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## Proposed Rules – Beneficial Use Designations

### *Water Quality Standards Use Designations (OAC Chapter 3745-1)*

#### **What does OAC Chapter 3745-1 cover?**

Ohio Administrative Code (OAC) Chapter 3745-1 contains Ohio's standards for water quality. Water quality standards are state regulations or rules that protect lakes, rivers, streams and other surface water bodies from pollution. These rules contain: beneficial use designations such as warmwater aquatic life habitat, public water supply and primary contact recreation; numeric levels and narrative statements (water quality criteria) protective of the beneficial use designations; and procedures for applying the water quality criteria to wastewater discharges. This rulemaking involves water body beneficial use designations.

#### **What are beneficial use designations?**

A goal of the Clean Water Act is to achieve fishable and swimmable conditions in water bodies, wherever attainable. The fishable and swimmable goals equate to the warmwater habitat (WWH) and primary contact recreation (PCR) use designations in Chapter 3745-1 of the OAC. The use designations are defined in rule 3745-1-07 of the OAC and are briefly discussed below. The water quality criteria and values protective of the designated uses are found within Chapter 3745-1 of the OAC.

Beneficial use designations are the water quality goals for lakes, rivers, streams and other water bodies. Designations include such uses as aquatic life habitats (warmwater, coldwater, etc.), recreation (bathing waters, primary contact, secondary contact) and water supplies (public, agricultural, industrial).

Beneficial use designations are assigned to specific water bodies in Chapter 3745-1 of the OAC. Each of the 23 major drainage basins or watersheds in the state is assigned a rule in Chapter 3745-1. Specific water quality criteria are associated with each beneficial use and are the minimum specific target conditions to be maintained in the water bodies. Together the uses and criteria may be the basis for permit limits in wastewater discharge permits and conditions in Section 401 water quality certifications. Changes to designated uses are adopted as water quality standard rule revisions.

#### **Which water quality standards rules are under review at this time?**

This rulemaking includes review of beneficial use designation rules for the Scioto River (3745-1-09), Grand River (3745-1-10), Southwest Ohio tributaries (3745-1-17), Huron River (3745-1-19), Rocky River (3745-1-20), Portage River (3745-1-23), Mahoning River (3745-1-25) and Mill Creek (3745-1-30) watersheds.

#### **What changes are being proposed?**

State law and the federal Clean Water Act require Ohio EPA to periodically update rules to reflect the latest scientific information. The Agency has evaluated information regarding beneficial use designations for the eight drainage basins listed above. Three broad types of changes are proposed:

- 1) Changing beneficial use designations for specific water bodies;
- 2) Adding water bodies that are currently undesignated to the rules; and
- 3) Verifying existing beneficial use designations already listed in the rules.

Changes, additions and verifications of existing beneficial use designations are based upon the findings of biological, habitat, and water quality surveys. Other available pertinent information is also consulted, including information and comments from interested persons. The paragraphs below explain the changes in more detail.

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### Aquatic Life Use Designation Changes

The current aquatic life habitat use designations for 55 streams are proposed for revision. Some of the revisions are highlighted below. The revisions are summarized by drainage basin in Table 1, while specific details are listed in Table 2. Supporting documents containing data and information to support the recommended revisions are available on the Division of Surface Water web page at: <http://epa.ohio.gov/dsw/dswrules.aspx#120473215-proposed-rules>.

- The current Exceptional Warmwater Habitat (EWH) designation for thirty-four water bodies are proposed to be re-designated WWH. These water bodies were designated EWH as part of the original designations assigned to water bodies in the State, before the development of Ohio's biological assessment program and biological criteria. While the vast majority of original designations made in the 1970s and early 1980s was for the WWH use designation, a number of streams were assigned either the EWH or the Coldwater Habitat (CWH) designation. The reassignment of the aquatic life habitat use designation to these water bodies, while at first glance may appear to be a "downgrade" actually represents the first scientific assessment of these streams. Most of these streams are small and located in the sparsely populated rural hills of southern Ohio. In addition, two water bodies currently designated CWH based on original designations from decades ago without the benefit of a biological assessment, were not found to possess a biological community adapted to cold water. However, the biological communities within these streams did attain the EWH biological criteria. These streams are therefore recommended to be redesignated EWH in place of CWH.
- Eleven water bodies currently designated WWH are proposed for redesignation to CWH. Surveys of the biological communities within these streams demonstrated the presence of both cold water adapted fish and benthic macroinvertebrates.
- Three water bodies currently designated WWH are proposed to be redesignated Modified Warmwater Habitat (MWH). These water bodies are heavily channelized to maintain drainage and as a result, the habitat quality is insufficient to support a WWH biological community.
- The upper reach of one water body currently designated EWH is proposed for redesignation to WWH. The upper reach of this stream, Walnut Creek, has never previously been surveyed. Results from sampling this reach indicate that a WWH community is present, and thus redesignation is appropriate based on the bioassessment. Sampling performed in the lower reach validates that the existing EWH designation in this section is appropriate, as it was fully attained at three locations within the lower reach.

Two water bodies currently designated WWH were found to fully attain the EWH biocriteria and thus are recommended to be redesignated the EWH aquatic life habitat use designation.

### Recreational Use Designation Changes

Most water bodies in the state are designated Primary Contact Recreation (PCR), defined as suitable for full-body contact recreation. The PCR designation represents the "swimmable" goals of the Clean Water Act. Some water bodies are designated Secondary Contact Recreation (SCR), defined as suitable for partial body contact. The determination of whether a water body should be designated PCR or SCR is based on a suite of factors including: size of the water body, accessibility, water body location, potential use by children, safety considerations, existing water quality, potential water quality, presence of recreational facilities, and physical characteristics of the water body. A water body that is not large enough to support full body contact by an adult may still warrant a PCR use if, for example, it flows through an urbanized area or is adjacent to a residential area where children are likely to use it for recreation. Water bodies determined not to have the potential for PCR are designated SCR.

