



September 28, 2021

To: Members of the Ohio House
From: Heather Taylor-Miesle, President, Ohio Environmental Council Action Fund
Re: House Bill 175

Dear Honorable Representatives,

I am writing to inform you that the Ohio Environmental Council (OEC) Action Fund will be scoring House Bill 175 (HB 175) for the purposes of our Legislative Scorecard for the 134th Ohio General Assembly. **We urge a NO vote on HB 175.** To the extent that HB 175 passes, the OEC Action Fund will be doing extensive public education on the content and the votes on this legislation due to its adverse impact to Ohio's environment and the health of Ohioans.

Simply put, this legislation is bad for Ohioans and their drinking water. This proposed legislation would be detrimental to Ohio's drinking water in the following ways:

1. **This legislation removes critical regulatory coverage for more than 36,000 miles of ephemeral rain-dependent streams across Ohio** by removing them from the definition of "Waters of the State." HB 175 would no longer require a permit to discharge any of these pollutants into an ephemeral stream under Ohio's Water Pollution Control Law. This is extremely problematic due to the clear science highlighting the connectivity of our watersheds. If any of these pollutants were discharged into an ephemeral stream following a rain event, when they form, the pollutant will end up downstream in a larger water system. These largest surface water systems are the source of drinking water for over half of all Ohioans.
2. **HB 175 directly undercuts our investment in water quality.** The state of Ohio is investing over six figures of state funds into the science-based, well-rounded H2Ohio water quality improvement program. HB 175 would directly undercut that investment of taxpayer dollars by eroding foundational water quality regulations that are preventing pollution across the state. If we are opening our waterways to further water quality problems as this bill would do, the benefits of the H2Ohio investment could be greatly diminished.
3. **This legislation shifts the cost of pollution to Ohioans.** This legislation will be detrimental to Ohioans pocketbooks. Without protections for ephemeral streams, and our other waterways, Ohioans—not polluters—will be faced with the clean-up costs. By removing permitting requirements that currently exist, the polluter won't have to pay any fees for degrading water quality through discharging. This new pollution in a water system will need to then be treated at a drinking water treatment facility increasing the cost on our water bills due to increased treatment costs.

Not only will this legislation fail to protect the ecological qualities of thousands of ephemeral streams in Ohio, it will also fail to protect the drinking water of millions of Ohioans who rely on surface water sources. The bill purposely ignores the science in favor of an interpretation that benefits those that would be causing pollution. On behalf of our members and supporters we strongly urge a no vote on this legislation.

If you have any questions, please direct them to Trish Demeter at tdemeter@theoec.org.

Sincerely,

Heather Taylor-Miesle
President OEC Action Fund