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## Proposed Rules – Beneficial Use Designations, Wave 2

### *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. These rules contain: 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 procedures for applying the water quality criteria to wastewater discharges. This rulemaking involves water body beneficial use designations.

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

A goal of the Clean Water Act is to achieve fishable and swimmable conditions in water bodies, wherever attainable. The fishable and swimmable goals equate to the warmwater habitat (WWH) and primary contact recreation (PCR) use designations 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 under review?**

This rulemaking includes review of beneficial use designation rules for the Scioto River (3745-1-09), Southeast Ohio river Tributaries (3745-1-16), Southwest Ohio River Tributaries (3745-1-17), Great Miami River (2745-1-21) watersheds.

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

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 proposed:

- 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.

In addition, site specific copper criteria for two water bodies in the Great Miami river basin are proposed for removal. These criteria have not been approved by US EPA and would need to be updated using new data in order to ensure the protection of the aquatic life use as the criteria are required to do.

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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 proposed changes in more detail.

### Aquatic Life Use Designation Changes

The current aquatic life habitat use designations for 83 stream segments are proposed for revision. Some of the revisions are highlighted below. The proposed revisions are summarized by drainage basin in Table 1, while specific details are listed in Table 2. Supporting documents containing data and information to support the proposed revisions are available on the Division of Surface Water web page at: <https://www.epa.ohio.gov/dsw/dswrules#120473215-proposed-rules>.

- Portions of two rivers currently designated Modified Warmwater Habitat (MWH) due to impoundments are proposed to be re-designated Warmwater Habitat (WWH). This includes a 3.4-mile segment of the Olentangy River adjacent to Ohio State University downstream to the confluence with the Scioto River and a 1.2-mile segment of the Scioto River mainstem in downtown Columbus. These segments, which were previously impounded by low head dams since removed, have recovered to fully support the applicable WWH biological criteria based on surveys conducted by Ohio EPA biologists. A 1.5-mile segment of the Scioto River mainstem remains MWH due to impounded conditions caused by the presence of the Greenlawn Avenue dam further downstream at RM 129.8. Re-designation from MWH to WWH would result in more stringent chemical criteria for ammonia and dissolved oxygen as well as the application of the WWH biological criteria in place of the MWH biocriteria. Criteria for all other parameters would remain the same.
- Six water body segments in the Raccoon Creek watershed, including a 16-mile segment of the Raccoon Creek mainstem currently designated Limited Resource Water (LRW), are proposed for re-designation to WWH. These water bodies were found to attain the applicable WWH biocriteria in recent assessments. Re-designation from LRW to WWH would result in more stringent aquatic life water quality criteria for all pollutants and the application of the WWH biological criteria.
- Little Kyger Creek, presently designated LRW resulting from acidic mine drainage, is proposed to be re-designated MWH. The pH values have become more neutral compared to previous acidic conditions and the biological communities have improved beyond those normally observed when subjected to acidic conditions. Habitat scores have also improved, with QHEIs reaching toward 70. While these scores are usually associated with those capable of supporting a WWH community, some of the QHEI submetrics related to the excessive sedimentation suggest that WWH is still realistically precluded until more of the sand bedload works its way out of the channel. Re-designation from LRW to MWH would result in more stringent aquatic life water quality criteria for all pollutants and the application of the MWH biological criteria.
- Thirty-one water bodies currently designated WWH are proposed to be re-designated Exceptional Warmwater Habitat (EWH). While the majority of these water bodies are relatively small, several larger streams are highlighted below:
  - A 66-mile segment of the Scioto River mainstem from Big Walnut Creek (117.15) to Salt Creek (RM 51.18),
  - A 60-mile segment of Symmes Creek from Black Fork (RM 60.3) to the mouth, and
  - A 32-mile segment of Raccoon Creek from the Vinton dam (RM 40.3) to the Ohio River backwaters (RM 8.15).

These segments have been documented to fully attain the applicable EWH biocriteria during recent biological surveys.

The water quality criteria for the EWH and WWH uses are identical 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.

- Twenty-one water bodies currently designated WWH are proposed for re-designation to Coldwater Habitat (CWH). Surveys of the biological communities within these streams demonstrated the presence of a coldwater adapted aquatic community. Six additional water bodies currently designated WWH are proposed for re-designation from WWH to CWH and EWH. These streams support populations of coldwater adapted biota while also demonstrating full attainment of the EWH biocriteria. Three streams currently designated EWH were found to fully attain the EWH biocriteria, thus affirming the EWH designation. These three streams are also proposed to be designated CWH to protect the coldwater adapted aquatic fauna residing within these streams. Three other streams currently

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designated EWH but previously unsampled were found not to attain the EWH use designation but did exhibit a coldwater biological signature and are thus proposed to be redesignated from EWH to CWH. The water quality criteria for the CWH and WWH uses are identical except that more stringent chemical criteria apply for ammonia, cyanide, dissolved oxygen, pH and temperature. There are no specific numeric biocriteria applicable to CWH.

- Eight water bodies currently designated EWH are proposed to be re-designated WWH. Seven of these water bodies have never been surveyed before. These water bodies failed to demonstrate attainment of the applicable EWH biocriteria as part of the initial survey of these streams conducted by Ohio EPA. One water body segment, Turkey Creek from Turkey Creek Lake (RM 11.8) to Friendship (RM 4.0) has had minimal sampling at two locations in the past, neither of which have ever been observed to fully attain the EWH biocriteria. The first comprehensive survey of this Turkey Creek segment conducted by Ohio EPA in 2016 also failed to show full attainment of the EWH biocriteria at any of the four locations sampled within this reach. Re-designation from EWH to WWH would result in the application of less stringent biological criteria and less stringent chemical criteria for ammonia, dissolved oxygen, pH and temperature.

