

# Coastal Guidance

for construction or development along Ohio's Lake Erie shore

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## **Online Resources**

Ohio Coastal Management Program  
[coastal.ohiodnr.gov/ocmp](http://coastal.ohiodnr.gov/ocmp)

Permits and Leases  
[coastal.ohiodnr.gov/permits](http://coastal.ohiodnr.gov/permits)

Lake Erie Shore Erosion Management Plan  
[coastal.ohiodnr.gov/erosion](http://coastal.ohiodnr.gov/erosion)

Ohio Coastal Design Manual  
[coastal.ohiodnr.gov/design](http://coastal.ohiodnr.gov/design)

Ohio Coastal Atlas  
[coastal.ohiodnr.gov/atlas](http://coastal.ohiodnr.gov/atlas)

Interactive Maps  
[coastal.ohiodnr.gov/mapviewers](http://coastal.ohiodnr.gov/mapviewers)

Designated Coastal Management Area  
[coastal.ohiodnr.gov/dcma](http://coastal.ohiodnr.gov/dcma)



Ohio Department of  
**NATURAL  
RESOURCES**

### **OFFICE OF COASTAL MANAGEMENT**

105 West Shoreline Drive  
Sandusky, Ohio 44870  
419.626.7980  
1.888.644.6267 toll free  
[coastal.ohiodnr.gov](http://coastal.ohiodnr.gov)  
[coastal@dnr.state.oh.us](mailto:coastal@dnr.state.oh.us)



# Coastal Regulations



Lakefront property owners may be interested in improving their property through construction or development along the shore of Lake Erie. However, such construction and development activities can impact fishing, swimming, boating, beaches, property values, habitat and other aspects of Lake Erie that make the coast a prized natural resource. For this reason, various federal, state and local regulations require property owners to obtain authorization before construction activities take place along the Lake Erie shore. This guidance sheet summarizes the most common coastal regulations and how they apply to construction activities and lakefront property.

## ***Federal Regulations***

Under Section 404 of the Clean Water Act [[water.epa.gov/lawsregs/guidance/wetlands/sec404.cfm](http://water.epa.gov/lawsregs/guidance/wetlands/sec404.cfm)] and Section 10 of the Rivers and Harbors Act of 1899 [[water.epa.gov/lawsregs/guidance/wetlands/sect10.cfm](http://water.epa.gov/lawsregs/guidance/wetlands/sect10.cfm)], a permit from the U.S. Army Corps of Engineers may be required for the construction, excavation, or deposition of materials in, over or under navigable waters of the United States, and for the discharge of dredged or fill material into the waters of the United States, including certain wetlands. Information about USACE permits can be found online at [[www.usace.army.mil/Missions/Civil-Works/Regulatory-Program-and-Permits](http://www.usace.army.mil/Missions/Civil-Works/Regulatory-Program-and-Permits)] or by contacting a Corps office:

### **Buffalo District Office**

1776 Niagara Street  
 Buffalo, NY 14207  
 716-879-4330  
[www.lrb.usace.army.mil](http://www.lrb.usace.army.mil)

### **Orwell Field Office**

33 Grand Valley Avenue  
 Orwell, OH 44076  
 440-437-5847

### **Regulatory Field Office Unit D**

240 Lake Street  
 Oak Harbor, OH 43449  
 419-898-3491

## ***State of Ohio Regulations - Ohio EPA***

Under Section 401 of the federal Clean Water Act (33 U.S.C. Section 1341), a Water Quality Certification may be required from the Ohio Environmental Protection Agency (OEPA). A Water Quality Certification is required to obtain a federal Clean Water Act Section 404 Permit from the U.S. Army Corps of Engineers, or any other federal permits or licenses for projects that will result in a discharge of dredged or fill materials into any waters of the State. Application requirements and an application form for a 401 Water Quality Certification are found on the Ohio EPA Division of Surface Water website or by contacting them at:

### **Ohio Environmental Protection Agency Division of Surface Water - 401/Wetlands Unit**

P.O. Box 1049  
 Columbus, OH 43216-1049  
 614-644-2001

### **401 Application Requirements and Form**

[epa.ohio.gov/dsw/401/permitting.aspx](http://epa.ohio.gov/dsw/401/permitting.aspx)  
 then select "Water Quality Certifications"

## ***State of Ohio Regulations - Ohio DNR***

A **Shore Structure Permit** (Ohio Revised Code §1506.40) may be required from the Ohio Department of Natural Resources (ODNR). A Shore Structure Permit is required to construct a beach, groin, revetment, seawall, pier, breakwater, jetty or other structure to arrest or control erosion, wave action, or inundation along or near Ohio's Lake Erie shoreline (including the islands, bays and inlets) or to construct a shore structure that will have an effect on the littoral system. For more information or an application go to [coastal.ohiodnr.gov/permits#SHO](http://coastal.ohiodnr.gov/permits#SHO) or contact:

### **Ohio Department of Natural Resources**

#### **Office of Coastal Management**

105 West Shoreline Drive  
 Sandusky, OH 44870  
 419-626-7980 | 1-888-644-6267 (toll free) | [coastal@dnr.state.oh.us](mailto:coastal@dnr.state.oh.us)

**State of Ohio Regulations - Ohio DNR** (continued)

A **Coastal Erosion Area (CEA) Permit** (ORC §1506.07) may be required from the ODNR Director. A CEA permit is required to erect, construct or redevelop a permanent structure if the structure, or portion thereof, is located within Ohio’s Lake Erie Coastal Erosion Area. A permanent structure is defined as a residential, commercial, industrial, institutional or agricultural building, or a septic system, or an addition greater than 500 square-feet at ground level to an existing permanent structure. For more information or an application contact the Office of Coastal Management (address listed on the reverse side) or go to: [coastal.ohiodnr.gov/permits#CEA](http://coastal.ohiodnr.gov/permits#CEA)

