

# Village of Alexandria Bay and Town of Alexandria Local Waterfront Revitalization Program

---

Adopted:

Village of Alexandria Bay Village Board of Trustees, May 8, 2018  
Town of Alexandria Town Board, September 19, 2018

Approved:

NYS Secretary of State, Rossana Rosado, January 6, 2020

Concurred:

U.S. Office for Coastal Management, December 8, 2020

This Local Waterfront Revitalization Program (LWRP) has been prepared and approved in accordance with provisions of the Waterfront Revitalization of Coastal Areas and Inland Waterways Act (Executive Law, Article 42) and its implementing Regulations (19 NYCRR 601). Federal concurrence on the incorporation of this Local Waterfront Revitalization Program into the New York State Coastal Management Program as a program change has been obtained in accordance with 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 Coastal Management, under the Coastal Zone Management Act of 1972, as amended. [Federal Grant No. NA-15-NOS-4190092] 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, Office of Planning, Development & Community Infrastructure, 99 Washington Avenue, Suite 1010, Albany, New York 12231-0001.



**U.S. DEPARTMENT OF COMMERCE**  
**National Oceanic and Atmospheric Administration**  
**Office for Coastal Management**  
Silver Spring Metro Center, Building 4  
1305 East-West Highway  
Silver Spring, Maryland 20910

Ms. Sarah Crowell  
New York Coastal Management Program  
New York State Department of  
State 99 Washington Ave., Suite  
1010 Albany, NY 12231

Dear Ms. Crowell,

Thank you for the October 14, 2020 request for approval of changes to the New York Coastal Management Program pursuant to the National Oceanic and Atmospheric Administration (NOAA) Coastal Zone Management Act (CZMA) regulations at 15 CFR part 923, subpart H with the incorporation of the Local Waterfront Revitalization Program (LWRP) for the Village of Alexandria Bay and Town of Alexandria into the New York Coastal Management Program (NY CMP).<sup>1</sup>

NOAA's Office for Coastal Management approves the request subject to the qualifications below.

NOAA's regulations require that the state post this decision by the Office for Coastal Management for public notice.<sup>2</sup> The public notice should state that as of the date of this decision letter the enforceable policies identified in the attached Table of Approved Changes shall be applicable in reviewing federal actions pursuant to the federal consistency requirements of the CZMA and its implementing regulations found at 15 CFR part 930.<sup>3</sup> Please send a copy of the public notice to the Office for Coastal Management for our records to close out this file.

#### **PUBLIC AND FEDERAL AGENCY COMMENTS**

The Office for Coastal Management did not receive any comments on this program change submission.

#### **CHANGES APPROVED**

See the attached Table of Approved Changes to the New York Coastal Management Program.

<sup>1</sup> This program change request was submitted under NOAA's revised CZMA program change regulations at 15 CFR part 923, subpart H (84 Federal Register (FR) 38118 (Aug. 6, 2019)). The Office for Coastal Management's decision due date was November 13, 2020 subject to extension.

<sup>2</sup> 15 CFR § 923.81(e)(5), as described at 84 FR 38133 (Aug. 6, 2019).

<sup>3</sup> 15 CFR § 923.81(f), as described at 84 FR 38133 (Aug. 6, 2019).

## **QUALIFICATIONS**

As with previous approval of NY CMP LWRPs, the enforceable provisions of Section III are only the stated policies and sub-policies. The enforceable policies do not include the explanatory text that accompanies each policy. While the explanatory text may be advisory as to how activities can show consistency with the LWRP policies, the State may not use the explanatory text as a basis for issuing an objection under its CZMA authority. Please also note that for the review of federal actions pursuant to the CZMA, the requirements of the statute and implementing regulations at 15 CFR part 930 are controlling over any conflicting interpretation of the discussion of the CZMA federal consistency requirements within the Village of Alexandria Bay and Town of Alexandria LWRP.

As a standard qualification applying to all program changes, states may not incorporate enforceable policies by reference. If an approved enforceable policy refers to another statute, regulation, policy, standard, guidance, or other such requirement or document, the referenced policy must be submitted to and approved by the Office for Coastal Management as an enforceable policy in order to be applied under the federal consistency review provisions of the CZMA. No referenced policy may be applied for CZMA federal consistency review purposes unless that policy has been separately reviewed and approved as an enforceable policy by the Office for Coastal Management.

Thank you for your cooperation in this review. Please contact Nelle D'Aversa at (908) 399-7756, if you have any questions. For future correspondence regarding these program changes, please refer to the file number assigned to this action, NY-2020-3.

Sincerely,

**STEIN.ADAM.K.**  
**1365844352**

Digitally signed by  
STEIN.ADAM.K.1365844352  
Date: 2020.12.08 08:53:48  
-05'00'

Adam Stein, Acting Chief  
Stewardship Division

Attachment: Table of Approved Changes (NY-2020-3)

## TABLE OF APPROVED CHANGES TO THE NEW YORK COASTAL MANAGEMENT PROGRAM (NY-2020-3)

Please reference the Office for Coastal Management December 8, 2020, decision letter for clarifications, exceptions and qualifications pertaining to this approval.

Legal citation	Title of policy, section, or other descriptor	Is the change new, revised, or deleted	Date effective in state	Enforceable policy	Enforceable mechanism citation
Not applicable	Village of Alexandria Bay and Town of Alexandria Joint Local Waterfront Revitalization Program (LWRP)	Revised	01/06/2020	Yes (Section III only)	Executive Law, Article 42

STATE OF NEW YORK  
DEPARTMENT OF STATE

ONE COMMERCE PLAZA  
99 WASHINGTON AVENUE  
ALBANY, NY 12231-0001  
WWW.DOS.NY.GOV

ANDREW M. CUOMO  
GOVERNOR

ROSSANA ROSADO  
SECRETARY OF STATE

January 6, 2020

Honorable Steven Jarvis  
Mayor  
Village of Alexandria Bay  
110 Walton St.  
Alexandria Bay, NY 13607

Dear Mayor Jarvis:

I am pleased to inform you that I have approved the Village of Alexandria Bay and Town of Alexandria Local Waterfront Revitalization Program (LWRP), pursuant to the Waterfront Revitalization of Coastal Areas and Inland Waterways Act.

Everyone who participated in the preparation of the LWRP is to be commended for developing such a comprehensive management program that promotes the balanced preservation, enhancement, and utilization of valuable waterfront resources along the St. Lawrence River, Otter Creek, Cranberry Creek, and Crooked Creek. Congratulations on a job well done.

I am notifying all State agencies that I have approved the Village of Alexandria Bay and Town of Alexandria LWRP and advising them that agency activities must now be undertaken in a manner consistent, to the maximum extent practicable, with the LWRP.

The approved Village of Alexandria Bay and Town of Alexandria LWRP will be available on the website of the Department of State, at [http://www.dos.ny.gov/opd/programs/WFRevitalization/LWRP\\_status.html](http://www.dos.ny.gov/opd/programs/WFRevitalization/LWRP_status.html).

If you have any questions, please contact Barbara Kendall, the LWRP Processing Coordinator within the Office of Planning, Development & Community Infrastructure, at (518) 473-8928.

Sincerely,



Rossana Rosado  
Secretary of State

Enclosure: Approval Certificate



Department  
of State

STATE OF NEW YORK  
DEPARTMENT OF STATE

ONE COMMERCE PLAZA  
99 WASHINGTON AVENUE  
ALBANY, NY 12231-0001  
WWW.DOS.NY.GOV

ANDREW M. CUOMO  
GOVERNOR

ROSSANA ROSADO  
SECRETARY OF STATE

January 6, 2020

Honorable Brent Sweet  
Supervisor  
Town of Alexandria  
46372 County Route 1  
Alexandria Bay, NY 13607

Dear Supervisor Sweet:

I am pleased to inform you that I have approved the Village of Alexandria Bay and Town of Alexandria Local Waterfront Revitalization Program (LWRP), pursuant to the Waterfront Revitalization of Coastal Areas and Inland Waterways Act.

Everyone who participated in the preparation of the LWRP is to be commended for developing such a comprehensive management program that promotes the balanced preservation, enhancement, and utilization of valuable waterfront resources along the St. Lawrence River, Otter Creek, Cranberry Creek, and Crooked Creek. Congratulations on a job well done.

I am notifying all State agencies that I have approved the Village of Alexandria Bay and Town of Alexandria LWRP and advising them that agency activities must now be undertaken in a manner consistent, to the maximum extent practicable, with the LWRP.

The approved Village of Alexandria Bay and Town of Alexandria LWRP will be available on the website of the Department of State, at [http://www.dos.ny.gov/opd/programs/WFRevitalization/LWRP\\_status.html](http://www.dos.ny.gov/opd/programs/WFRevitalization/LWRP_status.html).

If you have any questions, please contact Barbara Kendall, the LWRP Processing Coordinator within the Office of Planning, Development & Community Infrastructure, at (518) 473-8928.

Sincerely,



Rossana Rosado  
Secretary of State

Enclosure: Approval Certificate



Department  
of State

Village of Alexandria Bay  
Resolution Accepting the Town of Alexandria and Village of Alexandria Bay  
Draft Local Waterfront Revitalization Program  
as Complete and Ready for 60-day Regulatory Review  
and Authorizing Submission of the Accepted LWRP to the  
New York State Department of State

---

WHEREAS, the Town of Alexandria and Village of Alexandria Bay Local Waterfront Revitalization Program (LWRP) and Village of Alexandria Bay Waterfront Consistency Review Law were adopted in April 2016; and

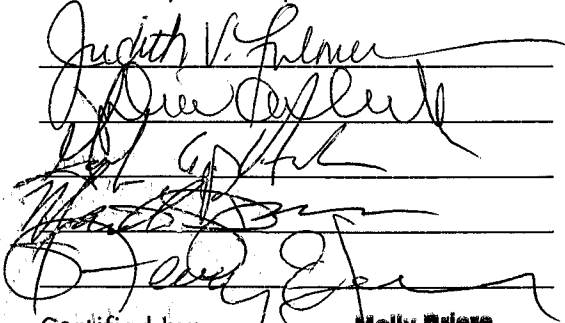
WHEREAS, the Village of Alexandria Bay has prepared a 2018 Draft LWRP and amendments to the Village's Waterfront Consistency Review Law in cooperation with the New York State Department of State in accordance with the provisions of Executive Law, Article 42; and

WHEREAS, the Mayor of the Village of Alexandria Bay, as lead agency, previously prepared and evaluated an Environmental Assessment Form concerning the action of adopting the LWRP in accordance with the requirements of the State Environmental Quality Review Act and Part 617 of the implementing regulations of Article 8 of the New York State Environmental Conservation Law; and

NOW, THEREFORE, BE IT RESOLVED, that the Village Board of Trustees of the Village of Alexandria Bay accepts the Town of Alexandria and Village of Alexandria Bay LWRP as complete and ready for public review and the Draft LWRP shall be submitted to the New York State Department of State for 60-day review by State, federal, regional agencies, and others pursuant to the provisions of Article 42 of the NYS Executive Law and the Law's implementing regulations at 19 NYCRR Parts 600-603 (hereinafter "60-day review period"); and

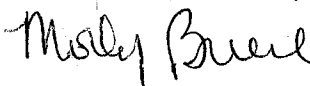
BE IT FUTHER RESOLVED, that if no substantial revisions are necessary to address comments received during the 60-day review period, the Town of Alexandria and Village of Alexandria Bay LWRP and amendments to the Village of Alexandria Bay Waterfront Consistency Review Law are hereby adopted and authorized for submission to the New York State Secretary of State for approval, pursuant to the provisions of Article 42 of the NYS Executive Law and the Law's implementing regulations at 19 NYCRR Parts 600-603; and

BE IT FUTHER RESOLVED, that the New York State Department of State will work with the Village of Alexandria Bay to revise the Draft LWRP as necessary to address any comments received during the 60-day review period.



Certified by:

**Molly Briere**  
Notary Public-State of New York  
NO.01BR6255879  
Qualified in Jefferson County  
My Commission Expires 2/10/2020



Town of Alexandria  
Resolution Accepting the Town of Alexandria and Village of Alexandria Bay  
Draft Local Waterfront Revitalization Program  
as Complete and Ready for 60-day Regulatory Review  
and Authorizing Submission of the Accepted LWRP to the  
New York State Department of State

---

WHEREAS, the Town of Alexandria and Village of Alexandria Bay Local Waterfront Revitalization Program (LWRP) and Town of Alexandria Waterfront Consistency Review Law were adopted in April 2016; and

WHEREAS, the Town of Alexandria has prepared a 2018 Draft LWRP and amendments to the Town's Waterfront Consistency Review Law in cooperation with the New York State Department of State in accordance with the provisions of Executive Law, Article 42; and

WHEREAS, the Mayor of the Village of Alexandria Bay, as lead agency, previously prepared and evaluated an Environmental Assessment Form concerning the action of adopting the LWRP in accordance with the requirements of the State Environmental Quality Review Act and Part 617 of the implementing regulations of Article 8 of the New York State Environmental Conservation Law; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Alexandria accepts the Town of Alexandria and Village of Alexandria Bay LWRP as complete and ready for public review and the Draft LWRP shall be submitted to the New York State Department of State for 60-day review by State, federal, regional agencies, and others pursuant to the provisions of Article 42 of the NYS Executive Law and the Law's implementing regulations at 19 NYCRR Parts 600-603 (hereinafter "60-day review period"); and

BE IT FUTHER RESOLVED, that if no substantial revisions are necessary to address comments received during the 60-day review period, the Town of Alexandria and Village of Alexandria Bay LWRP and amendments to the Town of Alexandria Waterfront Consistency Review Law are hereby adopted and authorized for submission to the New York State Secretary of State for approval, pursuant to the provisions of Article 42 of the NYS Executive Law and the Law's implementing regulations at 19 NYCRR Parts 600-603; and

BE IT FUTHER RESOLVED, that the New York State Department of State will work with the Town of Alexandria to revise the Draft LWRP as necessary to address any comments received during the 60-day review period.

<u>Brent Sweet, Supervisor</u>	Aye	9/19/18 Board Meeting: Motion by Councilman Ron
<u>John Stine, Councilman</u>	Aye	Thomson seconded by Councilman Jim VanCour.
<u>Jim VanCour, Councilman</u>	Aye	Motion Passed.
<u>Ron Thomson, Councilman</u>	Aye	
<u>Mike Fayette, Councilman</u>	Aye	

Certified by: Jessica Hudon, Town Clerk

## Acknowledgements

The Village of Alexandria Bay and the Town of Alexandria would like to thank the Village Board of Trustees and Town Councilors who dedicated their time, talent and energy to the community to facilitate the preparation of the Local Waterfront Revitalization Program and Harbor Management Plan. The Village and Town would also like to thank all village and town residents and business owners who contributed valuable local knowledge to this effort.



### **Local Waterfront Advisory Committee**

Cindy Chaltain, former Village Trustee  
Richard Drake, former Village Trustee  
Martha Millet, former Town Supervisor  
Terry Rob, former Village Mayor  
Patrick Simpson, former Village Mayor  
Fairman Sutton, former Town Supervisor  
Brent Sweet, Town Supervisor, former Village Trustee

### **Village of Alexandria Bay Board of Trustees**

Steven Jarvis, Mayor  
Mark Reynolds  
Nick Speach  
Julia Erck  
Geoffrey Hillick, Deputy Mayor

### **Town of Alexandria Board**

Brent Sweet, Supervisor  
John Stine, Deputy Supervisor  
James VanCour  
Michael Fayette  
Ron Thomson

### **Additional Contributors**

Danielle Miller, former Village Mayor  
Cindy Penn, former Village Trustee  
Gary Williams, former Village Trustee  
Russell Henry, former Village Trustee  
Angela Hunter, former Village Trustee  
Dale Hunneyman, former Town Supervisor  
Greg Wills, former Town Board Member  
Thomas Petrie, former Town Board Member

This document was prepared with funding provided by the New York State Department of State under Title 11 of the Environmental Protection Fund.