The only numeric water quality criteria applicable to the recreational use designations are for *E. coli* bacteria. These bacteria, while not harmful themselves, are indicators of possible sewage contamination and the possible presence of harmful bacteria and viruses (most commonly those bacteria and viruses that can cause earaches and intestinal illness). The water quality criteria for SCR are less stringent than for PCR because there is less chance that someone will be exposed to the water and potentially harmful bacteria in that water.

As part of the 5-year basin biological survey cycle, Ohio EPA field staff occasionally sample streams that are in fact too small and too isolated to support the PCR use. In these cases, a recommendation is made to redesignate the water body SCR to reflect the recreational potential based upon field observations and data gathered during the stream survey.

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In other cases, water bodies never specifically assigned any recreational uses within the water quality standards rules are assigned recreational uses based upon field observations of the water body and consideration of the factors mentioned above.

In this rulemaking, no water bodies are proposed to be designated SCR. One water body currently designated SCR is proposed for redesignation to PCR. Forty-one currently undesignated water bodies are proposed for PCR.

#### Designations Specifically Assigned for the First Time

Only about one-third of surface water bodies in the state are listed in the water quality standards rules. Those water bodies that are not listed are generally small, unnamed tributaries. As these unlisted water bodies are surveyed and appropriate use designations are determined, they are added to the rules.

With the exception of the biological criteria, the water quality criteria applicable to water bodies that are not specifically listed in the rules are the same as those criteria associated with the WWH use designation.

Thirty-eight currently undesignated water bodies are proposed to be designated WWH and two currently undesignated water bodies are proposed to be designated CWH. The specific designation of these water bodies will result in use-specific chemical criteria and, for water bodies designated WWH, application of biological criteria.

Elliot Run, a small tributary in the upper Scioto watershed, is proposed for a MWH use designation as a result of extensive habitat modification resulting from agricultural drainage maintenance, the continuation of which precludes attainment of the WWH goals. The designation of MWH will result in less stringent biological criteria and less stringent chemical criteria for ammonia and dissolved oxygen.

The forty-one water bodies proposed to be designated an aquatic life use for the first time are also proposed to be designated PCR. The water quality criteria applicable to water bodies that are not specifically listed in rules are the same as those criteria associated with the PCR use designation.

The Agricultural Water Supply (AWS) and Industrial Water Supply (IWS) use designations are also proposed for the thirty-seven water bodies proposed to be designated an aquatic life use for the first time.

The AWS use designation is for the prevention of adverse effects occurring from use of surface waters to irrigate crops or to water livestock. There are AWS water quality criteria for fourteen chemicals, mostly heavy metals. The designation of water bodies as AWS will result in the application of those water quality criteria.

The IWS use designation is for the protection against adverse effects of the water on industrial processes. There are no specific IWS water quality criteria. Therefore, the designation of water bodies as IWS will not result in any changes to applicable water quality criteria.

#### State Resource Waters

The State Resource Water (SRW) designation for several water body segments in the Rocky River drainage basin is proposed for removal. Ohio EPA is in the process of re-assigning water bodies currently listed as SRW in the use designation rules (rules OAC 3745-1-08 to 32) to a new Antidegradation tier under Ohio's Antidegradation rule (OAC 3745-1-05). Ohio EPA has recently completed biological and habitat surveys of these segments. The resulting data, along with any historic data available, demonstrate that these water body segments have attributes consistent with the general high quality water (GHQW) Antidegradation category. The current SRW designation, therefore, no longer has any significance for these water bodies. Consistent with paragraph (A)(25) of rule 3745-1-05, the SRW designation for the water body segments are proposed for removal. The specific water bodies are listed in Table 2 at the end of this fact sheet.

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### Verification of Existing Use Designations

As part of the stream survey process, the use designations identified in the water quality standards rules for many water bodies are verified to be correct. In this rulemaking, verifications of existing designated uses (typically WWH, AWS, IWS and PCR uses) are recommended for 148 water bodies. For these water bodies, the symbols identifying the use designations in the water quality standards rules will change from asterisks to plus signs to indicate that they are based on the results of stream surveys.

A list of stream designations recommended for verification is in Table 3 at the end of this fact sheet. Verifying stream designations does not result in any changes to applicable water quality criteria.

### **Where does the new information come from?**

The new information supporting the proposed changes comes from water body surveys. Ohio EPA has an ongoing 5-year basin monitoring schedule that rotates monitoring efforts across the state. The monitoring program consists of surveying the chemical, physical and biological characteristics of selected water bodies throughout the state each year, following the 5-year basin cycle. The purposes of these surveys include determining the present health and uses of the water bodies and predicting the potential health and uses of the water bodies if additional pollution controls were imposed. These proposed rule revisions, incorporating the results of a water body surveys conducted in the past several years, reflect the Agency's responsibility to assign beneficial water uses.

Although the Agency has used the water body survey approach to determine applicable use designations for over 25 years, many water bodies have still not been surveyed.

In the 1978 water quality standards rules, only a small number of water bodies were listed with their use designations, determined from information available at the time. All other surface water bodies were assigned the WWH and PCR use designations by default (consistent with baseline goals of the Clean Water Act).

The 1985 water quality standards rules listed all water bodies identified in the Ohio Department of Natural Resources Gazetteer of Ohio Streams and clearly identified their assigned use designations. For most water bodies, the WWH and PCR default use designations were carried over. The 1985 water quality standards rules and subsequent rulemakings included use designations resulting from water body surveys.

Since 1985, the water quality standards rules have distinguished between use designations carried over from the 1978 water quality standards (indicated by asterisks) and those based on the results of water body surveys (indicated by plus signs).