A **Submerged Lands Lease** (ORC §1506.10 and §1506.11) must be entered into with the state of Ohio to place private improvements on Lake Erie submerged lands. A Submerged Lands Lease is required for an improvement, or portion thereof, that occupies land lakeward of the water’s edge prior to placement of any fill including structures. Areas landward of the water’s edge which are included in a valid deed may be excluded from the leased area. To enter into a Submerged Lands Lease, the local authority must first pass a resolution declaring that the submerged lands specified in the application are not needed for any public improvements and that their use complies with local waterfront plans. For more information or an application contact the Office of Coastal Management (address listed on the reverse side) or go to: [coastal.ohiodnr.gov/permits#SUB](http://coastal.ohiodnr.gov/permits#SUB)

**Local Regulations**

**Floodplain regulations** may be included in local zoning or building codes, in subdivision regulations, or as special purpose regulations. Before developing in a flood hazard area, contact your local Designated Floodplain Administrator. ODNR may provide assistance in locating or contacting your Designated Floodplain Administrator. More information can be found online at [water.ohiodnr.gov](http://water.ohiodnr.gov) then select Water Use & Planning, then Floodplain Management) or by contacting the ODNR Floodplain Management Program at 614-265-6750.

**County or municipal ordinances** may require that a building permit be obtained or may place limitations on construction activities. The local building authorities should be consulted before beginning any construction.

If you are planning a construction or development project for your lakefront property, contacting each of the previously listed authorities ahead of time may facilitate the permitting process. If you have already begun construction, please cease all work and contact each of the previously listed authorities to receive further instructions.

The worksheet below may serve as a guide for contacting these authorities and scheduling construction. Use it to ensure that you have contacted all of the necessary authorities and obtained their approval. Likewise, if you have an agent or a consultant obtain the permits for you, be sure he or she keeps you informed of each application’s status. Keep in mind that you, the property owner, are ultimately responsible for obtaining these authorizations.

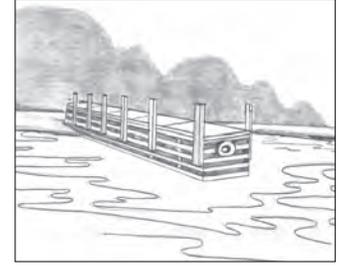
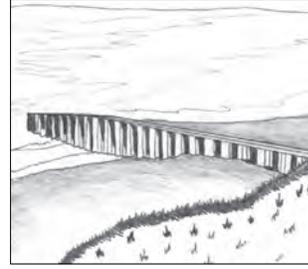
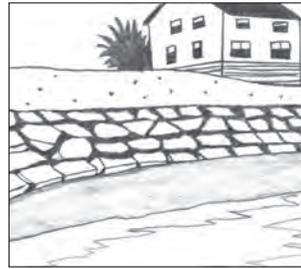
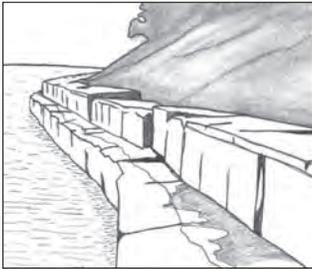
**PERMITS AND AUTHORIZATIONS WORKSHEET**

	date contacted	authorization required?	date I mailed the application	date I received approval	authorization number
1. Army Corps 404 Permit	_____	<input type="radio"/> yes <input type="radio"/> no	_____	_____	_____
2. OEPA Water Quality Cert.	_____	<input type="radio"/> yes <input type="radio"/> no	_____	_____	_____
3. ODNR Shore Structure Permit	_____	<input type="radio"/> yes <input type="radio"/> no	_____	_____	_____
4. ODNR CEA Permit	_____	<input type="radio"/> yes <input type="radio"/> no	_____	_____	_____
5. ODNR Submerged Lands Lease	_____	<input type="radio"/> yes <input type="radio"/> no	_____	_____	_____
Local Resolution	_____	(if lease is required)	_____	_____	_____
6. Floodplain Administrator	_____	<input type="radio"/> yes <input type="radio"/> no	_____	_____	_____
7. Local Building Department	_____	<input type="radio"/> yes <input type="radio"/> no	_____	_____	_____

# Shore Structure Permits



In 1955, the State of Ohio began requiring permits for the construction of shore erosion, wave, and flood control structures as an early effort to protect and manage Ohio's Lake Erie shore. Permits were initially issued by the Ohio Department of Natural Resources (ODNR) through its Division of Shore Erosion, then after 1961 through its Chief Engineer and then through the Division of Water. Since July 1, 2007, Shore Structure Permits have been issued by the ODNR Director after review by the Office of Coastal Management.



## ***What requires a Shore Structure Permit?***

A Shore Structure Permit must be obtained before constructing an erosion, wave or flood control structure along Ohio's Lake Erie shore. Shore structures commonly include nourished beaches, seawalls, stone revetments, bulkheads, breakwaters, groins, docks, piers and jetties. Descriptions and pictures are found online at [coastal.ohiodnr.gov/shorestructures](http://coastal.ohiodnr.gov/shorestructures)

## ***Is a Permit needed to repair or rehabilitate an existing shore structure?***

A Shore Structure Permit may be required to do repair or rehabilitation work depending on the type of work being performed, when the structure was originally constructed, and any approvals that were originally obtained.

Please contact the ODNR Office of Coastal Management at 419-626-7980 prior to beginning any repair work.

## ***Is there a fee to apply for a Permit?***

There is no fee to apply for a Shore Structure Permit, but the services an Ohio registered professional engineer will need to be retained.

## ***How is a Shore Structure Permit application obtained?***

The application form and detailed instructions are provided in the ODNR Coastal Permits and Lease Booklet which can be obtained from the ODNR Office of Coastal Management at 105 Shoreline Drive, Sandusky, Ohio, 44870 or by calling 419-626-7980 or online at [coastal.ohiodnr.gov/permits](http://coastal.ohiodnr.gov/permits).

A Shore Structure Permit application should be submitted to ODNR at least three months prior to the planned start of construction. Be sure to submit a complete application, including drawings and specifications prepared by an Ohio registered professional engineer and a copy of all design calculations, analyses or supporting documentation used by the professional engineer.

