



Environmental  
Protection Agency

## **State General Permit for Water Quality Certification Oil and Gas Exploration and Production Wells and Attendant Features**

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**Effective Date: Public Comment Draft**  
**Expiration Date: 5 years from effective date**

The purpose of this general permit is to expedite the review of applications for the construction of exploration and production wells and attendant features as specifically described herein pursuant to Section 401 of the Federal Water Pollution Control Act, 33 U.S.C. 1341, Ohio Revised Code Chapters 119 and 6111, Ohio Administrative Code Chapters 3745-1, 3745-32, and 3745-47. This general permit applies to only those projects resulting in minimal adverse impacts to waters of the State. The discharge of dredged or fill material that exceeds impact thresholds or does not fully comply with all terms and conditions set forth herein shall not be eligible for coverage under this general permit.

Authorization granted under this general permit does not relieve the applicant or proponent from the requirement to obtain federal authorization for activities regulated under Section 404 of the Federal Clean Water Act and/or Section 10 of the Rivers and Harbors Act from the United States Army Corps of Engineers (Corps).

This general permit shall be effective for five years and shall expire at midnight on the expiration date shown above.

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Scott J. Nally, Director

## I. Scope of Authorized Activities

- A. Authorized Activities: Work authorized by this general permit is limited to the discharge of dredged or fill material into waters of the State associated with the production, operation and activities and all related equipment, facilities, and other structures that may be used in or associated with exploration and production wells for oil and gas including construction of drilling pads, reserve and mud pits, freshwater ponds, flowback water ponds, access roads, dikes, berms, equipment ramps, borrow pits, disposal areas, staging areas, water lines, and gas transmission line. Each pad site and associated features described above shall constitute a single and complete project for determining eligibility under this general permit.
- B. The general permit shall not authorize impacts to waters of the State associated with new gathering lines or new transmission lines.
- C. Use in Conjunction with Nationwide Permits: Applicants shall seek coverage under this general permit when waters of the State will be impacted by the drilling pad. When the drilling pad impacts waters of the State, all features associated with the project described in Section I.A., above shall be subject to coverage under this general permit. When the only impacts to waters of the State will result from utility lines and/or access roads may be authorized under a nationwide permit(s), then coverage under this general permit is not necessary. Applicants may not combine authorization under this general permit with any nationwide permit, Letter of Permission, or other general permit, to increase the wetland acreage or linear feet of stream impacts to waters of the State.
- C. Authorized Jurisdictional Wetlands Impacts: Coverage under this general permit is limited to a cumulative total of temporary and/or permanent impacts up to 0.5 acres of category 1 and 2 wetlands for all activities described in I.A., above. No temporary or permanent impacts to Category 3 wetlands are authorized under this general permit.
- D. Authorized Jurisdictional Stream Impacts: Coverage under this general permit is limited to a cumulative total of temporary and/or permanent impacts up to 300 linear feet of streams, of which no more than 100 linear feet can be to Class III primary headwater habitat streams<sup>1</sup> associated with road or utility line crossings. Impacts to Class III primary headwater habitat streams, not resulting from a road or utility line crossing, are prohibited. No temporary or permanent impacts to streams meeting any of the criteria set forth below are authorized under this general permit:

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<sup>1</sup> Primary Headwater Habitat Stream classification shall be determined using the Division of Surface Water's *Field Evaluation Manual for Ohio's Primary Headwater Streams*, v 2.3, October 2009 which may be found at [http://www.epa.ohio.gov/portals/35/wqs/headwaters/PHWHManual\\_2009.pdf](http://www.epa.ohio.gov/portals/35/wqs/headwaters/PHWHManual_2009.pdf).

1. Exceptional Warmwater Habitat (EWH), Coldwater Habitat (CWH), Seasonal Salmonid (SS), or any equivalent designation;
  2. Water bodies with an antidegradation category of Superior High Quality Water, Outstanding National Resource Waters or Outstanding High Quality Waters;
  3. General High Quality Water bodies which harbor federally listed threatened or endangered species;
  4. Water bodies designated as State Wild and Scenic Rivers;
  5. Water bodies designated as National Wild and Scenic Rivers.
- E. Impacts to Isolated Wetlands Not Authorized: Impacts to isolated wetlands, as that term is defined in Section 6111.02(F) of the Revised Code 6111, are not authorized under this general permit. To facilitate an orderly and expedited permitting process, Ohio EPA strongly encourages the submission of any isolated wetlands permit application required under Sections 6111.02 through 6111.029 concurrently with applications seeking coverage under this general permit.
- F. Impacts to Federally Non-jurisdictional (Isolated) Streams: Impacts to water bodies meeting the definition of a stream but not considered to be a water of the United States are eligible for coverage under this general permit. Impacts to non-jurisdictional streams shall be included in the 300 linear feet of total cumulative impacts to streams described in Section I.D., above.