For information on the current conditions of Ohio water bodies and trends in water quality, see the Ohio EPA Integrated Water Quality Monitoring and Assessment Report. It is available on the web at [epa.ohio.gov/dsw/tmdl/OhioIntegratedReport.aspx](http://epa.ohio.gov/dsw/tmdl/OhioIntegratedReport.aspx).

### **How many water bodies are involved with these rule changes?**

Results of water body surveys, conducted in past years, indicate that changes in the beneficial use designations are needed for 100 water bodies in eight drainage basins. In addition, verifications of existing designations are included for 148 water bodies in eight drainage basins.

Table 1 lists the rules and identifies the types of changes being considered. Figure 1 shows the particular areas within the drainage basins for which changes are being considered. Specific use designation changes for each water body being considered for revisions and for verifications are listed in Tables 2 and 3, respectively, at the end of this fact sheet.

### **Are there changes from the January 2016 draft rule revisions?**

Yes, there are changes in two rules. In the Rocky River watershed (rule OAC 3745-1-20), the Agency has decided not to revise the aquatic life use designation for a portion of Abram Creek at this time. In the Mill Creek watershed (rule OAC 3745-1-30), the symbol used to denote beneficial use designations based upon the biological and water quality survey conducted by MBI will be an "o". Please see the related response to comments for additional information.

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### How will the changes affect controls placed on water pollution?

Some of these revisions will bring about more stringent controls, other changes may allow less stringent controls. The assigned use designation governs the levels of chemical water quality criteria that apply to protect the use designation. The coldwater and exceptional warmwater habitat uses bring about stricter chemical criteria, as does the replacement of a limited warmwater habitat or limited resource water use with a warmwater habitat use. In these cases where higher use designations result in the application of more stringent chemical criteria, lower effluent limits for wastewater dischargers may be required.

When a water body's use designation becomes less stringent, existing dischargers must continue the same treatment as before. However, if an existing facility wants to expand its operation or a new facility wants to discharge, less stringent pollution controls may be needed to meet the water quality standards for the less stringent use designations.

Detailed information regarding the differences between chemical criteria that apply to various use designations can be viewed in Ohio's water quality standards, available on the at [epa.ohio.gov/dsw/rules/3745\\_1.aspx](http://epa.ohio.gov/dsw/rules/3745_1.aspx) as well as on tables summarizing aquatic life and human health criteria, available on the web at [epa.ohio.gov/dsw/wqs/criteria.aspx](http://epa.ohio.gov/dsw/wqs/criteria.aspx).

Overall, there should be no impact as a result of the water body use designation changes, verifications and additions associated with this rulemaking on water pollution controls based upon a review of existing dischargers to these stream segments. This is based on either a lack of change to the criteria that already apply to most of these water bodies, a lack of regulated discharges to water bodies where more stringent criteria would apply, or less stringent criteria that would apply for water bodies where the MWH aquatic life habitat use is under consideration.

### What additional information is the Agency seeking?

The Agency wants to hear from interested stakeholders (public, local officials, and National Pollutant Discharge Elimination System [NPDES] permit holders, industry sectors, other state agencies, consultants and environmental organizations) who may be impacted by these use designation revisions and additions. General comments and specific factual information are welcome. Data on resident fish and macroinvertebrate communities and the physical habitat conditions of the water body are most pertinent to assignment of the proper aquatic life use designation. Data collection must be consistent with acceptable quality assurance protocols to be considered valid.

### How are the amendments formatted in the proposed rules?

Text that is proposed for deletion is identified in strikethrough font; new text is underlined.

### What is the rulemaking schedule?

A public hearing on the proposed rules will be held to consider public comments in accordance with Section 119.03 of the Ohio Revised Code. This hearing will be held at the Ohio EPA Conference Center, Room A, 50 West Town Street, Suite 700, in Columbus, Ohio at 10:30 a.m. on August 16, 2016. The purpose of the public hearing is to give interested persons the opportunity to present oral or written comments on the proposed rules.

At the close of the public comment period, the Agency will review the comments, make any necessary changes to the rules, and then adopt the rules. This is roughly a two-month process from the close of the comment period. A responsiveness summary will be prepared and sent to everyone who comments on the proposed rules. Final rules could be adopted in fall 2016.

### How can I comment on the proposed rules?

Please submit your comments in one of the following ways:

- By email: [dsw\\_rulecomments@epa.ohio.gov](mailto:dsw_rulecomments@epa.ohio.gov)
- By fax: (614) 644-2745
- By postal mail:

**Rule Coordinator**, Ohio EPA, Division of Surface Water

P.O. Box 1049, Columbus, OH 43216-1049

**Comments on the proposed rules must be received no later than 5:00 p.m. on August 16, 2016.**

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### How can I get more information?

Copies of this fact sheet and proposed rules are on the Division of Surface Water website at [www.epa.ohio.gov/dsw/dswrules.aspx](http://www.epa.ohio.gov/dsw/dswrules.aspx). For additional background information on water quality standards and beneficial uses, please visit the Water Quality Standards Program web page at: [www.epa.ohio.gov/dsw/wqs/index.aspx](http://www.epa.ohio.gov/dsw/wqs/index.aspx). The existing rules in OAC Chapter 3745-1 are available at: [www.epa.ohio.gov/dsw/rules/3745\\_1.aspx](http://www.epa.ohio.gov/dsw/rules/3745_1.aspx). The biological and water quality studies upon which the rule revisions are based are available at: [www.epa.ohio.gov/dsw/document\\_index/psdindx.aspx](http://www.epa.ohio.gov/dsw/document_index/psdindx.aspx).