### *contact us*

Office of Coastal Management  
105 West Shoreline Drive  
Sandusky, Ohio 44870  
419.626.7980  
1.888.644.6267 toll free  
[coastal.ohiodnr.gov](http://coastal.ohiodnr.gov)  
[coastal@dnr.state.oh.us](mailto:coastal@dnr.state.oh.us)

### **What does ODNR look at in the application?**

- Is the proposed shore structure of sound coastal engineering design? The structure's function and integrity, as well as the stability of the bank or bluff, must be addressed to maximize the shore structure's effectiveness.
- What is the proposed shore structure's impact to the shore as a natural resource? Most notably, the impacts to the nearshore wave climate, littoral transport, sand resources, and public safety are assessed. Potential and cumulative impacts are also considered. An acceptable shore structure will have a minimal (or thoroughly justified) impact on adjacent properties, the shoreline and Lake Erie.
- Does the proposed shore structure comply with all applicable ODNR regulations? These regulations frequently include Submerged Lands Leases (ORC §1506.11) and Coastal Erosion Area Permits (ORC §1506.07). A Shore Structure Permit will not be issued until all other applicable ODNR-authorizations have been obtained.

ODNR's review of the application, which usually includes a site visit, may generate comments that are sent to the applicant. These comments may simply suggest ways to improve the effectiveness of the structure or may outline specific concerns that the applicant must address before a permit will be granted. The applicant may need to provide additional design information or modify the proposed design to address these comments.

### **When is a Shore Structure Permit issued?**

If 1) the application is complete, 2) ODNR's review does not generate any concerns, and 3) all applicable state regulations (including Submerged Lands Leasing) are complied with, a Shore Structure Permit can be issued within 120 days.

Delays beyond ODNR's control occur if the application received by ODNR is not complete and/or if the submittal does not comply with applicable regulations.

### **Can ODNR rush a Permit?**

ODNR strives to issue every permit in a timely manner, but an "emergency" or expedited procedure for issuing a permit does not exist. To facilitate the permitting process, contact ODNR as early in the planning process as possible.

### **How long is a Shore Structure Permit valid?**

A Shore Structure Permit is generally valid for two years after the date it is issued. All construction activities must be completed within those two years and according to any conditions listed in the permit. A time extension may be granted if a written request is received before the permit expires. After the permit is issued, another site inspection may be conducted to ensure the structure is constructed in accordance with the permit.

### **What if a shore structure is not "in" the water?**

A Shore Structure Permit may be required for structures built in or partially in the water, completely out of the water, or above the Ordinary High Water Mark. Furthermore, a Shore Structure Permit is required for structures built along the shore of the islands, bays and inlets, including Sandusky Bay and Maumee Bay.

In other words, a Shore Structure Permit may be needed for structures that do not require a U. S. Army Corps of Engineers' permit or a Lake Erie Submerged Land Lease.

### **Is a Professional Engineer necessary?**

Yes. Passage of Amended Substitute Senate Bill 182 in 1994 changed the Shore Structure Permit statute such that all plans and specifications, submitted as part of the application for a Shore Structure Permit, must be prepared by an Ohio registered professional engineer.

Understand that a professional engineer is not just providing professional drawing services, but is designing and professionally certifying the structure.

# Submerged Lands Leases



Submerged Lands Leases are a mechanism by which Ohio authorizes the development or improvement of Lake Erie. Leasing submerged lands enables the state to manage Lake Erie, accommodate various private and public uses, and help protect the rights of littoral property owners.

The territory of Lake Erie includes Lake Erie's water, the lands beneath the water, and the resources living in the water, and is held in trust by the state of Ohio for the benefit of all citizens. The state, acting as a trustee for all Ohioans, allows public land and natural resources to be used for recreation, public infrastructure, private enterprise, and in the case of Lake Erie, protection of littoral property from flooding and erosion.

### ***What is a Submerged Lands Lease?***

A Submerged Lands Lease is a contract between a shoreline property owner and the State of Ohio. The lease grants a private or public entity the special use of a portion of Public Trust (i.e. Lake Erie submerged lands). The public is compensated by a rental fee. The lease states the responsibilities of the lessor (the State of Ohio) and the lessee (the applicant). It defines the leased lands' boundary, the authorized use(s), sets the rental rate, and establishes the term of occupancy. Leases are prepared by the Ohio Department of Natural Resources (ODNR) and executed by the Governor as proprietor in trust for the citizens of Ohio.

### ***How long have Submerged Lands Leases existed?***

Submerged Lands Leases have been administered in Ohio since 1917. Originally, most leases were administered by municipalities along Ohio's 312-mile coast. In 1955, the Ohio Department of Public Works assumed responsibility for administering all Submerged Lands Leases in the state. The authority was transferred to the Ohio Department of Administrative Services in 1982. On March 15, 1989, the Ohio Department of Natural Resources was tasked with the responsibility for administering Submerged Lands Leases.

### **History of Submerged Land Leases**

**1917** – Administration of leases begins; they are issued by coastal municipal governments.

**1955 to 1982** – Leases administered by the Ohio Department of Public Works

**1982 to March 14, 1989** – Leases administered by the Ohio Department of Administrative Services

**March 15, 1989 to present** – Leases administered by the Ohio Department of Natural Resources; the Office of Coastal Management is tasked with this responsibility after its creation in 2002.

### ***What projects require a Submerged Lands Lease?***

A Submerged Lands Lease may be required for the area occupied by wharfs, docks, marinas, piers, boat ramps, seawalls, breakwaters, stone revetments, groins, jetties, water intakes, utility lines and any other structures or artificially placed fill that extends past the natural shoreline. Sandusky Bay and Maumee Bay are considered part of Lake Erie. The rivers and streams that empty into Lake Erie are not.

### ***Do existing structures require a Submerged Lands Lease?***

Existing structures or fills that are not currently leased may potentially be able to obtain a Submerged Lands Lease. In some circumstances, modifications to the existing structure or fill may be required to comply with applicable laws and policies. ODNR will assist you with determining what structures could be leased and what, if any, modifications may be necessary.

