AUTHENTICATED,
OHIO LEGISLATIVE SERVICE
COMMISSION
DOCUMENT #540972

Ohio Administrative Code

Rule 1501-2-05 Water diversion permit applications.

Effective: November 6, 2026

(A) Any application that fails to provide the chief with prescribed information needed for ascertaining compliance with the applicable provisions of section 1521.22 of the Revised Code, or rules promulgated thereunder, shall be considered defective. Upon determining that an application is defective, the chief shall so notify the applicant and either request additional information or return the application to the applicant without further processing. An indication of the deficiency shall accompany a returned application and the applicant shall have ninety days from the receipt thereof in which to cure the defect. Upon determining that an application is not defective, the chief shall notify the applicant that the application has been accepted as complete and is being considered.

(B) An application shall contain the following information and shall be filed on forms provided by the chief:

(1) The name, address, and telephone number of applicant.

(2) The location of the proposed withdrawal; a description of all proposed and existing systems for the storage, treatment, transportation, and distribution of water; and the location to which the waters of the state are proposed to be diverted; the location of any discharge of water or wastewater effluent within the area to which the applicant intends to supply water from the diversion; and the geographic area to which the applicant intends to supply water and the population within that area.

(3) The average quantity of water in gallons to be diverted daily and a description of the uses to which the water is to be put, including the proportion allocated to each use.

(4) A description of all present sources of water supply available to the applicant in the basin to which the water would be diverted; an analysis of applicant's present and future needs; and a description of efforts to develop and conserve water resources in the importing basin.

(5) The expected life of the diversion project.

(6) Maps showing the items listed in paragraph (B)(2) of this rule; the county and township roads; the location of utilities; the topography; and any structures of facilities affected by or part of the proposed diversion. Maps published by the state, county, and the United States geological survey, and aerial photographs, may be used for these purposes.

(7) Diversion design specifications and site plans accurately drawn and in sufficient detail to clearly indicate the extent and complexity of the proposed diversion.

AUTHENTICATED,
OHIO LEGISLATIVE SERVICE
COMMISSION
DOCUMENT #540972

(8) An analysis of anticipated effects on uses of lands and waters within the Ohio river drainage basin resulting from the diversion. The analysis shall include an assessment of short-term and long-term impacts on natural, historic, community, economic and scenic resources, in-stream uses, and economic and ecologic aspects of water levels that will be affected by the proposed diversion project. The assessment shall include the identification of all known or anticipated competing uses for the diverted water.

(9) An analysis of needs and requirements of land acquisition, land use requirements, relocation or resiting of existing facilities, rights of way, structures, and all equipment, including energy needs of the equipment, and total costs, direct and indirect, to effect the diversion.

(10) An analysis of whether the diversion is consistent with plans and requirements of the state for the use, management, and protection of the water resources of this state.

(11) An analysis of the impact of the proposed diversion on the levels and flows in both the basin to which water would be diverted and the basin from which the water would be withdrawn over the expected life of the diversion, including low flows, flood levels, and where appropriate, the levels of lake Erie or the Ohio river.

(12) An analysis of the impact of the proposed diversion on water quality in both the basin to which water would be diverted and the basin from which the water would be withdrawn over the expected life of the diversion.

(13) Projections of water use needs for the life of the diversion in the basin to which the water would be diverted and the basin from which the water would be withdrawn, and an analysis of the potential impact of the proposed diversion on water supply in each such basin over the life of the project.

(14) An analysis of alternatives for meeting the present and future water needs of the applicant, including the economic, social, and environmental impacts of further development of the water resources in the importing basin.

(15) Such additional information as the chief may require.

(C) An application for a diversion which lawfully diverted more than one hundred thousand gallons per day of any waters of this state within one year before October 12, 1984 shall contain the following information and shall be filed on forms provided by the chief:

(1) The name, address, and telephone number of applicant.

AUTHENTICATED,
OHIO LEGISLATIVE SERVICE
COMMISSION
DOCUMENT #540972

(2) The location of the withdrawal; a description of all proposed and existing systems for the storage, treatment, transportation, and distribution of water; and the location to which the waters of the state are proposed to be diverted; the location of any discharge of water or wastewater effluent within the area to which the applicant intends to supply water from the diversion; and the geographic area to which the applicant intends to supply water and the population within that area.

(3) The average quantity of water, in gallons, diverted daily and a description of the uses to which the water is put, including the proportion of the diversion which goes to each use.

(4) Maps in sufficient detail to show the items listed in paragraph (C)(2) of this rule; the county, township, and section lines; the locations of state, county, and township roads; the locations of utilities; the topography; and any other structures or facilities affected by or part of the proposed water diversion. Maps published by the state, the county, or the United States geological survey, the aerial photographs, may be used for these purposes.

(5) The expected life of the diversion project.

(6) Such additional information as the chief may require.

(D) The application required under paragraph (B) of this rule shall be accompanied by a nonrefundable fee of one thousand dollars.