For more information about these proposed rules, please contact:

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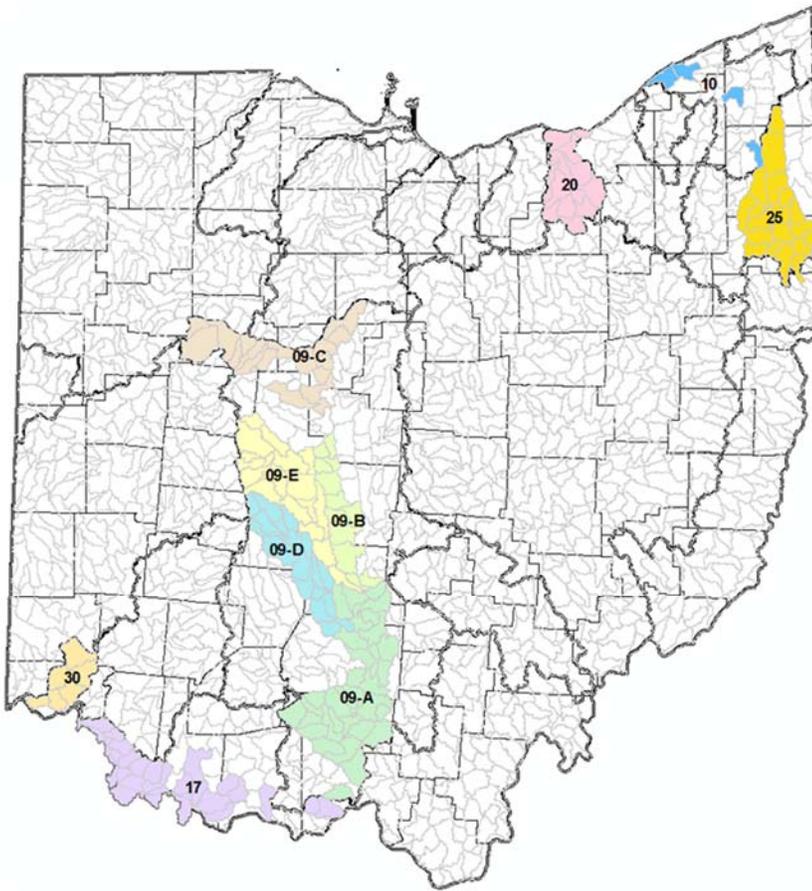
[daniel.dudley@epa.ohio.gov](mailto:daniel.dudley@epa.ohio.gov)

**Table 1. Reasons for Rule Revisions**

Rule # / Drainage Basin	Use Designation Changes	Use Designation Verifications	Number of Water Bodies with Use Designations Being Changed / Verified
3745-1-09 Scioto River Basin	X	X	29/77
3745-1-10 Grand River Basin	X	X	3/2
3745-1-17 Southwest Ohio Tributaries Basin	X	X	37/52
3745-1-19 Huron River Basin			0/0
3745-1-20 Rocky River Basin	X	X	7/4
3745-1-23 Portage River Basin			0/0
3745-1-25 Mahoning River Basin	X	X	7/12
3745-1-30 Mill Creek Basin	X	X	17/1
Totals			100/148

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Figure 1. Rules and Associated Drainage Basins where Revisions are Proposed



- 3745-1-09 Scioto River Basin
  - A Lower Scioto sub-basin
  - B Middle Scioto sub-basin
  - C Upper Scioto sub-basin
  - D Deer Creek sub-basin
  - E Big Darby Creek sub-basin
- 3745-1-10 Grand River Basin
- 3745-1-17 Southwest Ohio Tributaries
- 3745-1-20 Rocky River Basin
- 3745-1-25 Mahoning River Basin
- 3745-1-30 Mill Creek Basin

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**Table 2. Summary of Proposed Revisions**

Pg #*	Water Body Segment	Existing Designated Uses**	Proposed Changes
<b>Scioto River Drainage Basin, OAC 3745-1-09 (2011 Lower Scioto River Basin Survey)</b>			
8	Left Fork Camp Creek	WWH, AWS, IWS, PCR	Designate CWH in lieu of WWH
8	Big Run (Scioto River RM 22.15)	None	Designate WWH, AWS, IWS, PCR
9	Leeth Creek	WWH, AWS, IWS, PCR	Designate CWH in lieu of WWH
9	Left Fork Morgan Fork	WWH, AWS, IWS, PCR	Designate CWH in lieu of WWH
9	Middle Fork Morgan Fork (Right Fork Morgan Fork RM 1.35)	None	Designate WWH, AWS, IWS, PCR
9	Grassy Fork	WWH, AWS, IWS, PCR	Designate CWH in lieu of WWH
9	Kincaid Creek	WWH, AWS, IWS, PCR	Designate CWH in lieu of WWH
11	Hickson Run	WWH, AWS, IWS, PCR	Designate CWH in lieu of WWH
15	Walnut Creek – headwaters to Piny Run (RM 13.56)	EWH, AWS, IWS, PCR	Designate WWH in lieu of EWH
15	Little Walnut Creek	WWH, AWS, IWS, PCR	Designate EWH in lieu of WWH
15	Piny Run	WWH, AWS, IWS, PCR	Designate CWH in lieu of WWH
20	Dry Run (Scioto River RM 74.6)	WWH, AWS, IWS, PCR	Designate CWH in lieu of WWH
20	South Fork Kinnikinnick Creek	None	Designate WWH, AWS, IWS, PCR
20	Dresbach Creek (Kinnikinnick Cr RM 7.32)	None	Designate WWH, AWS, IWS, PCR
22	Congo Creek	EWH, AWS, IWS, PCR	Designate WWH in lieu of EWH
<b>Scioto River Drainage Basin, OAC 3745-1-09 (2011 Deer Creek Basin Survey)</b>			
21	Brush Creek (Hay Run RM 4.84)	None	Designate WWH, AWS, IWS, PCR
22	Georges Fork	None	Designate WWH, AWS, IWS, PCR
<b>Scioto River Drainage Basin, OAC 3745-1-09 (2014 Big Darby Creek Basin Survey)</b>			
23	Unnamed tributary at Big Darby Creek RM 23.61	None	Designate CWH, AWS, IWS, PCR
23	Springwater Run	WWH, AWS, IWS, PCR	Designate CWH in lieu of WWH
23	McCoy Run	None	Designate WWH, AWS, IWS, PCR
24	Jumping Run – adjacent Bullard-Rutan Road (RM 1.5) to the mouth	WWH, AWS, IWS, PCR	Designate EWH in lieu of WWH
24	Clover Run	WWH, AWS, IWS, SCR	Designate CWH in lieu of WWH
<b>Scioto River Drainage Basin, OAC 3745-1-09 (2010 Middle Scioto River Basin Survey)</b>			
28	Peters Run	None	Designate WWH, AWS, IWS, PCR
32	Kian Run	WWH, AWS, IWS, PCR	Designate MWH-CM in lieu of WWH
37	Trabue Run	None	Designate WWH, AWS, IWS, PCR
38	Powderlick Run	WWH, LRW, AWS, IWS, SCR	Designate PCR in lieu of SCR
<b>Scioto River Drainage Basin, OAC 3745-1-09 (2009/11 Upper Scioto River Basin Survey)</b>			
39	Elliot Run	None	Designate MWH-CM, AWS, IWS, PCR