### Recreational Use Designation Changes

Most water bodies in the state are designated Primary Contact Recreation (PCR), 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), 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 for *E. coli* bacteria.

As part of Ohio EPA’s routine monitoring, Ohio EPA field staff occasionally sample streams that are in fact 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.

In this rulemaking, 45 currently undesignated water bodies and two water body segments currently designated SCR are proposed for PCR based upon field observations of the water body and consideration of the factors mentioned above. No water bodies are proposed to be designated SCR as part of 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.

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

Forty-five currently undesignated water bodies are proposed to be designated as part of this rulemaking. The majority, thirty-nine water bodies, 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 also now be applicable to these waters. Two water bodies are proposed to be designated EWH while three water bodies are proposed to be designated CWH as a result of the biological communities documented to be residing within these streams. One water body is proposed to be designated as a limited resource water resulting from habitat degradation associated with channel maintenance.

All forty-four of the streams proposed to be designated an aquatic life use for the first time, as described above, 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.

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The Agricultural Water Supply (AWS) and Industrial Water Supply (IWS) use designations are also proposed for the forty-four water bodies that are proposed to be designated an aquatic life use for the first time as described above.

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.

### 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 have previously been field verified. In this rulemaking, verifications of existing designated uses (typically WWH, AWS, IWS and PCR uses) are proposed for 135 water body segments. For these water bodies, the symbols identifying the use designations in the water quality standards rules will change from asterisks (\*) to plus signs (+) to indicate that they are based on the results of stream surveys.

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

### **Where does the new information come from?**

The new information supporting the proposed revisions primarily comes from water body surveys conducted by Ohio EPA as part of its routine stream monitoring efforts across the state. Ohio EPA's monitoring program consists of surveying the chemical, physical and biological characteristics of selected water bodies throughout the state each year following a regular cycle. The purposes of these surveys include determining the present health and uses of the water bodies and predicting the potential health and uses of the water bodies if additional pollution controls were imposed. These proposed 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. Some data for this rulemaking also came from the Midwest Biodiversity Institute (MBI), a credible data collector that provided Level III credible data to Ohio EPA.

Although the Agency has used the water body survey approach to determine applicable use designations for 35 years, many, mostly smaller, water bodies have still never been surveyed.

In the 1978 water quality standards rules, only a small number of water bodies were listed with their use designations, determined from information available at the time. All other surface water bodies were assigned the WWH and PCR use designations by default (consistent with baseline goals of the Clean Water Act).

The 1985 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 were carried over. The 1985 water quality standards rules and subsequent rulemakings included use designations resulting from water body surveys.

Since 1985, the water quality standards rules have distinguished between use designations carried over from the 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. It is available on the web at [epa.ohio.gov/dsw/tmdl/OhioIntegratedReport.aspx](http://epa.ohio.gov/dsw/tmdl/OhioIntegratedReport.aspx).

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### How many water bodies are involved with these rule changes?

Results of water body surveys, conducted in past years, indicate that additions/changes in the current beneficial use designations are needed for 128 water body segments in four drainage basins. In addition, verifications of existing designations are included for 134 water body segments in four drainage basins.

Table 1 lists the rules and identifies the types of changes being proposed. Figure 1 shows the particular areas within Ohio for which changes are being proposed. Specific use designation changes for each water body proposed 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 designations govern the levels of chemical water quality criteria that apply to protect the use designation. The coldwater and exceptional warmwater habitat uses bring about stricter chemical criteria, as does the replacement of a modified warmwater habitat or limited resource water use with a warmwater habitat use or a limited resource water use with a modified warmwater habitat use designation. 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 at [epa.ohio.gov/dsw/rules/3745\\_1.aspx](http://epa.ohio.gov/dsw/rules/3745_1.aspx) as well as on 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).

The proposed revisions are not projected to affect water pollution controls, based upon a review and analysis of existing regulated discharges to these stream segments. This finding is based on several factors: 1) A lack of change to the criteria that already apply to most of these water bodies; 2) A lack of regulated discharges to water bodies where more stringent criteria would apply; 3) Existing permit limits that are protective of the proposed use designation revisions; 4) Less stringent criteria that would apply for water bodies where a revision from an EWH to WWH designation is proposed; 5) Existing outfalls that are either being terminated or re-routed.

### What additional information is the Agency seeking?

The Agency invites comments from interested stakeholders (public, local officials, and National Pollutant Discharge Elimination System [NPDES] permit holders, industry sectors, other state agencies, consultants and environmental organizations) who may be impacted by these proposed 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.

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Ohio EPA will hold a virtual public hearing on the proposed rules at 1:00 p.m. on December 17, 2021. 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 "Rules Coordinator", 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 December 17, 2021 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 2021.

### How can I comment on the proposed rules?

To assure your comments are received for consideration, ***the Agency encourages you to send your comments electronically*** to the email address posted below. However, paper copies may still be sent to the Agency by postal mail or by fax. In order to be considered for this rulemaking, comments must be received by the time and date below.

