

Village of Cape Vincent Local Waterfront Revitalization Program

Adopted:

Village of Cape Vincent Board of Trustees, October 13, 1987

Approved:

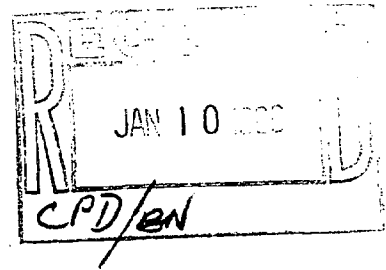
NYS Secretary of State Gail S. Shaffer, June 1, 1988

Concurred:

U.S. Office of Ocean and Coastal Resource Management, July 14, 1988



STATE OF NEW YORK
DEPARTMENT OF STATE
ALBANY, N.Y. 12231-0001



GAIL S. SHAFFER
SECRETARY OF STATE

JAN. 05 1989

Mr. James Burgess, Acting Chief
Coastal Programs Division
Office of Ocean and Coastal Resource
Management
National Oceanic and Atmospheric
Administration
1825 Connecticut Avenue, NW
Washington, DC 20235

Dear Mr. Burgess:

Part of the Department of State's responsibilities for implementation of the New York State Coastal Management Program involves the preparation of Local Waterfront Revitalization Programs (LWRP) under the provisions of the State Waterfront Revitalization and Coastal Resources Act ("Act"), Executive Law, Article 42. The Act authorizes the Secretary of State to approve LWRPs prepared by local governments for those portions of the State coastal area within their municipal boundaries. These local programs are then incorporated into the State's approved Coastal Zone Management Program. You previously received a draft copy of this program for review. By this letter, I would like to inform you that the Village of Cape Vincent Local Waterfront Revitalization Program has been approved. Copies of the program document are enclosed.

Also, pursuant to 15 CFR 923.84(b), the Department of State (DOS) placed a notice in the official State Register dated 8/10/88, stating that the Federal Office of Ocean and Coastal Resources Management (OCRM) had concurred with DOS, that incorporation of the Village of Cape Vincent LWRP into the State's Coastal Management Program constitutes a Routine Program Implementation action. Thus, as of 8/10/88, Federal consistency applies to the LWRP.

If you have any questions, please contact me at (518) 474-9201.

Sincerely,


George R. Stafford
Director
Division of Coastal Resources
and Waterfront Revitalization

GRS:gn

Enclosure

Village of Cape Vincent Local Waterfront Revitalization Program

US Department of Commerce
NOAA Coastal Services Center Library
2234 South Hobson Avenue
Charleston, SC 29405-2413

Adopted:
Village of Cape Vincent Board of Trustees, October 13, 1987

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NYS Secretary of State Gail S. Shaffer, June 1, 1988

Concurred:
U.S. Office of Ocean and Coastal Resource Management, July 14, 1988

HT 177 658 LN 857 1987-88

This Local Waterfront Revitalization Program has been adopted and approved in accordance with the provisions of the Waterfront Revitalization and Coastal Resources Act of 1981 (Executive Law, Article 42) and its implementing regulations (6 NYCRR 601). Federal concurrence on the incorporation of this Local Waterfront Revitalization Program into the New York State Coastal Management Program as a Routine Program Implementation has been obtained in accordance with the provisions of the U.S. Coastal Zone Management Act of 1972 (P.L. 92-583), as amended, and its implementing regulations (15 CFR 923).

The preparation of this program was financially aided by a federal grant from the U.S. Department of Commerce, National Oceanic and Atmospheric Administration, Office of Ocean and Coastal Resource Management, under the Coastal Zone Management Act of 1972, as amended. Federal Grant No. NA-82-AA-D-CZ068.

The New York State Coastal Management Program and the preparation of Local Waterfront Revitalization Programs are administered by the New York State Department of State, Division of Coastal Resources and Waterfront Revitalization, 162 Washington Avenue, New York 12231.

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NOAA Coastal Services Center Library
2234 South Hobson Avenue
Charleston, SC 29405-2413



STATE OF NEW YORK
DEPARTMENT OF STATE
ALBANY, N.Y. 12231-0001

GAIL S. SHAFFER
SECRETARY OF STATE

June 9, 1988

Honorable Clarence R. Allen
Mayor
Village of Cape Vincent
P.O. Box 337
Cape Vincent, New York 13618

Dear Mayor Allen:

It is with great pleasure that I inform you that, pursuant to the Waterfront Revitalization and Coastal Resources Act, I have approved the Village of Cape Vincent's Local Waterfront Revitalization Program (LWRP). The Village is to be commended for its thoughtful and energetic response to opportunities presented along its waterfront.

During our review of the local consistency law which the Village Board of Trustees adopted to aid in implementing the Village's LWRP, our Division of Legal Services observed a technical deficiency that must be corrected. The Division of Legal Services also requested that some minor technical corrections to the text of the LWRP be made. The deficiency in the Consistency Law and the corrections to the text of the LWRP are described in an attachment to this letter. In order to assure that the Village's LWRP and implementing authority are correct, I am approving this LWRP with the condition that the Village will make these corrections. The Department of State legal staff and coastal management program staff will provide whatever assistance you request in this matter.

I will notify State agencies shortly that I have approved the Village's LWRP and will provide them a list of their activities which must be undertaken in a manner consistent to the maximum extent practicable with the Cape Vincent LWRP.

Again, I would like to commend the Village of Cape Vincent on its efforts to develop the LWRP and look forward to working with you in the years to come as you endeavor to revitalize your waterfront.

Sincerely,

A handwritten signature in dark ink, appearing to read "Gail S. Shaffer".

Gail S. Shaffer

GSS:lc

Enclosure



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL OCEAN SERVICE
OFFICE OF OCEAN AND COASTAL RESOURCE MANAGEMENT
Washington, D.C. 20235

JUL 14 1988

George Stafford
Director
Division of Coastal Resources
and Waterfront Revitalization
Department of State
162 Washington Street
Albany, N.Y. 12231

Dear Mr. Stafford:

The Office of Ocean and Coastal Resource Management concurs with your request to incorporate the Village of Cape Vincent Local Waterfront Revitalization Program (LWRP) into the New York State Coastal Management Program as a routine program implementation change. We received seven comments from Federal agencies, none objecting to incorporating the LWRP as a routine program implementation.

In accordance with the Coastal Management Regulations, 15 CFR 923.84, Federal Consistency will apply to the Village of Cape Vincent LWRP after you publish notice of our approval.

A recurring problem with boundary maps has been brought to my attention and must be addressed. The inland boundary narrative and Plate 1, Boundary Map, in the Cape Vincent Final LWRP do not accurately describe the inland coastal boundary. Plate 1, which is unchanged from the Draft LWRP, identifies part of the adopted coastal boundary as "Proposed Additions to Coastal Area Boundary". Page I-3 of the Final LWRP states "The NYS Coastal Area boundary should be revised to incorporate this historic district." (emphasis added). The Final LWRP does not contain proposed boundary changes. The coastal boundary was changed to incorporate the historic district into the NYS coastal area boundary. However, this is not clear from the narrative and Plate 1. People trying to identify the inland coastal boundary for Federal Consistency purposes may be confused by Plate 1 and the narrative.

Inaccurate boundary maps are a problem in other Final LWRPs as well (see Town of Esopus, City of Ogdensburg, and Villages of Sackets Harbor, Clayton, and Dexter). My staff has repeatedly asked that Final LWRP boundary maps clearly identify the adopted coastal area boundary and not make reference to proposed



boundary changes. All Final LWRPs must contain boundary maps that clearly and unambiguously define the coastal boundary as described at 15 CFR section 923.31(a)(8).

The inland boundary must be presented in a manner that is clear and exact enough to permit determination of whether property or an activity is located within the management area.

In the future, we will not concur with Final LWRPs that do not contain clear maps and narrative meeting this criteria.

Sincerely,


James P. Blizzard
Deputy Director

VILLAGE OF CAPE VINCENT
NEW YORK



RECEIVED

OCT 23 1987

DOS
EXECUTIVE OFFICE

October 20, 1987

Gail S. Shaffer, Secretary of State
New York State Dept. of State
162 Washington Avenue
Albany, New York 12231

Dear Secretary Shaffer:

The Village Board of Trustees of the Village of Cape Vincent, New York, adopted their Final Local Waterfront Revitalization Program (LWRP) on October 13, 1987. This action was taken after having completed all environmental review procedures in accordance with the State Environmental Quality Review Act (SEQRA) and having addressed review comments received pursuant to Article 42 of the NYS Executive Law. Attached is a copy of the resolution used by the Village Board of Trustees to adopt the LWRP and the SEQRA Findings Statement.

As the duly qualified and acting Mayor for the Village of Cape Vincent and on behalf of the Village of Cape Vincent, I respectfully request your consideration and approval of the Cape Vincent LWRP pursuant to Article 42 of the NYS Executive Law.

Sincerely,

Clarence Allen
Mayor

Village of Cape Vincent
DEPARTMENT OF STATE
COASTAL PROGRAMS

Resolution of the Village Board of Trustees
Adopted
Cape Vincent Local Waterfront Revitalization Program

WHEREAS, the Village of Cape Vincent entered into a contract with the New York State Department of State, dated January 10, 1985 for preparation of a Local Waterfront Revitalization Program; and

WHEREAS, a Draft Local Waterfront Revitalization Program (DLWRP) was prepared under said contract with the guidance of the Waterfront Revitalization Program Advisory Committee and consulting assistance of the St. Lawrence-Eastern Ontario Commission; and

WHEREAS, a Draft Environmental Impact Statement (DEIS) was prepared for the Local Waterfront Revitalization Program in accordance with the requirements of Part 617 of the implementing regulations of Article 8 of the Environmental Conservation Law; and

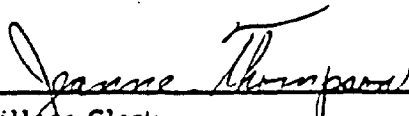
WHEREAS, a DLWRP and DEIS were referred to appropriate local, county, State, and federal agencies in accordance with State and Federal requirements; and

WHEREAS, a public hearing was advertised and held by the Mayor and Village Board of Trustees on December 2, 1986 to receive and consider comments on both the DLWRP and DEIS; and

WHEREAS, a Final Environmental Impact Statement (FEIS) was prepared and accepted by the Mayor and Village Board of Trustees as complete on July 28, 1987.

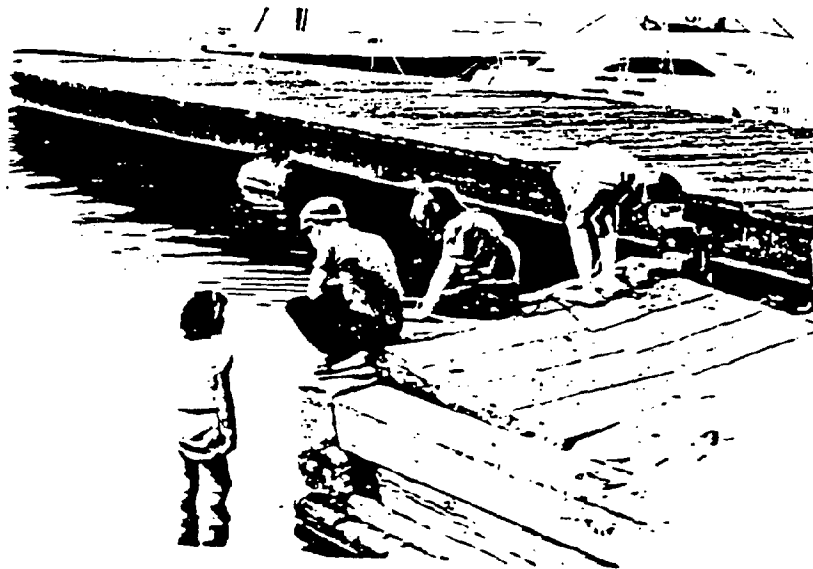
NOW THEREFORE, BE IT RESOLVED, by the Mayor and Village Board of Trustees of the Village of Cape Vincent, New York, that the Local Waterfront Revitalization Program for the Village of Cape Vincent is hereby approved and adopted.

Resolution passed at a regular meeting of the Village Board of Trustees on October 13, 1987.


Village Clerk

VILLAGE OF
CAPE VINCENT

LOCAL WATERFRONT
REVITALIZATION PROGRAM



Prepared by the
VILLAGE OF CAPE VINCENT
with the assistance of the
ST. LAWRENCE-EASTERN ONTARIO COMMISSION
and the
NEW YORK STATE DEPARTMENT OF STATE

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PREFACE

BACKGROUND

The Village of Cape Vincent, situated near the headwaters of the St. Lawrence River on NY Route 12E in Jefferson County, is the principal settlement in the Town of Cape Vincent. The most westerly village in New York State on the St. Lawrence River, Cape Vincent is often referred to as "the gateway to the Thousand Islands." The village and surrounding town are a haven for visitors seeking small town picturesque charm and abundant recreational fishing and boating opportunities. The village's 1980 population was 785, a drop of 4 percent from the 1970 population of 820. However, the summertime influx of vacationers and temporary residents causes a dramatic increase in population and general activity in the village and town.

The village's unique location near the junction of Lake Ontario and the St. Lawrence River was a major factor in the village's initial settlement in 1801 and its subsequent growth as a port for both lake and river trade. Despite an occasional mobile home or new building, the village retains its nineteenth century pattern of development and orientation to the river. Although commercial shipping is now nonexistent in the village, Cape Vincent's lake and river heritage is still apparent in its role as a popular recreational boating center.

In an attempt to foster a strong private and public sector partnership that will achieve the advantageous use and protection of the community's waterfront area, the Village of Cape Vincent, with consultant services provided by the St. Lawrence-Eastern Ontario Commission, is developing a Local Waterfront Revitalization Program.

PROGRAM OVERVIEW

With financial assistance from the NYS Department of State, the Village of Cape Vincent has prepared its Waterfront Revitalization Program in accordance with guidelines and procedures supplemental to the Waterfront Revitalization and Coastal Resources Act of 1981. The body of this report replicates the planning process set forth by the NYS Department of State. General steps include:

1. BOUNDARY DETERMINATION in which the coastal area serving as the program basis for waterfront policies and activities is defined.
2. INVENTORY AND ANALYSIS in which opportunities and problems are identified and their interrelationships and complexities are studied.
3. POLICY DETERMINATION in which the municipality's governing body, upon recommendation from a local advisory committee, identifies those state policies applicable to its coastal area and develops a statement of local policies.
4. USES AND PROJECTS in which specific proposals are presented as potential uses and projects which will advance the coastal policies.

5. IMPLEMENTATION TECHNIQUES in which specific management, funding, and program strategies are identified or developed including organizational structures, land use controls, laws, ordinances, regulations, local government capabilities and necessary and appropriate State actions.
6. CONSULTATION WITH FEDERAL, STATE REGIONAL AND LOCAL AGENCIES in which these agencies comment on the proposed program.
7. IDENTIFICATION OF RELEVANT STATE AND FEDERAL PROGRAMS in which the impacts of non-local programs and actions are considered and both those programs and the waterfront program are modified for consistency.
8. LOCAL COMMITMENT in which the advisory committee formally presents the program to the Village Board who approve the program and transmit this Local Waterfront Revitalization Program to the State of New York.
9. ENVIRONMENTAL CLEARANCE AND PRELIMINARY DRAFT SUBMISSION in which the waterfront program is examined for impacts on the environment and the program is presented to State, regional, and local authorities for review and comment.
10. DRAFT SUBMISSION in which the revisions suggested in Step 9 above are incorporated and submitted to the NYS Department of State for approval.

By following this planning process, with the involvement of the Cape Vincent Waterfront Revitalization Advisory Committee, the Village Board, the NYS Department of State and other public and private organizations, Cape Vincent is assured an effective development effort and rapid implementation of the approved final program.

Two key benefits accrue to the village once its final program is approved. Foremost, is the concept of "consistency." During the development of its draft local program, the village is required to consult with State and federal agencies concerning aspects of mutual interest. Later, the NYS Department of State (DOS) will assist in resolving areas of conflicting interests as State and federal agencies review the completed draft program. Once a Local Waterfront Revitalization Program has received DOS approval, State and federal programs are required by law to be undertaken, to the maximum extent practicable, in a manner consistent with such local program.

Secondly, an approved local program qualifies for implementation funding. Grants covering up to 10% of estimated project costs are available to the local government for preliminary design, engineering and feasibility studies which serve to implement projects identified in the local program.

SECTION I

WATERFRONT REVITALIZATION AREA BOUNDARY

The State's Coastal Management Program has established statewide coastal boundaries in accordance with the requirements of the Coastal Zone Management Act of 1972, as amended, and its subsequently issued rules and regulations. The waterfront revitalization area boundaries for the village are shown on Plate 1.

LANDWARD BOUNDARY

The coastal boundary does not follow municipal boundary lines; generally it is a linear strip corresponding to the inland edge of the riverfront area, with the exception of an historic district on the western end of the Village that was listed on the State and National Registers of Historic Places in September, 1985.

The landward boundary is shown on Plate 1 and is described below.

Landward Boundary. Commencing at the intersection of County Route 6 (Pleasant Valley Road) and the village's western corporate boundary; thence easterly along the village corporate boundary to the eastern property line of parcel #49.24-1-41.22; thence northerly along said property line to Broadway; thence east on Broadway parallel to the St. Lawrence River to Marker Street; thence north on Market to Gouvello, east on Gouvello to Esselstyne; thence south on Esselstyne to Broadway; thence east on Broadway to the eastern village limits..."

WATERSIDE BOUNDARY

The waterside boundary of the Village of Cape Vincent is as follows: Beginning at the southwestern intersection of the Village of Cape Vincent/Town of Cape Vincent municipal boundaries and the mean high water line of the St. Lawrence River; thence northeasterly along the mean high water line to the northeastern intersection of the Village of Cape Vincent/Town of Cape Vincent municipal boundaries.

VILLAGE OF CAPE VINCENT

PLATE 1

Boundary Map

PREPARED BY THE ST. LAWRENCE-EASTERN ONTARIO COMMISSION
LOCAL GOVERNMENT ASSISTANCE PROGRAM



Scale 1" = 800'

LEGEND

--- Coastal Area Boundary

L-5

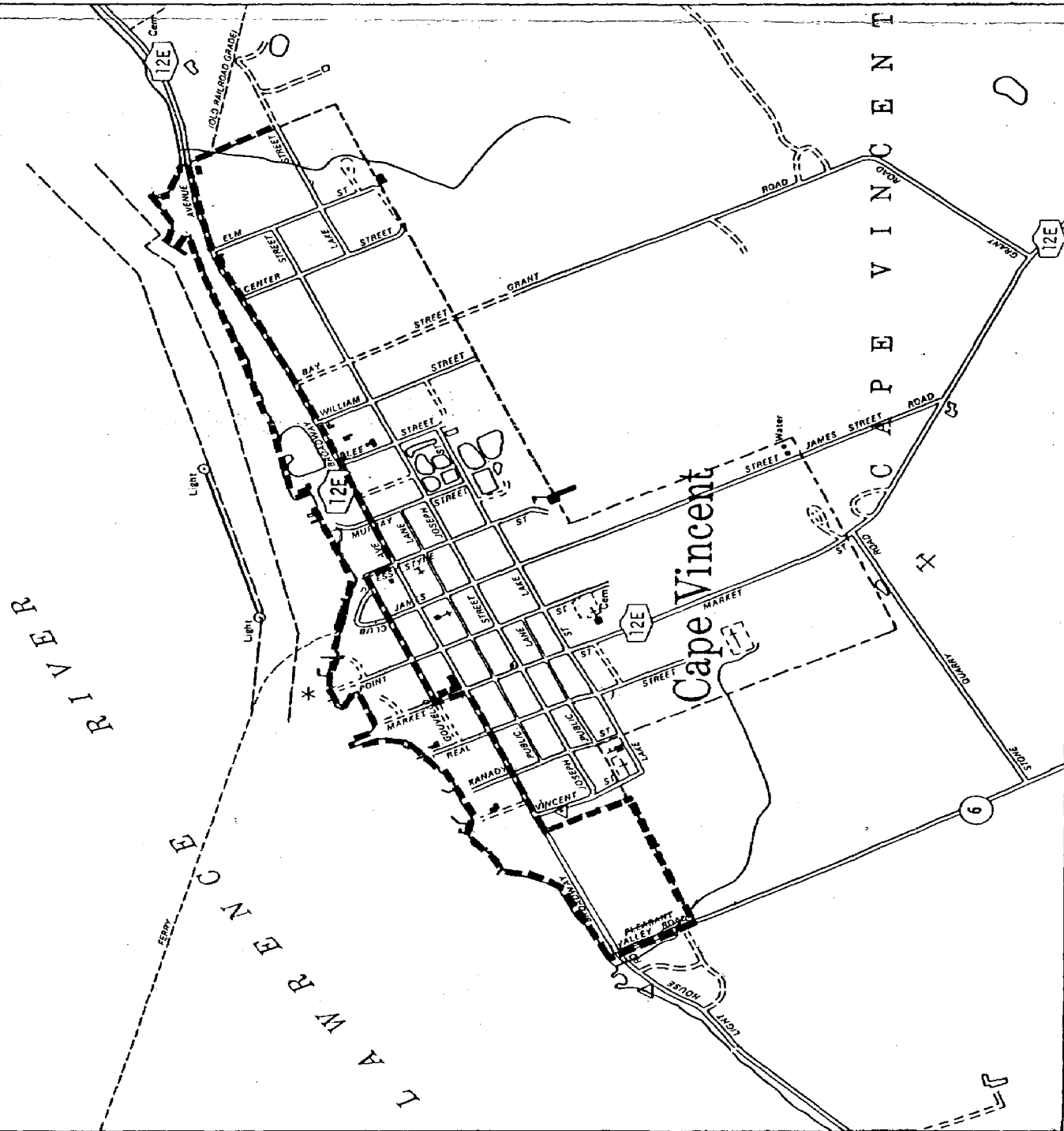


PLATE 2

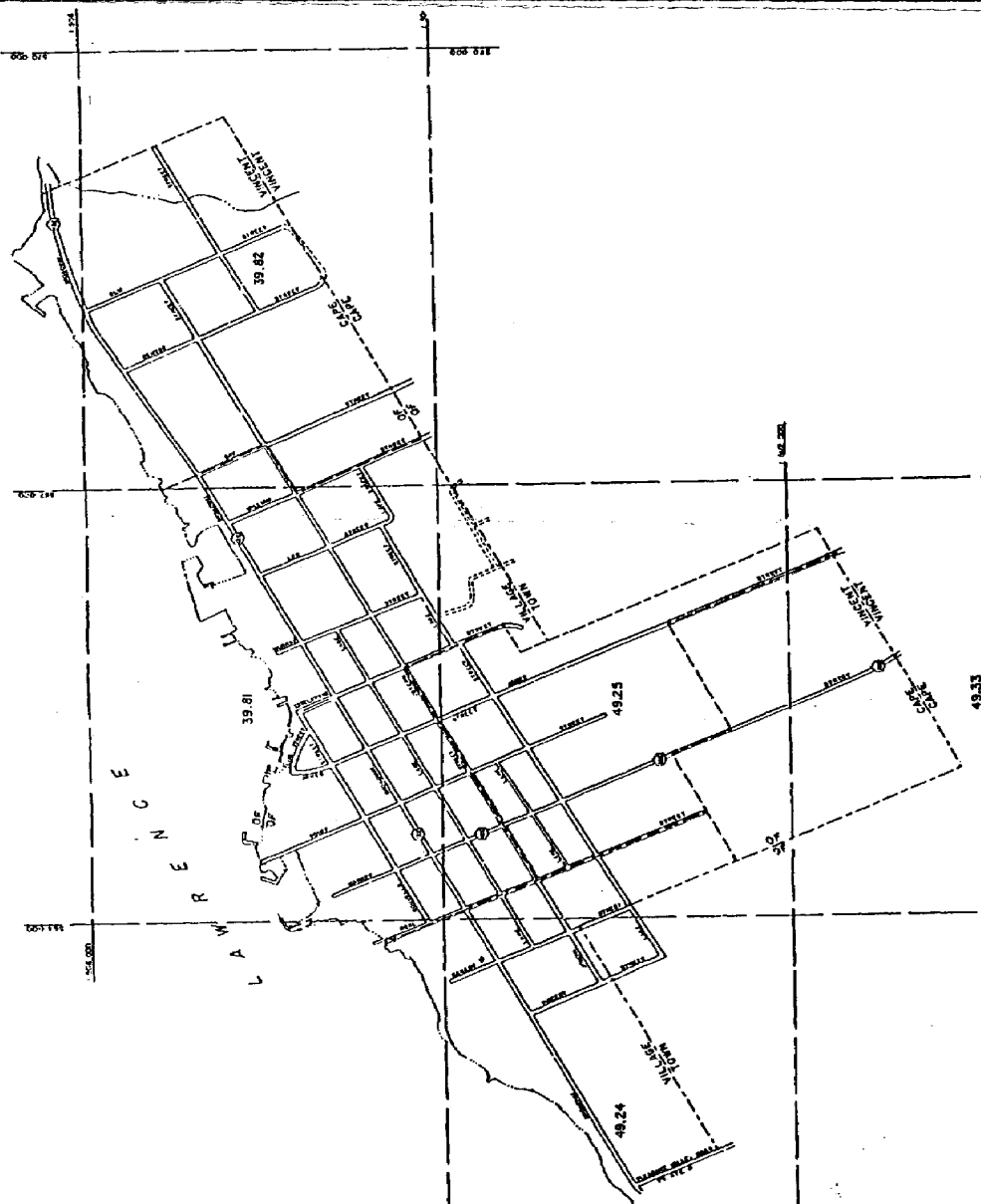
Village of Cape Vincent
Corporate Boundary

PREPARED BY THE ST. LAWRENCE--EASTERN ONTARIO COMMISSION
LOCAL GOVERNMENT ASSISTANCE PROGRAM

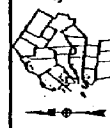


Scale 1" = 800'

LEGEND

[illegible]

PREPARED BY
JEFFERSON COUNTY TAX MAPPING DEPT.
FOR
JEFFERSON COUNTY, NEW YORK



TAX MAP
TOWN OF CAPE VINCENT
VILLAGE OF CAPE VINCENT
JEFFERSON COUNTY, NEW YORK



SECTION II

INVENTORY AND ANALYSIS

This section contains a list and discussion of significant coastal conditions upon which the Cape Vincent Local Waterfront Revitalization Program is based. It is divided into three broad categories: natural resources; community/cultural resources; and current land and water uses.

In addition to field observations and meetings with local officials and the LWRP committee, numerous sources were consulted in the preparation of this section. Information sources include the NYS Coastal Atlas, NYS-DEC publications, and St. Lawrence-Eastern Ontario Commission studies and publications.

I. NATURAL RESOURCES

A. Water Resources

The Village of Cape Vincent is the most westerly village in New York State on the St. Lawrence River, located near the junction of Lake Ontario.

The shoreline has been developed for commercial, recreational and residential uses. Marine development potential (marinas, docking, etc.) is somewhat restricted by the natural limitations of the shoreline. The river is heavily used for recreational boating and fishing, and commercial freight shipping. The St. Lawrence Seaway channel is approximately 1,500 feet from the village shoreline. Depending on spring and fall weather conditions, the shipping season is approximately April through December. A 1,400 ft. long breakwater built in the late 1890's protects the village shoreline from ship waves and northerly wind waves. The U.S. Army Corps of Engineers made extensive repairs to the breakwater in 1982 and 1983. The breakwater is currently in good condition and affords adequate protection to the harbor area.

The village's harbor areas are illustrated on Plate 3. The main harbor area contains the Wolfe Island Ferry dock and five commercial marina's. A secondary harbor area at the village park at the eastern edge of the village has been created by the completion, in 1986, of a new village boat ramp. See Plate 7 for the exact location of these facilities. Small private docking facilities are also located along most of the village's shoreline.

DEC has rated the river quality in the Cape Vincent areas as "Class A", suitable for primary contact recreation and for drinking (if subject to State approved treatment). The St. Lawrence River is the water supply for the Cape Vincent municipal system.

The Strategic Plan for Economic Development through Expansion of Waterway Access to the Great Lakes, prepared in 1982 by NYS Department of Environmental Conservation and the Office of Parks, Recreation and Historic Preservation, identified Cape Vincent as a site under consideration for development in 1990-2000. Development of projects listed include a pier and parking for an estimated cost of \$335,000.

Analysis

Maintaining and protecting the quality of the river is essential. Without it, the area's recreational tourism would suffer. Although the quality of the river in the Cape Vincent area is generally good, water quality should be monitored carefully and new shoreline uses assessed for potential impacts on the water. This is particularly important as recreational use of the river increases and shoreline development intensifies. Adequate facilities for boat pumpouts and subsequent disposal of wastes is important for maintaining acceptable water quality conditions. Two commercial marinas provide these facilities.

With the river as the basis for much of Cape Vincent's recreational tourism, access to the river, especially publicly provided access, should be maintained and improved. New development should be reviewed in light of the LWRP's overall goals, particularly to prevent conflicting uses and loss of valuable public access and recreation opportunities on the river.

The harbors of the Village of Cape Vincent provide access to the St. Lawrence River for both commercial and recreational boating which are vital to the economy of the village. Development of sailboat moorings within the breakwater is recommended in order to enhance the harbor's usefulness as a site for recreational boating. (See Section Four, Proposed Projects.) The Wolfe Island Ferry should also be maintained for the sake of the village's tourist economy. (See Section Two, Community and Cultural Resources.) In order to ensure the continued usefulness of the harbor and its facilities, particular attention should be paid to the Policies regarding erosion and ice management. (See Natural Resources, Flooding and Erosion).

The village has reviewed the DEC stream classification of the St. Lawrence River and finds the "A" classification to be compatible with the existing and proposed land and water uses put forth in this program.

B. Fish and Wildlife (Plate 3)

The NYS Coastal Atlas identifies no fish and wildlife habitats of statewide significance in the St. Lawrence River off of Cape Vincent. Fish and wildlife are a major component of the Lake Ontario-St. Lawrence River environment and the village's economy for the recreational fishing and tourism industries -- and they directly relate to other significant issues of the area.

A number of fish species are found in the Cape Vincent coastal area: muskellunge, smallmouth bass, northern pike, walleye and yellow perch. Smallmouth bass is the most highly prized species of the area and is thus very important to the sport fishery and associated businesses. Northern pike support a substantial winter sport fishery. The annual Cape Vincent ice fishing derby attracts

500 to 1,000 people -- ice conditions permitting. The muskellunge fishery is most noteworthy in the autumn, when guides and sportsmen concentrate on that species. The presence of the NYS-DEC fisheries research station and aquarium in Cape Vincent substantiates the importance of the fisheries resources in this area of the lake and river. The fisheries station provides educational opportunities and serves as an information source concerning area resources.

A number of waterfowl and water-oriented bird species concentrate in the area during the spring and fall migration periods and also during the summer nesting and rearing period. A listing of species that may be found in the area surrounding Cape Vincent is provided in Appendix E. Species listed as "threatened" or "of special concern" that may be found in the Cape Vincent area include common loon, black tern, common nighthawk, and Cooper's hawk (species of special concern); as well as common tern, northern harrier, and osprey (threatened species). The breakwater offshore from the village is a popular resting area for migratory birds. The terms "threatened" and "of special concern" are defined in Appendix A.

There are no wetlands or areas of unique vegetation within the village coastal area.

Analysis

Given that the economy depends, in part, upon the quality of the river and associated resources, sound management of these resources is essential, especially for the area's fishery, tourism and scenic resources. Care should be taken to review any nearby development plans for compatibility.

C. Scenic Resources and Visual Quality (Plate 8)

Scenic resources are one of the major attractions of the region and contribute to the area's seasonal home, marina, tourism, and recreational facility development. Due to the nature of its historical development, Cape Vincent has maintained more visual access to the river than many other St. Lawrence River villages. These open views to the river are important to the overall visual quality of the community.

A 1983 U.S. Department of Interior National Park Service study recognized the St. Lawrence River-Thousand Islands area as one of the greatest landscapes in America. Significant cultural and landscape elements were identified (historic sites, views of the river, commercial shipping, etc.). The NPS report describes the visual quality of the corridor as unique and worthy of revitalization and preservation efforts.

In 1984, SUNY Syracuse completed a St. Lawrence River Scenic Access Study which assessed all scenic views to the river in a five-town area along NY Route 12E. The report established criteria and methodology for assessing scenic access resources and outlined

methods for preserving scenic access of significant quality. The study identified two high quality viewsheds from the village outward to the river (see Plate 8). The view from the eastern end of the community along Route 12E contains an unobstructed view to the river. The view from the central portion of the village is segmented by some structures. The general characteristics and landscape elements which occur within these areas include:

- High amount of water visible
- River appears in foreground
- Enframed or segmented view with little or no obstruction from vegetation or man-made structures
- Foreground vegetation acts primarily as canopy
- Virtually no land area affecting views of the River
- Normal viewer position

Within these areas, seven locally significant scenic access points were identified. Two additional points further west along the shoreline were also cited. From east to west these include:

- 1) Village Park. The open expanses of the village park provide an unobstructed view of the shoreline and river from Rt. 12E and throughout the park. Public ownership of the park insures public access to this site.
- 2) Marina. The village's largest commercial marina, which contains a renovated railroad depot converted to a store and office, provides a picturesque setting for viewing the landscape from both land and water.
- 3) Murray Street. This village street ends approximately 100 feet before the shoreline, with a grassed area extending to the river. This right-of-way provides a scenic view of the harbor area inside the breakwall and of the historic DEC fisheries building.
- 4) Esselstyne Street. The street terminates with a concrete bulkhead at the Village's public dock. While the view from shore is constricted by surrounding marina structures, a linear corridor provides a view of the harbor area inside the breakwall.
- 5) James Street. The James Street/Club Street area is an active waterfront area due to the ferry dock and tourist facilities. Ferry passengers benefit from scenic views of the Cape Vincent waterfront. Club Street area structures are in need of renovation and detract from the scenic quality of this area.

