

Sat 9/27/2008 10:50 AM

ODNR Office of Coastal Management  
105 West Shoreline Dr.  
Sandusky, OH 44870

Dear ODNR Office of Coastal Management,

Thank you for the opportunity to comment on the 2008 draft rules for the leasing and permitting of Lake Erie coastal structures.

Please be sure that the regulations properly balance the rights of littoral owners with the State's need to preserve the resource, including both the ecological integrity of the resource and the public's ability to enjoy it.

I support the preservation and enforcement of the State's public trust interest in the waters of Lake Erie and its submerged lands, up to the Ordinary High Water Mark. The State holds this area in trust for all of the people of Ohio. The regulation of structures in the public trust zone is vital to the preservation of the right of the people to navigate and recreate in this area, and to protect ecosystem resources vital to the fish, birds and animals that also depend on Lake Erie.

I object to provisions of the proposed regulations that appear to "grandfather" and therefore exempt areas below the Ordinary High Water Mark that were filled artificially before March 15, 1989. Simply put, artificial fill does not change the public trust boundary or excuse the State of its duty - at least, so long as the fill was not expressly permitted by the State for purposes consistent with the trust.

In conclusion, I generally support the regulations with the above modifications. I applaud the Office of Coastal Management's efforts to preserve and enhance the ecological integrity of the Lake Erie shoreline for the benefit of ALL citizens of Ohio.

Sincerely,  
Gwen Lambert  
5639 Chimney Circle  
Apt. 2D  
Dayton, OH 45440-2981