
FALL 2022

THE CORD REPORT

The Official Quarterly Newsletter of CORD



MORE STORIES INSIDE:

- Statehouse Update - 2
- Containing Audit Costs - 3
- Forest Lawn Stormwater Park - 4
- SW Licking County Community Water & Sewer District Distribution Projects- 6
- Knowing The CORD Board - 7
- Get to Know Andrew Huffman - 8
- Spotlight on CORD's Associate Members-9
- Bits & Pieces from CORD - 11

CORD

1086 N. 4th St., Suite 105
Columbus, Ohio 43201

CORDOHIO.ORG

Contact Our Staff

Larry Long, Director of Membership
Development: larrylong@cordohio.org

Catina Taylor, Executive Assistant:
catina.taylor@alberslaw.com

STATEHOUSE UPDATE: OHIO'S UNUSUAL PRIMARY ELECTION AND LOOKING AHEAD TO LAME DUCK SESSION

Written by Andrew Huffman
Senior Director of Legislative and
Government Affairs Policy Group, Inc.



Legislative Update -

By now you are probably well aware of the high-profile legal battle over Ohio's process of drawing the state's legislative districts. The legislative map-drawing process has included five drafts of Ohio House and Senate districts (two of which were identical) and multiple lawsuits that led to each map being ruled unconstitutional by the Ohio Supreme Court. This resulted in a three-judge federal court stepping in on May 28th to order the use of a two-year legislative map, which was previously ruled unconstitutional. The federal court also moved the state's legislative primary election from May to August 2nd. The unusual summer primary election meant Ohio's voters were asked to cast one ballot in May for U.S. Senate, Congress and the governor's races, and then cast another ballot in August for the Ohio House and Senate seats as well as state central committee members. The separate primary elections created confusion and resulted in extremely low voter turnout - less than 10%.

As we look ahead to the November 8th election, most attention will focus on the statewide races, as all five of Ohio's statewide office holders are on the ballot. There are also three highly anticipated races for the Ohio Supreme Court, which includes the race between Democrat Jennifer Brunner and Republican Sharon Kennedy for Chief Justice. Attracting national headlines has been the race to replace longtime U.S. Senator Rob Portman. This race features current Democrat Congressman Tim Ryan against Republican J.D. Vance. Ohio's 15 Congressional seats are also on the ballot. This is down from Ohio's current 16 seats, and all districts were redrawn due to redistricting.

All 99 Ohio House of Representative seats and half the Ohio Senate seats are on the ballot this November. Term limits, which restricts members to serving four two-year terms in the House and two four-year terms in the Senate, have resulted in significant turnover in the legislative bodies and this election cycle is no different. Restructured legislative districts added to the large number of sitting members leaving office. In total over two dozen new legislators will be elected to serve in the House and Senate next session. Adding to the turmoil is the fact that current House Speaker Bob Cupp is one of the members leaving office at the end of the year due to term limits. He will need to be replaced, although his replacement has yet to be named, and it may take until after the general election in November, before a clear frontrunner is determined.

When lawmakers return from the November election, they will begin the hectic period known as lame duck session. It is not uncommon for dozens of bills to pass during this time as departing legislators attempt to advance their legislative priorities before the 134th Ohio General Assembly concludes at the end of the year. CORD will be active during this time as it has been closely monitoring over 100 pieces of legislation that could have an impact on its members. CORD has engaged in lobbying legislators on a variety of issues this legislative session, including efforts to restrict the certification of delinquent charges, attempts to increase penalties for exceeding discharge permits, advocating for additional funding for water and sewer infrastructure projects, and defending against efforts to restrict a district's use of eminent domain. All of these issues will likely be deliberated during lame duck session so it will be important to keep a close eye on all legislative activity during the final months of the legislative session.

CORD will continue to advocate on behalf of Ohio's regional water and sewer districts before our elected officials, and we will be sure to inform members of any developments that will impact their operations.

STATE AUDITS STRIVE TO CONTAIN AUDIT COSTS

Written by Keith Faber
Auditor of State

Ohio is home to about 5,900 public agencies and offices, including cities, counties, villages, townships (and 67 water, sewer, and sanitary districts).

The Auditor of State's Office, through our auditors and independent public accounting firms contracted to do the work, is responsible for regularly reviewing the financial activities of each of those entities to ensure they are using public resources appropriately and lawfully.