## Table of Contents

<b>Section I</b>	<b>Waterfront Revitalization Area Boundary</b> .....	<b>1</b>
A.	Local Waterfront Revitalization Program Boundary .....	1
	Inland Boundary.....	1
	Waterside Boundary .....	2
<b>Section II</b>	<b>Inventory and Analysis</b> .....	<b>1</b>
A.	Introduction.....	1
B.	Community Plans.....	1
C.	Population and Visitation .....	3
D.	Land and Water Uses .....	3
	1. Village of Alexandria Bay Land Use and Zoning .....	3
	2. Town of Alexandria Land Use and Zoning.....	5
	3. Existing Water Uses.....	5
	4. Water-Dependent and Water-Enhanced Uses .....	6
	5. Underutilized, Abandoned or Deteriorated Sites .....	8
	6. Agricultural Lands.....	10
E.	Infrastructure .....	11
	1. Public Utilities.....	11
	2. Vehicular and Pedestrian Circulation.....	12
	3. Community Facilities .....	13
F.	Recreational, Cultural and Historic Resources .....	14
	1. Public Access and Recreation.....	14
	2. Archeological Resources .....	15
	3. Scenic, Cultural, and Historic Resources .....	16
G.	Natural Resources .....	20
	1. Flood Hazard Areas, Wetlands, Surface Water .....	20
	2. Significant Coastal Fish and Wildlife Habitat Areas.....	23
	3. Soils and Topography .....	29
H.	Opportunities and Constraints .....	30
	1. Key Issues .....	30
	2. Key Goals.....	30
	3. Publicly-owned-waterfront sites.....	31
	4. Privately-owned-waterfront sites .....	32
	5. Wellesley Island.....	33
<b>Section III</b>	<b>Waterfront Revitalization Policies</b> .....	<b>1</b>
	Introduction .....	1

Development Policies .....	1
Fish and Wildlife Policies.....	10
Flooding and Erosion Hazards Policies.....	18
General Policies.....	24
Public Access Policies .....	24
Recreation Policies.....	28
Historic and Scenic Resources Policies .....	31
Agricultural Lands Policy .....	35
Energy and Ice Management Policies.....	39
Water and Air Resources Policies .....	41
Definitions.....	49
<b>Section IV Proposed Land and Water Uses and Projects.....</b>	<b>1</b>
A. Introduction.....	1
B. Proposed Development Areas within the LWRA .....	1
1. Sensitive Environmental Development Area .....	1
2. Waterfront Development Area .....	2
3. Mixed-Use Development Areas .....	2
4. Waterfront Residential Development Area .....	4
5. Residential Development Area .....	4
C. Proposed Surface-Water Uses .....	5
1. International Shipping Channel.....	5
2. Sensitive Environmental Areas and Passive Recreation .....	5
3. Active Recreation .....	6
4. Open Water Use.....	7
D. Harbor Management Plan .....	7
1. Introduction .....	7
2. Harbor Management Area Boundary.....	7
3. Existing Conditions .....	8
4. Local and Regional Issues.....	10
5. HMP Goals and Objectives consistent with LWRP policies .....	13
6. Surface-Water Use Plan .....	14
7. Recommended Implementation Strategies .....	17
E. Proposed Waterfront Revitalization Goals.....	19
F. Priority Sites for Improvements .....	20
G. Proposed Waterfront Revitalization Projects .....	21
1. Village of Alexandria Bay.....	21
2. Town of Alexandria .....	29

3. Summary of Proposed Projects..... 33

**Section V Implementation Techniques..... 1**

A. Introduction..... 1

B. Potential Funding Sources for Implementation of the Recommended Projects..... 1

1. Environmental Protection Fund (EPF)..... 2

2. Brownfield Programs..... 2

3. Water Quality Improvement Project (WQIP)..... 3

4. Environmental Facilities Corporation (EFC) ..... 3

5. Clean Vessel Assistance Program (EFC)..... 3

6. Empire State Development (ESD)..... 4

7. Local Government Efficiency Program (LGE) ..... 4

8. NYS Community Development Block Grant Program (CDBG)..... 4

9. NYS Legislative Grant Program..... 4

10. United States Department of Agriculture (USDA)..... 4

11. Land and Water Conservation Fund (LWCF) ..... 5

12. Federal Highway Administration Recreational Trails Program ..... 5

13. Federal Transportation Act (FTA)..... 5

14. Partners for Wildlife ..... 5

15. Town, Village, and County Capital and Operating Budgets ..... 5

16. Other Agency Capital and Operating Budgets ..... 6

17. Public/Private Partnerships..... 6

18. Restore NY communities' initiative..... 6

C. Existing Local Laws and Regulations..... 6

1. Village of Alexandria Bay..... 6

2. Town of Alexandria ..... 10

D. Waterfront Consistency Review Laws..... 13

E. Management Structure and Procedures for Consistency Review ..... 14

1. Management Structure ..... 14

2. Regulatory Reviews..... 15

**Section VI State and Federal Actions and Programs Likely to Affect Implementation..... 1**

6.1. State Actions and Programs Which Should Be Undertaken in a Manner Consistent With the LWRP..... 1

6.2. Federal Activities Affecting Land and Water Uses and Natural Resources in the Coastal Zone of New York State..... 11

I. Activities Undertaken Directly by or on Behalf of Federal Agencies ..... 11

II. Federal Licenses and Permits and Other Forms of Approval or Authorization ..... 12

III. Federal Financial Assistance to State and Local Governments..... 14

6.3. State and Federal Actions and Programs Necessary to further this LWRP.....	17
I. State Actions and Programs .....	17
II. Federal Actions and Programs .....	18

**Section VII Local Commitment and Consultation with Other Affected Federal, State, Regional, and Local Agencies ..... 1**

A. Local Commitment .....	1
B. Consultation with Other Federal, State, Regional, and Local Agencies .....	1
C. New York State Environmental Quality Review Process.....	2

**Appendix A-1 Local Laws and Regulations Adopted to Implement the LWRP ..... 1**

Town of Alexandria Harbor Management Law.....	1
Village of Alexandria Bay Harbor Management Law .....	8
Town of Alexandria Docking Facilities Law .....	15
Village of Alexandria Bay Docking Facilities Law .....	24

**Appendix A-2 Waterfront Consistency Review Laws ..... 1**

Town of Alexandria Waterfront Consistency Review Law.....	1
Federal Coastal Assessment Form .....	16
Village of Alexandria Bay Waterfront Consistency Review Law .....	1
Coastal Assessment Form (CAF).....	16

**Appendix B Significant Coastal Fish and Wildlife Habitats..... 1**

**Appendix C Public and Agency Comments ..... 1**

**Appendix D State and Federal Guidelines for Consistency Review ..... 1**

Guidelines for Notification and Review of State Agency Actions Where Local Waterfront Revitalization Programs Are in Effect.....	1
Procedural Guidelines for Coordinating New York State Department of State and Local Waterfront Revitalization Program Consistency Review of Federal Agency Activities .....	4

**Appendix E LWRP Projects Funding Matrix..... 1**

**Appendix F Sketches and Conceptual Plans..... 1**

**Appendix G Municipal Boundaries..... 1**

**Appendix H LWRP and Harbor Management Plan Maps..... 1**

## Section I Waterfront Revitalization Area Boundary

### A. Local Waterfront Revitalization Program Boundary

The boundary of this joint Local Waterfront Revitalization Program (LWRP) for the Town of Alexandria and Village of Alexandria Bay, expands the State's inland coastal boundary to include the entire incorporated limits of the Village of Alexandria Bay<sup>1</sup> and all of the Otter Creek Thousand Island Land Trust (TILT) Preserve located in the Town of Alexandria. The land and water areas covered by this LWRP are described below and illustrated in LWRP [Figures 3 - LWRP Boundary](#).

The inland coastal area boundary in the Town of Alexandria and Village of Alexandria Bay is illustrated on LWRP [Figures 3 - LWRP Boundary](#) and extends as follows:

#### Inland Boundary

Beginning at the point of intersection of the mean high water line and the western municipal boundary of the Town of Alexandria;

then south following the municipal boundary for approximately 1 mile to a point 1,000 feet south of New York State Route 12;

then northeast approximately 4 miles to the intersection with the eastern boundary of the Otter Creek Preserve;

then northeast following the Otter Creek Preserve boundary to the intersection with the western edge of Church Street;

then southeast along the western edge of Church Street for 619 feet,

then east for 1,777 feet and then northeast for 1,860 feet following the municipal boundary in 2014 to a point 1,000 feet south of New York State Route 12;

then northeast approximately 2,400 feet to its intersection with Swan Hollow Road;

then southeast and northeast following the eastern edge of Swan Hollow Road to its intersection with Log Hill Road;

then northwest and north following the eastern edge of Log Hill Road to a point approximately 1000 feet south of New York State Route 12;

---

<sup>1</sup> The *Certified description of the corporate limits of the Village of Alexandria Bay* and the ACT to form the Town of Alexandria, NY are included in Appendix G of this LWRP.

then northeast parallel to New York State Route 12 for approximately 2 miles;

then southeast approximately 4,500 feet to its intersection with Dorr Road;

then east following the southern edge of Dorr Road for approximately 1,300 feet to a point 100 feet west of the west bank of the Crooked Creek Marsh complex;

then southeast approximately 750 ft. along a line 100 ft. west of and parallel to the west bank of the Crooked Creek Marsh complex;

then north approximately 600 ft. along a line 100 ft. east of and parallel to the east bank of the Crooked Creek Marsh complex;

then east approximately 2,300 ft. to a point 100 ft. west of and parallel to the west bank of the Crooked Creek Marsh complex;

then south approximately 350 ft. along a line 100 ft. west of and parallel to the west bank of the Crooked Creek Marsh complex;

then east approximately 175 ft. along a line 100 ft. south of and parallel to the south bank of the Crooked Creek Marsh complex;

then north approximately 400 ft. along a line 100 ft. east of and parallel to the east bank of the Crooked Creek Marsh complex;

then east approximately 2,750 ft. to its intersection with County Highway 111 (Dutch Settlement Road);

then north following County Highway 111 (Dutch Settlement Road) to its intersection with County Route 1;

then northwest following County Route 1 for approximately 3,300 ft.;

then east approximately 2,900 ft. to its intersection with the Town of Alexandria municipal boundary;

then northwest following the Town of Alexandria municipal boundary to the point of intersection with the mean high water line.

## **Waterside Boundary**

This LWRP does not modify the waterside boundary of the coastal area. The waterside boundary of the coastal management area coincides with the western border of the Town of Alexandria municipal boundary; then proceeds northeast along the United States border with Canada; then southwest following the Town of Alexandria municipal boundary to the mainland, and includes all islands contained therein, including the portion of the Wellesley Island that is part of the Town of Alexandria.

## **Harbor Management Area Boundary**

The Harbor Management Area (HMA) falls within the jurisdiction of both the Village of Alexandria Bay and the Town of Alexandria and includes waters adjacent to the mainland and Wellesley Island, as well

as many smaller islands. Although the HMA includes the St. Lawrence shipping channel, the United State Coast Guard maintains jurisdiction over this channel. The HMA is illustrated on [HMP Figure 1](#) and is described as follows: the HMA begins at the mean high water line along the northeastern half of Keewaydin State Park just north of Comfort Island; then extends west across the St. Lawrence River to the mean high water line on Wellesley Island; then continuing northeast along the mean high waterline of the Wellesley Island shoreline to the northern tip of the Wellesley Island; then extending northeast across the St. Lawrence River to the Town of Alexandria mean high water line in Carnegie Bay just south of Iroquois Island; then continuing southwest along the mean high water line of the Alexandria and Alexandria Bay shoreline to its point of origin.

## Section II Inventory and Analysis

### A. Introduction

This section includes an inventory of the many physical and regulatory attributes of the Village of Alexandria Bay and Town of Alexandria Local Waterfront Revitalization Area (LWRA). The items inventoried and assessed include land use and zoning regulations, existing local plans and studies, socio-demographics, utilities and infrastructure, cultural, natural, historic, and scenic resources. This inventory and assessment provides the foundation for the development of local waterfront revitalization policies, which guided the recommended land and water uses, specific capital improvement projects, and implementation techniques.

### B. Community Plans

Community growth for the village and town has been guided for the last 10 years by local community plans. The Village Master Plan has guided growth and development in the Village and the Town Action Plan has guided growth in the Town. The following is a summary of the goals and objectives of each plan.

The **Village of Alexandria Bay Master Plan** was completed in 1991, a copy of which is available in the Village Offices. The following summarizes the goals and objectives of this plan.

- Relocate hospital and police/fire facilities out of congested waterfront/business area to address circulation difficulties of emergency vehicles.
- Develop and enforce land use regulations that:
  - Accommodate continued commercial development and adequate parking and loading;
  - Minimize adverse impacts of commercial development on residents;
  - Maintain and restore scenic views;
  - Retain natural topographic, geologic, and water features and animal habitats and other significant vegetation when developing sites; and
  - Improve appearance of signage, parking and landscaping.
- Promote year round population and businesses.
- Provide adequate public water and sewer service to mainland properties.
- Expand and improve land and water based recreation facilities for residents and visitors.
- Encourage investment in residential properties.
- Improve the appearance of public facilities including sidewalks.

- Promote the preservation of historic buildings and sites.

Since 1991 there have been a number of changes in the village zoning laws and other land use regulations and other activities to implement the goals and objectives of the Master Plan. The land and water uses and proposed projects of this LWRP further implement many other on-going efforts to maintain and improve the quality of life, attractiveness, and economic prosperity of the Village of Alexandria Bay.

**Town of Alexandria Comprehensive Plan** - The Town of Alexandria began developing its comprehensive plan (Plan) in 2013 and adopted it in 2015. The Plan includes an assessment of the town’s current conditions and anticipated trends as well as goals and strategies for future growth based on the town’s guiding vision. This Plan is intended to guide local leaders and developers in decisions that improve Alexandria’s economy, character, transportation systems, quality of life and overall “niche” in the heart of the Thousand Islands. Future growth of any scale should directly assist the Town of Alexandria in realizing its vision, which is:

“Alexandria’s residents enjoy the area’s spectacular scenery, numerous outdoor recreational opportunities, abundance of open space, as well as the rural and waterfront lifestyles that attract seasonal and year round residents year after year. Its communities serve as gathering places and service centers for many. The Town would like to attract or generate investment to allow current businesses and farms to flourish, establish additional employers, and maintain its unique environment/quality of life for current and future residents, property owners, and visitors.”

Stemming from this vision, the town established a list of Plan Goals all of which align with the goals and policies of this local waterfront revitalization plan. The six primary goals for growth and development within the town are:

- Goal #1 Improve economic development and tourism opportunities Town-wide.
- Goal #2 Improve and protect the environmental and visual elements in the NYS Route 12/26 Corridor, and the Town as a whole.
- Goal #3 Guide land use development with context and site design considerations in order to protect and enhance community character.
- Goal #4 Promote development patterns along the River and in the open space of the NYS Route 12/26 Corridor that attract investment, controlled growth and a better quality of life.
- Goal #5 Increase year-round housing density where feasible (municipal services) to enhance year-round market demand in the NYS Route 12 Corridor.
- Goal #6 Expand recreational programs and facilities to meet the varying needs of Town residents and visitors.

The direct and indirect implications of the above goals are to protect the town’s valuable and unique assets, such as its waterfront along the St. Lawrence River, while encouraging growth in a smart and sustainable manner.

## C. Population and Visitation

From 1970 to 2000 the Village of Alexandria Bay decreased in population while the Town of Alexandria grew. The village lost population at about the same rate as the town gained population (12% and 9% respectively). During the 1980s the town grew by 18.6% while the village lost residents by 5.6%.

