

Randy Bournique
Ohio EPA – Division of Surface Water
P.O. Box 1049
Columbus, OH 43216-1049

Dear Mr. Bournique,

Thank you for the opportunity to comment on the Ohio EPA's proposed 401 rules. The Ohio EPA's 401 permit program is a vital part in protecting and minimizing impacts to the state's remaining 10% (or less) of wetlands.

Mitigation. I urge the Agency require in-watershed mitigation. The goal of mitigation is to ensure no net loss of existing uses, water quality functions, and overall integrity of the aquatic resources. Because of the importance of each wetland's function to the integrity of the entire watershed and especially to downstream uses, mitigation must be conducted within the watershed, and in many instances on-site mitigation is preferable. Mitigating a wetland or stream several counties away or across the state punishes the community. I strongly urge the Ohio EPA to require in-watershed mitigation within the 14 digit HUC.

Avoidance. The overall focus of the rulemaking is on mitigation, with little or no attention paid to the role that these regulations can play in the preservation and protection of wetlands. The regulations can, and should, emphasize avoiding the destruction of wetlands and minimizing the impact on the wetland and greater watershed ecosystem.

Performance standard and Mitigation Protocol. Any mitigation standards should be based on sound science. The wetland mitigation performance standard and the stream mitigation protocol are positive steps in addressing poor performing mitigation projects. If a developer destroys a wetland, it is only fair and reasonable that a mitigated wetland be held to a performance standard that addresses the values and ecological functions of the original wetland. Ohio EPA should implement these standards as proposed in the original rule package.

Sincerely,

Signature

Date

Print name and address