

## **OHIO COASTAL MANAGEMENT PROGRAM CHAPTER 5 MANAGEMENT POLICIES**

The OCMP is a long-range program for protection and management of our coastal resources. It is a prospective and progressive program. Full implementation of the OCMP begins with the adoption of the program document and evolves through state and local implementation of its enforceable policies and other management measures. As indicated in the previous chapter on program organization, the OCMP relies on action and oversight by local jurisdictions and state agencies for ensuring consistency with coastal management policies.

Coastal management policies promote the wise management of those land and water uses having direct and significant impacts upon the Lake Erie coastal area. Certain policies focus upon the protection of significant natural areas, such as wetlands, that embody the unique values of the Ohio coast. Other policies have been established in an effort to simplify governmental procedures and foster agency cooperation regarding coastal activities. These management policies are sufficiently specific, comprehensive and enforceable to enable Ohio to implement a program of rational development and resource protection for the Lake Erie coastal area. Ohio's management policies are essential to provide the specific guidance needed by the state and its local jurisdictions to undertake the OCMP cooperatively.

### Managed Coastal Activities

The OCMP does not affect all activities and projects in the coastal area. Only those activities considered to have a direct and significant impact on the coastal lands, waters and resources are identified as managed activities. "Direct and significant impact" is defined as the result of any action causing or likely to cause (1) changes in the manner in which land, water or other coastal resources are used, (2) changes in the environmental quality of coastal resources, or (3) limitations on the range of uses of coastal resources. The state will consider potential individual and cumulative impacts of such uses on coastal waters.

The management approach of the OCMP addresses the potential impacts of coastal activities on coastal resources rather than the general land uses, such as agriculture, water-dependent commercial development and port operation, with which certain coastal activities are associated. Land use planning and controls such as zoning are the responsibility of local governments. The OCMP encourages local governments to exercise their responsibilities and may also provide funding assistance for the development of port and waterfront master plans. When such plans are adopted as the basis for local land-use decisions and local regulatory controls, they facilitate decision making by the state of Ohio regarding, for instance, whether the state may lease areas of Lake Erie waters and submerged lands to local government or a private littoral property owner for particular uses or developments.

## Policy Development

As stated earlier, the State of Ohio has an effective existing regulatory framework for managing coastal area activities. This structure forms the basis of OCMP authorities and policies. To build upon that framework and determine the manner in which such policies would be prioritized, integrated and reinforced with nonenforceable policies, a coastal management policy development process was initiated. The first step in this process was the identification of issues and concerns that were compiled from many sources, including local governments, waterfront industries, ports, local planning agencies, interested citizens, the Coastal Resources Advisory Council, and state and federal agencies. Preceding ODNR's public hearings, meetings and solicitation of written comments on the OCMP document, there had been extensive organized participation by the general public, local jurisdictions and public and special interest groups in policy development. The state's early efforts to develop a coastal program are described in Chapter 2.

Many recommendations from these studies and ODNR's public participation efforts have become policy through subsequent amendments to Ohio's coastal law, ODNR rulemaking and policy development. Other recommendations continue to shape program implementation and enhancement. The OCMP adopts the assumptions of the Lake Erie Shore Area Redevelopment Task Force, and presents in this chapter policies for resource protection, management and development that are reflective of these assumptions. Those assumptions are:

- Benefits to be derived from Lake Erie and its shore are dependent upon the continued improvement of water quality in coastal area waters.
- The shoreline is a finite resource.
- Multiple use of the resource as a whole is inherently in the public interest.
- Competition for use of shoreline areas and coastal waters is increasing.
- Limitations on government revenues require more examination of user fees and public/private partnership initiatives.

With the above assumptions in mind, the State of Ohio's policies have been organized and prioritized with continued input from the general public, local jurisdictions, state, federal and regional agencies, independent organizations and public and special interest groups. As a result, ODNR has identified the following priority coastal management issues, not in order of priority:

- **Water resources and watersheds.**
- **Coastal land use and development.**
- **Coastal habitat, wetlands and natural areas.**

- **Coastal flooding and erosion.**
- **Recreational opportunities.**
- **Fisheries and wildlife resources.**

Activities at the state and local level directed toward accomplishing the above-stated ends will be of highest priority for funding under OCMP administration funding.

### Organization of this Chapter

This chapter presents the coastal management policies that address the above-listed priority issues and additional policies organized in the same way under major issue topics. Each topic is introduced by a brief summary of concerns regarding the issue. Specific policies for achieving the coastal management objectives related to the issue are described.

The framework for implementation and the authorities responsible for such implementation are outlined in the text that follows each list of policies under the heading: Authorities and Administration. All policies document existing statutory authority, current governmental programs or established state policy. Additional information regarding coastal area resources, the boundaries of the coastal area, policies, rules and other details of the coastal management program are found in Volume II, Appendices.

In the OCMP, policies are classified as enforceable and enhancement policies as follows:

1. An enforceable policy is regulatory and legally binding. It mandates that certain requirements be satisfied prior to the initiation of a specific activity in the coastal region. Such a policy has statutory authority based upon provisions of the Ohio Revised Code. Enforceable policies are binding for federal consistency purposes, pursuant to Section 307 of the CZMA. Enforceable policies are underlined in the text of this chapter and are followed by the appropriate Revised Code citation in parentheses.
2. An enhancement policy provides guidance or preferences regarding certain activities, but is not legally binding. It may be a formal state policy or recommendation, or statute with discretionary authority.

Taken together, these two types of policies offer a clear view of the content of the OCMP. They specifically show who will be affected by the OCMP, in what fashion and when. The policies provide a clear sense of direction and predictability for decision makers who must address coastal issues in their daily work.