**Table II.1: Town and Village Population 1970 to 2000**

Year	Village Population	Percent Change	Town Population (excluding Village)	Percent Change
1970	1,440	--	2,075	--
1980	1,265	12.2	2,322	11.9
1990	1,194	5.6	2,755	18.6
2000	1,088	8.9	3,009	9.0

Source: US Census of Population 1970 to 2000

The housing stock in the village increased largely due to increases in seasonally-occupied units while the town housing stock increases have been due to increases in year-round units.

**Table II.2: Town and Village Housing Stock 1970 to 2000**

Year	Village Housing Stock			Town Housing Stock (including Village)		
	Total	Seasonal	Year Round	Total	Seasonal	Year Round
1970	571	22	549	1,178	645	533
1980	583	68	515	2,203	1,313	890
1990	658	91	567	3,198	1,444	1,754
2000	624	70	554	3,247	1,364	1,883

Source: 1991 Village Master Plan; US Census

Seasonal weekly accommodations, as approximated from the 2008 Alexandria Bay Visitors Guide, are estimated to house an additional population of 2,000 to 2,500 during peak visitation periods. Occupants of seasonal housing are estimated to represent an additional population of 3,000 to 3,500 during the peak season. In summary, during the peak summer season, the population for the Town and Village more than doubles. The population is estimated to vary from 4,000 in the off-season to 9,000 or 10,000 in the peak summer season. There are hundreds of seasonal accommodation opportunities in adjacent communities that also contribute to summer visitation in Alexandria and Alexandria Bay.

## D. Land and Water Uses

### 1. Village of Alexandria Bay Land Use and Zoning

Residential use is the dominant land use within the LWRA. Most residential uses in the village on the mainland are year-round residences, while many of the waterfront residences in the Town of Alexandria, on Wellesley Island and other islands are seasonal. There are concentrations of commercial

uses on James, Church and Market Streets in the Village; on NYS Route 12 in the Town just west of the Village and at Barton and Healy Roads; and on Wellesley Island at County Highway 100 and Club Road.

There are a number of vacant parcels in the village and town. In the village most of the vacant and underutilized parcels are concentrated in the business center with a small cluster of vacancies in the most northeastern section of the village, as illustrated in LWRP [Figures 4-Existing Land Use](#). In the town the vacant parcels are scattered throughout the LWRA, with small clusters in some residential neighborhoods.

Land uses within the LWRA correspond with the existing zoning districts illustrated in LWRP [Figures 5-Existing Zoning](#). The Village of Alexandria Bay mainland waterfront is zoned Marine Development (MD) and accommodates water-related resort activity and a wide range of commercial and recreational activities. In this zoning district water-dependent and water-enhanced uses are allowed and encouraged. To date priority has been given to such uses, and the Village will ensure this continues.



The Village Business District (BD) encompasses the central business area of the village. In this district single and multi-family residential uses are allowed as well as a wide range of office, retail, and service-commercial uses. This allows for a mix of appropriate uses that contribute to a vibrant village center. The Marine Residential (MR) zoning district covers all the islands, with the exception of Wellesley Island. The MR district allows single-family residential use while protecting the natural processes and

aesthetic beauty of these islands. The other village residential zoning districts include Single Family Residential (SFR), Neighborhood Residential (NR) and General Residential (GR). These districts are served by public utilities and allow single-family or multi-family residential uses.

Some development standards such as building height, front-yard and side-yard setbacks, and minimum road frontage, are specifically defined in the local zoning code per zoning district. Chapter 150: Zoning<sup>2</sup> of the Village of Alexandria Bay Code also provides general development standards in its Article XII: Site Plan Review. The Village of Alexandria Bay does require site plan approval for a variety of land uses. This approval process gives the planning board an opportunity to review the specific details regarding each proposed project. The degree of specific site details required for approval varies and is dependent on the scope of each proposal.

---

<sup>2</sup> Village of Alexandria Bay laws - <http://www.villageofalexandriabay.com/local-laws/>

Signage in the LWRA is a significant feature, which historically has not been organized for clarity or character. Business signage, both in the village and along Route 12 in the town is allowed in a variety of forms and sizes. The village sign regulations do not require uniformity among signs in the business area. To do so would reinforce and compliment the pedestrian character of the village.

## 2. Town of Alexandria Land Use and Zoning

Alexandria’s portion of the LWRA, as illustrated in LWRP [Figures 5-Existing Zoning](#), is mostly zoned Marine Residential (MR). However, NYS Route 12 (west of the village) and all land within 400 feet north and south of it is zoned Business District (BD) and the remaining lands are zoned Agricultural and Rural Residence District (AR).

Existing town regulations allow a wide range of use-types and intensities throughout the Marine Residential District. The majority of land uses in this district are residential or agricultural with some recreational/entertainment. The Agricultural and Rural Residence District is rather straightforward in use-types allowed, which are residential and agricultural. The current land uses in the AR district follow suit with some forested, conservation or public parkland. The Marine Residential District incorporates all of the town’s shoreline that falls within the LWRA and regulates types of uses and how development can occur along the waterfront. Although best practices for shoreline treatment are recommended, shoreline development standards are not specifically defined in the town’s regulations.

The portion of NYS Route 12 corridor, which is zoned Business District, is critical to both communities because it is the primary gateway to this area and provides the first impression of the communities’ character. Types and intensities of commercial uses vary. The concerns in the area are related to outdoor storage and signage. Because it is a regional corridor, various businesses prefer to locate here and other businesses, located elsewhere, prefer to advertise along this corridor. Consequently, there is a proliferation of signage including exceptionally large billboard signs along this corridor. This signage, which is allowed under the town regulations, interrupts the scenic views of the countryside.

## 3. Existing Water Uses



Boat Tour on the St. Lawrence River (S. Gerling)

The Saint Lawrence Seaway Shipping Channel runs through the LWRA. The area designated as the channel, and illustrated in [HMP Figure 2](#), is used strictly for boat traffic. Water activity in the Alexandria Bay harbor area includes commercial tour boats and charter fishing boats; personal motor boats, sailboats, and personal watercraft; swimming at two public beaches located in Scenic View Park (HMP Figure 2, notation “Recreational Swimming”) and Kring Point

State Park (LWRP Figure 3); underwater exploration of shipwrecks; and fishing from pleasure boats, inland roads and bridges and mainland and island shores. These activities are further discussed in the Harbor Management Plan included in Section IV.

The pleasure-vessel speeds are limited to 30 MPH day and 15 MPH night between Sunken Rock at the eastern end of Wellesley Island and Fisher’s Landing for both the St. Lawrence River and Lake of Isles. There are also 5 MPH speed limits in harbor zone areas between the Coast Guard Station and the Thousand Islands Club south of Wellesley Island and from Keewaydin State Park (HMP Figures 2 and 3) to Scenic View Park at the mouth of Otter Creek (HMP Figures 2 and 3, notation “Recreational Swimming”). The location of harbor and special speed limit areas and the shipping channel are shown on [HMP Figure 3](#). The marked navigation channel and vessel speed limits minimize potential conflicts between commercial and recreation boating and between swimming/scuba and boating activities. More information on this topic is included in the Harbor Management Plan included in Section IV of the LWRP.

#### 4. Water-Dependent and Water-Enhanced Uses

There are a significant number of public and privately owned water-dependent and water-enhanced properties within the LWRA. Publicly owned water-dependent and water-enhanced sites include: three New York State parks, Keewaydin, Mary’s Island and Kring Point (LWRP Figures 3); two New York State Wildlife Management Areas, Collins Landing and Cranberry Creek; a New York State scenic rest stop; and, seven Town and Village docks, boat launches or park facilities listed in Table II.3. The Thousand Islands Land Trust also owns two significant properties within the LWRA.

The three New York State parks, illustrated in LWRP [Figures 3- Existing Coastal Boundary and LWRP Boundary](#) and LWRP [Figures 6B-Scenic, Cultural, and Historic Resources](#), have boating, camping and recreational facilities within Alexandria/Alexandria Bay LWRA, and on the Wellesley Island portion of the Town of Orleans, immediately west of the Town of Alexandria. The village owns two waterfront sites at Scenic View Park and Scuba Park (LWRP Figures 8). The uses in both parks are water-dependent and water-enhanced. Swimming, scuba diving, picnicking, and passive recreation are allowed. These two parks are valuable community resources.

**Table II.3: Public and Semi-Public Water Dependent and Water Enhanced Uses**

Use	Size	Facilities
<b>Keewaydin State Park<sup>3</sup></b>	179 acres 6,000 LF of shoreline	<ul style="list-style-type: none"> <li>• 70 seasonal and transient dock moorings</li> <li>• boat launch</li> <li>• pump out</li> <li>• gas</li> <li>• fishing</li> <li>• boat rentals</li> <li>• parking for 130 cars</li> <li>• 41 campsites</li> <li>• pool and playground</li> </ul>
<b>Kring Point State Park<sup>4</sup></b>	61 acres	<ul style="list-style-type: none"> <li>• 31 transient moorings</li> </ul>

<sup>3</sup> Keewaydin State Park Amenities and Activities <http://nysparks.com/parks/24/amenities-activities.aspx>

<sup>4</sup> Kring Point State Park Amenities and Activities <http://www.nysparks.com/parks/14/amenities-activities.aspx>

Use	Size	Facilities
	13,800 LF of shoreline	<ul style="list-style-type: none"> <li>• boat launch</li> <li>• dump station</li> <li>• 108 campsites</li> <li>• cabins and pavilions</li> <li>• playground and sand beach</li> <li>• fishing and hunting</li> </ul>
<b>Mary Island State Park<sup>5</sup></b>	12 acres with boat access only	<ul style="list-style-type: none"> <li>• 12 campsites</li> <li>• pump out</li> </ul>
<b>Collins Landing Wildlife Management Area<sup>6</sup></b>	44.5 acres	None
<b>Cranberry Creek Wildlife Management Area<sup>7</sup></b>	13.4 acres	None
<b>Crooked Creek Preserve, Thousand Island Land Trust<sup>8</sup></b>	150 acres	3 mile Interpretive trail
<b>Otter Creek Preserve, Thousand Island Land Trust<sup>9</sup></b>	25 acres	None
<b>Goose Bay Town Boat Launch</b>	< 1 acre	Parking planned to southeast
<b>Village Launches at Crossman Street &amp; Holland Street, and at Bethune Street</b>	80 feet 60 feet	Parking available at ice arena
<b>Village Docks on Otter Creek: Upper James Street and Lower James Street</b>	500 feet 60 feet	<ul style="list-style-type: none"> <li>• public restrooms</li> <li>• transient docking</li> </ul>
<b>Scenic View Park<sup>10</sup> and Casino Island</b>	3.8 acres 500 LF of shoreline	<ul style="list-style-type: none"> <li>• beach</li> <li>• pavilion (7,500 sq.ft.)</li> <li>• restrooms</li> <li>• playground and picnic tables</li> <li>• scenic walks</li> <li>• parking for 20 cars</li> </ul>
<b>NYS Rest Stop</b>		<ul style="list-style-type: none"> <li>• picnic tables</li> <li>• scenic view</li> </ul>

Source: Environmental Design & Research site visits.

The other village or town-owned waterfront sites are either boat docks and/or public boat launching areas. The village recently improved its boat ramp at the end of Walton Street that accesses Otter Creek.

<sup>5</sup> Mary Island State Park Amenities and Activities <http://parks.ny.gov/parks/40/amenities-activities.aspx>

<sup>6</sup> Collins Landing Wildlife Management Area Overview <http://www.dec.ny.gov/outdoor/46404.html>

<sup>7</sup> Cranberry Creek Wildlife Management Area Overview <http://www.dec.ny.gov/outdoor/46424.html>

<sup>8</sup> Crooked Creek Preserve and the Macsherry Trail

<http://www.tilandtrust.org/Preserves/tabid/490/agentType/View/PropertyID/29/Default.aspx>

<sup>9</sup> Otter Creek Preserve

<http://www.tilandtrust.org/Preserves/tabid/490/agentType/View/PropertyID/115/Default.aspx>

<sup>10</sup> Village of Alexandria Bay Scenic View Park - <http://www.villageofalexandriabay.com/scenic-view-park-information/>

This is available for public use during the boating season. The town-owned boat launch facility at Goose Bay, which is also available for public use, was also recently improved. Upper and lower James Street docks are available for public use all season.

Of the many private sites, the larger private sites include four waterfront resorts and one private tour-boat operator. The many smaller private water-dependent and water-enhanced facilities include marinas, boat launches, boathouses, motels with and without private docks, and restaurants.



Waterfront redevelopment and enhancement opportunities exist between both the privately and publicly owned sites. Many of the town and village docks and boat launches, illustrated in HMP Figure 6, have been improved. Upper James Street dock was in serious need of improvement as a portion of the dock collapsed into the bay during the winter of 2010. The collapsed section of the dock was immediately replaced; additional improvements for the convenience of tourists and local uses are proposed or recommended in Section IV of this LWRP. The waterfront redevelopment opportunities for private properties that warrant priority, due to either their location or impact on the surrounding neighborhood include redevelopment of the prior Thompson Motel site, which is northeast of the Cornwell Brothers Store Museum and the old Monticello Hotel site. Of the publicly owned sites, the best opportunity for waterfront enhancement is the establishment of a walkway system from James Street to the St. Lawrence River to provide recreational use with visual and physical public access to the water.

## 5. Underutilized, Abandoned or Deteriorated Sites

Potential redevelopment sites within the LWRA include vacant/unoccupied sites, deteriorated and underutilized historic structures, municipal properties, and areas of visual degradation. Some strategic properties in the village should be enhanced to improve the economic base and physical character within the LWRA. Redevelopment opportunities vary based upon location, site conditions, and reuse alternatives. There are several categories of vacant sites and buildings.

Some sites such as the Harden site on Church Street and the Gionets site south of Route 12, just outside the village, need remediation prior to redevelopment. These sites are part of the NYSDEC Spill Response Program<sup>11</sup>. The former gas station at the Harden site recorded a spill in 1992, with the record number #

---

<sup>11</sup> Chemical and Petroleum Spills <http://www.dec.ny.gov/chemical/8428.html>

9206262, which was closed few months later<sup>12</sup>. The Gionets site, also a former gas station currently occupied by a vacant building, recorded spill #9812885<sup>13</sup> in 1999. Suitable uses may depend on the extent of contamination and level of cost effective clean up.

Other sites such as the surface parking lots at James and Church Street, the former Grand Monticello building on Market Street, and the Thompson site at the end of Walton Street and Howell Avenue don't face such barriers to re-development and are suitable for adaptive reuses, which would contribute to the local economy. The unoccupied Thompson Motel along the water's edge was recently taken down with the expectation that the site will be redeveloped.

The vacant waterfront area at the foot of Market Street was transferred to the village for development of a park to expand public access and recreational uses. This area has been improved for public access into the new Scuba Park<sup>14</sup>, which allows for scuba exploration of nearby submerged shipwrecks and other sites.

Improved pedestrian connection from Market Street along the waterfront to Scenic View Park is the best opportunity for strengthening the pedestrian connection between the waterfront and the business district.



Boldt Castle from water (Sage Gerling)

Historic structures that warrant attention include Boldt Castle<sup>15</sup>, and its accessory buildings, the former Monticello Hotel and the Oddfellows building. The Thousand Islands Bridge Authority is engaged in on-going restoration of Boldt Castle.

The former Monticello Hotel is privately owned and currently underutilized. This structure warrants immediate attention and restoration. Due to its dilapidated condition tourists are discouraged from venturing beyond it to the waterfront. The other large building that is underutilized is the Oddfellows building, which is privately owned.

These two buildings are significant due to their presence and scale in the village. The strategic restoration of these two buildings would add to the quality of the built environment in the village business district and have a positive impact on the local economy.