### ***How is a Submerged Lands Lease application obtained?***

A Submerged Lands Lease application form and detailed instructions can be found in the ODNR Coastal Permits and Lease Booklet, which can be downloaded online or obtained from the ODNR Office of Coastal Management by calling 419-626-7980. Please note that a resolution from the local legislative authority (e.g. port authority, municipality

or county) that has jurisdiction at the location of the proposed lease area must accompany a Submerged Lands Lease application. Contact information for these local authorities and guidance on obtaining a resolution can be found in the permit application booklet, on the Local Resolution or Ordinance Web page and by contacting the Office of Coastal Management.

***What happens after an application is submitted?***

ODNR reviews the application submittals to determine if it is complete and if the project complies with Ohio law, including Ohio's coastal management policies. If the application does not contain all of the documents and information listed in the ODNR Coastal Permits and Lease Booklet, ODNR will request that the information needed to complete the application be provided. If the missing information is not received in a reasonable time, the application can be returned as incomplete.

ODNR's review of the application usually includes a site visit, and comments may be generated. These comments are sent to the applicant and may note any specific concerns that need to be addressed. The applicant may need to modify the proposed project to address any conflicts with applicable laws and policies.

After ODNR determines that the project is acceptable, a draft lease is sent to the applicant. The draft lease must be signed by the applicant and returned to ODNR along with the first lease payment. ODNR then forwards the draft lease to the Governor for signature. The executed lease is then sent to the applicant. The executed lease represents a binding property transaction and should be recorded by the applicant at their county recorder's office.

***How long is a Submerged Lands Lease valid?***

Submerged Lands Leases are typically valid for a 50 year period and can be renewable for an additional 50 years.

***Is there an application fee?***

There is no fee to apply for a Submerged Lands Lease. However, the services of an Ohio Registered Professional Surveyor are usually needed to establish the lease boundary. The Ohio Coastal Design Manual provides direction for surveyors. It can be downloaded online.

***What are the rental rates?***

The annual rental rate is usually based on the square footage of area occupied by the structure within Lake Erie and the proposed use of the structure. Rental rates range from 1 to 4 cents per square foot. A flat annual fee for processing the payment may be charged in addition to the rental rate depending on the type of use. (See ORC §1501-6-06).

***Web pages mentioned in this fact sheet:***

- Coastal Permits and Lease Booklet and Guidance [coastal.ohiodnr.gov/permits](http://coastal.ohiodnr.gov/permits)
- Ohio Coastal Design Manual [coastal.ohiodnr.gov/design](http://coastal.ohiodnr.gov/design)
- Ohio Revised Code §1506 [codes.ohio.gov/orc/1506](http://codes.ohio.gov/orc/1506)
- Ohio Administrative Code § 1501-6 [codes.ohio.gov/oac/1501-6](http://codes.ohio.gov/oac/1501-6)

*contact us*

Office of Coastal Management  
105 West Shoreline Drive  
Sandusky, Ohio 44870  
419.626.7980  
1.888.644.6267 toll free  
[coastal.ohiodnr.gov](http://coastal.ohiodnr.gov)  
[coastal@dnr.state.oh.us](mailto:coastal@dnr.state.oh.us)

# Local Resolution or Ordinance



To obtain a resolution or ordinance from your local authority as required with a Submerged Lands Lease application, contact the appropriate port authority, municipal or county office for the project's location. Follow the instructions provided in the ODNR Coastal Permits and Lease Booklet and on this sheet when making a request.

**ASHTABULA COUNTY**

City of Ashtabula  
 Ashtabula Port Authority  
 4717 Main Ave.  
 Ashtabula, OH 44004  
 (440) 964-7047

City of Conneaut  
 Conneaut Port Authority  
 P.O. Box 218  
 Conneaut, OH 44030  
 (440) 599-7212

Geneva-on-the-Lake Village  
 Mayor  
 Village Hall  
 4964 South Spencer Drive  
 Geneva-on-the-Lake, OH  
 44041  
 (440) 466-8197

North Kingsville Village  
 3541 E. Center Street  
 P.O. Box 253  
 North Kingsville, OH 44068  
 (440) 224-0091

*If you are not located within  
 any of these authorities'  
 boundaries, contact:*

Ashtabula County Port  
 Authority  
 Executive Director  
 35 West Jefferson Street  
 Jefferson, OH 44047  
 (440) 576-6069

**CUYAHOGA COUNTY**

City of Bay Village  
 Clerk of Council  
 Bay Village City Hall  
 350 Dover Center Rd.  
 Bay Village, OH 44140  
 (440) 899-3406

Village of Bratenahl  
 Mayor  
 Village Hall  
 411 Bratenahl Road  
 Bratenahl, OH 44108  
 (216) 681-4266

City of Cleveland  
 Maritime Director  
 Cleveland /Cuyahoga  
 County Port Authority  
 1100 West 9th Street  
 Suite 300  
 Cleveland, OH 44113  
 (216) 241-8004

City of Euclid  
 Director of Public Services  
 Euclid City Hall  
 585 East 222nd Street  
 Euclid, OH 44123  
 (216) 289-2701

City of Lakewood  
 Law Department  
 City of Lakewood  
 12650 Detroit Ave.  
 Lakewood, OH 44107  
 (216) 529-6030

City of Rocky River  
 Building Department  
 21012 Hillard Blvd.  
 Rocky River, OH 44116  
 (440) 331-0600

**ERIE COUNTY**

Bay View Village  
 Clerk/Treasurer  
 304 E. Bay View Dr.  
 Bay View/Sandusky, OH  
 44870  
 (419) 684-5315

Huron-Joint Port Authority  
 Secretary, City Hall  
 P.O. Box 468  
 Huron, OH 44839  
 (419) 433-5000

Kelleys Island Village  
 Mayor  
 P.O. Box 468  
 Kelleys Island, OH 43438  
 (419) 746-2535

City of Sandusky  
 City Manager  
 222 Meigs St.  
 Sandusky, OH 44870  
 (419) 627-5844

City of Vermilion  
 Vermilion Port Authority  
 Port Operations Manager  
 777 West River  
 Vermilion, Ohio 44089  
 (440) 967-7087

*If you are not located within  
 any of these authorities'  
 boundaries, contact:*

Erie County Commissioners  
 Clerk of Board  
 2900 Columbus Ave.  
 Sandusky, Ohio 44870  
 (419) 627-7672

**LAKE COUNTY**

Eastlake Port Authority  
 Eastlake City Hall  
 Attn: Port Authority  
 35150 Lakeshore Blvd.  
 Eastlake, OH 44095  
 (440) 951-1416

Fairport Harbor Port  
 Authority  
 678 Second Street, #4  
 Fairport Harbor, OH  
 44077  
 (440) 352-3620

Village of Lakeline  
 33801 Lakeshore Blvd  
 Lakeline, OH 44095

*(continued on back)*

**WHEN  
 REQUESTING A  
 RESOLUTION:**

1. Include the tax map parcel ID, street address, and a location map for the parcel upland of the project.
2. Include a copy of the construction drawings.
3. Provide instructions on where to send the resolution.
4. Allow sufficient time in your planning for the local office to process your request.