- 6) Point Street. This village right-of-way provides good pedestrian access to the riverfront and an excellent view of the St. Lawrence Seaway shipping channel.
- 7) Market Street. Several park benches and a small beach area augment the waterfront termination of this village street. The area has good visual access with an unrestricted view of the shipping channel.
- 8) Real Street. This street provides a visual corridor to the St. Lawrence River. The village pumphouse and a deteriorated breakwall detract from the scenic quality of this area.
- 9) Kanady Street. Park benches and an attractive site create a high quality viewing area at the river end of this street.

The NYS Coastal Atlas does not identify any scenic vistas of statewide significance in Cape Vincent.

Analysis

The Cape Vincent waterfront offers a great deal of visual access to the St. Lawrence River and the Thousand Islands, and is, itself, a source of scenic beauty both from the St. Lawrence and from within the village. Dead end streets with grassed areas and benches, harbors and marinas, and the Village Waterfront Park provide excellent views of the St. Lawrence River. The tree lined shores and the harbor area of Cape Vincent provide boaters and ferry passengers with picturesque views from the river. Within the village there are a number of beautiful and impressive examples of historic architecture ranging from early 1800's Georgian to late 1800's Victorian and a touch of New Orleans. The village's function as a point of entry from Canada, its historic French influence, and its residential nature give it a look and feel that is quieter and less commercial than many other resort towns along the St. Lawrence.

Maintaining scenic views to the river is essential to the tourism industry. Future development should not block visual corridors and should be designed to maintain or enhance the scenic quality of the waterfront. The deteriorated waterfront areas merit improvement and could directly enhance recreational and public access resources as well. Town and village leaders in cooperation with private property owners, developers and community organizations like the Cape Vincent Improvement League and the Chamber of Commerce, have the potential to foster needed efforts to enhance and protect the scenic resources and overall visual quality of the waterfront area. The small coastal village charm and appearance is an asset to the community and should be maintained.

Several areas in the village have potential for improving overall visual quality. The waterfront area between Esselstyne, James and Gouvello Streets -- more commonly known as the Club Street block --

is a mix of commercial, residential and recreational land uses. This one-block area has the largest concentration of structures in deteriorated condition in the village. It is a highly visible area to tourists because of the location of the commercial ferry dock on James Street. The presence of the ferry supports a few businesses in the immediate vicinity; the remainder of the block is primarily residential. A proliferation of commercial signs is unattractive. Simple changes in sign composition, size, and number could help to greatly improve the overall appearance of the area. Traffic congestion near the ferry entrance also presents problems. Opportunities exist for public and private development including improved recreational uses and rehabilitation of residential and commercial buildings to create an aesthetically pleasing and functional mixed use area. Efforts to enhance this area would have positive benefits for residents, businesses, and the general public.

The Town of Cape Vincent garage, which is an historically significant structure, is located near the waterfront on James Street. The building is used for a town storage facility, Chamber of Commerce offices and public restrooms. However, it is underutilized due to its poor condition and lack of parking space. Being close to the ferry, the building has potential for further uses, especially in terms of tourism. Basic improvements such as parking, landscaping, and interpretive signs could bolster the facility significantly.

Other areas in need of improvement include the Village Park where vestiges of former commercial piers and a coal dock are unattractive and a threat to public safety; submerged deteriorated remnants of a pier at the end of Market Street; and a broken up breakwall at the end of Real Street. The village is working to have the Coast Guard remove the Market Street pier. These three areas have valuable opportunities for passive or active recreation facility development. Visual quality as well as public safety would be enhanced by rehabilitation of these areas.

The village's linear orientation to the river and the presence of several scenic vistas contribute to the community's special character. Other factors enhancing the village's character include several historically and architecturally significant structures, a low scale built environment which blends well with the surrounding natural resources, and several water based recreational facilities which lend a distinct maritime flavor. Improvement and maintenance of Cape Vincent's quaint appearance and scenic resources is vital to its tourist-based economy.

C. Soils and Topography, Flooding and Erosion, and Air Quality

1. Soils and Topography (Plate 3)

Soils vary within the village but the primary soil types are the Kingsbury and Covington silty clays. These tend to be

poorly drained, have a very shallow depth to the seasonal water table, and have development limitations requiring extreme management and design considerations.

The coastal area is generally level, with elevations ranging from approximately 250'-260'.

2. Flooding and Erosion (Plate 8)

Flooding along the riverfront is not a significant problem. Areas prone to flooding have been mapped by the Federal Emergency Management Agency (FEMA) on a Flood Insurance Rate Map dated April 17, 1985. Designated flood hazard areas coincide with St. Lawrence River shoreline areas affecting most of the water dependent uses shown on Plate 7. Development in the village is subject to flood damage prevention regulations as part of the village Development Code.

Two areas of potential erodibility within the Village of Cape Vincent, and one additional area nearby within the town, have been identified in the Evaluation of Shore Structures and Shore Erodibility, St. Lawrence River, New York State (SLEOC, 1977). An area of Very High Potential for Erodibility occurs on a low bluff area with no beach near the western edge of the village. On the very eastern edge of the village, within the Waterfront Park, is an area of Low Potential for Erodibility. A third area of Low Potential for Erodibility occurs on the low bluff along the Village's coastline between Elm Street and William Street. Another area of Low Potential for Erodibility occurs on a low bluff just west of the village within the Town of Cape Vincent. Although coastal erosion is addressed by the State Coastal Erosion Hazard Areas Law of 1981, ECL Article 34 (CEHA), which sets up a development permit system and requires DEC to map all Coastal Erosion Hazard Areas, DEC has stated that they do not have plans to identify Coastal Erosion Hazard Areas in the Village of Cape Vincent. However, the Village of Cape Vincent has identified the three areas mentioned above (mapped on Plate 8) as erosion hazard areas of local concern.

Ice movement, wind-driven wave action and waves from the Seaway shipping channel damage boat houses, piers and docks along the river. These structures often need stabilizing and strengthening in areas exposed to northern winds, ice damage, or wave disturbance.

Policies regarding the siting of structures within the village have been developed in order to minimize the damage to structures due to erosion and flooding. (See Section Three, Policy 11.) The Town of Cape Vincent should be aware that the same hazards due to erosion and flooding exist along the coastline within the town. Policies adopted by the Town in regard to such hazards would not only mitigate problems within the town but, also help prevent subsequent, adverse effects on

the village.

3. Air Quality

The NYS Coastal Atlas does not identify any Air Quality Maintenance Areas in the Cape Vincent area. Poor air quality is not a problem and there are no apparent immediate threats.

Analysis

Soil conditions in the coastal area may be limiting due to permeability, prolonged wetness and depth to bedrock. A thorough on-site investigation of soil conditions is recommended for any major development. Topographical features pose few development constraints.

Commercial shipping, wave and ice damage, and high water levels create problems for property owners and adverse impacts upon the resource base. Development should be compatible with such conditions.

II. COMMUNITY AND CULTURAL RESOURCES

A. Public and Semi-Public Facilities (Plate 4)

Most significant are the publicly provided river access and water-related recreation facilities. The village and town have formed a joint Park and Recreation Commission which will be responsible for all such public recreation facilities. The following list describes the public recreation facilities and river access sites in the village coastal area.

1. Cape Vincent Village Park (Plate 4, Site 1)

- a. Partially developed 7-acre waterfront park, east of the village center between NY Route 12E and the river.
- b. Excellent view of the river.
- c. Within walking distance of the village district.
- d. Gravel parking area and limited picnic facilities.
- e. Provides access for fishing: off the bulkhead on the west end and off the old coal dock at the east end.
- f. The village has plans for developing the park for expanded fishing, boating, and scenic access opportunities.
- g. During the summer of 1986, a boat ramp and parking area will be built, as of joint village, town, and DEC project.

VILLAGE OF CAPE VINCENT

PLATE 3

Water Resources,
Fish & Wildlife Resources,
Topography

PREPARED BY THE ST. LAWRENCE-LAKESTOWN ONTARIO COMMISSION
LOCAL GOVERNMENT ASSISTANCE PROGRAM



Scale 1" = 800'

LEGEND

- 250 - Land Contours



Depression Contours



A DEC Water Quality



Birds



Fish



1 Main Harbor Area

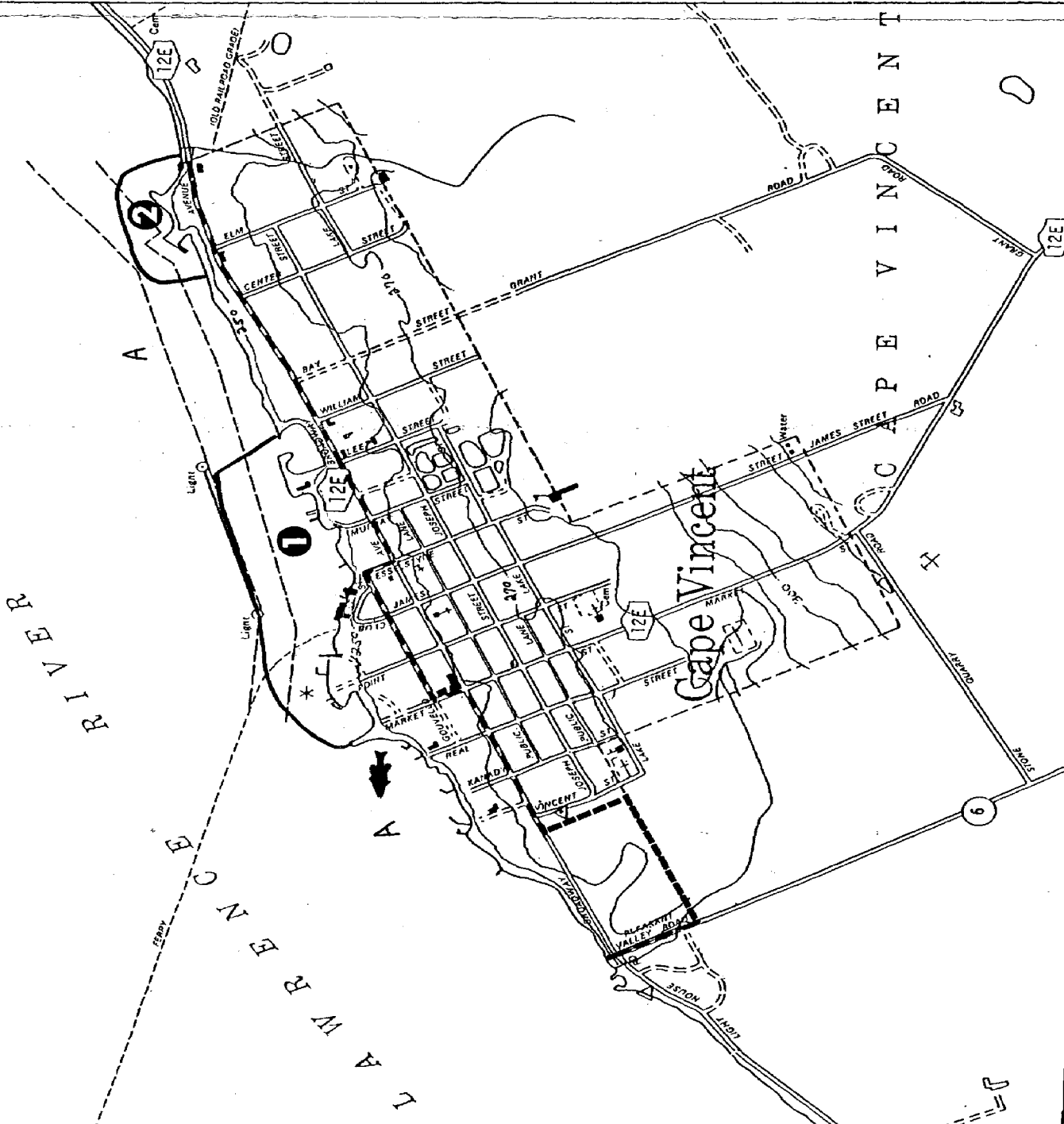


2 Secondary Harbor Area



Coastal Area Boundary

II-11



There is an unrestricted view of the shipping channel, several park benches, and a small beach (no lifeguard on duty; swimming not encouraged by village due to liability problems). As noted earlier, a submerged pier is a navigational hazard.

- 6) Real Street: This area has a park bench and picnic table, limited parking, and good pedestrian access to the village. The site is adjacent to the village library and includes the village water supply pump house. The site includes a deteriorated breakwall but holds potential for further development.
- 7) Kanady Lane: The overall visual appearance of the site is good, and it has a high quality view of the river. There are two park benches on the waterfront; no parking area is available.

Other public facilities in the coastal area include:

- . the village pump station on Real Street
- . the sewage treatment plant at the end of Elm Street
- . The DEC fisheries research station and aquarium on Broadway Street
- . the U.S. Customs and Immigration Office for the Wolfe Island ferry port of entry (Plate 4, Site 6)
- . the Town of Cape Vincent garage which is used for storage, Chamber of Commerce offices, and public restrooms (Plate 4, Site 7)
- . The Saint Lawrence Seaway Development Corporation Upriver Operations Office. Leasing the former U.S. Coast Guard Station located at the end and to the east of Point Street. (Plate 4, Site 8)

Community facilities such as schools and the central business district are not within the coastal area.

Analysis

The existing publicly provided dock and water-related recreation facilities are heavily used. Deficiencies such as lack of parking space, and no restrooms at the waterfront park present opportunities for improvement with multiple benefits. Several riverfront dead-end streets that provide public access to the river would also benefit from improvement. (See Plate 4.)

The Village's public dock - known as the "Town Dock" - is located off the northerly end of Esselstyne Street. (see Plate 4, Site 5) It was built around the time of World War I (16' x 220') and repaired in the early 1970's with a new concrete cap. In recent years, the Village has observed that seams in the concrete cap have opened and sections of the cap have begun to sink and tilt. An inspection of the dock's timber cribs during the Summer of 1986

2. Municipal Dock (Plate 4, Site 5)

- a. Located on Esselstyne Street, with an excellent view of the harbor.
- b. Approximately 12' wide and 200' long with 21 mooring cleats. Because of deteriorating timber cribs, the dock is in need of reconstruction.
- c. Drinking water is available.
- d. The dock is heavily used and lacks adequate parking facilities.
- e. A parking lot for vehicles is provided two blocks away, on Joseph Street.

3. The DEC Fisheries Station Dock (Plate 4, Site 3)

- a. Located on Broadway with excellent view of harbor.
- b. Primarily for DEC Fisheries Field Unit's use.
- c. Provides limited public boater use of the facility, with minimum regulation, on a first-come, first-served basis.
- d. Restrooms, picnic tables and cooking grills are available for public use.

4. Waterfront End of North-South Streets (Plate 4, Sites 4a-4g)

- a. A number of streets provide direct access to the river:
 - 1) Murray Street: The street ends about 100 feet before the waterfront, and a grassed area extends to the river. There is one wood and concrete bench by the waterfront. The area provides a good view of the entire harbor inside the breakwall and of the historic DEC fisheries building.
 - 2) Esselstyne Street: The street terminates with a concrete bulkhead at the public dock. The area includes 'veterans park,' a small linear strip of land containing memorials and shrubs.
 - 3) James Street: This is an active waterfront access site because of the ferry to and from Canada. Parking space is limited, and the general area appears deteriorated. The area has a considerable amount of undeveloped potential.
 - 4) Point Street: The street terminates with a concrete bulkhead and railing. A park bench is provided. This location has an excellent view of the shipping channel and could be developed further for passive recreation. However, there is very limited potential for parking so the area is limited to pedestrian access.
 - 5) Market Street: As an extension of NY Route 12E, this is an active area with good visual access to the river.

showed them to be separating and settling. The condition of the cribs has raised serious concerns for the safety of the public dock.

The Village's public dock is a vital marine facility for tourism in the Village. Each year hundreds of visitors come to Cape Vincent by water. For transient boaters, the public dock provides a safe and convenient point of arrival with depths adequate for large cruisers and sailboats. It's popularity - especially during events such as the French Festival - is considerable.

With tourism and recreation as the vital component of the village's economy, further development of public and private recreation facilities will enhance the stability of the economy -- if balanced with appropriate protection for the valuable natural and cultural resources which give Cape Vincent its character and identify as a resort area.

The stationing of the 10th Infantry Division at Fort Drum northeast of Watertown will be an added pressure on local resources. Substantial population increased (estimated to exceed 20,000 people with growth beginning in 1985) will heighten the demand for and use of public access and water-related recreation facilities.

Management of resources between all levels of government is essential for effectively dealing with these issues and opportunities. Development proposals involving or in close proximity to publicly-owned waterfront parcels must address the potential impacts upon public access and recreational opportunities.

B. Historic Resources (Plate 8)

Historic and architectural resources in the coastal area reflect the influence of early French settlers and the residential and commercial expansion of the nineteenth century village. These resources contribute to the charm and attractiveness of the village as a resort area. Resources in the village that are of local, state and national significance were identified in a 1980 survey conducted by the St. Lawrence-Eastern Ontario Commission. The significance of these structures is based in part on their architectural style, age, and condition.

Most of the significant structures were built between 1810 and the 1880's. The predominant architectural styles include Greek Revival, Italianate and vernacular limestone farmhouses. French immigrants who settled in Cape Vincent after the Napoleonic wars built and occupied several homes in the area.

The survey indicated that due to modern alterations and intrusions in the area, the commercial area is not a potential historic district. However, a joint Town and Village Multiple Resource

Nomination to the State and National Registers of Historic Places was approved by the U.S. Department of the Interior on September 27, 1985. The nomination included several individual structures in the village and an historic district at the west end of Broadway. Nominated structures located within the coastal area include:

- | | | |
|--|------|---|
| 1. DUVILLARD MILL
(DEC Fisheries Station)
Broadway | 1856 | 4½-story vernacular limestone mill with multi-gabled stick style porch and stepped cornice decoration and finials added mid to late 19th c. |
| 2. ERASTUS K. BURNHAM HOUSE
565 Broadway (Route 12E)
Village of Cape Vincent | 1870 | 2-story Italianate style brick residence, hipped roof with belvedere, projecting cornice with corbelling brackets, freize windows and window hood moldings. |
| 3. LEWIS HOUSE
Market Street
Village of Cape Vincent | 1875 | 1½-story vernacular frame residence, 3½-story engaged tower with mansard roof pedimented dormers. |
| 4. CORNELIUS SACKET HOUSE
Broadway (Route 12E)
Village of Cape Vincent | 1900 | 1½-story Colonial revival style frame residence, side wing added pre-1935, gambrel roof with 3 hipped and 1 pedimented dormers, recessed porch with fluted Ionic columns. |

The Broadway Historic District contains three estate properties, built between 1815-1840 by prominent French emigres. The 22 acre district contains five residences as described below:

- | | | |
|--------------------------------------|---------------|--|
| 1. VINCENT LERAY
STONE HOUSE | 1815-
1817 | 2-story limestone Georgian style residence, original limestone quoins, watertable and door and window arches, balastraded hipped roof. |
| 2. STONE HOUSE
SERVANT'S QUARTERS | 1820 | 2-story frame French Colonial style residence, original flared front and rear porch, stuccoed end walls and casement windows. |
| 3. MAPLE GROVE | 1838 | 2-story frame Greek Revival style residence, original denticulated pedimented 2-story portico and entry with sidelights. |
| 4. BEECHWOOD | 1840 | 2-story brick and frame Greek |

Revival style residence,
denticulated pedimented 2-story
portico added 1930.

5. BRAGDEN HOUSE

c.1840

2-story frame residence,
L-shaped plan, porch and
porte-cochere added 1890,
contributing early 20th century
stable and gazebo, originally
part of the Stone House
property.

Locally significant historic resources include and town-owned limestone garage on James Street. The garage is a one and one-half story, foundry building originally constructed in 1845. It is one of the town's two remaining limestone industrial structures and is a prominent feature within the village.

No sites of archaeological importance are shown on the NYS Archaeological Site Locator Map.

Analysis

Historic and cultural resources are a key element in the village's unique character. Although there are no specific threats to any historic structures within the waterfront area, any future development proposals should be scrutinized for their potential impact on these resources. (See Section Three, Policies 23, 25 and 25A.) The history and culture of the area should continue to play an important role in the life of the community. For example, incorporating new compatible uses for old buildings into development plans, especially in the downtown district and along the waterfront, would help these resources endure while strengthening the local economic base. The historic preservation tax incentive program provides opportunities for citizens to maintain these irreplaceable resources by utilizing historic preservation as a means to achieve economic development. The historically significant town garage was noted earlier. Although it is not eligible for listing on the State and Federal Registers, it occupies a prominent location in the community, the building's potential for improved use should be seriously considered by the town and village. (See Section Four, Proposed Projects.)

C. Commercial Facilities and Important Economic Activities

There are no industrial facilities in the village waterfront area. Commercial facilities are generally of a service nature. The major commercial enterprise in the village and the coastal area is a privately owned, seasonal automobile and passenger ferry running from Cape Vincent to Wolfe Island, Ontario. A second ferry connects Wolfe Island to Kingston, Ontario. Due to the presence of this ferry, U.S. Customs maintains a port of entry and customs office in Cape Vincent.

Four lake and river pilot boat crews operate out of the Cape Vincent Seaway Pilot Station located on Broadway. The crews operate twenty-four hours a day during the shipping season, under contract with the Seaway Development Corporation, to help ships navigate the Seaway.

With tourism and recreational fishing and boating as the principal economic activities, a large share of business activity and local employment in the village depends on this activity (marinas and related businesses, motels, rental cottages, restaurants, etc.). Other indirect benefits are garnered in the banking, real estate and business communities.

Commercial water-related recreational facilities provide significant points of access to the river. Five commercial marinas offer a range of services including dockage, mooring, ramps, fuel and repair, sales and rentals. Fishing guides, bait and tackle, and charter services are also available.

Promotional activities of the Cape Vincent Chamber of Commerce, service organizations and individual entrepreneurs help to increase the level of tourism. Annual events such as the French Festival and ice fishing derbies draw thousands of visitors. Sales taxes and property taxes resulting from tourism activities are important sources of municipal revenue.

Analysis

Generally, the local tourist industry is strong. Given the seasonal demand and influx of tourists and people interested in fishing and boating, considerable potential exists for additional commercial facilities. The Fort Drum expansion will most likely be a catalyst for some growth. All levels of government, and local organizations and private business should work together to implement improvements to the village's commercial facilities.

VILLAGE OF CAPE VINCENT

PLATE 4

Significant Community/
Cultural Resources

PREPARED BY THE ST. LAWRENCE-EASTERN ONTARIO COMMISSION
LOCAL GOVERNMENT ASSISTANCE PROGRAM



Scale 1" = 300'

LEGEND

- 1) Village Park
- 2) Seaway Pilots Station
- 3) DEC Fisheries Station and Dock
- 4) North-South Dead End Streets w/
 - a) Murray Street Public Access
 - b) Esselstynne Street
 - c) James Street
 - d) Point Street
 - e) Market Street
 - f) Real Street
 - g) Kanady Street
- 5) Municipal Dock
- 6) U.S. Customs and Immigration
- 7) Town Garage/Chamber of Commerce
- 8) St. Lawrence Seaway Development Corp. Office



Village Property



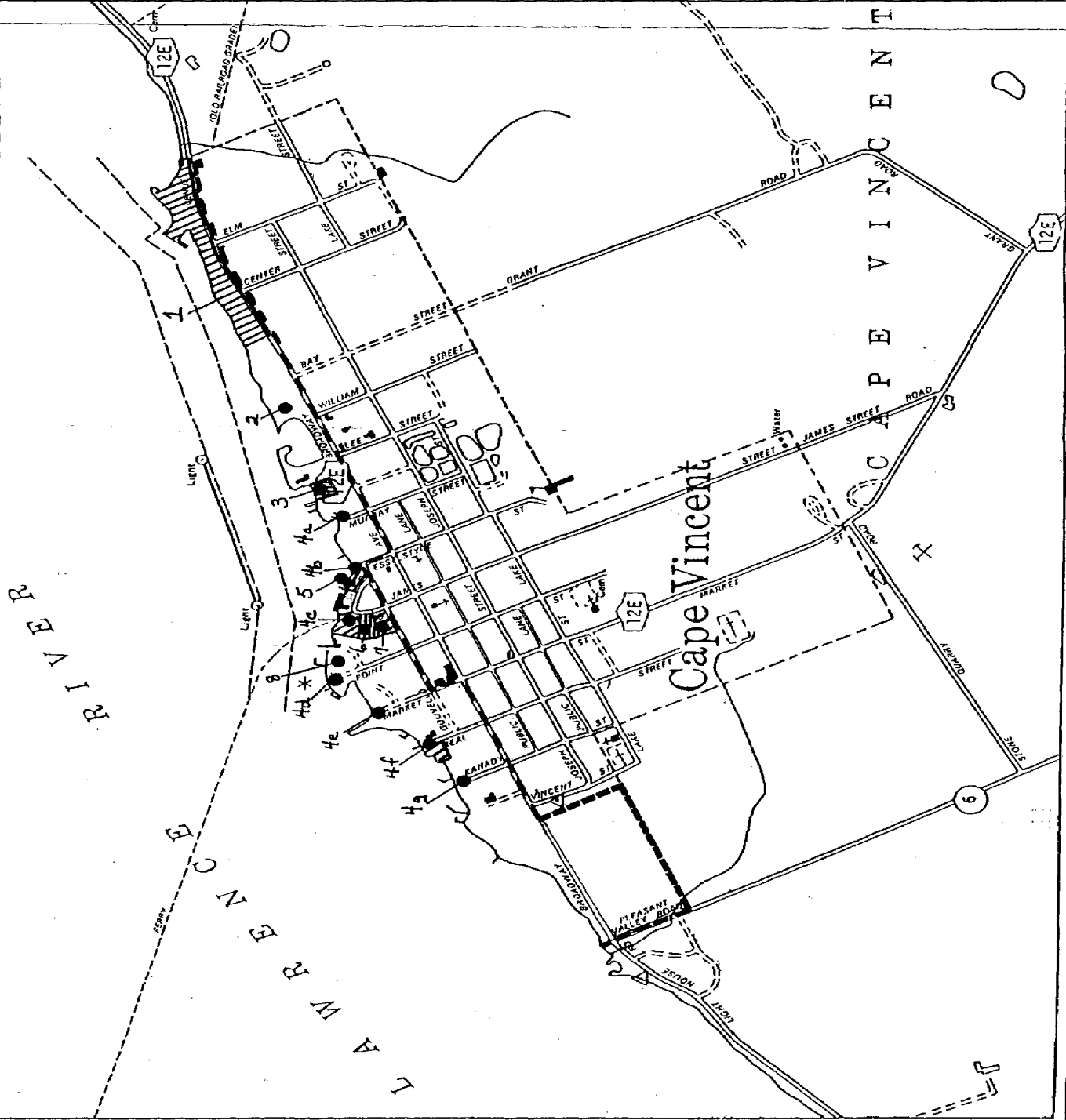
New York State Property



United States Property

Coastal Area Boundary

II-19



D. Infrastructure

Water supply for the Village of Cape Vincent is pumped from the St. Lawrence River through an offshore intake near the filtration plant at the end of Real Street. Generally, the entire system is in excellent condition (treatment, pumping, storage and distribution) and serves residential and commercial users throughout the village. The primary water main is 10" and most distribution lines are 8", while others are 4" and 6". The storage tower has a capacity of 200,000 gallons and is expected to meet likely future demands. Several areas outside the village boundary are serviced by the village system: Pleasant Valley Road, Tibbetts Point Road, the east end of NY Route 12E, and the south end of Elm and Center Streets.

The secondary sewage treatment plant is located at the east end of the village at the end of Elm Street outside the coastal area. Constructed in 1976, it operates at approximately 60% capacity. The storm sewers were separated from the sanitary sewers when the new system was built. On occasion, stormwater runoff is forced into the river when the capacity of the system is taxed by seasonal storms.

Cape Vincent's location is somewhat remote from the region's main traffic arteries -- Interstate 81 and NY Route 12. The major transportation route serving Cape Vincent is NY Route 12E, a part of the NYS Seaway Trail. This two-lane road approaches the village from the southeast, passing through the village via Market Street and Broadway. It continues east, parallel to the river, to Clayton, where it rejoins NY Route 12. Secondary access is acquired by way of Pleasant Valley Road, a county highway that connects with Broadway at the westerly village limit. The village street layout is a geometric grid pattern with a number of north and south streets that dead-end at the river. Limited parking presents problems at the various waterfront destinations: the dock/ramp area, the ferry, the waterfront park, and several dead-end streets.

The other major transportation facility serving the village is the international ferry noted earlier. A 1983 study of all federal agencies by the President's Private Sector Survey on Cost Control recommended elimination of the U.S. Customs and port facilities at Cape Vincent as a cost saving measure. This action would force the ferry out of business (after 165 years of service) and in turn, have a devastating affect on the village. Approximately 45,000 to 47,000 passengers are expected to enter the United States at Cape Vincent during the 1986 season. The loss of this traffic would be felt by all of the village's restaurants, stores, marinas, gas stations, motels and related facilities. The City of Kingston, Ontario, Canada would feel a similar impact on its tourist trade with the loss of ferry traffic from the U.S. To date, the proposal has not been implemented.

Analysis

The water and sewer system is adequate and is likely to meet future demands.

Existing roads provide adequate access to the village waterfront. The distance from major transportation routes could be considered a problem, especially in relationship to potential tourism growth. However, the village's location gives it the small town, quaint, and somewhat isolated characteristics that many vacationers are looking for.

The problem of lack of parking facilities for trailored boats at the municipal dock and launch site will be alleviated somewhat by the construction of parking facilities at the village waterfront park. The village, the Town of Cape Vincent and DEC implemented the first phase of the waterfront park development during the summer of 1985 with the construction of a new boat ramp. As part of the plans for development of the waterfront park, parking facilities for trailored boats will be provided as well as general park use parking facilities. Parking arrangements have been finalized and construction has begun on general park use parking facilities. The village has received an ANCA Community Beautification Project grant for Phase II of the park's development.

The parking problem associated with the Wolfe Island Ferry has been addressed by the widening of the James Street approach to the ferry facility and the creation of a designated parking/waiting lane on the side of the street. Additional parking may be provided with the development of a parking facility behind the Town Garage/Chamber building. (See Section Four, Proposed Projects.)

If the closing of the U.S. Customs at Cape Vincent becomes an issue again, communication with federal agencies and expression of local concern on this matter will be essential to the continued existence of Cape Vincent's commercial harbor and economic well-being.

III. CURRENT LAND AND WATER USES (Plate 5)

A. Current Land Uses

The predominant land use is single-family residential. Many of the structures for permanent year-round use in Cape Vincent date from the nineteenth century and lend the village an aura of tranquility and charm. The commercial areas are centrally located, along Broadway and Market, Point and Club Streets. As noted earlier, most commercial activities are retail and service establishments related to tourism and recreation. There are several public/semi-public facilities in the waterfront area, and the major recreational parcel in the waterfront area is the village park. There are no agricultural or industrial land uses in the village coastal area.

B. Current Water Uses

As described previously, the village exercises jurisdiction over a very limited amount of riverfront land, and none over adjacent coastal waters. For further discussion of this issue, see Subsection IV, Village/Town Corporate Boundary. Water uses relevant to the village's coastal area are illustrated on Plate 5.

Analysis

The vast majority of year-round homes appear to be in good condition. There are very few seasonal rentals, mobile homes or vacant lots within the waterfront area. Riverfront areas available for new development are limited because of existing development. As noted earlier, public access to the river, public and private water-dependent uses, and necessary support facilities are important to the village. The use of undeveloped river frontage for water-dependent or water-enhanced uses should be encouraged when appropriate. Development plans should be reviewed for potential impact on the river's resources.

IV. SIGNIFICANT COASTAL RESOURCES AND CONDITIONS

A. Deteriorated and Underutilized Waterfront Areas (Plate 6)

While most of Cape Vincent's coastal area is in good condition, the inventory and analysis revealed a few underutilized, abandoned, and deteriorated areas. These areas include the following:

1. Village Park. This underutilized 7-acre waterfront park is partially developed for recreational purposes. The site currently contains a boat ramp, gravel parking area, fishing access, and limited picnic facilities. Additional facilities planned for the park include an expanded parking area and picnic facilities, walkways, benches, restrooms, landscaping, etc. See Section Four, pp. IV-3, for further detail on this project.
2. Club Street Area. The Club Street area contains the Wolfe Island International ferry dock, U.S. Customs and Immigration Service office, the Village Chamber of Commerce office, and the Village's Public Dock. Consequently, this area is a highly visible location to visitors. The area also includes a mixture of commercial and residential uses, many of which are in various stages of deterioration. Parking and traffic access in this area is congested when ferry traffic backs up. Also, the Village's public dock, located at the end of Esselstyne Street, is a vital marine facility for tourism in the Village. Each year hundreds of visitors come to Cape Vincent by water. For transient boaters, the public dock provides a safe and convenient point of arrival with depths adequate for large cruisers and sailboats. Revitalization of this area would greatly enhance the village's coastal area. The area is

bordered by, and includes the streets of Esselstyne, James and Gouvello Streets. See Section Four, p. IV-6 , for further description on this project.

3. Town of Cape Vincent Garage/Chamber of Commerce. This limestone structure is located on James Street, in the Club Street area. While not eligible for listing on the State and National Registers of Historic Places, it is a structure of local significance and should be protected from further deterioration. Currently owned by the Town of Cape Vincent, the building is used mainly for storage, with one section devoted to the Chamber of Commerce office and tourist information center. The building is underutilized and in need of rehabilitation. Due to its close proximity to the Wolfe Island ferry, several opportunities exist for use as a tourist-related facility. The town and village should work closely on this issue to ensure the proper reuse of the structure. See Section Four, p. IV-6, for further discussion on this building.
4. Public Access Areas at Market, Point, and Real Streets. These three dead-end streets are village-owned right-of-ways and provide public access to the St. Lawrence River. Of the seven village streets which dead-end at the river, these three provide the best opportunities for improving access to the river. These streets are described in detail in Section Two, p. II-13 and II-14, and in Section Four p. IV-7.

