



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

Floodplain Management: soilandwater.ohiodnr.gov/water-use-planning/floodplain-management

FEMA Flood Map Service Center: msc.fema.gov/portal

Lake Erie Shore Erosion Management Plan: coastal.ohiodnr.gov/erosion

Ohio Coastal Design Manual: coastal.ohiodnr.gov/design

Ohio Coastal Atlas - Interactive Maps: coastal.ohiodnr.gov/mapviewers

Permits and Leases: coastal.ohiodnr.gov/permits



Department of Natural Resources Office of Coastal Management

105 West Shoreline Drive
Sandusky, OH 44870
coastal.ohiodnr.gov

419-626-7980
toll free 1-888-OhioCMP
coastal@dnr.state.oh.us

Coastal Regulations



Ohio Department of Natural Resources
Office of Coastal Management
Sandusky, Ohio

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](#) and [Section 10 of the Rivers and Harbors Act of 1899](#), 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](#) or by contacting a U.S. Army Corps of Engineers office:

Buffalo District Office

1776 Niagara Street
Buffalo, NY 14207
716-879-4330

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

- 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 (Ohio EPA). 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 then select "Water Quality Certifications"

- A **Shore Structure Permit** (Section 1506.40 Ohio Revised Code) may be required from the Ohio Department of Natural Resources (ODNR). A Shore Structure Permit is required to construct a beach, groin, revetment, seawall, breakwater, pier, jetty or other structure to arrest or control erosion, wave action, or inundation along or near Ohio's Lake Erie shore (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 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 | coastal.ohiodnr.gov

4. A **Coastal Erosion Area (CEA) Permit** (Section 1506.07 Ohio Revised Code) may be required from the ODNR. 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 CEA. 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.
5. Under Ohio law (Ohio Revised Code Section 1506.10 and Section 1506.11) a **Submerged Lands Lease** 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 ODNR Office of Coastal Management (address listed on the reverse side).

Local Regulations

6. 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 (<http://soilandwater.ohiodnr.gov/water-use-planning/floodplain-management>) or by contacting the ODNR Floodplain Management Program at 614-265-6750.
7. **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 above 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 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

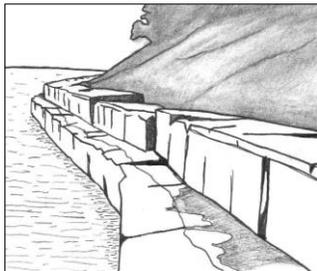


Ohio Department of Natural Resources
Office of Coastal Management
Sandusky, Ohio

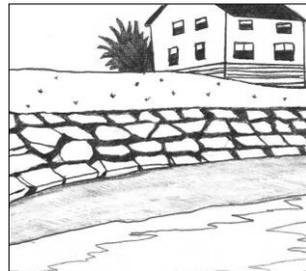
In 1955, the State of Ohio began requiring permits for the construction of shore erosion, wave, and flood control structures as an early effort to protect and manage Ohio's Lake Erie shore. Permits were initially issued by the Ohio Department of Natural Resources (ODNR) through its Division of Shore 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?

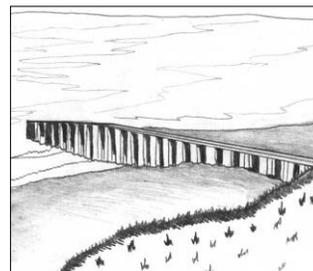
A Shore Structure Permit must be obtained before constructing an erosion, wave or flood control structure along Ohio's Lake Erie shore. Shore structures commonly include nourished beaches, seawalls, stone revetments, bulkheads, breakwaters, groins, docks, piers and jetties; descriptions and pictures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



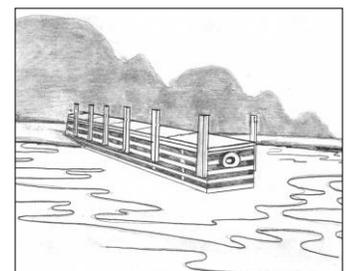
Seawall



Stone Revetment



Groin



Dock/Pier

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.

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.

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 (Section 1506.11 ORC) and Coastal Erosion Area Permits (Section 1506.07 ORC). 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 frequently occur because the application received is not complete or all applicable state regulations are not complied with.

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



Summary

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 its 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.

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 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.

