

Illegal fences and obstructions to public access along Lake Erie Coast

DESCRIPTION:

At various locations across Ohio's Lake Erie coast, upland property owners have illegally built fences perpendicular across the beach and into the waters of Lake Erie without Federal, State or Local authorizations.



May 5, 2005 Rocky River. Cuyahoga County

CONCERNS:

Illegal fences that have been placed over beaches and into Lake Erie do not allow people to recreate along the shoreline in the Lake Erie Public Trust, i.e. below the ordinary high water mark. Also, during higher lake levels, erosion around the fence posts or concrete blocks that a fence is constructed upon can move and shift causing a fence to bend and break. This could produce dangerously sharp metal and/or concrete pieces in the near-shore area, which could harm bathers and wildlife, such as fish and water fowl.



May 15, 2004 Catawba Island, Ottawa County

The Ohio DNR currently does not issue permits or leases to construct fences in the Lake Erie Public Trust as they are not for a “water dependent purpose,” as required by Ohio Administrative Code.

However, gaining compliance from upland property owners to remove illegal fences is often a time-consuming process. The second and third photos record where an upland property owner in Ottawa County built a fence across the Lake Erie Public Trust. The upland property owner had stationed a guard at the fence who would not allow people to



May 15, 2004 Catawba Island, Ottawa County

recreate within the Lake Erie Public Trust boundary without paying an entrance fee. It took multiple letters to the upland property owner by the Ohio DNR and several months to gain compliance before the upland owner removed the fence. In the meantime, many recreational users of this area of the Public Trust were blocked from accessing their favorite beach for the duration of summer.



2006, Lake County