

Opponent Testimony of
Toledo Metropolitan Area Council of Governments
House Bill 175
Presented to the Ohio Agricultural and Conservation Committee
June 23, 2021

Chairman Koehler, Vice Chair Creech, Ranking Member Brent and Members of the House Agriculture and Conservation Committee, I am writing to express TMACOG's continued opposition to House Bill 175 that aims to remove ephemeral streams from Ohio's protection and oversight. The amendments that will be presented today **do not** change the ultimate impact of this bill. The proposed amendment only allows Ohio OEPA's continued oversight for waterways defined as Waters of the State. Because HB 175 removes ephemeral features from Ohio's definition of Waters of the State, the bill (even with the amendment) will remove Ohio EPA's ability to protect ephemeral features from polluted discharges, dumping, destruction, and filling. This bill will roll back Ohio's protection of ephemeral features that have been in effect for over 40 years. Also, please keep in mind that Ohio's definition of ephemeral features explicitly **excludes** erosional features and agricultural ditches from Ohio EPA's oversight. This bill is based on misinformation and serves only to financially benefit a small number of industries at the expense of Ohio's water quality.

As our water quality continues to decline in many areas of the state and in Lake Erie and as the state continues to invest taxpayer dollars intended to improve water quality, this is not the legacy that today's legislature should leave for future Ohioans. TMACOG recognizes the weight of the legislature's responsibility in passing laws for the benefit of Ohio's citizens, our economy, and our natural resources. As such, we respectfully request that members of this committee vote No on HB 175.

Testimony provided by
Kari Gerwin, Director of Water Quality Planning
Toledo Metropolitan Area Council of Governments