- By email: [dsw\\_rulecomments@epa.ohio.gov](mailto:dsw_rulecomments@epa.ohio.gov)
- By fax: (614) 644-2745
- By 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. December 17, 2021.**

### 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:

**Audrey Rush**

(614) 644-2035

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

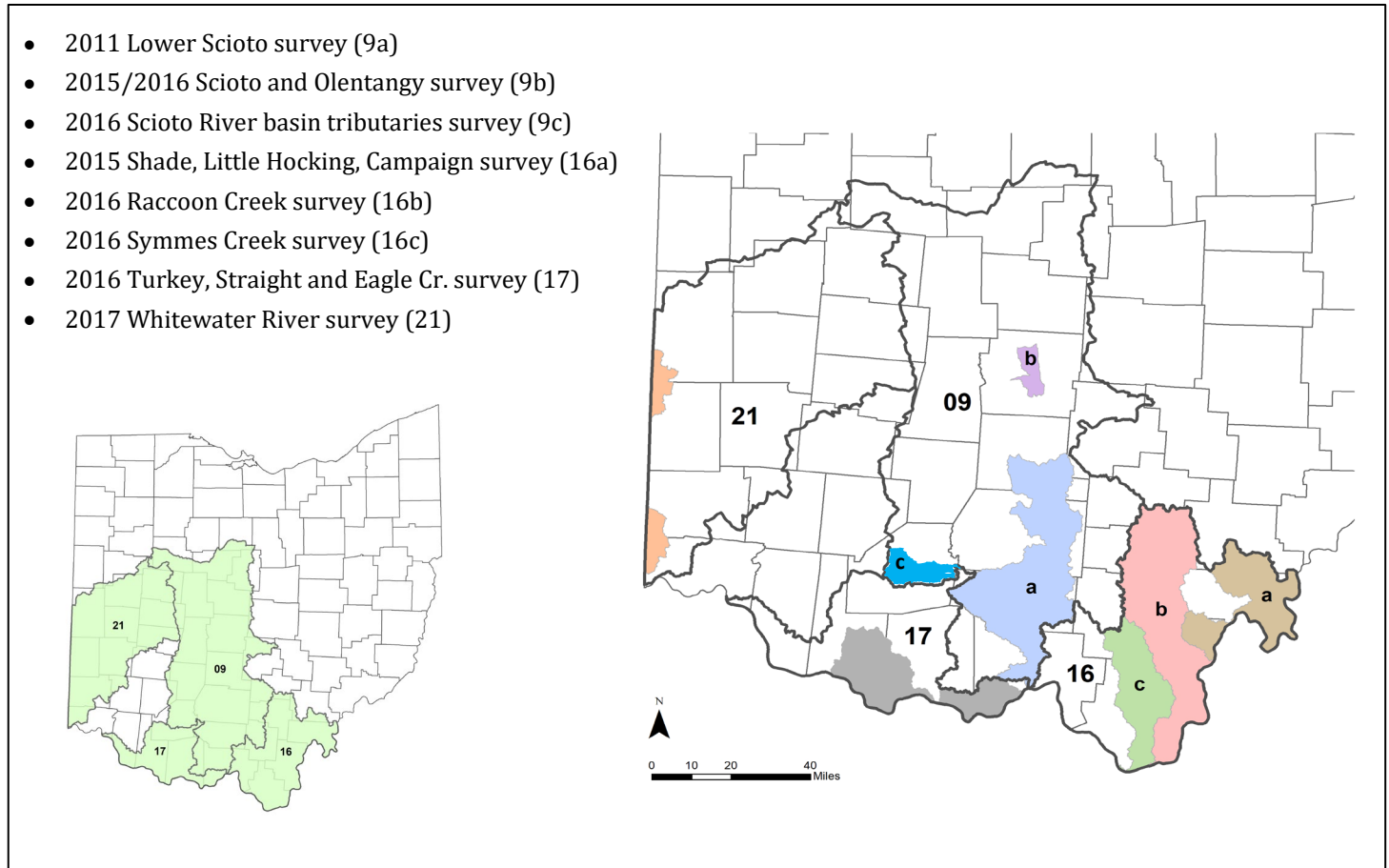


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**Table 1. Statistical Summary of Proposed Use Designation Rule Revisions**

Rule #	Drainage Basin	New Additions	Use Designation Changes	Use Designation Verifications
3745-1-09	Scioto River Basin	8	19	23
3745-1-16	Southeast Ohio River Tributaries Basin	15	36	82
3745-1-17	Southwest Ohio River Tributaries Basin	1	18	18
3745-1-21	Great Miami River Basin	21	10	12
Totals:		45	83	135

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



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**Table 2. Summary of Proposed Revisions**