---

<sup>12</sup> Spill incident # 9206262 <http://www.dec.ny.gov/cfm/external/derexternal/spills/details.cfm?pageid=2>

<sup>13</sup> Spill incident #9812885 <http://www.dec.ny.gov/cfm/external/derexternal/spills/details.cfm?pageid=2>

<sup>14</sup> Wreck of the Islander - Alexandria Bay <http://www.seawaytrail.com/dive/#Islander>

<sup>15</sup> The Thousand Islands Bridge Authority (TIBA) welcomes you to tour Boldt Castle <http://www.boldtcastle.com/visitorinfo/>

## 6. Agricultural Lands

Due to its location between the Great Lakes and the Adirondack Mountains, Jefferson County has many different micro-climates that offer both challenges and opportunities for agricultural production. Lands in close proximity to Lake Ontario and the St. Lawrence Seaway, such as lands in the Town of Alexandria and Village of Alexandria Bay, are often cooler later in the spring and have an extended growing season in the fall, but on average have slightly milder temperatures that are favorable for agriculture. Jefferson County’s average annual precipitation of 40 inches of annual precipitation is nearly always adequate for all crops, and is well distributed throughout the year.

The 2015 Draft Jefferson County Agricultural and Farmland Protection Plan notes that the 2012 Census of Agriculture reported 876 farms in Jefferson County. This was a 15% decline compared to the number farms reported in 2002, with most of the decline occurring between 2002 and 2007.<sup>16</sup> At the same time, land in farms in Jefferson County totaled 290,811 acres in 2012, an 11% increase from 262,331 acres in 2007, comprising approximately 36% of the County’s total land area. In 2012, Jefferson County farms generated \$183.6 million in sales of agricultural products, 75% of which was in the livestock sector. Dairy products (\$121.5 million), grain and soybeans (\$24.8 million), hay and silage (\$17.8 million), and beef cattle (\$11.7 million) were the most prominent agricultural commodities in 2012.

Farm soils and farmed parcels in the Town of Alexandria are presented in the tables below, based on the information made available in the Draft Jefferson County Agricultural and Farmland Protection Plan developed in 2015.

**Table II.4: High Quality Farm Soils – Percentage of Town Land Area**

Town	Land Acres (nonwater)	Percent Prime Farmland	Percent Prime Farmland if Drained	Percent Soils of Statewide Importance	Total Percent All Farm Soils
Alexandria	46,543	8%	9%	27%	45%

*Source: Draft Jefferson County Agricultural and Farmland Protection Plan, 2015*

**Table II.5: Farmed Parcels and Farmed Acres**

Town	# Farmed Parcels	Total Farmed Acres (incl. wooded areas in Ag Districts)	Percent of Town in Farmland
Alexandria	267	16,517	35%

*Source: Draft Jefferson County Agricultural and Farmland Protection Plan, 2015*

The Town of Alexandria supports agricultural uses through implementation of the Agricultural and Rural Residence District (AR) in Chapter 150: Zoning<sup>17</sup> of the Village of Alexandria Bay Code. The AR District is described in Chapter 150, Article V – District Regulations, Schedule I – Use Controls, “The primary

<sup>16</sup> USDA defines a farm as an entity with sales (or potential sales) of \$1,000 or more in agricultural products in the census year.

<sup>17</sup> Village of Alexandria Bay laws - <http://www.villageofalexandriabay.com/local-laws/>

purpose of this District is to promote agriculture, rural residences, open space and other complimentary uses.”

New York’s Agricultural Districts Law, Article 25-AA PDF of the NYS Agriculture and Markets Law, was enacted in 1971 and authorizes counties to create Agricultural Districts when petitioned by farmers. The purpose of the New York State Agricultural District Program is to protect current and future farmland from nonagricultural development. This is a voluntary program to help reduce competition for limited land resources, to help prevent local laws which would inhibit farming and raise farm taxes, to provide agricultural landowners certain benefits, and to strengthen the identity of the agricultural community in which they are located.

Jefferson County has three consolidated agricultural districts. Farmed parcels in the Town of Alexandria are in the Agricultural District 2-north (LWRP Figure 9). There are no farmed parcels in the Village of Alexandria Bay. In the Waterfront Revitalization Area (WRA), farmed parcels are located south of the Village of Alexandria Bay to the west and east of State Route 12, east of the Village of Alexandria Bay between State Route 12 and Swan Hollow Road, and east of Route 12 opposite the north end of Goose Bay. According to the 2015 Draft Jefferson County Agriculture and Farmland Protection Plan, none of the farmed parcels in the Agricultural District in the Town of Alexandria are currently enrolled in the Agricultural Land Value Assessment Program, which offers reduced tax assessments for land that is actively farmed where the farmer has shown a commitment to continue agricultural production.

Jefferson County has recognized agriculture as an important industry by adopting a local law recognizing the right to farm. The purpose of the law is to help maintain and enhance the agricultural industry of the County, to permit the continuation of acceptable agricultural practices, to protect the existence and continued operation of farms, to encourage the initiation and expansion of agricultural businesses, and to promote new ways to resolve disputes concerning agricultural practices and farm operations. It accomplishes this by limiting the circumstances under which farming may be deemed to be a nuisance and to allow agricultural practices inherent to and necessary for the business of farming to proceed and be undertaken free of unreasonable and unwarranted interference or restriction. It also establishes a voluntary mediation program and includes notification of real estate buyers and neighbors through use of a disclosure notice.<sup>18</sup>

## **E. Infrastructure**

### **1. Public Utilities**

The entire Village of Alexandria Bay is served by public water and is connected to the municipal sanitary sewer system. The sanitary sewer system was installed approximately 60 years ago. Some of the lines are old, undersized and need replacing. On April 23, 2007, the Village of Alexandria Bay entered into a

---

<sup>18</sup> Draft Jefferson County Agriculture and Farmland Protection Plan, 2015 - <http://www.co.jefferson.ny.us/Modules/ShowDocument.aspx?documentid=12464>

NYSDEC Consent Order<sup>19</sup> No. R6-20070122-04, which required the Village to reduce inflow and infiltration to its sanitary sewer collection system. This Consent Order was lifted in August 2014. Alexandria Bay Department of Public Works typically replaces 500 to 700 feet of sanitary sewer line each year. Identified problem areas include the Catherine Avenue line which is undersized to provide transmission capacity from the Otter and Church Street pump stations to the Sewer Treatment Plant (STP) on Anthony Street. The village continues to work with local property owners to reduce storm water connections to the sewage system. The STP has a design capacity of 0.75 mg/day and provides secondary treatment. The village plans to improve the STP to provide tertiary treatment to avoid the significant cost of hauling the sludge to appropriate disposal facilities.

Much of the village water system was installed 80 years ago. Many lines are old and undersized and need replacing. Many water lines are located in the same trench as sewer lines. Although this practice is no longer followed, the cost of blasting new trenches through the underlying rock to replace the existing lines is substantial. The area south of NYS Route 12 suffers from low pressure. The village water system added a diatomaceous earth filtration system in the early 1990s to address turbidity problems associated with the St. Lawrence River water supply.

The town section of the LWRA, which receives public utility service, is limited to a small section of NYS Route 12, which will be serviced by a new STP and sanitary sewer. This STP could be expanded to accept additional sewage from the Town of Alexandria, whenever necessary.

There is also a private water system, supplied with water from the St. Lawrence River, serving portions of Wellesley Island. The system experiences pressure deficiencies and cannot accommodate additional users. Other waterfront properties have individual water supply intakes, which are connected to the St. Lawrence River as well as on-site sewage disposal systems. The NYS DEC and Save the River have documented water quality problems associated with on-site sewage disposal systems. The appropriate agencies and regional groups work closely to monitor these systems with the focus of maintaining the natural health of the river.

## **2. Vehicular and Pedestrian Circulation**

The regional vehicular circulation system includes three regional highways. Interstate 81 (I-81) is a limited-access divided highway providing north-south circulation from Canada to Watertown and Syracuse and points further south. NYS Route 12 and NYS Route 37 provide a northeast/southwest route along the St. Lawrence River in New York State from I-81 to Ogdensburg and Massena. NYS Route 12 and NYS Route 37 are generally two lane high-speed roads. Portions of NYS Route 12 from I-81 to the eastern boundary of the LWRA have shoulders that are seven to nine feet wide. The majority of NYS Route 12 that lies within the LWRA allows for vehicle speeds up to 55 MPH with a narrow shoulder. The four lane curbed section immediately south of Alexandria Bay has a sidewalk in place and a bicycle path with vehicle speed limits of 30 MPH. NYS Route 12 and NYS Route 37 are part of the Seaway Trail

---

<sup>19</sup> Administrative Order on Consent <http://www.dec.ny.gov/chemical/68028.html>

National Scenic Byway. Route 401 is a Canadian limited access divided highway providing northeast/southwest access along the St. Lawrence River in Ontario and Quebec provinces.

Local vehicular circulation along the waterfront is limited by the numerous dead-end public and/or private roads that serve many of the coastal waterfront properties outside the Village of Alexandria Bay. The main public access road on Wellesley Island is County Highway 100. Unfortunately, recent improvements to that road did not consider the inclusion of a wider-paved shoulder to facilitate bicycle or pedestrian travel, in accordance with the LWRP policies.

Church Street provides direct access from NYS Route 12 to the coastal area of the Village of Alexandria Bay. A few of the village streets end at the water's edge. These streets include Holland, Bethune, Market, and James streets. Both ends of James Street lead to public docks, the Upper James Street Dock on Otter Creek and the Lower James Street Dock. Due to the significant number of dead-end streets, pedestrian circulation often is the more efficient and convenient mode of transportation.



Pedestrians are accommodated throughout the village with safe accessible sidewalks along all of its streets. Most village streets have sidewalks along one or both sides although some of them are narrow and need to be repaired. Recent improvements were made to Bolton Avenue, including new curbs and sidewalks and Walton Street has been repaved. There are some minor impediments to pedestrian circulation at various locations throughout the village. These include utility poles, overhanging signs, sidewalk signs and parking meters, all of which can be moved to accommodate the pedestrian.

Streets and sidewalks, which are in disrepair, impact the pedestrian link between parking, businesses, and available waterfront access points. The distressed condition of these pedestrian links detracts substantially from the character and walkability of the village. Specifically, James Street, the main spine of the Village Business Center, which provides safe and aesthetically appealing pedestrian access. However, connections from James Street to side streets are distressed, causing tourists to pause before venturing off the main street. The pedestrian connection north from James Street to businesses and residences along Market and Fuller streets is seriously distressed, thus, discouraging tourist/visitors from venturing north to experience the Village's most spectacular waterscape. Currently, safe and inviting access to the waterfront is denied the pedestrian due to the lack of safe sidewalks in an environment that is visually inviting. Although pedestrian connections to the south of James Street are stronger, as they lead to the primary residential neighborhoods in the village, improvements should be made where possible.

### 3. Community Facilities

Community facilities in the village include the River Hospital on Fuller Street, the Alexandria Bay Public School, ice arena, Macsherry Library, and Village Hall on Walton Street. There is a municipal golf course and Town Hall on Walton Street. The Chamber of Commerce occupies the former Holland Library building on Market Street. The Village recently approved the establishment of large outdoor fish tank to

be located at the water's edge on lower James Street. This will be open for public viewing during the fishing season.

Parking has always been and continues to be a challenge in the village. The 1991 Village Master Plan inventoried 350 public parking spaces in the village commercial area and an additional 210 spaces at the ice arena. The Village Master Plan Survey also identified 503 private parking spaces associated with village businesses. Although the Village Master Plan is over two decades old, the parking ratio has remained relatively similar. Recently the village acquired a parcel for additional parking spaces. During special events and holidays, a shuttle could be provided from designated parking areas, such as at the village or town office, to the main intersection in the village. This kind of solution meets the temporary overflow in parking demand without creating extra "hardscape" for the community and is cost effective and manageable for the village. In addition to sufficient parking spaces, adequate and attractive wayfinding signage around the village would enhance the walkability of the village, thus making "park and walk" locations more attractive and user-friendly.

## F. Recreational, Cultural and Historic Resources

### 1. Public Access and Recreation

Due to the built environment, visual and physical access to the waterfront is limited in the village. Waterscape views are not readily experienced but once discovered, visitors are drawn to the water's edge to experience the full waterscape. Public access to the waterfront can be significantly improved with a "Riverwalk" from the business district to Scuba Park and west along the waterfront to Scenic View Park. This would allow a continuous experience for pedestrians from the Village Business District north along the waterfront. A continuous waterfront experience would enhance the waterfront from both the landside and waterside of the St. Lawrence River and would improve tourist options to enjoy the views and/or visit the businesses in the village.



Most of the public docks, boat launches, and recreational sites, such as the public beach, Scenic View Park and Scuba Park are very popular and regularly used during the summer season. LWRP [Figures 6B: Scenic, Cultural, and Historic Resources](#) and [LWRP Figures 8: Proposed Land and Water Uses and Projects](#) show local landmarks within the LWRA. The public scuba diving park has received increased attention since its inception and is a strong attraction for recreational tourism. It is anticipated that the new and improved public boat ramps will be welcomed and put to great use during the boating season. The town and village's recreational parks are well used, as are the many NYS parks within LWRA. As

previously mentioned, although parking is provided, on particularly busy holiday weekends, the convenient parking spaces are in constant demand.

Since the 1960s, the village has owned and managed the Alexandria Bay Municipal Golf Course located on Goose Bay Road. This recreational facility includes a nine-hole municipal golf course and four lighted tennis courts.

The village also owns 61 acres of undeveloped land in the Town of Alexandria adjacent to the golf course. The village's initial intention was to expand the golf course to include eighteen holes, however, over the years use of the golf course has declined while the need for outdoor recreational facilities has dramatically increased in both the village and town. The village and town vision of this property is to develop the site as an outdoor recreational facility. To this end the village and town have entered into an intermunicipal agreement to share the development, maintenance, and operation of the proposed recreation facilities. This site is well suited for community-centered recreational trails and athletic fields, as the property is located within walking, biking and driving distance for residents of both communities, is easily accessed, and has potential for connection with the waterfront at Carnegie Bay. There is a strong demand in the community for recreational trails and additional athletic fields. Existing municipal athletic fields are in constant use, which results in over-use of the fields and scheduling conflicts between user groups and current recreational trails are not conveniently located for this community. The new trail will create recreational opportunities for hiking, running, and cross-country skiing attracting outdoor enthusiasts both locally and regionally. The initial phase of developing a new recreational facility would include the design and construction of recreational trails, amenities, and improvements to the existing municipal parking area. Phase II would include the development of athletic fields, access roads, restroom facilities, and a secondary parking area either at this location or at other locations that will meet the expanding recreational needs of the town and village.

## 2. Archeological Resources

The New York State Historic Preservation Office (SHPO) has identified four archeological sensitive areas along the south side of the St. Lawrence River within the LWRA. Archeological sensitive areas<sup>20</sup>, as defined by SHPO, are "areas within the state where the discovery of archeological sites is predicted". Archeological resources are protected under the State and National Historic Preservation Acts and the Archeological Resources Protection Act.

Known resources are the shipwrecks found in the St. Lawrence River in Alexandria Bay listed in Table II-4. These shipwrecks provide residents and tourists with a recreational opportunity to experience the local cultural resources within the LWRA. Residents and tourists can freshwater dive to explore the numerous historic shipwrecks<sup>21</sup>. Although underwater access to the shipwrecks is allowed, disturbance of a shipwreck is illegal. Shipwrecks are protected under §233 of New York State Education Law, which states, that a permit must be obtained if a shipwreck is to be disturbed. The town and village should

---

<sup>20</sup> Cultural Resource Information System (CRIS) <http://nysparks.com/shpo/online-tools/default.aspx>

<sup>21</sup> NYS OPRHP Underwater Archeology <http://nysparks.com/shpo/archeology/>

coordinate with the NYSDOS and NYSOPRHP to incorporate local diving sites into the Underwater Blueway Trail to promote recreational diving and tourism.

