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## Proposed Rules – Beneficial Use Designations, Wave 1

### *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. The rules in Chapter 3745-1 contain the following: 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 an antidegradation policy. This rulemaking involves water body beneficial use designations.

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

A goal of the Clean Water Act is to restore and maintain the chemical, physical, and biological integrity of the Nation's waters, with interim goals that all waters be fishable and swimmable where possible. The fishable and swimmable goals equate to the warmwater habitat (WWH) and primary contact recreation (PCR) use designations, respectively, 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 currently under review?**

This rulemaking includes review of beneficial use designation rules for the Maumee River (3745-1-11), Sandusky River (3745-1-12), Huron River (3745-1-19) and Portage River (3745-1-23) watersheds.

#### **Will use designation changes made in watersheds in the Western Lake Erie basin affect efforts to reduce nutrient pollution?**

No. The narrative water quality criteria that are the basis of any regulatory actions (NPDES permits, TMDLs) are not part of this rulemaking. Those criteria apply to all waters regardless of the assigned use designation in the rules currently under review.

#### **What types of changes are being considered?**

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 four drainage basins listed above. Three broad types of changes are being considered:

- 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.

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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 this rulemaking in more detail.

## [Aquatic Life Use Designation Changes](#)

The current aquatic life habitat use designations for 26 stream segments are proposed for revision; several of these revisions are highlighted below. For tallies of water body revisions by drainage basin and a listing of detailed changes to each water body please see Table 1 and Table 2, respectively, at the end of this fact sheet. The supporting documents containing data and information used to inform the proposed revisions are available on the Division of Surface Water web page at <https://epa.ohio.gov/dsw/dswrules.aspx#120473215-proposed-rules>.

- Fifteen water body segments currently designated Modified Warmwater Habitat due to channel modification (MWH-CM) are proposed to be re-designated Warmwater Habitat (WWH). These water body segments were found to attain or have the potential to attain the applicable WWH biocriteria during recent biological surveys (2015-2017). While some modified characteristics may linger, sufficient warmwater attributes have recovered to support a warmwater biological community. Re-designation from MWH-CM to WWH will result in more stringent biological criteria and more stringent chemical criteria for ammonia and dissolved oxygen. Criteria for all other parameters will remain the same.
- A 4.6-mile segment of Little Yellow Creek currently designated Limited Resource Water (LRW) is proposed for re-designation to WWH. This reach was found to surpass the applicable biocriteria in recent assessments and has improved dramatically since last sampled in 1981. Re-designation from LRW to WWH will result in more stringent aquatic life water quality criteria for all pollutants and the application of the WWH biological criteria.
- Eight water body segments currently designated WWH are proposed to be re-designated MWH. These water body segments failed to attain the applicable WWH biocriteria. These stream segments have been heavily channelized to maintain drainage to accommodate row crop agriculture and as a result, the habitat quality is insufficient to support a WWH biological community. These water bodies lack functional pools and riffles, have minimal to no riparian corridors, have poor substrate quality and lack stream energy (flow) due to very low gradient. These water bodies were designated WWH as part of the original designations assigned in the 1970's to water bodies in the State, before the development of Ohio's biological assessment program and biological criteria. Therefore, although this reassignment from WWH to MWH may appear to be a "downgrade," the re-designation represents the first scientific assessment of these streams, as biological surveys of these streams/stream segments have not previously been conducted. Re-designation from WWH to MWH will result in less stringent biological criteria and less stringent chemical criteria for ammonia and dissolved oxygen. Criteria for all other parameters will remain the same.
- A twenty-eight mile stream reach comprised of the West Branch of the Huron River from the Bauman Road crossing at river mile 22.73 downstream to its mouth and the Huron River mainstem from the West Branch/East Branch confluence at river mile 14.7 downstream to the Ohio turnpike at river mile 9.1 were documented to fully attain the applicable Exceptional Warmwater Habitat (EWH) biocriteria during Ohio EPA's 2016 Huron River basin survey and thus are proposed to be re-designated the EWH aquatic life habitat use designation in place of the current WWH designation. The water quality criteria for the EWH and WWH uses are the same except that more stringent biological criteria and more stringent chemical criteria for ammonia, dissolved oxygen, pH and temperature apply to the EWH designation to protect the more sensitive components of the biological community.