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Pg #*	Water Body Segment	Existing Designated Uses**	Proposed Changes
41	Dunlap Creek	WWH, AWS, IWS, PCR	Designate MWH-CM in lieu of WWH
42	Wallace Fork	WWH, AWS, IWS, PCR	Designate MWH-CM in lieu of WWH
<b>Grand River Drainage Basin, OAC 3745-1-10</b>			
5	Un trib at Crooked Creek RM 6.50	None	Designate CWH, AWS, IWS, PCR
5	Un trib @ Hoskins RM 2.45	None	Designate CWH, AWS, IWS, PCR
6	Deacon Creek	None	Designate WWH, AWS, IWS, PCR
<b>Southwest Ohio River Tributaries Drainage Basin, OAC 3745-1-17 (2014 survey)</b>			
2	Unnamed tributary at Tenmile Creek RM 3.58	None	Designate WWH, AWS, IWS, PCR
<b>Southwest Ohio River Tributaries Drainage Basin, OAC 3745-1-17 (2013-2015 surveys)</b>			
6	Sink Creek	SRW, EWH, AWS, IWS, PCR	Designate WWH in lieu of EWH
6	Rangle Run	SRW, EWH, AWS, IWS, PCR	Designate WWH in lieu of EWH
6	Sheep Run	SRW, EWH, AWS, IWS, PCR	Designate WWH in lieu of EWH
6	Campbell Run (Straight Creek RM 3.1)	SRW, EWH, AWS, IWS, PCR	Designate WWH in lieu of EWH
6	Evans Run	SRW, EWH, AWS, IWS, PCR	Designate WWH in lieu of EWH
7	Washburn Run	SRW, EWH, AWS, IWS, PCR	Designate WWH in lieu of EWH
7	Bull Run	SRW, EWH, AWS, IWS, PCR	Designate WWH in lieu of EWH
7	Scott Run	SRW, EWH, AWS, IWS, PCR	Designate WWH in lieu of EWH
7	Camp Run	SRW, EWH, AWS, IWS, PCR	Designate WWH in lieu of EWH
7	Myers Run	SRW, EWH, AWS, IWS, PCR	Designate WWH in lieu of EWH
7	Honey Run	SRW, EWH, AWS, IWS, PCR	Designate WWH in lieu of EWH
7	West Fork	SRW, EWH, AWS, IWS, PCR	Designate WWH in lieu of EWH
7	Buck Run	SRW, EWH, AWS, IWS, PCR	Designate WWH in lieu of EWH
7	Sycamore Run – at RM 0.97	EWH, AWS, IWS, PWS, PCR	Designate WWH in lieu of EWH
7	Sycamore Run – all other segments	EWH, AWS, IWS, PCR	Designate WWH in lieu of EWH
7	Cornick Run	SRW, EWH, AWS, IWS, PCR	Designate WWH in lieu of EWH
7	West Fork (Redoak Creek)	SRW, EWH, AWS, IWS, PCR	Designate WWH in lieu of EWH
8	Baylor Run	SRW, EWH, AWS, IWS, PCR	Designate WWH in lieu of EWH
8	Beetle Creek	SRW, EWH, AWS, IWS, PCR	Designate WWH in lieu of EWH
8	Indian Lick	SRW, EWH, AWS, IWS, PCR	Designate WWH in lieu of EWH
8	Brushy Fork	SRW, EWH, AWS, IWS, PCR	Designate WWH in lieu of EWH
8	Suck Run	SRW, EWH, AWS, IWS, PCR	Designate WWH in lieu of EWH
8	Town Branch	SRW, EWH, AWS, IWS, PCR	Designate WWH in lieu of EWH
8	Washburn Run	SRW, EWH, AWS, IWS, PCR	Designate WWH in lieu of EWH
8	Ada Run	SRW, EWH, AWS, IWS, PCR	Designate WWH in lieu of EWH
8	Hills Fork	SRW, EWH, AWS, IWS, PCR	Designate WWH in lieu of EWH
8	Lick Run	SRW, EWH, AWS, IWS, PCR	Designate WWH in lieu of EWH
8	Gordon Run	SRW, EWH, AWS, IWS, PCR	Designate WWH in lieu of EWH