## II. Application Requirements

To qualify for coverage under this general permit, the applicant shall submit the following information:

- A. An application submitted on forms provided by the director of environmental protection and that include all information required under Ohio Revised Code 6111.30 (A) (1) through (10) on those forms;
- B. A copy of the United States Army corps of engineer's jurisdictional determination letter. If no jurisdictional determination is to be issued by the Corps, the public notice or notification that the project is authorized under a general permit will fulfill this requirement. The jurisdictional determination must be A copy of a valid and unexpired;
- C. If the project involves impacts to a wetland, a wetland characterization analysis consistent with the Ohio Rapid Assessment (ORAM) for all wetlands located in the project area using the 10 page form which may be found at: ([http://www.epa.ohio.gov/portals/35/401/ORAMv5\\_score\\_forms\\_10\\_page.pdf](http://www.epa.ohio.gov/portals/35/401/ORAMv5_score_forms_10_page.pdf));

- D. If the project involves a stream for which a specific aquatic life use designation has not been made, a use attainability analysis consisting minimally of a Qualitative Habitat Evaluation Index (QHEI) score or Headwater Habitat Evaluation Index (HHEI) score conducted in accordance with the procedures for those manuals. Streams with designated aquatic life uses may be found in Ohio Administrative Code 3745-1-08 through 30;
- E. A specific and detailed mitigation proposal, including the location and legal mechanism for protecting the property in perpetuity, and information described below;
1. Form in which the mitigation is to occur, a) mitigation bank, b) In-Lieu Fee payment, c) permittee-responsible mitigation site, or d) SWIF payment);
  2. If mitigation is to occur at a bank, the name of the bank, a demonstration that the project is located within the bank's service area, and proof of reservation or purchase of credits at that bank.
  3. If mitigation is to occur at an Inter-Agency Review Team (IRT) approved In-Lieu Fee program, a calculation demonstrating that the appropriate payment has been included in accordance with the instrument for the approved ILF program. ILF may be used only when an IRT approved mitigation bank is not available.<sup>2</sup>
  4. If mitigation is to occur at a permittee-responsible site, a detailed and specific mitigation plan that contains the information provided in Attachment I to the general permit (which may also be found online at: [http://www.epa.ohio.gov/portals/35/401/mitigation\\_monitoring\\_plan\\_checklist.pdf](http://www.epa.ohio.gov/portals/35/401/mitigation_monitoring_plan_checklist.pdf).)
  5. When the Corps will not require mitigation, a payment to the Ohio EPA Surface Water Improvement Fund (SWIF) at a rate of \$40,000.00 per acre and \$300.00 per linear foot or stream impact.
- F. Applicable permit fees including a non-refundable application fee of \$200.00 and one half of the review fee calculated based on the fee schedule provided in Section III., below. The remainder of the review fee shall be paid upon disposition of the application. The check shall be made payable to the Treasurer, State of Ohio;
- G. Site photographs that are legible, in color, and representative color photographs of all waters of the State located on the project site. An exhibit identifying the location and orientation of photographs shall also be submitted;

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<sup>2</sup> As of the effective date of this general permit, the IRT has not approved an ILF program for the state of Ohio. Should an ILF program be approved during the effective period of this general permit, this condition clarifies its eligibility for use.