*(continued from front)***LAKE COUNTY**

Greater Mentor Port  
Authority  
City of Mentor  
8500 Civic Center Blvd.  
Mentor, OH 44060  
(440) 974-5754

City of Mentor-on-the-Lake  
Administrative Director  
5860 Andrews Rd.  
Mentor-on-the-Lake, OH  
44060  
(440) 257-7216

Village of North Perry  
4449 Lockwood Rd.  
Perry, OH 44081  
(440) 259-4994

Village of Timberlake  
11 Eastshore Blvd.  
Timberlake, OH 44095  
(440) 942-6460

City of Willoughby  
Clerk of Council  
Willoughby City Hall  
1 Public Square  
Willoughby, OH 44094  
(440) 953-4121

City of Willowick  
30435 Lakeshore Blvd.  
Willowick, OH 44095  
(440) 585-3700

*If you are not located within  
any of these authorities'  
boundaries, contact:*

Lake County Board of  
Commissioners  
105 Main St.  
Painesville, OH 44077  
(440) 350-2745

**LORAIN COUNTY**

City of Avon Lake  
City Engineer  
City of Avon Lake  
150 Avon Belden Rd.  
Avon Lake, OH 44012  
(440) 930-4105

City of Lorain  
Director  
Lorain Port Authority  
611 Broadway  
Lorain, OH 44052  
(440) 204 2269

City of Sheffield Lake  
609 Harris Rd.  
Sheffield Lake, OH 44054  
(440) 949-6325

City of Vermilion  
Vermilion Port Authority  
Port Operations Manager  
777 West River  
Vermilion, Ohio 44089  
(440) 967-7087

*If you are not located within  
any of these authorities'  
boundaries, contact*

Lorain County  
Commissioners  
226 Middle Ave.  
Elyria, OH 44035  
(440) 329-5000

**LUCAS COUNTY**

Toledo/Lucas County Port  
Authority  
1 Maritime Plaza, 7th Floor  
Toledo, OH 43604  
(419) 243-8251

**OTTAWA COUNTY**

Village of Marblehead  
513 W. Main St.  
Marblehead, OH 43440  
(419) 798-4074

City of Port Clinton  
1868 E. Perry St.  
Port Clinton, OH 43452  
(419) 734-5522

Put-In-Bay & Township  
Put-In-Bay Township Port  
Authority  
P.O. Box 278  
Put-in-Bay, OH 43456  
(419) 285-3371

*If you are not located within  
any of these authorities'  
boundaries, contact:*

Ottawa County  
Commissioners  
Planning Director  
Room 107  
315 Madison St.  
Port Clinton, OH 43452  
(419) 734-6780

**SANDUSKY COUNTY**

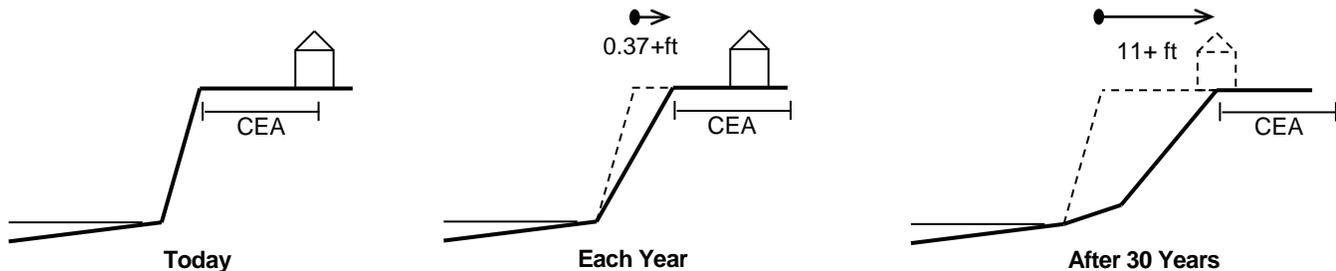
Sandusky County  
Commissioners  
Courthouse  
622 Croghan St.  
Fremont, OH 43420  
(419) 334-6107

*contact us***Office of Coastal  
Management**

105 West Shoreline Drive  
Sandusky, Ohio 44870  
419.626.7980  
1.888.644.6267 toll free  
coastal.ohiodnr.gov  
coastal@dnr.state.oh.us

# Coastal Erosion Area Permits

A Coastal Erosion Area (CEA) is a designated land area along the Lake Erie shore that is anticipated to be lost due to Lake Erie-related erosion if preventative measures are not taken. More specifically, a 2010 designated CEA begins at the top of a bluff, bank or beach ridge, and includes all land predicted to erode within a 30-year period if that distance totals 11 or more feet.



*CEAs are not fixed in position. They are a constant distance that is measured from the bluff, bank or beach ridge at its current position. Approximately one-third of the Ohio shore is designated as a CEA.*

## **How were Coastal Erosion Areas Determined?**

The Ohio Department of Natural Resources (ODNR) Division of Geological Survey used scientific records and data to analyze recession of the Lake Erie shore and forecast erosion rates. This process is based on Administrative Rules that were adopted in 1996. Geologists, engineers, local officials and lakeshore property owners assisted with and provided input on development of these rules. The ODNR is mandated to review and, if necessary, update the CEA once every 10 years. The initial CEA Maps were finalized in 1998. In January of 2010, the ODNR began the public process to update the CEA maps as prescribed in Ohio Revised Code §1506.06. The 2010 CEA designations were finalized in December 2010.

