

# **Greenbook**

## **LBO Analysis of Enacted Budget**

### **Environmental Review Appeals Commission**

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# LBO Greenbook

## Environmental Review Appeals Commission

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### Quick look...

- The Environmental Review Appeals Commission functions as a quasi-judicial appellate review body specifically for resolving environmental disputes resulting from various final actions taken by certain state agencies and local boards of health.
- Biennial budget appropriates \$1.5 million: \$730,000 in FY 2026 and \$765,000 in FY 2027.
- The Commission receives 100% of its funding from the GRF.

FY 2022 Actual	FY 2023 Actual	FY 2024 Actual	FY 2025 Actual	FY 2026 Appropriation	FY 2027 Appropriation
<b>GRF ALI 172321, Operating Expenses</b>					
\$655,915	\$640,685	\$660,706	\$687,586	\$730,000	\$765,000
% change	-2.3%	3.1%	4.1%	6.2%	4.8%

### Agency overview

The Environmental Review Appeals Commission (EBR) is an appellate review body whose primary statutory duty is to hear and resolve appeals of various technical and legal final actions taken by state and local governmental entities, including the Ohio Environmental Protection Agency (Ohio EPA), the State Fire Marshal, the State Emergency Response Commission, the Department of Agriculture, and local boards of health. The vast majority of the appeals arise from final actions taken by the Director of the Ohio EPA.

The Commission consists of three members appointed by the Governor with the advice and consent of the Senate. Commission members serve staggered six-year terms; their salaries are fixed by the Governor. The members conduct hearings, review filings, and issue rulings, and are currently supported by two full-time staff (an executive director and one program administrator/staff attorney).

Any party adversely affected by an order of the Commission may appeal to the Franklin County Court of Common Pleas or, if the appeal arises from an alleged violation of a law or regulation, to the court of appeals of the district in which the violation was alleged to have occurred. An appeal is generally required to be accompanied by a \$70 filing fee, which the Commission may waive in cases of extreme hardship. Multiple appellants may be included in a single appeal, so these filing fees do not necessarily correlate to the number of new appeals. The fee revenue is credited to the GRF.

## **Analysis of FY 2026-FY 2027 budget**

The Environmental Review Appeals Commission's operating costs are funded by a single GRF line item (172321, Operating Expenses). Relative to the line item's expenditures for the FY 2024-FY 2025 biennium, the budget increases its FY 2026-FY 2027 appropriation by \$146,708 (10.9%). The budget provides a total appropriation of \$1.5 million over the FY 2026-FY 2027 biennium.