- H. Adequate documentation confirming that the applicant has requested comments from the Ohio Department of Natural Resources and the United States Fish and Wildlife Service regarding threatened and endangered species, including the presence or absence of critical habitat;
- I. Description and schematics for the applicant's preferred alternative including a discussion of project purpose and need, a description of all work to be performed, and description of all attendant features to be constructed as part of the project, and rationale why the project should be considered as a single and complete project. The application shall describe avoidance and minimization measures that were undertaken, such as site configuration and construction techniques, to avoid and minimize impacts to waters of the State;
- J. The applicant's investigation delineation report of the waters of the U. S. in support of the section 404 permit application. If no investigative report is required by the Corps, the Public Notice will fulfill this requirement. The delineation report shall be performed in accordance with the Corps of Engineers Wetland Delineation Manual, USACE Waterways Experimental Station Wetlands Research Program Technical Report Y-87-1, dated January 1987, including the appropriate regional supplement;
- K. A copy of the United States Army Corps of Engineers public notice regarding the 404 permit application. If no public notice is to be issued by the Corps, notification from the Corps that the project is to be authorized by a federal nationwide permit will fulfill this requirement.

### III. Fees

Applications must be accompanied by the appropriate fees described below.

- A. A non-refundable application fee of \$200.00 must be submitted with each application;
- B. A review fee shall be calculated based on the proposed stream and wetlands impacts in accordance with the schedule provided in Section III.C. below. The application shall be accompanied by one half of the calculated review fee. The remainder of the review fee shall be submitted upon issuance of the permit;

#### C. Review Fee Schedule

Wetlands	\$500.00 per acre
Streams:	\$5.00 per linear foot of ephemeral stream
	\$10.00 per linear foot of intermittent stream
	\$15.00 per linear foot of perennial stream.

(Example A. - \$500.00 per acre of wetland impact x 0.5 acres = \$250.00)  
(Example B. - \$15.00 per lf of perennial stream impact x 300 lf = \$4,500)

#### **IV. General Conditions**

Terms and conditions outlined in this section apply to project and mitigation construction sites as described in this permit.

- A. This permit shall be valid for a period of five years from the date of issuance.
- B. The applicant is responsible for ensuring that all structures and activities authorized by this general permit comply with all general and special terms and conditions specified herein. Failure to comply with these conditions may invalidate the authorization and may result in a violation of law, requiring restoration or other remedial actions.
- C. The applicant shall notify Ohio EPA, in writing, and in accordance with Section IX of this permit, upon the initiation of project components described in Section I.A. above, termination of drilling, completion of site pad restoration, and completion of well abandonment.
- D. A copy of this permit shall remain on-site or at the permittee's field office during construction and reclamation activities.
- E. Unpermitted impacts to surface waters of the State and/or their buffers specifically avoided as part of the demonstration of avoidance and minimization of impacts described in the application must be reported within 24 hours of occurrence to Ohio EPA, Division of Surface Water, Section 401/IWP Manager, (614-644-2001). The applicant may be required to submit a formal modification, submit a new application, or be subjected to enforcement for any unpermitted impacts.
- F. Precautions must be taken to limit any effect on the water supply intakes. The applicant shall investigate for the presence of public water supply intakes within one mile downstream, which may be affected by suspended solids and turbidity increases caused by work in water of the State. The applicant shall give notice to operators of any such water supply intakes as necessary before beginning work in waters of the State in sufficient time to allow preparation for any change in water quality.

To determine if a proposed project is located within one mile of a public drinking water supply intake, the applicant shall contact Ohio EPA's Source Water and Assessment Program. Please include the following information in the request:

- the location of the existing or proposed facility including a map showing the facility footprint or work location;
- the reason for the request (such as "river/lake dredging"); and
- contact information, including an email address.

Requests can be emailed to [whp@epa.state.oh.us](mailto:whp@epa.state.oh.us) or faxed to (614) 644-2909.

- G. Pesticide application(s) for the control of plants and animals shall be applied in accordance with Rule 3745-1-01 of the Ohio Administrative Code, and may require a site specific application permit from Ohio EPA. Such a permit may be obtained by calling 614-644-2001 and speaking with the Toxicology Specialist.
- H. Any authorized representative of the director shall be allowed to inspect the authorized activity at reasonable times to ensure that it is being or has been accomplished in accordance with the terms and conditions of this permit.
- I. In the event that there is a conflict between the permit application, including the mitigation plan, and the conditions within this permit, the condition shall prevail unless Ohio EPA agrees, in writing, that the permit application or other provision prevails.
- J. This proposal may require other permits from Ohio EPA. For information concerning application procedures, contact the appropriate Ohio EPA District Office shown on Attachment II to the general permit.