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Pg #*	Water Body Segment	Existing Designated Uses**	Proposed Changes
8	Hannah Run	SRW, EWH, AWS, IWS, PCR	Designate WWH in lieu of EWH
9	Slickaway Run	SRW, EWH, AWS, IWS, PCR	Designate WWH in lieu of EWH
9	Ellis Run	SRW, EWH, AWS, IWS, PCR	Designate WWH in lieu of EWH
9	Morley Run (Meffords Run)	SRW, EWH, AWS, IWS, PCR	Designate WWH in lieu of EWH
10	Mackenzie Run	SRW, EWH, AWS, IWS, PCR	Designate CWH in lieu of EWH
16	Odell Creek	SRW, CWH, AWS, IWS, PCR	Designate WWH in lieu of CWH
16	Pond Lick Run	SRW, CWH, AWS, IWS, PCR	Designate EWH in lieu of CWH
16	Mackletree Run	SRW, CWH, AWS, IWS, PCR	Designate EWH in lieu of CWH
16	Old Lade Run	SRW, CWH, AWS, IWS, PCR	Designate WWH in lieu of CWH
<b>Rocky River Drainage Basin, OAC 3745-1-20 (2014 survey)</b>			
2	Rocky River – State Route 10 to the mouth	WWH, SSH, AWS, IWS, PCR, SRW	Remove SRW; replace with GHQW
2	Rocky River - Confluence of East and West branches (RM 12.1) to State Route 10	WWH, AWS, IWS, PCR, SRW	Remove SRW; replace with GHQW
2	East Branch - upstream boundaries of Rocky River Reservation (RM 15.15) to West Branch	WWH, AWS, IWS, PCR, SRW, PWS @ RM 5.06	Remove SRW; replace with GHQW
2	Baldwin Creek – all segments	WWH, AWS, IWS, PCR, SRW, PWS @ RM 0.48	Remove SRW; replace with GHQW
2	Unnamed tributary at East Branch RM 12.1	None	Designate WWH, AWS, IWS, PCR
2	Unnamed tributary at East Branch RM 25.4	None	Designate WWH, AWS, IWS, PCR
3	Broadway Creek (West Branch RM 28.74)	None	Designate WWH, AWS, IWS, PCR
3	Champion Creek (West Branch RM 31.47)	None	Designate WWH, AWS, IWS, PCR
<b>Mahoning River Drainage Basin, OAC 3745-1-25 (2013 survey)</b>			
2	Dry Run – Oak Street (RM 1.42) to Wilson Avenue (RM 0.31)	WWH, AWS, IWS, PCR	Designate CWH in lieu of WWH
4	North Fork Creek	None	Designate WWH, AWS, IWS, PCR
4	Unnamed tributary at Meander Creek RM 16.15	None	Designate WWH, AWS, IWS, PCR
4	Unnamed tributary at Mosquito Creek RM 25.13	None	Designate WWH, AWS, IWS, PCR
4	Unnamed tributary at Mud Creek RM 0.84	None	Designate WWH, AWS, IWS, PCR
4	Unnamed tributary at Mahoning River RM 40.89	None	Designate WWH, AWS, IWS, PCR
4	Youngs Run (Unnamed tributary at RM 2.28 of unnamed trib of Mahoning River RM 40.89)	None	Designate WWH, AWS, IWS, PCR
<b>Mill Creek Drainage Basin, OAC 3745-1-30 (2011 MBI)</b>			
2	Mill Creek – Center Hill Road (RM 7.9) to downstream Center Hill Road (RM 7.3)	MWH-CM, AWS, IWS, PCR	Designate WWH in lieu of MWH
2	Congress Run (Mill Creek RM 9.31)	None	Designate WWH, AWS, IWS, PCR
2	Unnamed tributary at Congress Run RM 0.37	None	Designate WWH, AWS, IWS, PCR
2	Unnamed tributary at Mill Creek RM 10.80	None	Designate WWH, AWS, IWS, PCR

# Proposed Rules – Beneficial Use Designations

## June 2016

Pg #*	Water Body Segment	Existing Designated Uses**	Proposed Changes
2	Unnamed tributary at Mill Creek RM 11.51	None	Designate WWH, AWS, IWS, PCR
2	Unnamed tributary at West Fork Mill Creek RM 7.0	None	Designate WWH, AWS, IWS, PCR
2	Unnamed tributary at RM 2.92 of an unnamed tributary to West Fork Mill Creek at RM 8.48	None	Designate WWH, AWS, IWS, PCR
2	Unnamed tributary at West Fork Mill Creek RM 8.72	None	Designate WWH, AWS, IWS, PCR
2	Unnamed tributary at West Fork Mill Creek RM 9.82	None	Designate WWH, AWS, IWS, PCR
2	Unnamed tributary at West Fork Mill Creek RM 14.26	None	Designate WWH, AWS, IWS, PCR
2	Unnamed tributary at Mill Creek RM 13.85	None	Designate WWH, AWS, IWS, PCR
2	Unnamed tributary at Rossmoyne Creek RM 1.17	None	Designate WWH, AWS, IWS, PCR
2	Unnamed tributary at RM 0.46 of unnamed tributary to Rossmoyne Creek at RM 1.17	None	Designate WWH, AWS, IWS, PCR
2	Unnamed tributary at Sharon Creek RM 0.60	None	Designate WWH, AWS, IWS, PCR
3	Unnamed tributary at Mill Creek RM 17.60	None	Designate WWH, AWS, IWS, PCR
3	Unnamed tributary at East Fork RM 2.32	None	Designate WWH, AWS, IWS, PCR
3	Unnamed tributary at Beaver Creek RM 2.27	None	Designate WWH, AWS, IWS, PCR

\* The page numbers listed in the table refer to page numbers in the amended rules.

\*\* As indicated in OAC 3745-1-08 through OAC 3745-1-30.

### **Index of Acronyms Used**

The following acronyms are used in this table. Designated uses are defined in OAC 3745-1-05 and OAC 3745-1-07.