B. Water-Dependent Areas (Plate 7)

There is a small amount of waterfront space available for development, and certain areas are more appropriate for water-dependent uses than others. Undeveloped land is committed to public access to the river. Other forms of water-dependent uses would occur as redevelopment of existing underutilized or deteriorating facilities. The village has identified several areas for development which are listed below.

- Village Park
- NYS Department of Environmental Conservation dock
- Municipal dock
- Wolfe Island Ferry
- Five commercial marinas
- Public access points at dead-end streets
 - Murray Street
 - Esselstyne Street
 - James Street
 - Point Street
 - Market Street
 - Real Street
 - Kanady Street

C. Inventory and Analysis Summary

The Village coastal area's most important resources and conditions are tourism and water-dependent recreation, public access, and development of deteriorated and underutilized waterfront areas. The local economy depends on use and development of these resources (which also directly relate to others such as fish and wildlife, scenic and historic resources), so it is essential that the long-term quality of these assets be given top priority.

Overdevelopment could destroy the village's character. Development proposals must evaluate the potential impacts upon coastal resources to assure that common goals of the community are being pursued with sensitivity to the needs of the local residents and the area's natural, cultural and economic resources.

VILLAGE OF CAPE VINCENT PLATE 5

Existing Land and Water Uses

PREPARED BY THE ST. LAWRENCE-EASTERN ONTARIO COMMISSION
LOCAL GOVERNMENT ASSISTANCE PROGRAM



Scale 1" = 300'

LEGEND

LAND USES

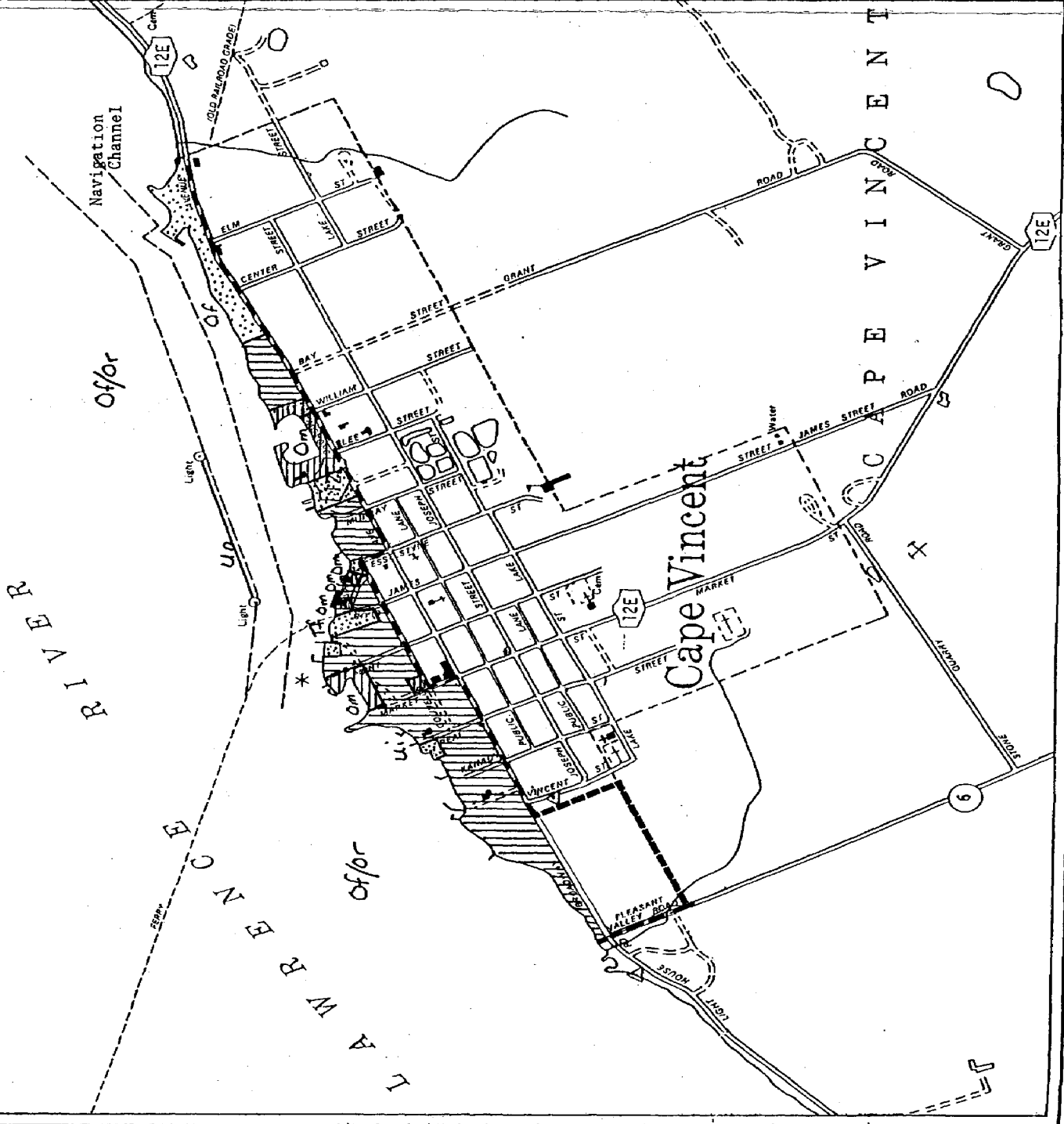
- Residential
- Public/Semi-Public
- Commercial

WATER USES

- Or - Boating & Docking
- Om - Mooring
- Of - Fishing
- Tf - Ferry
- Un - Navigation Aides
- Ui - Water Intakes

Coastal Area Boundary

II-27



VILLAGE OF CAPE VINCENT

PLATE 6

Analysis Summary: Deteriorated
and Underutilized Areas

PREPARED BY THE ST. LAWRENCE-EASTERN ONTARIO COMMISSION
LOCAL GOVERNMENT ASSISTANCE PROGRAM



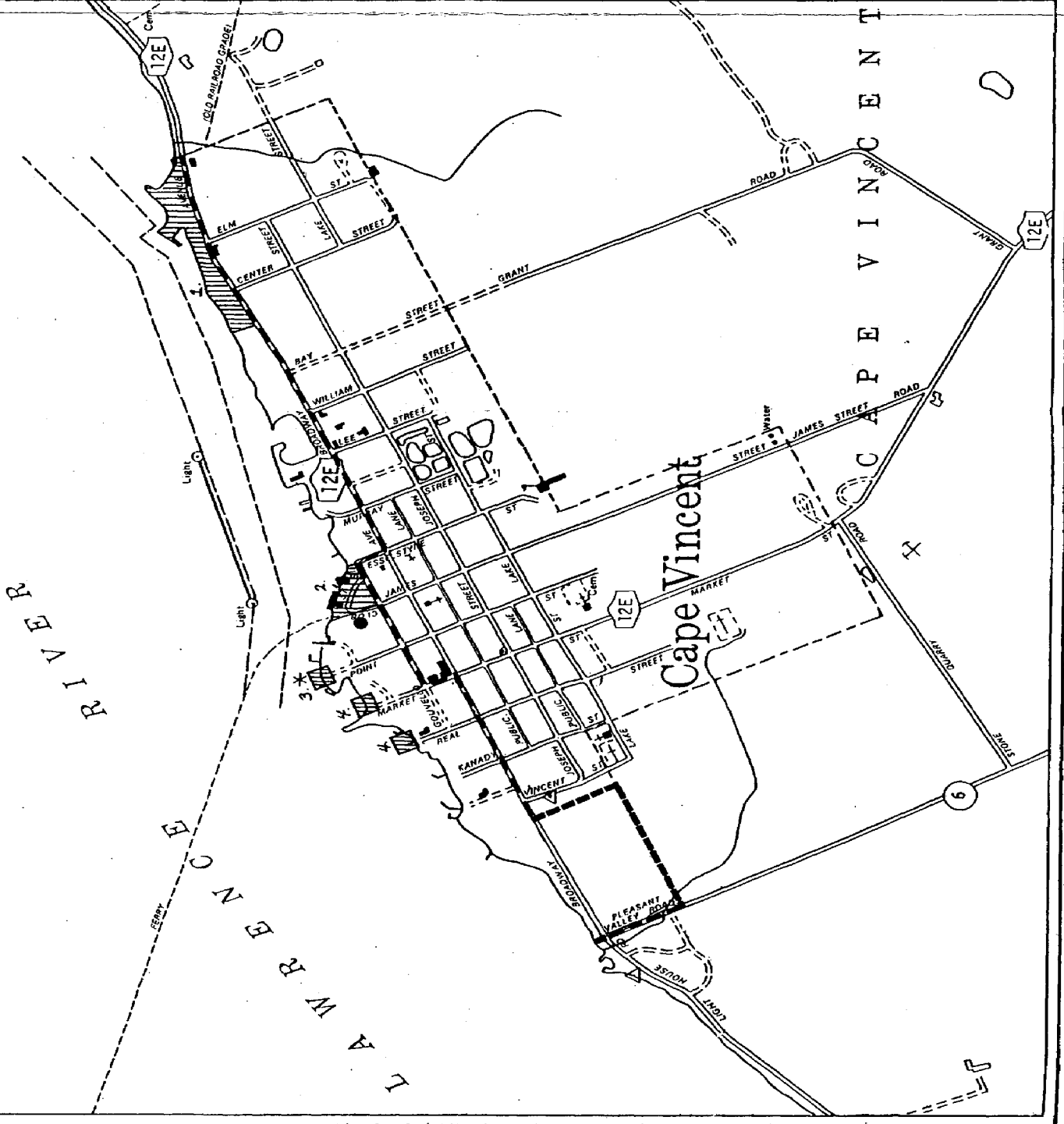
Scale 1" = 800'

LEGEND

- (1) Village Park
- (2) Club Street Area
- (3) Town of Cape Vincent Garage/
Chamber of Commerce
- (4) Market, Point and Real
Streets - Riverfront Areas

Coastal Area Boundary

II-29



VILLAGE OF CAPE VINCENT

PLATE 7

Analysis Summary: Proposed
Water Dependent Uses

PREPARED BY THE ST. LAWRENCE-EASTERN ONTARIO COMMISSION
LOCAL GOVERNMENT ASSISTANCE PROGRAM



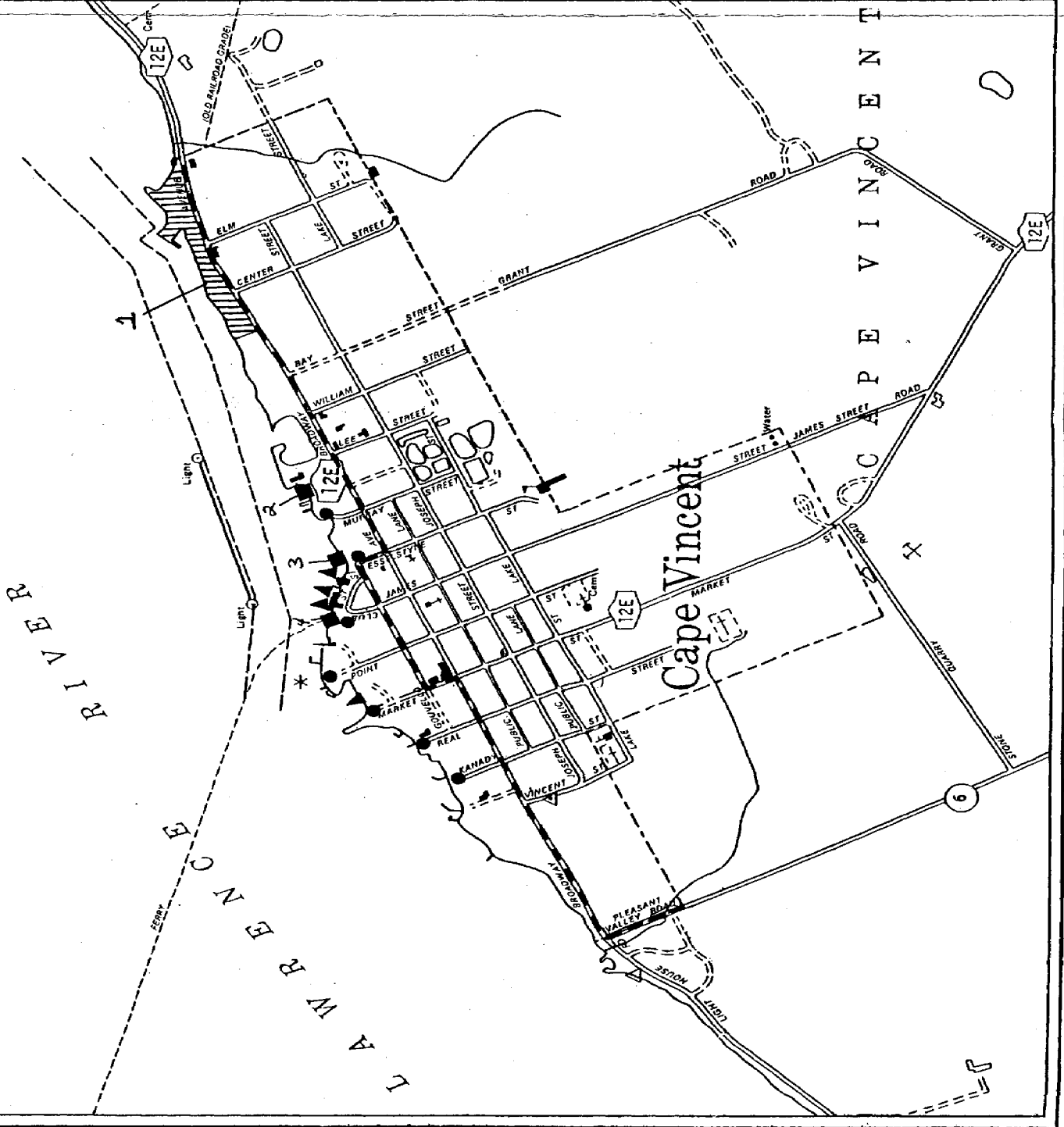
Scale 1" = 800'

LEGEND

- 1) Village Park
- 2) DEC Dock
- 3) Municipal Dock and Ramp
- 4) Wolfe Island Ferry
- Commercial Marinas
- Public Access at Dead End Streets

Coastal Area Boundary

II-31



VILLAGE OF CAPE VINCENT

PLATE 8

Analysis Summary: Other
Development Constraints

PREPARED BY THE ST. LAWRENCE-EASTERN OUTFRONT COMMISSION
LOCAL GOVERNMENT ASSISTANCE PROGRAM



Scale 1" = 800'

LEGEND

- Flood Hazard Area
- Very High Potential For Erodibility*
- Low Potential For Erodibility*
- National Register Historic Structure
- National Register Historic District

Locally Significant Scenic Vistas

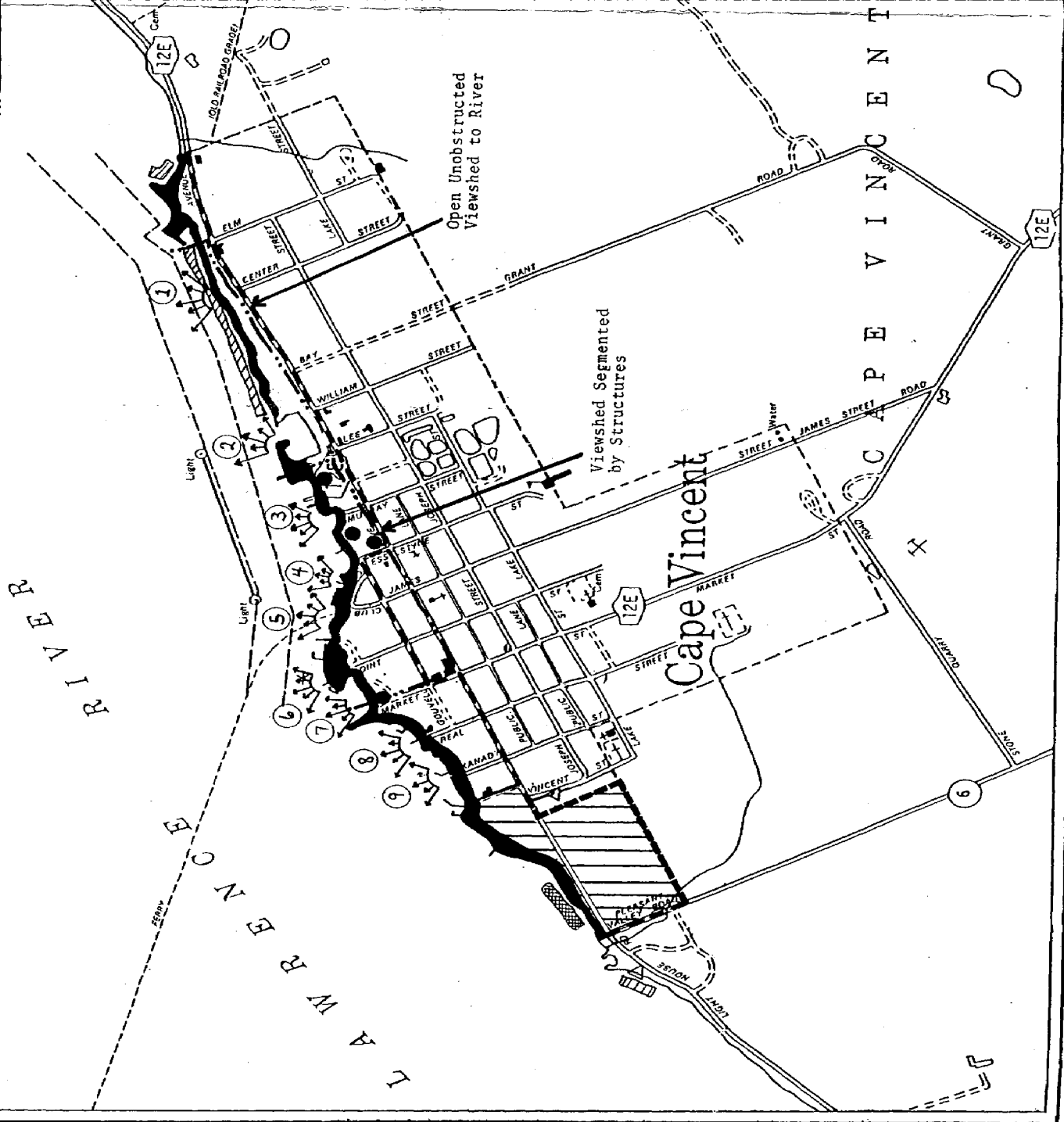
1. Village Park
2. Marina
3. Murray Street
4. Esslystyne Street
5. James Street
6. Point Street
7. Market Street
8. Real Street
9. Kanady Lane

L.J. Viewsheds

* Local Coastal Erosion Hazard Area

--- Coastal Area Boundary

11-33



SECTION III

LOCAL POLICIES
AND
APPLICABLE STATE POLICIES

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State Coastal Policies Not Applicable to the Local Waterfront Area

The following State Coastal Policies have been determined to be not applicable to the local waterfront area of the Village of Cape Vincent:

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DEVELOPMENT POLICIES

DEVELOPMENT POLICIES

POLICY 1 RESTORE, REVITALIZE, AND REDEVELOP DETERIORATED AND UNDER-UTILIZED WATERFRONT AREAS FOR COMMERCIAL, INDUSTRIAL, CULTURAL, RECREATIONAL AND OTHER COMPATIBLE USES.

Policy 1A Promote the revitalization and redevelopment of the following areas: (1) Cape Vincent village park; (2) the Club Street area bordered by and including Esselstyne, James and Gouvello Streets, and the Wolfe Island ferry dock; (3) Cape Vincent Town Garage; (4) waterfront end of Market Street; (5) waterfront end of Real Street; and (6) waterfront end of Point Street. (See Section Four, Proposed Projects and Section Five, Other public and Private Actions.)

Explanation of Policy

All levels of government (federal, State and local) must ensure that their actions further the revitalization of the waterfront area. Waterfront redevelopment is one of the most effective means of stabilizing or rejuvenating adjacent residential and commercial districts. In Cape Vincent, this policy is especially applicable in six deteriorated and underutilized waterfront locations.

With the local economy dependent upon tourism and recreation, the village is committed to promoting beneficial use of these areas in a manner supportive of public access and recreation, protective of visual quality, and sensitive to fish and wildlife resources.

1. The following guidelines should be used when a government agency is assessing actions in the deteriorated and underutilized areas of the village:

a) Priority should be given to marinas, marine-related commercial uses, riverfront public access and recreation facilities, and other uses dependent on a location adjacent to the water.

b) The action should complement and enhance the area and existing uses by:

- 1) improving deteriorated conditions;
- 2) leading to development that is compatible with the character of the village in terms of scale, architectural style, density, and intensity of land use as described in Section two, pp. II-7 and II-8;
- 3) serving as a catalyst for private investment in the area;
- 4) improving adjacent and upland views of the river; and at a minimum, not affecting important views in an insensitive manner.

c) The action should have the potential to:

- 1) improve opportunities for multiple use of the site;

- 2) benefit the village's economic base (and at a minimum, not jeopardize it).
2. If a government agency action is proposed for a site outside a deteriorated, underutilized waterfront area suitable for redevelopment, and within Cape Vincent or an adjacent coastal community, the agency proposing the action must first determine if it is feasible to take the action within the deteriorated, underutilized waterfront area in question. If so, the agency should give strong consideration to taking the action in that area. If not feasible, the agency must take the appropriate steps to ensure that the action does not cause further deterioration of that area.

Due to the importance of the international ferry to Cape Vincent's commercial harbor and entire economic structure, any action which would adversely affect the operation of the international ferry would substantially hinder the successful and purposeful revitalization and redevelopment of Cape Vincent's waterfront areas.

Cross references to other LWRP sections for areas described in Policy 1A are as follows:

- | | |
|-----------|--|
| Policy 1A | (1) Cape Vincent Village Park
(pp. II-10, II-22, IV-3 through IV-5) |
| | (2) Club Street area
(pp. II-22, IV-6) |
| | (3) Cape Vincent Town Garage
(pp. II-22, IV-6) |
| | (4) waterfront end of Market Street
(pp. II-13, II-22, IV-7) |
| | (5) waterfront end of Real Street
(pp. II-13, II-22, IV-7) |
| | (6) waterfront end of Point Street
(pp. II-13, II-22, IV-7) |

POLICY 2 FACILITATE THE SITING OF WATER DEPENDENT USES AND FACILITIES ON OR ADJACENT TO COASTAL WATERS.

Explanation of Policy

There is a small amount of waterfront space available for development. While the undeveloped land is committed to public access to the river, there are some underutilized properties suitable for redevelopment. Although demand for property varies with economic and social conditions, the long-term demand for waterfront space is expected to increase. The traditional method of land allocation (the real estate market) offers little assurance that uses which require waterfront sites will, in fact, have access to the riverfront. To ensure that such water-dependent uses can continue to be accommodated within

the village, all levels of government will avoid undertaking, funding, or approving nonwater-dependent uses which would preempt the reasonably foreseeable development of water-dependent uses.

The following uses and facilities are considered as water dependent:

1. Uses which depend on resources found in the river (for example: fishing);
2. Recreational activities which depend on access to the river (for example: boating, fishing, bird-watching);
3. Structures needed for navigational purposes (for example: breakwalls and lighthouses);
4. Flood and erosion protection structures (for example: breakwaters and bulkheads);
5. Facilities needed to store and service boats and ships (for example: marinas, boat repair, boat construction yards);
6. Uses requiring large quantities of water for processing and cooling purposes (for example: fish processing plants);
7. Scientific/educational activities which, by their nature, require access to the river (for example: water resource nature centers; and
8. Support facilities which are necessary for the successful functioning of permitted water-dependent uses (for example: parking lots, snack bars, first aid stations, short-term storage facilities). Though these uses must be near the given water-dependent uses, they should, as much as possible, be sited inland from the water-dependent use rather than on the shore.

In addition to water-dependent uses, uses which are enhanced by a waterfront location should be encouraged to locate along the shore, though not at the expense of water-dependent uses. A water-enhanced use is defined as a use that does not depend on obtaining a waterfront location, but the profitability of the use and/or the enjoyment level of the users would be increased significantly if the use were adjacent to, or had visual access to, the waterfront (e.g., parks, restaurants, or other tourist accommodations). Likely areas for expansion or new development of such uses include locations near the ferry dock, the municipal waterfront recreation facilities, and near other existing water-dependent uses.

If there is no immediate demand for a water-dependent use in a given area but a future demand is reasonably foreseeable, temporary non-water-dependent uses should be considered preferable to a non-water-dependent use which involves an irreversible, or nearly irreversible commitment of land. Parking lots, passive recreational facilities, outdoor storage areas, and non-permanent structures are examples which could be considered as "temporary", non-water-dependent uses.

Uses such as marinas, boat repair facilities, bait and tackle shops, and tourist accommodations should be encouraged along the waterfront in areas where similar facilities already exist. The following locations are designated as those best suited for water-dependent uses (see Plate 7):

- Village Park
- NYS Department of Environmental Conservation dock
- Municipal dock
- Wolfe Island Ferry
- Five commercial marinas
- Public access points at dead-end streets
 - Murray Street
 - Esselstyne Street
 - James Street
 - Point Street
 - Market Street
 - Real Street
 - Kanady Street

In selecting appropriate areas for water-dependent uses, consideration should be given to the following factors:

1. Compatibility with adjacent uses -- Water-dependent uses should be located so they enhance or at least do not detract from the surrounding community. Consideration should also be given to such factors as the protection of nearby residential areas for odors, noise and traffic. Water-dependent uses must also be sited so as to avoid adverse impacts on the significant coastal resources.
2. Providing for expansion -- A primary objective of the policy is to create a process by which water-dependent uses can be accommodated well into the future. State agencies and the village should therefore give consideration to long-term space needs and, where practicable, accommodate future demand by identifying more land than is needed in the near future.
3. In-place facilities and services -- Most water-dependent uses will require basic public services. Consideration should be given to the availability of public sewers, water lines, adequate power supply, and the ability to accommodate parking.
4. Preference to underutilized sites -- The promotion of water-dependent uses should foster development in underutilized areas within the village.

In promoting water-dependent uses, the following kinds of actions should be considered:

- Priority should be given to the construction and maintenance of boating facilities, roads and parking within areas suitable for water-dependent uses.
- When areas suitable for water-dependent uses are publicly owned, favored leasing arrangements should be given to water-dependent uses.

- Where possible, consideration should be given to providing water-dependent uses with property tax abatements, loan guarantees, or loans at below market rate.
- State and local planning and economic development agencies should actively promote water-dependent uses.
- Local, State and federal agencies should work together to streamline permitting procedures that may be burdensome to water-dependent uses (the village, DEC, U.S. Army Corps of Engineers).
- Local land use controls should be considered as a tool of the village for assuring adequate space for the development of water-dependent uses and the protection of sensitive areas.

POLICY 3 The State coastal Policy regarding the State's major ports is not applicable to Cape Vincent.

POLICY 4 STRENGTHEN THE ECONOMIC BASE OF SMALLER HARBOR AREAS BY ENCOURAGING THE DEVELOPMENT AND ENHANCEMENT OF THOSE TRADITIONAL USES AND ACTIVITIES WHICH HAVE PROVIDED SUCH AREAS WITH THEIR UNIQUE MARITIME IDENTITY.

Explanation of Policy

This policy recognizes that the traditional activities occurring in and around Cape Vincent's waterfront contribute significantly to the economic strength and attractiveness of the community. Thus, government efforts shall center on promoting and protecting such desirable services and activities as recreational fishing, boating and associated services, historic preservation, the international ferry, the U.S. Customs office (ref. pp. II-17 through II-18) and other compatible activities which have created the village appeal as a tourist destination and a prosperous commercial and recreational harbor and residential area.

The following guidelines shall be used in determining consistency with this policy:

1. The action shall give priority to those traditional and/or desired uses which are dependent on or enhanced by a location adjacent to the river.
2. The action will enhance or not detract from or adversely affect existing traditional and/or desired anticipated uses.
3. The action shall not be out of character with, nor lead to development which would be out of character with, existing development in terms of the area's scale, intensity of use, and architectural style.
4. The action must not cause a site to deteriorate, e.g., a structure shall not be abandoned without protecting it against vandalism and/or structural decline.

5. The action will not adversely affect the existing economic base of the community, e.g., waterfront development designed to promote residential development might be inappropriate in a harbor area where the economy is dependent upon tourism and commercial fishing.
6. The action will not detract from views of the water, the harbor area, or the visual quality of the waterfront which is an important component of the village's appeal and identity.

Because recreational boating and fishing, the international ferry, and related businesses are the major activities in the harbor, these uses will be protected and encouraged. New developments or activities will be reviewed for any potential conflicts with these uses. Due to the importance of the international ferry to Cape Vincent's commercial harbor and entire economic structure, any action that would adversely affect the operation of the international ferry would substantially hinder the development and enhancement of this small harbor's economy and unique maritime identity.

POLICY 5 ENCOURAGE THE LOCATION OF DEVELOPMENT IN AREAS WHERE PUBLIC SERVICES AND FACILITIES ESSENTIAL TO SUCH DEVELOPMENT ARE ADEQUATE EXCEPT WHEN SUCH DEVELOPMENT HAS SPECIAL FUNCTIONAL REQUIREMENTS OR OTHER CHARACTERISTICS WHICH NECESSITATE ITS LOCATION IN OTHER COASTAL AREAS.

Explanation of Policy

Through governmental actions, development in the waterfront area will be encouraged to locate within or in close proximity to existing areas of concentrated development where infrastructure and public services are adequate, where topography, geology, and other environmental conditions are suitable for and able to accommodate development.

This policy is intended to accomplish the following:

- foster an orderly pattern of growth;
- increase the efficiency of existing public services and moderate the need to provide new public services in outlying areas;
- preserve open space in sufficient amounts; and
- where desirable, foster energy conservation by encouraging proximity between home, work, and leisure activities.

In assessing the adequacy of an area's infrastructure and public services, the following points shall be considered:

- a. Streets and highways serving the proposed site can safely accommodate the peak traffic generated by the proposed land development;
- b. The development's water needs (consumptive and fire fighting) can be met by the existing water supply system;

- c. Sewage disposal system can accommodate the wastes generated by the development;
- d. Energy needs of the proposed land development can be accommodated by existing utility systems;
- e. Stormwater runoff from the proposed site can be accommodated by existing utility systems;
- f. Schools, police and fire protection, and health and social services are adequate to meet the needs of the population expected to live, work, shop, or conduct business in the area as a result of the development.

It is recognized that certain forms of development may and/or should occur at locations which are not within or near areas of concentrated development. Thus, this coastal development policy does not apply to the following types of development projects and activities.

- 1. Economic activities which depend upon sites at or near locations where natural resources are present, e.g., lumber industry.
- 2. Development which by its nature is enhanced by a non-urbanized setting, e.g., a resort complex, campgrounds, second home development.
- 3. Development which is designed to be a self-contained activity, e.g., a small college or religious retreat.
- 4. Water-dependent uses with site requirements not compatible with this policy or when alternative sites are not available.
- 5. Development which because of its isolated location and small-scale has little or no potential to generate and/or encourage further land development.
- 6. Uses and/or activities which because of public safety consideration should be located away from populous areas.
- 7. Rehabilitation or restoration of existing structures and facilities.
- 8. Development projects which are essential to the construction and/or operation of the above uses and activities.

Although Cape Vincent is a rural village, the waterfront is quite highly developed. Public services and infrastructure are generally adequate throughout the waterfront area for current and future development needs. To maintain the village's small town character, emphasis should be placed on preserving remaining open space, rehabilitating and reusing existing building stock, and reviewing new developments and proposed parking improvements (see p. II-22), in the coastal area. Review within the waterfront area will use the criteria established in Policies 23 and 25 in order to determine the suitability of such development.

POLICY 6 EXPEDITE PERMIT PROCEDURES IN ORDER TO FACILITATE THE SITING OF DEVELOPMENT ACTIVITIES AT SUITABLE LOCATIONS.

Explanation of Policy

For specific types of development activities and in areas suitable for such development, the Village of Cape Vincent and other government agencies will make every effort to coordinate and synchronize existing permit procedures and regulatory programs, as long as the integrity of the regulation's objectives is not jeopardized. These procedures and programs will be coordinated within each agency and between other agencies. If necessary, legislative and programmatic changes will be recommended from the local level.

When proposing regulations or revisions, an agency will determine the feasibility of incorporating the regulations within existing procedures if this reduces the burden on a particular type of development and will not jeopardize the integrity of the regulation's objectives.

FISH AND WILDLIFE POLICIES

- POLICY 7 The State Coastal Policy regarding coastal fish and wildlife habitats of statewide significance is not applicable to Cape Vincent.
- Policy 7A The St. Lawrence River, along the Village of Cape Vincent's waterfront, is a locally significant fish and wildlife habitat. The river will be preserved to maintain its viability and value to the village.

Explanation of Policy

Habitat protection is recognized as fundamental to assuring the survival of fish and wildlife populations. Certain habitats are particularly critical to the maintenance of a given population and therefore merit protection. The St. Lawrence River along the Cape Vincent waterfront is a locally significant habitat -- primarily because it supports fish and wildlife populations having significant recreational value, and it is essential for the survival of fish and wildlife populations (i.e., as feeding grounds and nursery areas).

In order to protect this habitat, land use development and activities within the Village's jurisdiction and regulatory purview shall not be undertaken if it may destroy or significantly impair the adjacent River's viability as a fish and wildlife habitat. Indicators of a significantly impaired include: reduced carrying capacity, changes in food chain relationships or species diversity, reduced productivity, and/or increased incidence of disease and mortality.

The range of activities most likely to affect significant fish and wildlife habitat includes but is not limited to the following:

1. Filling bays or shallow areas of streams: May change physical character of substrate (e.g., sandy to muddy, or smother vegetation, alter surface water hydrology).
2. Grading land: Results in vegetation removal, increases surface runoff, or

increased soil erosion and downstream sedimentation.