## [Recreational Use Designation Changes](#)

Most water bodies in the state are designated Primary Contact Recreation (PCR), which is defined as suitable for full-body contact recreation. The PCR designation is consistent with the "swimmable" goals of the Clean Water Act. Some water bodies are designated Secondary Contact Recreation (SCR), which is 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 such as the size of the water body, accessibility, and potential for use by children. The only numeric water quality criteria applicable to the recreational use designations are those for *E. coli* bacteria.

As part of Ohio EPA's routine monitoring, Ohio EPA field staff occasionally sample streams that are too small and too isolated to support the PCR use. In these cases, a recommendation is made to re-designate 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 this rulemaking, 28 currently undesignated water bodies and 18 water body segments currently designated SCR are proposed for PCR based upon field observations of the water bodies and consideration of the factors mentioned above. There are no water bodies proposed to be designated or re-designated SCR in this rulemaking.

## 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.

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

Twenty-one currently undesignated water body segments are proposed to be designated WWH. Designation of these water body segments as WWH will not result in any changes to chemical specific criteria already applicable. The WWH biological criteria will now be applicable to these waters.

Seven undesignated water body segments are being proposed for the MWH-CM use designation as a result of habitat degradation associated with channel modification to promote surface drainage, the continuation of which precludes attainment of the WWH goals. The designation of MWH-CM will result in less stringent biological criteria and less stringent chemical criteria for ammonia and dissolved oxygen.

All 28 of the water body segments proposed to be designated an aquatic life use for the first time are also proposed to be designated PCR. The recreational 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 and do not result in any new regulatory requirements.

The Agricultural Water Supply (AWS) and Industrial Water Supply (IWS) use designations are also being proposed for the 28 water bodies that are proposed to be designated an aquatic life use for the first time. The Public Water Supply (PWS) designation is proposed for one water body.

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.

The PWS use designation is for the protection of surface waters used as public drinking water sources. There are specific criteria that apply to the PWS designation (see rule 3745-1-33 of the OAC). The PWS use is generally designated for a specific river mile location identified on a water body near a public water supply intake. These identifications are technically not use designation changes because all such areas are already designated public water supply by rule (see paragraph (B)(2) of rule 3745-1-07 of the OAC). The criteria associated with a PWS use apply within 500 yards of the surface water intake. The PWS designation is being proposed for one water body.

## 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 proposed for 52 water body segments. For these water bodies, the symbols accompanying the use designations in the water quality standards rules will change from asterisks (\*) to plus signs (+) to indicate that the assigned designated uses are based on the results of stream surveys. See the below section for more information on the history of use designation assignment and verification.

A list of stream segments proposed for use designation verification can be found in Table 3 at the end of this fact sheet. Verifying stream designations does not result in any changes to applicable water quality criteria.

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## Where does the new information come from?

The new information supporting the revisions comes from water body surveys conducted by Ohio EPA as part of its routine stream 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. The water bodies selected for survey follow a regular cycle determined by the Agency. The purposes of these surveys include determining the current health and uses of the water bodies as well as predicting the potential health and uses of the water bodies if additional pollution controls were imposed upon them. These rule revisions, incorporating the results of 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 nearly 30 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 assigned use designations that had been determined based on available information. All other water bodies were assigned the WWH and PCR use designations by default (consistent with baseline goals of the Clean Water Act).

Then in 1985, the 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 from 1978 were carried over. The 1985 water quality standards rules and subsequent rulemakings included use designations assigned as the result of water body surveys.