There are more than 600 men and women in our Financial Audit Group who are dedicated to completing this work every day, combing through financial records, checking spending and other budget decisions, and testing for compliance with state and federal requirements.

State law requires audits of all public entities at least once every two fiscal years, though many in Ohio are performed annually. As noted on our website, "The office must review the methods, accuracy, and legality of the accounts, financial reports, records, and files of all public entities. It is the responsibility of the Financial Audit Group to determine whether or not the entity has complied with the law, rules, ordinances, and orders pertaining to the office."



You can see the results of this work in publicly accessible reports, available through the audit search section of our website (online at <https://ohioauditor.gov/auditsearch/search.aspx>).

Last year, our Financial Audit Group released more than 4,100 reports covering an array of different types of audits. Under Ohio Revised Code, public offices are required to cover the costs of these required audits, though our office has worked to reduce those costs as much as possible. (You'll find a complete explanation of hourly billing rates and other information on how audit costs are determined through our recently updated Bulletin 2022-006, available online at: <https://ohioauditor.gov/publications/bulletins/officialbulletins.html>).

Among the categories of audits we complete each year, there are two that are frequently used to help lower costs for public entities.

Last year, the Auditor of State's Office completed 463 basic audits, aimed at offices with biennial disbursements of \$400,000 or less and meet other criteria. Offices that qualify for basic audits save an average of 93% on their audit costs. Also last year, we issued 723 reports for Agreed Upon Procedures, or AUP, engagements, which are offered to offices with budgeted spending of less than \$5 million annually and meet other criteria. AUP engagements save offices an average of 69% on their audit costs.

Among regional water and sewer, the Auditor of State's Office completed three basic audits and 17 AUP engagements. Among the other types of audits conducted each year are special audits, completed by our Special Investigations Unit, generally in cases when wrongdoing is suspected. Information about their work is available online at <https://ohioauditor.gov/publicintegrity/default.html>, complete with an interactive map with details of 85 public officials who have been convicted since 2019 for theft in office and related crimes.

Biennially, the Auditor of State's Ohio Performance Team (OPT) completes at least four performance audits, reviewing the operations of government agencies and programs and offering recommendations to improve their efficiency and effectiveness. In August, OPT released its latest study, focused on Ohio's College Credit Plus Program, with recommendations for ways to help more teens earn college credit early and more families to ultimately save money on tuition costs. You can read that report and others online at <https://ohioauditor.gov/performance.html>.

FOREST LAWN STORMWATER PARK: A UNIQUE PARTNERSHIP TO ADDRESS HISTORICAL FLOODING CHALLENGES

**Written by Jason Loree,
ABC Water and Stormwater District Board Member, Boardman Township Administrator
CORD Board Member**

Residents in Mahoning County's Boardman Township have been haunted with severe flooding problems for years and one of the worst floods was in 2019 (Approximately 4 inches of rain in 3 hours - a 500 year event). The area that experienced the most severe flooding was the Forest Lawn area, which had experienced flooding episodes and high-water events from Cranberry Run over a period of years. To address this problem, a unique solution was developed that involved the collaboration of the ABC Water and Stormwater District, Boardman Township, and the Boardman Local School District. Also involved were the Mahoning County Commissioners, Ohio's H2Ohio Program, the Ohio EPA, and the local legislative delegation. The project is a wonderful reminder of the positive outcomes that can be accomplished when local government partners with the State.

Townships are not legally authorized to spend tax dollars on private property to make improvements to stormwater systems or to mitigate flooding. Recognizing the lack of legal authority and funding options, Boardman Township looked for other ways to address the episodic flooding dilemma of its residents. It learned that forming an ORC Chapter 6119 Regional Water and Sewer District could provide the needed legal basis and funding flexibility to respond to stormwater and flooding problems. Along with Austintown and Canfield Townships, a petition to form the ABC Water and Stormwater District was submitted to the Mahoning County Common Pleas Court and the District was subsequently formed in 2009.

Each of the three Townships appoint one member to the Board of the ABC Water and Stormwater District, a strategic watershed partnership. The District uses a stormwater utility approach to fund projects, while always looking for financial assistance from state, federal and other sources. A stormwater fee was enacted, which is based on non-pervious surfaces, applies to all classifications of land use. The fees derived from each Township, in most cases, stay within that individual Township. The next issue of the CORD newsletter will include more of the details on how stormwater fees are established, enacted and collected.

