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## DITCHES



**Hydromodification—such as ditch or channelization projects that alter stream channels, destroy wildlife habitat, and denude protective streamside vegetation—is the leading cause of water pollution in Ohio (source: Ohio EPA).**

### Ditch history

Little remains of the once vast wetlands of Ohio’s Great Black Swamp and Scioto Marsh beyond a few isolated remnant patches and photo images preserved in Ohio history books. In the mid-to late-1800’s Ohio farmers created an intricate system of ditches in effort to drain the rich, extensive wetlands, or “muck fields” as early settlers referred to them, to grow onions and later soybeans, corn and wheat. Once drained, the rich soil became some of the most productive farmland in the country. To maximize the drainage of water from the fields, farmers also channelized streams.



Human-made ditches and channelized streams are common in agricultural areas of Ohio—particularly in Northwest and Westcentral Ohio. Ditches and channelized streams provide drainage for farmland, but often have poor water quality and little floodplain or wildlife habitat.

### Ohio’s Ditch Laws

Ohio’s ditch laws confer broad authority to landowners and local governments concerned with real or perceived flooding or drainage problems to petition local governments to deepen, straighten, alter, tile, fill or change the course or location of any ditch, drain, watercourse or floodway. These ditch projects are referred to in Ohio law as “improvements” yet they often involve cutting down trees and vegetation along streambanks and deepening or straightening the waterway. In most cases, no review or of the harm to the environment is required. Landowners in the watershed drainage basin are assessed for the cost of the ditch project. Landowners are also charged for maintenance costs.

Some parts of Ohio’s ditch law originally were created in response to the devastating 1913 flood in order to prevent and control future flooding. While some sections of Ohio’s

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## Ditch law continued

Ditch law were created or later updated in the 1950's, many portions of the law pre-date the Clean Water Act or the creation of the Ohio Environmental Protection Agency, and thus often conflict with the Clean Water Act's mission to restore the chemical, physical, and biological integrity of Ohio's waterways and local watershed restoration efforts. While ditch projects and ditch maintenance activities' aim is to improve agricultural drainage or reduce flooding, they often destroy wildlife habitat, pollute water, and in some cases can actually increase downstream flooding.

Ditch projects can be conducted through one of three mechanisms: 1) Ohio County Ditch Law, (ORC § 6131) commonly referred to as Ohio Drainage Law or Petition Ditch Law which is administered by county commissioners and engineers; 2) Conservation Improvement projects (ORC § 1515) commonly called Senate Bill 160 projects which are administered by Soil and Water Conservation Districts; and 3) Ohio Conservancy District Law (ORC § 6101) which are administered by Ohio's 19 active Conservancy Districts.

**Millions of state and federal tax-payer dollars are being invested in efforts to restore Ohio rivers and streams.**

**Ditch and channelization projects, however, conflict with these objectives and threaten to undermine progress made to improve water quality.**

## Competing Goals?



Left: A landowner removed trees and riparian vegetation from the stream banks of the South Fork of the Great Miami which drains into Indian Lake.



Right: Approximately one mile upstream from the channelization/ditch project is a "Stream Care and Tree Planting Project" sponsored by federal, state, and local agencies including the Natural Resources Conservation Service, Ohio Department of Natural Resources, Ohio Environmental Protection Agency, Logan County Soil and Water Conservation District, Ohio State University Extension, and the Indian Lake Watershed Project. Trees were planted along this portion of the South Fork of the Great Miami in an effort to restore the riparian habitat and reduce sediment entering Indian Lake.