OHIO COASTAL MANAGEMENT PROGRAM
POLICY 13 – NATURAL AREAS AND FEATURES

IT IS THE POLICY OF THE STATE OF OHIO TO PRESERVE SIGNIFICANT NATURAL AREAS AND OTHER OUTSTANDING FEATURES OF OHIO'S NATURAL HERITAGE BY:

A. ACQUIRING, DEDICATING AND MANAGING STATE NATURE PRESERVES (O.R.C. 1517.05, 1517.06);

B. MANAGING THE STATE'S NATIONAL ESTUARINE RESEARCH RESERVE PROGRAM;

C. CREATING AND MAINTAINING WILD, SCENIC AND RECREATIONAL RIVERS (O.R.C. 1517.14 THROUGH 1517.18);

D. MAINTAINING AN UP-TO-DATE INVENTORY OF NATURAL AREAS AND OTHER NATURAL FEATURES AND ENCOURAGING THEIR PRESERVATION THROUGH PRIVATE ORGANIZATION PROTECTION EFFORTS AND LOCAL GOVERNMENT REGULATION; AND

E. RECOGNIZING AS NATURAL LANDMARKS PRIVATELY OWNED NATURAL AREAS NOT SCHEDULED FOR ACQUISITION.

Authorities and Administration

A. ODNR, Division of Natural Areas and Preserves (DNAP) administers and operates a system of state nature preserves pursuant to O.R.C. 1517.05. The intent of the system is to preserve through acquisition and dedication natural areas of state or national significance. "'Natural area' means an area of land or water which either retains to some degree or has re-established its natural character, although it need not be completely undisturbed, or has unusual flora, fauna, geological, archaeological, scenic, or similar features of scientific or educational interest" (O.R.C. 1501.01). These areas include, but are not limited to, sites characteristic of Ohio's presettlement landscape types, natural vegetation and geological history.

Dedicated nature preserves are held in trust for the uses and purposes set forth in O.R.C. 1517.05 for the benefit of the people of the state, of present and future generations. They are managed and protected in the manner approved by, and subject to rules established by, the Chief of the DNAP. These preserves shall not be taken for any other use except another public use – after a finding by ODNR of the existence of an imperative and unavoidable public necessity for such other public use and with the approval of the governor (O.R.C. 1517.06).

Potential sites are evaluated for designation by DNAP based on the following internal criteria:

1. Whether the area complements the state's existing preserve program.

2. Whether it is a good representative of the community type that once existed in the region.

3. Whether it contains state or federal endangered flora or fauna.

4. Whether there is evidence of significant human disturbance of the area.

The division cooperates closely with local and national conservation organizations, nonprofit organizations, natural history museums, and universities in locating and identifying areas worthy of preservation. Through the Natural Areas State Income Tax Checkoff Program, the public is able to assist in acquisition and preservation of these natural areas, scenic rivers and endangered species by contributing a portion of its tax refund to the DNAP.

Nature preserves are classified as scientific, interpretive or scenic, with scientific areas being the most restrictive in use and scenic areas being the least restrictive. Preserves are managed for the following uses and purposes:

1. For conducting scientific research;

2. For teaching biology, ecology, natural history, geology, coastal processes and other related subjects;

3. To provide habitats for plant and animal communities;

4. As reservoirs of natural materials;

5. To serve as places of natural interest and beauty;

6. For fostering public visitation and observation of the natural world;

7. To promote understanding and appreciation of the aesthetic, cultural and scientific values of these areas; and

8. To preserve and protect such natural areas from any uses that would destroy their natural or aesthetic conditions. Active recreation, camping and organized sports are prohibited.

B. Ohio's only designated National Estuarine Research Reserve is at Old Woman Creek. The National Estuarine Reserve Research System (NERRS) was established by Section 315 of the Coastal Zone Management Act of 1972, 16 U.S.C. 1461, to provide financial assistance awards on a 50-50 matching basis to coastal states (including Great Lakes) for acquisition, development and operations of estuarine areas as natural field laboratories. These areas are

used primarily for long-term scientific and educational programs that provide information essential to local, regional and national coastal decision making. The Reserve's administrative offices -- designated as the Ohio Center for Coastal Wetland Studies -- are located on-site at Old Woman Creek.

To guarantee long-term protection of Old Woman Creek estuary, and to ensure fulfillment of the goals and objectives of the NERRS Program, the Reserve is managed by the Division of Wildlife as a nature preserve. Budget and policy decisions are made by the chief of Wildlife in coordination with the on-site NERRS Program Administrator and the Chief of the Sanctuaries and Reserves Division (SRD)/National Oceanic and Atmospheric Administration (NOAA)/U.S. Department of Commerce.

C. The Director of ODNR or the director's representative is authorized to create, supervise, operate, protect and maintain wild, scenic and recreational river areas (O.R.C. 1517.14). Areas that possess water conservation, scenic, fish, wildlife, historic or outdoor recreation values may be preserved, and adjacent lands of sufficient width necessary to protect those values may be included. ODNR is responsible for preparing and maintaining plans for the establishment, development, use and administration of these areas as part of comprehensive state plans for water management and outdoor recreation. The department also cooperates with federal wild, scenic and recreational river programs.

ODNR does not, as a result of such designation, restrict land use of property owners within the designated area. However, the Chief of DNAP does participate in watershed-wide planning with federal, state and local agencies to protect the wild, scenic and recreational values of these areas. DNAP administers federal financial assistance for such areas and may expend funds appropriated by the Ohio general assembly for acquisition, protection and maintenance of property (O.R.C. 1517.17). Channel modifications, construction and road building by state agencies and political subdivisions are prohibited within wild, scenic and recreational rivers outside municipal limits without plan approval by the Director of ODNR (O.R.C. 1517.16).

Wild river areas are free of impoundments, inaccessible except by trail, with essentially primitive shorelines and watersheds and unpolluted waters. Scenic river areas are free of impoundments, accessible in places by roads, with largely undeveloped watersheds and primitive shorelines. Recreational river areas are accessible by roads or railroads, have some development along their shorelines, and may have undergone some impoundment or diversion in the past (O.R.C. 1517.16).

Segments of five Lake Erie tributaries have been designated as Scenic Rivers. All designated segments of these rivers (the Chagrin, Grand, Cuyahoga, Sandusky and Maumee) lie outside the proposed Coastal Management boundary. Nevertheless, wise watershed management through implementation of stormwater management techniques and nonpoint source pollution control in these areas has a highly beneficial impact on coastal area water quality. The Scenic Rivers Program cooperates with the Ohio EPA and ODNR's Division of Soil and Water Conservation to encourage watershed protection on designated streams within the basin. (See Appendix J for

additional detail regarding the Scenic Rivers Program's role in nonpoint source pollution control.)

D. DNAP systematically identifies ecologically significant natural areas, communities, species and features to analyze and establish land protection priorities. This information is also provided to planners and government officials for local protection programs and regulations, and to developers to direct development away from sensitive areas.

E. The Ohio Natural Landmark Program is designed to make landowners aware of significant natural features, encourage them to protect these features and provide technical assistance as needed. This is a nonbinding notification and recognition program for owners of natural areas that are not presently scheduled for acquisition. Such areas are then recognized as a part of the registry of natural areas, and technical assistance through DNAP is available to manage them.