Page #*	Water Body Segment	Existing Designated Uses**	Proposed Revisions
<b>Scioto River Drainage Basin, OAC 3745-1-09 (2011 Lower Scioto River Basin Survey and 2015/2016 Olentangy and Scioto River survey)</b>			
2	Scioto River – Olentangy River (RM 132.3) to the CSX RR bridge (RM 131.06)	MWH, AWS, ISW, PCR	Designate WWH in lieu of MWH-CM
2	Scioto River – Big Walnut Creek (RM 117.15) to Salt Creek (RM 51.18)	WWH, AWS, IWS, PCR	Designate EWH in lieu of WWH
33	Olentangy River – adjacent Tuttle Park (RM 3.4) to the Fifth Avenue dam (RM 1.9)	MWH, AWS, ISW, PCR	Designate WWH in lieu of MWH-CM
33	Olentangy River – Conrail railroad crossing (RM 0.5) to the mouth	MWH, AWS, ISW, PCR	Designate WWH in lieu of MWH-CM
34	Olentangy River – at RM 0.2	MWH, AWS, ISW, PCR, PWS	Designate WWH in lieu of MWH-CM
<b>Scioto River Drainage Basin, OAC 3745-1-09 (2016 Scioto River Basin Tributaries survey)</b>			
8	Bull Run	WWH, AWS, IWS, PCR	Designate EWH in lieu of WWH
9	Camp Run	WWH, AWS, IWS, PCR	Designate CWH in lieu of WWH
9	Georges Run	WWH, AWS, IWS, PCR	Designate CWH in lieu of WWH
9	Long Run	WWH, AWS, IWS, PCR	Designate CWH in lieu of WWH
9	Lick Run	WWH, AWS, IWS, PCR	Designate CWH and EWH in lieu of WWH
9	Sparcy Run (Spicy Run)	WWH, AWS, IWS, PCR	Designate CWH in lieu of WWH
9	Dry Bone Creek	WWH, AWS, IWS, PCR	Designate CWH in lieu of WWH
10	Fivemile Creek	WWH, AWS, IWS, PCR	Designate EWH in lieu of WWH
10	Swift Creek	WWH, AWS, IWS, PCR	Designate EWH in lieu of WWH
18	Factory Branch	EWH, AWS, IWS, PCR	Designate CWH in lieu of EWH
18	Heads Branch	EWH, AWS, IWS, PCR	Designate CWH in lieu of EWH
18	Plum Run	EWH, AWS, IWS, PCR	Designate WWH in lieu of EWH
18	Blinco Branch	EWH, AWS, IWS, PCR	Designate WWH in lieu of EWH
18	Churn Creek	EWH, AWS, IWS, PCR	Designate CWH in lieu of EWH
18	Smith Branch	EWH, AWS, IWS, PCR	Designate CWH in addition to EWH
<b>Scioto River Drainage Basin, OAC 3745-1-09 (2016 MBI Survey - Big Darby Creek Headwaters and Agnes Andreae Preserve) + 2019 UT Darby RM 77.62</b>			
24	Unnamed tributary (Little Darby Cr. RM 9.1)	None	Designate WWH, AWS, IWS, PCR
24	Unnamed tributary (Little Darby Cr. RM 9.57)	None	Designate WWH, AWS, IWS, PCR
26	Unnamed tributary (Big Darby Creek RM 77.62)	None	Designate WWH, AWS, IWS, PCR
26	Unnamed tributary (Big Darby Creek RM 80.8)	None	Designate CWH, AWS, IWS, PCR
26	Unnamed tributary at RM 0.1 of unnamed tributary to Big Darby Creek at RM 80.8	None	Designate CWH, AWS, IWS, PCR
26	Unnamed tributary (Big Darby Creek RM 81.0)	None	Designate WWH, AWS, IWS, PCR



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Page #*	Water Body Segment	Existing Designated Uses**	Proposed Revisions
26	Unnamed tributary at RM 0.15 of unnamed tributary to Big Darby Creek at RM 81.0	None	Designate WWH, AWS, IWS, PCR
<b>Scioto River Drainage Basin, OAC 3745-1-09 (2016 MBI Survey - Big Walnut Creek and tribs)</b>			
30	Unnamed tributary (Blacklick Creek RM 12.9)	WWH, AWS, IWS, PCR	List as Little Jordan Run
31	Unnamed tributary (Big Walnut Creek RM 37.13)	None	Designate WWH, AWS, IWS, PCR
<b>Southeast Ohio tributaries drainage basin, OAC 3745-1-16 (2015 Selected Southeastern Ohio River Tributaries survey)</b>			
18	Little Kyger Creek	LRW, AWS, IWS, PCR	Designate MWH – Mine affected in lieu of LRW
21	East Branch Shade River	EWH, AWS, IWS, PCR	Designate WWH in lieu of EWH
22	Middle Branch Shade River	EWH, AWS, IWS, PCR	Designate WWH in lieu of EWH
22	Forked Run – headwaters to Forked Run Reservoir	EWH, AWS, IWS, PCR	Designate WWH in lieu of EWH
<b>Southeast Ohio tributaries drainage basin, OAC 3745-1-16 (2016 Raccoon Creek survey)</b>			
12	Raccoon creek - confluence of East and West branches (RM 111.9) to Sandy run (RM 95.52)	LRW, AWS, IWS, PCR	Designate WWH in lieu of LRW
12	Raccoon Creek – Vinton dam (RM 40.3) to the Ohio River backwaters (RM 8.15)	WWH, AWS, IWS, PCR	Designate EWH in lieu of WWH
13	Big Beaver Creek	None	Designate WWH, AWS, IWS, PCR
14	Dickason Run – Dixon Run (RM 1.3) to the mouth	LRW, AWS, IWS, PCR	Designate WWH in lieu of LRW
14	McConnel Run	EWH, AWS, IWS, PCR	Designate WWH in lieu of EWH
15	Williams Run	EWH, AWS, IWS, PCR	Designate WWH in lieu of EWH
15	Indiancamp Run	LRW, AWS, IWS, PCR	Designate WWH in lieu of LRW
15	Wolf Run	LRW, AWS, IWS, PCR	Designate WWH in lieu of LRW
16	Hewett Fork - headwaters to Rockcamp Road (RM 4.3)	LRW, AWS, IWS, PCR	Designate MWH – Mine affected in lieu of LRW
16	Hewett Fork - Rockcamp Road (RM 4.3) to the mouth	LRW, AWS, IWS, PCR	Designate WWH in lieu of LRW
17	East Branch	LRW, AWS, IWS, PCR	Designate WWH in lieu of LRW
<b>Southeast Ohio tributaries drainage basin, OAC 3745-1-16 (2016 Symmes Creek survey)</b>			
7	Scarey Creek	None	Designate WWH, AWS, IWS, PCR
7	Symmes Creek – Black Fork (RM 60.3) to the mouth	WWH, AWS, IWS, PCR	Designate EWH in lieu of WWH
7	Rankin Creek	WWH, AWS, IWS, PCR	Designate EWH in lieu of WWH

