

# Lake Erie water use legislation approved

AARON MARSHALL  
Plain Dealer Bureau

COLUMBUS — Legislation regulating Lake Erie water sailed through the Ohio Senate on Tuesday and is now charting a course for Gov. John Kasich, despite concerns from critics who called the bill too business-friendly.

By a 20-12 vote, the Senate passed House Bill 473, a measure that Ohio needed to pass by a December 2013 deadline to comply with the Great Lakes Compact. The

legislation puts in place a permitting program and sets withdrawal limits for businesses wishing to draw Ohio water from the lake's watersheds.

It's the second crack at the proposal for lawmakers because Kasich vetoed the first version last summer.

The current bill tightened the thresholds that trigger the need for businesses to get a permit for water withdrawal.

This legislation will get a warmer reception at the governor's office,

promised Rob Nichols, a Kasich spokesman. "It's en route to us and, yes, we will be signing it," he said.

Under the bill, businesses wishing to make withdrawals exceeding 2.5 million gallons a day from Lake Erie, 1 million gallons a day from rivers and streams feeding the lake and 100,000 gallons a day from streams defined as "high-quality" must obtain permits from the state.

Under the bill rejected by Kasich, the limits were 5 million gallons a day for Lake Erie.

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Limits for rivers and streams feeding the lake were 2 million gallons a day, and 300,000 gallons a day from high-quality streams.

However, the daily usage amounts in the bill approved Tuesday are based on a 90-day average instead of a daily calculation — a key sticking point for opponents.

Nonetheless, majority-party Senate Republicans praised the bill as adding a layer of protection for the Lake Erie basin.

"Everyone shares the common goal of preserving Lake Erie and the Great Lakes," said Sen. Keith Faber, a Celina Republican.

A pair of Democratic amendments offered by Sen. Lou Gentile of Steubenville were tabled by Republicans. The amendments would have given ordinary citizens the right to object to water withdrawal permits and changed from 90 to 60 days the time period for the calculations that trigger the need for permits. Under the legislation, those who use the water for leisure have no right to sue or file a complaint when they suspect a business is violating its per-

mit.

"This bill is an improvement, and some progress was made," said Gentile, who voted against the bill, saying it "wasn't ready for passage" without his amendments.

Environmental forces at the Statehouse lamented a lack of support from hunters, conservationists and small-business groups as well as green-friendly organizations.

"We just put sportsmen, wildlife and water at risk and rewarded big business," Jack Shaner, a deputy director with the Ohio Environmental Council, said following passage of the bill.

A trio of Republicans — Sens. Gayle Manning of North Ridgeville, John Eklund of Munson Township and Frank LaRose of the Akron area — joined nine Democrats in voting against the legislation.

Sen. Capri Cafaro, a Hubbard Democrat, crossed the aisle to support the measure.

The bill's main sponsor, Rep. Lynn Wachtmann, a Napoleon Republican, has created controversy for sitting on the board of directors for the International Bottled Water Association and owning a bottled-water company that uses water from Lake Erie tributaries.

To reach this Plain Dealer reporter:  
amarshall@plained.com,  
1-800-228-8272