



For Immediate Release  
July 17, 2009

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## Ohio air, water, and soil resources gain but also lose ground in new state operating budget

Ohio Environmental Council Deputy Director Jack Shaner issued this statement, following Governor Ted Strickland's approval today of the new two-year state operating budget:

### OVERALL REACTION

"Ohio will both gain and lose ground in protecting our air, water, and soil resources.

"Most importantly, Ohioans can remain assured of continued oversight and protection of safe drinking water, clean air, and surface and ground water, thanks to an increase in tipping fees collected on municipal garbage.

"On the downside, natural resources were dealt a series of deep funding cuts. This will take a serious toll on the ability of Ohio's 88 county soil and water conservation programs to conserve topsoil and stop polluted runoff from fields and city streets entering waterways.

### STRICKLAND REJECTS OEC REQUEST TO VETO ERAC AMENDMENT

Governor Strickland let stand a controversial provision suddenly added by the Conference Committee to establish a statutory deadline by which the Environmental Review Appeals Commission (ERAC) must issue written orders regarding appeals pending before the commission.

On Wednesday, the Ohio Environmental Council, along with the Sierra Club Ohio Chapter and Environment Ohio, asked the Governor to veto the provision, pointing out that the amendment:

- was inserted in the Conference Report with no opportunity for public testimony;
- conflicts with Federal law;
- will make it harder for citizens to earn full and fair consideration of their appeals

"The last accessible sounding board to seek environmental protection is essentially silenced by these impossible and unworkable deadlines. This amendment in effect tells any citizen who dares challenge an Ohio EPA decision that they are not worthy of having their day in court. The amendment will have a chilling effect on future appeals by citizen groups who already barely have the financial resources to prosecute an appeal under current ERAC timelines against the deep pockets of industry and the state. This provision is not in the public interest—period," said Shaner.

## **MORE REACTION**

“Turning back to good news, we are grateful for the Administration and the General Assembly for continuing Ohio’s Scenic and Wild Rivers program, which returns benefits to paddlers and recreation enthusiasts looking for more ‘staycation’ opportunities as well as local travel and tourism business owners. Nature and history lovers, meanwhile, will continue to enjoy public lands unspoiled by the threatened specter of oil and gas drilling in state parks, nature preserves, historic sites, and even Lake Erie.

“Praise as well goes to the cooler heads that prevailed when the General Assembly ultimately junked several thoughtless proposals, including ones to:

- redefine scrap tires, trash, street dirt, and coal methane gas as renewable energy;
- water down the definition of ‘unrecognizable waste’ in construction and demolition landfills, which could open the door to the acceptance of toxic waste-tainted waste; and
- narrow the minimum five-foot separation distance between CD&D landfill waste and groundwater

“On the downside, natural resources were dealt a series of deep funding cuts. This will take a serious toll on the ability of Ohio’s 88 county soil and water conservation programs to conserve topsoil and stop polluted farm fields and city streets from entering waterways.

“Even more wounding is Governor Strickland’s decision to completely zero out funding for state nature preserves and the mapping of Ohio’s underground resources. Ohio’s 134 state nature preserves represent the last remaining bit of Ohio’s wilderness. Without funding, their future may be threatened from neglect and the encroachment of invasive species.

“With no organized geological survey, Ohio will know less about groundwater sources and will risk falling further behind in the race to develop deep underground storage places for the long-term capture and storage of carbon.

“Other regress includes the General Assembly’s refusal to ask the coal industry—an industry that reported \$655 million in production in 2007—to relieve taxpayers of a \$1.2 million biennial burden to help mining oversight.

Rumors already are spreading that lawmakers may return to Columbus in September to consider a budget correction bill to reconcile any differences between appropriation levels and actual revenues, as well as to revisit several law changes adopted in the new budget.

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The mission of the Ohio Environmental Council (OEC) is to secure healthy air, land, and water for all who call Ohio home. The OEC is Ohio’s leading advocate for fresh air, clean water, and sustainable land use. The OEC has a 40-year history of innovation, pragmatism, and success. Using legislative initiatives, legal action, scientific principles, and statewide partnerships, the OEC secures a healthier environment for Ohio’s families and communities. For more information, visit [www.theOEC.org](http://www.theOEC.org).