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 Ohio Administrative Code Section 1501-6-06).

Web pages mentioned in this fact sheet:

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

Learn more:

Ohio Department of Natural Resources Office of Coastal Management

105 West Shoreline Drive
Sandusky, OH 44870

toll free: 1.888.644.6267

tel: 419.626.7980

fax: 419.626.7983

coastal@dnr.state.oh.us

Local Resolution or Ordinance



Ohio Department of Natural Resources
Office of Coastal Management
Sandusky, Ohio

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

Village of Geneva-on-the-Lake

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

Village of North Kingsville

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
25 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
1375 East 9th Street
Suite 2300
Cleveland, OH 44114-1786
(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

Village of Bay View

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

Village of Kelleys Island

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

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

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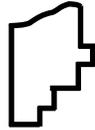
LAKE COUNTY

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

City of Oregon
Commissioner of Building and Zoning
City of Oregon
5330 Seaman Rd.
Oregon, OH 43616
(419) 698-7071

If you are not located within this authority's boundary, contact:

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

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.

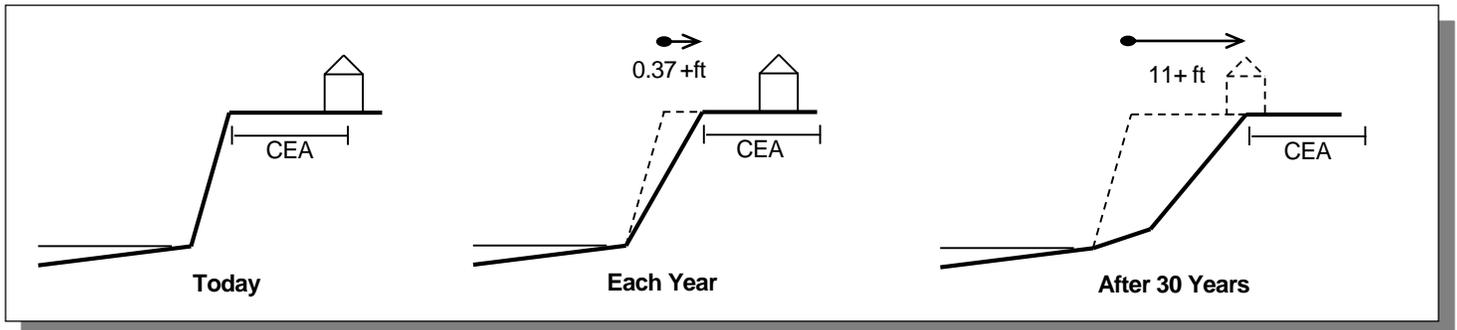
Coastal Erosion Area Permits



Ohio Department of Natural Resources
Office of Coastal Management
Sandusky, Ohio

What is a Coastal Erosion Area?

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. Only 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 December 2010, updated [CEA maps](#) were finalized.

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 Section 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. 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 found in the *ODNR Coastal Permits and Lease Booklet*, which may be obtained from the ODNR Office of Coastal Management and online at coastal.ohiodnr.gov/permits. 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.

Federal Consistency



Ohio Department of Natural Resources
Office of Coastal Management
Sandusky, Ohio

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 (sometimes referred to as the coastal zone) 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 (download at coastal.ohiodnr.gov/permits) 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 in its review 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. Examples of 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 *Section 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 impacting 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 helps ensure the balanced use and protection of coastal resources through the Ohio Coastal Management Program policies. This fact sheet includes information from the NOAA document “CZMA Federal Consistency Overview” and the NOAA coastal management website (coast.noaa.gov) and is provided for information purposes only. Complete Federal Consistency procedures are contained in Title 15 Part 930 of the Code of Federal Regulations. For more information about Federal Consistency, contact:

Federal Consistency Coordinator
ODNR Office of Coastal Management
105 West Shoreline Drive
Sandusky, Ohio 44870
419-626-7980 or toll free 1-888-644-6267
coastal.ohiodnr.gov | coastal@dnr.state.oh.us

Erosion Control Loans



Ohio Department of Natural Resources
Office of Coastal Management
Sandusky, Ohio

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 be met.



Site is 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.



Project is 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.



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.



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.

Costs Eligible to be Covered under Loan

The following costs may be included in the Loan amount.