However, Boardman Township Trustees, Brad Calhoun, Tom Costello, and Larry Moliterno, recognized that even with the establishment of the District that the "fix" would not come as quickly as needed. As one local newspaper said: "Rome wasn't built in a day." After heavy downpours again in 2021, Township officials updated the community on progress that had been made to resolve the issues and future plans. One completed project, phase one of the Cranberry Run project, involved the removal of several homes that would have flooded, allowing for stream rebalance and the establishment of floodplains within the stream. Another project was the construction of a retention pond in one of the neighborhoods that was experiencing flooding. And a previous Ohio Public Works Commission funded underground retention system had also been completed to reduce flood impacts. The Township knew that more still needed to be done.



The Township let residents know that the District would be pumping out million-dollar projects every year for the next ten years to try to catch up and reduce the problem. The Township also introduced the community to the concept and vision for a stormwater detention park on the site of the closed Market Street Elementary School.

The idea of a stormwater detention park goes back a few years. In 2019, the Boardman Local School District decided to close Market Street Elementary School at the end of the school year. The elementary school opened in 1950 after the approval of a bond issue in the 1940's. Unfortunately, declining enrollment over the last decade forced the school board to develop a cost saving realignment plan that included the closing of the school.

The last year of enrollment at Market Street was approximately 350 students, over half of who were “economically disadvantaged.” The total enrollment of the Boardman Local School District, home of the Spartans, is approximately 4,100 students.

Planning for the project picked up after the Boardman School Board donated the site of the closed elementary school, 14.6 acres of land, to the ABC Water and Stormwater District. A joint announcement was made to the community in September 2021. In order to mitigate flooding of nearby homes, the project has involved the demolition of Market Street Elementary School. The demolition delayed the project for a few months when it was discovered that the school was loaded with asbestos. The Forest Lawn Stormwater Park involves the “day-lighting” of a culverted stream, replacing/relocating a failing sanitary sewer line, and creating a passive park.

Funding is always an issue and is especially challenging in drainage, storm water and flood control projects. Those that do not experience flooding, or do not have wet basements, often do not recognize that they have some responsibility for the water discharged from their property which may be creating problems for other residents and is in fact the real basis for the establishment of a stormwater fee.

The initial estimate of the project cost was around \$3 million. Initial plans called for \$500,000 from the State and the remaining funds came from a 20-year low interest loan from the Ohio EPA Water Pollution Loan Fund. The loan would have been retired using monies generated from the stormwater fee. As the project planning moved forward, additional funding sources were found and the cost estimate was revised to as high as \$3.5 million.

In October 2021, Mahoning County Commissioners Anthony Traficanti, David Ditzler, and Carol Rimedio-Righetti, granted Boardman Township a \$1 Million grant from its allocation of American Rescue Plan (ARP) funding. The next month Governor DeWine announced additional funding from the H2Ohio Program in the amount of \$320,000. In addition, if the Federal Emergency Management Agency (FEMA) approves a disaster mitigation grant of approximately \$1.2 million, most of the project will be funded with grant monies, which will free up stormwater fee money for other needed projects. Finally, due to the work of State Representative Al Cutrona and State Senator Michael Rulli, a state capital grant of \$750,000 was included in a recent state capital improvement budget bill for a second phase including an educational amenity component to the project.

One of the highlights of the project involves the “day-lighting” of the stream. The stream now flows through 700 lineal feet of twin 60-inch storm sewers. Removing the pipes and “day-lighting” the stream will allow for more stormwater detention and improved water quality. Its replacement will result in a meandering creek surrounded by a wetland area that will store and hold back a massive amount of water...just imagine a football field with water 9 feet deep (520,741 CF). The final plans call for the creation of a passive park where people can gather and walk along a lighted 10 foot wide, 1/3- mile trail with security cameras. The project will also create natural habitat areas including meadows and pollinator fields, along with a general reforestation of the site. Plans for a parking lot and an educational pavilion to maximize education opportunities at the park are also incorporated into the design. Finally, in an effort to acknowledge the important role Market Street Elementary School played in the lives of many residents who still remember the school fondly, the chimney of the old school will be saved and strategically located to be a living reminder of this heritage.

As work continues on the demolition of the school, daylighting of the stream, and other improvements to the park, the park is planned to open in late 2022 or early 2023. To learn more about the project, please take a few minutes to watch the Township’s video at [Forest Lawn Stormwater Park - YouTube](#).