3. Dredging or excavation: May cause change in substrate composition, possible release of contaminants otherwise stored in sediments, removal of aquatic vegetation, or change circulation patterns and sediment transport mechanisms.
4. Dredge spoil disposal: May include shoaling of littoral areas, or change circulation patterns.
5. Physical alteration of shore areas through channelization or construction of shore structures: May change volume and rate of flow or increased scouring, sedimentation.
6. Introduction, storage or disposal of pollutants such as chemical, petrochemical, solid wastes, nuclear wastes, toxic material, pesticide, sewage effluent, urban and rural runoff, leachate of hazardous and toxic substances stored in landfills: May cause increased mortality or sublethal effects on organisms, alter their reproductive capabilities, or reduce their value as food organisms.
7. Introduction of new species or large quantities of any species: May change the established balance within the biota.

When potentially damaging actions such as these are proposed, the viability of a habitat may be impaired or destroyed. Such actions are inconsistent with Policy 7A.

POLICY 8 PROTECT FISH AND WILDLIFE RESOURCES IN THE COASTAL AREA FROM THE INTRODUCTION OF HAZARDOUS WASTES AND OTHER POLLUTANTS WHICH BIO-ACCUMULATE IN THE FOOD CHAIN OR WHICH CAUSE SIGNIFICANT SUBLETHAL OR LETHAL EFFECT ON THOSE RESOURCES.

Explanation of Policy

Hazardous wastes are unwanted byproducts of manufacturing processes generally characterized as being flammable, corrosive, reactive, or toxic. More specifically, hazardous waste is defined in Environmental Conservation Law (S27-0901.3) as "waste or combination of wastes which because of its quantity, concentration, or physical, chemical or infectious characteristics may: (1) cause, or significantly contribute to an increase in mortality or an increase in serious irreversible, or incapacitating reversible illness; (or (2) pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, disposed or otherwise managed." A list of hazardous wastes has been adopted by DEC (6 NYCRR Part 371).

The handling (storage, transport, treatment and disposal) of the materials included on this list is being regulated in New York State to prevent their entry or introduction into the environment. Such controls should effectively minimize possible contamination of and bioaccumulation in the State's coastal fish and wildlife resources at levels that cause mortality

or create physiological and behavioral disorders.

Other pollutants are those conventional wastes, generated from point and non-point sources, and not identified as hazardous wastes but controlled through other State laws.

POLICY 9 EXPAND RECREATIONAL USE OF FISH AND WILDLIFE RESOURCES IN COASTAL AREAS BY INCREASING ACCESS TO EXISTING RESOURCES, SUPPLEMENTING EXISTING STOCKS, AND DEVELOPING NEW RESOURCES. SUCH EFFORTS SHALL BE MADE IN A MANNER WHICH ENSURES THE PROTECTION OF RENEWABLE FISH AND WILDLIFE RESOURCES AND CONSIDERS OTHER ACTIVITIES DEPENDENT ON THEM.

Explanation of Policy

Recreational uses of coastal fish and wildlife resources include consumptive uses such as fishing and hunting, and nonconsumptive uses such as wildlife photography, bird watching and nature study.

Any efforts to increase recreational use of these resources will be made in a manner which ensures the protection of fish and wildlife resources and activities dependent upon them (fishing, charterboat operations, bird watching) which are important to the local economy. Such efforts should be made in accordance with existing State law and sound resource management considerations. Management considerations include biology of the species, carrying capacity of the resource, public demand, costs and available technology.

The following additional guidelines should be considered by all government agencies as they determine the consistency of their proposed actions with this policy:

1. Consideration should be made by federal, State and local agencies as to whether an action will impede existing or future utilization of the recreational fish and wildlife resources in the vicinity of the village or accessible from its harbor or other access sites.
2. Efforts to increase access to recreational fish and wildlife resources should not lead to overutilization of that resource or cause impairment of the habitat. Sometimes such impairment can be more subtle than actual physical damage to the habitat. For example, increased human presence can deter animals from using the area.
3. The impacts of increasing access to recreational fish and wildlife resources should be determined on a case-by-case basis, consulting with the significant habitat narrative (see Policy 7) and/or conferring with a trained fish and wildlife biologist.
4. Any public or private sector initiatives to supplement existing stocks (e.g., stocking a stream with fish reared in a hatchery) or develop new resources (e.g., creating private fee-fishing facilities) must be done in accord with existing State law.

POLICY 10 The State Coastal Policy regarding commercial fishing is not applicable to Cape Vincent.

FLOODING AND EROSION HAZARDS POLICIES

POLICY 11 BUILDINGS AND OTHER STRUCTURES WILL BE SITED IN THE COASTAL AREA SO AS TO MINIMIZE DAMAGE TO PROPERTY AND THE ENDANGERING OF HUMAN LIVES CAUSED BY FLOODING AND EROSION.

Explanation of Policy

Flooding: Flood hazard areas in Cape Vincent have been mapped by the Federal Emergency Management Agency (FEMA) on a Flood Insurance Rate Map dated April 17, 1985. Development in the village is subject to flood damage prevention regulations through the village Development Code.

Erosion: Although upland erosion is not a significant problem in the village, coastal erosion along the St. Lawrence River is cause for concern. Two areas of potential erodibility have been identified within the village boundary. A low bluff with no beach near the western edge of the village is identified in the Evaluation of Shore Structures and Shore Erodibility, St. Lawrence River, New York State, 1977 as one of Very High Potential for Erodibility. Another area on the eastern edge, within the Village Waterfront Park, is identified as having Low Potential for Erodibility. A third area of Low Potential for Erodibility occurs on the low bluff along the Village's coastline between Elm Street and William Street. Just west of the village boundary, in the Town of Cape Vincent, is an additional area of Low Potential for Erodibility.

Although coastal erosion is addressed by the State Coastal Erosion Hazard Areas Law of 1981, ECL Article 34 (CEHA) which sets up a development permit system and requires DEC to map all Coastal Erosion Hazard Areas, DEC has stated that they do not have plans to identify Coastal Erosion Hazard Areas in the Village of Cape Vincent. However, the Village of Cape Vincent has identified the three areas mentioned above (see p. II-9, Inventory and Analysis and Plate 8) as erosion hazard areas of local concern. Therefore, erosion problems will be considered in the evaluation of development actions adjacent to these three erosion hazard areas.

For the identified local coastal erosion hazard areas, the following guidelines shall be used to implement this policy:

1. All buildings proposed adjacent to the identified local coastal erosion hazard area shall be set back from the shoreline a distance equivalent to the Flood Hazard Area Boundary as identified on the most recent Flood Insurance Rate Map for the Village of Cape Vincent. This set back does not apply to docks, piers, and other structures necessary to gain access to the water.
2. Any grading, excavating, or other soil disturbance conducted adjacent to the identified local coastal erosion hazard area shall not direct surface runoff over the receding edge.

Also, some cause for concern is the damage caused by ice movement and wind-driven wave action in exposed coastal areas (refer to p. II-9 , Inventory and Analysis). When resistance to these forces is a factor in the design, construction and maintenance of shoreline structures, their durability will be increased and utility prolonged.

POLICY 12 ACTIVITIES OR DEVELOPMENT IN THE COASTAL AREA WILL BE UNDERTAKEN SO AS TO MINIMIZE DAMAGE TO NATURAL RESOURCES AND PROPERTY FROM FLOODING AND EROSION BY PROTECTING NATURAL PROTECTIVE FEATURES INCLUDING BEACHES, DUNES, BARRIER ISLANDS AND BLUFFS. PRIMARY DUNES WILL BE PROTECTED FROM ALL ENCROACHMENTS THAT COULD IMPAIR THEIR NATURAL PROTECTION CAPACITY.

Explanation of Policy

Beaches, dunes, barrier islands, bluffs, and other natural protective features help safeguard coastal lands and property from damage, as well as reduce the danger to human life, resulting from flooding and erosion. Excavation of coastal features, improperly designed structures, inadequate site planning, or other similar actions which fail to recognize their fragile nature and high protective values, lead to the weakening or destruction of those landforms. Activities or development in, or in proximity to, natural protective features must ensure that all such adverse effects are minimized. Cape Vincent's natural protective features are in the form of low bluffs that are associated with the three areas identified as local coastal erosion hazard areas on Plate 8 (and discussed on p. II-9 of Section II, Inventory and Analysis).

For the identified low bluffs associated with the three coastal erosion areas, the following guidelines shall be used to implement this policy:

1. Excavation or mining of bluffs is prohibited except where:
 - a. A minor alteration of the bluff is proposed for the construction of an erosion protection structure; or
 - b. A bluff cut is made in a direction perpendicular to the shoreline to provide shoreline access. The slope of bluff cuts must not be steeper than 1:6 and the side slopes must not be steeper than 1:3. Side slopes and other disturbed non-roadway areas must be stabilized with vegetation or other approved physical means and completed roadways must be stabilized and drainage provided for.
2. Vehicular traffic is prohibited on bluffs.
3. Any grading, excavating, or other soil disturbance conducted on a bluff must not direct surface water runoff over the receding edge.

POLICY 13 THE CONSTRUCTION OR RECONSTRUCTION OF EROSION PROTECTION STRUCTURES SHALL BE UNDERTAKEN ONLY IF THEY HAVE REASONABLE

PROBABILITY OF CONTROLLING EROSION FOR AT LEAST THIRTY YEARS
AS DEMONSTRATED IN DESIGN AND CONSTRUCTION STANDARDS AND/OR
ASSURED MAINTENANCE OR REPLACEMENT PROGRAMS.

Explanation of Policy

The breakwater protecting the village harbor area, and shoreline devices such as riprap and bulkheads, provide erosion protection to shoreline structures. The breakwater is currently in good condition. However, improperly designed, constructed, or maintained erosion protection structures fail to give the protection which they are presumed to provide. As a result, development is sited in areas where it is subject to damage or loss due to erosion. This policy will help ensure the reduction of such damage or loss.

POLICY 14 ACTIVITIES AND DEVELOPMENT INCLUDING THE CONSTRUCTION OR RECONSTRUCTION OF EROSION PROTECTION STRUCTURES, SHALL BE UNDERTAKEN SO THAT THERE WILL BE NO MEASURABLE INCREASE IN EROSION OR FLOODING AT THE SITE OF SUCH ACTIVITIES OR DEVELOPMENT, OR AT OTHER LOCATIONS.

Explanation of Policy

Though flooding and erosion occur naturally, human actions can increase the severity and adverse effects of these processes, causing property loss of damage and endangering lives. Actions which tend to increase flooding and erosion include the use of impermeable erosion protection structures such as groins or solid docks which block the littoral transport of sediment to adjacent shorelands. Such structures increase the rate of shoreline recession. Also, the failure to observe proper drainage or land restoration practices causes runoff and erosion or weakening of shorelands.

Flood and erosion control policy for development is covered under Policy 11.

POLICY 15 The State and Coastal Policy regarding mining, excavation, and dredging is not applicable to Cape Vincent.

POLICY 16 PUBLIC FUNDS SHALL ONLY BE USED FOR EROSION PROTECTIVE STRUCTURES WHERE NECESSARY TO PROTECT HUMAN LIFE, AND NEW DEVELOPMENT WHICH REQUIRES A LOCATION WITHIN OR ADJACENT TO AN EROSION HAZARD AREA TO BE ABLE TO FUNCTION, OR EXISTING DEVELOPMENT; AND ONLY WHERE THE PUBLIC BENEFITS OUTWEIGH THE LONG TERM MONETARY AND OTHER COSTS INCLUDING THE POTENTIAL FOR INCREASING EROSION AND ADVERSE EFFECTS ON NATURAL PROTECTIVE FEATURES.

Explanation of Policy

Public funds are used for a variety of purposes on the State's

shorelines. This policy recognizes the public need for protection of human life and investments in existing or proposed developments which require a waterside location to be able to function. However, it also recognizes the adverse impacts on such activities and developments on the rate of erosion and on natural protective features. The policy requires careful analysis to be made of the benefits and long-term costs prior to expending public funds.

POLICY 17 WHENEVER POSSIBLE, USE NON-STRUCTURAL MEASURES TO MINIMIZE DAMAGE TO NATURAL RESOURCES AND PROPERTY FROM FLOODING AND EROSION. SUCH MEASURES SHALL INCLUDE: (i) THE SET BACK OF BUILDINGS AND STRUCTURES; (ii) THE PLANTING OF VEGETATION AND INSTALLATION OF SAND FENCING AND DRAINING; (iii) THE RESHAPING OF BLUFFS; AND (iv) THE FLOOD-PROOFING OF BUILDINGS OR THEIR ELEVATION ABOVE THE BASE FLOOD LEVEL.

Explanation of Policy

This policy recognizes both the potential adverse impacts of flooding and erosion upon development and upon natural protective features in the coastal area as well as the costs of protection against those hazards which structural measures entail.

Nonstructural measures shall include, but not be limited to:

1. Within coastal erosion hazard areas identified under Section 34-104, Coastal Erosion Hazard Areas Act (Article 34, Environmental Conservation Law): (a) the use of minimum setbacks as provided for in Section of 34-108; and (b) the strengthening of coastal landforms by the planting of appropriate vegetation on bluffs, the reshaping of bluffs to achieve an appropriate angle of repose so as to reduce the potential for slumping and to permit the planting of stabilizing vegetation, and the installation of drainage systems on bluffs to reduce runoff and internal seepage of waters which erode or weaken the landforms; and
2. Within identified flood hazard areas, (a) the siting of buildings outside the hazard area, and (b) the flood-proofing of buildings.

This policy shall apply to the planning, siting and design of proposed activities and development, including measures to protect existing activities and development. To ascertain consistency with the policy, it must be determined if any one, or a combination of, nonstructural measures would afford the degree of protection appropriate both to the character and purpose of the activity or development, and to the hazard. If nonstructural measures are determined to offer sufficient protection, then consistency with the policy would require the use of such measures, whenever possible.

In determining whether or not nonstructural measures to protect against erosion or flooding will afford the degree of protection appropriate, an analysis, and if necessary, other materials such as plans or sketches of the activity or development, of the site and of the alternative protection measures should be prepared, to allow an assessment to be made.

GENERAL POLICY

POLICY 18 TO SAFEGUARD THE VITAL ECONOMIC, SOCIAL AND ENVIRONMENTAL INTERESTS OF THE STATE AND OF ITS CITIZENS, PROPOSED MAJOR ACTIONS IN THE COASTAL AREA MUST GIVE FULL CONSIDERATION TO THOSE INTERESTS, AND TO THE SAFEGUARDS WHICH THE STATE HAS ESTABLISHED TO PROTECT VALUABLE COASTAL RESOURCE AREAS.

Explanation of Policy

Proposed major actions may be undertaken on the coastal area if they will not significantly impair valuable coastal waters and resources, thus frustrating the achievement of the purposes of the safeguards which the State has established to protect those waters and resources. Proposed actions must take into account the social, economic and environmental interests of the State and its citizens in such matters that would affect natural resources, water levels and flows, shoreline damage, hydroelectric power generation and recreation.

Furthermore, proposed actions within Cape Vincent's waterfront must recognize the importance of tourism to the village's economy and the roles that local cultural resources, public access and recreation facilities, water-dependent uses, and the natural coastal environment play in sustaining healthy tourism. Local safeguards augment those of the State in protecting valuable coastal resources.

PUBLIC ACCESS POLICIES

POLICY 19 PROTECT, MAINTAIN, AND INCREASE THE LEVEL AND TYPES OF ACCESS TO PUBLIC, WATER-RELATED RECREATION RESOURCES AND FACILITIES SO THAT THESE RESOURCES AND FACILITIES MAY BE FULLY UTILIZED BY ALL THE PUBLIC IN ACCORDANCE WITH REASONABLY ANTICIPATED PUBLIC RECREATION NEEDS AND THE PROTECTION OF HISTORIC AND NATURAL RESOURCES. IN PROVIDING SUCH ACCESS, PRIORITY SHALL BE GIVEN TO PUBLIC BEACHES, BOATING FACILITIES, FISHING AREAS AND WATERFRONT PARKS.

Policy 19A Protect, maintain and improve pedestrian, vehicular and water-borne access to public water-related recreational facilities at the village park and village dock.

Explanation of Policies

This policy calls for achieving balance among the following factors: the level of access to a resource or facility, the capacity of a resource facility, and the protection of natural resources. Because an imbalance among these factors is often due to access-related problems, priority will be given to improving physical access to existing and potential coastal recreation sites. The Local Waterfront Revitalization Program will encourage mixed use areas and multiple use of facilities to improve access.

The particular water-related recreation resources and facilities which will receive priority for improved access in Cape Vincent are fishing areas, boating facilities, access roads and passive/active recreational park areas. To optimize the use of these resources, the village must facilitate various

modes of access, including pedestrian, vehicular and waterborne.

In Cape Vincent this policy will be implemented in part by the development of boating, fishing, parking, and other recreational facility development at the village park, as well as improvements to the harbor area for sailboat moorings and to the dead-end street right-of-ways that provide access to the river (see Section Two, pp. II-10 through II-15 and Plate 7). Such publicly-owned properties are to be maintained and improved under Policies 1A and 2. See Section Two, Community and Cultural Resources for the description of public and semi-public facilities.

The following guidelines will be used in determining the consistency of a proposed action with this policy:

1. The existing access from adjacent or proximate public lands or facilities to public water-related recreation resources and facilities shall not be reduced, nor shall the possibility of increasing access in the future from adjacent or proximate public lands or facilities to public water-related recreation resources and facilities be eliminated, unless in the latter case, estimates of future use of these resources and facilities are too low to justify maintaining or providing increased public access or unless such actions are found to be necessary or beneficial by the public body having jurisdiction over such access as the result of a reasonable justification of the need to meet systematic objectives.

The following is an explanation of the terms used in the above guidelines:

- a. Access - the ability and right of the public to reach and use public coastal lands and waters.
- b. Public water-related recreation resources or facilities - all public lands or facilities that are suitable for passive or active recreation that requires either water or a waterfront location or is enhanced by a waterfront location.
- c. Public lands or facilities - lands or facilities held by State or local government in free simple or less-than-fee simple ownership and to which the public has access or could have access, including underwater lands and the foreshore.
- d. A reduction in the existing level of public access - includes but is not limited to the following:
 - (1) The number of parking spaces at a public water-related recreation resource or facility is significantly reduced.
 - (2) The service level of public transportation to a public water-related recreation resource or facility is significantly reduced during peak season use and such reduction cannot be reasonably justified in terms of meeting systemwide objectives.

- (3) Pedestrian access is diminished or eliminated because of hazardous crossings required at new or altered transportation facilities, electric power transmission lines, or similar linear facilities.
 - (4) There are substantial increases in the following: already existing special fares (not including regular fares in any instance) of public transportation to a public water-related recreation resource or facility, except where the public body having jurisdiction over such fares determines that such substantial fare increases are necessary; and/or admission fees to such a resource or facility, and an analysis shows that such increases will significantly reduce usage by individuals or families with incomes below the State government established poverty level.
- e. An elimination of the possibility of increasing public access in the future includes, but is not limited to the following:
 - (1) Construction of public facilities which physically prevent the provision, except at great expense, of convenient public access to public water-related recreation resources and facilities.
 - (2) Sale, lease, or other transfer of public lands that could provide public access to a public water-related recreation resource or facility.
 - (3) Construction of private facilities which physically prevent the provision of convenient public access to public water-related recreation resources or facilities from public lands and facilities.
- 2. Any proposed project to increase public access to public water-related recreation resources and facilities shall be analyzed according to the following factors:
 - a. The level of access to be provided should be in accord with estimated public use. If not, the proposed level of access to be provided shall be deemed inconsistent with the policy.
 - b. The level of access to be provided shall not cause a degree of use which would exceed the physical capability of the resource or facility. If this were determined to be the case, the proposed level of access to be provided shall be deemed inconsistent with the policy.
- 3. Government agencies will not undertake or fund any project which increases access to a water-related resource or facility that is not open to all members of the public.

POLICY 20 ACCESS TO THE PUBLICLY-OWNED FORESHORE AND TO LANDS IMMEDIATELY ADJACENT TO THE FORESHORE OR THE WATER'S EDGE THAT ARE PUBLICLY-OWNED SHALL BE PROVIDED AND IT SHALL BE PROVIDED IN A MANNER COMPATIBLE WITH ADJOINING USES. SUCH LANDS SHALL BE RETAINED IN PUBLIC OWNERSHIP.

Explanation of Policy

Publicly owned lands referenced in this policy have been identified in Policy 19 and in Section Two, pp. II-10 through II-15.

Activities requiring minimal coastal facilities for their enjoyment include bicycling, bird watching, photography, nature study, beachcombing, and fishing. For these activities, there are several methods of providing access which will receive priority attention of the Coastal Management Program. These include the development of a coastal trails system, the provision of access across transportation facilities to the coast, and the promotion of mixed and multi-use development.

While such publicly-owned lands referenced in the policy shall be retained in public ownership, traditional sales of easements on lands underwater to adjacent onshore property owners are consistent with this policy, provided such easements do not substantially interfere with continued public use of the public lands on which the easement is granted. Also, public use of such publicly-owned underwater lands and lands immediately adjacent to the shore shall be discouraged where such use would be inappropriate for reasons of public safety, military security, or the protection of fragile coastal resources.

The following guidelines will be used in determining the consistency of a proposed action with this policy:

1. Existing access from adjacent or proximate public lands or facilities to existing public coastal lands and/or waters shall not be reduced, nor shall the possibility of increasing access in the future from adjacent or nearby public lands or facilities to public coastal lands and/or waters be eliminated, unless such actions are demonstrated to be of overriding regional or statewide public benefit, or in the latter case, estimates of future use of these lands and waters are too low to justify maintaining or providing increased access.

The following is an explanation of the terms used in the above guidelines:

- a. (See definitions under Policy 19 for "access", and "public lands or facilities").
- b. A reduction in the existing level of public access - includes but is not limited to the following:
 - (1) Pedestrian access is diminished or eliminated because of hazardous crossings required at new or altered

transportation facilities, electric power transmission lines, or similar linear facilities.

- (2) Pedestrian access is diminished or blocked completely by public or private development.

c. An elimination of the possibility of increasing public access in the future - includes but is not limited to, the following:

- (1) Construction of public facilities which physically prevent the provision, except at great expense, of convenient public access to public water-related recreation resources and facilities.
- (2) Sale, lease, or other conveyance of public lands that could provide public access to public coastal lands and/or waters.
- (3) Construction of private facilities which physically prevent the provision of convenient public access to public coastal lands and/or waters from public lands and facilities.

2. The existing level of public access within public coastal lands or waters shall not be reduced or eliminated.

a. A reduction in the existing level of public access - includes but is not limited to the following:

- (1) Access is reduced or eliminated because of hazardous crossings required at new or altered transportation facilities, electric power transmission lines, or similar linear facilities.
- (2) Access is reduced or blocked completely by any public developments.

3. Public access from the nearest public roadway to the shoreline and along the coast shall be provided by new land use or development, except where (a) it is inconsistent with public safety, military security, or the protection of identified fragile coastal resources; (b) adequate access exists within one-half mile; or (c) agriculture would be adversely affected. Such access shall not be required to be open to public use until a public agency or private association agrees to accept responsibility for maintenance and liability of the accessway.

4. Government agencies will not undertake or fund any project which increases access to a water-related resource or facility that is not open to all members of the public.

5. Proposals for increased public access to coastal lands and waters shall be analyzed according to the following factors:

- a. The level of access to be provided should be in accord with estimated public use. If not, the proposed level of access to be provided shall be deemed inconsistent with the policy.
- b. The level of access to be provided shall not cause a degree of use which would exceed the physical capability of the resource. If this were determined to be the case, the proposed level of access to be provided shall be deemed inconsistent with the policy.

RECREATION POLICIES

POLICY 21 WATER DEPENDENT AND WATER ENHANCED RECREATION WILL BE ENCOURAGED AND FACILITATED, AND WILL BE GIVEN PRIORITY OVER NON-WATER RELATED USES ALONG THE COAST, PROVIDED IT IS CONSISTENT WITH THE PRESERVATION AND ENHANCEMENT OF OTHER COASTAL RESOURCES AND TAKES INTO ACCOUNT DEMAND FOR SUCH FACILITIES. IN FACILITATING SUCH ACTIVITIES, PRIORITY SHALL BE GIVEN TO AREAS WHERE ACCESS TO THE RECREATION OPPORTUNITIES OF THE COAST CAN BE PROVIDED BY NEW OR EXISTING PUBLIC TRANSPORTATION SERVICES AND TO THOSE AREAS WHERE THE USE OF THE SHORE IS SEVERELY RESTRICTED BY EXISTING DEVELOPMENT.

Explanation of Policy

Water-related recreation in Cape Vincent includes such obviously water-dependent activities as boating and fishing as well as certain activities which are enhanced by a coastal location and increase the general public's access to the coast such as shoreline parks, picnic areas, and scenic viewpoints that take advantage of coastal scenery.

Provided the development of water-related recreation is consistent with the preservation and enhancement of such important coastal resources as fish and wildlife habitats, aesthetically significant areas, and historic and cultural resources, and provided demand exists, water-related recreation development is to be increased and such uses shall have a higher priority than any non-coastal dependent uses, including non-water-related recreation uses. In addition, water-dependent recreation uses shall have a higher priority over water-enhanced recreation uses. Determining a priority among coastal dependent uses will require a case-by-case analysis.

The siting or design of new public development in a manner which would result in a barrier to the recreational use of a major portion of a community's shore should be avoided as much as practicable.

Among the types of water-dependent recreation, provision of adequate boating services to meet future demand is to be encouraged by this Program. The siting of boating facilities must be consistent with preservation and enhancement of other coastal resources and with their capacity to accommodate demand, but such public actions should avoid competing with private boating development. Boating facilities will, as appropriate, include parking, park-like surroundings, toilet facilities, and pumpout facilities.

Cape Vincent has experienced increased demand for access to the river for recreational boating, fishing and general viewing of the river. Since the village's economy depends, to a certain extent, upon the quantity and quality of its water-based recreational facilities, the village will give priority to water-dependent and water-enhanced recreational development, provided it is consistent with other policies of this program and does not jeopardize the character of the village desired by the community. Specifically it will undertake measures to develop and expand recreational facilities in the village park, in the harbor area for sailboat mooring, and at the riverfront dead-end streets that provide public access.

POLICY 22 DEVELOPMENT WHEN LOCATED ADJACENT TO THE SHORE WILL PROVIDE FOR WATER-RELATED RECREATION WHENEVER SUCH USE IS COMPATIBLE WITH REASONABLY ANTICIPATED DEMAND FOR SUCH ACTIVITIES, AND IS COMPATIBLE WITH THE PRIMARY PURPOSE OF THE DEVELOPMENT.

Explanation of Policy

Many developments present practical opportunities for providing recreation facilities as an additional use of the site or facility. Therefore, whenever developments are located adjacent to the shore, they should to the fullest extent permitted by existing law, provide for some form of water-related recreation use unless there are compelling reasons why any form of such recreation would not be compatible with the development.

The types of development which can generally provide water-related recreation as a multiple use include but are not limited to:

- parks
- highway
- power plants
- utility transmission rights of way
- sewage treatment facilities
- mental health facilities*
- hospitals*
- prisons*
- schools, universities*
- military facilities*
- nature preserves*
- large residential subdivisions (50 units)
- shopping centers
- office buildings

* The types of recreation uses likely to be compatible with these facilities are limited to the more passive forms, such as trails or fishing access. In some cases, land areas not directly or immediately needed by the facility could be used for recreation.

Prior to taking action relative to any development, State agencies should consult with the NYS Office of Parks, Recreation and Historic Preservation (OPRHP), and the Village of Cape Vincent, to determine appropriate recreation uses. The agency should provide OPRHP and the

village with the opportunity to participate in project planning.

Appropriate recreation uses which do not require any substantial additional construction shall be provided at the expense of the project sponsor provided the cost does not exceed 2% of total project costs.

Future activities in Cape Vincent to redevelop the James Street area (public and commercial uses near the ferry dock, town garage, etc.), the Market Street area and other waterfront locations should be integrated with the improvement of public access and recreational facilities as multiple uses.

HISTORIC AND SCENIC QUALITY POLICIES

POLICY 23 PROTECT, ENHANCE AND RESTORE STRUCTURES, DISTRICTS, AREAS OR SITES THAT ARE OF SIGNIFICANCE IN THE HISTORY, ARCHITECTURE, ARCHAEOLOGY OR CULTURE OF THE STATE, ITS COMMUNITIES, OR THE NATION.

Explanation of Policy

Among the most valuable of the State's man-made resources are those structures or areas which are of historic, archaeological, or cultural significance. The protection of these structures must involve a recognition of their importance by all agencies and the ability to identify and describe them. Protection must include concern not just with specific sites but with areas of significance, and with the area around specific sites.

The policy is not to be construed as a passive mandate but must include active efforts when appropriate to restore or revitalize through adaptive reuse. While the program is concerned with the preservation of all such resources within the coastal boundary, it will actively promote the preservation of historic and cultural resources which have a coastal relationship. (See Section Two, Community and Cultural Resources and Plate 8).

Protection includes the consideration and adoption of any techniques, measures, or controls to prevent a significant adverse change to structures, districts or sites that have historical, architectural or cultural significance for the village, the State or the Nation. A significant adverse change includes but is not limited to:

1. Alteration of or addition to one or more of the architectural, structural ornamental or functional features of a building, structure, or site that is a recognized historic, cultural, or archaeological resource, or component thereof. Such features are defined as encompassing the style and general arrangement of the exterior of a structure and any original or historically significant interior features including type, color and texture of building materials; entryways and doors; fenestration; lighting fixtures; roofing, sculpture and carving; steps; rails; fencing; windows; vents and other openings; grillwork; signs; canopies; and other appurtenant fixtures and, in addition, all buildings, structures, outbuildings, walks, fences, steps, topographical features, earthworks,

paving and signs located on the designated resource property. (To the extent they are relevant, the Secretary of the Interior's "Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings" shall be adhered to.)

2. Demolition or removal in full or part of a building, structure, or earthworks that is a recognized historic, cultural, or archaeological resource or component thereof, to include all those features described in 1. above plus any other appurtenant fixture associated with a building, structure or earthwork.
3. All proposed actions within 500 feet of the perimeter of the property boundary of the historic, architectural, cultural, or archaeological resource and all actions within an historic district that would be incompatible with the objective of preserving the quality and integrity of the resource. Primary considerations to be used in making judgment about compatibility should focus on the visual and locational relationship between the proposed action and the special character of the historic, cultural, or archaeological resource. Compatibility between the proposed action and the resource means that the general appearance of the resource should be reflected in the architectural style; design material, scale, proportion, composition, mass, line, color, texture, detail, setback, landscaping and related items of the proposed actions. With historic districts this would include infrastructure improvements or changes, such as street and sidewalk paving, street furniture and lighting.

This policy shall not be construed to prevent the construction, reconstruction, alteration, or demolition of any building, structure, earthwork, or component thereof of a recognized historic, cultural or archaeological resource which has been officially certified as being imminently dangerous to life or public health. Nor shall the policy be construed to prevent the ordinary maintenance, repair, or proper restoration according to the U.S. Department of Interior's "Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings" of any building, structure, site or earthwork, or component thereof a recognized historic, cultural or archaeological resource which does not involve a significant adverse change to the resource, as defined above.

This policy is applicable to the historic structures and the historic district that are listed on the State and National Registers of Historic Places. See Section Two, pp. II-15 through II-17 and Plate 8 for the description and location of these resources. Historic and cultural resources are a major factor in the village's character, particularly since the historic structures identified are scattered throughout the waterfront area.

SCENIC RESOURCES POLICIES

POLICY 24 The State Coastal Policy regarding scenic resources of statewide significance is not applicable to Cape Vincent.

POLICY 25 PROTECT, RESTORE OR ENHANCE NATURAL AND MAN-MADE RESOURCES WHICH ARE NOT IDENTIFIED AS BEING OF STATEWIDE SIGNIFICANCE, BUT WHICH CONTRIBUTE TO THE OVERALL SCENIC QUALITY OF THE COASTAL AREA.

Policy 25A Protect and enhance the natural and man-made scenic resources of the community (the river, the waterfront, historic structures, and the small town character of the village) as important features of the local economy and the area's unique identity.

Explanation of Policies

This policy applies specifically to the scenic vistas of local significance as mapped on Plate 8 and described in Section Two. Furthermore, this policy applies to the scenic quality of the remainder of the Village's coastal area as an enhancement or encouragement statement.

When considering a proposed action, agencies shall ensure that the action would be undertaken so as to protect, restore or enhance the overall scenic quality of the coastal area.

Scenic impairment is defined as: (i) the irreversible modification of geologic forms, the destruction or removal of vegetation, the destruction, or removal of structures, whenever the geologic forms, vegetation or structures are significant to the scenic quality of an identified resource; and (ii) the addition of structures which because of siting or scale will reduce identified views or which because of scale, form, or materials will diminish the scenic quality of an identified resource.

Guidelines for minimizing scenic impairment include:

- siting structures and other development such as highways, power lines, and signs, back from shorelines or in other inconspicuous locations to maintain the attractive quality of the shoreline and to retain views to and from the shore;
- clustering or orienting structures to retain views, save open space and provide visual organization to a development;
- incorporating sound, existing structures (especially historic buildings) into the overall development scheme;
- removing deteriorated and/or degrading elements;
- maintaining or restoring the original land form, except when changes screen unattractive elements and/or add appropriate interest;
- maintaining or adding vegetation to provide interest, encourage the presence of wildlife, blend structures into the site, and obscure unattractive elements, except when selective clearing removes unsightly, diseased or hazardous vegetation and when selective clearing creates views of coastal waters;

- using appropriate materials, in addition to vegetation, to screen unattractive elements;
- using appropriate scales, forms and materials to ensure that buildings and other structures are compatible with and add interest to the landscape.