**Additional information regarding environmental permitting assistance at Ohio EPA can be found at [http://www.epa.ohio.gov/dir/permit\\_assistance.aspx](http://www.epa.ohio.gov/dir/permit_assistance.aspx)**

- K. Best Management Practices (BMPs)
  - 1. All water resources and their buffers, which are to be avoided, shall be clearly indicated on site drawings, demarcated in the field and protected with suitable materials (e.g., silt fencing) prior to site disturbance. These materials shall remain in place and be maintained until the termination of drilling described in Section V.D.
  - 2. Temporary fill shall consist of suitable non-erodible material and shall be stabilized to prevent erosion.
  - 3. Materials used for fill or bank protection shall consist of suitable material free from toxic contaminants in other than trace quantities. Broken asphalt is specifically excluded from use as fill or bank protection.
  - 4. Concrete rubble used for fill or bank stabilization shall be a minimum size/weight of concrete in the range of 100-500 lbs per piece or 12 inches to 18 inches in diameter; free of exposed re-bar; and, free of all debris, soil and fines.
  - 5. Cadmium chromium arsenate (CCA) and creosote treated lumber shall not be used in structures that come into contact with waters of the state.
- L. Wildlife Protection
  - 1. This certification does not authorize any activity likely to jeopardize the existence of an endangered or threatened species as listed by the Ohio

Department of Natural Resources or likely to destroy or adversely modify the habitat of such species. Information on Ohio's endangered or threatened species may be obtained from the Ohio Department of Natural Resources, Division of Natural Areas and Preserves at 2045 Morse Rd., Bldg. F-1, Columbus, Ohio 43229-6693; Phone: (614) 265-6453; Fax: (614) 267-3096.

2. No in-water work shall take place during the timeframes shown in Attachment III, unless specifically approved by the Ohio Department of Natural Resources, Division of Wildlife, in writing, with a copy provided to Ohio EPA prior to undertaking any in-water work during the environmental window.
3. If any State threatened or endangered species not previously identified, are encountered at any time during construction or dredging activities, work must cease immediately and the Ohio Department of Natural Resources' Division of Wildlife must be contacted for further evaluation.

## **V. Special Conditions**

### **A. Access Roads**

1. Adverse impacts to waters of the State caused by construction of access roads and turnarounds shall be minimized by taking the shortest practicable route through waters of the State, using existing access roads, locating the road in previously disturbed areas, and limiting the width and length of ground disturbance.
2. Clearing vegetation at stream and wetland crossings for access roads shall not exceed a total maximum width of 40 feet.
3. Stream impacts shall be measured up-stream to downstream or from bank-to-bank, whichever is greater.
4. Culverts
  - a. Permanent stream culverts shall be installed and designed at the streambed slope to allow for the natural movement of aquatic organisms and bedload to form a stable bed inside the culvert through the use of bridges, three-sided culverts, pre-cast structures, or oversized culverts where culvert base or invert with the substrate shall be installed below the sediment to allow natural channel bottom to develop and to be retained.
  - b. The channel bottom substrate shall be similar to and contiguous with the immediate upstream and downstream reaches of the stream. The culvert shall be designed and sized to accommodate bankfull discharge and match the existing depth of flow to facilitate the passage of aquatic organisms.

- c. Where culverts are installed for temporary crossings, the bottom elevations of the stream shall be restored as nearly as possible to pre-project conditions.

B. Buried Utility Lines in Streams

2. The stream bed and substrates shall be reconstructed to pre-impact condition and elevation after the utility line has been installed and overburden replaced back in the trench.
3. Trench width within the stream shall be the minimum width necessary to install the pipeline(s). The general permit encourages the installation of multiple utility lines in a single trench to reduce the number of stream crossings.
4. Trench depth shall ensure a minimum of three feet of overburden between the utility line and the bottom of the stream.
5. The construction right-of-way width shall be no greater than 30 feet measured from upstream to downstream within the stream channel.
6. Overburden removed from the stream bed shall be stockpiled at least 25 feet from the stream and contained with erosion control materials to prevent discharges back into the stream.
7. The utility line crossing shall be installed at a 90 degree angle to the stream bank to the maximum extent practicable. When a 90 degree angle is not possible, the length of any buried utility line within any single water body shall not exceed twice the width of that water body at the location of the crossing.
8. Actual crossing technique shall be determined based on the flow conditions at the time of construction.
9. Stream impacts shall be measured up-stream to downstream or from bank-to-bank, whichever is greater.
10. Installation of a utility line under a stream or wetland through the use of Horizontal Directional Drilling (HDD), or other trenchless construction techniques, shall not require authorization under this general permit provided there is no discharge to waters of the State associated with the crossing. Should drilling muds be observed discharging into waters of the State as a result of utilizing HDD techniques, drilling operations shall cease until the cause of the discharge is determined, and the discharge is controlled in

