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## Conservation Groups Reach Landmark Settlement With Federal, State Environmental Protection Agencies

### *Ohio Promises to Address Water Pollution in 50 Watersheds by 2008*

**Columbus, OH**—The state of Ohio has agreed to develop plans to restore the water quality of 50 watersheds to fishable and swimmable standards by September 30, 2007, under a settlement reached between conservationists and the U.S. and Ohio Environmental Protection Agencies.

Under the settlement, the Ohio EPA must establish cleanup plans that set limits on pollutants in 50 of the state's impaired watersheds so that the streams, rivers and lakes in those watersheds can meet water quality standards under the federal Clean Water Act.

The plans – so-called Total Maximum Daily Loads (TMDLs) – are written, quantitative assessments of water quality problems in a body of water that pinpoint contributing sources of pollution and specify the amount a pollutant needs to be reduced. TMDLs address point sources such as factory pipes and municipal water treatment facilities and non-point sources such as farm field and construction site runoff, faulty septic tanks and the filling of wetlands.

The settlement stipulates that by September 30, 2007, Ohio must conduct assessments of 50 watersheds and establish TMDLs that address impairments in 50 watersheds. The settlement also stipulates that U.S. EPA must establish 600 TMDLs by September 30, 2008 should Ohio fail to meet its obligation under the settlement.

The 50 watersheds in the settlement constitute about one-sixth of the state's 331 watersheds, and may include areas drained by the Auglaize River, Chagrin River, Cuyahoga River, Grand River, Hocking River, Little Miami River, Sandusky River, Scioto River, Stillwater River and Tuscarawas River, according to the EPA's "Ohio 2004 Integrated Water Quality Monitoring and Assessment Report."

Hundreds of water bodies in Ohio fail federal clean water standards for various reasons, including high levels of chemical pollution, nutrients and pathogens, low levels of oxygen or man-made changes to water flow.

The settlement is the result of a lawsuit filed in U.S. District Court in Columbus against the U.S. EPA in 2001 by the National Wildlife Federation (NWF), League of Ohio Sportsmen (LOOS) and Ohio Environmental Council (OEC). The groups filed the lawsuit over the pace of progress in Ohio's TMDL program. When the lawsuit was filed, Ohio had only one approved TMDL, for the Middle Cuyahoga River.

“This is a landmark settlement that will go a long way in restoring Ohio’s precious lakes, streams and rivers,” said Neil Kagan, senior counsel for the NWF. “Like most states, Ohio had failed to uphold its obligations under the Clean Water Act. With this settlement, Ohio has shown a commitment to restore its impaired water bodies.”

Keith Dimoff, OEC Deputy Director, added: “We think that the settlement is a great step forward and that the timeline outlined in the settlement puts Ohio well on its way to achieving its goal of cleaning up 80 percent of its impaired water bodies by 2010. We believe all watersheds can be cleaned up by 2013, and the settlement timeline puts Ohio on course to restore all 331 of its watersheds within a decade.”

If Ohio fails to establish its allotted number of clean-up plans by the date specified in the settlement, then the U.S. EPA has one year to craft the necessary number of TMDLs to comply with the settlement. If Ohio and the state and federal EPAs do not comply with the settlement terms, then groups can ask the court to enforce the settlement.

“Restoring Ohio’s watersheds are of immense importance to anglers and recreational users,” said Larry Mitchell Sr., president of LOOS. “This decision goes a long way to ensure that Ohio’s precious rivers, streams and lakes can be enjoyed now and for generations to come.”

Protecting wildlife through education and action since 1936, the **National Wildlife Federation** is America's conservation organization creating solutions that balance the needs of people and wildlife now and for future generations.

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