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Page #*	Water Body Segment	Existing Designated Uses**	Proposed Revisions
7	Sharps Creek	WWH, AWS, IWS, PCR	Designate EWH in lieu of WWH
8	Buckeye Creek	WWH, AWS, IWS, PCR	Designate EWH in lieu of WWH
8	Buck Creek	WWH, AWS, IWS, PCR	Designate EWH in lieu of WWH
8	Handley Branch	None	Designate WWH, AWS, IWS, PCR
8	Slab Fork	WWH, AWS, IWS, PCR	Designate EWH in lieu of WWH
8	Buffalo Creek – Township Road 154 (RM 1.9) to the mouth	WWH, AWS, IWS, PCR	Designate EWH in lieu of WWH
8	Bakers Fork	None	Designate WWH, AWS, IWS, PCR (*)
8	Coulley Fork	WWH, AWS, IWS, PCR	Designate EWH in lieu of WWH; Update name to Caulley Creek
8	Miller Creek	WWH, AWS, IWS, PCR	Designate CWH in lieu of WWH
8	Beech Fork	None	Designate WWH, AWS, IWS, PCR (*)
8	Asbury Creek	None	Designate WWH, AWS, IWS, PCR (*)
8	Little Buffalo Creek	WWH, AWS, IWS, PCR	Remove from WQS; This stream is the same as Buffalo Creek.
9	Little Buffalo Creek	WWH, AWS, IWS, PCR	Designate CWH and EWH in lieu of WWH
9	Sand Fork – Patriot-Cadmus Road (RM 2.7) to the mouth	WWH, AWS, IWS, PCR	Designate EWH in lieu of WWH
9	Sweetbit Creek	None	Designate WWH, AWS, IWS, PCR
9	Black Fork – Dirtyface Creek (RM 0.9) to the mouth	WWH, AWS, IWS, PCR	Designate EWH in lieu of WWH
9	Dirtyface Creek - headwaters to C-H-D Rd. (RM 4.7)	WWH, AWS, IWS, PCR	Designate EWH in lieu of WWH
10	Unnamed tributary (Symmes Creek RM 73.03)	None	Designate WWH, AWS, IWS, PCR
10	Indian Guyan Creek	WWH, AWS, IWS, PCR	Designate EWH in lieu of WWH
10	Fivemile Creek	WWH, AWS, IWS, PCR	Designate EWH in lieu of WWH
10	Wolf Creek	WWH, AWS, IWS, PCR	Designate EWH in lieu of WWH
10	Little Indian Guyan Creek	WWH, AWS, IWS, PCR	Designate EWH in lieu of WWH
10	Trace Creek	None	Designate EWH, AWS, IWS, PCR
10	Watson Run	None	Designate WWH, AWS, IWS, PCR
10	Williams Creek	None	Designate WWH, AWS, IWS, PCR
11	Georges Creek	WWH, AWS, IWS, PCR	Designate EWH in lieu of WWH
11	Unnamed tributary (Drake Fork RM 0.55)	None	Designate WWH, AWS, IWS, PCR
11	Perigen Creek	WWH, AWS, IWS, PCR	Designate CWH in lieu of WWH
11	Little Paddy Creek	None	Designate WWH, AWS, IWS, PCR

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Page #*	Water Body Segment	Existing Designated Uses**	Proposed Revisions
11	Big Creek	None	Designate CWH, AWS, IWS, PCR
11	Swan Creek	WWH, AWS, IWS, PCR	Designate EWH in lieu of WWH
11	Little Swan Creek	WWH, AWS, IWS, PCR	Designate EWH in lieu of WWH
12	Unnamed tributary (Swan Creek RM 5.95)	None	Designate WWH, AWS, IWS, PCR
12	Teens Run	WWH, AWS, IWS, PCR	Designate EWH in lieu of WWH
<b>Southwest Ohio tributaries drainage basin, OAC 3745-1-17 (2016 Turkey, Straight, Eagle survey)</b>			
6	Rangle Run	WWH, AWS, IWS, PCR	Designate CWH in lieu of WWH
8	Eagle Creek – all other segments	WWH, AWS, IWS, PCR	Designate EWH in lieu of WWH
8	Unnamed tributary (East Fork RM 6.92)	None	Designate WWH, AWS, IWS, PCR
8	West Fork	WWH, AWS, IWS, PCR	Designate EWH in lieu of WWH
10	Waggoner Run	EWH, AWS, IWS, PCR	Designate CWH in addition to EWH
13	Stout Run	WWH, AWS, IWS, PCR	Designate CWH and EWH in lieu of WWH
13	Puntenney Run	WWH, AWS, IWS, PCR	Designate CWH in lieu of WWH
13	Long Lick Run	WWH, AWS, IWS, PCR	Designate CWH and EWH in lieu of WWH
13	Sulphur Creek	WWH, AWS, IWS, PCR	Designate CWH in lieu of WWH
14	Rock Run	WWH, AWS, IWS, PCR	Designate CWH in lieu of WWH
14	Lower Twin Creek – headwaters to Sugarcamp Run (RM 2.3)	WWH, AWS, IWS, PCR	Designate CWH in lieu of WWH
14	Lower Twin Creek – Sugarcamp Run (RM 2.3) to the mouth	WWH, AWS, IWS, PCR	Designate CWH and EWH in lieu of WWH
14	Upper Twin Creek	WWH, AWS, IWS, PCR	Designate CWH in lieu of WWH
14	East Fork	WWH, AWS, IWS, PCR	Designate CWH and EWH in lieu of WWH
15	McAtee Run	WWH, AWS, IWS, PCR	Designate CWH in lieu of WWH
15	Pond Run	WWH, AWS, IWS, PCR	Designate CWH in lieu of WWH
15	Nace Run	WWH, AWS, IWS, PCR	Designate CWH in lieu of WWH
15	Turkey Creek - headwaters to Turkey Creek lake (RM 11.8)	EWH, AWS, IWS, PCR	Designate CWH in addition to EWH
15	Turkey Creek - Turkey Creek lake to Friendship (RM 4.0)	EWH, AWS, IWS, PCR	Designate WWH in lieu of EWH
<b>Great Miami River Drainage Basin, OAC 3745-1-21 (2018 Great Miami River survey - MBI)</b>			
2	Great Miami River - Steele Dam (RM 82.0) to the Dayton WWTP outfall (RM 76.2)	WWH, AWS, IWS, PCR	Designate EWH in lieu of WWH