Since 1985, the water quality standards rules have distinguished between use designations carried over from the default 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, 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 the past several years, indicate that additions/changes in the current beneficial use designations are needed for 61 water body segments in four drainage basins. In addition, verifications of existing designations are included for 52 water body segments in four drainage basins.

Table 1 lists the rules and identifies the types of changes being considered. Figures 1 and 2 show the specific 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.

## 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 exceptional warmwater habitat use brings about stricter chemical criteria, as does the replacing 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 expands its operation or a new facility commences discharging, 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 web at [epa.ohio.gov/dsw/rules/3745\\_1.aspx](http://epa.ohio.gov/dsw/rules/3745_1.aspx) as well as in 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).

Based upon review of existing dischargers to these stream segments, there should be no impact on water pollution controls as a result of the water body use designation changes, verifications and additions associated with this rulemaking. This conclusion is based on a lack of change to the criteria that already apply to most of these water bodies, a

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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 or LRW aquatic life habitat use is under consideration.

## What additional information is the Agency seeking?

The Agency wants to hear from interested stakeholders (the public, local officials, 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 strikeout 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. The purpose of the public hearing is to give interested persons the opportunity to present oral or written comments on the proposed rules.

Ohio EPA will hold a virtual public hearing on the proposed rules at 10:30 a.m. on September 24, 2020. The hearing will be held exclusively online. During the virtual hearing the public can submit written comments through the webinar application that will be read into the record by the hearing host. The virtual hearing may be accessed through Ohio EPA's website at: <http://epa.ohio.gov/virtual>

Written comments may be submitted during the virtual public hearing. In addition, written testimony can be emailed to the attention of Jennie Pugliese, Division of Surface Water, at the [dsw\\_rulecomments@epa.ohio.gov](mailto:dsw_rulecomments@epa.ohio.gov). All comments received at the virtual hearing or via email by close of business on September 24, 2020 will be considered by Ohio EPA prior to final action on this rulemaking proposal. Written comments submitted after this date may be considered as time and circumstances permit.

At the close of the public comment period, the Agency will review the comments, make any necessary revisions to the rules, and then adopt the rules; this is roughly a two-month process from the end of the comment period. A responsiveness summary will be prepared and sent to all parties that comment on the proposed rules. Final rules could be adopted in fall 2020.

## How can I comment on the proposed rules?

Due to COVID-19 the Agency is taking preventative safety measures and staff are not currently in the office to receive hard copies via fax or postal mail. Therefore, to assure your comments are received for consideration, **the Agency requests that you send your comments electronically** to the email address posted below. Additional hard copies may still be sent to the Agency, however, to be considered for this rulemaking, electronic copies must be received by the time and date below.

- Email: [dsw\\_rulecomments@epa.ohio.gov](mailto:dsw_rulecomments@epa.ohio.gov)
- Fax: (614) 644-2745
- 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 September 24, 2020.**

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## How can I get more information?

Copies of this fact sheet and the proposed rules are on the Division of Surface Water website at [epa.ohio.gov/dsw/dswrules.aspx](http://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: [epa.ohio.gov/dsw/wqs/index.aspx](http://epa.ohio.gov/dsw/wqs/index.aspx).

The existing rules in OAC Chapter 3745-1 are available at: [epa.ohio.gov/dsw/rules/3745\\_1.aspx](http://epa.ohio.gov/dsw/rules/3745_1.aspx).

The biological and water quality studies upon which the rule revisions are based are available at: [epa.ohio.gov/dsw/document\\_index/psdindx.aspx](http://epa.ohio.gov/dsw/document_index/psdindx.aspx).

