

CHAPTER 3

EXTENT OF THE COASTAL AREA

Ohio's coastal area is defined in the state coastal management law as "the waters of Lake Erie, the islands in the lake, and the lands under and adjacent to the lake, including transitional areas, wetlands, and beaches. The coastal area extends in Lake Erie to the international boundary line between the United States and Canada and landward only to the extent necessary to include shorelands, the uses of which have a direct and significant impact on coastal waters as determined by the director of natural resources" (O.R.C. § 1506.01(A)).

A narrative description of the boundary is located in Appendix A. Boundary maps are found in Appendix B. The scale of these maps is 1 inch equals 1 mile, except for Maps 3 and 4 for Ottawa County, the scale for which is 1 inch equals 1.13 miles. By comparing these maps to topographic maps and maps of flood hazard areas, it can be seen how the coastal area boundary conforms to natural landforms, surface waters and physical and cultural features.

Establishing the Coastal Area Boundary

ODNR conducted an extensive examination process to determine which areas along the Lake Erie shoreline should be included within the coastal area boundary. The CZMA provided the basis for determining the coastal boundary. Section 304 of that Act defines the term "coastal zone." For areas of the Great Lakes "the zone extends, in Great Lakes Waters, to the international boundary between the United States and Canada." Further, "the zone extends inward from the shorelines only to the extent necessary to control shorelands, the uses of which have a direct and significant impact upon coastal waters." The CZMA uses the term "zone," whereas Ohio's coastal management law describes the "coastal area." Coastal area and coastal management area are the terms that will be used throughout the OCMP document.

Federal regulations pursuant to the CZMA (15 C.F.R. § 923.31) require that the inland boundary of Ohio's coastal management area include those areas for which management is necessary to control uses that have direct and significant impacts on coastal waters; special management areas; marshes and wetlands that contain flora typical of the region; beaches; transitional areas, i.e., areas subject to storm surge and areas containing vegetation that survives because of conditions associated with proximity to coastal waters, and dunes and rocky shore areas to the point of upland vegetation; and islands in their entirety, except when uses of interior portions do not cause direct and significant impacts.

In 1974, for purposes of preliminary planning and coordination, ODNR initially defined the coastal area boundary as encompassing Ohio's nine-county coastal area. Although useful for preliminary studies, such a generalization proved inadequate for detailed planning. Furthermore, lands supporting uses with no direct and significant impact on coastal waters would have been included. Coastal management staff conducted a detailed survey of both coastal resources and related issues to refine the boundary.

In 1977, after examining several approaches for inland boundary determination, ODNR proposed as a guide a boundary that would extend 1,000 meters inland from the shoreline. This area would be enlarged around critical coastal resource areas and reduced in urban and developed areas, allowing for consideration of both biophysical and cultural features.

This recommendation was presented in 1977 to county advisory groups as a guide for local determination of the inland boundary. Discussions among ODNR and the county advisory groups led to a consensus that the following uses, resources and features should serve as the basis for establishing the coastal area boundary:

- Lands subject to lake erosion;
- Lands subject to lake flooding;
- Estuaries and coastal wetlands;
- Lake-related recreation areas, including beaches;
- Activities affecting lake water quality; and
- Other areas with lake-related uses.

It was agreed that, where possible, recognizable cultural and political features should determine the boundary rather than a uniform 1,000-meter zone.

Most advisory groups formed subcommittees in 1978 to establish the boundary in their respective areas. Maps were presented for review to the full advisory committees, local government officials and county planning agencies.

In March 1989, the state coastal management law became effective, providing the statutory definition of Ohio's "coastal area" quoted above from O.R.C. § 1506.01(A) and consistent with 15 C.F.R. Subpart D. As broadly illustrated in Figure 2, the coastal area includes the Ohio waters of Lake Erie, the islands in the lake and lands adjacent to Lake Erie. The definition of coastal area in the state coastal management law reflects the consensus view developed among the county advisory groups that lake-related resources and land uses that have an impact on coastal waters should define Ohio's inland coastal area boundary.

ODNR consulted with local government, state agencies and the public after the state coastal management law went into effect in an effort to further refine the proposed coastal area boundary. ODNR prepared boundary maps based upon the above-listed criteria and the specific recommendations developed by the county advisory committees. Note that, by and large, these criteria relate to the potential for projects and activities to have an impact upon coastal waters. Also during this period of time, local water quality planning agencies, Ohio EPA and other agencies were developing Remedial Action Plans (RAPs) for each of four Areas of Concern (AOCs) designated under the 1987 Protocol Amending the Great Lakes Water Quality Agreement. These are severely polluted areas of the lower Maumee, Black, Cuyahoga and Ashtabula Rivers and the corresponding areas contributing to the pollution of coastal waters and sediments. The State of Ohio is committed to restoring and protecting water quality and beneficial uses in these coastal waters (refer to Chapter 6). ODNR included portions of these AOCs within the coastal area boundary, recognizing the poten-

FIGURE 2

tial for direct and significant impacts on coastal waters of present and future activities and remedial actions.