accordance with a *HDD Drilling Mud Release Contingency Plan*.<sup>3</sup> In the event a discharge occurs in waters of the State, the applicant shall immediately contact the Ohio EPA 40, Division of Surface Water and the Ohio EPA Emergency Response hot line at (800) 282-9378.

C. Buried Utility Lines in Wetlands

1. Mats, pads, or other similar devices shall be used where crossings of construction equipment through a wetland cannot be avoided.
2. Antiseep collars or clay plugs must be utilized for all trenching activities in wetlands. Trench breakers shall be installed in the trench to reduce the potential for dewatering the wetlands.
3. All hydric soils up to 12 inches in depth shall be stockpiled and replaced as the topmost backfill layer.
4. Stockpiling of side cast dredged materials shall not exceed 3 months. Dredged side cast material that will be stock-piled greater than 21 days shall be stabilized.

VI. **Mitigation Requirements and Performance Criteria**

Because this general permit is intended to authorize only minimal adverse impacts to aquatic resources, an applicant may satisfy its stream and wetland mitigation obligations using any combination of a mitigation bank, In-Lieu Fee payment, Surface Water Improvement Fund (SWIF) payment, or permittee-responsible mitigation in the form of restoration or preservation. Payment to the SWIF may only be used when the Corps will not require mitigation for impacts to streams or wetlands.

Compensatory mitigation shall be required for all permanent and temporary impacts to streams and wetlands.

A. Wetland Mitigation

1. Compensatory restoration, enhancement, and or preservation for wetland mitigation shall conform to the requirements set forth Ohio Administrative Code Rule 3745-1-54. Mitigation ratios shall conform those specified in Table 1 below:

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<sup>3</sup> Please note that Ohio EPA has substituted the term *HDD Drilling Mud Release Contingency Plan* for the commonly used term *Frac-out Contingency Plan* due to the potential for confusion over the use of horizontal direction drilling to install utility lines with the separate process of using horizontal fracturing for the production of oil and gas.

**Table 1: Wetland Mitigation Requirements**

Wetland Category	On-site mitigation ratio	Off-site mitigation ratio	Replacement category	Compensatory Mitigation location (Off-site)
1	1.5:1 Non-forested and Forested	1.5:1 Non-forested and Forested	2 and 3	Within the U.S. Army Corps of Engineers District
2	1.5:1 Non-forested 2.0:1 Forested	2.0:1 Non-forested 2.5:1 forested	2 and 3	Within watershed (8-digit HUC) or as noted (1*) below

1May use a mitigation bank or in-lieu fee program provided the service area of the mitigation bank or in-lieu fee program extends into the area in which the impacts occurred. If a mitigation bank is not located within the 8 digit HUC in which the impacts occur, mitigation may occur at an adjacent 8 digit HUC.

**B. Stream Mitigation**

Compensatory restoration and preservation for permittee-responsible steam mitigation shall conform to the following requirements.

1. Stream mitigation shall be protected in perpetuity.
2. Stream mitigation sites shall include riparian buffers.
3. Stream mitigation activities shall restore, preserve, or enhance the biological or habitat values of a stream as determined by an appropriate assessment protocol and shall adhere to “natural channel design” principles. Natural channel design means a technique that integrates knowledge of the natural stream processes to create a stable stream that maintains its form and function over time and achieves a targeted biological or habitat endpoint.
4. For permittee-responsible sites, electronic maps of the development area and the mitigation area sites to Ohio EPA’s Environmental Mitigation & Special Permitting section within 30 days of receipt of the General Permit. When sending the electronic files, include the Ohio EPA ID Number and the Army Corps of Engineers Number (if applicable). If possible these electronic maps shall be GIS shape files or Geodatabase files. If this is not possible, the electronic maps shall be in another electronic format readable in GIS (GIF, TIF, etc). The electronic files shall be sent to the following e-mail address: [Jeffrey.Boyles@epa.state.oh.us](mailto:Jeffrey.Boyles@epa.state.oh.us).