Editor’s Note: Watch out for the December Newsletter for a detailed description of how Stormwater Fees are established and collected.

SOUTHWEST LICKING COMMUNITY WATER AND SEWER DISTRICT DISTRIBUTION PROJECT

Written by J. Scott Sands, Principal
Sands Decker Civil Engineers & Surveyors
CORD Board Member



The Southwest Licking Community Water and Sewer District was created to assist three townships with a method to provide sanitary sewer services to the growth in the area. The Sands Decker team was involved in the design, Ohio EPA approval, and construction administration assistance of 22 of the Southwest Licking Community Water & Sewer District's completed water projects. They also assisted in selecting and obtaining the well field and plant sites and in the design and construction of the District's 0.8 MGD water treatment plant and District office.

Services Provided: Planning and Design for District Water Services Including Water Lines, Elevated Tanks, Pump Stations, Water Treatment Facility, Site Survey and Design, Ohio EPA Approvals, and Bidding and Construction Observation.

Other key water related projects:

SUMMIT STATION PHASE I WATER LINE IMPROVEMENTS: This project was the first water line project for the District. The Summit Station area was placed under findings and orders from the Ohio EPA to eliminate the unhealthy conditions existing in the area due to failing on-lot systems. Over 32,000 lineal feet of sanitary sewer was installed including a railroad crossing, and construction and installation of a lift station within a state route right-of-way. The project provided the entire Summit Station area as well as Oak Meadows with water service and fire protection. Over 60,000 lineal feet of 12", 8", and 6" water line were installed with the project. This project also allowed for the eventual removal of the Oak Meadows Treatment Plant.

SUMMIT ROAD AND U.S. 40 TO ETNA WATER LINE IMPROVEMENTS: This project created the link from the Summit Station area to Etna and acts as the main "trunkline" for many of the District's projects. Over 27,000 lineal feet of 12" and 8" water line was installed with the project.

ETNA, U.S. 40 TO WATER TREATMENT FACILITY #1 WATER LINE IMPROVEMENTS: This project provided the final connection from the western portion of the service area to the District's water treatment plant. Over 28,000 lineal feet of 12", 8", and 6" water line was installed in Etna and along U.S. 40 and York Road. The project provided water service and fire protection to all areas along the route. This project was crucial to the system since its purpose was to provide both sewer service to Etna, as well as link the western portion of the District with the eastern portion.

COLUMBIA ROAD AND REFUGEE ROAD WATER LINE IMPROVEMENTS: The new Etna Elementary School needed a water supply and this project was the solution to that problem. Sands Decker moved quickly to design, receive approval, and administer the contract in order to provide the school with drinking water and fire protection. Sands Decker coordinated with the community and the school district's architect resulting in a complete usable system within the required time-frame.

ELEVATED WATER TANKS: Services included site selection, design, approval procurement, and construction administration assistance for the district's four 400,000-gallon elevated water tanks.

Sands Decker's familiarity with the needs of the District and close proximity added to our capacity to be responsive and flexible on the Southwest Licking Community Water and Sewer District projects.



KNOWING THE CORD BOARD: MEET JOHN ALBERS, II

Attorney, Albers and Albers

John Albers attended Wake Forest University for his undergraduate studies, where he graduated Cum Laude with honors in history. John received his law degree from The Ohio State University College of Law in 1982. He has been practicing in the area of local government law for approximately 40 years, and his practice is substantially devoted to representing local governments, not-for-profit associations, developers, and individuals with respect to water, sewer and storm water issues and projects, regional district formation and administration, eminent domain, and similar issues.

John also represents local governments and developers related to economic development incentives, intergovernmental projects and agreements, zoning and land use planning and real estate law. John has also formed approximately 40 regional districts across the State of Ohio. John frequently speaks and writes articles on various topics for the Ohio Township Association (OTA), Ohio State Bar Association, the United States Department of Agriculture (USDA) Rural Development office, the Ohio Rural Water Association, the Rural Community Assistance Partnership (RCAP) and others.

He is the author of the Home Rule Handbook TM and is a co-founder and current board member of the Coalition of Regional Districts (CORD), an association of regional water, sewer and storm water districts formed under Chapter 6119 of the Ohio Revised Code. John frequently testifies before the Ohio General Assembly and assists in drafting legislation on behalf of CORD.