**Table II-6: Dive Locations of Shipwrecks**

Dive #	Ship Name	Ship Type and/or Location
30	Catherine	Steamer off of Alex Bay, between Sunken Rock Shoal and Sunken Rock Island, Official number 137969
31	Roy A. Jodery	Steel Freighter off the Coast Guard Station in Alex Bay
32	Islander	Sidewheeler behind the Hospital in Alex Bay
33	Marisposa	Off Alex Bay
34	Klotowah	Steamer off Alex Bay
35	John Parsons	Off Alex Bay
36	Pioneer	Off Alex Bay
37	F.M. Lamb	Off Alex Bay
38	Damino	Off Alex Bay
39	Ringleader	Sidewheeler off Alex Bay
40	Barcelona	Steamer off Alex Bay
41	Roosevelt	Steamer burned to a total loss off Alex Bay. Likely to be 1 of 3 wrecks lying west of Molly's Gut Island near Brockville.
42	Sky Lark	Schooner at Alex Bay
43	City of Toledo	Propeller at Alex Bay
44	Powhattan	Brig at Alex Bay
45	Sara Potter	Off Alex Bay, Collision off Hart Island
46	Winona	Off Alex Bay
47	Say When	Yacht Off Alex Bay
237	Munson Warship	British Steamer burned in Alexandria Bay, June 22, 1899, 2 lives lost
292	Unknown	Off Alex Bay
293	Unknown	Off Alex Bay

Source: [http://www.dive1000islands.com/html/alex\\_bay.html](http://www.dive1000islands.com/html/alex_bay.html), June 10, 2008

### 3. Scenic, Cultural, and Historic Resources

The St. Lawrence Seaway Trail, a New York State recreational trail, traverses through this area. The Village of Alexandria Bay is one of the many quaint villages located along the St. Lawrence Seaway Trail, which is a 454-mile scenic route paralleling Lake Erie, the Niagara River, Lake Ontario, and the St. Lawrence River. Approximately 38 miles of the Trail travels through the Thousand Island landscape area, which stretches along NYS Route 12 between Kring Point State Park and Cape Vincent. Along the stretch of the Seaway Trail that runs through the LWRA, visitors experience a cultural landscape that includes diverse natural settings such as dense wooded areas, marshlands, active agriculture, and small waterways. This stretch of the Seaway Trail includes some spectacular scenic views of the St. Lawrence River. The Seaway Trail Corridor Inventory and Assessment Study describes the scenic quality of the trail as follows:



*As the Trail winds into Alexandria Bay, there are several panoramic views of the St. Lawrence River and a contained view of the entry to this tourist oriented community. There is also a significant view of the Thousand Island Bridge to Canada<sup>22</sup>.*

The Town of Alexandria and the Village of Alexandria Bay have been and continue to be tourist oriented, with an attraction to seasonal homeowners.

Unquestionably, the river has been and continues to be the main attraction with plenty of opportunities for

water-related recreational activities. Historically, the St. Lawrence River has been, and continues to be, a tourist attraction as well as a critically important international water corridor that connects the Atlantic Ocean to the Great Lake Ontario. Seafaring ships of various sizes and scale regularly pass along the shipping channel during the warm months. The juxtaposition of these oversized seafaring ships against the pedestrian scale of the local waterfront is a sight unto itself, which adds to the cultural attractions in the area.

The scenic quality of Alexandria and Alexandria Bay's waterfront is based on unique combinations of natural, cultural, and historic features: the St. Lawrence River; island and shoreline outcroppings; rugged geologic features; natural vegetation and wildlife habitats; and historically and culturally significant boathouses and other structures with characteristics associated with the Thousand Island region.

Many of these scenic views are value-added attributes experienced on a daily basis by local residents and have attracted tourists for many decades. Over the years, the local residents and the St. Lawrence-Eastern Ontario Commission identified certain views as being particularly significant. LWRP [Figures 6B](#) point out the location of the local scenic resources. The views within the LWRA that stand out the most are:

- Views overlooking the St. Lawrence River from Kring Point
- Views overlooking the St. Lawrence River from points along the Goose Bay shoreline southwest of the Town boat launch
- View from Cherry Island to Wellesley Island
- View from Edgewood across Otter Creek looking north east to the Village
- View from Heart Island/Boldt Castle looking northeast
- Views from Scenic View Park overlooking the St. Lawrence River

Additional scenic views are experienced from Point Vivian, the shoreline of Carnegie Bay and the mouth of Otter Creek, and from various points along the shoreline. The number of scenic views within the

---

<sup>22</sup> Seaway Trail Corridor Inventory and Assessment Study, Volume I - Visual Resource Inventory Report, published in October, 1997

LWRA is too numerous to list. The most significant of these scenic views are defined by the natural environment and enhanced by the man-made or cultural elements included in the view. For example, the view of Heart Island, which is enhanced by Boldt Castle (and the love story behind its existence), is a favorite scenic view. There are many cultural resources within the LWRA, some more significant than others, all of which contribute to the scenic quality of this area.

Another scenic, cultural and historic resource important to the character of Alexandria and Alexandria Bay are its boathouses; some of them are illustrated in LWRP [Figure 7 – Boat Houses](#). Cottages, camps, and homes along the water's edge commonly have some type of accessory boathouse. The uniqueness of each boathouse resides in the architectural features that are residential in character and scale, thus visually interesting from the waterside.

Common dominant architectural features of unique area boathouses include wood frames with pitched roofs, 1st and 2nd story windows, and clapboard siding and/or masonry facades. Some boathouses have multiple slips for two or more boats while others are designed for one boat. These boathouses are functional to the private owner, allowing for the storage of boats, add value to the scenic quality along the waterfront, including the islands, and are considered a traditional use in the area. With the exception of a few which are open to tourists, such as the Boldt Castle boathouse, they are all privately owned. These unique boathouses significantly contribute to the Thousand Island regional character and continue a cultural tradition that should be protected and celebrated as an asset to the Town of Alexandria and Village of Alexandria Bay. However, as waterfront development continues, increased proliferation of boathouses and their potential cumulative impacts can present a concern to waterfront management. There is considerable evidence that over water structures such as boathouses can adversely affect aquatic habitat through shading of aquatic submerged vegetation and fragmentation of habitats, alter patterns of water flow, introduce chemicals into the marine environment, impact navigation, and restrict access to public trust resources. Therefore, building permit applications for new boathouse construction should be reviewed individually in order to carefully consider the cumulative environmental impacts of proposed construction and the potential benefits to the applicant. The construction of boathouses above the Ordinary High Water (OHW) mark is strongly encouraged in order to minimize adverse impacts.

Existing boathouses currently along the Town and Village shoreline are primarily located in Otter Creek Bay, Carnegie Bay, Vivian Point, Swan Bay, and on private islands, as marked as historic resources on LWRP [Figures 6B](#) and depicted in [LWRP Figure 7](#). An inventory of existing boathouses within the town and village to identify their location and document their dominant architectural features and use would be very beneficial to the cultural heritage of the area. This inventory could also be used to designate historic boathouse districts where it would be more appropriate to allow for the construction of new boathouses and development of local design standards and guidelines to ensure new boathouse construction is compatible with community character and does not detract from scenic resources.

In order to build a new boathouse structure along the St. Lawrence River, an applicant must not only meet town or village regulations but must also apply for a Joint Protection of Waters Permit from the NYS Department of Environmental Conservation and the U.S. Army Corps of Engineers, submit a completed Federal Consistency Assessment Form to NYS Department of State with a copy of the Army

Corps permit application, and contact the NYS Office of General Services (OGS) to ascertain if the project will require an application for an easement, lease, or license of NYS underwater lands and the details of the OGS requirements. Dependent upon the specific project, other permits may also be required.

To streamline the permitting process, the Buffalo District of the U.S. Army Corps of Engineer (ACE) issued regional permit 79-000-3 which allows for permitting the construction and maintenance of boathouses in waters of the United States that are located within the State of New York and subject to regulation by the U.S. Army Engineer Buffalo District, provided that all general and special conditions set forth in the regional permit are fully complied with. For example, the regional permit stipulates that the maximum height of the boathouse does not exceed 16 feet as measured from the ordinary high water (OHW) mark to the top of the structure (Note: OGS requires a permit if the structure exceeds 15 feet); the surface area of the boathouse must not exceed 1,000 square feet, and the 1,000 square feet must include all associated walkways and attached docks; the boathouse must not contain more than two bays for docking; and access docks from the OHW to the boathouse must be less than 20 feet long by four feet wide. Proposed boathouses applications, which do not meet all the regional permit criteria, will need separate authorization by the Army Corps of Engineers.

In addition to the scenic and cultural resources, there are many important historic resources that add value to this area. One of the more immediate threats to these historic and cultural resources is deterioration. The Monticello Hotel located at the intersection of Market and Fuller Street is an example of an underutilized historic structure, which is in need of some restoration and adaptive reuse. An interesting and increasingly popular historic resource is the shipwreck, which is located on the bottom of the St. Lawrence riverbed just off of the mainland. Providing safe and reliable access to this shipwreck via Scuba Park increased awareness of this historic resource and has been an added value to the local economy.

There are five sites listed on the national register of historic places and an additional 41 historic structures. The 1991 Village Master Plan identified but did not map 32 buildings of historic significance in and around the Village. It is suggested that these structures of local important significance be mapped for future reference and where applicable, they could seek listing on the National Register of Historic Places. Table II-5 provides information on the five listed sites. Other identified historic buildings include Boldt Castle on Heart Island, four churches, the former Holland Library now occupied by the Chamber of Commerce, the former Chamber of Commerce, which is currently unoccupied, the former municipal police/fire building, three resorts dating from 1875 to 1917, a Masonic Temple, and many homes some of which are still private and some currently occupied by commercial uses. No formal survey has been completed regarding eligibility of such properties for state or national listing but many are likely eligible.

The location of the listed historic resources within the LWRA and unlisted sites are identified in LWRP [Figures 6B](#).

**Table II-7: Sites on National Historic Register**

Site	Date Built/Location	Description
<b>Boldt Castle Yacht House</b>	1900-1904, Wellesley Island	Built to hold George Boldt’s three yachts
<b>Cornwall Brothers Store</b>	1881, 2 Howell Place	Historic store now operated as historical society museum
<b>Densmore Methodist Church</b>	1890, CR-100	19th century church with round tower, arched openings, and a turret roof with shingles
<b>Ingleside</b>	1881, Cherry Island	Three story cottage, boathouse, and ancillary buildings owned by Rev. Rockwell.
<b>Longvue</b>	1920, Longvue Island	Artificial island built up around four shoals

Source: 1991 Village of Alexandria Master Plan

## G. Natural Resources

### 1. Flood Hazard Areas, Wetlands, Surface Water

The entire village-mainland waterfront is in a 100-year flood hazard area with flood elevations ranging from 248 to 249 to the south and west including the south side of Anthony Street and 250 to 252 north of Anthony Street. Portions of most village islands are 100-year flood hazard areas with elevations undetermined.

Most of the Town of Alexandria shoreline is a 100-year flood hazard area with flood elevations not determined. Most of the islands in the town outside the village are outside the 500-year flood hazard area. Many of the 100-year flood hazard areas extend inland to include stream corridors and wetland areas. The flood plain areas are identified on LWRP [Figures 6A](#). Both the town and village have regulations to minimize flood damage.

The waterfront area includes 1,565 acres of wetlands designated by the New York State Department of Environmental Conservation (DEC) as class 1 and class 2 wetlands. Table II.6 summarizes information on these regulated wetlands. There are also numerous smaller wetlands regulated by the Army Corps of Engineers, as shown in LWRP [Figures 6A](#).

The degree of wetland-related benefits depends upon many factors, including: vegetative cover, ecological associations, special features, hydrological and pollution control features, and distribution and location; all of which may vary considerably from wetland to wetland. Examples of possible wetlands supply benefits include: water storage and purification; shoreline stabilization; storm protection; sediment retention and erosion control; and maintenance of biodiversity.

**Table II-8: DEC Wetlands**

Wetland ID	Location	Size in Acres	DEC Classification	Located in Significant Habitat Area
R-1	Goose Bay Shoreline & Cranberry Creek	416	2	Part
R-2	Goose Bay-Island #9	27	2	Yes
R-3	Town Boat Launch	30	2	Yes
R-4	Crooked Creek	485	1	Yes
F-2	Northern Wellesley Island across from Hill Island	14	2	Yes
F-3	Thousand Island Club	129	2	No
F-4	Westminster	25	2	No
F-6	Village/LWRP Boundary east of Otter Creek	16	2	No
F-7	Barnett Road	145	2	Yes
F-8	Point Vivian	50	2	Part
F-13	Swan Bay	30	2	Yes
F-17	Swan Bay Tributary	38	2	No
CB-1	Goose Bay Shoreline @ Kring Point	160	1	Yes

Source: New York State Department of Environmental Conservation

Class 1 wetlands provide the most critical of the state's wetland benefits, reduction of which is acceptable only in the most unusual circumstances. A permit shall be issued only if it is determined that the proposed activity satisfies a compelling economic or social need that clearly and substantially outweighs the loss of or detriment to the benefit(s) of the Class 1 wetland.

Class 2 wetlands provide important wetland benefits, the loss of which is acceptable only in very limited circumstances. A permit shall be issued only if it is determined that the proposed activity satisfies a pressing economic or social need that clearly outweighs the loss of or detriment to the benefit(s) of the Class 2 wetland.

NYS DEC administers a Freshwater Wetlands permit program to preserve, protect and conserve freshwater wetlands and the benefits derived from them. Activities regulated by NYS DEC permit include:

- Filling, including filling for agricultural purposes
- Draining and altering water levels, except as part of an agricultural activity
- Removing or breaching beaver dams
- Clear-cutting trees and other wetland vegetation
- Grading, dredging, or mining
- Constructing roads
- Drilling a water well to serve an individual residence
- Installing docks, piers, or wharfs
- Constructing bulkheads, dikes, or dams

- Constructing a residence or related structures or facilities
- Constructing commercial or industrial facilities, public buildings, or related structures
- Installing utility services
- Applying pesticides

DEC conducts various programs aimed at measuring and reporting on the quality of waters<sup>23</sup> in New York State. DEC classifies the State’s 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. The policies of the approved Local Waterfront Revitalization Programs are factored into the review process.

The Water Classifications Program<sup>24</sup> determines the appropriate uses that are to be supported in each of the waterbodies in the state. These programs define the specific water quality goals for these waters that are to be attained. Class A waters are best used as a supply for drinking, culinary, food processing and all other uses. Such usage may require treatment to meet NYS drinking water standards. Class C waters are suitable for fishing and fish propagation; their water quality shall be suitable for primary and secondary contact recreation although other factors may limit use for such purpose, Class D waters are suitable for fishing but will not support fish propagation; their waters shall be suitable for primary and secondary contact recreation although other factors may limit use for such purpose.

The following summarizes DEC water quality classifications for water bodies flowing through the Local Waterfront Revitalization Area:

St. Lawrence River and All Bays	Class A
Swan Bay Tributaries	Class D
Crooked Creek	Class D
Cranberry Creek	
• western tributary	Class D
• main channel to Swan Hollow Road	Class C
Otter Creek	
• western Tributary	Class C
• main channel	Class D

Class A waters are intended to provide water quality suitable for drinking water supply with required filtration and disinfection. The St. Lawrence River is the water supply for the Village water system and many other shoreline residents.