## Proposed Rules – Beneficial Use Designations, Wave 2

Page #*	Water Body Segment	Existing Designated Uses**	Proposed Revisions
<b>Great Miami River Drainage Basin, OAC 3745-1-21 (2017 Whitewater River survey)</b>			
2	Dry Fork – Atherton Road (RM 10.2) to the mouth	WWH, AWS, IWS, PCR	Designate EWH in lieu of WWH
2	Dry Fork – within Miami Whitewater Forest boundaries (RM 4.3-11.2)	WWH, AWS, IWS, PCR	Designate EWH in lieu of WWH
3	Howard Creek	WWH, AWS, IWS, PCR	Designate EWH in lieu of WWH
3	Buck Run	None	Designate WWH, AWS, IWS, PCR
3	Kiata Creek	WWH, AWS, IWS, SCR	Designate EWH in lieu of WWH; Designate PCR in lieu of SCR
3	Sours Run	None	Designate EWH, AWS, IWS, PCR
3	East Fork - headwaters to Little creek (RM 41.7)	WWH, AWS, IWS, SCR	Designate CWH in lieu of WWH; Designate PCR in lieu of SCR
3	East Fork - Little creek to state line	WWH, AWS, IWS, PCR	Designate CWH in lieu of WWH
3	Middle Fork	None	Designate WWH, AWS, IWS, PCR
3	Rocky Fork	WWH, AWS, IWS, PCR	Designate CWH in lieu of WWH
3	Little Creek	WWH, AWS, IWS, PCR	Designate CWH in lieu of WWH
4	Brinley Fork	WWH, AWS, IWS, PCR	Designate CWH in lieu of WWH
4	Welker Lateral (East Fork RM 50.7)	None	Designate WWH, AWS, IWS, PCR
<b>Great Miami River Drainage Basin, OAC 3745-1-21 (2013 Great Miami River/Whitewater River survey - MBI)</b>			
2	Fox Run	None	Designate WWH, AWS, IWS, PCR
3	Unnamed tributary (Lee Creek RM 0.15)	None	Designate WWH, AWS, IWS, PCR
3	Unnamed tributary (Lee Creek RM 3.81)	None	Designate WWH, AWS, IWS, PCR
3	Unnamed tributary (Dry Fork RM 6.73)	None	Designate WWH, AWS, IWS, PCR
4	Unnamed tributary (Great Miami River RM 8.5)	None	Designate WWH, AWS, IWS, PCR
4	Unnamed tributary (Great Miami River RM 19.2)	None	Designate WWH, AWS, IWS, PCR
5	Unnamed tributary (Bluerock Creek RM 1.37)	None	Designate WWH, AWS, IWS, PCR
5	Unnamed tributary at RM 2.65 to unnamed tributary Bluerock Creek RM 1.37	None	Designate WWH, AWS, IWS, PCR
5	Unnamed tributary (Banklick Creek RM 3.13)	None	Designate WWH, AWS, IWS, PCR
6	Unnamed tributary (Pleasant Run RM 5.26)	None	Designate WWH, AWS, IWS, PCR
<b>Great Miami River Drainage Basin, OAC 3745-1-21 (2014 MBI Survey – Taylor Creek and tribs)</b>			
4	Forfeit Run (Taylor Creek RM 1.42)	None	Designate WWH, AWS, IWS, PCR
4	Unnamed tributary (Steele Creek RM 1.51)	None	Designate WWH, AWS, IWS, PCR
4	Unnamed tributary (Steele Creek RM 2.03)	None	Designate WWH, AWS, IWS, PCR