AND NOW SOME OTHER THINGS ABOUT JOHN . . . FOR THE FUN OF IT!

Biggest Challenge in your job: Balancing work and a personal life...though I'm improving with age. 😊

Greatest satisfaction in your job: I love what I do and enjoy working with the people who hold local government positions.

Biggest pet peeve: Currently, the U.S. Post Office

Something about me you would be surprised to know: I love horses and play polo.

If you could have dinner with one person (living or dead) who would it be: My grandfather.

Your favorite movie: Lonesome Dove

Your favorite football team (College): The Ohio State University

Your favorite book: Catcher in the Rye

The last book you read: The Federalist Papers

Your favorite vacation spot: St. John, Virgin Islands

Hobbies: Logging & sports

What do you enjoy doing when you are not working: Family time

WHO IS CORD'S LOBBYIST & WHAT DO YOU KNOW ABOUT HIM?

As we all know, regional water and sewer districts are highly regulated and decisions by Ohio's elected officials can have a profound impact on a district's daily operations and ability to provide services to its customers. Because of this highly regulated environment, CORD was founded to help assist its members by giving them a voice before Ohio's lawmakers. Helping CORD navigate the political arena has been Governmental Policy Group, Inc. (GPG), one of the state's largest, and most well-respected lobbying firms.

Leading the lobbying efforts on behalf of CORD is Andrew Huffman, GPG's Senior Director of Legislative and Government Affairs. But who is Andrew Huffman and what do you know about him? Andrew has been with the firm since 2010, and before that was a staff member in the Ohio Senate. Andrew began his career in politics by being accepted into the Ohio Legislative Service Commission Fellowship Program where he was assigned to work in the office of the Chairman of the Senate Finance and Financial Institutions Committee, gaining valuable experience working on the state operating budget. He then served for the Majority Caucus in the Ohio Senate before being hired by Governmental Policy Group.

Andrew is originally from Dover, Ohio where he graduated from Dover High School in 2004. He then attended Wittenberg University in Springfield, Ohio where he studied Political Science and Economics. He now resides in New Albany, Ohio with his wife Shelley and two young children, Graham and Hannah.

The thing Andrew enjoys most about the lobbying profession is the fact that no day is the same and his career is always requiring him to learn something new. He also never takes for granted the role he plays in developing public policy. "It is something I take very seriously, and work to ensure lawmakers have access to factual information and have the opportunity to hear from all sides to make the most informed decision possible," Andrew said.

During his time representing the members of CORD he has come to value the vital role 6119 districts play in the lives of all Ohioans. He enjoys educating legislators about the services 6119 districts provide and the work CORD members do to offer potable water, wastewater services, and stormwater management initiatives in their districts. Andrew said, "I appreciate the feedback from the CORD membership, especially the Board members, who provide insights into how legislation will impact regional districts. They are the boots on the ground, and I enjoy hearing their stories and then taking that information and relaying it to Ohio's decision makers."

For nearly 35 years Governmental Policy Group, Inc. has provided legislative and regulatory consulting to its clients, offering them a full range of services designed to help them work with national, state, and local governments. Additional information about the firm can be found through the following link: <https://gpghr.com/>



GOVERNMENTAL POLICY GROUP, INC.
RH RESOURCES
BUSINESS DEVELOPMENT CONSULTATION

LEGISLATIVE AND EXECUTIVE BRANCH CONSULTANTS REPRESENTING:
Manufacturing ★ Professional Services ★ Independent Business ★ Professional Associations ★ Local Elected Officials

"Our mission is to provide ethical and effective representation for our clients to preserve and enhance their success."



From left to right: Kelsey Woolard, Matt Whitehead, Patrick Markovich, Brooke Cheney, Victor Hipsley, Richard Hillis, Andrew Huffman, Aubrey Spencer, Sydney Sanders

17 South High Street - Suite 245, Columbus, Ohio 43215 | (614) 461-9335 | gpghr.com

SPOTLIGHT ON CORD'S ASSOCIATE MEMBERS

CORD's Associate Membership Program is critical to help CORD provide needed legislative representation in the Ohio General Assembly and before state agencies; to provide legislative/information alerts and the CORD newsletter; and, to provide other member services, including monitoring litigation that may set precedents that can impact Districts. We are grateful to the following for their support, assistance, and participation during 2022.



