



Ohio Administrative Code Rule 1501:15-1-01 General provisions.

Effective: October 3, 2005

(A) Purpose. Rules 1501:15-1-01 to 1501:15-1-06 of the Administrative Code establish state standards to achieve a level of management and conservation practices which will control wind or water erosion of the soil and minimize the degradation of water resources by soil sediment in conjunction with land grading, excavating, filling, or other soil-disturbing activities on land used or being developed for non-farm commercial, industrial, residential, or other non-farm purposes, and establish criteria for determination of the acceptability of such management and conservation practices. The state standards are designed to implement applicable water quality management and nonpoint source management plans prepared under Section 208 and Section 319 of the Federal Water Pollution Control Act, 86 Stat 816, 33 U.S.C.A. 1288, as amended. Such standards and criteria shall be used by the division of soil and water conservation to review projects required to control sediment pollution pursuant to any applicable statutory or administrative authority including but not limited to division (K) of section 1511.02 of the Revised Code and Section 319 of the Water Quality Act of 1987; such standards and criteria may also be used by local governments as a model when developing local ordinances or rules pertaining to sediment pollution control.

(B) Definitions. As used in Chapter 1501:15-1 of the Administrative Code:

(1) "Accelerated water erosion" means the wearing away of the land surface by water, occurring at a much more rapid rate than geologic or normal erosion, primarily as a result of the influence of the activities of humans.

(2) "Approving agency" means either a state or local agency responsible for administering urban sediment pollution control programs.

(3) "Channel" means a natural stream that conveys water; a ditch or channel excavated for the flow of water.

(4) "Chief" means chief of the division of soil and water conservation, department of natural



resources.

(5) "Concentrated stormwater runoff" means surface runoff which converges and flows primarily through water conveyance features such as swales, gullies, waterways, channels or storm sewers and which exceeds the maximum specified flow rates of filters or perimeter controls intended to control sheet flow.

(6) "Conservation" means the wise use and management of natural resources.

(7) "Cut and fill slopes" means a portion of land surface or area from which soil material is excavated and/or filled forming a slope or embankment.

(8) "Denuded area" means a portion of land surface on which the vegetation or other soil stabilization features have been removed, destroyed or covered and which may result in or contribute to erosion and sedimentation.

(9) "Development area" means any tract, lot or parcel of land or combination of tracts, lots or parcels of land which are in one ownership, or are contiguous and in diverse ownership where earth disturbing activity is to be performed.

(10) "District" means a soil and water conservation district, organized under Chapter 1515. of the Revised Code.

(11) "Ditch" means an excavation either dug or natural for the purpose of drainage or irrigation with intermittent flow.

(12) "Division" means the division of soil and water conservation, department of natural resources.

(13) "Dumping" means grading, pushing, piling, throwing, unloading, or placing of soil.

(14) "Earth-disturbing activity" means any grading, excavating, filling, or other alteration of the earth's surface where natural or man-made ground cover is destroyed and which may result in or contribute to erosion and sediment pollution.



(15) "Earth material" means soil, sediment, rock, sand, gravel, and organic material or residue associated with or attached to the soil.

(16) "Erosion" means the process by which the land surface is worn away by the action of water, wind, ice or gravity.

(17) "Erosion and sediment control plan" means a written and/or drawn sediment pollution control plan or strategy to minimize erosion and prevent off-site sedimentation throughout all earth-disturbing activities on a development area.

(18) "Erosion and sediment control practices" means conservation measures used to control sediment pollution and includes structural practices, vegetative practices and management techniques.

(19) "Frequency storm" means a rainfall event of a magnitude with a specified average recurrence interval and is calculated with natural resources conservation service type II twenty-four-hour curves or depth-duration frequency curves.

(20) "Grading" means earth-disturbing activity such as excavation, stripping, cutting, filling, stockpiling, or any combination thereof.

(21) "Grubbing" means removing, clearing or scalping material such as roots, stumps or sod.

(22) "Highly erodible soil" means a portion of land surface which is very susceptible to erosive forces and is characterized by steep slopes or long slopes.

(23) "Landslide" means the rapid mass movement of soil and rock material downhill under the influence of gravity in which the movement of the soil mass occurs along an interior surface of sliding.

(24) "Outfall" means an area where water flows from a structure such as a conduit, storm sewer, improved channel or drain, and the area immediately beyond the structure which is impacted by the velocity of flow in the structure.



(25) "Person" means any individual, corporation, partnership, joint venture, agency, unincorporated association, municipal corporation, township, county, state agency, the federal government, or any combination thereof.

(26) "Sediment" means solid material, both mineral and organic, that is in suspension, is being transported, or has been moved from its site of origin by wind, water, gravity, or ice, and has come to rest on the earth's surface.

(27) "Sediment basin" means a settling facility meeting or exceeding the design specifications of a temporary sediment basin as defined in "Rainwater and Land Development, Ohio's Standards for Stormwater Management, Land Development and Urban Stream Protection" (department of natural resources, natural resources conservation service and Ohio environmental protection agency), which is available to all Ohio county soil and water conservation districts.

(28) "Sediment control" means the limiting of sediment transport by controlling erosion, filtering sediment from water, or detaining sediment-laden water allowing sediment to settle out.

(29) "Sediment filter" means a sediment control device such as a silt fence, straw bale barrier, or filter strip, usually capable of controlling only small flow rates.

(30) "Sediment pollution" means failure to use management or conservation practices to control wind or water erosion of the soil and to minimize the degradation of water resources by soil sediment in conjunction with land grading, excavating, filling, or other soil-disturbing activities on land used or being developed for non-farm commercial, industrial, residential, or other non-farm purposes.

(31) "Sensitive area" means an area or water resource as delineated by the approving authority prior to plan approval that requires special management because of its susceptibility to sediment pollution or because of its importance to the well-being of the surrounding communities, region, or the state and includes:

(a) Ponds, wetlands or small lakes with less than five acres of surface area;



(b) Small streams with gradients less than two per cent.

(32) "Settling facility" means a runoff detention structure such as sediment basins or sediment traps, which detain sediment-laden runoff allowing sediment to settle out.

(33) "Sheet flow" means overland water runoff in a thin uniform layer.

(34) "Slip" means landslide as defined in paragraph (B) of this rule.

(35) "Sloughing" means a slip or downward movement of an extended layer of soil resulting from the undermining action of water or the earth-disturbing activity of man.

(36) "Soil" means unconsolidated erodible earth material consisting of minerals and/or organics.

(37) "Soil loss" means soil moved from a site by the forces of erosion and redeposited at another site on land or in a body of water.

(38) "Soil stabilization" means vegetative or structural soil cover controlling erosion, and includes permanent and temporary seed, mulch, sod, pavement, etc.

(39) "Stormwater control structure" means practices used to control accelerated stormwater runoff from development areas.

(40) "Stormwater conveyance system" means all storm sewers, channels, streams, ponds, lakes, etc., used for conveying concentrated stormwater runoff or storing stormwater runoff.

(41) "Stream" means a body of water running or flowing on the earth's surface or channel in which such flow occurs. Flow may be seasonally intermittent.

(42) "Unstable soil" means a portion of land surface or area which is prone to slipping, sloughing or landslides.

(43) "Water resources" means all streams, lakes, ponds, wetlands, watercourses, waterways, drainage



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systems, and all other bodies or accumulations of surface water, natural or artificial, which are situated wholly or partly within, or border upon, this state, or are within its jurisdiction, except those private waters which do not combine or effect a junction with natural surface waters.