



Gov. John Kasich vetoes controversial Lake Erie bill, pledges to work with legislature for new law

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Joe Guillen, The Plain Dealer

By

COLUMBUS, Ohio — Gov. John Kasich, in an uncharacteristic break from his fellow Republicans that left some disappointed and angry, vetoed a controversial bill on Friday to regulate water withdrawals from Lake Erie.

The veto followed intense pressure from environmental groups, **two former Republican governors and several other officials to reject the bill**, which would have allowed businesses to siphon millions of gallons of water from Lake Erie without permits.

"Lake Erie is an incredible resource that demands our vigilant stewardship to maximize its environmental, recreational and commercial potential for Ohioans," Kasich said in a statement. "Ohio's legislation lacks clear standards for conservation and withdrawals and does not allow for sufficient evaluation and monitoring of withdrawals or usage."

It was the first time Kasich used his veto power to kill a bill.

The bill would have required businesses to seek permits if they use more than 5



Marvin Fong, The Plain Dealer

Ohio Gov. John Kasich delivers his first State of the State address.

million gallons of water a day from Lake Erie, 2 million gallons a day from groundwater or 300,000 gallons a day from rivers considered "high quality." Opponents said those levels were much too high -- so high that few companies would need a permit, which could lure more businesses to use the waters.

The Ohio Department of Natural Resources would have been allowed to award permits without considering how much water others are already using from the lake, its tributaries or the entire Great Lakes basin.

Environmental groups and Democrats praised Kasich's veto. They considered the legislation, **House Bill 231**, reckless and extreme.

But Republican lawmakers who approved the bill last month were disappointed that Kasich, who was elected in November on a job-creation platform, would veto a bill they said would grow the economy.

"The governor made an absolutely bad judgment call on this," said Rep. Lynn Wachtmann, a Republican from Napoleon who sponsored the bill. "Evidently, he wants the environmentalists, the wackos, to write this bill.

"He just hurt Ohio dramatically," Wachtmann said.

Senate President Tom Niehaus, a Republican from Clermont County, said he was disappointed in Kasich's decision, but pledged to take the governor up on his offer to work with lawmakers to craft an improved bill.

House Speaker William G. Batchelder, a Medina Republican, said the bill "required earlier attention than it received by members of Gov. Kasich's cabinet."

Legislation is required as part of the eight-state Great Lakes Compact, agreed on in 2008 as the lakes' border states sought measures to protect the abundant fresh waters. The compact requires each state to decide by 2013 how the waters are to be used.

On Wednesday, the state of New York's Department of Environmental Conservation wrote a letter to the Kasich administration urging the governor to kill the bill, saying it undermines the goodwill reached among

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the states through the compact. New York Governor Andrew Cuomo, a Democrat, and Republican Michigan Gov. Rick Snyder also expressed concerns this week.

The Ohio Environmental Council and other environmentalists were worried about ecosystem-killing algae blooms developing in Lake Erie, the shallowest and warmest of the five lakes, should the lake's level

drop. Former Ohio Republican Govs. Bob Taft and George Voinovich, Democratic state lawmakers, and newspaper editorials also had weighed in against the bill.

Supporters, however, argued that Lake Erie has more water than can be consumed.

Sen. Tim Grendell, a Chesterland Republican who worked on the vetoed legislation, sent Kasich a memo earlier Friday to warn the governor that opposition from "liberal" media organizations and environmentalists is based on falsehoods.

Grendell said about 50 billion more gallons of water flow into the lake per day than are used or lost to outflow.

"Fresh water is Northern Ohio's best business attraction," Grendell wrote to Kasich, explaining that the lake is an attractive asset for water-dependent business to expand or relocate near the lake.

After Kasich vetoed the bill, Grendell said in a statement that he was "deeply disappointed" yet committed to working with the administration to draw up a new bill.

The governor had until Monday to decide whether to sign the bill, veto it or do nothing and allow it to become law without his signature. On Thursday, Kasich said he was still studying the bill and weighing arguments that it would be bad for Lake Erie.

Cleveland Mayor Frank Jackson and other Democrats thanked Kasich on Friday.

"Lake Erie must be used responsibly and with an eye to long term impacts of large scale water diversion to other regions," Jackson said in a statement. "The governor not only listened to the concerns of many who care about the Great Lakes, but he responded."

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The wind-whipped waters of Lake Erie crash against the Cleveland Lighthouse in 2007.