Gary Mock
gary@artcoatingtech.com



John Albers
john.albers@alberslaw.com



Thomas Welsh
twelsh@bfgroup.com



Mark Delisio
mdelisio@ctconsultants.com



Thomas Wilson
Thomas.Wilson@dinsmore.com



Chris Coble
ccoble@eagonic.com



Engineers • Architects • Planners

Alex White
awhite@grwinc.com



Kevin Wood
kevin.wood@ibigroup.com

SPOTLIGHT ON CORD'S ASSOCIATE MEMBERS



Kip Wahlers
kip.wahlers@icemiller.com



Ted Bennett
tbennett@jheng.com



Joe Pheil
joe@ohioruralwater.com



Scott Sands
scott.sands@sandsdecker.com



Sherry O'Brien
sobrien@smartbillcorp.com



Karen Steele
ksteele@mysoftwaresolutions.com



Rex Huffman
rhuffman@spitlerhuffmanlaw.com



Alan Brown
abrown@verdantas.com



Carl Ireland
cireland@frasorireland.com



BITS AND PIECES FROM CORD



Things you may have missed and may want to know
Written by Larry Long, Director of Membership and Development



State Budget Director
Kimberly Murnieks

State Closes FY 2022 with Large Budget Surplus

The State of Ohio closed State FY 2022 on June 30 with an unencumbered balance of \$5.66 billion in the General Revenue Fund (GRF). The surplus was caused by better-than-expected tax revenues and a large carry over balance from the previous year. Tax collections generated nearly \$180 million more than expected during June, bringing Ohio's revenue surplus to more than \$2.7 billion at the close of FY22 on June 30, according to the Ohio Office of Budget and Management (OBM). The state collected \$28.1 billion in taxes through the fiscal year, compared to expectations of \$25.4 billion, a difference of nearly 11%. Personal income tax collections made up the bulk of that overage, bringing in \$1.85 billion or nearly 21% percent more than expected; June's collections themselves were \$50.1 million or 5.1% ahead of estimates. Sales tax revenues were also above estimates:

- Non-auto sales and use tax collections totaled \$11.1 billion--\$625.9 million (6.0%) above estimate.
- Auto sales and use tax collections totaled \$1.9 billion--\$88.9 million (4.8%) above estimate.

More Online Services Available from Ohio BMV

Hate cueing up at your local BMV office to get your driver's license renewed? As of June 27, Ohio BMV now allows online renewal of driver's licenses and state identification cards. Just complete a renewal application, upload copies of required documents, and receive the new license through the mail. Additionally, as of July 11 you can also be able to transfer a vehicle title through the Ohio Title Portal.

There are a few catches though. Those younger than 21 or older than 65 still must go to the local BMV office as do those who are not U. S. citizens. In addition, the current license must have been issued for four years and was processed in person at a deputy registrar agency. Online renewal is also not available for:

- renewing a commercial driver license
- renewing a temporary permit
- adding or removing restrictions or endorsements
- updating personal information, except for address changes
- renewing a license that is expired more than six months
- renewing a license that is suspended, has any outstanding reinstatement fees, or has a block.



Costs of the Flint Water Crisis

We all remember the Flint water crisis--among the worst of its kind in recent history. Flint is a city of about 95,000 residents, including 18,000-20,000 children and adolescents. Residents began complaining in 2014 that their water tasted bad, smelled foul, and came out of the tap discolored. The city, experiencing financial problems, had switched its water supply to the Flint River in April 2014 to save \$5 million annually. Though the previous water source had been treated with corrosion inhibitors that maintain a protective scale on the inside of lead pipes, officials decided against adding the inhibitors.

After extended court battles, an out-of-court settlement was finalized last year. Of the \$626.25 million settlement to be paid, the bulk will be paid by the state of Michigan. The city of Flint, an engineering firm, and a hospital will pay about \$26 million, and the state will cover the rest. Residents will be eligible for assistance if they have elevated lead levels in their blood or bones, or if they suffer from cognitive problems that can be traced to lead.

And what would have been the cost of adding the treatment using corrosion inhibitors? It is estimated that the cost would have been about \$80-\$100 per day. On an annual basis, this is \$36,500 annually or .0058% of the cost of the settlement. An ounce of prevention is certainly worth many pounds of cure!



Ohio's Innovative Workforce

Ohio was recently ranked 13th nationally for having the most innovative workers. And Cleveland-Elyria, Dayton, Cincinnati, and Akron are among the top 15 cities for their population size, according to a recent report from finance website SmartestDollar.com. The report said Ohio has a 3.2 percent share of workers in the most innovative jobs, numbering 166,440 in total. They make an average wage of \$78,083, compared to \$53,170 for all workers.

