



## Ohio Revised Code Section 6111.32 Dredging plan.

Effective: July 3, 2015

Legislation: Senate Bill 1 - 131st General Assembly

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(A) In order to ensure the regular and orderly maintenance of federal navigation channels and ports in this state, the director of environmental protection shall endeavor to work with the United States army corps of engineers on a dredging plan that focuses on long-term planning for the disposition of dredged material consistent with the requirements established in this section.

(B) On and after July 1, 2020, no person shall deposit dredged material in the portion of Lake Erie that is within the jurisdictional boundaries of this state or in the direct tributaries of Lake Erie within this state that resulted from harbor or navigation maintenance activities unless the director has determined that the dredged material is suitable for one of the locations, purposes, or activities specified in division (C) of this section and has issued a section 401 water quality certification authorizing the deposit.

(C) The director may authorize the deposit of dredged material in the portion of Lake Erie that is within the jurisdictional boundaries of this state or in the direct tributaries of Lake Erie within this state that resulted from harbor or navigation maintenance activities for any of the following:

- (1) Confined disposal facilities;
- (2) Beneficial use projects;
- (3) Beach nourishment projects if at least eighty per cent of the dredged material is sand;
- (4) Placement in the littoral drift if at least sixty per cent of the dredged material is sand;
- (5) Habitat restoration projects;
- (6) Projects involving amounts of dredged material that do not exceed ten thousand cubic yards, including material associated with dewatering operations related to dredging operations.



(D) In order to coordinate the activities and responsibilities established under this chapter and Chapter 1506. of the Revised Code, the director shall consult with the director of natural resources when approving the location in which dredged material is proposed to be deposited in the portion of Lake Erie that is within the jurisdictional boundaries of this state or in the direct tributaries of Lake Erie within this state.

(E) The director of environmental protection, in consultation with the director of natural resources, may determine that financial, environmental, regulatory, or other factors exist that result in the inability to comply with this section. After making that determination, the director of environmental protection, through the issuance of a section 401 water quality certification, may allow for open lake placement of dredged material from the Maumee river, Maumee bay federal navigation channel, and Toledo harbor.

(F) The director may adopt rules in accordance with Chapter 119. of the Revised Code that are necessary for the implementation of this section.