

## **PROGRAM OVERVIEW**

The purpose of the Ohio Coastal Management Program (OCMP) is to integrate management of Ohio's Lake Erie coastal area in order to preserve, protect, develop, restore and enhance its valuable and sometimes vulnerable resources. The OCMP is a cooperative action of the state and its political subdivisions to manage coastal resources, control activities that affect them, and foster their sustainable use for the benefit of all citizens of this state.

This document describes the OCMP for Ohio citizens and for all who benefit from Lake Erie's resources. It sets forth a framework for government action through the establishment of substantive policy statements regarding coastal erosion and flooding, water quality, ecologically sensitive areas, ports and shore area development, recreational and cultural resources, fish and wildlife habitat, environmental quality, energy and mineral resources, and water quantity. The document describes the statutory and regulatory underpinnings of these policies and describes the institutional mechanisms by which improved integrated management will be accomplished.

As a result of passage of the Ohio Coastal Management Law in 1988 and rules and policies since adopted, the state and its political subdivisions possess the authority to adequately manage our coastal resources. However, the 1988 law also recognized that improved coordination through a comprehensive program is necessary. This requires effective networking of state and local agency actions, clear establishment of priority issues and well-focused efforts to meet established goals. While the framework of the OCMP relies upon state and local agencies and their authorities, enhanced coordination and consistency will be achieved through state and federal agency adherence to the policies contained herein. Local governments should be able to rely upon this framework as a guide for planning when coastal waters and resources are affected by land use and development.

As lead agency, the Ohio Department of Natural Resources (ODNR), in a process of strategic planning, has identified six areas of strategic emphasis to guide OCMP initiatives and activities. They are: (1) water resources and watersheds, (2) coastal land use and development, (3) coastal habitat, wetlands and natural areas, (4) coastal flooding and erosion, (5) recreational opportunities, and (6) fisheries and wildlife resources. Public input throughout the process of program development has helped guide the identification and prioritization of the strategies and specific actions that are detailed in a separate OCMP strategic action plan. The department and networked agencies, as described in this document, will focus efforts upon these priority issue areas. Performance of the OCMP will be evaluated based on the outcomes of these actions and whether we are meeting Ohio's long-term goal for coastal management: sustaining a healthy coast.

The proposed OCMP represents the culmination of many years of effort by local, state and federal agencies, with substantial participation of local citizens and interest groups. It marks a significant milestone in the course of Ohio's efforts to develop a coordinated and fully implementable coastal program pursuant to the Federal Coastal Zone Management Act (CZMA) of 1972, as amended. However, the program described in this document is a dynamic process. ODNR will re-assess priorities and goals on an ongoing basis through strategic management, and program enhancements and modifications will be made with continued public participation.

## CHAPTER 1

### INTRODUCTION

In recognition of the intense pressures facing our nation's coastal regions, Congress enacted the Coastal Zone Management Act (CZMA), as amended (16 U.S.C. 1451 et seq.), which was signed into law on October 27, 1972. The Act and subsequent amendments affirm a national commitment to the effective protection and rational development of coastal areas. To effect results, the CZMA authorizes a federal financial assistance program to assist coastal states in the development and implementation of coastal management programs and requires that federal actions be consistent with approved state coastal management programs. Responsibility for the oversight of this program rests with the Office of Ocean and Coastal Resource Management (OCRM), National Oceanic and Atmospheric Administration (NOAA), U. S. Department of Commerce.

Ohio recognizes that the Lake Erie coastal area is one of its most valuable land-water interfaces. It is imperative that this region be properly managed to guarantee the perpetual use and protection of its abundant resources. The Ohio Coastal Management Program (OCMP) is an especially important means of working toward these goals.

The OCMP has been designed to foster the integrated management of the coastal area. It is the framework within which public and private entities will work to preserve, develop and restore the region's unique values. Yet this program does not advocate the abdication of local zoning powers. It does encourage and may assist the establishment of local ordinances or resolutions to manage waterfront uses or to control certain activities in designated flood hazard and coastal erosion areas.

The OCMP is a synthesis of agency responsibilities and regulatory authorities into a comprehensive and functional plan. It establishes a set of coastal management objectives and facilitates intergovernmental cooperation to ensure that these objectives are indeed implemented. Not only does it describe the various policies, standards and criteria that guide land and water uses in the coastal area, but it also cites the statutes and rules under which they will be carried out by different levels of government. Further, the OCMP specifically delineates which coastal activities are subject to management.