AWS = Agricultural Water Supply  
 CWH = Coldwater Habitat  
 EWH = Exceptional Warmwater Habitat  
 GHWQ = General High Quality Water  
 IWS = Industrial Water Supply  
 LRW = Limited Resource Water  
 MWH-CM = Modified Warmwater Habitat – Channel Modification  
 PCR = Primary Contact Recreation  
 PWS = Public Water Supply  
 SCR = Secondary Contact Recreation  
 SRW = State Resource Water  
 WWH = Warmwater Habitat

RM = River Mile. The river mile is a point location describing the lineal distance from the downstream terminus (i.e., mouth) and moving in an upstream direction.

# Proposed Rules – Beneficial Use Designations

## June 2016

**Table 3. Summary of Existing Use Designations Proposed for Verification**

Pg #*	Water Body Segment	Existing Designations Recommended for Verification**
<b>Scioto River Drainage Basin, OAC 3745-1-09 (2011 Lower Scioto River Basin Survey)</b>		
2	Pond Creek	WWH, AWS, IWS, PCR
2	Dry Run	WWH, AWS, IWS, PCR
7	Candy Run	WWH, AWS, IWS, PCR
7	Miller Run	WWH, AWS, IWS, PCR
7	Cockrell Run	WWH, AWS, IWS, PCR
8	Bear Creek	WWH, AWS, IWS, PCR
8	Camp Creek	WWH, AWS, IWS, PCR
8	Left Fork Camp Creek	AWS, IWS, PCR
8	Sunfish Creek	WWH, AWS, IWS, PCR
8	Chenoweth Fork	WWH, AWS, IWS, PCR
8	Carter Run	WWH, AWS, IWS, PCR
9	Leeth Creek	AWS, IWS, PCR
9	Morgan Fork	WWH, AWS, IWS, PCR
9	Left Fork Morgan Fork	AWS, IWS, PCR
9	Right Fork Morgan Fork	WWH, AWS, IWS, PCR
9	Grassy Fork	AWS, IWS, PCR
9	Kincaid Creek	AWS, IWS, PCR
10	Pecks Creek	WWH, AWS, IWS, PCR
10	No Name Creek	WWH, AWS, IWS, PCR
10	Peepee Creek	WWH, AWS, IWS, PCR
10	Crooked Creek	WWH, AWS, IWS, PCR
10	Left Fork Crooked Creek	WWH, AWS, IWS, PCR
10	Haw Fork	WWH, AWS, IWS, PCR
11	Meadow Run	WWH, AWS, IWS, PCR
11	Moore Run	WWH, AWS, IWS, PCR
11	Cars Run (aka Carrs Run)	WWH, AWS, IWS, PCR
11	Hickson Run	AWS, IWS, PCR
15	Walnut Creek	AWS, IWS
15	Little Walnut Creek	AWS, IWS, PCR
15	Piny Run	AWS, IWS, PCR
15	Stony Creek	WWH, AWS, IWS, PCR
15	Dry Run (Scioto River RM 59.8)	WWH, AWS, IWS, PCR
15	Indian Creek	WWH, AWS, IWS, PCR
15	North Branch Indian Creek	WWH, AWS, IWS, PCR
20	Lick Run	WWH, AWS, IWS, PCR

## Proposed Rules – Beneficial Use Designations June 2016

Pg #*	Water Body Segment	Existing Designations Recommended for Verification**
20	Dry Run (Scioto River RM 74.6)	AWS, IWS, PCR
21	Kinnikinnick Creek	AWS, IWS
22	Blackwater Creek	WWH, AWS, IWS, PCR
22	Scippo Creek	AWS, IWS
22	Congo Creek	AWS, IWS
22	Yellowbud Creek	AWS, IWS
22	Lick Run	WWH, AWS, IWS, PCR
23	Hargus Creek	WWH, AWS, IWS, PCR
23	Hominy Creek	WWH, AWS, IWS, PCR
<b>Rule 3745-1-09 Scioto River Drainage Basin (2011 Deer Creek survey)</b>		
21	Stall Run	WWH, AWS, IWS, PCR
21	Dry Run	WWH, AWS, IWS, PCR
21	Georges Run	WWH, AWS, IWS, PCR
21	Duff's Fork	WWH, AWS, IWS, PCR
21	Opossum Run	WWH, AWS, IWS, PCR
22	Mud Run	WWH, AWS, IWS, PCR
22	Bradford Creek - headwaters to RM 6.1	WWH, AWS, IWS, PCR
22	Bradford Branch (aka Turtle Run) (Bradford Creek RM 7.45)	WWH, AWS, IWS, PCR
22	Glade Run	WWH, AWS, IWS, PCR
<b>Rule 3745-1-09 Scioto River Drainage Basin (2014 Big Darby Creek survey)</b>		
24	Lake Run	EWH
<b>Rule 3745-1-09 Scioto River Drainage Basin (2011 Middle Scioto Basin survey)</b>		
2	Scioto River - upstream of RM 148.8	WWH, AWS, IWS, PCR
26	Dry Run	WWH, AWS, IWS, PCR
26	Griffy Run	WWH, AWS, IWS, PCR
28	Van Meter Run	WWH, AWS, IWS, PCR
28	Grove Run	WWH, AWS, IWS, PCR
32	Plum Run	WWH, AWS, IWS, PCR
32	Grant Run	WWH, AWS, IWS, PCR
32	Scioto Big Run	WWH, AWS, IWS, PCR
32	Kian Run	AWS, IWS, PCR
37	Hayden Run	WWH, AWS, IWS, PCR
37	North Fork Indian Run	WWH, AWS, IWS, PCR
37	South Fork Indian Run	WWH, AWS, IWS, PCR
37	Eversole Run	WWH, AWS, IWS, PCR
<b>Rule 3745-1-09 Scioto River Drainage Basin (2009/11 Upper Scioto Basin survey)</b>		
2	Scioto River - upstream of RM 148.8	WWH, AWS, IWS, PCR