Cape Vincent's scenic resources are described in Section Two, Natural Resources and Community and Cultural Resources.

AGRICULTURAL LANDS POLICY

POLICY 26 The State Coastal Policy regarding agricultural lands is not applicable to Cape Vincent.

ENERGY AND ICE MANAGEMENT POLICIES

POLICY 27 DECISIONS ON THE SITING AND CONSTRUCTION OF MAJOR ENERGY FACILITIES IN THE COASTAL AREA WILL BE BASED ON PUBLIC ENERGY NEEDS, COMPATIBILITY OF SUCH FACILITIES WITH THE ENVIRONMENT, AND THE FACILITY'S NEED FOR A SHOREFRONT LOCATION.

Explanation of Policy

Demand for energy in New York will increase, although at a rate slower than previously predicted. The State expects to meet these energy demands through a combination of conservation measures; traditional and alternative technologies; and use of various fuels, including coal, in greater proportion.

A determination of public need for energy is the first step in the process for siting any new facilities. The directives for determining this need are set forth in the New York State Energy Law. With respect to transmission lines and steam electric generating facilities, Articles VII and VIII of the State's Public Service Law require additional forecasts and establish the basis for determining the compatibility of these facilities with the environment and the necessity for a shorefront location. The policies derived from the siting regulations under these Articles are entirely consistent with the general coastal zone policies derived from other laws, particularly the regulations promulgated pursuant to the Waterfront Revitalization and Coastal Resources Act. That Act is used for the purposes of ensuring consistency with the State Coastal Management Program and this Local Waterfront Revitalization Program.

In consultation with the Village of Cape Vincent, the Department of State will comment on State Energy Office policies and planning reports as may exist; present testimony for the record during relevant certification proceedings under Articles VII and VIII of the PSL; and use the State SEQR and DOS regulations to ensure that decisions on other proposed energy facilities (other than transmission facilities and steam electric generating plants) which would impact the waterfront area are made

consistent with the policies and purposes of the Local Waterfront Revitalization Program.

POLICY 28 ICE MANAGEMENT PRACTICES SHALL NOT INTERFERE WITH THE PRODUCTION OF HYDROELECTRIC POWER, DAMAGE SIGNIFICANT FISH AND WILDLIFE AND THEIR HABITATS, OR INCREASE SHORELINE EROSION OR FLOODING.

Explanation of Policy

Before ice management activities are undertaken, an assessment must be made of the potential affects upon the production of hydroelectric power, fish and wildlife habitats, flood levels and damage, rates of shoreline erosion damage, and upon natural protective features.

Following such an examination, adequate methods of avoidance or mitigation of adverse effects must be used if the proposed action is to be implemented.

POLICY 29 The State Coastal Policy regarding off-shore energy development is not applicable to Cape Vincent.

WATER AND AIR RESOURCES POLICIES

POLICY 30 MUNICIPAL, INDUSTRIAL, AND COMMERCIAL DISCHARGE OF POLLUTANTS, INCLUDING BUT NOT LIMITED TO, TOXIC AND HAZARDOUS SUBSTANCES, INTO COASTAL WATERS WILL CONFORM TO STATE AND NATIONAL WATER QUALITY STANDARDS.

Explanation of Policy

Municipal, industrial and commercial discharges include not only "end-of-the-pipe" discharges into surface and groundwater, but also plant site runoff, leaching, spillages, sludge and other waste disposal, and drainage from raw material storage sites. Also, the regulated industrial discharges are both those which directly empty into receiving coastal waters and those which pass through municipal treatment systems before reaching the State's waterways.

POLICY 31 STATE COASTAL AREA POLICIES AND MANAGEMENT OBJECTIVES OF APPROVED LOCAL WATERFRONT REVITALIZATION PROGRAMS WILL BE CONSIDERED WHILE REVIEWING COASTAL WATER CLASSIFICATIONS AND WHILE MODIFYING WATER QUALITY STANDARDS; HOWEVER, THOSE WATERS ALREADY OVER-BURDENED WITH CONTAMINANTS WILL BE RECOGNIZED AS BEING A DEVELOPMENT CONSTRAINT.

Explanation of Policy

DEC has classified its coastal and river waters in accordance with considerations of best usage in the public interest, and has adopted water quality standards for each classification. The classifications and standards are reviewable every three years for possible revision. Local Waterfront Revitalization Programs and State Coastal Management Policies shall be

factored into the review process. However, such consideration shall not affect any water pollution control requirement established by the State pursuant to the Federal Clean Water Act.

The State has identified certain stream segments as being either "water quality limiting" or "effluent limiting." Waters not meeting State standards and which would not be expected to meet these standards even after applying "best practicable treatment" to effluent discharges are classified as "water quality limited." Those segments meeting standards or those expected to meet them after application of "best practicable treatment" are classified as "effluent limiting," and all new waste discharges must receive "best practicable treatment." However, along stream segments classified as "water quality limiting," waste treatment beyond "best practicable treatment" would be required, and costs of applying such additional treatment may be prohibitive for new development. The village has reviewed the stream classification of the St. Lawrence River and finds the "A" classification to be appropriate for its waterfront program.

POLICY 32 The State Coastal Policy regarding alternative sanitary waste systems is not applicable to Cape Vincent.

POLICY 33 BEST MANAGEMENT PRACTICES WILL BE USED TO ENSURE THE CONTROL OF STORMWATER RUNOFF AND COMBINED SEWER OVERFLOWS DRAINING INTO COASTAL WATERS.

Explanation of Policy

Best management practices include both structural and nonstructural methods of preventing or mitigating pollution caused by the discharge of stormwater runoff and combined sewer overflows. At present, structural approaches to controlling stormwater runoff (e.g., construction of retention basins) and combined sewer overflows (e.g., replacement of combined system with separate sanitary and stormwater collection systems) are not economically feasible. Proposed amendments to the Clean Water Act, however, will authorize funding to address combined sewer overflow in areas where they create severe water quality impacts. Until funding for such projects becomes available, nonstructural approaches (e.g., improved street cleaning reduced use of road salt) will be encouraged.

Occasionally, after intense periods of rainfall, the village's sewage treatment facility does experience short-term surcharges due, in part, to a high rate of system inflow and infiltration. Should the problem become significant, the village will seek additional funding to upgrade obsolete or deteriorated portions of the system.

POLICY 34 DISCHARGE OF WASTE MATERIALS INTO COASTAL WATERS FROM VESSELS WILL BE LIMITED SO AS TO PROTECT SIGNIFICANT FISH AND WILDLIFE HABITATS, RECREATIONAL AREAS AND WATER SUPPLY AREAS.

Explanation of Policy

The discharge of sewage, garbage, rubbish, and other solid or liquid

materials from watercraft and marinas into the State's waters is regulated. Priority will be given to the enforcement of this law in areas such as significant fish and wildlife habitats, beaches, and public water supply intakes, which need protection from contamination by vessel wastes. Also, specific effluent standards for marine toilets have been promulgated by the NYS Department of Environmental Conservation (6 NYCRR, Part 657). The village has very little riverfront property and no jurisdiction over coastal waters. However, new marinas within village limits shall be equipped with sanitary pumpout disposal facilities for boats with marine toilets.

POLICY 35 DREDGING AND DREDGE SPOIL DISPOSAL IN COASTAL WATERS WILL BE UNDERTAKEN IN A MANNER THAT MEETS EXISTING STATE DREDGING PERMIT REQUIREMENTS, AND PROTECTS SIGNIFICANT FISH AND WILDLIFE HABITATS, SCENIC RESOURCES, NATURAL PROTECTIVE FEATURES, IMPORTANT AGRICULTURAL LANDS, AND WETLANDS.

Explanation of Policy

As noted under Policy 34, the village does not have jurisdiction over coastal waters; therefore, only the potential disposal of dredging spoils can come under the control of this LWRP at the present time.

Dredging projects can be beneficial to the coastal area (maintaining navigation channels at sufficient depths), though they sometimes adversely affect water quality, fish and wildlife habitats, wetlands, and other important coastal resources. Often these adverse effects can be minimized through careful design and timing of the dredging operation and proper siting of the dredge spoil disposal site. Dredging permits will be granted if it has been satisfactorily demonstrated that these anticipated adverse effects have been reduced to levels which satisfy State dredging permit standards set forth in regulations developed pursuant to Environmental Conservation Law (Articles 15, 24, 25 and 34), and are consistent with policies pertaining to the protection of coastal resources (State Coastal Management Policies 7, 15, 24, 26 and 44).

POLICY 36 ACTIVITIES RELATED TO THE SHIPMENT AND STORAGE OF PETROLEUM AND OTHER HAZARDOUS MATERIALS WILL BE CONDUCTED IN A MANNER THAT WILL PREVENT OR AT LEAST MINIMIZE SPILLS INTO COASTAL WATERS; ALL PRACTICABLE EFFORTS WILL BE UNDERTAKEN TO EXPEDITE THE CLEANUP OF SUCH DISCHARGES; AND RESTITUTION FOR DAMAGES WILL BE REQUIRED WHEN THESE SPILLS OCCUR.

Explanation of Policy

As noted under Policies 34 and 35, the village does not have jurisdiction over coastal waters. However, the village riverfront would be affected by spills in adjacent coastal waters.

Hazardous wastes are unwanted by-products of manufacturing processes generally characterized as flammable, corrosive, reactive, or toxic. More specifically, hazardous waste is defined in Environmental Conservation Law (§27-0901.3) as "waste or combination of wastes which because of its quantity,

concentration, or physical, chemical or infectious characteristics may: (1) cause or significantly contribute to an increase in mortality or an increase in serious irreversible, or incapacitating reversible illness; or (2) pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, disposed or otherwise managed." 6 NYCRR Part 371 lists hazardous wastes.

Safety and spillage containment considerations must be incorporated into the design of storage facilities for petroleum or other hazardous materials, when such facilities are allowed by the Village of Cape Vincent Development Code. For example, above-ground tanks shall be mounted on a concrete pad with a lip or curb to contain spillage. Contractors or applicants shall consult the U.S. Army Corps of Engineers to determine acceptable safety standards for proposed fuel facilities. All agencies will follow new DEC regulations regarding petroleum bulk storage regulations (6 NYCRR Parts 610, 612, 613 and 614).

POLICY 37 BEST MANAGEMENT PRACTICES WILL BE UTILIZED TO MINIMIZE THE NON-POINT DISCHARGE OF EXCESS NUTRIENTS, ORGANICS AND ERODED SPOILS INTO COASTAL WATERS.

Explanation of Policy

Best management practices used to reduce these sources of pollution include but are not limited to, encouraging organic farming and pest management principles, soil erosion control practices, and surface drainage control techniques. Through the use of the Village Development Code and site plan review provisions, best management practices will be used to reduce such non-point pollution sources if any are identified in the future.

Guidelines regulating development or construction to be used in implementing this policy include the following:

1. Runoff or other non-point pollutant sources from any specific development must not be greater than would be the case under natural conditions. Appropriate techniques to minimize such efforts shall include, but not be limited to, the use of stormwater detention basins, rooftop runoff disposal, rooftop detention, parking lot storage and cistern storage.
2. The construction site, or facilities, should fit the land, particularly with regard to its limitations.
3. Natural ground contours should be followed as closely as possible and grading minimized.
4. Areas of steep slopes, where high cuts and fills may be required, should be avoided.
5. Extreme care should be exercised to locate artificial drainageways so that their final gradient and resultant discharge velocity will not create additional erosion problems.

6. Natural protective vegetation should remain undisturbed if at all possible; otherwise plantings should compensate for the disturbance.
7. The amount of time that disturbed ground surfaces are exposed to the energy of rainfall and runoff water should be limited.
8. The velocity of the runoff water on all areas subject to erosion should be reduced below that necessary to erode the materials.
9. A ground cover should be applied sufficient to restrain erosion on that portion of the disturbed area undergoing no further active disturbances.
10. Runoff from a site should be collected and detained in sediment basins to trap pollutants which would otherwise be transported from the site.
11. Provision should be made for permanent protection of downstream banks and channels from the erosive effects of increased velocity and volume and runoff resulting from facilities constructed.
12. The angle for graded slopes and fills should be limited to an angle no greater than that which can be retained by vegetative cover or other erosion control devices or structures.
13. The length as well as the angle of graded slopes should be minimized to reduce the erosive velocity of runoff water.
14. Rather than merely minimize damage, take the opportunity to improve site conditions wherever practicable.

POLICY 38 THE QUALITY AND QUANTITY OF SURFACE WATER AND GROUNDWATER SUPPLIES WILL BE CONSERVED AND PROTECTED, PARTICULARLY WHERE SUCH WATERS CONSTITUTE THE PRIMARY OR SOLE SOURCE OF WATER SUPPLY.

Explanation of Policy

The St. Lawrence River is the principal source of water supply for the Village of Cape Vincent. Groundwater sources are used to a very limited extent in a few outlying areas of the village not served by the village's water system. Both sources must therefore be protected.

POLICY 39 THE TRANSPORT, STORAGE, TREATMENT AND DISPOSAL OF SOLID WASTES, PARTICULARLY HAZARDOUS WASTES, WITHIN COASTAL AREAS WILL BE CONDUCTED IN SUCH A MANNER SO AS TO PROTECT GROUNDWATER AND SURFACE WATER SUPPLIES, SIGNIFICANT FISH AND WILDLIFE HABITATS, RECREATION AREAS, IMPORTANT AGRICULTURAL LANDS AND SCENIC RESOURCES.

Explanation of Policy

Solid wastes include sludge from air or water pollution control facilities, demolition and construction debris, and industrial and commercial waste. Examples of solid waste management facilities include resource recovery facilities, sanitary landfills and solid waste reduction facilities.

Although a fundamental problem associated with the disposal and treatment of solid wastes is the contamination of water resources, other related problems may include: filling of littoral areas, atmospheric loading, and degradation of scenic resources. Garbage collection in Cape Vincent is handled by a private carrier under contract with the village who hauls the waste to the Town of Cape Vincent landfill, outside the coastal area.

Refer to Policy 36 for explanation of hazardous wastes.

POLICY 40 EFFLUENT DISCHARGED FROM MAJOR STEAM ELECTRIC GENERATING AND INDUSTRIAL FACILITIES INTO COASTAL WATERS WILL NOT BE UNDULY INJURIOUS TO FISH AND WILDLIFE AND SHALL CONFORM TO STATE WATER QUALITY STANDARDS.

Explanation of Policy

There are no major steam electric generating or industrial facilities located within the Cape Vincent waterfront area and no such facilities are anticipated. In the event that such facilities are proposed within the waterfront area, review of such projects shall ensure that the facility will "not discharge any effluent that will be unduly injurious to the propagation and protection of fish and wildlife, the industrial development of the state, the public health, and public enjoyment of the receiving waters." The effects of thermal discharges on water quality and aquatic organisms will be considered when evaluating an applicant's request to construct a new steam electric generating facility.

POLICY 41 LAND USE OR DEVELOPMENT IN THE COASTAL AREA WILL NOT CAUSE NATIONAL OR STATE AIR QUALITY STANDARDS TO BE VIOLATED.

Explanation of Policy

The Village's Local Waterfront Revitalization Program incorporates the air quality policies and programs developed for the State by the Department of Environmental Conservation pursuant to the Clean Air Act and State Laws on air quality. The requirements of the Clean Air Act are the minimum air quality control requirements applicable within the waterfront area.

To the extent possible, the State Implementation Plan will be consistent with the land and water use policies of this local program. Conversely, program decisions with regard to specific land and water use proposals and any recommendations with regard to specific sites for major new or expanded energy, transportation, or commercial facilities will reflect an assessment of their compliance with the air quality requirements of the State Implementation Plan.

POLICY 42 COASTAL MANAGEMENT POLICIES WILL BE CONSIDERED IF THE STATE RECLASSIFIES LAND AREAS PURSUANT TO THE PREVENTION OF SIGNIFICANT DETERIORATION REGULATIONS OF FEDERAL CLEAN AIR ACT.

Explanation of Policy

The policies of the State CMP and the LWRP concerning proposed land and water uses and the protection and preservation of special management areas

will be taken into account prior to any action to change the prevention of significant deterioration land classification in coastal regions or adjacent areas.

POLICY 43 LAND USE OR DEVELOPMENT IN THE COASTAL AREA MUST NOT CAUSE THE GENERATION OF SIGNIFICANT AMOUNTS OF THE ACID RAIN PRECURSORS: NITRATES AND SULFATES.

Explanation of Policy

The Village's Local Waterfront Revitalization Program incorporates the State's policies on acid rain. As such, the local program will assist in the State's efforts to control acid rain. These efforts to control acid rain will enhance the continued viability of coastal fisheries, wildlife, agricultural, scenic and water resources.

POLICY 44 The State Coastal Policy regarding coastal wetlands is not applicable within the Cape Vincent coastal area.

SECTION IV

PROPOSED LAND AND WATER USES
AND
PROPOSED PROJECTS

No land use changes are proposed in the Cape Vincent coastal area. The only proposed change in water uses is the water area between the breakwall and the shoreline. It is proposed that sailboat moorings be installed in this area to provide additional facilities for transient and resident boaters. (See Plate 9 and Proposed Projects for the location and description of this project.)

As noted in Section II, Cape Vincent's waterfront is rather extensively developed and there is little pressure for further development. The spatial development of the village is relatively open and is thus desirable and will be maintained. Existing patterns of development are generally compatible with the village's Comprehensive Plan and Development Code. There is one area zoned "residential" which includes commercial marinas as an existing, non-conforming use. (See Plate 12.) Within the coastal boundary, commercially zoned parcels will continue to provide water-dependent and water-enhanced uses, consistent with the LWRP policies and local land use commercial redevelopment and revitalization of existing uses. Residential areas are not expected to change in location or intensity; however, residential properties in certain areas may be stabilized because of revitalization programs and the spin-off effects of general improvements in the community. Recreational and public access land uses will be improved, as noted in previous sections.

Proposed Projects

The LWRP Committee and village officials have identified the following five potential project areas, to manage and improve the local recreational and tourism resources:

- (1) Village Park Development
- (2) Sailboat Moorings in the Harbor
- (3) Club Street Area Improvements
- (4) Dead-end Street Public Access Improvements
- (5) "Town" (Village) Dock Reconstruction

Collectively these projects address revitalization and redevelopment of deteriorated and/or underutilized waterfront areas, improvement of shoreline public access and recreation, improvement of visual quality, and strengthening of the local economy through tourism development. Project (1) Village Park Development, is the one project that has been fully addressed. The latter three projects should be considered potential project areas requiring further study. (See Section Five, Other Public and Private Actions.) Each project is described in greater detail below:

(1) Village Park Development

As described in Section Two, p. II-23, the Village Park is a major recreation facility with considerable potential for improving appearance and public safety, expanding the scope of facilities, and providing public information about the area. Developing the park facilities for fishing, boating, picnicking, social/cultural functions, information and interpretation is the village's priority waterfront revitalization project.

The village, the Town of Cape Vincent and DEC implemented the first phase of village park development in the summer of 1986. Working jointly, these agencies constructed a new boat ramp at the park. Municipal crews provided labor and materials; DEC provided design and construction expertise. Plate 11 shows the location of the boat ramp and illustrates the conceptual site plan for the park. Construction has begun on the general park use parking facilities and the Village has received an Adirondack North Country Association (ANCA) Community Beautification Project grant for Phase II of the park's development.

Subsequent phases include construction of a fishing pier with a 120 foot dock for transient boaters; public restrooms (including electric, water and sewer services); a scenic overlook and picnic area (by rehabilitation of old coal silos); other picnic facilities (including tables, grills and trash receptacles); a 1,200 foot waterfront walkway (4 foot width minimum); parking to accommodate the park's facilities; general grading and landscaping; and rehabilitation of the old coal dock. Facilities will conform to barrier-free design standards. A considerable amount of fill will be needed to rehabilitate the deteriorated breakwalls and old coal dock remnants for construction of the fishing pier, dock, picnic facilities and overlook pavilion, as well as to create a safe, attractive shoreline the entire length of the park.

A detailed schedule of project phases has not been determined. A site plan will be developed, establishing a phased schedule, construction details, detailed landscaping and grading plans, and costs for individual phases of the project. The site plan could be financed in part by a DOS LWRP implementation grant (80% of project cost).

Costs for the project could vary tremendously depending on the scale of development, such as whether the parking area and walkways are paved or gravel, what type of restrooms are provided, etc. An estimate of project costs is listed below. Cost alternatives are given for some items. The total costs could probably be reduced by 50% if municipal crews provide force account labor, machinery, and their own bulkfilling.

Cost Estimates

	<u>Alternative 1</u>	<u>Alternative 2</u>
A. Picnic Sites (8)		
Tables, Grills, Trash Receptacles		\$ 2,500
B. Picnic Pavilion		
3 Hexagonal Shelters (16'x16') or		11,500
1 Pavilion (20'x42')	7,500	
C. Walking Path (1,100' long by 4' wide)		
Crushed Stone or	5,250	
Asphalt Paved		9,000

D. Play Structures to Include:		4,250
Balance Beam (12')		
Sandbox (10x10)		
Seasaw (2 seater)		
Slide (12' long)		
Swing (4 seater)		
E. Coal Pier Rehabilitation to Include:		10,000
Partial Demolition		
Bulkfilling		
Stairs		
Handrails		
Landscaping, etc.		
F. Parking Lots (3)		
- Boat Launch Parking		
Crushed Stone	14,000	
Paved		37,500
- Pavilion		
Crushed Stone	3,750	
Paved		10,000
- Bulkhead		
Crushed Stone		
Paved		6,000
G. Landscaping and Reseeding		2,500
H. Restrooms		
Hexagonal Prefab with Plumbing and Fixtures		30,000
I. Signage and Information Display		2,000
J. Dock (150' long by 4' wide)		6,000
K. Design		7,500
	TOTAL	\$ 138,750

(2) Sailboat Moorings

The village proposes to install sailboat moorings within the breakwall area of the harbor to entice the Lake Ontario sailboat clientele to Cape Vincent. This would obviously provide more mooring space, and a type that is not presently available -- particularly for boats with 5'-6' drafts. The moorings would be conveniently located near the municipal dock where the transient public could tie-up their dinghies while visiting Cape Vincent. In addition to fulfilling a recreational facility need, the project would enhance tourism and provide opportunities for strengthening the economy of the business district -- one block from the dock.

This project involves determination of the following: the suitability of the harbor for moorings, how many moorings would be appropriate, the exact location of each buoy, the type of buoy and method of anchoring, whether the buoys would be seasonal or permanent, the costs involved, and obtaining the required permits.

The U.S. Army Corps of Engineers maintains the breakwall and navigation channel in the harbor. Under Section 10 of the Rivers and Harbor Act, mooring buoys in such navigable waters require a permit from the U.S. Army Corps of Engineers. The permit review and processing generally takes 30-90 days and may require a public notice review. The U.S. Army Corps of Engineers prohibits placement of buoys in a manner that would create unreasonable restrictions on navigation. In addition to the U.S. Army Corps of Engineers, the U.S. Coast Guard requires a Private Aids to Navigation Permit for mooring buoys.

The U.S. Coast Guard may also grant a "special anchorage area" designation which means the harbor area is a safe haven for use of the general public where boats (less than 65' in length) do not have to display anchor lights when mooring. Without the designation, boats must display navigation lights or have sound signals when mooring. To obtain this designation the community must submit a letter of request to the U.S. Coast Guard explaining the reasons why the designation is wanted. Two key factors the U.S. Coast Guard looks for is municipal control of the moorings, and 30% of the area is open to the transient public (i.e., the area is not entirely used by residents). A local body such as the village, a yacht club, etc. are given the designation to police.

The U.S. Coast Guard permit and designation and the U.S. Army Corps of Engineers permit should be pursued simultaneously. In addition, the Village should consult with the U.S. Coast Guard about establishing speed limits within the harbor area.

This project is targeted for near-term future. Costs for determining the initial project requirements are minimal. The buoys, anchoring, and maintenance costs have not been determined.

(3) Club Street Area Improvements

As noted in Section Two, the Club Street area occupies a prominent location in the village with the international ferry dock, U.S. Customs and Immigration Service, and the Chamber of Commerce offices all contributing to the area's activity. This mixed use area is somewhat deteriorated and underutilized, providing opportunities for public and private improvements. In January of 1984 the Town of Cape Vincent bought a vacant 149'x250' lot from the U.S. Coast Guard, adjacent to the Town Garage property. This has considerable potential for alleviating parking problems and expanding the public use of the area. The general appearance of the residential, commercial and public buildings could be upgraded through public and private initiatives.

The project involves developing an overall revitalization plan for this highly visible area, and capitalizing on historic resources, scenic views of the river and harbor activities to make an aesthetically pleasing and

functional mixed use area. The plan should include recommendations and/or design concepts for: a housing rehabilitation program; landscaping; painting and other exterior improvements to commercial and public buildings; improvements to commercial signage; interpretive signs to strengthen local tourism efforts and tie the port of entry to the business district; improved parking facilities and traffic circulation; further uses for the Town Garage/Chamber of Commerce building; cost estimates; realistic means of implementing specific aspects of the revitalization plan and possible funding assistance for such improvements; and the organizational aspects of carrying out the project.

Specific suggestions for the adaptive reuse of the Town Garage/Chamber of Commerce building have been offered by local officials and private concerns. The building itself may be used as a community center. The area behind the building may be developed as a public parking area for people patronizing the Club Street area. Parking should be properly designed and screened so that it will not intrude on the historic integrity of the building. Other uses should also be studied in conjunction with the improvements to the Club Street area to ensure the best and most compatible use of the Town Garage/Chamber of Commerce building and adjacent land. (See Section Five, Other Public and Private Actions.)

Costs could vary considerably depending on the scope and depth of the plan and the proposed recommendations. Likely costs for preparation of the initial plan could range from \$10,000 to \$20,000. This project is also targeted for the near-term future.

(4) Improvements to Dead-end Streets

As described in Section Two, p. , Cape Vincent has a grid system of streets, whereby the waterfront ends of the north-south streets provide direct access to the St. Lawrence River. These access points primarily provide for passive recreation -- scenic viewpoints, photography, watching freighters in the Seaway channel, etc. Three locations that are significant for the village have been identified. Benefits for tourism, recreation, public safety, and overall visual quality will result from these improvements. The project involves the following:

a) Point Street

- improve demarkation of the limited parking facilities
- provide interpretive signs regarding the St. Lawrence Seaway System, nearby historic/cultural sites, natural resources, etc.
- replace existing benches with new benches
- landscaping

b) Market Street

- negotiate with the U.S. Coast Guard to remove the hazardous submerged pier, or at the minimum, mark it with buoys
- provide interpretive signs, as above
- update the benches provided
- improve demarkation of the parking area
- landscaping

- development of other possible recreational uses such as picnic facilities

c) Real Street

- improve definition of the parking area
- replace the deteriorated breakwall
- provide interpretive signs, as above
- further development of the site for recreational uses -- more benches, picnic tables, barbeque grills, etc. since the area of village ownership is twice the width of the other street ends
- improve the appearance of the village pumphouse (painting, etc.)
- landscaping

Costs for individual components of this project have not been estimated. Community organizations such as the Cape Vincent Improvement League may be able to contribute through volunteer labor, providing supplies for planting, bench improvements, etc. The project is small and relatively simple which should enable the community to complete the project in one or two summer seasons.

(5) "Town" (Village) Dock Reconstruction

The Village's public dock - known as the "Town Dock" - is located off the northerly end of Esselstyne Street (described in Section Two, p. and located on Plate 4.) It was built around the time of World War I (16' x 220') and repaired in the early 1970's with a new concrete cap. In recent years, the Village has observed that seams in the concrete cap have opened and sections of the cap have begun to sink and tilt. An inspection of the dock's timber cribs during the Summer of 1986 showed them to be separating and settling.

The condition of the cribs has raised serious concerns for the safety of the public dock. Specifically, the Village proposes removal of the existing dock and construction of a new, pier-supported dock in its place. The new dock would conform to dimensions of the existing dock.

As part of the reconstruction project, the old boatlaunch ramp, once adjacent to the dock, has been closed off, filled and landscaped (in favor of the new launch site in the Village's waterfront park).

The Village's public dock is a vital marine facility for tourism in the Village. Each year hundreds of visitors come to Cape Vincent by water. For transient boaters, the public dock provides a safe and convenient point of arrival with depths adequate for large cruisers and sailboats. It's popularity - especially during events such as the French Festival - is considerable.

The project will consist of the following tasks and estimate of costs:

Task 1 - Removal of Existing Dock: remove old wood decking, poles and mooring cleats; demolish and remove existing concrete cap, steel carrying beams, timber cribs and stonefill; and haul fill and scrap materials to disposal site.

Task 2 - Construction of New Dock: install culvert pilings (pinned to bedrock); fill pilings with concrete; install steel carrying beams and stringers; install new decking, staves, cleats and poles; and pour new concrete ramp abutment adjoining landward end of dock.

Task 3 - Closing of Old Boat Launch Ramp: set forms and tie rods and pour concrete for new retaining wall on ramp surface (at waterline), backfill, remove surrounding pavement, apply top soil, seed and fertilize.

