

\*\*\* DRAFT - NOT YET FILED \*\*\*

3745-1-51

**Wetland narrative criteria.**

[Comment: For dates of non-regulatory government publications, publications of recognized organizations and associations, federal rules and federal statutory provisions referenced in this rule, see rules 3745-1-03 and 3745-1-50 of the Administrative Code.]

[Comment: ~~to~~To the extent the director has specific authority under Chapter 6111. of the Revised Code, including sections 6111.03 and 6111.041 of the Revised Code, the criteria specified in this rule are applicable to the maintenance or ~~enhancement~~rehabilitation (enhancement) of wetland functions. Such authority includes the issuance of certifications under section 401 of the Clean Water Act, 33 U.S.C. section 1341 (~~effective December 27, 1977~~), and Chapter 3745-32 of the Administrative Code, the issuance of NPDES permits under section 402 of the Clean Water Act, 33 U.S.C. section 1342 (~~effective December 21, 2000~~), and Chapter 3745-33 of the Administrative Code, and the issuance of permits and plan approvals under Chapter 3745-42 of the Administrative Code and sections 6111.44 and 6111.45 of the Revised Code.]

In addition to the criteria listed in rule 3745-1-04 of the Administrative Code, to every extent practicable and possible as determined by the director, and except as authorized in accordance with rule 3745-1-54 of the Administrative Code, the following narrative criteria shall apply to wetlands.

- (A) The hydrology necessary to support the biological and physical characteristics naturally present in wetlands shall be protected to prevent significant adverse impacts on the following:
- (1) Water currents, erosion or sedimentation patterns;;
  - (2) Natural water temperature variations;;
  - (3) Chemical, nutrient and dissolved oxygen regimes of the wetland;;
  - (4) The movement of aquatic fauna;;
  - (5) The pH of the wetland;~~and~~;
  - (6) Water levels or elevations, including those resulting from ground water recharge and discharge.
  - (7) The biological integrity of natural floral and faunal communities.

(B) Water quality.

(1) Water quality ~~necessary to~~ shall be protected to support existing habitats, and the populations of wetland flora and fauna shall be protected to prevent significant adverse impacts on the following:

(a) Food supplies for fish and wildlife;

(b) Reproductive and nursery areas; ~~and~~.

(c) Dispersal corridors, as that term is defined in rule 3745-1-50 of the Administrative Code.

(d) Biodiversity.

(e) Maturity level of woody vegetation.

(2) Water quality shall be protected to prevent conditions conducive to the establishment or proliferation of nuisance organisms, as that term is defined in rule 3745-1-50 of the Administrative Code.

(C) Conditions shall not occur that will have a significant adverse impact on the ability of the wetland to be used for wetland-dependent recreational opportunities in or on the water.

Effective:

Five Year Review (FYR) Dates:

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Certification

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Date

Promulgated Under:	119.03
Statutory Authority:	6111.041 and 6111.12
Rule Amplifies:	6111.041 and 6111.12
Prior Effective Dates:	5/1/1998, 10/17/2003