For more information about these proposed rules, please contact:

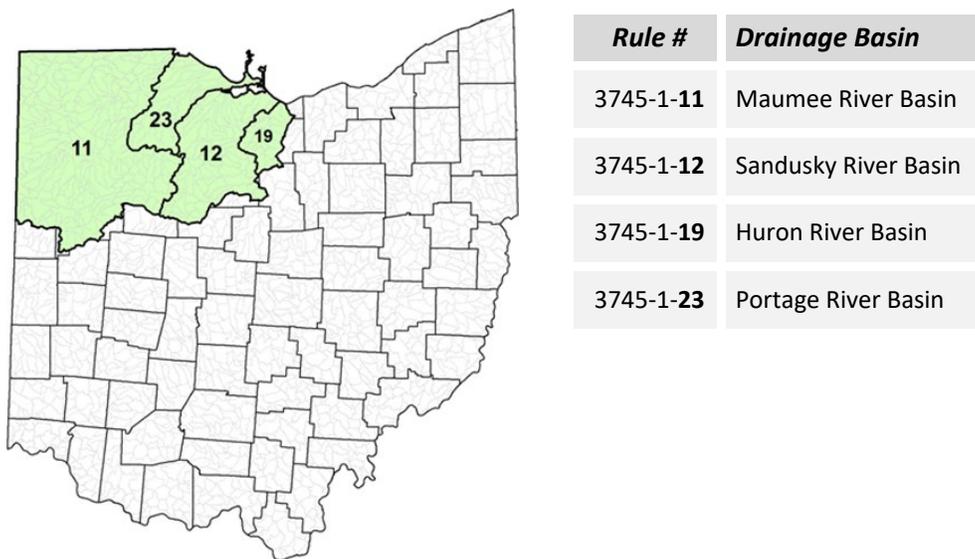
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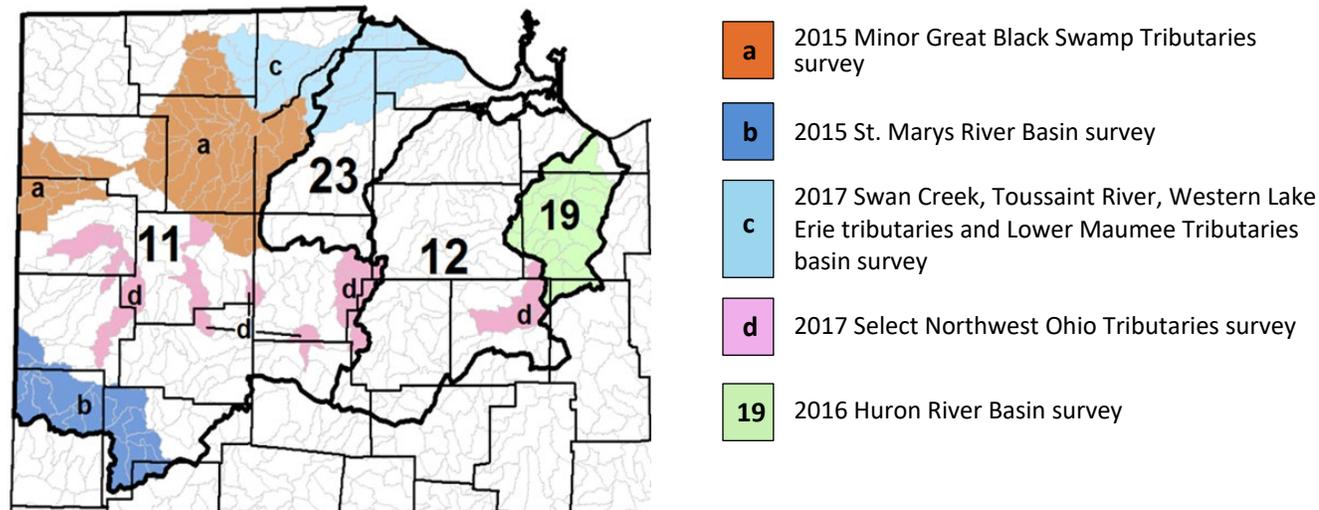
[audrey.rush@epa.ohio.gov](mailto:audrey.rush@epa.ohio.gov)

