



Ohio Revised Code

Section 1503.51 Rules and regulations.

Effective: January 1, 2016

Legislation: House Bill 64 - 131st General Assembly

(A) The chief of the division of forestry shall adopt rules in accordance with Chapter 119. of the Revised Code that do or comply with all of the following:

(1) Establish technically feasible and economically reasonable standards to achieve a level of management and conservation practices in silvicultural operations that will abate wind or water erosion of the soil or abate the degradation of the waters of the state by soil sediment, including attached substances, from silvicultural operations and establish criteria for determination of the acceptability of such management and conservation practices;

(2) Establish procedures for administration of the rules;

(3) Specify the pollution abatement practices eligible for state cost sharing and determine the conditions for eligibility, the construction standards and specifications, the useful life, the maintenance requirements, and the limits of cost sharing for those practices. Eligible practices shall be limited to practices that address silvicultural operations, that require expenditures that are likely to exceed the economic returns to the owner or operator of a silvicultural operation, and that abate soil erosion or degradation of the waters of the state by soil sediment, including attached substances, from silvicultural operations.

(B) The chief or the chief's designee shall do all of the following:

(1) Issue orders requiring compliance with a rule adopted under this section. Before the chief or the chief's designee issues an order, the chief or the chief's designee shall afford the person an adjudication hearing under Chapter 119. of the Revised Code. The chief or the chief's designee may require in an order that a person who has caused forestry pollution by failure to comply with the standards established in rules adopted under this section operate under a timber harvest plan approved by the chief or the chief's designee under this section. An order shall be issued in writing and contain a finding by the chief or the chief's designee of the facts on which the order is based and



the standard that is not being met.

(2) Periodically monitor the use and effectiveness of management and conservation practices conducted in accordance with standards established in rules adopted under division (A)(1) of this section;

(3) Assist in expediting state responsibilities for watershed development and other natural resource conservation works of improvement;

(4) When necessary for the purposes of sections 1503.50 to 1503.55 of the Revised Code, develop or approve timber harvest plans.