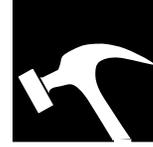
Costs incurred for hiring a registered professional engineer or surveyor to prepare

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

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

Erie County

Erie County Regional
Planning 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 Bldg.
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



Engineering Contacts

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. The list is current as of the revision date at the bottom of this page. Other registered professional engineers may not be listed on this sheet.

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

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

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

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

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

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

Land Design Consultants
9025 Osborne Dr.
Mentor, Ohio 44060
440.255.8463

TE & D, LLC
P.O. Box 31486
Independence, Ohio 44131
216.901.9466

Hull & Associates, Inc.
4 Hemisphere Way
Bedford, Ohio 44146
440.232.9945

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

T-K Engineering & Design Group, Inc.
35350 Curtis Blvd.
Suite 110
Eastlake, Ohio 44095
440.975.1674

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

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

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

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

Please contact the Ohio Department of Natural Resources if you would like your business listed.
419-626-7980 | coastal@dnr.state.oh.us



Surveying Contacts

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. The list is current as of the revision date at the bottom of this page. Other registered professional surveyors may not be listed on this sheet.

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

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

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

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

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

Dempsey Surveying Company
12815 Detroit Avenue
Lakewood, Ohio 44107
216.226.1130

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

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

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

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

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

Jobes Henderson & Associates
59 Grant Street
Newark, Ohio 43055
740.344.5451

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

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

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

Land Design Consultants
9025 Osborne Drive
Mentor, Ohio 44060
440.255.8463

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

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

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

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

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

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

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

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

Please contact the Ohio Department of Natural Resources if you would like your business listed.
419-626-7980 | coastal@dnr.state.oh.us



Ohio Department of Natural Resources
Division of Soil and Water Resources
Fact Sheet

Fact Sheet 92-13

Facts about Flood Insurance

Flooding is one of the perils not covered by a standard homeowners insurance policy. It is simply impossible for private insurance companies to spread the potentially huge flood loss payments over large enough numbers of policyholders to make such insurance coverage economically viable. To overcome this problem, Congress created the National Flood Insurance Program (NFIP) in 1968 to provide affordable flood insurance through a federal subsidy. However, Congress specified that such insurance can only be sold in communities that regulate floodplain development and apply for participation in the NFIP. In Ohio, over 600 municipalities and 86 counties participate in the NFIP. Although the federal government states that over 200,000 structures are within Ohio's mapped floodplains, only about 12 percent of these structures are covered by flood insurance. A major reason why there are so few insured structures is that not enough is known about flood insurance. What little information is known is often incorrect. Listed below are some of the more frequently encountered misconceptions followed by the facts.

Fiction Flood damages are covered by my homeowners insurance.

Fact Flood damages are normally not covered under a homeowners policy. The owner must obtain coverage under a separate flood insurance policy.

Fiction Flood insurance is unavailable.

Fact Flood insurance is available in most Ohio communities. Over 700 Ohio communities participate in the National Flood Insurance Program.

Fiction You have to live in a floodplain to buy flood insurance.

Fact Any building in a community that participates in the NFIP is eligible whether or not the building is in a floodplain.

Fiction Flood insurance is expensive.

Fact The average cost of a flood insurance policy in Ohio is \$776.00 per year.

Fiction My insurance agent can't sell flood insurance.

Fact Any licensed property indemnity agent or broker can sell the Standard Flood Insurance Policy.

What types of losses can be insured?

The **Standard Flood Insurance Policy** covers direct loss caused by a flood (less the deductible). A flood is defined as a *general and temporary condition of partial or complete inundation of normally dry land areas from overflow of inland or tidal waters or from the unusual and rapid accumulation or runoff of surface waters from any source*. Flood insurance will not cover damages caused by high ground water, sewer backup, or subsurface flows unless the property has been, at the same time, damaged by surface floodwaters.

What types of property can be insured?

Any walled and roofed building in a NFIP-approved community can be insured. A manufactured (mobile) home affixed to a permanent site and anchored can also be insured.

Two types of coverage are available for insurable buildings:

1. Structural coverage on walls, floors, insulation, furnace, and items permanently attached to structure.
2. Contents coverage that must be purchased separately from structural coverage.

What cannot be insured?