#### Benefits of a Federally Approved Coastal Management Program

Two major benefits are expected for Ohio following federal approval of the OCMP. First, federal approval of the OCMP will open the door to available federal funds to enhance coastal management in Ohio. This will yield numerous benefits to Ohio's residents, some of which include the following:

- Assistance for erosion and flood hazard area management;
- Consolidation and streamlining of various governmental coastal permit procedures to facilitate the application process for residential, commercial and industrial developments;
- Enhanced protection of coastal natural areas, wetlands and fish and wildlife habitats;

- Improvement of coastal water and air quality;
- Expansion of coastal recreation access;
- Assistance to local governments to develop and implement comprehensive lakeshore master plans;
- Funding for a local assistance grant program designed to implement, enforce or administer any aspect of the OCMP.

Second, the federal consistency requirement of Section 307 of the CZMA becomes effective upon approval of the state's coastal management program. All federal activities and development projects, permitting and licensing, and financial assistance activities affecting any land or water use of the defined coastal area must be consistent with the approved OCMP, subject to federal regulations in 15 C.F.R. Part 930. Federal consistency is a powerful tool to assure federal consideration of the state's coastal management program, maximum state coordination, and oversight of activities in the coastal area.

## MAJOR COMPONENTS OF THE OCMP

Major components of the OCMP, briefly described here, include a coastal area boundary, organizational network for improved governmental coordination in the coastal area, management techniques and policy statements for nine coastal issue areas, and designation of Special Management Areas (SMAs).

### Coastal Area Boundary

Consistent with the CZMA, the Ohio coastal area is statutorily defined as "the waters of Lake Erie, the islands in the lake, and the lands under and adjacent to the lake, including transitional areas, wetlands and beaches. The coastal area extends in Lake Erie to the international boundary line between the United States and Canada and landward only to the extent necessary to include shorelands, the uses of which have a direct and significant impact on coastal waters as determined by the director of natural resources" (O.R.C. § 1506.01(A)). The OCMP will provide for specific management only of those uses with direct and significant impacts on coastal waters within the parameters of this boundary. Included within the boundary are lands subject to lake flooding and erosion, estuaries and wetlands, coastal recreation areas and areas of lake-related uses. The extent of the proposed coastal management boundary and the process by which boundary maps have been developed are described in Chapter 3.

## Organization and Authorities

The Ohio Department of Natural Resources (ODNR) will improve coordination among existing agencies and levels of government in a networked manner to carry out the coastal management policies.

First, by state law (O.R.C. § 1506.02), ODNR is the designated lead agency for the development and implementation of the Ohio Coastal Management Program. ODNR will: (1) administer the program and monitor its progress, (2) administer the federal consistency requirement, (3) coordinate and facilitate conflict resolution, (4) consider the national interest in project implementation, and (5) foster comprehensive planning.

Second, numerous state and federal agencies have responsibilities that pertain either directly or indirectly to the coastal area. In these cases, ODNR will assure that agency actions are consistent with OCMP policies. This will be accomplished through memoranda of understanding with state agencies, case-by-case reviews and performance reviews, and conducting formal consistency reviews of federal activities, as outlined in Chapters 4 and 7. ODNR will also promote the OCMP, consulting with relevant state agencies on their respective roles within the program's mandates.

Third, area-wide planning agencies will assist in the review of coastal activities and programs to assure sufficient consideration of regional interests.

Finally, local government has or may assume direct implementation responsibility for certain land use planning and regulatory aspects of the OCMP. For example, local governments have responsibility for floodplain administration. Municipalities or counties may assume responsibility for permitting of new permanent structures in coastal erosion areas, as described in Chapter 5.

A detailed description of the organizational framework, authorities and mechanisms for implementing the OCMP is provided in Chapter 4.

## Policy Statements

The OCMP is composed of 41 policy statements within the following nine issue areas:

1. Coastal Erosion and Flooding
2. Water Quality
3. Ecologically Sensitive Areas
4. Ports and Shoreline Development
5. Recreation and Cultural Resources
6. Fish and Wildlife Management
7. Environmental Quality
8. Energy and Mineral Resources
9. Water Quantity

Detailed explanations of these issues and policies are provided in Chapter 5.

### Special Management Areas

Several types of environments in the coastal area are designated as Special Management Areas (SMAs). The rare nature, critical importance or precarious existence of many areas requires that they receive priority attention. The OCMP differentiates between two types of SMA. An Area of Particular Concern (APC) is an area, either generic or site-specific, requiring special management. The OCMP establishes use priorities as a framework for decision making with regard to these areas. Initially, the OCMP has selected only generic management areas as APCs, but site-specific areas could be designated in the future. The Area for Preservation and Restoration (APR) designation is applied to specific areas determined to require attention to preserve or restore the recreational, ecological, historic or aesthetic values of an area. A process for establishing new SMAs is also provided. APC and APR designations are discussed and listed in Chapter 6.