If the files are too large to send by e-mail, a disk containing the electronic files shall be mailed to the following address:

Ohio Environmental Protection Agency  
Division of Surface Water  
Environmental Mitigation & Special Permitting  
Attn: Jeff Boyles (or successor)  
50 West Town Street, Suite 700  
PO Box 1049  
Columbus, OH 43216-1049

## 5. Stream Mitigation Ratios

**Table 2: Stream Mitigation Ratios<sup>4</sup>**

Stream	Off-site Restoration	Off-Site Preservation
LRW and AMD where QHEI < 40, Class I PHWH, and modified Class I and II PHWH,	1.5:1	1.5:1
LRW and AMD where QHEI ≥40, MWH, Class II PHWH	2:1	2.5:1
WWH, Class III PHWH	2.5:1	3:1

## VII. Evaluation and Review Procedures

Applications for a general permit shall be reviewed in accordance with the following procedures:

- A. Ohio EPA shall conduct a completeness review within 15 business days of receipt of the application pursuant to Section 6111.30(B) of the Revised Code. An application must contain all items required in Section II, above, before it may be considered complete.
- B. The applicant shall respond to a Notice of Incomplete application within 15 days of receipt of the first, and any subsequent, notices.
- C. Ohio EPA shall issue or deny the application within 30 days from the date that the application has been determined, in writing, to be complete.

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<sup>4</sup> Stream mitigation ratios shall adhere to the ratios in Table 2, but shall be superceded by any formal stream mitigation rules promulgated at a later date.

### **VIII. Notifications**

All notifications, correspondence, and reports regarding this permit shall reference the permittee's name, project name and Ohio EPA ID No., and shall be sent to:

Ohio Environmental Protection Agency  
Division of Surface Water, 401/IWP Unit  
Lazarus Government Center  
50 West Town Street  
P.O. Box 1049  
Columbus, Ohio 43216-1049

### **IX. Modification, Revocation, and Expiration**

Ohio EPA reserves the right to modify or revoke this general permit at any time and without notice. This general permit shall expire at midnight on the expiration date.

Projects that have been granted authorization under this general permit, or have a written notice of a complete application may complete their project under the terms and conditions of this general permit.

### **X. Disclaimers**

Coverage under this general permit does relieve the applicant from any legal obligation to obtain any other applicable federal, state, or local approvals, permits, or authorizations required by law.

This general permit is intended to address only temporary and/or permanent impacts to aquatic resources resulting from the construction and operation of oil and gas exploration and production well facilities. Coverage under this general permit does not imply approval of any other applicable federal, state, or local approvals, permits, or authorizations required by law.

**END GENERAL PERMIT**

## **State General Permit for Water Quality Certification Oil and Gas Exploration and Production Wells and Attendant Features**

### **Attachment I: Stream and Wetland Mitigation Plan Requirements for Permittee-Responsible Sites**

At a minimum, all of the information listed below must be included in the plan in order for the application to be considered complete. However, the U.S. Army Corps of Engineers (Corps) may require additional information in mitigation and monitoring plans that is not listed below. The applicant should work with the Corps to ensure that all of the required information is provided.

#### **Plan Views and Drawings**

**(To scale; showing mitigation property boundaries and a north arrow)**

- Road map
- USGS map
- NWI map
- NRCS County Soil map (identify as hydric, non-hydric w/ incl., or non-hydric)
- Recent aerial photography map showing boundary of mitigation property
- Map showing both location of mitigation site and impact site.
- Map of the proposed mitigation site showing the location of existing aquatic resources, vegetation communities, boundary of preservation property, and areas presently dominated by invasive species.
- Plan views showing expected approximate limits of cut and fill areas, limits of vegetation removal, ditch plug areas, tile cutoff areas, berm locations, etc.
- Conceptual plan view of boundaries showing existing aquatic resources, and limits of proposed enhanced, restored, created, and preserved aquatic resources, existing and proposed vegetation types, proposed planting areas, and proposed habitat features.
- Conceptual cross section of mitigation and buffer areas showing existing land surface, proposed land surface, expected maximum and normal water depths, natural channel design measurements.
- For streams, also provide conceptual longitudinal profile of existing and proposed land surface

#### **Information and Discussions:**

- Discuss the overall objectives of the mitigation plan in terms of how it meets applicable Ohio laws and rules and in comparison to the overall functions lost at the impact site.
- Description of activities planned to occur at each mitigation area including a timeline.
- Township, county, and Hydrologic Unit Code for impact and mitigation site.

