



Ohio Administrative Code

Rule 164-2-21 Restoration work on clean Ohio property.

Effective: February 15, 2024

An applicant may submit a request to the director to perform stream and wetland restoration work on clean Ohio protected property previously purchased under the clean Ohio conservation program.

(A) For such activities to be approved, the applicant must establish that the restoration work will provide an additional conservation benefit to the property in the form of ecological restoration, enhancement, or improved management that is in addition to what would have occurred without the restoration project.

(B) Proposed restoration work must demonstrate an ecological benefit and not be undertaken to offset an offsite legal requirement relating to management of storm or surface water or to resolve an offsite enforcement action.

(C) The applicant must provide documentation demonstrating that the applicant has initiated the process for receiving consent for such restoration work from the Ohio environmental protection agency or the army corps of engineers as is required to comply with the regulatory programs administered by those entities.

(D) The restoration work cannot adversely impact conservation values.

Other funds may be used to restore clean Ohio property, but mitigation of wetland loss funding cannot be used as a match by the applicant for a clean Ohio project and clean Ohio funds shall not be used to fulfill a wetland loss mitigation requirement. No mitigation credit can be received for previous clean Ohio property acquisitions. Any such mitigation credit funds generated by restoration activities must be used for long-term support, management, and stewardship of the protected property, or to fund future restoration projects in the same hydrologic unit codes (HUC)-8 watershed.