## **What is the Objective of having Coastal Erosion Areas?**

The objective of the CEA program is to promote wise land use. A Permit must be obtained to construct a new building or septic system or to construct an addition of 500 square feet or larger to an existing building within a CEA. The CEA Permit requires that measures be taken to effectively protect the building or septic system from shore erosion and bluff instability. As a result, the risk of damage to or loss of property, possessions, infrastructure and life due to coastal erosion will be greatly reduced.

## **What requires a Coastal Erosion Area Permit?**

In accordance with Ohio Revised Code §1506.07, a CEA Permit is required prior to construction of a new building (i.e. residential, commercial, industrial, institutional or agricultural) or septic system within a CEA. Furthermore, an addition of 500 square feet or larger, as measured at ground level, to an existing building also requires a permit. The only exceptions to these requirements are if the property is not immediately adjacent to Lake Erie or if the building is a stand alone structure not designed for human occupation, such as a garage or shed. ODNR can assist you with determining if your project requires a CEA Permit.

## **How Do I Obtain a Coastal Erosion Area Permit?**

A CEA Permit application is in the ODNR Coastal Permits and Lease Booklet, which can be obtained from the ODNR Office of Coastal Management and is online at [coastal.ohiodnr.gov/permits#CEA](http://coastal.ohiodnr.gov/permits#CEA). The CEA Permit application must demonstrate that measures to control erosion and bluff instability will be constructed prior to or concurrent with the construction of the building, septic system or addition, and will meet certain criteria. These criteria generally require the erosion control measure to function effectively for an equivalent period of 30 years.

**Frequently Asked Questions**

**How can I find out if a CEA is on my property?**

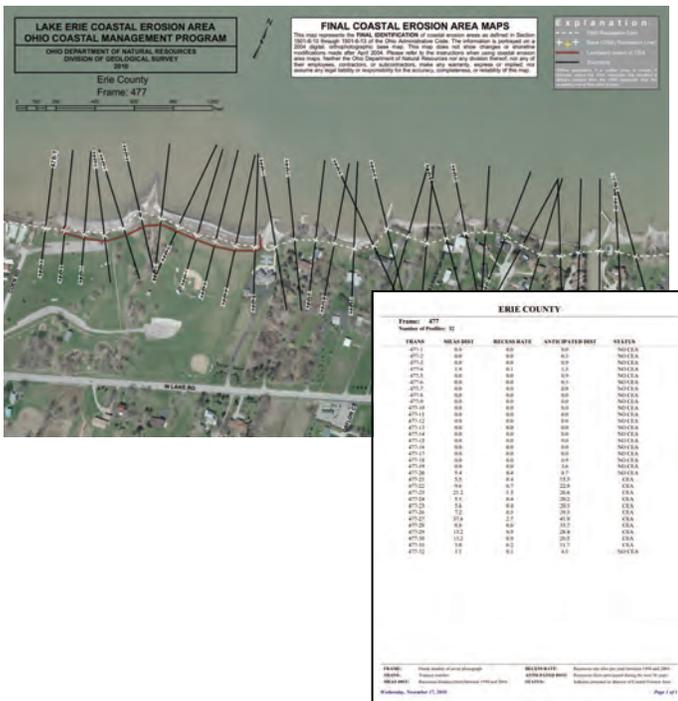
The CEAs are depicted on aerial photographs of the shore, and the CEA distances are assembled in tables. You will need to reference these maps and tables to determine if you are building within a CEA.

ODNR has distributed a copy of the maps and tables to certain municipal, township and county offices. These local offices provide a location for public inspection of the maps during normal business hours. ODNR has also provided a written guide at these locations to help you understand the maps and tables.

You may also call the ODNR or visit our website to find the closest local office to you or to obtain a map of a specific area.

**How do I locate the CEA on my property?**

Instructions on how to use the CEA maps and tables are provided wherever the maps are available for viewing. You may also call the ODNR Office of Coastal Management for assistance or to schedule on-site assistance.



**If a CEA crosses only a portion of my property is all of my property included within a CEA?**

No. Only that portion of your property which is lakeward of the CEA line is within a CEA.

**What if I already have an erosion control measure on my property?**

If you decide to build a new permanent structure in the CEA, you will need to apply for a permit and submit the design specifications of the existing erosion control measure to ODNR. ODNR will assess the existing erosion control measure based on the same performance standards as a proposed erosion control measure.

**What must I do if I want to sell my property?**

If you want to sell any property, part or all of which is located within a designated CEA, you must disclose that information to potential buyers on the Seller Disclosure form that is required with all residential real property transactions in Ohio. This applies to all CEA-designated properties – both those located adjacent to the lake and those not adjacent to the lake.

**When will I get my Coastal Erosion Area Permit?**

After you submit a completed CEA Permit application, the ODNR must make a decision on your application within 30 days. However, you may also be required to obtain other local, state and federal approvals.

To help ensure that you submit a complete application and have obtained all of the necessary approvals, contact ODNR as early as possible. ODNR also recommends that applications be filed well in advance of the anticipated construction start date.

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 105 West Shoreline Drive  
 Sandusky, Ohio 44870  
 419.626.7980  
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 coastal@dnr.state.oh.us

# Federal Consistency



**WHAT:** The Coastal Zone Management Act (CZMA) Federal Consistency provision requires that federal actions, having reasonably foreseeable effects on any land or water use or natural resource of Ohio's designated coastal management area, must be consistent with the enforceable policies of the Ohio Coastal Management Program. "Federal actions" include federal agency activities, federal license or permit activities, and federal financial assistance to state and local governments. Federal Consistency may apply to federal actions regardless of the project's location.

Since the adoption of the Ohio Coastal Management Program in 1997, proposed projects have been reviewed by the Ohio Department of Natural Resources (ODNR) to determine whether they will be implemented in a manner that is consistent with the Ohio Coastal Management Program's enforceable policies. These policies contain provisions that are legally binding under state law and are federally approved as part of the Ohio Coastal Management Program by the National Oceanic and Atmospheric Administration (NOAA).

