



**Testimony in Support of Am. HB175 on behalf of the
Ohio Aggregates & Industrial Minerals Association**

November 30, 2021

Good afternoon Chairman Schaffer, Vice Chair Huffman, Ranking member Fedor and the members of the Senate Agriculture & Natural Resources Committee. My name is Pat Jacomet and I am proud to serve as Executive Director of the Ohio Aggregates & Industrial Minerals Association (“OAIMA”) and on behalf of the OAIMA, we are pleased to offer our strong support for Am. HB175.

Our membership is comprised of nearly 100 companies involved in the production of construction aggregates and industrial minerals for use in everything from roads and bridges to homebuilding. For example, asphalt roads are 95% aggregate and Portland cement concrete is about 85% aggregate. Every lane mile of interstate uses 38,000 tons of aggregate and every Ohioan uses approximately 10 tons of aggregate each year.

Last year, Ohio operations produced over 100 million tons of aggregate with over 50% of this quantity being used in public works projects and paid for with tax dollars. 99% of construction aggregates are mined and used within 50 miles of where they are extracted. Therefore, it is critical that public policy recognize this extremely important resource and implement common sense rules and regulations that protect the environment while not unnecessarily impeding access to these critical resources that support tens of thousands of jobs while maintaining our infrastructure and quality of life.

The OAIMA recognizes the important role we play in the environment. In fact, in 2001, the OAIMA was a full partner in drafting SB83 which placed new restrictions on mining operations to better protect scenic rivers and other watercourses. These restrictions include horizontal setbacks of various distances depending on the type of river or stream, including wild and scenic rivers and other watercourses depending on the size of the drainage area.

Not only did SB83 better protect the environment, SB83 presented me with my first legislative experience, an experience that I must tell you I am proud of. It was the culmination of many discussions with our regulators who worked in good faith to formalize a commonsense approach to protecting streams and rivers. Secondly, and more impressive to me, is the fact that our industry supported additional restrictions.... upon ourselves. We did so because those restrictions

made sense. Our commitment to our important role in the economy, while also protecting the environment with common sense regulation has never faltered.

As I stated earlier, in 2020, Ohio companies produced just over 100 million tons of aggregates. In 2020 alone, the basins created during this process created over 14 billion additional gallons of freshwater storage capacity while also creating critical freshwater shoreline habitat. To put that in perspective, this is enough freshwater storage capacity to supply the Dayton and Montgomery area with 195 days of fresh water and the city of Columbus with nearly 100 days of freshwater. Unlike other industries, the unique nature of the production of critical construction materials creates important water storage capacity and freshwater shoreline habitat.

While the industry has proven that it will support good, common sense regulation to address real environmental concerns, we cannot and will not support the strict regulation of so called “ephemeral streams.” This is one more instance of regulatory overreach. First of all, “ephemeral streams” are not “streams” that most regular Americans would recognize, so we should call them what they are--ruts, slight depressions, and puddles that only hold water during rain, snowmelt, or other precipitation events. The exclusion of “ephemeral streams” from WOTUS is correct and should be mirrored in Ohio. The inclusion of “ephemeral streams” in Ohio’s regulatory scheme produces uncertainty and adds additional cost that are not consistent with any environmental benefits. Nationally, this regulatory overreach has been recognized by thirty-seven states which have excluded “ephemeral streams” from permitting and mitigation programs.

In conclusion, the members of the OAIMA strongly support Am. HB175. This bill will align Ohio with the majority of states and provide clear guidance to those industries engaged in infrastructure development by eliminating confusion, uncertainty, and unnecessary costs.

Thank you for the opportunity to offer or support for Am. HB175 and I will be happy to try to answer any questions you may have.

About The Aggregates & Industrial Minerals Industry

With nearly 250 members statewide, the Ohio Aggregates and Industrial Minerals Association represents Ohio’s producers of limestone, sand and gravel, slag and other construction materials,

as well as a variety of industrial minerals. Aggregates and industrial minerals are the basic elements in all construction activity and any economic recovery in Ohio depends upon good, quality, local and reliable resources. 99% of construction aggregates are mined and used locally, generally within 50 miles of where they are extracted.

Limestone, sand and gravel and slag are the state's most fundamental building blocks. For instance, concrete is composed of 85% aggregate while asphalt is comprised of approximately 95% aggregates. It is important to note that over 50% of all aggregates are purchased with tax dollars.

Every lane mile of interstate uses 38,000 tons of aggregate, each new home requires about 400 tons of aggregate and every American born today will need 3.6 million pounds of minerals, metal and fuels in his or her lifetime including 1.7 million pounds of aggregates and industrial minerals mined in Ohio. On average, each Ohio citizen uses approximately 10 tons of aggregates and industrial minerals that are mined in Ohio each year (up from a national average of 3 ½ tons/person 70 years ago).

Ohio has 549 aggregates and industrial minerals operations in 87 Ohio counties. The industry employs nearly 3,200 people with average wages exceeding \$46,000. Another 40,000 Ohioans are employed indirectly in Ohio's minerals industry such as truck drivers, electricians, mechanics and other supply and supporting professions. In addition, for every dollar spent on aggregates, an additional \$1.58 is added back into the economy.

1. Based on Dayton/Montgomery County use of 75 million gallons/per day (GPD) and Columbus use of 50 billion gallons per year and assuming no replenishment.