Flood insurance does not cover property outside an insurable building, vehicles, trailers on wheels, boats, animals, crops in the field, money, valuable papers, fences, outdoor swimming pools, bridges, driveways,

Continued on back!

bulkheads, docks, land values, plants, landscaping and finished portions of a basement (as described below).

Is the basement covered?

The policy insures against damages caused by surface flooding only. It will not cover damages from seepage or sewer backup unless there is a general and temporary condition of flooding in the area and the flooding is the proximate cause of the seepage or sewer backup. For additional information consult the flood insurance policy. The policy offers limited coverage of basements. A basement is defined as any area of a building that is below grade on all sides, including the lower level of split or bi-level homes. The policy does not cover finished portions of a basement such as carpeting, paneling, or furnishings. Unimproved structural parts such as the foundation, walls, stairway, and utility connections are covered. It also covers unimproved (not taped or painted) drywall and insulation, sump pumps, water tanks, oil tanks, furnaces, water heaters, heat pumps, electric junction, and circuit breaker boxes, washers and dryers, food freezers, air conditioners, and cleanup.

Some private insurance carriers sell coverage for basement sewer backup or sump pump failure. Details will vary from company to company.

Is there a waiting period?

Yes, there is a 30-day waiting period after a policy is purchased before coverage goes into effect. It does not cover damage in progress. When a policy is required by a lender as a condition for obtaining a mortgage, coverage takes effect at closing.

How are the rates set?

Rates are subsidized for older buildings built before the community joined the **Regular Program Phase of the NFIP**. These buildings are also known as *Pre-FIRM* buildings because they were built before the date of the Flood Insurance Rate Map (FIRM) issued to the community. For most Ohio communities, this date is between 1977 and 1987. Rates for "Post-FIRM" buildings (buildings constructed after the Flood Insurance Rate Map took effect) vary depending on how high the buildings are above or below the base flood level.

Rates are lower for buildings that have been properly protected from potential flooding.

How do I file flood insurance claims?

Contact your insurance agent immediately after a flood. The agent will file a written notice of loss with the NFIP and contact a claims adjuster. An adjuster will inspect the property as soon as possible. A few things may be undertaken before the claims adjuster arrives including:

- *List and discard food and related items that could cause a health problem. If possible, photograph these items before discarding.
- *Assess structural damage to the house and make a room-by-room inspection of the contents. Record damage found.
- *If emergency repairs are needed to protect the house and contents from further damage and theft, don't wait for the insurance adjuster. Record and keep receipts of any work that is done.

After the above is done, wait for the claims adjuster's instructions on what can be discarded and what should be repaired. Don't discard items (except food and health-related items) until the adjuster makes the inspection. The adjuster may be able to make a partial payment to assist with immediate expenses.

For more information about flood insurance, please contact your insurance agent or the NFIP in Lanham, Maryland at: 1-800-638-6620.

Other materials may be obtained at:

Ohio Department of Natural Resources
Division of Soil and Water Resources
Floodplain Management Program
2045 Morse Road, Bldg. B-2
Columbus, Ohio 43229-6693
Voice: (614) 265-6750 Fax: (614) 265-6767
E-mail: dswc@dnr.state.oh.us
Website: <http://ohiodnr.gov/soilandwater>
or for FEMA publications: 800-480-2520

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United States Department of the Interior

FISH AND WILDLIFE SERVICE

Ecological Services
4625 Morse Rd., Suite 104
Columbus, Ohio 43230
(614) 416-8993 / FAX (614) 416-8994

Lake Erie Watersnake Post-Delisting Guidelines for Construction, Development, and Land Management August 2011

The Lake Erie Watersnake (*Nerodia sipedon insularum*) was listed as “threatened” under the Endangered Species Act in 1999, but in August of 2011 was removed from the list due to recovery. Lake Erie Watersnake populations will continue to be monitored for 5 years to ensure the population persists at a stable level. The U.S. Fish and Wildlife Service (Service) has developed the following voluntary guidelines to assist island landowners in avoiding and minimizing impacts to Lake Erie Watersnakes during typical land management and construction activities. The Service strongly encourages island residents to follow these guidelines to protect watersnake habitat, ensure population persistence, and prevent re-listing of the subspecies. *Intentional killing of Lake Erie Watersnakes is still prohibited by State law.*

The Lake Erie Watersnake occurs on the islands in the western basin of Lake Erie. Summer habitat includes cliffs with crevices, rocky shorelines, and rock-filled structures such as docks, breakwalls, and shoreline erosion control structures. Lake Erie Watersnakes forage in Lake Erie for small fish, primarily round goby. Suitable winter hibernation sites include cracks and crevices in bedrock, rocky soils, animal burrows, tree root masses, and human-made structures such as foundations, drainage tiles, and building pads.