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



**Figure 2. Drainage Basins Survey Areas and Associated Surveys**



**Table 1. Summary of Rule Revisions**

Rule #	Drainage Basin	New Additions	Use Designation Changes	Use Designation Verifications
3745-1-11	Maumee River Basin	20	29	51
3745-1-12	Sandusky River Basin	3	0	0
3745-1-19	Huron River Basin	5	3	1
3745-1-23	Portage River Basin	1	0	0
<b>Totals</b>		<b>29</b>	<b>32</b>	<b>52</b>

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**Table 2. Summary of Proposed Revisions**

Page #*	Water Body Segment	Existing Designated Uses**	Proposed Revisions
<b>Maumee River Drainage Basin, OAC 3745-1-11 (2017 Swan Creek, Toussaint River, Lower Maumee Tributaries and Western Lake Erie Tributaries basin survey)</b>			
4	Duck Creek	WWH, AWS, IWS, PCR	Move from OAC 3745-1-11 to 3745-1-23
4	Grassy Creek Diversion (Maumee river RM 17.07)	None	Designate WWH, AWS, IWS, PCR
<b>Maumee River Drainage Basin, OAC 3745-1-11 (2015 Minor Great Black Swamp Tributaries survey)</b>			
4	Liberty Hi Road Ditch – headwaters to King Road (RM 1.1)	None	Designate MWH-CM, AWS, IWS, PCR
5	Liberty Hi Road Ditch – King Road (RM 1.1) to the mouth	None	Designate WWH, AWS, IWS, PCR
5	Haskins Road Ditch (Liberty Hi Road Ditch RM 2.12)	None	Designate MWH-CM, AWS, IWS, PCR
5	West Branch Tontogany Creek – headwaters to unnamed tributary at RM 3.2	None	Designate MWH-CM, AWS, IWS, PCR
5	West Branch Tontogany Creek – unnamed tributary at RM 3.2 to the mouth	None	Designate WWH, AWS, IWS, PCR
5	Unnamed tributary (West Branch Tontogany Creek RM 3.2)	None	Designate WWH, AWS, IWS, PCR
5	Sugar Creek	None	Designate WWH, AWS, IWS, PCR
5	Brush Creek	WWH, AWS, IWS, SCR	Designate PCR in lieu of SCR
5	Yellow Creek	MWH-CM, AWS, IWS, SCR	Designate WWH in lieu of MWH; Designate PCR in lieu of SCR
5	Little Yellow Creek – State Route 65 (RM 4.6) to the mouth	LRW-SDM, AWS, IWS, SCR	Designate WWH in lieu of LRW-SDM; Designate PCR in lieu of SCR
6	Bad Creek – headwaters to Fulton County line (RM 6.2)	WWH, AWS, IWS, SCR, PWS at RM 17	Designate PCR in lieu of SCR
6	South Branch Bad Creek	WWH, AWS, IWS, SCR	Designate PCR in lieu of SCR
6	School Creek	None	Designate WWH, AWS, IWS, PCR
7	North Turkeyfoot Creek	WWH, AWS, IWS, SCR	Designate PCR in lieu of SCR
7	Konzen ditch (North Turkeyfoot Creek RM 4.65)	MWH-CM, AWS, IWS, SCR	Designate WWH in lieu of MWH-CM; Designate PCR in lieu of SCR; Remove erroneous reference as Konzen Ditch
7	Unnamed tributary (North Turkeyfoot Creek RM 6.68)	None	Designate WWH, AWS, IWS, PCR
7	Unnamed tributary (Maumee River RM 42.2)	None	Designate WWH, AWS, IWS, PCR
7	Unnamed tributary (Maumee River RM 48.7)	None	Designate WWH, AWS, IWS, PCR