Task 1 - Removal of Existing Dock

Village (removal of poles, cleats, and decking, loading trucks and hauling away demolished dock)

<u>Equipment:</u>	dump truck & driver	40 hrs.x \$30/hr.	\$1,200.00
	front end loader & driver	24 hrs.x \$35/hr.	840.00
<u>Labor</u>	2 men	24 hrs.x 9/hr.	432.00
<u>Supervision:</u>	Superintendent of Public Works	12 hrs.x \$9.50/hr.	114.00

Contractor (removal of concrete cap, timber cribs, and fill and steel carrying beams by barge)	\$10,620.00
SUBTOTAL	\$13,206.00

Task 2 - Construction of New Dock

Contractor	\$100,000.00
SUBTOTAL	\$100,000.00

Task 3 - Closing of Old Boat Launch Ramp
Village

Materials-forms		\$128.00
anchors		50.00
concrete		1,100.00
fill (over ramp)		200.00
landscape fill		675.00
top soil		90.00

<u>Equipment:</u> loader/grader	12 hrs.x \$30/hr.	360.00
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<u>Labor:</u> 3 men x 40 hrs. x \$9/hr.		1,080.00
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<u>Supervision:</u> Superintendant of Public Works	6 hrs.x \$9.50/hr.	<u>57.00</u>
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SUBTOTAL	\$3,740.00
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TOTAL	\$116,946.00
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PLATE 9

Proposed Land and Water Uses

PROVIDE CONTINUITY WITHIN THE
MORRISONS PARTIAL RESULTS TO THE
MORRISONS PARTIAL RESULTS TO THE

Scale 1" = 300'



LEGEND

LAND USES

Residential

Public/Semi-Public

Commercial



WATER USES

Of - Boating

82-1100H - HQ

04-11-2014

Un - Navies - Navy

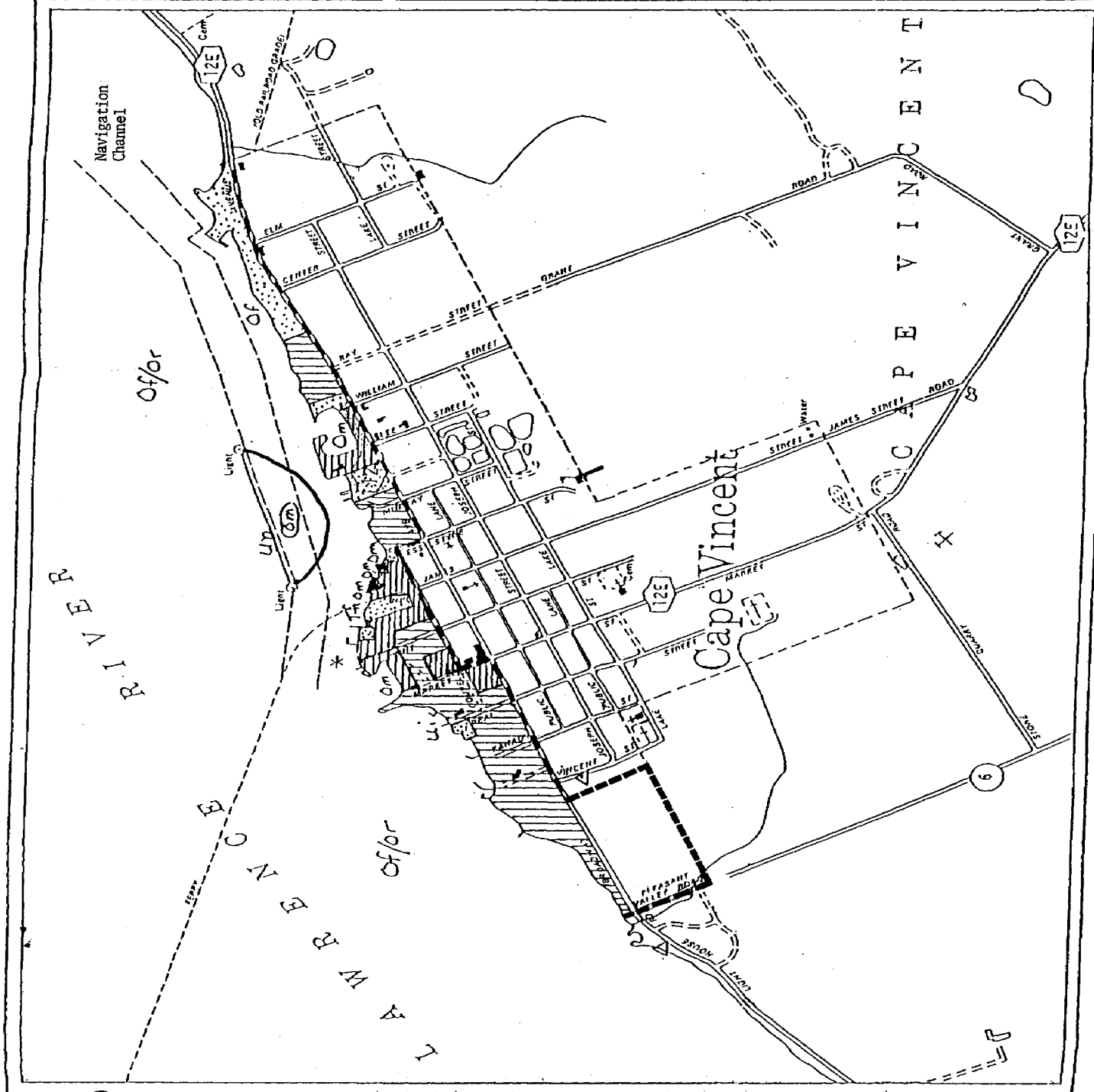
U. - Water. In

Proposed Land and Water
Use

No land use changes are proposed in the Cape Vincent coastal area

Coastal Area Boundary

IV-11



VILLAGE OF CAPE VINCENT

PLATE 10

Proposed Projects

PROVIDED BY THE ST. LAWRENCE-EASTERN OYSTER COMMISSION
LOCAL GOVERNMENT ASSISTANCE PROGRAM



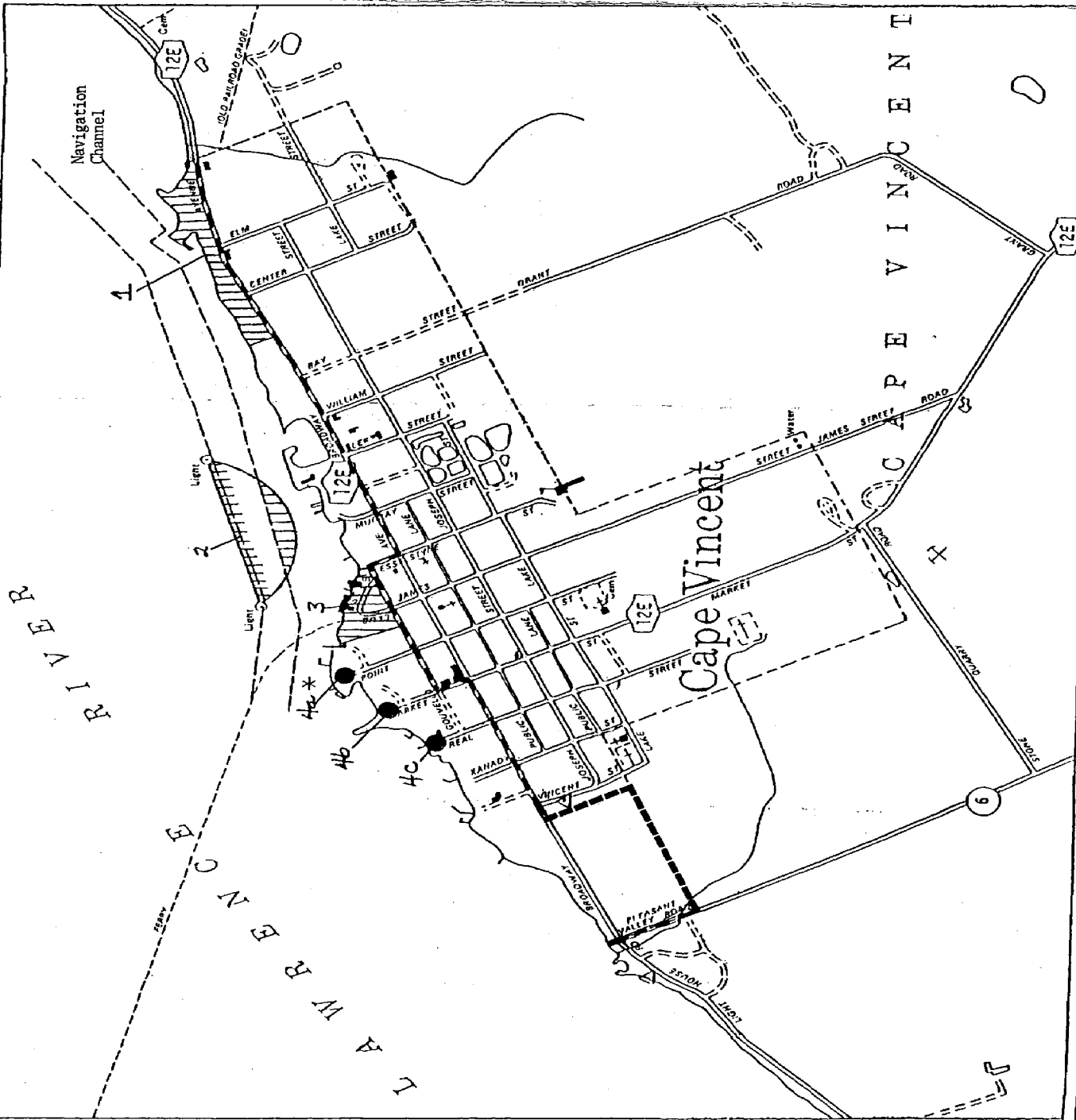
Scale 1" = 800'

LEGEND

- (1) Village Park Development
- (2) Sailboat Moorings
- (3) Club Street Area Improvements
- (4) Dead-End Street Public Access Improvements
 - a) Point Street
 - b) Market Street
 - c) Real Street

--- Coastal Area Boundary

IV-13

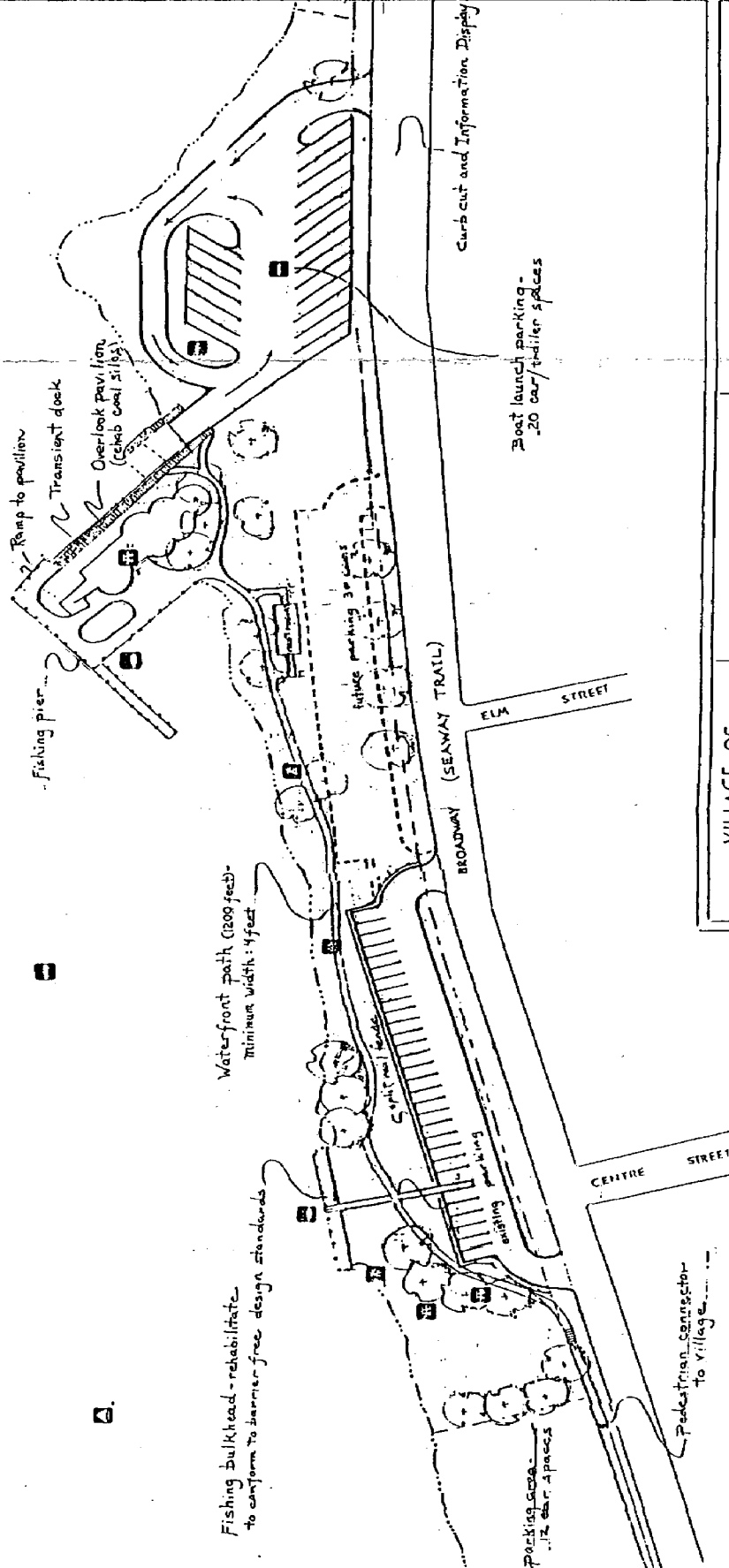


ST.

LAWRENCE



RIVER



LEGEND

- Water line
- Property line
- Picnic Site
- Fishing Pier or Area
- Walking/Biking Path
- Restrooms
- Information Display
- Boat Launch
- Transient Dock



Scale



VILLAGE OF
CAPE VINCENT
Waterfront Park Study

Prepared By The St. Lawrence
Eastern Ontario Commission

SECTION V

TECHNIQUES FOR IMPLEMENTING THE PROGRAM

The Village of Cape Vincent has identified the following actions and financial resources for implementing the policies and projects of the LWRP:

REGULATORY MEASURES

Existing Local Laws and Regulations

The village has shown concern for land use and development activities through several actions: the Village's Comprehensive Plan which includes goals, policies and a land use plan; the village Development Code, enforcement of the NYS Uniform Fire Prevention and Building Code, and Sanitary regulations.

1) Village of Cape Vincent Development Code - This Code was adopted in 1984, in accordance with the Village of Cape Vincent Comprehensive Plan which was adopted by the Village Board in 1983. The purpose of the Development Code is to "promote and guide development in an orderly and efficient manner...reduce land use conflicts...enhance and protect the historical and recreational attributes of the village, retain and improve land values, encourage quality development...and promote the general health and welfare of village residents."

The Code includes regulations for five land use districts; supplemental use regulations that are applicable to the LWRP objectives and policies (regarding signs, recreation and community facilities, etc.); site plan review and regulations pertaining to mobile homes and recreational vehicles, unsafe buildings, and flood damage prevention.

Within the waterfront boundary there are residential, commercial and recreational districts. Their purposes are, respectively, to provide a stable environment for residential living and development; promote the commercial nature of the area and enhance historic, cultural and recreational resources; and recognize the St. Lawrence River shoreline as a unique resource and control future growth in a manner that respects environmental limitations of the river shore and affords maximum public enjoyment or recreational resources.

For each district the Development Code specifies the permitted uses, those permitted by site plan review, and yard and building dimensions. Provisions are included to address non-conforming uses, administration of the Code, violations and penalties, and appeals to the Board of Appeals.

The Development Code's purpose, administrative mechanisms, and regulations provide the level of land use and development control desired by the village. The Code constitutes the village's foremost means of enforcing the Local Waterfront Revitalization Program for policies regarding recreation/tourism, fish and wildlife, public access, development, visual quality, permit procedures, flooding and erosion, water resources and for the general policy. Generally, the regulations provide a substantial level of local control for LWRP policies; deficiencies have been remedied by several Code revisions as described on p. V-4. No changes in the existing land use districts have been made.

2) Sanitary Regulations - "A local law regulating the use of public... sewers and drains, the installation, connection, and building of sewers, and the discharge of waters and wastes into the public sewer system..." was enacted in 1969. The law requires that owners of any property used for human occupancy install suitable toilet facilities and to connect such facilities directly to the public sewer system. In addition, it restricts the types of substances which may be discharged into public sewers and prohibits the deposition of unsanitary wastes on any property or to a body of surface or groundwater in the village except where suitable treatment has been provided.

By controlling the use of public sewers this law implements policies of the LWRP with respect to concentration of development, protection of water, and fish and wildlife resources.

New Local Laws and Regulations Adopted to Implement the LWRP

To implement the LWRP policies more effectively, the following local actions have been adopted:

A. Village Development Code Amendments

- 1) Amend Article IV, Section 4, to establish a Waterfront Overlay District. The district is defined as the land and water area within the NYS Coastal Area Boundary, as identified in the Local Waterfront Revitalization Program. (See Plate 12.)
- 2) Amend Article IV, Section 5, to add to the District Regulations, Use and Dimensional Controls, a new section and definitions for the Waterfront Overlay District. This new section establishes the purpose of the district and define permitted uses and accessory uses, and uses that will require site plan review.
- 3) Amend Article IV, Section 7, (Site Plan Review) to incorporate the applicable policies of this Local Waterfront Revitalization Program into the General Performance Site Plan Review Criteria. Each applicable policy is clearly stated within this section of the Village Development Code for reference in the review process.

Thus, the adopted District and additional review provisions provide a comprehensive means of implementing all applicable coastal policies, by requiring development actions to be consistent with the LWRP policies and purposes.

B. LWRP Consistency Law

A local "consistency law" has been adopted by the village, to ensure that its actions in the waterfront area are consistent to the maximum extent practicable with the policies of this LWRP. Such actions include Development Code district change decisions, determinations by the Board of Appeals, funding, permitting, and other similar actions by the Village Board. To this end, the local law establishes procedures for:

- a. initial review of proposed actions in a manner compatible with SEQR requirements;
- b. advisement and assistance to applicants (if involved) and/or the boards, departments, officers or other bodies of the village regarding forms, procedures, etc.; and
- c. LWRP Compliance and SEQR review through the Village Planning Board and the local lead agency, respectively.

To facilitate the consistency review, a Waterfront Program Consistency Assessment Form, for use by the Enforcement Officer, has been adopted along with the consistency law. Adoption of this law helps implement all coastal policies contained in Section Three. (See Appendix B, Waterfront Program Consistency Assessment Form)

OTHER PUBLIC AND PRIVATE ACTIONS

In addition to the Development Code revisions, other actions will be needed to assure implementation of the LWRP. They include the following:

1) Grant Applications - To make the projects described in Section IV a reality, several State and federal grant applications will have to be prepared by the village or its consultant. See the "Financial Resources" discussion below for details on the financing of each proposed project.

2) Inter-Agency and Inter-Municipal Cooperation - With the village park, Club Street area and sailboat mooring projects in particular, inter-agency and inter-municipal cooperation will be necessary if plans and funding are to be carried out. For example, the town, the village, and DEC are involved with the construction work at the village park; the sailboat mooring project will require a joint effort by the town, the village, the U.S. Coast Guard, and the U.S. Army Corps of Engineers; and the Village Board, Village Planning Board, the Town Board, Chamber of Commerce, Cape Vincent Improvement League, and private business will have to work together to effectively deal with the Club Street improvement project.

3) National Register of Historic Places Nomination - The town and village have received approval of a joint National Register Multiple Resource Nomination which will work to implement LWRP objectives and Policies 1, 4, 5, 18, 23, 25 and 25A.

4) Sailboat Mooring and Harbor Evaluation - Initial stages of the sailboat mooring project will include evaluating the harbor area in terms of its suitability for the project, determining the costs, and pursuing the necessary funds and permits. Most likely, the village would undertake this evaluation with technical assistance from the U.S. Coast Guard, the St.

Lawrence-Eastern Ontario Commission, and local marina operators. This evaluation and subsequent project will implement Policies 2, 4, 6, 18, 19, 19A, 21, 21A, 22, 25 and 25A.

5) Club Street Area Evaluation - As part of the Club Street area improvement, the following should be assessed: an inventory of building conditions; a survey of property owners concerning types of improvements they would like to see, and their willingness and ability to invest in property improvements; possibilities for expanded use of Chamber of Commerce/Town Garage structure; financing alternatives; traffic and parking conditions; and attitudes of involved organizations and the town/village concerning the above. The results of the evaluation would provide a basis for decisions on improvements for the area. The evaluation and use of its findings for the project will help implement Policies 1, 1A, 2, 4, 18, 19, 19A, 20, 21, 21A, 22, 23, 25, and 25A.

6) Harbor Management Plan - The Village is considering the development of a harbor management plan. The plan would provide guidance in managing boat traffic, harbor use and the location and number of boat support structures. The harbor management plan will identify alternatives for optimum harbor use, and analyze the probable environmental effects of each alternative. The plan would incorporate the policies of the LWRP.

7) Extended Harbor Jurisdiction - The village will pursue jurisdiction over the Main Harbor Area indicated in Plate 3. The purpose of extending jurisdiction over this area is to regulate boat traffic and harbor use, and to facilitate the establishment of a designated "special anchorage area" within the harbor (See Section Four, Proposed Projects.) This extension of jurisdiction will be pursued under authority of §46(a) of Article 4 of the State Navigation Law. Such authority must be approved by the New York State Bureau of Marine and Recreation Vehicles within the Office of Parks, Recreation and Historic Preservation.

MANAGEMENT STRUCTURE

The Village Board of Trustees and the Mayor, respectively, shall be the lead agency and the local official responsible for this waterfront program. More specifically, the roles of the various parties are as follows:

Mayor -- Provide overall program supervision and management.

Trustees -- Executive assigned responsibilities (under direction of the Mayor) for such things as coordination with volunteer and private organizations, and local government cooperation.

Planning Board -- Provide advice and assistance to the Village Board and the public in prioritizing program projects and activities; provide input to the Village Board on the compatibility of waterfront activities with program policies and objectives; review and approval of site plans for new development within the waterfront; participate in consistency reviews in conjunction with lead agency reviews.

Board of Appeals -- Hear and render decisions on variances and appeals to the Development Code pertaining to the waterfront.

Enforcing Officer -- Determine the compliance of waterfront development proposals with the Development Code; issue permits; enforce Development Code.

Village Clerk/Treasurer -- Handle correspondence, communications, record keeping and fiscal management for village government actions pertaining to the waterfront.

Superintendent of Public Works -- Operation and maintenance of public works pertaining to the waterfront.

Town/Village Recreation Commission -- Assist the Town/Village Boards on development of waterfront recreation areas and facilities.

Cape Vincent Chamber of Commerce -- Coordinate merchant and private sector involvement in the LWRP, assist in soliciting donations for smaller waterfront projects; promote public and private interest and support for revitalization activities.

Cape Vincent Improvement League -- Coordinate with the village and other organizations on waterfront revitalization and improvement projects, including volunteer efforts.

COMPLIANCE PROCEDURES

In general, the village's procedures for assuring compliance with the coastal policies of its LWRP consist of the administration and enforcement of the Development Code (including site plan review and the Overlay District), the consistency law, and other local laws applicable to its waterfront, in conjunction with the environmental reviews required by the State Environmental Quality Review Act (SEQRA) (6 NYCRR Part 617). The basic premise of compliance is that legally, the village should be no less consistent with its LWRP than State and federal agencies are already required to be by their respective laws.

The Waterfront Overlay District and amendments to the Development code for site plan review provide consistency with the LWRP for local approvals of private actions. Each action by the village to fund, undertake, permit or otherwise approve a project or activity in its waterfront will be processed as follows:

Initial Review. In complying with the initial review requirements of SEQRA, the Enforcing Officer (or other such official of the village as may be designated by resolution of the Village Board) will review each project or activity in consultation with the applicant or other involved party. This review will identify:

1. all village actions required (permits, funding or approvals) and the board, department, officer or other body responsible for the actions;
2. whether the actions are Type I or Unlisted Actions and therefore subject to the provisions of SEQRA;

3. whether the actions might conflict with the LWRP; and
4. any other agencies that may be involved.

Advisement and Assistance. The Enforcing Officer will advise the applicant and/or involved parties regarding the initial review, required forms and further procedures to be followed. In addition, the Enforcing Officer will provide assistance in the preparation of:

1. village application forms (if applicable);
2. Environmental Assessment Forms (EAF's) for all Type I and Unlisted Actions; and
3. Coastal Assessment Forms (CAF's) for actions subject to SEQRA involving permits, funding or approvals from State or federal agencies.

SEQRA and LWRP Compliance Review. Upon receipt of completed EAF's (and CAF's if applicable) and, if appropriate, village application forms, the Enforcing Officer will immediately consult with the Village Board with regard to initiating procedures pertaining to lead agency designation and determination of significance in accordance with 6 NYCRR 617.6 and 617.7.

In the majority of cases where the impact of the project is primarily local, the Village Board will serve as lead agency. When the Village Board is proposing to undertake, approve, or fund a Type I or Unlisted action (as defined in 6 NYCRR 617.2), except approval of site plans by the Village Planning Board under Article 4, Section 7.F of the Development Code, they shall prepare or cause to be prepared a Waterfront Program Consistency Assessment Form for the proposed action. (See Appendix B for a copy of the Waterfront Program Consistency Assessment Form.) Following preparation of an EIS or the issuance of a negative declaration pursuant to SEQRA, the Village Board shall review the Waterfront Program Consistency Assessment Form, any EIS or other pertinent information for that action and make a determination regarding the action's consistency with the policies and purposes of the LWRP. In making such a determination the Village Board shall either:

- (a) Find and certify in writing that the action will not substantially hinder the achievement of any of the policies and purposes of the LWRP; or
- (b) If the action will substantially hinder the achievement of any policy of the LWRP, find and certify in writing that each of the following three requirements are satisfied:
 - (i) no reasonable alternatives exist which would permit the action to be undertaken in a manner which would not substantially hinder the achievement of such policy;
 - (ii) the action will minimize all adverse effects of such policy to the maximum extent practicable;
 - and (iii) the action will result in an overriding regional or state-wide public benefit. Such certification shall constitute a determination that the action is consistent to the maximum extent practicable with the LWRP; or

- (c) Find and certify in writing that the action is not consistent with the policies and purposes of the LWRP, since it would substantially hinder the achievement of one or more policies and would not satisfy all of the requirements identified in (b) just above.

The Village Board shall complete its review of the proposed action's consistency and prepare written findings within thirty (30) days of the date they initiated their review. The Village Board may refer such actions to any Village Agency for its review assistance and recommendation, including, but not limited to, the Village Planning Board.

In making such recommendations, the Planning Board may consult, as appropriate, with the applicant, the lead agency, and/or other involved agencies.

If the Village Board does refer such actions for review and recommendation to another Village Agency, including the Village Planning Board, such agency shall complete its review of the proposed action's consistency and prepare a written recommendation to the Village Board within fifteen (15) days of the referral date.

No action shall be undertaken, approved, or funded unless the Village Board certifies its consistency with the policies and purposes of the LWRP by a finding pursuant to either (a) or (b) above.

The written findings and certification of the Village Board shall be filed with the Village Clerk before the action is undertaken, approved, or funded.

If the action would be subject to site plan approval by the Planning Board, then the compliance review shall be integrated with the site plan review procedures to the maximum possible extent, provided that the provisions of SEQRA have been satisfied before taking action on the site plans.

FEDERAL AND STATE CONSISTENCY

The process for local review of State and federal actions for consistency with the LWRP will generally follow that for compliance review, except that the Village Board of Trustees will make the Village's final consistency decision, but the State makes the final decision regarding Federal consistency. Specifically, the following procedures will be followed.

Initial Review. The Enforcing Officer reviews the proposed actions in comparison to the LWRP. Based on such review, the Enforcing Officer will:

1. advise the Village Board of Trustees as to whether the proposed actions are consistent, inconsistent or of uncertain consistency.
2. refer actions that are or may be inconsistent to the Planning Board for its review and comment.

Consistency Review. Within fifteen (15) days of such referrals, the Planning Board will prepare a written report to the Village Board of Trustees describing specific reasons for inconsistency, if any.

Consistency Advisement. The Village Board of Trustees, with due consideration given to the Planning Board's written report, will advise the Secretary of State and the particular State or federal agency involved, of any actions it deems inconsistent with the LWRP and the reasons therefore.

Specific guidelines on how consistency reviews will be coordinated for State and federal agency actions are listed in detail in Appendix C, "Guidelines for Notification and Review of State Agency Actions Where Local Waterfront Revitalization Programs are in Effect," and Appendix D, "Procedural Guidelines for Coordinating NYS Department of State and Local Waterfront Revitalization Program Consistency Review of Federal Agency Actions."

FINANCIAL RESOURCES

To provide local management, administration, and enforcement of the LWRP and its policies, the village will rely on its tax revenues and existing personnel. The village may also make use of technical assistance available from the NYS Department of State (DOS), the St. Lawrence-Eastern Ontario Commission (SLEOC), and the Jefferson County Planning Department. To implement specific projects (described in Section Four), the following sources of outside funding should be pursued:

1) Village Park Site Plan and Development -- A LWRP implementation grant may be requested from the NYS Department of State (DOS) Coastal Management Program to fund 80% of the cost of a site plan for the Village Park. To further develop recreational facilities at the Village Park (picnic area, restrooms, dock, etc.), Cape Vincent may wish to apply for a Department of the Interior, Land and Water Conservation Fund (LWCF) grant administered through The NYS Office of Parks, Recreation and Historic Preservation (OPR&HP). These grants, in which OPR&HP pays 50% and the locality pays 50%, may be used for outdoor recreational improvements. Funding for actual construction may also be available from DOS through a 50/50 grant, based on availability of DOS funds.

Municipal funds (general revenues) will also be used (direct and in-kind -- for example, force account labor, equipment, etc.).

Other possible sources of funding support include further assistance from DOS, DEC, and the NYS Council on the Arts. The Arts Council, however, generally does not fund projects that are essentially recreational. However, they do have an Architectural, Planning and Design Program which funds "Project Support" which includes, but is not limited to, exhibitions, slide shows; design studies; feasibility and adaptive reuse studies -- which could tie in with later phases of the park development. For the 1984-85 funding cycle, one of five topical concerns that applicants were urged to address was waterfront development. The Council was seeking planning and design proposals that addressed the environmentally sound development of waterfront resources.

Under current legislation, the Council can only provide funds to non-profit organizations, and the application deadline is March 1.

2) Sailboat Mooring -- As with the Village Park, a LWRP implementation grant may be requested from DOS to fund 80% of the cost for the harbor evaluation. Similarly, a Land and Water Conservation Fund grant could be applied for to cover up to 50% of the project development cost for eligible activities. As noted in Section Four, materials costs for this project are primarily limited to buoys and anchoring devices.

3) Club Street Area and Dead-End Street Public Access Improvement -- The necessary planning for these projects would also be eligible for DOS implementation grants, as well as the NYS Council on the Arts funds. A U.S. Housing and Urban Development Community Development Block Grant (CDBG) could be a potential source of funding for commercial and residential improvements, parking, and other public facilities. The CDBG program is extremely competitive and communities must meet specific requirements as well as have a strong program for community or economic development. As the detailed work program for these improvements is being developed, the village should begin investigating the current CDBG program guidelines and deadlines.

For minor improvements to the public access areas and the Chamber of Commerce building, volunteer labor, donations of building materials, etc. would be a substantial benefit to the project. The cost of landscaping and other similar improvements are eligible items for a Land and Water Conservation Fund grant from OPR&HP.

4) "Town" (Village) Dock Reconstruction -- A LWRP implementation grant may be requested from the DOS to fund 80% of the cost of a preliminary engineering and design plan for the dock reconstruction. Funding for actual construction may be available from DOS through a 50/50 grant, based on availability of DOS funds. A Land and Water Conservation Fund grant could also be applied for to cover up to 50% of the project construction costs.

Municipal funds (general revenues) will also be used (direct and indirect -- for example, force account labor, equipment, etc.).

SUMMARY OF ACTIONS TO IMPLEMENT LWRP POLICIES

Development Policies (1, 1A, 2, 4, 5, 6)

These policies will be implemented through enforcement of the village's Development Code which controls new development and expansion or use changes of existing structures. Applicable controls include flood control regulations, land use district regulations, site plan review, and supplemental use regulations. The proposed Waterfront Overlay District and site plan review amendments, the proposed LWRP consistency law, the National Register and State Register listings and pursuit or grants to develop waterfront parcels and facilities will also carry out these policies.

Fish and Wildlife Policies (7A, 8, 9)

In some situations (e.g., new development requiring a land use district change), these policies will be implemented by the village's Development Code, site plan review, and LWRP consistency law. More often, though, the permit and project review procedure of other levels of government will apply (DEC, U.S. Army Corps of Engineers, DOS, and SLEOC, for example). Development of the Village Park and fishing access points will also work to implement these policies.

Flooding and Erosion Policies (11, 12, 13, 14, 16, 17)

These policies will be implemented with the village's Development Code including flood control regulations), proposed Waterfront Overlay District and site plan review amendments, the LWRP consistency law.

General Policy (18)

This policy will be enforced by a combination of all tools mentioned for the previous policies.

Public Access and Recreation Policies (19, 19A, 20, 21, 22, 23)

Pursuit of grants and development of waterfront access and recreational property will implement these policies. To a lesser degree, enforcement of the Development Code, the proposed Overlay District, and site plan review amendments, and the

proposed LWRP consistency law will also implement these policies.

Scenic Resources Policies

(25, 25A)

Enforcement of Development Code regulations, the code amendments and the proposed LWRP consistency law will implement these policies. In particular, site plan review, as provided for in the Development Code, will be of importance to preserve scenic views and overall visual quality.

Energy and Ice
Management Policies

(27, 28, 29)

This policy will be implemented through the New York SEQR law, the proposed local LWRP consistency law, and project review procedures at higher levels of government.

Water and Air
Resource Policies

(30, 31, 33, 34, 35,
36, 37, 38, 39, 40, 41,
42, 43, 44)

These policies will be implemented through local, State, and federal consistency requirements, and through permit and project review procedures at the regional, State, and federal levels.

SECTION VI

STATE AND FEDERAL ACTIONS AND PROGRAMS
LIKELY TO AFFECT IMPLEMENTATION

State and Federal actions will affect and be affected by implementation of the LWRP. Under State law and the U.S Coastal Zone Management Act, certain State and Federal actions within or affecting the local waterfront area must be "consistent" or "consistent to the maximum extent practicable" with the enforceable policies and purposes of the LWRP. This consistency requirement makes the LWRP a unique, intergovernmental mechanism for setting policy and making decisions and helps to prevent detrimental actions from occurring and future options from being needlessly foreclosed. At the same time, the active participation of State and Federal agencies is also likely to be necessary to implement specific provisions of the LWRP.

The first part of this section identifies the actions and programs of State and Federal agencies which should be undertaken in a manner consistent with the LWRP. This is a generic list of actions and programs, as identified by the NYS Department of State; therefore, some of the actions and programs listed may not be relevant to this LWRP. Pursuant to the State Waterfront Revitalization and Coastal Resources Act (Executive Law, Article 42), the Secretary of State individually and separately notifies affected State agencies of those agency actions and programs which are to be undertaken in a manner consistent with approved LWRPs. Similarly, Federal agency actions and programs subject to consistency requirements are identified in the manner prescribed by the U.S. Coastal Zone Management Act and its implementing regulations. The lists of State and Federal actions and programs included herein are informational only and do not represent or substitute for the required identification and notification procedures. The current official lists of actions subject to State and Federal consistency requirements may be obtained from the NYS Department of State.

The second part of this section is a more focused and descriptive list of State and Federal agency actions which are necessary to further implementation of the LWRP. It is recognized that a State or Federal agency's ability to undertake such actions is subject to a variety of factors and considerations; that the consistency provisions referred to above, may not apply; and that the consistency requirements can not be used to require a State or Federal agency to undertake an action it could not undertake pursuant to other provisions of law. Reference should be made to Section IV and Section V, which also discuss State and Federal assistance needed to implement the LWRP.

A. State and Federal Actions and Programs Which Should Be Undertaken in a Manner Consistent with the LWRP

1. State Agencies

OFFICE FOR THE AGING

- 1.00 Funding and/or approval programs for the establishment of new or expanded facilities providing various services for the elderly.

DEPARTMENT OF AGRICULTURE AND MARKETS

- 1.00 Agricultural Districts Program.
- 2.00 Rural development programs.
- 3.00 Farm worker services programs.
- 4.00 Permit and approval programs:
 - 4.01 Custom Slaughters/Processor Permit
 - 4.02 Processing Plant License
 - 4.03 Refrigerated Warehouse and/or Locker Plant License

DIVISION OF ALCOHOLIC BEVERAGE CONTROL/STATE LIQUOR AUTHORITY

- 1.00 Permit and approval programs:
 - 1.01 Ball Park - Stadium License
 - 1.02 Bottle Club License
 - 1.03 Bottling Permits
 - 1.04 Brewer's Licenses and Permits
 - 1.05 Brewer's Retail Beer License
 - 1.06 Catering Establishment Liquor License
 - 1.07 Cider Producer's and Wholesaler's Licenses
 - 1.08 Club Beer, Liquor, and Wine Licenses
 - 1.09 Distiller's Licenses
 - 1.10 Drug Store, Eating Place, and Grocery Store Beer Licenses
 - 1.11 Farm Winery and Winery Licenses
 - 1.12 Hotel Beer, Wine, and Liquor Licenses
 - 1.13 Industrial Alcohol Manufacturer's Permits
 - 1.14 Liquor Store License
 - 1.15 On-Premises Liquor License
 - 1.16 Plenary Permit (Miscellaneous-Annual)
 - 1.17 Summer Beer and Liquor Licenses
 - 1.18 Tavern/Restaurant and Restaurant Wine Licenses
 - 1.19 Vessel Beer and Liquor Licenses
 - 1.20 Warehouse Permit
 - 1.21 Wine Store License
 - 1.22 Winter Beer and Liquor Licenses
 - 1.23 Wholesale Beer, Wine, and Liquor Licenses

DIVISION OF ALCOHOLISM AND ALCOHOL ABUSE

- 1.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.
- 2.00 Permit and approval programs:
 - 2.01 Letter Approval for Certificate of Need
 - 2.02 Operating Certificate (Alcoholism Facility)
 - 2.03 Operating Certificate - Community Residence
 - 2.04 Operating Certificate (Outpatient Facility)
 - 2.05 Operating Certificate (Sobering-Up Station)

COUNCIL ON THE ARTS

- 1.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.
- 2.00 Architecture and environmental arts program.