---

<sup>23</sup> DEC Water Quality Information - <http://www.dec.ny.gov/chemical/8459.html>

<sup>24</sup> Part 701: Classifications-Surface Waters and Groundwaters - <http://www.dec.ny.gov/regs/4592.html#15994>

The entire St. Lawrence River is known to suffer from mercury contamination with resulting impairment of fish consumption. The river is also considered stressed for water supply and contact recreation based on possible nutrient and pathogen pollutants. These water quality problems are considered not resolvable based on technical and economic considerations. At the same time, invasive species such as Eurasian Watermilfoil have increased in frequency, potentially causing decreased biodiversity, reduced fish spawning areas and diminished fish growth.

Nevertheless, maintaining and protecting the water quality of the St. Lawrence River is essential to the local community and its tourism based economy. This requires monitoring the impacts of new development, enforcing sanitary regulations intended to reduce discharges from inadequate residential waste systems and from boat pump-outs.

## **2. Significant Coastal Fish and Wildlife Habitat Areas**

Many habitats that are vital to the survival of New York's coastal fish and wildlife resources exist along the State's coast. Coastal habitats provide living and feeding areas for animals, and are also economically important. To protect these resources from destruction due to growth and development, a policy aimed at protecting our most important coastal habitats was established in the New York State Waterfront Revitalization and Coastal Resources Act of 1981. The New York State Department of Environmental Conservation (DEC) evaluates the significance of coastal fish and wildlife habitat areas. Following a recommendation from DEC, the Department of State (DOS) designates and maps the Significant Coastal Fish and Wildlife Habitats (SCFWH)<sup>25</sup>. For each designated SCFWH site, a habitat map and narrative are created to provide site-specific information. The habitat narrative constitutes a record of the basis for the significant coastal fish and wildlife habitat's designation and provides specific information regarding the fish and wildlife resources that depend on this area. General information is also provided to assist in evaluating impacts of proposed activities on characteristics of the habitat which are essential to the habitat's values. The significance of certain habitats increases to the extent they could not be replaced if destroyed.

A habitat is significant if it serves one or more of the following functions:

- a) Is essential to the survival of a large portion of a particular fish or wildlife population;
- b) Supports populations of species, which are endangered, threatened or of special concern;
- c) Supports populations having significant commercial, recreational, or educational value; and
- d) Exemplifies a habitat type, which is not commonly found in the state or in a coastal region.

There are seven identified Significant Coastal Fish and Wildlife Habitat Areas within the LWRA, as listed in Table II.7, and illustrated in LWRP [Figures 6A](#). These areas are primarily privately owned and are mapped for special scrutiny of development activities to assure continuation of their habitat function. Each significant habitat is assigned a significance value based on the habitat's ecological rarity, species vulnerability, human use, population level, and replaceability. A summary description of each habitat is provided below.

---

<sup>25</sup> Significant Coastal Fish & Wildlife Habitats - <http://www.dos.ny.gov/opd/programs/consistency/scfwhabitats.html>

For each of the seven areas a detailed description for each habitat including Coastal Fish & Wildlife Habitat Rating Form; location and description of the habitat; fish and wildlife values; impact assessment; listing of knowledgeable contacts; and location map are included in Appendix B.

**Table II-9: Significant Coastal Fish and Wildlife Habitats**

State Designated Significant Coastal Habitat and Size	Significance Value and Description of Resource (t= threatened, sc = special concern)
<b>Goose Bay and Cranberry Creek (2,000 acres)</b>	152 Home to blanding turtle (t), northern harrier (t), least bittern (sc) and possibly spotted salamander (sc). Dabbling duck migration stop.
<b>Crooked Creek Marsh (1,250 acres)</b>	98 Nesting site for northern harrier (t) and least bittern (sc); feeding area for common term (t) and osprey (t). Dabbling duck migration stop. Spawning site for northern pike and pan fish. High use hunting, fishing and trapping area.
<b>Wellesley Island Pools (1,000 acres)</b>	84 Year round open pools in river channel used by wintering bald eagles (t).
<b>Lake of the Isles (1,000 acres)</b>	67 Possible breeding area for northern harrier (t), common loon (sc), least bittern (sc); feeding area for common tern (t). Spawning and nursery for many warm water fish species.
<b>Ironside Island (20 acres)</b>	49 Heron nesting area.
<b>St. Lawrence River Shoreline Bays: Swan Bay (140 acres) and Point Vivian Marsh (75 acres)</b>	38 Muskellunge spawning and nursery areas; home to blanding turtles (t).
<b>Chippewa Bay Tern Colonies</b>	27 Islands/channel light structures used for common tern (t) nesting.

Source: New York State Department of State.

### GOOSE BAY AND CRANBERRY CREEK

Goose Bay and Cranberry Creek are located along the middle St. Lawrence River, approximately three miles northeast of the Village of Alexandria Bay. The fish and wildlife habitat encompasses approximately 2,000 acres, including the open waters of Goose Bay, the lower one and one quarter miles of Cranberry Creek (up to Swan Hollow Road), and extensive wetland areas that are an integral part of these aquatic ecosystems. Goose Bay is a very large, shallow sheltered bay on the mainland shore of the St. Lawrence River and contains islands of various sizes that shelter much of the area from prevailing winds and wave action.

Cranberry Creek is a warm water stream, which empties into the south end of Goose Bay. The drainage area of the creek is small, and little flow is discernible during the summer. Above N.Y.S. Route 12, the creek flows through an emergent marsh (predominantly cattail) covering approximately 130 acres. Surrounding uplands are shallow to bedrock and predominantly forested. Cottage developments have

avoided most of the wetland sites and are concentrated only at the hamlet of Goose Bay. Habitat disturbances are generally limited to the presence of road crossings, use of motorboats in the area, sewage discharges from adjacent residences, and the occurrence of an oil spill in the vicinity in 1976.

Goose Bay and Cranberry Creek comprise one of the most important coastal freshwater wetland complexes in New York State. Goose Bay is the second largest bay along the New York shoreline of the St. Lawrence River, and the extensive wetlands around its periphery are among the most significant in the region. Goose Bay and Cranberry Creek remain in an unusual state of preservation, and have a high degree of interspersed wetland communities, productive littoral zones, and uplands. Consequently, this area supports large concentrations of many fish and wildlife species, and provides outstanding opportunities for human use of these resources.

Goose Bay and Cranberry Creek are a major concentration area for migratory birds and are extremely valuable as fish spawning and nursery habitats. These areas comprise one of the most productive fisheries habitats along the St. Lawrence River, especially for northern pike, brown bullhead, largemouth bass, white sucker, redbreast pickerel, and a variety of pinfish, such as pumpkinseed, rock bass, bluegill, and black crappie. The abundance and diversity of fish and wildlife species in Goose Bay and Cranberry Creek provide substantial opportunities for various human uses of the area. Access to the bay and wetlands for recreational uses is available from several locations as depicted in Appendix B, Page 8, including Kring Point State Park, the hamlet of Goose Bay, road crossings, and Cranberry Creek Wildlife Management Area (located along Swan Hollow Road). Recreational fishing attracts the greatest number of visitors to the area. Goose Bay is one of the most popular fishing areas in the Thousand Islands region, and thus is significantly important to the success of the tourism industry for the Village of Alexandria Bay and Town of Alexandria. Waterfowl hunting, trapping, and informal nature study attract a significant number of Jefferson County residents to the area, with considerable use above and below N.Y.S. Route 12. A more detailed narrative and maps of the area are included in Appendix B.

### **CROOKED CREEK MARSH**

Crooked Creek is a tributary of the mid St. Lawrence River, located in the Town of Alexandria and the Town of Hammond. The fish and wildlife habitat extends inland approximately five miles from the south end of Chippewa Bay, encompassing an approximate 1,250-acre streamside wetland and some adjacent uplands. Crooked Creek is a sizeable warm water stream, with a broad floodplain occupied by extensive emergent marsh communities (predominantly cattail).

All of Crooked Creek Marsh, including the mouth area at Chippewa Bay, is privately owned, and has been subject to minimal habitat disturbance. Upland areas bordering the marsh consist almost entirely of undeveloped forestland. Human influences on Crooked Creek Marsh are limited to the presence of two road crossings and some seasonal residences.

Crooked Creek Marsh can be distinguished as the least disturbed of four very large, undeveloped, streamside wetland ecosystems along the St. Lawrence River. This extensive marsh has a high degree of interspersed wetland vegetation, open water, and uplands, creating favorable conditions for many fish and wildlife species. Crooked Creek Marsh is a very productive nesting area for waterfowl and other marsh birds, including pied billed grebe, American bittern, least bittern (SC), mallard, American black

duck, blue winged teal, wood duck, gadwall, northern harrier (T), Virginia rail, sora, common gallinule, belted kingfisher, marsh wren, red winged blackbird, and swamp sparrow. Black tern (SC) have been observed in the area, but breeding has not been confirmed. Great blue heron, green backed heron, black crowned night heron, and common tern (T) often feed in the area during the breeding season. Osprey (T) have also been observed feeding here, but the extent of use by this species is not well documented. Crooked Creek Marsh is one of about ten principal areas on the St. Lawrence River that are used by concentrations of waterfowl (dabbling ducks, primarily) for feeding and resting during spring and fall migrations. Several hundred ducks have been observed in the marsh in some years. Records exist for Blanding's turtle (T) in the area, but there has been no recent confirmation of this species in Crooked Creek Marsh. Other wildlife species inhabiting the area include white-tailed deer, mink, raccoon, beaver, muskrat, various frogs, mudpuppy, northern water snake, snapping turtle, and painted turtle.

Crooked Creek is also considered one of the most productive fisheries habitats along the St. Lawrence River, especially for northern pike, brown bullhead, largemouth bass, white sucker, redfin pickerel, and a variety of pan fish, such as pumpkinseed, rock bass, and black crappie. The abundance and diversity of fish and wildlife species in Crooked Creek Marsh attracts anglers from throughout New York and Canada to the Thousand Islands region. Fisheries production in Crooked Creek Marsh also contributes significantly to the year round recreational fishing activity in Chippewa Bay. In addition, the marsh is a significant waterfowl hunting and muskrat trapping area for residents from Jefferson and St. Lawrence Counties. A more detailed narrative and maps of the area are included in Appendix B.

### **WELLESLEY ISLAND POOLS**

Wellesley Island Pools is located in the upper-St. Lawrence River narrows between the mainland and Wellesley Island, approximately two and one half miles southwest of the Village of Alexandria Bay, in the Towns of Orleans and Alexandria. This fish and wildlife habitat is an approximate 1000-acre area of the main river channel that remains partially open (i.e., ice free) throughout the winter. The pools are quite consistent in presence and extent during most winters. The St. Lawrence River is generally more than 20 feet deep and narrow at this location, resulting in strong currents and considerable turbulence.

The Wellesley Island Pools area consists of relatively large, open water pools during the winter ice in season. The presence of such open water areas is uncommon on the St. Lawrence, providing an unusual ecosystem type. During much of the year, fish and wildlife use of the area is not significantly different than elsewhere in the river. However, during the winter months (December-March), the pools attract major concentrations of migratory birds. Of particular significance is the presence of wintering bald eagles in the area. Apparently, fish concentrations are available near the river surface, and because this area rarely freezes, it provides a dependable prey base for these birds. Bald eagles have been reported in the area for several years. Wellesley Island provides some roosting sites for the eagles; however, specific roosting locations or trees are not well documented. Roosting habitat typically includes large mature trees, which are not particularly abundant in the area. Wellesley Island Pools also harbors substantial concentrations of water birds, waterfowl, and gulls during most winters. Waterfowl species include mergansers and common goldeneye with lesser numbers of mallard and American black duck. A more detailed narrative and maps of the area are included in Appendix B.

## **LAKE OF THE ISLES**

Lake of the Isles is located in the center of Wellesley Island, approximately three miles west of the Village of Alexandria Bay, in the Towns of Alexandria and Orleans. The fish and wildlife habitat is an approximate 1,300-acre embayment of the St. Lawrence River that is almost completely enclosed by Wellesley Island and Hill Island. The "lake" is somewhat isolated from river flows, having only two small connections to it, one on the northeast end and the other on the north side, which narrows to approximately 50 feet wide at its narrowest section.

Lake of the Isles is relatively shallow throughout (maximum depth is about 15 feet below mean low water), and contains extensive beds of submergent aquatic vegetation (e.g., wild celery, naiads, and pondweeds). More than a dozen small islands are scattered throughout the lake. Two large emergent wetland areas (and several smaller ones) are included in the habitat.

The land area surrounding Lake of the Isles is predominantly forested; however, habitat disturbances have been increasing since the 1960s, including development of seasonal camps and permanent residences around the shoreline, construction of roadways through Otter Point Marsh, and use of motorboats in the area. Barnett Marsh, on the other hand, remains in a near natural condition. DeWolf Point State Park (as depicted in Appendix B, Page 28) occupies a small part of the lake's north shore, but all other adjacent lands are privately owned.

Lake of the Isles is one of the largest coastal bay ecosystems on the St. Lawrence River. This area is somewhat unique in the region because of its limited connection to the St. Lawrence River, creating a highly sheltered and productive aquatic environment. Barnett Marsh remains in an unusual state of preservation, and along with other wetland areas around the bay, is an integral part of the habitat. Although human activities have resulted in some habitat disturbance, and major tributary streams are lacking, Lake of the Isles supports significant concentrations of many fish and wildlife species.

Lake of the Isles provides valuable habitats for a variety of migratory bird species. Lake of the Isles is one of about five principal water areas on the St. Lawrence River that are regularly used for feeding and resting by diving ducks during spring (March April) and fall (October November primarily) migrations, with several thousand birds reported in the area in some years. A diversity of non-avian wildlife species also occurs at Lake of the Isles. Lake of the Isles has outstanding habitat values for resident and river based fisheries resources. Many trophy size bass have been taken here (including the St. Lawrence River record), attracting fishermen from throughout the Thousand Islands region. Many anglers are also attracted to Lake of the Isles by its excellent year round fisheries for pike and various pan fish species. Access to the area for recreational fishing is available from De Wolf Point State Park and from private facilities on the bay and at nearby river locations. A more detailed narrative and maps of the area are included in Appendix B.

## **IRONSIDES ISLAND**

Ironside Island is located in the mid St. Lawrence River, approximately five miles northeast of the Village of Alexandria Bay, in the Town of Alexandria. The fish and wildlife habitat is an approximate 30 acre bedrock island ringed with steep cliffs up to 30 or 40 feet high. Vegetative cover is predominantly

mature hardwood white pine forest. No evidence has been found of significant human disturbance for over 100 years. The island is situated near several other relatively small islands, but is otherwise separated from land by nearly one half mile of open river channel. Ironside Island is owned and managed by the Nature Conservancy as a wildlife sanctuary.

Ironside Island is unique among all the islands that occur throughout the Great Lakes Plain ecological region. The island is an important habitat for great blue herons, serving as a nesting site for this species since at least the early 1960s. In 1984 and 1985, there were an estimated 600 pairs of great blue herons nesting on Ironside Island. In 1991, over 1000 pairs of these birds were documented nesting on the island. This is the only sizeable great blue heron rookery known on the St. Lawrence River, and is among the largest in New York State. The Ironside Island heron population probably accounts for many of the birds seen in marshes, bays, and creeks throughout the middle St. Lawrence River and Thousand Islands region. A critical feature of the habitat is its isolation from mammalian predators and human disturbance. A more detailed narrative and maps of the area are included in Appendix B.