Shoreline Management

The island shoreline including areas adjacent to interior island ponds, inlets, bays, and marinas, are important habitat for Lake Erie Watersnakes as well as native birds, fish, amphibians, and mammals. Shoreline vegetation also helps to stabilize banks, prevent erosion, and promote water quality. Landowners are encouraged to avoid mowing within 69 feet (21 m) of the shoreline to protect these important habitat and water quality functions.

If shoreline mowing is necessary, mowing between April 15 and September 15 should be completed at dusk, when watersnakes will have taken cover for the night. Mowers should utilize a high setting, and the area to be mowed should be actively monitored for watersnakes. If Lake Erie Watersnakes are encountered during mowing, activities can cease until the snake has left the area on its own, or the snake can be removed to a location outside of the mowing area and near the shoreline.

Excavation or removal of shrubs, standing or downed trees, root masses, animal burrows, piled rocks, cliffs, or bedrock within 69 feet (21 m) of the shoreline, ponds, inlets, bays, and marinas should be avoided. If necessary, excavation of these features should only occur after April 15 and before October 15, when temperatures are above 60 degrees Fahrenheit. Within 69 feet (21 m) of shore, heavy machinery should be limited to paved areas so as not to harm watersnakes that may have retreated under rocks, logs, and other material.

The Service encourages preservation and construction of shoreline structures with designs beneficial to watersnakes. These include timber or steel crib docks and riprap erosion control structures instead

of concrete or sheet steel. Any project that will impact the shoreline or waters of Lake Erie **must** be coordinated with the Buffalo District of the U.S. Army Corps of Engineers (Corps) to ensure compliance with the Clean Water Act. The Corps can be contacted at (716) 879-4330.

Excavation

During hibernation, Lake Erie Watersnakes are unable to move and are vulnerable to any disturbance of their hibernation sites. Excavation of any kind in potential suitable winter hibernation habitat within 528 ft (161 m) of shore should be avoided between October 15 and April 15. Activities to be avoided include, but are not limited to, digging foundations, burying utility lines, removing tree roots or hollow tree bases, and destroying human-made structures such as foundations or drainage tiles.

Excavation activities occurring between April 16 and May 31, or between September 15 and October 14 should only be conducted when air temperatures are above 60 degrees Fahrenheit. The area should be actively monitored for snakes before and during excavation and any watersnakes found should be carefully removed to a location outside of the construction area and near the shoreline.

Any holes or trenches that are dug should be filled in as soon as possible to prevent watersnakes from inadvertently falling into them and becoming trapped. Holes or trenches should be inspected for Lake Erie Watersnakes before being filled.

Erosion Control

Mesh or woven erosion control fabrics or blankets should **NOT** be used to stabilize disturbed areas, as they have been documented to entangle and kill Lake Erie Watersnakes and other snake species. Loose straw or mulch can be used as an alternative.

Tree Removal

Tree root masses may provide suitable hibernation habitat for the Lake Erie Watersnake. If you plan to remove trees on your property, the Service recommends that only the above-ground portion of the tree be removed. The root mass should be left underground.

Summary of habitat management practices, timing, and location where applicable.

Time	Location	Recommendation
Oct 15-April 15	Within 528 feet (161 m) of shore	No Excavation.
April 16-May 31	Within 528 feet (161 m) of shore	Excavation only when temperature above 60° F. Mow at dusk, on high setting.
June 1-Sept 14	Within 69 feet (21 m) of shore	Mow at dusk, on high setting.
Sept 15-Oct 14	Within 528 feet (161 m) of shore	Excavation only when temperature above 60° F. Mow at dusk, on high setting.

Further Information

The Service is available to provide technical assistance regarding the Lake Erie Watersnake, proposed development projects, and land management activities. Questions should be directed to the Service at (614)416-8993. Additional information about the Lake Erie Watersnake is also available at our website: http://www.fws.gov/midwest/Ohio/endangered_LEWS.html and at www.RespectTheSnake.com.