DEPARTMENT OF BANKING

- 1.00 Permit and approval programs:
 - 1.01 Authorization Certificate (Bank Branch)
 - 1.02 Authorization Certificate (Bank Change of Location)
 - 1.03 Authorization Certificate (Bank Charter)
 - 1.04 Authorization Certificate (Credit Union Change of Location)
 - 1.05 Authorization Certificate (Credit Union Charter)
 - 1.06 Authorization Certificate (Credit Union Station)
 - 1.07 Authorization Certificate (Foreign Banking Corporation Change of Location)
 - 1.08 Authorization Certificate (Foreign Banking Corporation Public Accommodations Office)
 - 1.09 Authorization Certificate (Investment Company Branch)
 - 1.10 Authorization Certificate (Investment Company Change of Location)
 - 1.11 Authorization Certificate (Investment Company Charter)
 - 1.12 Authorization Certificate (Licensed Lender Change of Location)
 - 1.13 Authorization Certificate (Mutual Trust Company Charter)
 - 1.14 Authorization Certificate (Private Banker Charter)
 - 1.15 Authorization Certificate (Public Accommodation Office - Banks)
 - 1.16 Authorization Certificate (Safe Deposit Company Branch)
 - 1.17 Authorization Certificate (Safe Deposit Company Change of Location)
 - 1.18 Authorization Certificate (Safe Deposit Company Charter)
 - 1.19 Authorization Certificate (Savings Bank Charter)
 - 1.20 Authorization Certificate (Savings Bank De Novo Branch Office)

- 1.21 Authorization Certificate (Savings Bank Public Accommodations Office)
- 1.22 Authorization Certificate (Savings and Loan Association Branch)
- 1.23 Authorization Certificate (Savings and Loan Association Change of Location)
- 1.24 Authorization Certificate (Savings and Loan Association Charter)
- 1.25 Authorization Certificate (Subsidiary Trust Company Charter)
- 1.26 Authorization Certificate (Trust Company Branch)
- 1.27 Authorization Certificate (Trust Company-Change of Location)
- 1.28 Authorization Certificate (Trust Company Charter)
- 1.29 Authorization Certificate (Trust Company Public Accommodations Office)
- 1.30 Authorization to Establish a Life Insurance Agency
- 1.31 License as a Licensed Lender
- 1.32 License for a Foreign Banking Corporation Branch

DEPARTMENT OF COMMERCE

- 1.00 Preparation or revision of statewide or specific plans to address State economic development needs.
- 2.00 Allocation of the state tax-free bonding reserve.

DEPARTMENT OF CORRECTIONAL SERVICES

- 1.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.

DORMITORY AUTHORITY OF THE STATE OF NEW YORK

- 1.00 Financing of higher education and health care facilities.
- 2.00 Planning and design services assistance program.

EDUCATION DEPARTMENT

- 1.00 Facilities construction, rehabilitation, expansion, demolition or the funding of such activities.
- 2.00 Permit and approval programs:
 - 2.01 Certificate of Incorporation (Regents Charter)
 - 2.02 Private Business School Registration
 - 2.03 Private School License
 - 2.04 Registered Manufacturer of Drugs and/or Devices
 - 2.05 Registered Pharmacy Certificate
 - 2.06 Registered Wholesaler of Drugs and/or Devices
 - 2.07 Registered Wholesaler-Repacker of Drugs and/or Devices
 - 2.08 Storekeeper's Certificate

ENERGY PLANNING BOARD AND ENERGY OFFICE

- 1.00 Preparation and revision of the State Energy Master Plan.

NEW YORK STATE ENERGY RESEARCH AND DEVELOPMENT AUTHORITY

- 1.00 Issuance of revenue bonds to finance pollution abatement modifications in power-generation facilities and various energy projects.

DEPARTMENT OF ENVIRONMENTAL CONSERVATION

- 1.00 Acquisition, disposition, lease, grant of easement and other activities related to the management of lands under the jurisdiction of the Department.
- 2.00 Classification of Waters Program; classification of land areas under the Clean Air Act.
- 3.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.
- 4.00 Financial assistance/grant programs:
 - 4.01 Capital projects for limiting air pollution
 - 4.02 Cleanup of toxic waste dumps
 - 4.03 Flood control, beach erosion and other water resource projects
 - 4.04 Operating aid to municipal wastewater treatment facilities
 - 4.05 Resource recovery and solid waste management capital projects
 - 4.06 Wastewater treatment facilities
- 5.00 Funding assistance for issuance of permits and other regulatory activities (New York City only).
- 6.00 Implementation of the Environmental Quality Bond Act of 1972, including:
 - (a) Water Quality Improvement Projects
 - (b) Land Preservation and Improvement Projects including Wetland Preservation and Restoration Projects, Unique Area Preservation Projects, Metropolitan Parks Projects, Open Space Preservation Projects and Waterways Projects.
- 7.00 Marine Finfish and Shellfish Programs.
- 8.00 New York Harbor Drift Removal Project.

9.00 Permit and approval programs:

- 9.01 Certificate of Approval for Air Pollution Episode Action Plan
- 9.02 Certificate of Compliance for Tax Relief - Air Pollution Control Facility
- 9.03 Certificate to Operate: Stationary Combustion Installation; Incinerator; Process, Exhaust or Ventilation System
- 9.04 Permit for Burial of Radioactive Material
- 9.05 Permit for Discharge of Radioactive Material to Sanitary Sewer
- 9.06 Permit for Restricted Burning
- 9.07 Permit to Construct: a Stationary Combustion Installation; Incinerator; Indirect Source of Air Contamination; Process, Exhaust or Ventilation System
- 9.08 Approval of Plans and Specifications for Wastewater Treatment Facilities.
- 9.09 Certificate to Possess and Sell Hatchery Trout in New York State
- 9.10 Commercial Inland Fisheries Licenses
- 9.11 Fishing Preserve License
- 9.12 Fur Breeder's License
- 9.13 Game Dealer's License
- 9.14 Licenses to Breed Domestic Game Animals
- 9.15 License to Possess and Sell Live Game
- 9.16 Permit to Import, Transport and/or Export under Section 184.1 (11-0511)
- 9.17 Permit to Raise and Sell Trout
- 9.18 Private Bass Hatchery Permit
- 9.19 Shooting Preserve Licenses
- 9.20 Taxidermy License
- 9.21 Certificate of Environmental Safety (Liquid Natural Gas and Liquid Petroleum Gas)
- 9.22 Floating Object Permit
- 9.23 Marine Regatta Permit
- 9.24 Mining Permit
- 9.25 Navigation Aid Permit
- 9.26 Permit to Plug and Abandon (a non-commercial oil, gas or solution mining well)
- 9.27 Permit to Use Chemicals for the Control or Elimination of Aquatic Insects
- 9.28 Permit to Use Chemicals for the Control or Elimination of Aquatic Vegetation
- 9.29 Permit to Use Chemicals for the Control or Extermination of Undesirable Fish
- 9.30 Underground Storage Permit (Gas)
- 9.31 Well Drilling Permit (Oil, Gas, and Solution Salt Mining)
- 9.32 Digger's Permit (Shellfish)
- 9.33 License of Menhaden Fishing Vessel
- 9.34 License for Non-Resident Food Fishing Vessel
- 9.35 Non-Resident Lobster Permit

- 9.36 Marine Hatchery and/or Off-Bottom Culture Shellfish Permits
- 9.37 Permits to Take Blue-Claw Crabs
- 9.38 Permit to Use Pond or Trap Net
- 9.39 Resident Commercial Lobster Permit
- 9.40 Shellfish Bed Permit
- 9.41 Shellfish Shipper's Permits
- 9.42 Special Permit to Take Surf Clams from Waters other than the Atlantic Ocean
- 9.43 Approval - Drainage Improvement District
- 9.44 Approval - Water (Diversions for) Power
- 9.45 Approval of Well System and Permit to Operate
- 9.46 Permit - Article 15, (Protection of Water) - Dam
- 9.47 Permit - Article 15, (Protection of Water) - Dock, Pier or Wharf
- 9.48 Permit - Article 15, (Protection of Water) - Dredge or Deposit Material in a Waterway
- 9.49 Permit - Article 15, (Protection of Water) - Stream Bed or Bank Disturbances
- 9.50 Permit - Article 15, Title 15 (Water Supply)
- 9.51 Permit - Article 24, (Freshwater Wetlands)
- 9.52 Permit - Article 25, (Tidal Wetlands)
- 9.53 River Improvement District approvals
- 9.54 River Regulatory District approvals
- 9.55 Well Drilling Certificate of Registration
- 9.56 Permit to Construct and/or Operate a Solid Waste Management Facility
- 9.57 Septic Tank Cleaner and Industrial Waste Collector Permit
- 9.58 Approval of Plans for Wastewater Disposal Systems
- 9.59 Certificate of Approval of Realty Subdivision Plans
- 9.60 Certificate of Compliance (Industrial Wastewater Treatment Facility)
- 9.61 Letters of Certification for Major Onshore Petroleum Facility Oil Spill Prevention and Control Plan
- 9.62 Permit - Article 36, (Construction in Flood Hazard Areas)
- 9.63 Permit for State Agency Activities for Development in Coastal Erosion Hazards Areas
- 9.64 Permit Granted (for Use of State Maintained Flood Control Land)
- 9.65 State Pollutant Discharge Elimination System (SPDES) Permit
- 9.66 401 Water Quality Certification
- 10.00 Preparation and revision of Air Pollution State Implementation Plan.
- 11.00 Preparation and revision of Continuous Executive Program Plan.
- 12.00 Preparation and revision of Statewide Environmental Plan.

13.00 Protection of Natural and Man-made Beauty Program.

14.00 Urban Fisheries Program.

15.00 Urban Forestry Program.

16.00 Urban Wildlife Program.

ENVIRONMENTAL FACILITIES CORPORATION

1.00 Financing program for pollution control facilities for industrial firms and small businesses.

FACILITIES DEVELOPMENT CORPORATION

1.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.

OFFICE OF GENERAL SERVICES

1.00 Administration of the Public Lands Law for acquisition and disposition of lands, grants of land and grants or easement of land under water, issuance of licenses for removal of materials from lands under water, and oil and gas leases for exploration and development.

2.00 Administration of Article 4-B, Public Buildings Law, in regard to the protection and management of State historic and cultural properties and State uses of buildings of historic, architectural or cultural significance.

3.00 Facilities construction, rehabilitation, expansion, or demolition.

DEPARTMENT OF HEALTH

1.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.

2.00 Permit and approval programs:

2.01 Approval of Completed Works for Public Water Supply Improvements

2.02 Approval of Plans for Public Water Supply Improvements.

2.03 Certificate of Need (Health Related Facility - except Hospitals)

2.04 Certificate of Need (Hospitals)

2.05 Operating Certificate (Diagnostic and Treatment Center)

2.06 Operating Certificate (Health Related Facility)

2.07 Operating Certificate (Hospice)

2.08 Operating Certificate (Hospital)

- 2.09 Operating Certificate (Nursing Home)
- 2.10 Permit to Operate a Children's Overnight or Day Camp
- 2.11 Permit to Operate a Migrant Labor Camp
- 2.12 Permit to Operate as a Retail Frozen Dessert Manufacturer
- 2.13 Permit to Operate a Service Food Establishment
- 2.14 Permit to Operate a Temporary Residence/Mass Gathering
- 2.15 Permit to Operate or Maintain a Swimming Pool or Public Bathing Beach
- 2.16 Permit to Operate Sanitary Facilities for Realty Subdivisions
- 2.17 Shared Health Facility Registration Certificate

DIVISION OF HOUSING AND COMMUNITY RENEWAL and its subsidiaries and affiliates

- 1.00 Facilities construction, rehabilitation, expansion, or demolition.
- 2.00 Financial assistance/grant programs:
 - 2.01 Federal Housing Assistance Payments Programs (Section 8 Programs)
 - 2.02 Housing Development Fund Programs
 - 2.03 Neighborhood Preservation Companies Program
 - 2.04 Public Housing Programs
 - 2.05 Rural Initiatives Grant Program
 - 2.06 Rural Preservation Companies Program
 - 2.07 Rural Rental Assistance Program
 - 2.08 Special Needs Demonstration Projects
 - 2.09 Urban Initiatives Grant Program
 - 2.10 Urban Renewal Programs
- 3.00 Preparation and implementation of plans to address housing and community renewal needs.

HOUSING FINANCE AGENCY

- 1.00 Funding programs for the construction, rehabilitation, or expansion of facilities.

INTERSTATE SANITATION COMMISSION [regional agency]

- 1.00 Adoption and enforcement of air and water pollution standards within the Interstate Sanitation District.

JOB DEVELOPMENT AUTHORITY

- 1.00 Financing assistance programs for commercial and industrial facilities.

MEDICAL CARE FACILITIES FINANCING AGENCY

- 1.00 Financing of medical care facilities.

OFFICE OF MENTAL HEALTH

- 1.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.

- 2.00 Permit and approval programs:

- 2.01 Operating Certificate (Community Residence)
- 2.02 Operating Certificate (Family Care Homes)
- 2.03 Operating Certificate (Inpatient Facility)
- 2.04 Operating Certificate (Outpatient Facility)

OFFICE OF MENTAL RETARDATION AND DEVELOPMENT DISABILITIES

- 1.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.

- 2.00 Permit and approval programs:

- 2.01 Establishment and Construction Prior Approval
- 2.02 Operating Certificate Community Residence
- 2.03 Outpatient Facility Operating Certificate

DIVISION OF MILITARY AND NAVAL AFFAIRS

- 1.00 Preparation and implementation of the State Disaster Preparedness Plan.

NATURAL HERITAGE TRUST

- 1.00 Funding program for natural heritage institutions.

OFFICE OF PARKS, RECREATION AND HISTORIC PRESERVATION (including Regional State Park Commissions)

- 1.00 Acquisition, disposition, lease, grant of easement or other activities related to the management of land under the jurisdiction of the Office.

- 2.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.

- 3.00 Funding program for recreational boating, safety and enforcement.

- 4.00 Funding program for State and local historic preservation projects.

5.00 Land and Water Conservation Fund programs.

6.00 Nomination of properties to the Federal and/or State Register of Historic Places.

7.00 Permit and approval programs:

7.01 Floating Objects Permit

7.02 Marine Regatta Permit

7.03 Navigation Aide Permit

7.04 Posting of Signs Outside State Parks

8.00 Preparation and revision of the Statewide Comprehensive Outdoor Recreation Plan and the Statewide Comprehensive Historic Preservation Plan and other plans for public access, recreation, historic preservation or related purposes.

9.00 Recreation services programs.

10.00 Urban Cultural Parks Program.

POWER AUTHORITY OF THE STATE OF NEW YORK

1.00 Acquisition, disposition, lease, grant of easement and other activities related to the management of land under the jurisdiction of the Authority.

2.00 Facilities construction, rehabilitation, expansion, or demolition.

NEW YORK STATE SCIENCE AND TECHNOLOGY FOUNDATION

1.00 Corporation for Innovation Development Program.

2.00 Center for Advanced Technology Program.

DEPARTMENT OF SOCIAL SERVICES

1.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.

2.00 Homeless Housing and Assistance Program.

3.00 Permit and approval programs:

3.01 Certificate of Incorporation (Adult Residential Care Facilities)

3.02 Operating Certificate (Children's Services)

3.03 Operating Certificate (Enriched Housing Program)

3.04 Operating Certificate (Home for Adults)

3.05 Operating Certificate (Proprietary Home)

- 3.06 Operating Certificate (Public Home)
- 3.07 Operating Certificate (Special Care Home)
- 3.08 Permit to Operate a Day Care Center

DEPARTMENT OF STATE

- 1.00 Appalachian Regional Development Program.
- 2.00 Coastal Management Program.
- 3.00 Community Services Block Grant Program.
- 4.00 Permit and approval programs:
 - 4.01 Billiard Room License
 - 4.02 Cemetery Operator
 - 4.03 Uniform Fire Prevention and Building Code

STATE UNIVERSITY CONSTRUCTION FUND

- 1.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.

STATE UNIVERSITY OF NEW YORK

- 1.00 Acquisition, disposition, lease, grant of easement and other activities related to the management of land under the jurisdiction of the University.
- 2.00 Facilities construction, rehabilitation, expansion, or demolition.

DIVISION OF SUBSTANCE ABUSE SERVICES

- 1.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.
- 2.00 Permit and approval programs:
 - 2.01 Certificate of Approval (Substances Abuse Services Program)

THOUSAND ISLANDS BRIDGE AUTHORITY [regional agency]

- 1.00 Acquisition, disposition, lease, grant of easement and other activities related to the management of land under the jurisdiction of the Authority.
- 2.00 Facilities construction, rehabilitation, expansion, or demolition.

DEPARTMENT OF TRANSPORTATION

1.00 Acquisition, disposition, lease, grant of easement and other activities related to the management of land under the jurisdiction of the Department.

2.00 Construction, rehabilitation, expansion, or demolition of facilities, including but not limited to:

- (a) Highways and parkways
- (b) Bridges on the State highways system
- (c) Highway and parkway maintenance facilities
- (d) Barge Canal
- (e) Rail facilities

3.00 Financial assistance/grant programs:

- 3.01 Funding programs for construction/reconstruction and reconditioning/preservation of municipal streets and highways (excluding routine maintenance and minor rehabilitation)
- 3.02 Funding programs for development of the ports of Albany, Buffalo, Oswego, Ogdensburg and New York
- 3.03 Funding programs for rehabilitation and replacement of municipal bridges
- 3.04 Subsidies program for marginal branchlines abandoned by Conrail
- 3.05 Subsidies program for passenger rail service

4.00 Permits and approval programs:

- 4.01 Approval of applications for airport improvements (construction projects)
- 4.02 Approval of municipal applications for Section 18 Rural and Small Urban Transit Assistance Grants (construction projects)
- 4.03 Approval of municipal or regional transportation authority applications for funds for design, construction and rehabilitation of omnibus maintenance and storage facilities
- 4.04 Approval of municipal or regional transportation authority applications for funds for design and construction of rapid transit facilities
- 4.05 Certificate of Convenience and Necessity to Operate a Railroad
- 4.06 Highway Work Permits
- 4.07 License to Operate Major Petroleum Facilities
- 4.08 Outdoor Advertising Permit (for off-premises advertising signs adjacent to interstate and primary highway)
- 4.09 Permits for Use and Occupancy of N.Y. State Canal Lands [except Regional Permits (Snow Dumping)]
- 4.10 Real Property Division Permit for Use of State-Owned Property

5.00 Preparation or revision of the Statewide Master Plan for Transportation and sub-area or special plans and studies related to the transportation needs of the State.

6.00 Water Operation and Maintenance Program--Activities related to the containment of petroleum spills and development of an emergency oil-spill control network.

URBAN DEVELOPMENT CORPORATION and its subsidiaries and affiliates

1.00 Acquisition, disposition, lease, grant of easement and other activities related to the management of land under the jurisdiction of the Corporation.

2.00 Construction, rehabilitation, expansion, or demolition of residential, commercial, industrial, and civic facilities and the funding of such activities, including but not limited to actions under the following programs:

- (a) Tax-Exempt Financing Program
- (b) Lease Collateral Program
- (c) Lease Financial Program
- (d) Targeted Investment Program
- (e) Industrial Buildings Recycling Program

DIVISION OF YOUTH

1.00 Facilities construction, rehabilitation, expansion, or demolition and the funding or approval of such activities.

2. Federal Agencies

DIRECT FEDERAL ACTIVITIES AND DEVELOPMENT PROJECTS

DEPARTMENT OF COMMERCE

National Marine Fisheries Services

1.00 Fisheries Management Plans

DEPARTMENT OF DEFENSE

Army Corps of Engineers

1.00 Proposed authorizations for dredging, channel improvements, breakwaters, other navigational works, or erosion control structures, beach replenishment, dams or flood control works, ice management practices and activities, and other projects with potential to impact coastal lands and waters.

2.00 Land acquisition for spoil disposal or other purposes.

3.00 Selection of open water disposal sites.

Army, Navy and Air Force

4.00 Location, design, and acquisition of new or expanded defense installations (active or reserve status, including associated housing, transportation or other facilities).

5.00 Plans, procedures and facilities for landing or storage use zones.

6.00 Establishment of impact, compatibility or restricted use zones.

DEPARTMENT OF ENERGY

1.00 Prohibition orders.

GENERAL SERVICES ADMINISTRATION

1.00 Acquisition, location and design of proposed Federal Government property or buildings, whether leased or owned by the Federal Government.

2.00 Disposition of Federal surplus lands and structures.

DEPARTMENT OF INTERIOR

Fish and Wildlife Service

1.00 Management of National Wildlife refuges and proposed acquisitions.

National Park Service

2.00 National Park and Seashore management and proposed acquisitions.

DEPARTMENT OF TRANSPORTATION

Amtrak, Conrail

1.00 Expansions, curtailments, new construction, upgradings or abandonments of railroad facilities or services, in or affecting the State's coastal area.

Coast Guard

2.00 Location and design, construction or enlargement of Coast Guard stations, bases, and lighthouses.

3.00 Location, placement or removal of navigation devices which are not part of the routine operations under the Aids to Navigation Program (ATON).

4.00 Expansion, abandonment, designation or anchorages, lightering areas or shipping lanes and ice management practices and activities.

Federal Aviation Administration

5.00 Location and design, construction, maintenance, and demolition of Federal aids to air navigation.

Federal Highway Administration

6.00 Highway construction.

St. Lawrence Seaway Development Corporation

7.00 Acquisition, location, design, improvement and construction of new and existing facilities for the operation of the Seaway, including traffic safety, traffic control and length of navigation season.

FEDERAL LICENSES AND PERMITS

DEPARTMENT OF DEFENSE

Army Corps of Engineers

1.00 Construction of dams, dikes or ditches across navigable waters, or obstruction or alteration of navigable waters required under Sections 9 and 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 401, 403).

2.00 Establishment of harbor lines pursuant to Section 11 of the Rivers and Harbors Act of 1899 (33 U.S.C. 404, 405).

3.00 Occupation of seawall, bulkhead, jetty, dike, levee, wharf, pier, or other work built by the U.S. pursuant to Section 14 of the Rivers and Harbors Act of 1899 (33 U.S.C. 408).

4.00 Approval of plans for improvements made at private expense under USACE supervision pursuant to the Rivers and Harbors Act of 1902 (33 U.S.C. 565).

5.00 Disposal of dredged spoils into the waters of the U.S., pursuant to the Clean Water Act, Section 404, (33 U.S.C. 1344).

6.00 All actions for which permits are required pursuant to Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (33 U.S.C. 1413).

- 7.00 Construction of artificial islands and fixed structures in Long Island Sound pursuant to Section 4(f) of the River and Harbors Act of 1912 (33 U.S.C.).

DEPARTMENT OF ENERGY

Economic Regulatory Commission

- 1.00 Regulation of gas pipelines, and licensing of import or export of natural gas pursuant to the Natural Gas Act (15 U.S.C. 717) and the Energy Reorganization Act of 1974.
- 2.00 Exemptions from prohibition orders.

Federal Energy Regulatory Commission

- 3.00 Licenses for non-Federal hydroelectric projects and primary transmission lines under Sections 3(11), 4(e) and 15 of the Federal Power Act (16 U.S.C. 796(11), 797(11) and 808).
- 4.00 Orders for interconnection of electric transmission facilities under Section 202(b) of the Federal Power Act (15 U.S.C. 824a(b)).
- 5.00 Certificates for the construction and operation of interstate natural gas pipeline facilities, including both pipelines and terminal facilities under Section 7(c) of the Natural Gas Act (15 U.S.C. 717f(c)).
- 6.00 Permission and approval for the abandonment of natural gas pipeline facilities under Section 7(b) of the Natural Gas Act (15 U.S.C. 717f(b)).

ENVIRONMENTAL PROTECTION AGENCY

- 1.00 NPDES permits and other permits for Federal installations, discharges in contiguous zones and ocean waters, sludge runoff and aquaculture permits pursuant to Section 401, 402, 403, 405, and 318 of the Federal Water Pollution Control Act of 1972 (33 U.S.C. 1341, 1342, 1343, and 1328).
- 2.00 Permits pursuant to the Resources Recovery and Conservation Act of 1976.
- 3.00 Permits pursuant to the underground injection control program under Section 1424 of the Safe Water Drinking Water Act (42 U.S.C. 300h-c).
- 4.00 Permits pursuant to the Clean Air Act of 1976 (42 U.S.C. 1857).

DEPARTMENT OF INTERIOR

Fish and Wildlife Services

- 1.00 Endangered species permits pursuant to the Endangered Species Act (16 U.S.C. 153(a)).

Mineral Management Service

- 1.00 Permits to drill, rights of use and easements for construction and maintenance of pipelines, gathering and flow lines and associated structures pursuant to 43 U.S.C. 1334, exploration and development plans, and any other permits or authorizations granted for activities described in detail in OCS exploration, development, and production plans.
- 2.00 Permits required for pipelines crossing federal lands, including OCS lands, and associated activities pursuant to the OCS Lands Act (43 U.S.C. 1334) and 43 U.S.C. 931 (c) and 20 U.S.C. 185.

INTERSTATE COMMERCE COMMISSION

- 1.00 Authority to abandon railway lines (to the extent that the abandonment involves removal of trackage and disposition of right-of-way); authority to construct railroads; authority to construct coal slurry pipelines.

NUCLEAR REGULATORY COMMISSION

- 1.00 Licensing and certification of the siting, construction and operation of nuclear power plants pursuant to Atomic Energy Act of 1954, Title II of the Energy Reorganization Act of 1974 and the National Environmental Policy Act of 1969.

DEPARTMENT OF TRANSPORTATION

Coast Guard

- 1.00 Construction or modification of bridges, causeways or pipelines over navigable waters pursuant to 49 U.S.C. 1455.
- 2.00 Permits for Deepwater Ports pursuant to the Deepwater Ports Act of 1974 (33 U.S.C. 1501).

Federal Aviation Administration

- 3.00 Permits and licenses for construction, operation or alteration of airports.

FEDERAL ASSISTANCE*

DEPARTMENT OF AGRICULTURE

- 10.068 Rural Clean Water Program
- 10.409 Irrigation, Drainage, and Other Soil and Water Conservation Loans
- 10.410 Low to Moderate Income Housing Loans
- 10.411 Rural Housing Site Loans
- 10.413 Recreation Facility Loans
- 10.414 Resource Conservation and Development Loans
- 10.415 Rural Rental Housing Loans
- 10.416 Soil and Water Loans
- 10.418 Water and Waste Disposal Systems for Rural Communities
- 10.419 Watershed Protection and Flood Prevention Loans
- 10.422 Business and Industrial Loans
- 10.423 Community Facilities Loans
- 10.424 Industrial Development Grants
- 10.426 Area Development Assistance Planning Grants
- 10.429 Above Moderate Income Housing Loans
- 10.430 Energy Impacted Area Development Assistance Program
- 10.901 Resource Conservation and Development
- 10.902 Soil and Water Conservation
- 10.904 Watershed Protection and Flood Prevention
- 10.906 River Basin Surveys and Investigations

DEPARTMENT OF COMMERCE

- 11.300 Economic Development - Grants and Loans for Public Works and Development Facilities
- 11.301 Economic Development - Business Development Assistance
- 11.302 Economic Development - Support for Planning Organizations
- 11.304 Economic Development - State and Local Economic Development Planning
- 11.305 Economic Development - State and Local Economic Development Planning
- 11.307 Special Economic Development and Adjustment Assistance Program - Long Term Economic Deterioration
- 11.308 Grants to States for Supplemental and Basic Funding of Titles I, II, III, IV, and V Activities
- 11.405 Anadromous and Great Lakes Fisheries Conservation
- 11.407 Commercial Fisheries Research and Development
- 11.417 Sea Grant Support
- 11.427 Fisheries Development and Utilization - Research and Demonstration Grants and Cooperative Agreements Program
- 11.501 Development and Promotion of Ports and Intermodal Transportation
- 11.509 Development and Promotion of Domestic Waterborne Transport Systems

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

- 14.112 Mortgage Insurance - Construction or Substantial Rehabilitation of Condominium Projects
- 14.115 Mortgage Insurance - Development of Sales Type Cooperative Projects
- 14.117 Mortgage Insurance - Homes
- 14.124 Mortgage Insurance - Investor Sponsored Cooperative Housing
- 14.125 Mortgage Insurance - Land Development and New Communities
- 14.126 Mortgage Insurance - Management Type Cooperative Projects
- 14.127 Mortgage Insurance - Mobile Home Parks
- 14.218 Community Development Block Grants/Entitlement Grants
- 14.219 Community Development Block Grants/Small Cities Program
- 14.221 Urban Development Action Grants
- 14.223 Indian Community Development Block Grant Program

DEPARTMENT OF INTERIOR

- 15.400 Outdoor Recreation - Acquisition, Development and Planning
- 15.402 Outdoor Recreation - Technical Assistance
- 15.403 Disposal of Federal Surplus Real Property for Parks, Recreation, and Historic Monuments
- 15.411 Historic Preservation Grants-In-Aid
- 15.417 Urban Park and Recreation Recovery Program
- 15.600 Anadromous Fish Conservation
- 15.605 Fish Restoration
- 15.611 Wildlife Restoration
- 15.613 Marine Mammal Grant Program
- 15.802 Minerals Discovery Loan Program
- 15.950 National Water Research and Development Program
- 15.951 Water Resources Research and Technology - Assistance to State Institutes
- 15.592 Water Research and Technology - Matching Funds to State Institutes

DEPARTMENT OF TRANSPORTATION

- 20.102 Airport Development Aid Program
- 20.103 Airport Planning Grant Program
- 20.205 Highway Research, Planning, and Construction
- 20.309 Railroad Rehabilitation and Improvement - Guarantee of Obligations
- 20.310 Railroad Rehabilitation and Improvement - Redeemable Preference Shares
- 20.506 Urban Mass Transportation Demonstration Grants
- 20.509 Public Transportation for Rural and Small Urban Areas

GENERAL SERVICES ADMINISTRATION

- 39.002 Disposal of Federal Surplus Real Property

COMMUNITY SERVICES ADMINISTRATION

- 49.002 Community Action
- 49.011 Community Economic Development

- 49.013 State Economic Opportunity Offices
- 49.017 Rural Development Loan Fund
- 49.018 Housing and Community Development (Rural Housing)

SMALL BUSINESS ADMINISTRATION

- 59.012 Small Business Loans
- 59.013 State and Local Development Company Loans
- 59.024 Water Pollution Control Loans
- 59.025 Air Pollution Control Loans
- 59.031 Small Business Pollution Control Financing Guarantee

ENVIRONMENTAL PROTECTION AGENCY

- 66.001 Air Pollution Control Program Grants
- 66.418 Construction Grants for Wastewater Treatment Works
- 66.426 Water Pollution Control - State and Areawide Water Quality Managment Planning Agency
- 66.451 Solid and Hazardous Waste Management Program Support Grants
- 66.452 Solid Waste Management Demonstration Grants
- 66.600 Environmental Protection Consolidated Grants Program Support Comprehensive Environmental Response, Compensation and Liability (Super Fund)

*Numbers refer to the Catalog of Federal Domestic Assistance Programs, 1980 and its two subsequent updates.

SECTION VII

CONSULTATION WITH OTHER AGENCIES

Several government agencies and local organizations have been consulted during the preparation of this waterfront program. Consultation during the preparation of the draft LWRP involved correspondence, telephone contacts and/or meetings with representatives of those agencies and organizations most likely to affect or be affected by the local program. The agencies and groups listed below provided essential background information, advice, and details about potential funding sources, programs, or regulations which they administer.

Federal Agencies

Department of Commerce
- Office of Coastal Zone Management
Department of Defense
- U.S. Army Corps of Engineers
Department of Housing and Urban Development
Department of Transportation
- U.S. Coast Guard
Seaway Development Corporation

State Agencies

Department of Environmental Conservation
Department of Health
Department of State
Department of Transportation
Division of Housing and Community Renewal
Office of Parks, Recreation and Historic Preservation
St. Lawrence-Eastern Ontario Commission
SUNY College of Environmental Science & Forestry, Syracuse

Local Agencies or Groups

Village of Cape Vincent
- Enforcing Officer
- Superintendent of Public Works
- Planning Board
- Local Waterfront Revitalization Advisory Committee
Cape Vincent Chamber of Commerce
Cape Vincent Improvement League
Jefferson County Planning Department
Town of Cape Vincent
Town/Village Recreation Commission

The completed draft LWRP (and Draft Environmental Impact Statement) were adopted by the Village Board of Trustees and forwarded to the Secretary of State for review and approval. At that time, the local program was made available for review and comment by all affected government agencies and other interested parties. Since the NYS Department of State coordinated the federal and State reviews, only those affected regional and local government agencies and other local organizations were consulted directly by the village.

Review comments on the draft LWRP and DEIS received at the public hearing held on December 2, 1986, and/or in writing were analyzed by the Village Board, Local Waterfront Revitalization Advisory Committee, and DOS staff. Upon receiving all comments the Village, as lead agency, prepared and excepted a Final Environmental Impact Statement (FEIS) which provided responses to all comments. Based on the FEIS, the final LWRP was prepared.

SECTION VIII

LOCAL COMMITMENT

To insure that the needs and desires of the community were reflected in the local program, the Mayor of Cape Vincent established a Local Waterfront Revitalization Advisory Committee in the fall of 1983. This committee represented the general citizenry and both public and private interests. Members of the Village Board of Trustees and the Planning Board also served on the committee.

The waterfront committee held several meetings to discuss the review sections of the program as they were drafted. Recommendations of the committee on completed sections were transmitted to the Village Board for consideration by the Mayor and Trustees. The Advisory Committee and the Village Board provided significant contributions of time, interest and expertise in the preparation of the program. Citizen input improved the data base, verified program information, and identified critical waterfront issues, problems, and projects. All meetings were held at the village public library and were open to the public.

