The Task Ahead

Principles to Build
Better Rules

Seeing the Connections - Seek Innovation

Three Principles

- Agree on basic Objectives
  - for the workgroup
  - for the rule package
- Retain sharp Focus
- Understand the Foundation

Objectives for Workgroup

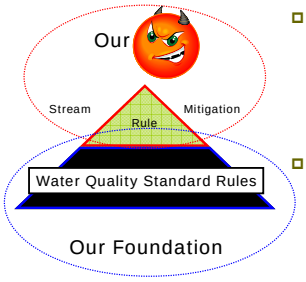
- Results of the workgroup sessions should:
  - Answer your questions
  - Improve your understanding of draft rule
  - Identify problems seen by members
  - Provide a means to explore options
    - Win-win solutions
    - Solutions that all or most can live with
  - Provide the Agency better knowledge upon which to re-draft proposed rules

Workgroup is a sounding board, not a rule writing body

Objectives for Revised Rule Package

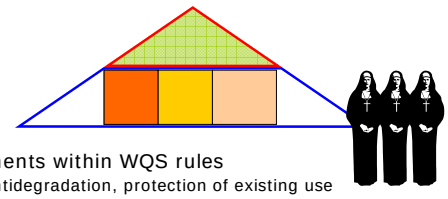
- A set of water quality standard and stream mitigation rules that:
  - Protect the Environment
  - Create Predictable Outcomes
  - Acceptable to Business
  - Implemented with same or fewer Agency resources
  - Adequately addresses other major concerns voiced by the workgroup

Focus & Foundations



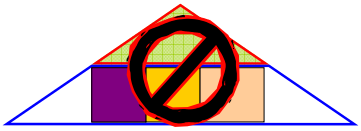
- Protect Environment
  - Devil's in the detail
  - Must be defined
- Foundation within:
  - Science
  - Laws and regulations

What are Legal Foundations?



- Elements within WQS rules
  - Antidegradation, protection of existing use
  - Beneficial Uses, Tiered Aquatic life use categories (ALU)
  - Criteria to protect uses (a set standard)
    - Chemical WQ criteria
    - Biological criteria linked with some ALU

How Fixed is the Foundation?



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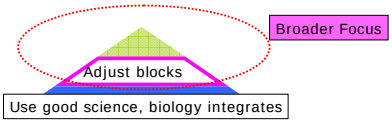
Foundation Is Set

We have a lot of choices on the look of the house

Focus on Innovation & Refinement



Future Discussion Topics

As seen by Ohio EPA

Future Agenda List

- Mitigation debit/credit model
  - Pros & cons
- In watershed vs. out of watershed mitigation
  - Limits and exceptions
- Preservation vs. restoration requirements
- Economic impacts of using the mitigation model
- Industry specific concerns
  - Development
  - Transportation
  - Agriculture (need for drainage)
  - Surface Mining

Coming to grips with -

- How will the stream mitigation rule and other WQS rule changes impact:
  - Parcel size development projects
  - Road building projects
  - Agricultural drainage (and other flood control projects)
  - Surface mining activities

Elephant in the Room

Build common ground here so that we create a public policy that best serves the interests of all Ohioans

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Essential to the Public Policy Debate

- Sub-categories of ALU
  - Do current categories work? Add categories?
    - General ALU
    - Primary Headwater
  - How will they work?
- Existing Use within the context of antidegradation and aquatic systems
  - A matter of scale
- Topics for future meetings

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Future Agenda List - Review

- Mitigation debit/credit model
  - Pros & cons
- In watershed vs. out of watershed mitigation
  - Limits and exceptions
- Preservation vs. restoration requirements
- Economic impacts of using the mitigation model
- Industry specific concerns
  - Development
  - Transportation
  - Agriculture (need for drainage)
  - Surface Mining
- Primary Headwaters, ALU sub-categories & antidegradation

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