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Page #*	Water Body Segment	Existing Designated Uses**	Proposed Revisions
22	Platter Creek – headwaters to unnamed tributary at RM 7.66	WWH, AWS, IWS, PCR	Designate MWH-CM in lieu of WWH
22	Unnamed tributary (Platter Creek RM 7.66)	None	Designate MWH-CM, AWS, IWS, PCR
22	Gordon Creek	MWH-CM, AWS, IWS, PCR	Designate WWH in lieu of MWH-CM
22	South Fork	MWH-CM, AWS, IWS, PCR	Designate WWH in lieu of MWH-CM
22	North Fork	MWH-CM, AWS, IWS, PCR	Designate WWH in lieu of MWH-CM
22	Middle Fork	MWH-CM, AWS, IWS, SCR	Designate WWH in lieu of MWH-CM; Designate PCR in lieu of SCR
22	Sixmile Cutoff	None	Designate WWH, AWS, IWS, PCR
23	Zuber Cutoff	None	Designate WWH, AWS, IWS, PCR
23	North Creek – headwaters to Twp. Rd. 61 (RM 0.3)	WWH, AWS, IWS, PCR	Designate MWH-CM in lieu of WWH
23	South Creek – headwaters to Gasser Rd. (RM 3.65)	WWH, AWS, IWS, PCR	Designate MWH-CM in lieu of WWH
<b>Maumee River Drainage Basin, OAC 3745-1-11 (2017 Select Northwest Ohio Tributaries survey)</b>			
9	Blue Creek	MWH-CM, AWS, IWS, PCR	Designate WWH in lieu of MWH-CM
10	Little Auglaize River – at RM 23.40	MWH-CM, PWS, AWS, IWS, SCR	Designate WWH in lieu of MWH-CM; Designate PCR in lieu of SCR
10	Little Auglaize River – all other segments	MWH-CM, AWS, IWS, SCR	Designate WWH in lieu of MWH-CM; Designate PCR in lieu of SCR
10	Prairie Creek	MWH-CM, AWS, IWS, SCR	Designate WWH in lieu of MWH-CM; Designate PCR in lieu of SCR
10	West Branch	MWH-CM, AWS, IWS, SCR	Designate WWH in lieu of MWH-CM; Designate PCR in lieu of SCR
10	Middle Creek	MWH-CM, AWS, IWS, SCR	Designate WWH in lieu of MWH-CM; Designate PCR in lieu of SCR
11	Maddox Creek	MWH-CM, AWS, IWS, SCR	Designate WWH in lieu of MWH-CM; Designate PCR in lieu of SCR
11	Dog Creek	MWH-CM, AWS, IWS, SCR	Designate WWH in lieu of MWH-CM; Designate PCR in lieu of SCR
12	Bear Creek – unnamed tributary at RM 3.63 to the mouth	WWH, AWS, IWS, PCR	Designate MWH-CM in lieu of WWH
12	Miller City Cutoff (Caton Ditch RM 3.05)	None	Designate WWH, AWS, IWS, PCR
15	Bright's Ditch	WWH, AWS, IWS, PCR	Designate MWH-CM in lieu of WWH
15	Buckrun Creek	None	Designate WWH, AWS, IWS, PCR

