

STATE OF OHIO'S WATER CONSERVATION & EFFICIENCY PROGRAM REPORT

December 8, 2009

The following Water Conservation & Efficiency 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. The lead agency 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.

2. Goals & Objectives. Ohio's Water Conservation & Efficiency Goals are those contained in Section 4.2.1 of the Compact. Ohio's Water Conservation & Efficiency Objectives are currently being developed. A copy of the draft objectives is attached as Appendix 1.

3. Water Conservation & Efficiency Program Overview. 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. Section 1522.05(B)(1) specifically prohibits the adoption of rules or implementation of any mandatory programs governing water conservation and efficiency pursuant to Section 4.2 of the Compact unless the general assembly enacts legislation authorizing the adoption of such rules or the implementation of such programs. It does allow for the adoption of rules and the implementation of voluntary water conservation and efficiency programs, so long as such programs do not place mandatory conservation requirements on water users.

Therefore, all elements of Ohio's water conservation & efficiency program are voluntary, except those that are authorized by pre-existing statutes, regulations, or programs. The only such program that provides for mandatory use reductions is the Ohio Emergency Management Agency's Drought Contingency Plan, and then only when the governor declares a Level Four Drought Emergency.

Ohio's program consists of education on the value of water conservation & efficiency and promotion of voluntary conservation activities. Such efforts are undertaken individually by state agencies pursuant to general education authorities and programs, and without centralized coordination by the lead agency under the Compact.

Ohio's water conservation & efficiency program elements have not been correlated to the regional objectives.

4. Promotion of Environmentally Sound and Economically Feasible Water Conservation Measures. Ohio has not yet identified specific measures that meet these criteria under the Compact and, therefore, does not yet have a program for promoting them.

5. Water Conservation & Efficiency Program Implementation Timeline and Status. Ohio's initial Water Conservation & Efficiency Program under the Compact, which will not include any mandatory conservation requirements on water users, is currently being developed and is on schedule to be completed by the Compact-imposed deadline of December 8, 2010.

APPENDIX 1:
DRAFT OHIO LAKE ERIE BASIN WATER CONSERVATION
GOALS AND OBJECTIVES

GOALS

Ohio's Lake Erie Basin Water Conservation & Efficiency Goals are provided by the Great Lakes-St. Lawrence River Basin Water Resources Compact:

1. Ensure the improvement of the Basin's waters & water dependent natural resources;
2. Protect and restore the hydrologic and ecosystem integrity of the Basin;
3. Retain the quantity of surface water and ground water in the Basin;
4. Ensure the sustainable use of the waters of the Basin;
5. Promote the efficiency of use and reduce loss and waste of water in the Basin.

OBJECTIVES

Consistent with Ohio Revised Code Section 1522.05, Ohio's Lake Erie Basin Water Conservation & Efficiency Objectives do not entail the implementation of any mandatory program governing water conservation and efficiency, and do not include mandatory water conservation requirements for any water users.

Promote the efficient use and conservation of water.

- Develop a mechanism to communicate the importance of water use efficiency and conservation practices.
- Identify and promote supply, demand, and mitigation best management practices for the various categories of water use.
- Identify incentive programs to encourage water conservation and pursue their implementation.
- Promote appropriate innovative technology for water reuse.
- Promote the conservation of existing water supplies to delay or prevent the need for developing additional supply sources.
- Promote investment in and maintenance of efficient water infrastructure.
- Coordinate state agency and local government water use efficiency and conservation programs.

Guide programs toward long-term sustainable water use.

- Develop and maintain water management plans for sustaining the quantity and quality of the waters of the Basin, including the inventorying and assessment of ground and surface water resources, the analysis of water use trends and formulation of long-term water use forecasts, and the development of strategies to incorporate water conservation practices.
- Use adaptive programs that are goal-based, accountable, and measurable and that build upon existing efforts by considering practices and experiences from other jurisdictions.

- Engage stakeholders and the public and coordinate with state and federal agencies and local government officials in the development and implementation of voluntary water management and conservation programs.
- Develop administrative rules for regulating new and increased diversions allowable under the exceptions provisions of the Compact.
- Develop programs or, if necessary, administrative rules to direct state agencies in the implementation of the voluntary Lake Erie Basin water conservation and efficiency program.
- Develop a process for maintaining and improving the understanding, communicating, planning, and promoting of the waters of the Basin.

Develop water conservation education programs and information sharing.

- Emphasize educating school children, businesses, citizens, and government officials on the economic, societal, and ecological values of water, including sustainability.
- Encourage and increase training opportunities in collaboration with professional or other organizations in order to increase water conservation and efficiency practices and technological applications.
- Promote the cost-saving aspect of water conservation and efficiency for economic sustainability.
- Disseminate information regarding identified best management practices for different categories of water use, including evaluation and results achieved.
- Compile published information on specific water conservation efforts in Ohio and elsewhere and make it available to the public so that all are aware of how water can be used and conserved.
- Ensure public access to water conservation and efficiency tools and information; ensure that voluntary conservation programs are transparent and that information is readily available.
- Contribute to regional information sharing; share conservation and efficiency experiences, including successes and lessons learned across the Basin.

Develop science, technology, and research.

- Encourage the development of water-related industries and technologies to position Ohio as a global industry leader.
- Identify research and monitoring needs related to the interaction of ground water and surface water, and strategies for managing and protecting water resources.
- Use scientific data and modeling to improve conservation and efficiency.
- Promote the development of systems and tools for an integrated approach to ground water and surface water management that would predict the effects of water withdrawal and conservation practices within the Basin and strengthen scientific understanding of the linkages between water conservation practices and ecological responses.
- Leverage the resources of Ohio's research institutions to focus on problems affecting the human and natural communities of the Great Lakes, including analyzing barriers to sustainable water use.

- Foster cooperation and sharing of resources and information among all federal, tribal, state, and local agencies as well as with international partners.
- Encourage research, development, and implementation of state-of-the-art water conservation technologies, including the identification and sharing of innovative management practices.

Improve monitoring and standardize data reporting among state and provincial water conservation and efficiency programs.

- Collect, analyze, and report water use information for registered withdrawals in the various categories of water use.
- Make information readily available to the public, including information about the waters of the state and water use, on a state website.
- Monitor the implementation of best management practices for water conservation.
- Improve the measurement and evaluation of water conservation practices; identify and encourage measures to monitor, account for, and minimize water loss.
- Track and report program progress and effectiveness.