**HOW:** Applicants for federal licenses or permits must submit a signed Coastal Consistency Certification Statement [[coastal.ohiodnr.gov/permits#FCC](http://coastal.ohiodnr.gov/permits#FCC)] and provide all "necessary data and information" so that ODNR may conduct its review. ODNR staff may consult with other state agencies networked in the Ohio Coastal Management Program, federal agencies, and others before making a final Consistency Decision for the proposed activity. Applicants can help expedite the review process by submitting complete applications for state agency permits, licenses, leases or other approvals required for the project as early as practicable in the project planning process. State authorizations that may be required for activities in Ohio's designated coastal management area include, but are not limited to: Submerged Lands Leases, Shore Structure Permits, and Coastal Erosion Area Permits, all from ODNR; and §401 Water Quality Certifications from the Ohio Environmental Protection Agency.

After the Federal Consistency review has been completed, ODNR will either issue a Concurrence, Conditional Concurrence, or Objection to the

Consistency Certification. If ODNR issues a Concurrence to the Consistency Certification, then the federal agency may authorize the federal permit or license activity. If ODNR issues a Conditional Concurrence, the federal agency may authorize the federal permit or license activity if the applicant amends its federal application to include the conditions. If ODNR issues an Objection, then the federal agency cannot authorize the federal permit or license activity. In its Objection, ODNR may describe alternatives that, if adopted by the applicant, would make the proposed activity consistent with the policies of the Ohio Coastal Management Program. An applicant may appeal ODNR's Objection to the U.S. Secretary of Commerce. Regardless of ODNR's decision, the federal agency may, at any time, deny the applicant's request under its own authority.

**WHY:** Federal Consistency provides Ohio with substantial oversight and input into federal actions affecting the state's coastal management area and is an important mandatory, but flexible, mechanism to foster consultation, cooperation and coordination between applicants, state agencies and federal agencies. Federal Consistency is more than just a procedural dictate; it helps ensure the balanced use and protection of coastal resources through the Ohio Coastal Management Program policies.

This factsheet includes information from [coast.noaa.gov/czm/consistency](http://coast.noaa.gov/czm/consistency), NOAA's Federal Consistency website. Complete Federal Consistency procedures are contained in Title 15 Part 930 of the Code of Federal Regulations.

*For more information contact:*

Office of Coastal Management  
 attn: Federal Consistency Coordinator  
 105 West Shoreline Drive  
 Sandusky, Ohio 44870  
 419.626.7980  
 1.888.644.6267 toll free  
[coastal.ohiodnr.gov](http://coastal.ohiodnr.gov)  
[coastal@dnr.state.oh.us](mailto:coastal@dnr.state.oh.us)



# Engineering Contacts

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The Ohio Department of Natural Resources does not promote or endorse any of the following businesses, but lists them as a service to littoral property owners. This is not a complete list. Other registered professional engineers may not be listed on this sheet. Please contact the Ohio Department of Natural Resources if you would like your business listed. The list is current as of the revision date (02/2017).

Aztech Engineering & Surveying  
 Co., Inc.,  
 38879 Mentor Ave. Suite A  
 Willoughby, Ohio 44094  
 440.602.9071

John A. Burkin, Ltd.  
 143 E. Water Street  
 Sandusky, Ohio 44870  
 419.621.1124

Lewandowski Engineers, LLC  
 Civil Engineers & Surveyors  
 234 N. Erie Street  
 Toledo, Ohio 43624  
 419.255.4111

BEC Associates  
 6622 West Harbor Road  
 Port Clinton, Ohio 43452  
 419.898.9200

John Hancock & Associates, Inc.  
 326 East Market Street  
 Sandusky, Ohio 44870  
 419.625.7838

McSteen & Associates, Inc.  
 1415 E. 286th Street  
 Wickliffe, Ohio 44092  
 440.585.9800

Bowser-Morner Associates, Inc.  
 1419 Miami Street  
 Toledo, Ohio 43697  
 419.691.4800

KCI Associates of Ohio  
 388 South Main Street Suite 401  
 Akron, Ohio 44311  
 330.564.9100

MS Consultants, Inc.  
 2221 Schrock Road  
 Columbus, Ohio 43229-1547  
 614.898.7100

Burgess & Niple, Inc.  
 100 W. Erie Street  
 Painesville, Ohio 44077  
 440.354.9700

KS Associates, Inc.  
 260 Burns Road Suite 100  
 Elyria, Ohio 44035  
 440.365.4730

Polaris Engineering & Surveying,  
 Inc., 34600 Chardon Rd. Suite D  
 Willoughby Hills, Ohio 44094  
 440.944.4433

Iron Claw Engineering, LLC  
 27330 Center Ridge Road  
 Westlake, Ohio 44145  
 440.899.1840

Land Design Consultants  
 9025 Osborne Drive  
 Mentor, Ohio 44060  
 440.255.8463

R.E. Warner & Associates, Inc.  
 25777 Detroit Rd. Suite 200  
 Westlake, Ohio 44145  
 440.835.9400

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 105 West Shoreline Drive  
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[coastal@dnr.state.oh.us](mailto:coastal@dnr.state.oh.us)

# Surveying Contacts

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Aztech Engineering & Surveying Co., Inc.,  
38879 Mentor Ave. Suite A  
Willoughby, Ohio 44094  
440.602.9071

Haywood Civil Engineering & Land Surveying, Inc.  
475 North Abbe Road  
Elyria, Ohio 44035  
440.365.9831

L.V. Surveying, Inc.  
15145 Lorain Avenue  
Cleveland, Ohio 44111  
216.251.6972

BEC Associates  
6622 West Harbor Road  
Port Clinton, Ohio 43452  
419.898.9200

Hess & Associates Engineering Inc., 12121 Kinsman Road  
Newbury, Ohio 4406  
440.564.8008

McSteen & Associates, Inc.  
1415 E. 286th Street  
Wickliffe, Ohio 44092  
440.585.9800

Bramhall Engineering & Surveying Co. Inc., 801 Moore Road  
Avon, Ohio 44011  
440.934.7878

John Hancock & Associates, Inc.  
326 East Market St.  
Sandusky, Ohio 44870  
419.625.7838