### **ST. LAWRENCE RIVER SHORELINE BAYS**

The St. Lawrence River Shoreline Bays are located on the upper St. Lawrence River, between the Villages of Clayton and Alexandria Bay, in the Towns of Cape Vincent, Clayton, Orleans, and Alexandria. The fish and wildlife habitat consists of eight shallow bays along the River's mainland shoreline. From southwest (upriver) to northeast (downriver), these bays are: Peos Bay (20 acres); Millen Bay (35 acres); Rose Bay (30 Acres); Carrier Bay (160 acres); Grass Point Bay (190 acres); Cobb Shoal Bay, also known as Moore Landing Marsh (40 acres); Swan Bay (140 acres); and Point Vivian Marsh (75 acres). The latter four form an almost continuous three and one-half mile reach of productive littoral zone and wetland habitat. All of the bays are generally less than six feet deep (depending on River levels) and are somewhat sheltered from prevailing winds and wave action. Much of the land area surrounding the St. Lawrence River Shoreline Bays is privately owned, and has been developed into seasonal camps, permanent residences, and small craft harbor facilities (resulting in some habitat disturbance). Grass Point State Park in the Town of Orleans and Collins Landing Wildlife Management Area, partially in the Town of Alexandria, are exceptions to the predominance of private land ownership (see Appendix B, Page 42 for the locations of these state lands). These two public areas provide direct access for public use of the resources associated with the habitat.

The St. Lawrence River Shoreline Bays comprise a fairly extensive area of shallow riverine habitat. Relatively protected embayments supporting extensive beds are not common in Jefferson County. Although these areas have been subject to considerable human disturbance, they continue to be important fish spawning and nursery areas in the St. Lawrence River. All of the bays support productive populations of various warm water species, including northern pike, brown bullhead, largemouth bass, and various forage fish species. Of special significance, however, is the use of these areas by muskellunge. Studies conducted by NYSDEC and others, in the mid-1980's, revealed that all eight bays serve as spawning and nursery areas for muskellunge. The recreational fishery for this species attracts anglers from throughout New York State, as well as from adjoining states and provinces. A more detailed narrative and maps of the area are included in Appendix B.

## **CHIPPEWA BAY TERN COLONIES**

The Chippewa Bay Tern Colonies are located along the St. Lawrence Seaway navigation channel, extending from the Town of Alexandria downriver to the Town of Hammond. This fish and wildlife habitat consists of one small rocky island, one small island shoal and spit area, and three artificial structures supporting navigation lights, located where shoals occur in close proximity to the Seaway channel. The specific sites include Navigation Light 180, located just west of Ironside Island in the Town of Alexandria; Halfway Island Shoals, located approximately one-half mile west of the mouth of Crooked Creek and north of Halfway Island in the Town of Hammond; Light 165, just off Chippewa Point in the Town of Hammond; Light 156, located approximately one mile southwest of Oak Point in the Town of Hammond; and Whaleback Island, also one mile southwest of Oak Point and just east of Light 156, also in the Town of Hammond. The artificial structures are roughly 25 foot square platforms, constructed of concrete, rock, steel and steel piping, with varying amounts of soil, gravel, and vegetation on the surface. The height of the platforms are approximately 8 to 10 feet above the water. These St. Lawrence River navigation lights are owned and maintained by the St. Lawrence Seaway Development Corporation, along with many other river structures not included in the habitat.

The Chippewa Bay Tern Colonies consist of three channel structures, one small undisturbed, uninhabited island, and the shoals to the north of Halfway Island that do not represent an unusual ecosystem type in the St. Lawrence Plains eco-region. The navigation structures have become critical habitat for the regional breeding population of common terns. They have served as major nesting sites for this species since at least the mid 1970s. There were an estimated 124-172 common tern nests among the three navigation lights and two islands in 1990 and 1991, respectively. Population levels vary from year to year, but Light 156 has consistently had relatively large nesting concentrations of terns, with nest counts of 108 nests in 1990 and 141 nests in 1991. Halfway Island Shoals had a nest count of 19 in 1991 and Whaleback Island had a nest count of 10 in 1990. A critical feature of the navigation light structures in the Chippewa Bay Tern Colonies is their isolation from mammalian predators, fluctuating water levels, and human disturbance (with the exception of maintenance activities during the breeding season). The isolation that these navigation-light sites provide supports the highest hatching success rates in the world for this species with 87% of eggs laid resulting in hatched chicks. There are no significant fish or wildlife related human uses of the Chippewa Bay Tern Colonies. A more detailed narrative and maps of the area are included in Appendix B.

## **3. Soils and Topography**

The major soil associations in the area include the Kingsbury-Covington-Livingston, Carlisle-Palms-Willette, and Rhinebeck-Hudson-Rock outcrop associations. Table II.8 summarizes the properties of these associations. The soils common in the waterfront area pose moderate to severe limitations on development and septic tank absorption fields due to wetness and/or depth bedrock. These conditions require thorough on-site investigations prior to development.

**Table II-10 Soil Characteristics**

Soil Association	Drainage Characteristics	Depth to Bedrock	Depth to Water Table
<b>Kingsbury-Covington-Livingston</b>	Deep clayey soils, somewhat to very poorly drained	More than 5'	0.5 to 1.5'
<b>Carlisle-Palms-Willette</b>	Deep and moderately deep organic soils, very poorly drained	More than 5'	0.5 to 1'
<b>Rhinebeck-Hudson-Rock outcrop</b>	Deep loamy soils, moderately well drained to somewhat poorly drained	2 to 5'	0.5 to 6'

Source: Soil Survey Jefferson County, New York

Elevations within the LWRA range from 240 ft. to 380 ft. The area’s surficial geology has much exposed bedrock, which contributes to the area’s unique character. Coastal areas with steep slopes include portions of the Crooked and Cranberry Creek basins, Goose Bay, Edgewood Park, and shoreline areas along Keewaydin State Park, Scenic View Park, and many of the islands.

## H. Opportunities and Constraints

There are many exciting opportunities for growth and development in both waterfront communities. The opportunities for improvements on publicly and privately owned properties are many and achievable with dedication and commitment from the communities. Although there are some known constraints, the majority of them are directly related to the natural physical environment, long winter season, and the regional location of the communities and their proximity to larger population centers. The key issues and community goals identified during this process are summarized below. This is followed with a discussion of specific public and private opportunities for revitalization of the local waterfront.

### 1. Key Issues

The key issues identified are:

1. Protection and enhancement of the scenic beauty and cultural uniqueness in the area
2. Local need and preference for businesses to remain open all year.
3. Promotion and support for “smart growth” in the waterfront area.
4. The need to revitalize the underutilized buildings and sites along or near the waterfront and adjacent areas.
5. Invasive species such as Eurasian Watermilfoil.
6. Location and number of informational and directional signage, too many advertising signs.

### 2. Key Goals

During the many public informational meetings and working sessions, preferred community goals for future growth were identified and discussed. The key goals identified are.

1. Protect and improve scenic quality and visual access to the waterfront.
2. Expand and enhance (public) physical access to the waterfront and improve pedestrian and vehicular circulation.

3. Reduce the size of billboards allowed in the area.
4. Revitalize and redevelop abandoned, deteriorated and underutilized sites;
5. Address adverse water quality impacts of inadequate waste disposal systems.
6. Preserve significant coastal and wildlife habitats as valuable community assets.
7. Encourage economic growth that will support year-round businesses.

### **3. Publicly-owned-waterfront sites**

There are a few publicly owned sites that play a critical role in the success of the waterfront revitalization. Improvements to these sites will add value to the local quality of life as well as the quality of visit experienced by the seasonal tourist. The recommended improvements are set forth in Section IV herein. The public sites that have been identified as warranting some degree of improvement or enhancement are:

1. Scenic View Park and Casino Island
2. Scuba Park
3. River shoreline or waterfront edge between Scenic View Park and Cornwall Brothers Store Museum
4. Town Boat Launch at Dingman Point
5. NYS Scenic Rest Stop on NYS Route 12
6. Community Gateway along NYS Route 12

In order to improve access to the waterfront, and along the waterfront, the village and town should consider negotiating with private property owners for the purchase of desirable parcels or easements along waterfront properties. In particular, the village should consider acquiring privately owned lands, as they become available, which could provide public access to the waterfront and enhance or expand the proposed walk along the river.

Other opportunities for improvements exist along NYS Route 12, which serves as the community gateway. This area has not reached its fullest potential and should be developed as a community gateway. Future commercial and mixed-use development, which employs New Urbanism Principles with effective protection of the scenic views and cultural resources, would add to this corridor. The current presence of numerous billboards along this corridor detracts significantly from the character of the community (up to 30 billboards along NYS Route 12 from I-81 ramp to the intersection of NYS Routes 12 and 26). Visitors and tourists are distracted from the more significant views and positive attributes of the community. When traveling along NYS Route 12, the natural beauty of the area is lost to the billboards and other signage along the highway. An overall reduction in size and number of billboards would have a positive community-wide effect.

In addition to improving certain strategic sites, an opportunity resides with the village and town leaders to amend the local land use regulations and development standards. This key “publicly owned opportunity” is necessary to ensure that future physical improvements are in keeping with and complement the existing character. Additionally, the protection and/or preservation of important scenic views warrant some level of scenic resource analysis when assessing the potential impact of development proposals along the shoreline and on the various islands in the LWRA. The local land use

regulations could be amended to require an appropriate level of viewshed analysis when deemed necessary.

In addition to site-specific improvements along the village waterfront, there is a need to improve the awareness, accessibility, and attractiveness of public waterfront. This includes improvements to the physical pedestrian connection between the village business district and waterfront and a need for attractive signage and streetscape treatments that encourage visitors to explore and enjoy the village waterfront. Directional signage could be provided at primary land and water entrances. Enhancing the character of the village of Alexandria Bay includes improvements to public streetscapes, public and private parking areas, and private buildings and signs.

Such improvements should also incorporate interpretative information to expose visitors to sites and concepts of visual, historic, and ecological significance. Another economic development opportunity is the establishment of a land and/or water taxi service to facilitate circulation while easing traffic congestion.

#### **4. Privately-owned-waterfront sites**

The primary private sites that provide waterfront access are four resorts, 10 marinas, and a number of restaurants and motels with and without private docks. The River Hospital, which is located along the northern shoreline of the St. Lawrence River, has an opportunity to provide public waterfront access via a Riverwalk along the shoreline. A Riverwalk along the hospital's shoreline would not only benefit the general public (including visitors, seasonal tourists and local residents) but could also provide recreational waterfront access with low impact and restorative health benefits to the hospital's clients. This improvement could occur in conjunction with other public improvements to Scenic View Park and Scuba Park.

Another private/public improvement opportunity resides with the Thousand Island Land Trust (TILT), which owns property on Otter Creek. With the proper improvements, this site could provide access to Otter Creek for non-motorized personal watercraft, with interpretive signage/stations.

The privately owned sites that have been identified as critical to the revitalization efforts are:

1. The former Thompson Motel site
2. Monticello Hotel
3. The former Grand Hotel site
4. Harden site
5. Edgewood Park Resort
6. Gionet's site
7. Second Street Entrance to Bonnie Castle Resort
8. River Hospital
9. TILT Otter Creek property

## 5. Wellesley Island

Future opportunities for development exist on Wellesley Island. There are properties on Wellesley Island, which could be developed for water-enhanced residential uses or a combination of water-dependent and water-enhanced uses allowing some opportunities for public recreational access. Development on Wellesley Island is currently limited by the availability of water and sewer infrastructure.

Before the opportunities for waterfront revitalization in both the Village of Alexandria Bay and the Town of Alexandria are fully realized, some constraints should be addressed. The most observable constraint is the lack of informational/wayfinding signs coupled with an overabundance of advertisement signs and billboards. This particular constraint is not permanent, easily mitigated, and should be looked at as an opportunity for improvement to community character. Other constraints include parking shortages, deteriorated and underutilized structures within the LWRA, and public access to the waterfront. The potential for growth and development in this area is also constrained by the shortened business season, which closely follows the tourist season. Inadequately insulated commercial buildings and the lack of year-round employment opportunities directly influence the length of the business season. The many historic, cultural, and environmental resources coupled with local commitment are key to realizing opportunities for creating year-round employment in the area.

Specific revitalization efforts are described in Section IV of this LWRP. These projects are proposed with an eye toward addressing some of the critical issues while achieving one or more of the identified goals.

## Section III Waterfront Revitalization Policies

### Introduction

The policies and sub-policies presented in this section of the LWRP, collectively referred to as “policies”, consider the economic, environmental and cultural characteristics of a community's waterfront. The policies represent a balance between economic development and preservation that will permit beneficial use of and prevent adverse effects on coastal resources. They also represent the enforceable policies of the New York State Coastal Management Program for the waterfront area subject to this joint LWRP. The policies are comprehensive and reflect the communities’ concerns; and they will be enforced through use of State laws and authorities, and local laws and regulations. The policies are the basis for Federal and State consistency determinations for activities affecting the waterfront area. While the policies are enforceable as a matter of state and local law however, for reviews conducted under the federal Coastal Zone Management Act, the explanatory text for each policy is for explanatory purposes only. Definitions of terms used in the policies appear at the end of this section.

These policies are organized under eight headings: Development, Fish and Wildlife, Flooding and Erosion Hazards, Public Access, Recreation, Historic and Scenic Resources, Energy and Management, and Water and Air Resources.

### Development Policies

**POLICY 1 RESTORE, REVITALIZE, AND REDEVELOP DETERIORATED AND UNDERUTILIZED WATERFRONT AREAS FOR COMMERCIAL, INDUSTRIAL, CULTURAL, RECREATIONAL AND OTHER COMPATIBLE USES.**

**Policy 1A Foster a pattern of development in the waterfront area that enhances community character, preserves open space, makes efficient use of infrastructure, makes beneficial use of a waterfront location, and minimizes adverse effects of development.**

#### Explanation of Policies 1 and 1A

The actions proposed within the local waterfront revitalization area must further its revitalization. Of particular concern is the waterfront property along Scenic View Park and Casino Island and adjacent parcels. When any action is proposed in that area, or elsewhere within the LWRA, such action must be analyzed to determine if the action would contribute to or adversely affect waterfront revitalization efforts.

Revitalization of waterfront areas is one of the most effective means of encouraging local economic growth. Waterfront development is also one of the most effective means of rejuvenating, or at least

stabilizing, residential and commercial districts adjacent to the revitalization area. In the Village of Alexandria Bay, due to the lack of available land for new development, carefully planned redevelopment is the best means of encouraging economic growth. Encouraging redevelopment in areas where activity once existed, adaptive reuse of an existing underutilized building or filling in an empty lot with a new building would effectively contribute to revitalizing the waterfront



The town and village strive to provide financial support for the coordinated restoration, revitalization, and redevelopment of identified areas of deterioration and underutilization for commercial, cultural, recreational, and other compatible uses. The town and village will work diligently to secure funding through State and Federal grant programs and public/private partnerships to support implementation of the identified LWRP projects and when possible provide in-kind services to leverage grant funds.

While implementing this policy, several other policies must be considered: (1) to protect, maintain, and increase access to public water-related recreation facilities (Policies 9 & 19); (2) to provide access to the publicly owned foreshore (Policy 20); (3) to develop and maintain municipal facilities for recreational use and enjoyment of the St. Lawrence River (Policies 2, 19, 21 & 22); (4) to provide for water-related recreation as a multiple use of development (Policies 2, 4, 9, & 22); (5) to maintain and enhance historic resources (Policies 23, 24, & 25); (6) to facilitate the siting of water-dependent uses on or adjacent to coastal waters (Policies 2 & 4); and (7) to protect the integrity of natural systems (Policies 7, 8, 9, 12, 16, 17 & 25). In addition, consideration should be given to the need for parking inland of water-dependent uses (Policy 2).

