Founded in Ohio in 1980, Hull has long assisted our clients with building stronger economic futures for their communities, and improving the quality of life for the people who live there through the use of strategic planning and sound environmental guidance in the course of project permitting and development. We are respected experts in the fields of environmental permitting, brownfields redevelopment, alternative energy, waste management and the shale oil and gas industry because of our strong reputation with regulators, legislators, and industry alike.

In particular, Hull has an established reputation as experts in the areas of wetland and stream quality assessment and surface water permitting in Ohio. As a firm, we continue to advocate for and support sound policy changes at the state and federal levels that both strengthen surface water protection and allow for economic growth. It is for these reasons that Hull strongly supports creation of a Certified Water Quality Professional (CWQP) program at the Ohio Environmental Protection Agency (Ohio EPA).

I was originally involved with Ohio's surface water protection as a scientist in the Division of Water Quality at Ohio EPA starting in 1988, when wetland and stream protection efforts were strengthening at the federal and state levels. As a consultant with Hull, I had the privilege in 2006-2007 of serving on Ohio EPA work groups for proposed wetland and stream mitigation rules, and in 2010 on an Ohio EPA Kaizen work group designed to improve the efficiency of the Section 401 permit review process.

I strongly support the proposed CWQP program at Ohio EPA from my perspective as a practicing water quality professional in Ohio. The proposed CWQP program would significantly advance the goal of protective, efficient regulation of surface water quality in

Ohio by improving the accuracy and reliability of wetland and stream assessment data submitted to Ohio EPA, improving the timeliness of water quality permit reviews, and reducing permitting costs for the agency and the regulated community. Overall, the program would improve surface water quality protection in Ohio by freeing up limited Ohio EPA staff resources to work on additional environmental protection activities.

Ohio EPA surface water quality regulators receive extremely large amounts of surface water quality data from permit applicants, data which the agency uses to determine levels of proposed water quality impacts and compliance of projects with state water quality rules. Much of this data consists of wetland and stream assessments using rapid methods developed by Ohio EPA including the Ohio Rapid Assessment Method for Wetlands (ORAM), Qualitative Habitat Evaluation Index (QHEI), Headwaters Habitat Evaluation Index (HHEI) and Headwaters Macroinvertebrate Field Evaluation Index (HMFEI). Ohio EPA and a nonprofit vendor offer instruction in the use of these methods, but receiving the instruction and demonstrating competence in the methods are not currently required for water quality professionals submitting data to the Agency. In fact, many water quality professionals working in Ohio have not received formal instruction in the assessment methods, and have varying degrees of experience and understanding in using them.

As a result, the accuracy and reliability of surface water quality data received by Ohio EPA cannot be determined without page-by-page office and field review, often including field meetings with the water quality professional who submitted the data. This process consumes staff resources that could otherwise be devoted to other environmental protection activities.

The proposed certification program would require water quality professionals seeking certification to complete instruction in the various methods, to demonstrate competence in the use of the methods through testing, and to demonstrate accuracy and reliability continuously through random audits conducted by Ohio EPA surface water staff. Rather than Ohio EPA having to subject each set of wetland and stream assessment data received to detailed office and field review, data received from CWQPs could be relied on by the Agency to be high quality, accurate, and reliable.

The quality, accuracy and reliability of surface water quality data received from CWQPs would be maintained through the program's random auditing process, recertification requirements, and continuing education. CWQPs who fail to meet technical standards for the certification program or found to be falsifying information on the CWQP application would be subject to revocation of their certification.

The CWQP program has the potential to substantially reduce the time and cost of surface water permitting for both Ohio EPA and permittees. Permit applicants using a CWQP to develop their projects would be confident that their permit application submittals would receive appropriate scrutiny and protective regulatory review in an expedited manner. Permitting costs would decline, primarily because field review and approval of data submittals would tend to occur during random audits of CWQPs rather than during

technical review for every permit. In addition, given proposed fees for initial certification and renewal for water quality professionals, the CWQP program has the potential to be financially self-sustaining, and not require additional funding.

In conclusion, I strongly support the proposed CWQP program. And as a business, Hull recognizes that the CWQP would be a highly-marketable credential for consultants who can meet and maintain the rigorous standards for certification.

Thank you for the opportunity to testify before you today. My colleagues and I stand ready to assist with any additional insight or input you might require based on Hull's surface water assessment and regulatory experience. I am happy to answer any questions you may have.