## Proposed Rules – Beneficial Use Designations June 2016

Pg #*	Water Body Segment	Existing Designations Recommended for Verification**
39	Fulton Creek	WWH, AWS, IWS, PCR
39	Kebler Run	WWH, AWS, IWS, PCR
39	Ottawa Creek – Mooney Road (RM 1.6) to the mouth	WWH, AWS, IWS, PCR
39	Battle Run	WWH, AWS, IWS, PCR
39	Patton Run	WWH, AWS, IWS, PCR
40	Rush Creek	WWH, AWS, IWS, PCR
41	Wolf Creek	WWH, AWS, IWS, PCR
41	McCoy Run	WWH, AWS, IWS, PCR
41	Dunlap Creek	AWS, IWS, PCR
42	Wallace Fork	AWS, IWS, PCR
<b>Rule 3745-1-10 Grand River Drainage Basin (2004 and 2015 Grand River Basin Surveys)</b>		
2	Marsh Creek	WWH, AWS, IWS, PCR
2	Red Creek	WWH, AWS, IWS, PCR
<b>Rule 3745-1-17 Southwest Ohio River Tributaries Drainage Basin (2014 survey)</b>		
2	Fivemile Creek	WWH, AWS, IWS, PCR
2	Eightmile Creek	WWH, AWS, IWS, PCR
2	Little Indian Creek	WWH, AWS, IWS, PCR
2	Boat Run	WWH, AWS, IWS, PCR
2	North Fork Indian Creek	WWH, AWS, IWS, PCR
3	Maple Creek	WWH, AWS, IWS, PCR
3	Crooked Run (all listed segments)	WWH, AWS, IWS, PCR
3	East Branch Bullskin Run	WWH, AWS, IWS, PCR
3	Middle Branch Bullskin Run	WWH, AWS, IWS, PCR
3	West Branch Bullskin Run	WWH, AWS, IWS, PCR
<b>Rule 3745-1-17 Southwest Ohio River Tributaries Drainage Basin (2013-2015 surveys)</b>		
6	Sink Creek	AWS, IWS, PCR
6	Rangle Run	AWS, IWS, PCR
6	Sheep Run	AWS, IWS, PCR
6	Campbell Run	AWS, IWS, PCR
6	Evans Run	AWS, IWS, PCR
7	Washburn Run	AWS, IWS, PCR
7	Bull Run	AWS, IWS, PCR
7	Scott Run	AWS, IWS, PCR
7	Camp Run	AWS, IWS, PCR
7	Myers Run	AWS, IWS, PCR
7	Honey Run	AWS, IWS, PCR
7	West Fork	AWS, IWS, PCR

## Proposed Rules – Beneficial Use Designations June 2016

Pg #*	Water Body Segment	Existing Designations Recommended for Verification**
7	Buck Run	AWS, IWS, PCR
7	Sycamore Run – at RM 0.97	AWS, IWS, PCR
7	Sycamore Run – all other segments	AWS, IWS, PCR
7	Cornick Run	AWS, IWS, PCR
7	West Fork (trib of Redoak Creek)	AWS, IWS, PCR
8	Baylor Run	AWS, IWS, PCR
8	Beetle Creek	AWS, IWS, PCR
8	Lafferty Run	EWB, AWS, IWS, PCR
8	Indian Lick	AWS, IWS, PCR
8	Brushy Fork	AWS, IWS, PCR
8	Suck Run	AWS, IWS, PCR
8	Town Branch	AWS, IWS, PCR
8	Washburn Run	AWS, IWS, PCR
8	Ada Run	AWS, IWS, PCR
8	Hills Fork	AWS, IWS, PCR
8	Lick Run	AWS, IWS, PCR
8	Gordon Run	AWS, IWS, PCR
8	Hannah Run	AWS, IWS, PCR
9	Slickaway Run	AWS, IWS, PCR
9	Ellis Run	AWS, IWS, PCR
9	Morley Run (Meffords Run)	AWS, IWS, PCR
10	Mackenzie Run	AWS, IWS, PCR
16	Odell Creek	AWS, IWS, PCR
16	Pond Lick Run	AWS, IWS, PCR
16	Brush Fork	CWH, AWS, IWS, PCR
16	Wes Run	CWH, AWS, IWS, PCR
16	Harber Fork	CWH, AWS, IWS, PCR
16	Mackletree Run	AWS, IWS, PCR
16	Lampblack Run	CWH, AWS, IWS, PCR
16	Old Lade Run	AWS, IWS, PCR
16	Wolfden Run	CWH, AWS, IWS, PCR
<b>Rule 3745-1-20 Rocky River Drainage Basin (2014 survey)</b>		
2	Porter Creek	WWH, AWS, IWS, PCR
2	Cahoon Creek	WWH, AWS, IWS, PCR
3	Remson Creek	WWH, AWS, IWS, PCR
3	Granger Ditch	WWH, AWS, IWS, PCR
<b>Rule 3745-1-25 Mahoning River Drainage Basin (2013 survey)</b>		

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Pg #*	Water Body Segment	Existing Designations Recommended for Verification**
2	Burgess Run	WWH, AWS, IWS, PCR
3	Crab Creek	WWH, AWS, IWS, PCR
3	Cranberry Run	WWH, AWS, IWS, PCR
3	Turkey Creek	WWH, AWS, IWS, PCR
3	Fourmile Run	WWH, AWS, IWS, PCR
3	Squaw Creek	WWH, AWS, IWS, PCR
3	Morrison Run	WWH, AWS, IWS, PCR
3	Sawmill Creek	WWH, AWS, IWS, PCR
4	West Branch	WWH, AWS, IWS, PCR
4	Walnut Creek	WWH, AWS, IWS, PCR
4	Mud Creek	WWH, AWS, IWS, PCR
5	Duck Creek	WWH, AWS, IWS, PCR
<b>Rule 3745-1-30 Mill Creek Drainage Basin (2014 survey)</b>		
3	Muddy Creek	WWH, AWS, IWS, PCR

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