Coastal area boundary maps and a narrative description were published in the Public Review Draft OCMP document in February 1992. Two public hearings and two public meetings and open houses provided additional opportunities to raise questions and make specific recommendations on the proposed boundary. Subsequent to the public review, planning agencies, local governmental officials and others provided assistance and consultation on modifications to the proposed boundary.

The boundary has been expanded to provide additional protection to the Old Woman Creek National Estuarine Research Reserve near Huron and the Mentor Marsh State Nature Preserve. The boundary has been modified where possible to coincide with the area covered under the Port Development Plan adopted by the city of Sandusky. Also, the boundary has been adjusted to include former swamp lowlands that drain to the lower Maumee at Toledo in recognition of the potential for activities to affect coastal water quality and the potential for the enhancement of wetlands in an urban setting. Other refinements to the boundary were made to ensure inclusion of Lake Erie coastal erosion areas, coastal flood hazard areas and certain tributary stream reaches where potential exists for direct and significant impacts to coastal waters.

The boundary also was adjusted to include the Swan Creek seiche area in Lucas County. This modification was made at the request of the Toledo Metropolitan Area Council of Governments (TMACOG) in its written and oral comments on the Draft Environmental Impact Statement published in August 1996.

The management area was developed in coordination with the states of Michigan and Pennsylvania to ensure a continuous coastal area boundary across state lines (15 C.F.R. § 923.34). The states of Michigan and Pennsylvania expressed confidence, following publication of the 1992 Public Review Draft document, that OCMP policies to be applied within the Ohio coastal boundary were compatible with their own state coastal management programs.

Summary Description of the Coastal Area Boundary

The inland boundary of the coastal area must be precise enough to permit a determination of whether a specific property or activity is located within the coastal management area (15 C.F.R. § 923.31(a)(8)). The inland boundary extends north-westward to the Ohio-Michigan state line and eastward to the Ohio-Pennsylvania state line. The lakeward boundary extends to Ohio's borders with Michigan, Ontario and Pennsylvania.

Coastal area maps with precise boundary lines and narrative descriptions have been developed by ODNR in conformance with the definition in state statute and consistent with the federal requirements regarding inland boundaries. The coastal area includes the above-listed uses, features and coastal resources and is defined in terms of political jurisdictions and physical and cultural features (see Appendices A and B).

The coastal area encompasses bays, embayments and tributaries to incorporate lake-influenced transitional zones and includes extensive wetlands of the western basin and other wetlands and estuarine areas of the central basin. It includes the islands and Marblehead Peninsula in their entirety. In the western basin, the coastal area extends many miles upstream on major tributaries to include the lake-influenced waters and adjacent shorelands, the uses of which may result in direct and significant impacts upon these waters. For example, it extends upstream approximately 16 miles from the mouth of the Maumee River into Lucas and Wood counties. It extends approximately 14 miles up the Sandusky River into the city of Fremont in Sandusky County. From the mouth of the Maumee River east into Ottawa and Sandusky Counties, the inland boundary ranges from almost 1 mile to several miles. This area includes extensive coastal wetlands, lands subject to coastal flooding and lands along many major and minor lake-influenced tributaries.

Moving eastward into Erie County, the transition to the central basin becomes evident where the coastal area boundary becomes more constricted. From the mouth of the Huron River in the port city of Huron, it follows several miles of the Huron River and includes adjacent wetlands, floodplain areas and adjacent shorelands. Erie County begins to show higher relief and less expansive lake-influenced areas and areas subject to coastal flooding. The inland boundary ranges from 2 miles to about an eighth of a mile or less, with certain areas extending farther landward along tributary streams and associated shorelands. The coastal area surrounds the Old Woman Creek National Estuarine Research Reserve east of the city of Huron.

Continuing east through the central basin into Lorain, Cuyahoga, Lake and Ashtabula Counties, the coastal area extends inland on average from about one-eighth mile to one-quarter mile, but continues to incorporate lake-influenced tributaries, embayments, wetlands and estuarine areas. Eastward to the Pennsylvania border, the coastal area generally follows the higher bluffs and is extended landward primarily to incorporate coastal erosion and flood hazard areas. The Mentor Marsh wetlands system in Lake County also is incorporated. In urban areas, the coastal boundary is generally less than one-half mile from the shore.

The OCMP management area incorporates all coastal erosion areas as defined in 1996 pursuant to O.R.C. § 1506.06 and O.A.C. 1501-10 through 1501-13 (see Chapter 5, Policy 1). Because the line that defines these areas moves landward as bluff recession occurs, the coastal management boundary likewise will continue to move landward, where necessary, to ensure continued inclusion of coastal erosion areas. Such changes in the coastal boundary will occur in the limited areas where the two boundaries coincide, and the coastal boundary will extend no farther than the coastal erosion area, as adjusted.

The coastal management area is subject to all management policies and federal and state consistency requirements. Federal lands that are owned, leased, held in trust by, or whose use is otherwise subject solely to the discretion of the federal government are excluded from the coastal area boundary as shown in Appendix B. (The federal areas located on the Appendix B maps are not precisely to scale. The maps merely identify the location of such excluded areas and should not be construed to exclude any areas other than those federal lands to be excluded as stated above.) Appendix P provides a list of all such properties in Ohio's coastal area.