Following the completion of the draft program, the Advisory Committee formally approved the draft and forwarded it to the Village Board of Trustees. Upon approval by the Village Board, the draft document, including the draft EIS, were submitted to the NYS Department of State for distribution to Federal and State agencies for a 60-day review period, as required by Executive Law, Article 42. At the same time, the draft documents were filed and distributed as required by the SEQRA. As a result, there were a number of comments received from which further revisions and refinements needed in the LWRP were identified. These revisions and refinements were described in the final EIS and incorporated into the final LWRP document. The final program document, then, was adopted by the Village Board of Trustees and submitted to the NYS Secretary of State for approval.

APPENDIX A

Appendix A

Definitions

Endangered Species are any species which meet one of the following criteria:

- (1) Any native species in imminent danger of extirpation or extinction in New York.
- (2) Any species listed as endangered by the United States Department of the Interior, as enumerated in the Code of Federal Regulations 50 CFR 17.11.

Threatened Species are any species which meet one of the following criteria:

- (1) Any native species likely to become an endangered species within the foreseeable future in New York.
- (2) Any species listed as threatened by the United States Department of the Interior, as enumerated in the Code of Federal Regulations 50 CFR 17.11.

Special Concern Species are those native species which are not yet recognized as endangered or threatened, but for which documented concern exists for their continued welfare in New York. These species could become endangered or threatened in the future and should be more closely monitored. Unlike the first two categories, species of special concern receive no additional legal protection under Environmental Conservation Law Section 11-0535. (Endangered and Threatened Species). This category is presented primarily to enhance public awareness of this group of species which bear additional attention.

APPENDIX B

APPENDIX B

WATERFRONT PROGRAM CONSISTENCY ASSESSMENT FORM

This form is to be completed whenever a public action is proposed to permit, fund, approve, or directly undertake an action or activity which will impact the Coastal Area of the Village of Cape Vincent as defined in the zoning ordinance. The proposed public action described herein shall be reviewed by the Enforcing Officer who shall (1) advise the Village Board that the proposed action(s) is (are) either consistent, inconsistent, or of uncertain consistency with the policies and purposes of the Cape Vincent Local Waterfront Revitalization Program and (2) refer proposed actions which are or may be inconsistent with said policies and purposes to the Village Planning Board for their review and comment to the Village Board.

Public Action:

Related Activity:

Form completed by: _____ Date: _____

- | | No | Yes | Maybe |
|--|-----|-----|-------|
| 1. Does the action or related activity involve development or redevelopment in the coastal area? | () | () | () |
| Is the action consistent with coastal policies 1, 1A, 2, 4, 5, and 6? | () | () | () |
| 2. Does the action or the related activity involve fish or wildlife resources in the coastal area? | () | () | () |
| Is the action consistent with coastal policies 7A, 8, and 9? | () | () | () |
| 3. Does the action or the related activity involve flooding or erosion hazards? | () | () | () |
| Is the action consistent with coastal policies 11,12, 13, 14, 16, and 17? | () | () | () |
| 4. Does the action or the related activity involve public access in the coastal area? | () | () | () |
| Is the action consistent with coastal policies 19, 19A, and 20? | () | () | () |
| 5. Does the action or the related activity involve recreation in the coastal area? | () | () | () |
| Is the action consistent with coastal policies 21 and 22? | () | () | () |

- | | No | Yes | Maybe |
|---|-----|-----|-------|
| 6. Does the action or the related activity involve the historic, architectural, archeological or cultural resources of the coastal area? | () | () | () |
| Is the action consistent with coastal policy 23? | () | () | () |
| 7. Does the action or the related activity involve scenic resources in the coastal area? | () | () | () |
| Is the action consistent with coastal policies 25 and 25A? | () | () | () |
| 8. Does the action or the related activity involve energy resources or ice management in the coastal area? | () | () | () |
| Is the action consistent with coastal policies 27 and 28? | () | () | () |
| 9. Does the action or the related activity involve water or air resources in the coastal area? | () | () | () |
| Is the action consistent with coastal policies 30, 31, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, & 43? | () | () | () |
| 10. Does the action or the related activity take full consideration of the coastal area's valuable resources which contribute to the social, environmental, and economic interests? | () | () | () |
| Is the action consistent with coastal policy 18? | () | () | () |

APPENDIX C

APPENDIX C

GUIDELINES FOR NOTIFICATION AND REVIEW OF STATE AGENCY ACTIONS WHERE LOCAL WATERFRONT REVITALIZATION PROGRAMS ARE IN EFFECT

I. PURPOSES OF GUIDELINES

- A. The Waterfront Revitalization and Coastal Resources Act (Article 42 of the Executive Law) and the NYS Department of State's regulations (19 NYCRR Part 600) require certain state agency actions identified by the Secretary of State to be consistent to the maximum extent practicable with the policies and purposes of approved Local Waterfront Revitalization Programs (LWRPs). These guidelines are intended to assist state agencies in meeting that statutory consistency obligation.
- B. The Act also requires that state agencies provide timely notice to the situs local government whenever an identified action will occur within an area covered by an approved LWRP. These guidelines describe a process for complying with this notification requirement. They also provide procedures to assist local governments in carrying out their review responsibilities in a timely manner.
- C. The Secretary of State is required by the Act to confer with state agencies and local governments when notified by a local government that a proposed state agency may conflict with the policies and purposes of its approved LWRP. These guidelines establish a procedure for resolving such conflicts.

II. DEFINITIONS

A. Action means:

- 1. A "Type 1" or "Unlisted" action as defined by the State Environmental Quality Review Act (SEQR);
- 2. Occurring within the boundaries of an approved LWRP; and
- 3. Being taken pursuant to a state agency program or activity which has been identified by the Secretary of State as likely to affect the policies and purposes of the LWRP.

B. Consistent to the maximum extent practicable means that an action will not substantially hinder the achievement of any of the policies and purposes of an approved LWRP and, whenever practicable, will advance one or more of such policies. If an action will substantially hinder any of the policies or purposes of an approved LWRP, then the action must be one:

- 1. For which no reasonable alternatives exist that would avoid or overcome any substantial hindrance;
- 2. That will minimize all adverse effects on the policies or purposes of the LWRP to the maximum extent practicable; and

3. That will result in an overriding regional or statewide public benefit.

- C. Local Waterfront Revitalization Program or LWRP means a program prepared and adopted by a local government and approved by the Secretary of State pursuant to Executive Law, Article 42; which program contains policies on the management of land, water and man-made resources, proposed land uses and specific projects that are essential to program implementation.

III. NOTIFICATION PROCEDURE

- A. When a state agency is considering an action as described in II above, the state agency shall notify the affected local government.
- B. Notification of a proposed action by a state agency:
1. Shall fully describe the nature and location of the action;
 2. Shall be accomplished by use of either the State Clearinghouse, other existing state agency notification procedures, or through any alternative procedure agreed upon by the state agency and local government;
 3. Should be provided to the local official identified in the LWRP of the situs local government as early in the planning stages of the action as possible, but in any event at least 30 days prior to the agency's decision on the action. (The timely filing of a copy of a completed Coastal Assessment Form with the local LWRP official should be considered adequate notification of a proposed action.)
- C. If the proposed action will require the preparation of a draft environmental impact statement, the filing of this draft document with the chief executive officer can serve as the state agency's notification to the situs local government.

IV. LOCAL GOVERNMENT REVIEW PROCEDURE

- A. Upon receipt of notification from a state agency, the situs local government will be responsible for evaluating a proposed action against the policies and purposes of its approved LWRP. Upon request of the local official identified in the LWRP, the state agency should promptly provide the situs local government with whatever additional information is available which will assist the situs local government to evaluate the proposed action.
- B. If the situs local government cannot identify any conflicts between the proposed action and the applicable policies and purposes of its approved LWRP, it should inform the state agency in writing of its finding. Upon receipt of the local government's finding, the state agency may proceed with its consideration of the proposed action in accordance with 19 NYCRR Part 600.

- C. If the situs local government does not notify the state agency in writing of its finding within the established review period, the state agency may then presume that the proposed action does not conflict with the policies and purposes of the municipality's approved LWRP.
- D. If the situs local government notifies the state agency in writing that the proposed action does conflict with the policies and/or purposes of its approved LWRP, the state agency shall not proceed with its consideration of, or decision on, the proposed action as long as the Resolution of Conflicts procedure established in V below shall apply. The local government shall forward a copy of the identified conflicts to the Secretary of State at the time when the state agency is notified. In notifying the state agency, the local government shall identify the specific policies and purposes of the LWRP with which the proposed action conflicts.

V. RESOLUTION OF CONFLICTS

- A. The following procedure applies whenever a local government has notified the Secretary of State and state agency that a proposed action conflicts with the policies and purposes of its approved LWRP.
 - 1. Upon receipt of notification from a local government that a proposed action conflicts with its approved LWRP, the state agency should contact the local LWRP official to discuss the content of the identified conflicts and the means for resolving them. A meeting of state agency and local government representatives may be necessary to discuss and resolve the identified conflicts. This discussion should take place within 30 days of the receipt of a conflict notification from the local government.
 - 2. If the discussion between the situs local government and the state agency results in the resolution of the identified conflicts, then, within seven days of the discussion, the situs local government shall notify the state agency in writing, with a copy forwarded to the Secretary of State, that all of the identified conflicts have been resolved. The state agency can then proceed with its consideration of the proposed action in accordance with 19 NYCRR Part 600.
 - 3. If the consultation between the situs local government and the state agency does not lead to the resolution of the identified conflict, either party may request, in writing, the assistance of the Secretary of State to resolve any or all of the identified conflicts. This request must be received by the Secretary within 15 days following the discussion between the situs local government and the state agency. The party requesting the assistance of the Secretary of State shall forward a copy of their request to the other party.
 - 4. Within 30 days following the receipt of a request for assistance, the Secretary or a Department of State official or

employee designated by the Secretary, will discuss the identified conflicts and circumstances preventing their resolution with appropriate representatives from the state agency and situs local government.

5. If agreement among all parties cannot be reached during this discussion, the Secretary shall, within 15 days, notify both parties of his/her findings and recommendations.
6. The state agency shall not proceed with its consideration of, or decision on, the proposed action as long as the foregoing Resolution of Conflicts procedures shall apply.

2/1/85

APPENDIX D

APPENDIX D

PROCEDURAL GUIDELINES FOR COORDINATING NYS DOS & LWRP CONSISTENCY REVIEW OF FEDERAL AGENCY ACTIONS

DIRECT ACTIONS

1. After acknowledging the receipt of a consistency determination and supporting documentation from a federal agency, DOS will forward copies of the determination and other descriptive information on the proposed direct action to the program coordinator (of an approved LWRP) and other interested parties.
2. This notification will indicate the date by which all comments and recommendations must be submitted to DOS and will identify the Department's principal reviewer for the proposed action.
3. The review period will be about twenty-five (25) days. If comments and recommendations are not received by the date indicated in the notification, DOS will presume that the municipality has "no opinion" on the consistency of the proposed direct federal agency action with local coastal policies.
4. If DOS does not fully concur with and/or has any questions on the comments and recommendations submitted by the municipality, DOS will contact the municipality to discuss any differences of opinion or questions prior to agreeing or disagreeing with the federal agency's consistency determination on the proposed direct action.
5. A copy of DOS' "agreement" or "disagreement" letter to the federal agency will be forwarded to the local program coordinator.

PERMIT AND LICENSE ACTIONS

1. DOS will acknowledge the receipt of an applicant's consistency certification and application materials. At that time, DOS will forward a copy of the submitted documentation to the program coordinator and will identify the Department's principal reviewer for the proposed action.
2. Within thirty (30) days of receiving such information, the program coordinator will contact the principal reviewer for DOS to discuss: (a) the need to request additional information for review purposes; and (b) any possible problems pertaining to the consistency of a proposed action with local coastal policies.
3. When DOS and the program coordinator agree that additional information is necessary, DOS will request the applicant to provide the information. A copy of this information will be provided to the program coordinator upon receipt.
4. Within thirty (30) days of receiving the requested additional information or discussing possible problems of a proposed action with the principal reviewer for DOS, whichever is later, the program coordinator will notify DOS of the reasons why a proposed action may be inconsistent or consistent with local coastal policies.

5. After that notification, the program coordinator will submit the municipality's written comments and recommendations on a proposed permit action to DOS before or at the conclusion of the official public comment period. If such comments and recommendations are not forwarded to DOS by the end of the public comment period, DOS will presume that the municipality has "no opinion" on the consistency of the proposed action with local coastal policies.
6. If DOS does not fully concur with and/or has any questions on the comments and recommendations submitted by the municipality on a proposed permit action, DOS will contact the program coordinator to discuss any differences of opinion prior to issuing a letter of "concurrence" or "objection" letter to the applicant will be forwarded to the program coordinator.
7. A copy of DOS' "concurrence" or "objective" letter to the applicant will be forwarded to the program coordinator.

FINANCIAL ASSISTANCE ACTIONS

1. Upon receiving notification of a proposed federal financial assistance action, DOS will request information on the action from the applicant for consistency review procedures. As appropriate, DOS will also request the applicant to provide a copy of the application documentation to the program coordinator. A copy of this letter will be forwarded to the coordinator and will serve as notification that the proposed action may be subject to review.
2. DOS will acknowledge the receipt of the requested information and provide a copy of this acknowledgement to the program coordinator. DOS may, at this time, request the applicant to submit additional information for review purposes.
3. The review period will conclude thirty (30) days after the date on DOS' letter of acknowledgement or the receipt of requested additional information, whichever is later. The review period may be extended for major financial assistance actions.
4. The program coordinator must submit the municipality's comments and recommendations on the proposed action to DOS within twenty (20) days (or other time agreed to by DOS and the program coordinator) from the start of the review period received within this period, DOS will presume that the municipality has "no opinion" on the consistency of the proposed financial assistance action with local coastal policies.
5. If DOS does not fully concur with and/or has any questions on the comments and recommendations submitted by the municipality, DOS will contact the program coordinator to discuss any differences of opinion or questions prior to notifying the applicant of DOS' consistency decision.
6. A copy of DOS' consistency decision letter to the applicant will be forwarded to the program coordinator.

APPENDIX E

APPENDIX E

MAMMALS OF JEFFERSON, LEWIS AND ST. LAWRENCE COUNTIES

ORDER MARSUPIALIA

Family Didelphidae

Didelphis marsupialis Opossum

ORDER INSECTIVORA

Family Talpidae

Parascalops breweri Hairy-tailed mole
Condylura cristata Star-nosed mole

Family Soricidae

Sorex cinereus Masked shrew
Sorex fumeus Smoked shrew Statewide except extreme northeast corner
Sorex dispar Long-tailed shrew - Catskill and Adirondack Mountains
Sorex palustris Water shrew
Microsorex hoyi Pigmy shrew
Cryptotis parva Least shrew
Blarina brevicauda Short-tailed shrew

ORDER CHIROPTERA

Family Vespertilionidae

Myotis lucifugus Little brown bat
Myotis keenii Keen's myotis
Myotis subulatus Least myotis
Myotis sodalis Indiana myotis - (?) - Hiberaculum at Glen Park,
Jefferson County
Lasionycteris noctivagans Silver-haired bat
Pipistrellus subflavus Eastern pipistrel
Eptesicus fuscus Big brown bat
Lasiurus borealis Red bat
Lasiurus cinereus Hoary bat

ORDER LAGOMORPHA

Family Leporidae

Sylvilagus floridanus Eastern cottontail - Statewide except Central Adirondacks
Lepus americanus Snowshoe hare - Scattered throughout State (Taconics,
Adirondacks, Catskills)
Lepus europaeus European hare (introduced) - Hudson Valley, Mohawk
Valley, St. Lawrence-Lake Ontario Plain

ORDER RODENTIA

Family Sciuridae

<u>Tamias striatus</u>	Eastern chipmunk
<u>Marmota monax</u>	Eastern woodchuck
<u>Sciurus carolinensis</u>	Eastern gray squirrel - Statewide except Central Adirondacks
<u>Tamiasciurus hudsonicus</u>	Red squirrel - Statewide
<u>Glaucomys volans</u>	Eastern flying squirrel - Southern two-thirds of State
<u>Glaucomys sabrinus</u>	Northern flying squirrel - Catskills & Adirondacks (?)

Family Castoridae

<u>Castor canadensis</u>	Beaver
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Family Cricetidae

<u>Peromyscus leucopus</u>	Wood mouse
<u>Peromyscus maniculatus</u>	Deer mouse
<u>Clethrionomys gapperi</u>	Red-backed mouse
<u>Microtus pennsylvanicus</u>	Meadow vole
<u>Microtus chrotorrhinus</u>	Rock vole - Catskills and Adirondacks (Yellownose Vole)
<u>Microtus pinetorum</u>	Pine vole
<u>Ondatra tibethicus</u>	Muskrat
<u>Synaptomys cooperi</u>	Southern bog lemming

Family Muridae (Introduced)

<u>Rattus rattus</u>	Black rat
<u>Rattus norvegicus</u>	Brown or Norway rat
<u>Mus musculus</u>	House mouse

Family Zapodidae

<u>Zapus hudsonius</u>	Meadow jumping mouse
<u>Napaeozapus insignis</u>	Woodland jumping mouse

Family Erethizontidae

<u>Erethizon dorsatum</u>	Porcupine
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ORDER CARNIVORA
Suborder Fissipedia

Family Canidae

<u>Canis latrans</u>	Coyote
<u>Vulpes fulva</u>	Red fox
<u>Urocyon cinereoargenteus</u>	Gray fox

Family Ursidae

Ursus americanus

Black bear

Family Procyonidae

Procyon lotor

Raccoon

Family Mustelidae

Martes americana

Marten - Central Adirondacks - possible in extreme eastern portion of Region

Martes pennanti

Fisher - Central Adirondacks, Peripheral Adirondacks, Tug Hill.

Mustela erminea

Short-tailed weasel

Mustela frenata

Long-tailed weasel

Mustela vison

Mink - Statewide

Lutra canadensis

River Otter

Mephitis mephitis

Striped skunk

Family Felidae

Lynx rufus

Bobcat - Adirondacks, Catskills and occasional Statewide

ORDER ARTIODACTYLA

Family Cervidae

Odocoileus virginiana

White-tailed deer

Alces alces

Moose- occasional wanderings (1980,1981)

Amphibians of New York State
Lewis, Jefferson, D. Lawrence (C.)

Mudpuppy
Jefferson's Salamander
Spotted salamander
Red-spotted newt
Dusky salamander
Allegheny mountain salamander
Red-backed salamander
Four toed salamander
Spring salamander
Two-lined salamander
American toad
Northern spring pepper
Gray tree frog
Western chorus frog
Bullfrog
Green frog
Mink frog
Wood frog
Northern leopard frog
Pickerel frog

Necturns maculosus maculosus
Ambystoma jeffersonianum
Ambystoma maculatum
Diemictylus viridescens viridescens
Desmognathus fuscus fuscus
Desmognathus ochrophaeus ochrophaeus
Plethodon cinereus cinereus
Hemidactylium acutatum
Gyrinophilus porphyriticus porphyriticus
Eurycea bislineata bislineata
Bufo terrestris americanus
Hyla crucifer crucifer
Hyla versicolor versicolor
Pseudacris nigrita triseriata
Rana catesbeiana
Rana clamitans
Rana septentrionalis
Rana sylvatica sylvatica
Rana pipiens pipiens
Rana palustris

Reptiles of New York State

Levi, Jefferson - St. Lawrence Co.

Non-marine turtles

Snapping turtle
Stinkpot or common musk turtle
Wood turtle
Blanding's turtle
Map turtle
Midland painted turtle

Chelydra serpentina serpentina
Sternotherus odoratus
Clemmys insculpta
Emydoidea blandingii
Graptemys geographica
Chrysemys picta marginata

Snakes

Northern water snake
Northern brown or DeKay's snake
Red-bellied snake
Eastern ribbon snake
Eastern garter snake
Eastern ring-necked snake
Smooth green snake
Black rat or pilot black snake
Eastern milk snake

Natrix sipedon sipedon
Storeria dekayi dekayi
Storeria occipitomaculata occipitomaculata
Thamnophis sauritus sauritus
Thamnophis sirtalis sirtalis
Diaophis punctatus edwardsi
Opheodrys vernalis vernalis
Elaphe obsoleta obsoleta
Lampropeltis triangulum triangulum

PRELIMINARY REPORT:
BIOLOGICAL CHARACTERISTICS
OF THE ST. LAWRENCE RIVER

February 1977

Edited by
James W. Geis .
United States Fish and Wildlife Service
Cortland, New York
and
State University College of Environmental Science and Forestry
Syracuse, New York

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United States Fish and Wildlife Service
College of Agriculture and Life Sciences at Cornell University
State University College at Oswego
New York State Department of Environmental Conservation
State University College of Environmental Science and Forestry

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Syracuse, New York 13210

Table 1. A comparison of fish species determined to inhabit the international section of the St. Lawrence River.

Species	Greeley <i>et al.</i> 1930	Hubbs & Lagler 1958	Scott & Crossman 1973	1976
<i>Ichthyomyzon fossor</i> Northern brook lamprey		X	X	
<i>Ichthyomyzon unicuspis</i> Silver lamprey	X	X	X	X
<i>Lampetra lamottei</i> American brook lamprey		X	X	
<i>Petromyzon marinus</i> Sea lamprey	X	X	X	X
<i>Acipenser fulvescens</i> Lake sturgeon	X	X	X	X
<i>Lepisosteus osseus</i> Longnose gar	X	X	X	X
<i>Amia calva</i> Bowfin	X	X	X	X
<i>Anguilla rostrata</i> American eel	X	X	X	X
<i>Alosa pseudoharengus</i> Alewife	X	X	X	X
<i>Dorosoma cepedianum</i> Gizzard shad		X	X	X
<i>Eiodon tergisus</i> Mooneye	X	X	X	X
<i>Coregonus artedii</i> Cisco or lake herring	X	X	X	
<i>Coregonus clupeaformis</i> Lake whitefish			X	
<i>Prosopium cylindraceum</i> Round whitefish		X	X	

Table 1. Continued.

<u>Species</u>	<u>Greeley et al. 1930</u>	<u>Hubbs & Lagler 1958</u>	<u>Scott & Crossman 1973</u>	<u>1976</u>
<i>Salmo gairdneri</i> Rainbow trout		X	X	X
<i>Salmo salar</i> Atlantic salmon	X	X	X	
<i>Salmo trutta</i> Brown trout		X	X	
<i>Salvelinus namaycush</i> Lake trout		X	X	
<i>Osmerus mordax</i> Rainbow smelt		X	X	X
<i>Umbra limi</i> Central mudminnow	X	X	X	X
<i>Esox americanus</i> Grass pickerel		X	X	X
<i>Esox lucius</i> Northern pike	X	X	X	X
<i>Esox masquinongy</i> Muskellunge	X	X	X	X
<i>Esox niger</i> Chain pickerel		X	X	
<i>Carassius auratus</i> Goldfish		X		
<i>Glinostomus elongatus</i> Redside dace		X		
<i>Couesius plumbeus</i> Lake chub		X	X	
<i>Cyprinus carpio</i> Carp	X	X	X	
<i>Exoglossum macilllingua</i> Cutlips minnow	X	X	X	X

Table 1. Continued.

Species	Greeley et al. 1930	Hubbs & Lagler 1958	Scott & Crossman 1973	1976
<i>Hybognathus hankinsoni</i> Brassy minnow		X	X	X
<i>Hybognathus nuchalis</i> Silvery minnow			X	X
<i>Nocomis micropogon</i> River chub			X	
<i>Notemigonus chrysolaucas</i> Golden shiner	X	X	X	X
<i>Notropis anogenus</i> Pugnose shiner		X	X	X
<i>Notropis atherinoides</i> Emerald shiner	X	X	X	X
<i>Notropis bifrenatus</i> Bridle shiner	X	X	X	X
<i>Notropis cornutus</i> Common shiner	X	X	X	X
<i>Notropis heterodon</i> Blackchin shiner	X	X	X	X
<i>Notropis heterolepis</i> Blacknose shiner	X	X	X	X
<i>Notropis hudsonius</i> Spottail shiner	X	X	X	X
<i>Notropis rubellus</i> Rosyface shiner	X	X	X	X
<i>Notropis spilopterus</i> Spotfin shiner	X	X	X	X
<i>Notropis stramineus</i> Sand shiner	X	X	X	X
<i>Notropis volucellus</i> Mimic shiner	X		X	X

Table 1. Continued.

Species	Greeley <i>et al.</i> 1930	Hubbs & Lagler 1958	Scott & Crossman 1973	1976
<i>Phoxinus eos</i>				
Northern redbelly dace		X	X	
<i>Phoxinus neogaeus</i>				
Finescale dace		X	X	
<i>Pimephales notatus</i>				
Bluntnose minnow	X	X	X	X
<i>Pimephales promelas</i>				
Fathead minnow	X	X	X	X
<i>Rhinichthys atratulus</i>				
Blacknose dace		X	X	
<i>Rhinichthys cataractae</i>				
Longnose dace	X	X	X	X
<i>Semotilus atromaculatus</i>				
Creek chub	X	X	X	X
<i>Semotilus corporalis</i>				
Fallfish	X	X	X	X
<i>Semotilus margarita</i>				
Pearl dace		X	X	
<i>Carpiodes cyprinus</i>				
Quillback		X	X	
<i>Catostomus catostomus</i>				
Longnose sucker		X	X	
<i>Catostomus commersoni</i>				
White sucker	X	X	X	X
<i>Erimyzon oblongus</i>				
Creek chubsucker		X		
<i>Moxostoma anisurum</i>				
Silver redhorse	X	X	X	X
<i>Moxostoma carinatum</i>				
River redhorse		X	X	

Table 1. Continued.

Species	Greeley 1930	Hubbs & Lagler 1958	Scott & Crossman 1973	1976
<i>Moxostoma duquesnei</i> Black redbhorse		X	X	
<i>Moxostoma hubbsi</i> Copper redbhorse		X		
<i>Moxostoma macrolepidotum</i> Shorthead redbhorse	X	X	X	X
<i>Moxostoma valenciennesi</i> Greater redbhorse	X	X	X	X
<i>Ictalurus melas</i> Black bullhead		X	X	
<i>Ictalurus natalis</i> Yellow bullhead		X	X	X
<i>Ictalurus nebulosus</i> Brown bullhead	X	X	X	X
<i>Ictalurus punctatus</i> Channel catfish	X	X	X	X
<i>Noturus flavus</i> Stonecat	X	X	X	
<i>Noturus gyrinus</i> Tadpole madtom		X	X	X
<i>Percopsis omiscomaycus</i> Trout-perch	X	X	X	X
<i>Lota lota</i> Burbot	X	X	X	X
<i>Fundulus diaphanus</i> Banded killifish	X	X	X	X
<i>Labidesthes sicculus</i> Brook silverside	X	X	X	X
<i>Culaea inconstans</i> Brook stickleback	X	X	X	X

Table 1. Continued.

Species	Greeley 1930	Hubbs & Lagler 1958	Scott & Crossman 1973	1976
<i>Gasterosteus aculeatus</i> Threespine stickleback	X	X	X	X
<i>Pungitius pungitius</i> Ninespine stickleback			X	
<i>Morone americana</i> White perch		X	X	X
<i>Morone chrysops</i> White bass		X	X	X
<i>Ambloplites rupestris</i> Rockbass	X	X	X	X
<i>Lepomis gibbosus</i> Pumpkinseed	X	X	X	X
<i>Lepomis macrochirus</i> Bluegill		X	X	X
<i>Lepomis megalotis</i> Longear sunfish		X		
<i>Micropterus dolomieu</i> Smallmouth bass	X	X	X	X
<i>Micropterus salmoides</i> Largemouth bass	X	X	X	X
<i>Pomoxis nigromaculatus</i> Black crappie		X	X	X
<i>Ammocrypta pellucida</i> Eastern sand darter		X	X	
<i>Etheostoma caeruleum</i> Rainbow darter		X		
<i>Etheostoma exile</i> Iowa darter	X	X	X	X
<i>Etheostoma flabellare</i> Faintail darter		X	X	
<i>Etheostoma nigrum</i> Johnny darter	X	X	X	

Table 1'. Continued.

<u>Species</u>	<u>Greeley</u> <u>1930</u>	<u>Hubbs &</u> <u>Lagler</u> <u>1958</u>	<u>Scott &</u> <u>Crossman</u> <u>1973</u>	<u>1976</u>
<i>Etheostoma olmstedi</i> Tessellated darter				X
<i>Perca flavescens</i> Yellow perch	X	X	X	X
<i>Percina caprodes</i> Logperch	X	X	X	X
<i>Percina copelandi</i> Channel darter	X	X	X	
<i>Stizostedion canadense</i> Sauger	X	X	X	
<i>Stizostedion vitreum vitreum</i> Walleye	X	X	X	X
<i>Aplodinotus grunniens</i> Freshwater drum		X	X	X
<i>Cottus bairdi</i> Mottled sculpin	X	X	X	X
<i>Cottus cognatus</i> Slimy sculpin		X	X	X

Jefferson, Lewis, St. Lawrence Counties

[870]

1078

Sparrow, Tree	
Sparrow, Chipping	
Sparrow, Field	
Sparrow, White-crowd	
Sparrow, White-third	
Sparrow, Fox	
Sparrow, Lincoln's	
Sparrow, Swamp	
Sparrow, Song	
Longspur, Lapland	
Bunting, Snow	

Plover, Semipalmated
 Plover, Amer Golden
 Plover, Bl-bellied
 Turnstone, Ruddy
 Woodcock, American
 Snipe, Common
 Wimbrel #
 Sandpiper, Upland
 Sandpiper, Spotted
 Sandpiper, Solitary
 Yellowlegs, Greater
 Yellowlegs, Lesser
 Knot, Red
 Sandpiper, Purple #
 Sandpiper, Pectoral
 Sandpiper, White-rumped
 Sandpiper, Baird's
 Sandpiper, Least
 Dunlin
 Godwits, Short-bld
 Sandpiper, Stilt
 Sandpiper, Semipalmated
 Sandpiper, Western #
 Sandpiper, Buff-brst'd #
 Sanderling
 Phalarope, Red #
 Phalarope, Wilson's #
 Phalarope, Northern #
 Gull, Glaucous
 Gull, Iceland
 Gull, Gr. Black-bkd
 Gull, Herring
 Gull, Ring-billed
 Gull, Bonaparte's
 Tern, Common
 Tern, Caspian
 Tern, Black
 Dove, Rock
 Dove, Mourning
 Cuckoo, Yellow-billed
 Cuckoo, Black-billed

Owl, Screech
 Owl, Great Horned
 Owl, Snowy
 Owl, Hawk #
 Owl, Barred
 Owl, Long-eared #
 Owl, Short-eared
 Owl, Saw-whet #
 Whip-poor-will
 Nighthawk, Common
 Swift, Chimney
 Hummingbird, Ruby-thrt
 Kingfisher, Belted
 Flicker, Common
 Woodpecker, Blented
 Woodpecker, Red-headed
 Sapsucker, Yellow-bld
 Woodpecker, hairy
 Woodpecker, Downy
 Woodpecker, Bl-bkd 3rd
 Woodpecker, Ho. 3rd
 Kingbird, Eastern
 Flycatcher, Gr. Crest
 Phoebe, Eastern
 Flycatcher, Yellow-bld #
 Flycatcher, Alder
 Flycatcher, Least
 Pewee, Eastern Wood
 Flycatcher, Olive-sd
 Lark, Horned
 Swallow, Tree
 Swallow, Bank
 Swallow, Rough-winged
 Swallow, Barn
 Swallow, Cliff
 Martin, Purple
 Jay, Gray #
 Jay, Blue
 Crow, Common
 Chickadee, Bl-capped
 Chickadee, Boreal #
 Nuthatch, White-brst'd

Nuthatch, Red-brst'd
 Creeper, Brown
 Wren, House
 Wren, Winter
 Wren, Long-billed Marsh
 Wren, Sht-billed Marsh #
 Mockingbird #
 Catbird, Gray
 Thrasher, Brown
 Robin, American
 Thrush, Wood
 Thrush, Hermit
 Thrush, Swainson's
 Thrush, Gray-cheeked
 Veery
 Bluebird, Eastern
 Gnatcatcher, Bl-gray #
 Kinglet, Golden-crd
 Kinglet, Ruby-crd
 Pipit, Water
 Waxwing, Bohemian #
 Waxwing, Cedar
 Shrike, Northern
 Shrike, Loggerhead
 Starling
 Vireo, Yellow-thrt
 Vireo, Solitary
 Vireo, Red-eyed
 Vireo, Philadelphia #
 Vireo, Warbling
 Warbler, Bl-white
 Warbler, Golden-winged
 Warbler, Tennessee
 Warbler, Orange-crd #
 Warbler, Nashville
 Warbler, Ho Parula
 Warbler, Yellow
 Warbler, Magnolia
 Warbler, Cape May
 Warbler, Bl-thrt Blue
 Warbler, Yellow-rumped
 Warbler, Bl-thrt Green

Warbler, Cerulean
 Warbler, Blackburnian
 Warbler, Chestnut-sd
 Warbler, Bay-brst'd
 Warbler, Blackpoll
 Warbler, Pine #
 Warbler, Palm
 Ovenbird
 Waterthrush, Northern
 Warbler, Connecticut #
 Warbler, Mourning
 Yellowthroat, Common
 Warbler, Wilson's
 Warbler, Canada
 Redstart, American
 Sparrow, House
 Bobolink
 Meadowlark, Eastern
 Blackbird, Red-winged
 Oriole, Northern
 Blackbird, Rusty
 Grackle, Common
 Cowbird, Brown-headed
 Tanager, Scarlet
 Cardinal
 Grosbeak, Rose-brst'd
 Sturning, Indigo
 Grosbeak, Evening
 Finch, Purple
 House Finch
 Grosbeak, Pine
 Redpoll, Common
 Siskin, Pine
 Goldfinch, American
 Crossbill, Red
 Crossbill, White-winged
 Towhee, Rufous-sided
 Sparrow, Savannah
 Sparrow, Grasshopper
 Sparrow, Henslow's
 Sparrow, vesper
 Junco, Red-eyed

**US Department of Commerce
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