

OLENTANGY PROTECTION

Plan cuts no-build zone along tributaries

By Spencer Hunt
THE COLUMBUS DISPATCH

Developers in Delaware County would be able to build homes and businesses closer to small streams that feed the Olentangy River under a revised plan from the Ohio Environmental Protection Agency.

The agency originally wanted to ban construction within 100 feet of all the tiny tributaries that feed the Olentangy south of Delaware Dam. The idea was to limit the dirt, sediment and other pollutants that wash off homes and roads and into the waterways during storms.

The state imposes no such limits on privately owned land now. The agency withdrew its proposal in

**The Ohio
EPA originally called
for 100-foot
limits, but
Delaware
objected.**

July after builders and city and county officials complained it would stop development in the area.

The new plan would reduce the limit to 50 feet for small, intermittent streams that carry water for up to nine months each year. Runs and

ditches where water flows only during rain storms would see their limit drop to 35 feet.

Those limits still should protect the Olentangy from pollution that already threatens its fish and other aquatic wildlife, said Michael Gallaway, surface water manager in the EPA's central district office.

"We're trying to strike a balance where we get the appropriate protection while not disrupting people too much. We feel pretty comfortable with it," Gallaway said.

Environmental advocates questioned how the agency could allow more development and have it not pollute the Olentangy.

Trent Dougherty, staff attorney

for the Ohio Environmental Council, is especially concerned about the smallest tributaries, saying they can quickly become conduits for pollution.

"Of course, I'd like the original plan back," Dougherty said. "It definitely would have worked."

Advocates and Ohio EPA officials are most concerned about a 22-mile scenic section of the Olentangy between the cities of Delaware and Worthington that's home to the threatened bluebreast darter.

A 2004 state EPA study found that pollution from development caused a decline in fish species that breed in rocky streambeds.

Bluebreast and other darters made up 43 percent of all fish species found near Highbanks Metro Park in 1999. That dropped to 13 percent in 2004.

The county's population grew from 109,989 in 2000 to 159,857 last year, according to the Delaware County auditor's office. The county also has approved 19,005 building permits for new homes since 2000.

Jim Hiltz, director of the Building Industry Association of Central Ohio, declined to discuss the new plan yesterday. He said his group opposed the EPA's original plan because it would have killed several projects that city and county officials already had approved.

Delaware city officials said in July that the proposed restrictions could have ended plans to build as many as 2,500 homes, offices and businesses in the city's southeastern section.

They still are concerned about how the plan will affect development in that area, said Lee Yoakum, the Delaware city spokesman, and want to analyze the new restrictions before commenting on them.

The agency has scheduled a public hearing on the proposal for April 30 and will take written comments until May 7. Approval could take several months if the EPA decides more changes are required.

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