



## Ohio Revised Code

### Section 6111.315 Best management practices.

Effective: July 21, 2022

Legislation: House Bill 175 - 134th General Assembly

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The director of environmental protection may require any person required to perform mitigation under division (B)(1)(a) or (B)(2) of section 6111.313 of the Revised Code to also perform best management practices. Best management practices include the following:

(A) All ephemeral features that are a water of the state that are to be avoided shall be clearly indicated on site drawings, demarcated in the field, and protected with suitable materials, such as silt fencing, prior to site disturbance. These materials shall remain in place and be maintained throughout the construction process and removed after completion of construction.

(B) Unless subject to a more specific stormwater NPDES permit, stormwater management shall be designed and implemented in accordance with the most current edition of the NPDES construction general permit available on the environmental protection agency's web site, or any watershed specific construction general permit.

(C) Sediment and erosion control measures shall be designed, installed, and maintained in effective operating condition at all times during construction activities. Any such maintenance shall ensure that corrective measures will be implemented for failed controls as soon as practicable.

(D) Straw bales shall not be used as a form of sediment control unless used in conjunction with another structural control such as silt fencing. Straw bales may be utilized for purposes of erosion control such as ditch checks.

(E) Disturbance and removal of vegetation from the project construction area is to be avoided where possible and minimized to the maximum extent practicable.

(F) Entry to surface waters shall be through a single point of access to the maximum extent practicable to minimize disturbance to riparian habitat.



- (G) Heavy equipment shall not be placed below the ordinary high water mark of any surface water, except when no other alternative is practicable.
- (H) Fill material shall consist of suitable nonerodible material and shall be maintained and stabilized to prevent erosion.
- (I) All dewatering activities shall be conducted in such a manner that does not result in a violation of water quality standards.
- (J) All disturbed areas which remain dormant in excess of fourteen days shall be protected from erosion within seven days of the last earth disturbing activity.
- (K) All areas of final grade shall be protected from erosion within seven days of the last earth disturbing activity.
- (L) In the event of in-channel feature activities, provisions shall be established to temporarily or permanently redirect the stream flow around or through active areas of construction in a stabilized, nonerosive manner to the maximum extent possible.
- (M) Materials used for fill or bank protection shall consist of suitable material free from toxic contaminants in other than trace quantities. Broken asphalt shall not be used as fill or bank protection.
- (N) To be used for fill or bank stabilization, concrete rubble shall be in accordance with department of transportation specifications, free of exposed re-bar, and free of all debris, soil, and fines.
- (O) Chemically treated lumber, which may include chromated copper arsenate and creosote treated lumber, shall not be used in structures that come into contact with waters of the state.
- (P) At the completion of construction activities, all temporary fill material shall be removed to an area that has no waters of the state and the ephemeral feature that is a water of the state shall be restored and replanted with native seed mixes to the maximum extent practicable.