

**FOR IMMEDIATE RELEASE: June 4, 2012**

## **Governor Signs Bill that Leaves Lake Erie At Risk**

*Bill to Implement the Great Lakes Compact Impairs Rights of Sportsmen and the Public to Lake Erie*

June 4, 2012 (Columbus, OH) — Today, Ohio Gov. John Kasich signed an unbalanced bill that fails to protect Lake Erie's rivers and impairs the rights of hunters and anglers and the public's use of waters within the Ohio Lake Erie basin. House Bill 473, introduced by Representative Lynn Wachtman (R-Napoleon), is legislation that is intended to implement the Great Lakes Compact.

"The Governor has chosen to elevate mining, bottlers, and fracking interests over the millions of anglers, boaters and countless wildlife that depend on a healthy Lake Erie," said Kristy Meyer, Director of Agricultural & Clean Water Programs at the Ohio Environmental Council. "The Great Lakes Compact constructed a roadmap and the states are required to follow its protective directions, but unfortunately Ohio has embarked on a troubling detour."

In 2008, under the Taft administration, Ohio joined with 7 other states in adopting the Great Lakes Compact. Together with its companion agreement, the Compact, an unprecedented joint agreement, prohibits diversions of water outside of the Great Lakes basin, while requiring the wise use of water within the watershed. Following the passage in each individual state, the Compact was adopted by the U.S. Congress. Ohio's General Assembly was then required to pass legislation to implement programs that would conserve and manage the use of water.

Gov. Kasich rightfully vetoed the first version passed by the legislature last year, as it fell short of providing the necessary protection for Lake Erie and its vital tributaries. While the new legislation will require the Ohio Department of Natural Resources (DNR) to implement a voluntary conservation program; provide DNR with enforcement tools; and lowers the threshold for when a facility is required to obtain a permit, it still falls short in the some of the same major areas that are needed to protect Lake Erie and its vital rivers.

"This bill leaves Lake Erie, its rivers and world-class steelhead and walleye fisheries vulnerable," said Marc Smith, senior policy manager with National Wildlife Federation. "Unfortunately, this bill does not achieve the balance as required under the Compact. As Ohio's neighbors take steps to implement water protections, Ohio has gone in the other direction."

During the consideration of the legislation, former Govs. Bob Taft and George Voinovich raised concerns in a letter to lawmakers, urging them to amend HB 473 to protect recreational users' rights to appeal a water use permit, as well as protect Lake Erie and its rivers. Former Ohio Department of Natural Resources Director Sam Speck, who negotiated the Compact agreement amongst the Great Lakes states, stressed the importance of striking a fair balance between industry's access to water and maintaining sustainable water supplies in the Lake Erie drainage basin in testimony before the House.

“A healthy Lake Erie and its rivers are vital to my livelihood,” said Rick Unger, President of the Lake Erie Charter Boat Association. “The rivers provide critical habitat for prized sportfish. By not protecting the rivers from significant impacts there will be less walleye, steelhead, and other prized sportfish for my customers to catch. My business is dependent on a healthy Lake Erie ecosystem.”

In addition to rolling back current protections for rivers, House Bill 473 strips hunters, anglers, and the public from their right to challenge conditions of a water use permit that would threaten their ability to enjoy and recreate in Lake Erie or the rivers that feed the Lake.

“This legislation starts to unravel the public trust doctrine, which requires that the state manage the waters for all of the citizens in Ohio,” said Rick Graham, President of the Izaak Walton League of America, Buckeye All State Chapter. “The sportsmen of Ohio have a fundamental right to challenge a water use if it would impair our ability to enjoy the natural resources held in trust for all of Ohioans.” House Bill 473 allows industrial users, such as frackers, to withdraw 3 million gallons of water in a single day without a permit. Currently hydrological fracturing is taking place in the Grand River, a high-quality stream with naturally low water levels, which was just labeled as one of the most endangered rivers in America due to hydrological fracturing.

“Ohio anglers are required to be licensed and are only allowed to keep five bass per a day,” said Bob Townsend, Conservation Director at the Ohio B.A.S.S. Federation Nation. “We realize that licenses, permits, and daily catch limits are put in place to protect the fishery for all Ohio citizens. Large water users, therefore, should be required to measure their water use on a per day basis to protect the resources of Lake Erie for all Ohioans, not just large industries.”

As a result of recreational and commercial fishing, hunting, wildlife watching, tourism and travel, Lake Erie supplies the state with more than \$10 billion in economic revenue each year and 1 out of every 10 jobs in the counties along the coast. It is the most biologically productive of all the Great Lakes. It produces more fish for human consumption than all the other Great Lakes combined.

“The Compact is a hard fought compromise between the many who depend on Great Lakes water,” said Jared Teutsch, water policy advocate for the Alliance for the Great Lakes. “By choosing to fight old battles all over again, Ohio has left Lake Erie with an uncertain future.”

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