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Page #*	Water Body Segment	Existing Designated Uses**	Proposed Revisions
15	Rickenbach Ditch (A.K.A. Shaefer Ditch)	WWH, AWS, IWS, SCR	Designate MWH-CM in lieu of WWH; Designate PCR in lieu of SCR
16	Unnamed tributary (Sycamore Creek at RM 0.85)	MWH-CM, AWS, IWS, PCR	Designate WWH in lieu of MWH-CM
<b>Maumee River Drainage Basin, OAC 3745-1-11 (2015 St. Marys River basin survey)</b>			
24	Unnamed tributary (Twentyseven Mile Creek RM 3.1)	None	Designate WWH, AWS, IWS, PCR
24	Duck Creek – headwaters to Winkler Road (RM 2.97)	WWH, AWS, IWS, PCR	Designate MWH-CM in lieu of WWH
25	Prairie Creek	None	Designate MWH-CM, AWS, IWS, PCR
25	Kopp Creek	WWH, AWS, IWS, SCR	Designate PCR in lieu of SCR
25	Wierth Ditch (Kopp Creek RM 8.0)	MWH-CM, AWS, IWS, SCR	Designate PCR in lieu of SCR
25	East Branch	None	Designate WWH, AWS, IWS, PCR
26	Little Chickasaw Creek	WWH, AWS, IWS, PCR	Delete from OAC 3745-1-11. Designations of these streams are in OAC 3745-1-29 (Wabash River drainage basin).
26	Chickasaw Creek	WWH, AWS, IWS, PCR	
26	East Fork	WWH, AWS, IWS, PCR	
<b>Sandusky River Drainage Basin, OAC 3745-1-12 (2017 Select Northwest Ohio Tributaries survey)</b>			
5	Celery Creek (Honey Creek RM 32.84) – Base Line Rd. (RM 4.54) to Section Line Rd. 30S (RM 2.2)	None	Designate WWH, AWS, IWS, PCR
5	Celery Creek – all other segments	None	Designate MWH-CM, AWS, IWS, PCR
5	Tiro Creek (Honey Creek RM 41.75)	None	Designate WWH, AWS, IWS, PCR
<b>Huron River Drainage Basin, OAC 3745-1-19 (2016 Huron River basin survey)</b>			
2	Huron River - East branch/West branch confluence (RM 14.7) to the Ohio turnpike (RM 9.1)	WWH, SSH, AWS, IWS, PCR	Designate EWH in lieu of WWH
2	Mud Brook	WWH, AWS, IWS, PCR	Designate MWH-CM in lieu of WWH; Change name to Mud Brook
2	East Branch	WWH, AWS, IWS, PCR	List as PWS at RM 6.16
2	West Branch – Bauman Road (RM 22.73) to the mouth	WWH, AWS, IWS, PCR	Designate EWH in lieu of WWH
3	Clayton Ditch – headwaters to Higbee Road (RM 2.85)	None	Designate MWH-CM, AWS, IWS, PCR
3	Unnamed tributary at Frink Run RM 5.38	None	Designate WWH, AWS, IWS, PCR
4	Unnamed tributary at Marsh Run RM 3.12	None	Designate WWH, AWS, IWS, PCR
4	Shiloh Ditch (West Branch RM 48.05)	None	Designate WWH, AWS, IWS, PCR

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Page #*	Water Body Segment	Existing Designated Uses**	Proposed Revisions
<b>Portage River Drainage Basin, OAC 3745-1-23</b> (2017 Swan Creek, Toussaint River, Lower Maumee Tributaries and Western Lake Erie Tributaries basin survey)			
3	Unnamed tributary at Toussaint Creek RM 32.1	None	Designate WWH, AWS, IWS, PCR

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

\*\*As listed 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  
 EWH = Exceptional Warmwater Habitat  
 IWS = Industrial Water Supply  
 LWH = Limited Warmwater Habitat  
 LRW-AMD = Limited Resource Water-Acid Mine Drainage  
 LRW-SDM = Limited Resource Water-Small Drainageway Maintenance  
 MWH-CM = Modified Warmwater Habitat – Channel Modification  
 MWH-I = Modified Warmwater Habitat - Impounded  
 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, Wave 1