- Delineation of existing aquatic resources present on mitigation site including photographs of each resource and existing buffer areas, and Corps approval letter.
- Assessments of undesignated aquatic resources on the site (HHEI, ORAM, etc.)
- Names, mailing and email addresses, phone numbers for responsible parties including: landowners, developers, consultants, easement holders, and engineers, etc.
- Discuss existing easements/ownership rights on the property that may preclude it as an acceptable mitigation site such as mining rights, utility easements, etc.
- Information on reliability of source of water/water budget for the mitigation area. Identify sources of water for mitigation including current and proposed watershed size. Discuss manipulation of hydrology required for construction of the mitigation.
- Describe the extent to which productive topsoil will be provided or amended as the topmost layer in floodplain restoration or wetland creation/restoration areas.
- Planting plan including size of stock to be planted, planting rates, list of species to be planted including scientific name and common name, and indicator status. Plantings may not consist of exotic, hybrid, or invasive or non-native species. Where plantings are not planned, provide rationale.
- Invasive species control plan.
- Discuss proposed quantitative performance criteria

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**Attachment II: Ohio EPA District Offices and Contact Information**



Northwest District Office  
347 North Dunbridge Road  
Bowling Green, Ohio 43402  
(419) 352-8461

Northeast District Office  
2110 East Aurora Road  
Twinsburg, Ohio 44087  
(330)963-1200

Central District Office  
50 W. Town Street, Suite 700  
Columbus, Ohio 43215-1049  
(614)728-3778

Southwest District Office  
401 East Fifth Street  
Dayton, Ohio 45402  
(937)285-6357

Southeast District Office  
2195 Front Street  
Logan, Ohio 43138  
(740) 385-8501

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**Attachment III: Ohio Department of Natural Resources In-Water Work Restrictions**

Location	Restricted Period
Salmonid streams <sup>1</sup>	9/15 – 6/30
Percid streams <sup>2</sup>	3/15 – 6/30
Other streams <sup>3</sup>	4/15 – 6/30

<sup>1</sup> Arcola Creek (entire reach), Ashatabula River (to Hadlock Road), Ashtabula Harbor, Chagrin River (to I-90), Cold Creek (entire reach), Conneaut Creek (entire reach) Conneaut Harbor, Cowles Creek (entire reach), Euclid Creek (entire reach), Grand River (to dam at Harpersfield Covered Bridge Park just upstream of the S.R. 534 Bridge, Fairport Harbor, Indian Creek (entire reach), Rocky River (to dam off Park Dr. just south of the I-90 bridge south of Rock River), Turkey Creek (entire reach), Vermillion River (to dam at Wakeman upstream of the S.R. 20/60 bridge), Wheeler Creek (entire reach), Whitman Creek (entire reach). Whitman Creek (entire reach).

<sup>2</sup> Cuyahoga River (to dam below the S.R. 82 bridge east of Brecksville (Chippewa Road.)), Great Miami River (to dam south of New Baltimore), Hocking River (lower section), Little Miami River (lower section), Maumee River (to split dam at Mary Jane Thurston State Park and Providence Park in Grand Rapids) Maumee Bay, Muskingum River (to Devola Dam No. 2 off S.R. 60 north of Marietta), Ohio River (entire reach), Portage River (entire reach), Sandusky River (to Ballville Dam off River Road in Fremont), Sandusky Bay, Scioto River (lower section), Toussaint River.

<sup>3</sup> Class 3 primary headwater streams (watershed  $\leq 1$  mi<sup>2</sup>), EHW, CWH, or streams with T&E species. Includes Lake Erie & bays. Special conditions (such as occurrence of T&E species) may mandate local variation of restriction.