

# WHY SHOULD WE LEAVE THE ARTIFACTS WHERE THEY LIE?

The artifacts that we leave behind today will be there for our children tomorrow.

The legacy we leave today will educate our children; they too will be able to see, touch and study the unique maritime history of the Great Lakes and Ohio – as it remains in real life – not in books or television pictures, but in the real, always changing, relics found under Lake Erie waters.

## THE DIVER'S CODE

Take only pictures.  
Leave only bubbles.

The Ohio Department of Natural Resources  
is an Equal Opportunity Employer –  
Minority/Female/Handicapped

Bob Taft, *Governor*  
Sam Speck, *Director*

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Fund*

The Ohio law governing salvage or recording of submerged abandoned property may be enforced by any peace officer of a county, township, or city, a park officer, watercraft officer or game warden.

Anyone who recovers Property in violation of this law is subject to fines and possible confiscation of diving equipment. You can help preserve the maritime heritage of Lake Erie by reporting violations of the law to your state or local law enforcement agencies.

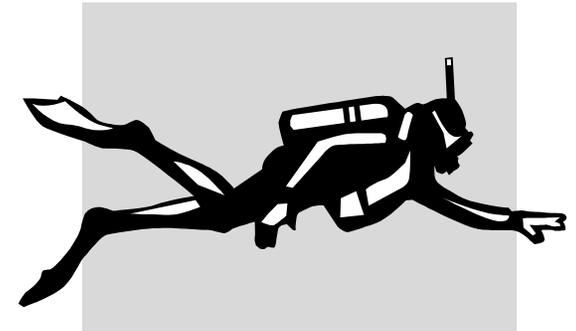
**Learning more: You can read the law itself at <http://onlinedocs.andersonpublishing.com/revisedcode> or ask your local library for Ohio Revised Code Section 1506.30-1506.99.**

Contact the Ohio Department of Natural Resources at:

ODNR Office of Coastal Management  
105 W. Shoreline Dr.  
Sandusky, OH 44870  
419-626-7980 extension 222  
<http://www.dnr.state.oh.us/coastal>

Or contact The Ohio Historical Society at:

The Ohio Historical Society  
1982 Velma Ave.,  
Columbus, OH 43211  
(614) 297-2300  
<http://www.ohiohistory.org>



# DIVERS, SHIPWRECKS AND OHIO LAW



# The Ohio “Shipwreck Law”

## Background.

In 1987, the United States Congress adopted the Abandoned Shipwreck Act. It stated that the United States holds title to all abandoned shipwrecks in the U.S. territorial waters. However, it conferred title of such wrecks to the states in which they are located. It is left to the states to enact laws to manage their underwater resources. After much discussion, the Ohio legislature passed the law governing Ohio shipwrecks in 1992.

## What does this law do?

The law governs management of certain submerged property under the Ohio waters of Lake Erie, to which the State of Ohio holds title in trust for all the people of the state. This trust property (“Property”) includes any part of a sunken ship or aircraft (unless the owners or insurers still have a claim on the vessel), anything from the ship or aircraft, and Native American artifacts.

The law does three main things; it

- (1) prohibits uncontrolled recovery of Property,**
- (2) provides a procedure for the issuance of salvage permits where appropriate, and**
- (3) provides for designating underwater preserves.**

## 1. How does the law effect sport divers today?

Dive and Look is OK. Generally, recreational diving is not affected. You can dive and observe anywhere in the lake. The old diving slogan still applies: “Take nothing but pictures, leave nothing but bubbles.”

No Dive and Grab. Do not remove from the water, alter, or destroy Property submerged under Ohio Lake Erie waters. Remember, “Property” is any part of a sunken ship or aircraft, anything from the ship or aircraft, and Native American artifacts or structures.

## 2. What if I want to salvage artifacts from a shipwreck?

You can start the process of obtaining a Salvage Permit by writing to the Ohio Department of Natural Resources (ODNR).

As a general rule, a diver cannot recover Property without a salvage permit.

The only exception is if the Property is NOT located on or near a sunken watercraft or aircraft and if the Property is recoverable by hand without mechanical or other assistance such as a lift bag. If such Property is more than 30 years old and is valued at more than \$10; the diver must file a written report of the find to the director of the Ohio Historical Society no later than 30 days after the recovery.

## 3. Underwater Preserves.

The law also provides for establishment of underwater preserves, such as those established by the state of Michigan, to protect Property and underwater features of the lake that have special value. No preserve has yet been designated in Ohio. You may have some suggestions on whether and where preserves should be established.

## How to have a say.

The Ohio law specified that a Governor appointed Council of citizens be set up to make recommendations about enforcing the law to ODNR, the Ohio Historical Society, and the state legislature. The first appointments to the seven-member body were made in 1993. Divers are represented on the Council. Meetings are held quarterly and are open to the public. We welcome suggestions to help preserve our underwater heritage for tomorrow’s divers. Contact the Council by writing to:

**ODNR Office of Coastal Management  
105 W. Shoreline Dr.  
Sandusky, OH 44870  
419-626-7980 extension 222  
<http://www.dnr.state.oh.us/coastal>**

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