Ephemeral Stream Bill Now Law Over Calls for Veto

Controversial legislation to loosen regulations on ephemeral streams has been signed by Governor DeWine and became effective on July 21. The law will exempt any ephemeral stream - those present only in times of precipitation - that is not subject to U.S. Army Corps of Engineers oversight from the state's Water Pollution Control Laws.

For supporters, including business and housing industry groups, the measure marked a victory they said would provide needed flexibility for economic development efforts hindered by regulations.



But opponents have criticized the plan, which they contend will hamper the state's environmental protection efforts. The bill drew staunch opposition from environmental groups as it advanced through the legislature. The Ohio Environmental Council (OEC) was among groups urging a veto, labeling the bill a "step backwards" considering the state's ongoing H2Ohio investments. According to OEC the new law "fails to protect the important ecological qualities of Ohio's ephemeral streams, and it also fails to protect the water of millions of Ohioans who rely on water resources fed by these streams." the group said in a statement. "This bill could seriously unravel the progress that's been made to clean up our rivers, lakes, and streams."

But economic development-minded groups voiced support for the plan during committee meetings, with proponents including the Ohio Chamber of Commerce, the Ohio Municipal League, the Ohio Home Builders Association and Ohio Realtors.

Over 100 Wetland Projects Now Funded



Governor Mike DeWine announced in late July another round of funding for wetland projects using funds from the Ohio H2Ohio Program. Twenty-five new wetland projects will be funded in 22 counties including Allen, Athens, Butler, Clark, Clermont, Cuyahoga, Delaware, Franklin, Henry (2), Madison, Mahoning, Medina, Mercer, Montgomery, Ottawa, Pickaway, Putnam, Richland, Sandusky, Summit (3), Wayne, and Wyandot. The projects will be funded through ODNR's \$25 million H2Ohio allocation in the current state operating budget.

So far, ODNR has completed or restored 23 wetlands in Ohio. The 25 new wetlands announced today bring the total number of projects underway or complete to 113.



Water Conservation Initiatives in Western States

During 2015, it was estimated that Ohioans--residents, public and private water suppliers, farms, industries, and powerplants withdraw over 13 billion gallons of water each day. That is nearly 5 trillion gallons of water used each year! Ohio's ground water, rivers, and lakes provide abundant sources of water for the state when professionally managed.

While water conservation is often not a "hot topic" here in Ohio, recent actions in other states reveal just how lucky Ohioans are when it comes to the state's plentiful water supplies. For example, the city of Los Angeles earlier this year moved into a third phase of its water emergency, requiring customers to cut the number of outdoor watering days from three to two. Customers with odd numbered addresses water on Monday and Friday. Those with even numbers water on Thursdays and Sundays. Watering is prohibited between the hours and 9 am and 4 pm. The city also asked residents to reduce their daily use to seven gallons, which is the equivalent of reducing showering time by four minutes or shutting the faucet off during a 2-minute tooth brushing cycle.

And it is not just a big city problem. Hurricane City, Utah recently enacted a conservation ordinance after a yearlong study in the wake of drought conditions. The ordinance limits both commercial and residential water use, targeting new construction projects. Under the new ordinance, commercially owned grass is not allowed outside of active recreation areas and is banned on landscape areas less than eight feet wide and on landscape slopes that exceed a 15% incline. The ordinance requires commercial landscape, irrigation, and project plans to be approved by the city, trees, and bushes to be water efficient and prevent soil erosion, and construction projects to implement city provided secondary irrigation water instead of culinary water, if the irrigation water is available.

The ordinance did not pass without serious opposition, passing by a three to two vote. One member of council invoked religion in the debate, following a statement made last year by Utah Governor, "By praying together and collectively asking God or whatever higher power you believe in for more rain, we may be able to escape the deadliest aspects of the continuing drought," Cox said.



THE CORD REPORT | FALL 2022
FOR MORE INFORMATION CONTACT LARRY LONG, DIRECTOR OF
MEMBERSHIP DEVELOPMENT: LARRYLONG@CORDOHIO.ORG
OR CATINA TAYLOR, EXECUTIVE ASSISTANT:
CATINA.TAYLOR@ALBERSLAW.COM