Poggemeyer Design Group, Inc.  
104 N. Summit Street Suite 100  
Toledo, Ohio 43604  
419.418.0389

Burgess & Niple, Inc.  
100 W. Erie Street  
Painesville, Ohio 44077  
440.354.9700

KCI Associates of Ohio  
388 South Main Street Suite 401  
Akron, Ohio 44311  
330.564.9100

Polaris Engineering & Surveying, Inc., 34600 Chardon Rd. Suite D  
Willoughby Hills, Ohio 44094  
440.944.4433

CT Consultants, Inc.  
35000 Kaiser Court  
Willoughby, Ohio 44094  
440.951.9000

KS Associates, Inc.  
260 Burns Road Suite 100  
Elyria, Ohio 44035  
440.365.4730

P.A. Rosebeck & Associates  
705 Willow Creek Drive  
Amherst, Ohio 44001  
440.988.4657

Dempsey Surveying Company  
12815 Detroit Avenue  
Lakewood, Ohio 44107  
216.226.1130

Kusmer & Associates, Inc.  
622 West State Street  
Fremont, Ohio 43420  
419.332.1027

R.E. Warner & Associates, Inc.  
25777 Detroit Rd. Suite 200  
Westlake, Ohio 44145  
440.835.9400

D.R. Frederick & Associates, LLC  
5109 North Summit Street  
Toledo, Ohio 43611  
419.340.2650

Land Design Consultants  
9025 Osborne Drive  
Mentor, Ohio 44060  
440.255.8463

Snezek & Associates, LLC  
3496 Colletta Lane  
Cleveland, Ohio 44111  
216.385.6791

Foresight Engineering Group, Inc  
320 Center Street, Unit F  
Chardon, Ohio 44077  
440.286.1010

Lewandowski Engineers, LLC  
Civil Engineers & Surveyors  
234 N. Erie Street  
Toledo, Ohio 43624  
419.255.4111

Straub Surveying, LLC  
19091 Inglewood Avenue  
Rocky River, Ohio 44116  
440.925.0789



# Erosion Control Loans

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Owners of property in the Coastal Erosion Area (CEA) designated along the shore of Lake Erie may be eligible for a low interest loan to cover the cost of constructing a shore erosion control measure. This guidance sheet includes information on the eligibility requirements, costs eligible to be covered under a loan, and application information.

**Loan Eligibility Requirements:** To be eligible for a loan, the following four requirements must ***all*** be met.

## ***1.) Site must be located within a designated Coastal Erosion Area (CEA)***

A loan is available to the owners of properties that are wholly or partially located within a designated CEA, based on the 2010 final mapping. The CEA consists of land areas along the shore that are anticipated to be lost due to Lake Erie related erosion. Specifically, the CEA covers land areas where recession is anticipated to exceed eleven (11) feet in the next 30 years. The CEA is indicated on special maps of the Ohio Lake Erie shore. These maps are available for viewing at township, village and city halls and at county planning commission departments for those municipalities, townships and counties having territory within the CEA. Tabular data is also available so that you can determine the specific dimensions of the CEA as measured from your current bluff or bank. You may also contact the Ohio Department of Natural Resources toll free at 1-888-644-6267 to obtain a map of your area.

## ***2.) Project must be an Erosion Control Structure***

A loan is available only for construction of an erosion control structure. For the purpose of loan eligibility, an erosion control structure is considered to be a measure whose primary function is to reduce or control shore erosion. Examples include, but are not limited to, revetments, seawalls, bulkheads, certain breakwaters and other similar protective measures. Loans may not be available for piers, docks, wharfs, marinas, boat ramps and other structures generally not considered to be constructed for the purpose of reducing or controlling erosion, although their presence may affect the processes that cause erosion.

## ***3.) Construction began on or after June 1, 1998***

A loan is available to property owners who plan to construct an erosion control structure or who constructed an Erosion Control Structure after the CEA was officially designated on June 1, 1998. Loan applicants must demonstrate that construction of an existing erosion control structure started on or after June 1, 1998.

## ***4.) All permits and authorizations are obtained***

All appropriate authorizations must be obtained before a loan can be made. Various federal, state and local authorities require that a permit or authorization be obtained before construction of a shore erosion control structure. A summary of the permits and authorizations that frequently pertain to construction of a shore Erosion Control Structure is provided in *Coastal Guidance Sheet No. 1: Coastal Regulations*.

Any construction activities that occurred prior to issuance of the necessary authorizations are not eligible for a loan. Loan applicants must provide proof that all necessary authorizations were obtained prior to construction of an existing erosion control structure.

### *contact us*

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## Costs Eligible to be Covered under Loan

The following costs may be included in the Loan amount.



Costs incurred for hiring a registered professional engineer or surveyor to prepare construction documents for the installation of an erosion control structure. Some authorizations require the preparation of plans and specifications by a registered professional engineer, or may require the services of a registered professional surveyor.



Costs incurred in obtaining the necessary authorizations. Such costs include the payment of fees to federal, state and local authorities, and charges by design professionals who have been authorized to seek the approvals on behalf of the property owner.



Costs of materials, earthwork, labor, and equipment needed to construct the erosion control structure. These costs may include oversight of the project by a professional engineer or surveyor.

## Loan Application Information

Loans are available through the county where the property within the Coastal Erosion Area is located. Contact the following participating county representatives for further information or a loan application:

### **Erie County**

Erie County Regional Commission  
2900 Columbus Avenue  
Sandusky, Ohio 44870  
419-627-7792

### **Lake County**

Lake County Commissioners Office  
105 Main Street  
P.O. Box 490  
Painesville, Ohio 44077  
440-350-2366

### **Lorain County**

Lorain County Community Development  
Department  
Lorain County Administration Building  
226 Middle Avenue  
Elyria, Ohio 44035  
440-328-2322

### **Lucas County**

Lucas County Office of Economic Development  
One Government Center, Suite 800  
Toledo, Ohio 43604-2259  
419-213-4510

### **Ottawa County**

Ottawa County Regional Planning Commission  
315 Madison Street, Room 107  
Port Clinton, Ohio 43452  
419-734-6779