# STATE OF OHIO
## WATER WITHDRAWAL MANAGEMENT PROGRAM REPORT
December 8, 2009

The following Water Withdrawal Management Program report is submitted by the State of Ohio to the Compact Council pursuant to the requirements contained in Section 3.4.1 of the Great Lakes-St. Lawrence River Basin Water Resources Compact (hereinafter "the Compact") and to the Regional Body pursuant to the commitments contained in Article 300 of the Great Lakes-St. Lawrence River Basin Sustainable Water Resources Agreement (hereinafter "the Agreement").

**1. Lead agency/agencies and contact person(s)**. The lead agency for administering the Compact/Agreement is the Ohio Department of Natural Resources (ODNR). The lead contact person is Sean Logan, ODNR Director. Other contact people include David Hanselmann, Chief of the ODNR-Division of Soil & Water Resources and Ted Lozier, Assistant Chief of the ODNR-Division of Soil & Water Resources. Additional legislation is required to authorize the implementation of Ohio's Great Lakes Basin water withdrawal management & regulation program, and the lead agency for this program will depend on this legislation.

**2. Implementing laws, regulations and policies.** Ohio's only implementing laws, regulations and policies are contained in the Compact, codified in Section 1522.01 of the Ohio Revised Code (ORC), and its state implementing provisions, codified by Sections 1522.02-08 of the ORC. Ohio's Great Lakes Basin water withdrawal management & regulation program has not yet been authorized and there are, therefore, no other implementing laws, regulations or policies.

**3. Summary description of the water management program.** Ohio's Great Lakes Basin water withdrawal management & regulation program has not yet been authorized and there is, therefore, no program to summarize. The scope and regulatory threshold levels are currently undefined. Water withdrawals are not managed pursuant to the Compact for any use sector or water source.

New or increased diversions out of the Great Lakes Basin are prohibited by the Compact, other than for certain specified exceptions. Statutes and rules are currently being developed to implement a permit program under the authority of the ODNR Director for new or increased diversions excepted from the general prohibition.

All water withdrawers with the capacity to withdraw greater than 100,000 gallons per day are required to register and annually report monthly withdrawal quantities (and have been since 1990) pursuant to Ohio Revised Code Section 1521.16. The Chief of the ODNR-Division of Soil & Water Resources oversees the registration and reporting program.

**4. Description of how the Standard of Review and Decision is applied.** Ohio's Great Lakes Basin water withdrawal management & regulation program has not yet been authorized and the Standard of Review and Decision is, therefore, not currently being applied to water withdrawals within the Basin.

Statutes and rules are currently being developed to address application of the Exception Standard as appropriate for new or increased diversions excepted from the general prohibition on diversions.

**5. Overview of reporting and database of Withdrawals, Consumptive Uses and Diversions.** Ohio maintains a database of all water withdrawers with the capacity to withdraw greater than 100,000 gallons per day, including information about the water use category and source type & location. Annual report forms, which are sent to registrants at the end of each calendar year to be submitted by the end of March of the next year, require reporting of monthly withdrawal quantities. Discharge quantities are also requested and reported, but these data are, in most cases, inappropriate for estimating consumptive use. Consumptive use quantities are estimated using coefficients based on water use category.

Diversion quantities are reported for diversions approved under Section 1501.32 of the ORC or other authority (e.g., federal statute). These do not include "straddling community" diversions and other small diversions not subject to approval under statute. Statutes and rules are currently being developed to register all existing diversions pursuant to Section 4.1.3 of the Compact, which will include a requirement for annual reporting of diversion quantities.

**6. Attach a copy of the withdrawal application form(s).** Ohio's Great Lakes Basin water withdrawal management & regulation program has not yet been authorized and there is, therefore, no withdrawal application form or related regulations, policies, and manuals.

**7. Summary description of initiatives to support an improved scientific understanding of the waters of the Basin.** Ohio has been conducting river basin water quantity assessments to estimate the impacts of existing withdrawals, consumptive uses, and diversions on streams at various streamflow levels. While methods and procedures are in the formative stage, these assessments should provide useful information in estimating individual and cumulative impacts of Basin withdrawals, consumptive uses, and diversions. Other initiatives, which may require additional legislative authority to implement, are currently being considered.

**8. Additional information.** No additional information is included.