



Ohio Administrative Code Rule 164-2-11 Mineral rights, oil, and gas.

Effective: February 15, 2024

For any property for which an application is being submitted to receive funding pursuant to the clean Ohio program, which is subject to an existing mineral, oil, gas, or coal lease (collectively a "mineral lease") at the time of submission of the application to the natural resources assistance council, such mineral lease shall be deemed a pre-existing easement over which the applicant does not have control and shall not automatically disqualify the property from clean Ohio funding. A property that received clean Ohio funding may not later be subjected to a mineral lease by the owner. If the property is made subject to a mineral lease through provisions of law such as forced pooling, over which the property owner has no control, such lease shall be permissible.

Funds received by the landowner from a mineral lease, entered into after the expenditure of clean Ohio funds for the benefit of the property, must be accounted for in their receipt and expenditure. The funds must be expended to benefit properties that have received funding from clean Ohio. The funds may be held for future expenditure to benefit properties that have received funding from clean Ohio. Eligible expenses are for improvement projects that may be placed on property that has benefited from clean Ohio funds or for the expense associated with the management of properties which have benefited from clean Ohio funds. Management expenses may include necessary equipment, supplies, services received from third parties, and salaries of individuals conducting conservation work on properties that have received funding from clean Ohio and other reasonable expenses approved by the director.