## Proposed Rules – Beneficial Use Designations, Wave 2

Page #*	Water Body Segment	Existing Designated Uses**	Proposed Revisions
4	Unnamed tributary (Taylor Creek RM 4.9)	None	Designate WWH, AWS, IWS, PCR
<b>Great Miami River Drainage Basin, OAC 3745-1-21 (2018 MBI Survey – Selected unnamed tribs to the Great Miami River- Tipp City area)</b>			
19	Unnamed tributary (Great Miami River RM 96.4) <i>(not sampled)</i>	None	Designate (*) WWH, AWS, IWS, PCR
19	Unnamed tributary (RM 0.58) to unnamed tributary at Great Miami River RM 96.4	None	Designate WWH, AWS, IWS, PCR
19	UT to UT (at RM 1.67) to UT (at 0.58) to Great Miami River at RM 96.40	None	Designate MWH-CM, AWS, IWS, PCR

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

\*\* As indicated 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  
 CWH = Coldwater Habitat  
 EWH = Exceptional Warmwater Habitat  
 IWS = Industrial Water Supply  
 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 2

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

Page #*	Water Body Segment	Existing Designations Proposed for Verification **
<b>Scioto River Drainage Basin, OAC 3745-1-09 (2016 Scioto River Basin Tributaries survey)</b>		
8	Loys Run	WWH, AWS, IWS, PCR
8	Bull Run	AWS, IWS, PCR
9	Camp Run	AWS, IWS, PCR
9	Georges Run	AWS, IWS, PCR
9	Long Run	AWS, IWS, PCR
9	Lick Run	AWS, IWS, PCR
9	Sparcy Run (Spicy Run)	AWS, IWS, PCR
9	Dry Bone Creek	AWS, IWS, PCR
9	Millers Run	WWH, AWS, IWS, PCR
10	Fourmile Creek	WWH, AWS, IWS, PCR
10	Fivemile Creek	AWS, IWS, PCR
10	Millstone Run	WWH, AWS, IWS, PCR
10	Dutch Run	WWH, AWS, IWS, PCR
10	Swift Creek	AWS, IWS, PCR
18	Factory Branch	AWS, IWS, PCR
18	Heads Branch	AWS, IWS, PCR
18	Puncheon Run	EWB, AWS, IWS, PCR
18	Plum Run	AWS, IWS, PCR
18	Blinco Branch	AWS, IWS, PCR
18	Churn Creek	AWS, IWS, PCR
18	Smith Branch	EWB, AWS, IWS, PCR
18	Hussey Run	EWB, AWS, IWS, PCR
18	South Fork	EWB, AWS, IWS, PCR
<b>Southeast Ohio tributaries drainage basin, OAC 3745-1-16 (2015 Selected Southeastern Ohio River Tributaries survey)</b>		
18	Little Whiteoak Creek	WWH, AWS, IWS, PCR
18	Whiteoak Creek	WWH, AWS, IWS, PCR
19	Forest Run	WWH, AWS, IWS, PCR
19	Bowman Run	WWH, AWS, IWS, PCR
20	Dunham Run (Yellowbush Creek)	WWH, AWS, IWS, PCR
20	Tupper Run	WWH, AWS, IWS, PCR
20	Oldtown Creek	WWH, AWS, IWS, PCR
20	Groundhog Creek	WWH, AWS, IWS, PCR
21	East Branch Shade River	AWS, IWS, PCR
21	Dog Hollow	WWH, AWS, IWS, PCR
22	Horse Cave Creek	WWH, AWS, IWS, PCR



## Proposed Rules – Beneficial Use Designations, Wave 2

Page #*	Water Body Segment	Existing Designations Proposed for Verification **
22	Middle Branch Shade River	AWS, IWS, PCR
22	Long Run	WWH, AWS, IWS, PCR
22	West Branch Shade River	WWH, AWS, IWS, PCR
22	Kingsbury Creek	WWH, AWS, IWS, PCR
22	Forked Run – headwaters to Forked Run Reservoir	AWS, IWS, PCR
<b>Southeast Ohio tributaries drainage basin, OAC 3745-1-16 (2016 Raccoon Creek survey)</b>		
13	Indian Creek	WWH, AWS, IWS, PCR
13	Deer Creek	WWH, AWS, IWS, PCR
14	McConnel Run	AWS, IWS, PCR
15	Williams Run	AWS, IWS, PCR
15	Wolf Run	PCR
16	Sandy Run – headwaters to Lake Hope	WWH, AWS, IWS, PCR
16	Sandy Run – all other segments	WWH, AWS, IWS, PCR
16	Little Sandy Run	WWH, AWS, IWS, PCR
<b>Southeast Ohio tributaries drainage basin, OAC 3745-1-16 (2016 Symmes Creek survey)</b>		
7	Buffalo Creek	WWH, AWS, IWS, PCR
7	Big Creek (Big Branch Creek)	WWH, AWS, IWS, PCR
7	McKinney Creek	WWH, AWS, IWS, PCR
7	Rankin Creek	AWS, IWS, PCR
7	Leatherwood Creek	WWH, AWS, IWS, PCR
7	Venisonham Creek	WWH, AWS, IWS, PCR
7	Sharps Creek	AWS, IWS, PCR
7	Elkins Creek	WWH, AWS, IWS, PCR
8	Aaron Creek	WWH, AWS, IWS, PCR
8	Long Creek	WWH, AWS, IWS, PCR
8	Buckeye Creek	AWS, IWS, PCR
8	Buck Creek	AWS, IWS, PCR
8	Johns Creek	WWH, AWS, IWS, PCR
8	Buckeye Creek	WWH, AWS, IWS, PCR
8	Brushy Buckeye Creek	WWH, AWS, IWS, PCR
8	Slab Fork	AWS, IWS, PCR
8	Pigeon Creek	WWH, AWS, IWS, PCR
8	Miller Creek	AWS, IWS, PCR
9	Indian Creek	WWH, AWS, IWS, PCR
9	Little Buffalo Creek	AWS, IWS, PCR
9	Camp Creek	WWH, AWS, IWS, PCR