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

Page #*	Water Body Segment	Existing Designations Proposed for Verification **
<b>OAC 3745-1-11 Maumee River Drainage Basin (2015 Minor Great Black Swamp Tributaries Survey)</b>		
5	Tontogany Creek	WWH, AWS, IWS, PCR
5	Beaver Creek	WWH, AWS, IWS, PCR
5	Jackson Cutoff	WWH, AWS, IWS, PCR
5	West Creek	WWH, AWS, IWS, PCR
6	East Beaver Creek (A.K.A. Hammer Creek)	WWH, AWS, IWS, PCR
6	Big Creek	WWH, AWS, IWS, PCR
6	Dry Creek	WWH, AWS, IWS, PCR
6	South Turkeyfoot Creek	WWH, AWS, IWS, PCR
6	Little Turkeyfoot Creek	WWH, AWS, IWS, PCR
6	Brinkman Ditch	WWH, AWS, IWS, PCR
6	Lost Creek	WWH, AWS, IWS, PCR
6	West Creek	WWH, AWS, IWS, PCR
7	Obernaus Creek	WWH, AWS, IWS, PCR
7	Van Hying Creek	WWH, AWS, IWS, PCR
7	Garrett Creek	WWH, AWS, IWS, PCR
7	Benien Creek	WWH, AWS, IWS, PCR
7	Brubaker Creek	WWH, AWS, IWS, PCR
7	Wade Creek	WWH, AWS, IWS, PCR
8	Preston Run	WWH, AWS, IWS, PCR
22	Snooks Run	WWH, AWS, IWS, PCR
22	Sulphur Creek	WWH, AWS, IWS, PCR
22	Platter Creek – headwaters to unnamed tributary at RM 7.66	AWS, IWS, PCR
22	Platter Creek – Unnamed tributary at RM 7.66 to the mouth	WWH, AWS, IWS, PCR
22	Marie DeLarme Creek	WWH, AWS, IWS, PCR
22	North Branch	WWH, AWS, IWS, PCR
22	South Branch	WWH, AWS, IWS, PCR
23	North Creek – headwaters to Twp. Road 61 (RM 0.3)	AWS, IWS, PCR
23	North Creek – Twp. Road 61 (RM 0.3) to the mouth	WWH, AWS, IWS, PCR
23	South Creek – headwaters to Gasser Road (RM 3.65)	AWS, IWS, PCR
23	South Creek – Gasser Road (RM 3.65) to the mouth	WWH, AWS, IWS, PCR
<b>OAC 3745-1-11 Maumee River Drainage Basin (2017 Select Northwest Ohio Tributaries Survey)</b>		
12	Bear Creek – unnamed tributary at RM 3.63 to the mouth	AWS, IWS, PCR
14	Cartwright Run	WWH, AWS, IWS, PCR
15	Hydraulic Ditch	WWH, AWS, IWS, PCR

## Proposed Rules – Beneficial Use Designations, Wave 1

Page #*	Water Body Segment	Existing Designations Proposed for Verification **
15	The outlet	WWH, AWS, IWS, PCR
15	Brights Ditch	AWS, IWS, PCR
<b>OAC 3745-1-11 Maumee River Drainage Basin (2015 St. Marys River Basin Survey)</b>		
24	Twentyseven Mile Creek (Prairie Creek)	WWH, AWS, IWS, PCR
24	Duck Creek – headwaters to Winkler Rd. (RM 2.97)	AWS, IWS, PCR
24	Duck Creek – Winkler Rd. (RM 2.97) to the mouth	WWH, AWS, IWS, PCR
24	Little Black Creek	WWH, AWS, IWS, PCR
24	Town Run	WWH, AWS, IWS, PCR
24	Yankee Run	WWH, AWS, IWS, PCR
25	Twelvemile Creek	WWH, AWS, IWS, PCR
25	Eightmile Creek	WWH, AWS, IWS, PCR
25	Hussey Creek	WWH, AWS, IWS, PCR
25	Sixmile Creek	WWH, AWS, IWS, PCR
25	Fourmile Creek	WWH, AWS, IWS, PCR
25	Unnamed tributary (Kopp Creek RM 5.41)	WWH, AWS, IWS, PCR
25	Clear Creek	WWH, AWS, IWS, PCR
26	Center Branch	WWH, AWS, IWS, PCR
26	Carter Creek	WWH, AWS, IWS, PCR
26	Muddy Creek	WWH, AWS, IWS, PCR
<b>OAC 3745-1-19 Huron River Drainage Basin (2016 Huron River Basin Survey)</b>		
2	Mud Creek (Mud Brook)	AWS, IWS, PCR

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

\*\* As listed 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

EWH = Exceptional Warmwater Habitat

IWS = Industrial Water Supply

PCR = Primary Contact Recreation

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.