

May 17, 2021

Chairman Kyle Koehler
77 S. High Street, 13th Floor
Columbus, OH 43215

Re: House Bill 175, Deregulate certain ephemeral
water features

Dear Chairman Koehler, members of the Ohio Agricultural and Conservation Committee, and legislative leaders:

Cuyahoga Soil and Water Conservation District works to implement programs and practices that protect and restore healthy soil and water resources in Cuyahoga County. We strongly oppose House Bill 175 in its entirety because it runs counter to the goals of H2Ohio and has the potential to negatively impact business and residential streamside property owners due to erosion.

The bill which states that, “an ephemeral feature is a surface water that flows or pools only in response to precipitation” underestimates the importance of ephemeral streams, which are a significant part of our hydrological systems that includes streams, wetlands, and lakes. Ephemeral streams do not always contain flowing water, but they are a part of the headwater streams network that manages and treats water through natural processes before reaching our main stem streams, the Ohio River and Lake Erie. Clean water is vital to human health, recreation, tourism, and business.

Even without flowing water, ephemeral streams serve to collect, infiltrate, and treat storm water before the water reaches downstream waterways. Ephemeral streams are our first line of defense from water pollution, stream bank erosion and flooding protection, all of which have costly environmental and economic impacts. Ohio EPA estimates there are more than 36,000 miles of ephemeral streams in Ohio, which has huge potential for negatively impacting residential and business landowners.

Eliminating oversight of the streams means that development or other land uses will eliminate these without any requirements to mitigate the impacts to the streams and/or the costs associated with doing so. Removing them from protection may provide cost savings to business in Ohio in the short term but long-term businesses, government, and residents will pay the price of increased water pollution, nutrient runoff, and flooding as well as ongoing impacts to fish and other wildlife.

Sincerely,



Janine Rybka
Director

cc. S. Lippus, Chair