OHIO EPA

New Rules &
New Challenges

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Ohio EPA

- 1974 Water Quality Standards
- 1978 Tiered aquatic life use designations
- 1996 Antidegradation Rule
- 1998 Wetland Water Quality Standards
- 1998 Ohio Rapid Assessment Method
- 2001 Isolated Wetland Permit
- 2005 New 401 Fee Structure
- 2007 Isolated Wetland General permit
- New aquatic life use designation, stream mitigation & Ohio Water Quality Permit rules
1998 Wetland Water Quality Standards

Ohio Rapid Assessment Method (ORAM)

3 wetland antidegradation categories
- Low (Cat 1), Good (Cat 2) & Excellent Quality (Cat 3)
- Cat 3 – No impacts unless public need demonstrated
2001 Isolated Wetland Permitting Law

- 3 review levels
  - L 1 – < ½ acre Cat 1 or Cat 2
  - L 2 – >½ acres Cat 1 or ½ to 3 acres Cat 2
  - L 3 - > 3 acres Cat 2 or any impacts to Cat 3
- Uses ORAM to determine category

2007 Isolated Wetland General Permit

- Replaces L1 review
- New Draft Rules (IPR ends June 6, 2011)
  - Primary Headwater Habitat (PHWH) stream aquatic life use designations
    - Class 1, 2 and 3 PHWH
  - Stream Mitigation Rule
    - Addresses details/ratios of stream mitigation
  - Ohio Water Quality Permit
    - Encompasses non-jurisdictional (isolated) streams permitting and 401 Water Quality Certifications
Current Challenges

- New rule adoption
- Surface coal mining
- Transportation projects
- New administration/Budget
- In-lieu fee mitigation
Questions?
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