## Proposed Rules – Beneficial Use Designations, Wave 2

Page #*	Water Body Segment	Existing Designations Proposed for Verification **
9	Trace Creek	WWH, AWS, IWS, PCR
9	Sand Fork – headwaters to Patriot-Cadmus Road (RM 2.7)	WWH, AWS, IWS, PCR
9	Sand Fork – Patriot-Cadmus Road (RM 2.7) to the mouth	AWS, IWS, PCR
9	Peter Cave Creek	WWH, AWS, IWS, PCR
9	Wolf Creek (Wolf Run)	WWH, AWS, IWS, PCR
9	Black Fork – headwaters to Dirtyface Creek (RM 0.9)	WWH, AWS, IWS, PCR
9	Black Fork – Dirtyface Creek (RM 0.9) to the mouth	AWS, IWS, PCR
9	Dirtyface Creek - headwaters to C-H-D Rd. (RM 4.7)	AWS, IWS, PCR
9	Dirtyface Creek - C-H-D Rd. (RM 4.7) to the mouth	WWH, AWS, IWS, PCR
9	Clear Fork	WWH, AWS, IWS, PCR
9	Dicks Creek	WWH, AWS, IWS, PCR
9	Lefthand Fork (Cambria Creek)	WWH, AWS, IWS, PCR
9	Huntingcamp Creek	WWH, AWS, IWS, PCR
10	Hewett Run	WWH, AWS, IWS, PCR
10	Cherry Fork	WWH, AWS, IWS, PCR
10	Sugar Run	WWH, AWS, IWS, PCR
10	Bent Creek	WWH, AWS, IWS, PCR
10	Bear Creek	WWH, AWS, IWS, PCR
10	Fivemile Creek	AWS, IWS, PCR
10	Slate Run	WWH, AWS, IWS, PCR
10	Wolf Creek	AWS, IWS, PCR
10	Little Indian Guyan Creek	AWS, IWS, PCR
11	Georges Creek	AWS, IWS, PCR
11	Lanes Branch	WWH, AWS, IWS, PCR
11	Rocky Fork	WWH, AWS, IWS, PCR
11	Johns Creek	WWH, AWS, IWS, PCR
11	Drake Fork	WWH, AWS, IWS, PCR
11	Perigen Creek	AWS, IWS, PCR
11	Paddy Creek	WWH, AWS, IWS, PCR
11	Twomile Creek	WWH, AWS, IWS, PCR
11	Federal Creek	WWH, AWS, IWS, PCR
11	Clean Fork	WWH, AWS, IWS, PCR
11	Swan Creek	AWS, IWS, PCR
11	Little Swan Creek	AWS, IWS, PCR
12	Teens Run	AWS, IWS, PCR
17	Chickamauga Creek	WWH, AWS, IWS, PCR
17	Little Chickamauga Creek	WWH, AWS, IWS, PCR

## Proposed Rules – Beneficial Use Designations, Wave 2

Page #*	Water Body Segment	Existing Designations Proposed for Verification **
<b>Southwest Ohio tributaries drainage basin, OAC 3745-1-17 (2016 Turkey, Straight, Eagle survey)</b>		
9	Little Threemile Creek	WWH, AWS, IWS, PCR
9	Isaacs Creek	WWH, AWS, IWS, PCR
10	Island Creek	WWH, AWS, IWS, PCR
10	Donaldson Run	WWH, AWS, IWS, PCR
10	Waggoner Run	EWI, AWS, IWS, PCR
13	Stout Run	AWS, IWS, PCR
13	Russell Fork	WWH, AWS, IWS, PCR
13	Puntenny Run	AWS, IWS, PCR
13	Long Lick Run	AWS, IWS, PCR
13	Sulphur Creek	AWS, IWS, PCR
14	Rock Run	AWS, IWS, PCR
14	Upper Twin Creek	AWS, IWS, PCR
14	East Fork	AWS, IWS, PCR
15	McAtee Run	AWS, IWS, PCR
15	Pond Run	AWS, IWS, PCR
15	Nace Run	AWS, IWS, PCR
15	Turkey Creek – all other segments	WWH
16	Rock Lick	CWH, AWS, IWS, PCR
<b>Great Miami River Drainage Basin, OAC 3745-1-21 (2017 Whitewater River survey)</b>		
2	Dry Fork - Ohio-Indiana state line (RM 20.66) to RM 19.6	EWI, AWS, IWS, PCR
2	Lee Creek	WWH, AWS, IWS, PCR
3	Howard Creek	AWS, IWS, PCR
3	Sater Run	WWH, AWS, IWS, PCR
3	Jamison Creek	WWH, AWS, IWS, PCR
3	Rocky Fork	AWS, IWS, PCR
3	Little Creek	AWS, IWS, PCR
4	Brinley Fork	AWS, IWS, PCR
<b>Great Miami River Drainage Basin, OAC 3745-1-21 (2013 Great Miami River/Whitewater River survey - MBI)</b>		
2	Sand Run	WWH, AWS, IWS, PCR
4	Jordan Creek	WWH, AWS, IWS, PCR
5	Dunlap Run	WWH, AWS, IWS, PCR
5	Banklick Creek	WWH, AWS, IWS, PCR

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## **Proposed Rules – Beneficial Use Designations, Wave 2**

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