1. When an action is proposed to take place in the waterfront area regarded as suitable for development or redevelopment, the following guidelines will be used:
  - a) Priority should be given to uses that are dependent on, or enhanced by, a location adjacent to the water.
  - b) The action should enhance existing and anticipated uses. For example:
    - 1) Development proposals should provide public parking and access to publicly owned waterfront properties;
    - 2) Historic structures should be renovated;
    - 3) Waterfront development should expand marina uses and accommodate public recreation as a multiple use.
  - c) The action should serve as a catalyst to private investment in the area;
  - d) The action should improve the deteriorated condition of a site and, at a minimum, must not cause further deterioration;
  - e) The action must lead to development that is compatible with the character of the area, with consideration given to scale, architectural style, density, and intensity of use;
  - f) The action should have the potential to improve the existing economic base of the community, and, at a minimum, must not jeopardize this base. For example, waterfront development meant

- to serve consumer needs would be inappropriate in an area where no increased consumer demands were expected and existing development was already meeting demand;
- g) The action should improve adjacent and upland views of the water, and, at a minimum, must not affect these views in an insensitive manner;
  - h) The action should have the potential to improve the potential for multiple uses of the site.
2. If an action is proposed to take place outside of a given deteriorated or underutilized waterfront area suitable for redevelopment, and is either within the relevant community or adjacent coastal communities, 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 such an action is feasible, 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.

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

**Policy 2A The construction or reconstruction of docks, boat houses, boat hoists, public facilities, and other shoreline structures shall be undertaken in a manner which will, to the maximum extent practicable, protect against or withstand the destructive forces of wave action and ice movement.**

**Policy 2B Where environmentally sound, cost-effective measures can be taken to minimize the wave action and ice movement itself, such measures shall be pursued in consultation with appropriate State and federal agencies, local marina and shoreline interests, and experts in the fields of marine engineering and construction.**

Explanation of Policy 2

There is a finite amount of waterfront space suitable for development purposes. Consequently while the demand for any given piece of property will fluctuate in response to varying economic and social conditions, on a statewide basis the only reasonable expectation is that long-term demand for waterfront space will intensify.

The traditional method of land allocation, i.e., the real estate market, with or without local land use control, offers little assurance that uses which require waterfront sites will, in fact, have access to the coastal waters. To ensure that such “water dependent” uses can continue to be accommodated within the town and village, all levels of government will avoid undertaking, funding, or approving non-water-dependent uses when such uses will preempt the reasonably foreseeable development of water-dependent uses; furthermore, all agencies will utilize appropriate existing programs to encourage water-dependent activities. A water-dependent use is an activity which can only be conducted on, in, over or adjacent to a water body because such activity requires direct access to that water body, and which involves, as an integral part of such activity, the use of the water. Water-dependent activities shall not be considered a private nuisance, provided such activities were commenced prior to the surrounding

activities and have not been determined to be the cause of conditions dangerous to life or health and any disturbance to enjoyment of land and water has not materially increased.

The following uses and facilities are considered to be water-dependent:

1. Uses that depend on the utilization of resources found in coastal water (for example: fishing, mining of sand and gravel, mariculture activities);
2. Recreational activities that depend on access to coastal waters (for example: swimming, snorkeling, scuba diving, free diving, fishing, boating, and wildlife viewing);
3. Uses involved in the sea/land transfer of goods (for example: commercial or public docks, loading areas, pipelines, short-term storage facilities);
4. Structures needed for navigational purposes (for example: locks, dams, lighthouses);
5. Flood and erosion protection structures (for example: breakwaters, bulkheads);
6. Facilities needed for in-water storage and service of boats and ships (for example: marinas, boat hoists/lifts, boat rail/track systems);
7. Uses requiring large quantities of water for processing and cooling purposes (for example: hydroelectric power plants, fish processing plants, pumped storage power plants);
8. Uses that rely heavily on the waterborne transportation of raw materials or products which are difficult to transport on land, thereby making it critical that a site near to shipping facilities be obtained (for example: coal export facilities, cement plants, quarries);
9. Uses which operate under such severe time constraints that proximity to shipping facilities become critical (for example: firms processing perishable foods);
10. Scientific/educational activities which, by their nature, require access to coastal waters (for example: certain meteorological and oceanographic activities); and
11. 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 use, 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, those uses which are enhanced by a waterfront location should be encouraged to locate along the upland adjacent to the waterfront, not on or over the water surface, and not at the expense of water-dependent uses. A water-enhanced use is defined as a use or activity which does not require a location adjacent to or over coastal waters, but whose location on land adjacent to the shore adds to the public use and enjoyment of the water's edge. Water-enhanced uses are primarily recreational, cultural, retail, or entertainment uses. A restaurant which uses good site design to take advantage of a waterfront view is an example of a water-enhanced use.

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 that involves an irreversible, or nearly irreversible, commitment of land.

Parking lots, passive recreational facilities, outdoor storage areas, and nonpermanent structures are uses or facilities which would likely be considered as "temporary" non-water-dependent uses.

In the actual choice of sites where water-dependent uses will be encouraged and facilitated, the following guidelines should be used:

1. Competition for space: Competition for space, or the potential for it, should be indicated before any given site is promoted for water-dependent uses. The intent is to match water-dependent uses with suitable locations and thereby reduce any conflicts between competing uses that might arise. Not just any site suitable for development should be chosen as a water-dependent use area. The choice of a site should be made with some meaningful impact on the real estate market anticipated. The anticipated impact could either be one of increased protection to existing water-dependent activities or else the encouragement of water-dependent development.
2. In-place facilities and services: Most water-dependent uses, if they are to function effectively, will require basic public facilities and services. In selecting appropriate areas for water-dependent uses, consideration should be given to the following factors:
  - i. The availability of public sewers, public water lines, and adequate power supply;
  - ii. Access to the area for trucks and rail, if heavy industry is to be accommodated; and
  - iii. Access to public transportation, if a high number of person trips are to be generated.
3. Access to navigational channels: If commercial shipping, commercial fishing, or recreational boating are planned, the locality should consider setting aside a site, within a sheltered harbor, from which access to adequately sized navigation channels would be assured.
4. Compatibility with adjacent uses and the protection of other coastal resources: Water-dependent uses should be located, so that 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 from odors, noise, and traffic. Water-dependent uses must also be sited so as to avoid adverse impacts on the significant coastal resources.
5. Preference to underutilized sites: The promotion of water-dependent uses should serve to foster development in those portions of the local waterfront area that are currently underutilized.
6. 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, the Town, 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.

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

1. Favored treatment to water-dependent use areas with respect to construction of public recreation facilities, such as boat launches and support facilities, such as parking lots.
2. When areas suitable for water-dependent uses are publicly owned, favored leasing arrangements should be given to water-dependent uses.

3. Where possible, consideration should be given to providing water-dependent uses with property tax abatements, loan guarantees, or loans at below market rates.
4. State and local planning and economic development agencies should actively promote water-dependent uses. In addition, a list of sites available for non-water-dependent uses should be maintained in order to assist developers seeking alternative sites for their proposed projects.
5. Local, State, and Federal agencies should work together to streamline permitting procedures that may be burdensome to water-dependent uses.
6. Local land use controls can be an effective tool of the Town and Village in assuring adequate space for the development of water-dependent uses.

#### Explanation of Policy 2A & 2B

Water-dependent uses such as commercial docks, boathouses, boat hoists and other structures should be constructed in a manner that protects against wave damage to waterfront property (Policies 11, 12, 13, 14, 15, 16 & 17). Residential docks and boathouses, as non-water dependent uses, should be constructed in a manner that is reasonable and necessary for the upland owner to exercise their riparian rights, as well as protecting against wave damage to waterfront property (Policies 11, 12, 13, 14, 16, & 17).

**POLICY 3      FURTHER DEVELOP THE STATE'S MAJOR PORTS OF ALBANY, BUFFALO, NEW YORK, OGDENSBURG, AND OSWEGO AS CENTERS OF COMMERCE AND INDUSTRY, AND ENCOURAGE THE SITING IN THESE PORT AREAS, INCLUDING THOSE UNDER THE JURISDICTION OF STATE PUBLIC AUTHORITIES, OF LAND USE AND DEVELOPMENT WHICH IS ESSENTIAL TO OR IN SUPPORT OF THE WATERBORNE TRANSPORTATION OF CARGO AND PEOPLE.**

#### Explanation of Policy 3

No such major ports are located in either the Town of Alexandria or the Village of Alexandria Bay. This policy does not apply to this LWRA.

**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 4

This policy recognizes that there is direct correlation between the traditional activities occurring in and around the Village and Town's waterfronts and the economic strength and attractiveness of the harbor community. Thus, efforts of local and State agencies shall center on promoting such desirable activities

as recreational boating and fishing, marinas, preservation of historic cottages and other historic sites, and other compatible activities that have made the Village and Town appealing as a tourist and resort destination that co-exists with the local commercial and residential areas. For example, use of the seawall in front of the Hospital for docking tourism boats such as the tall pirate ships or sailboats for tourist's enjoyment. Particular consideration will be given to the visual appeal of, and public access to, the waterfront area that, in turn, can make significant contributions to the local tourism industry.

The following guidelines shall be used in determining consistency:

1. The action shall give priority to those traditional and/or desired uses that are dependent on or enhanced by a location adjacent to the water, such as marinas, other boating facilities, pedestrian facilities, and commercial boat tours.
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 that 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 commercial tourism and fishing.
6. The action will not detract from views of the water and smaller harbor area, particularly where the visual quality of the area is an important component of the area's appeal and identity.
7. In applying the above guidelines the information in harbor management plans being developed by local governments pursuant to Article 42 of the Executive Law and local laws that would implement them shall be considered.

**POLICY 5            ENCOURAGE THE LOCATION OF DEVELOPMENT IN AREAS WHERE PUBLIC SERVICES AND FACILITIES ESSENTIAL TO SUCH DEVELOPMENT ARE ADEQUATE.**

**Policy 5A            Improve the sewer system within the waterfront area of the Town of Alexandria and Village of Alexandria Bay.**

Explanation of Policy 5

By its construction, taxing, funding and regulatory powers, government has become a dominant force in shaping the course of development. Through these government actions, development, particularly large-scale development, in the coastal area will be encouraged to locate within, contiguous to, 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.

The above policy is intended to accomplish the following:

1. Strengthen existing residential, industrial, and commercial centers.
2. Foster an orderly pattern of growth where outward expansion is occurring.
3. Increase the productivity of existing public services and moderate the need to provide new public services in outlying areas.
4. Preserve open space in sufficient amounts; and where desirable.
5. Foster energy conservation by encouraging proximity between home, work, and leisure activities.

The possible relocation of healthcare and emergency services from waterfront sites and sites that can enhance the village commercial core is consistent with this policy. New locations are expected to have access to public utilities and to provide convenient access to the public. Such relocations should avoid creation of vacant and/or deteriorating sites in the waterfront area.

For any action that would result in development or an action, which would facilitate or serve future development, determination shall be made as to whether the action is within, contiguous to, or in close proximity to an area of concentrated development where infrastructure and public services are adequate. The following guidelines shall be used in making that determination:

1. Cities, built-up suburban towns and villages, and rural villages in the coastal area are generally areas of concentrated development where infrastructure and public services are adequate.
2. Other locations in the coastal area may also be suitable for development, if three or more of the following conditions prevail:
  - a) Population density of the area surrounding or adjacent to the proposed site exceeds 1,000 persons per square mile;
  - b) Fewer than 50% of the buildable sites (i.e., sites meeting lot area requirements under existing local zoning regulations) within one mile radius of the proposed are vacant;
  - c) Proposed site is served by or is near to public or private sewer and water lines;
  - d) Public transportation service is available within one mile of the proposed site; and
  - e) A significant amount of commercial and/or industrial activity is within one-half mile of the proposed site.

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

1. Streets and highways serving the proposed site can safely accommodate the peak traffic generated by the proposed land development;
2. Development's water needs (consumptive and firefighting) can be met by the existing water supply system;
3. Sewage disposal system can accommodate the wastes generated by the development;
4. Energy needs of the proposed land development can be accommodated by existing utility systems;

5. Storm water runoff from the proposed site can be accommodated by on-site and/or off-site facilities; and
6. 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, quarries.
2. Development, which by its nature is enhanced by a non-urbanized setting, e.g., a resort complex, campgrounds, second home developments.
3. Development, which is designed to be a self-contained activity, e.g., a small college, an academic 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 that because of public safety considerations 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.

In certain urban areas where development is encouraged by this policy, the condition of existing public water and sewage infrastructure may necessitate improvements. Those State and Federal agencies charged with allocating funds for investments in water and sewer facilities should give high priority to the needs of such urban areas so that full advantage may be taken of the rich array of their other infrastructure components in promoting waterfront revitalization.

#### Explanation of Policy 5A

The condition of existing public water and sewage facilities, the need for expanded parking facilities in the village, and the problems caused by inadequate sewage disposal systems in the town necessitate improvements in these facilities. Village water supply mains are too small to deliver the volume of water needed by larger users. The Village sewer system needs pipe replacements to address capacity and infiltration problems. The treatment plant needs upgrading to provide tertiary treatment. Sewage disposal in the town consists mainly of private septic systems that are inadequate and pose a threat to

water quality. A small area, of the western portion of the town is served by the newly constructed Orleans Alexandria Waste Water Treatment Plant and Water Supply System. The State and Federal agencies charged with allocating funds for investments in water and sewer facilities should give high priority to the rehabilitation of the village water/wastewater systems and to the development of adequate sewage disposal systems for uses in the town. This may include extensions of sewers and expanded treatment capacity as well as expanded municipal involvement in the operation and maintenance of individual or community on-site disposal systems.

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

Explanation of Policy 6

For specific types of development, activities, and in areas suitable for such development, the Town of Alexandria, the Village of Alexandria Bay, 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 regulations' objectives is not jeopardized. These procedures and programs will be coordinated within each agency. Also, efforts will be made to ensure that each agency's procedures and programs are synchronized with other agencies' procedures at each level of government. Finally, regulatory programs and procedures will be coordinated and synchronized between levels of government, and if necessary, legislative and/or programmatic changes will be recommended.

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

## **Fish and Wildlife Policies**

**POLICY 7      SIGNIFICANT COASTAL FISH AND WILDLIFE HABITATS, AS IDENTIFIED ON THE COASTAL AREA MAP, SHALL BE PROTECTED, PRESERVED, AND, WHERE PRACTICAL, RESTORED SO AS TO MAINTAIN THEIR VIABILITY AS HABITATS.**

**Policy 7A      Ironside Island is a significant coastal fish and wildlife habitat and shall be protected, preserved, and, where practical, restored so as to maintain its viability as a habitat.**

**Policy 7B      Crooked Creek Marsh is a significant coastal fish and wildlife habitat and shall be protected preserved, and where practical, restored so as to maintain its viability as a habitat.**

**Policy 7C      Goose Bay and Cranberry Creek constitute a significant coastal fish and wildlife habitat and shall be protected, preserved and, where practical, restored so as to maintain its viability as a habitat.**

- Policy 7D**      **Lake of the Isles is a significant coastal fish and wildlife habitat and shall be protected, preserved and, where practical, restored so as to maintain its viability as a habitat.**
- Policy 7E**      **St. Lawrence River Shoreline Bays are significant coastal fish and wildlife habitat and shall be protected, preserved and, where practical, restored so as to maintain its viability as a habitat.**
- Policy 7F**      **Wellesley Island Pools are a significant coastal fish and wildlife habitat and shall be protected, preserved and, where practical, restored so as to maintain its viability as a habitat.**
- Policy 7G**      **Chippewa Bay Tern Colonies are a significant coastal fish and wildlife habitat and shall be protected, preserved and, where practical, restored so as to maintain its viability as a habitat.**

#### Explanation of Policy 7

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 special protection. Such habitats exhibit one or more of the following characteristics:

- a) Are essential to the survival of a large portion of a particular fish or wildlife population (e.g. feeding grounds, nursery areas);
- b) Support populations of rare and endangered species;
- c) Are found at a very low frequency within a coastal region;
- d) Support fish and wildlife populations having significant commercial and/or recreational value; and
- e) Would be difficult or impossible to replace.

In order to protect and preserve a significant habitat, land and water uses or development shall not be undertaken if such actions destroy or significantly impair the viability of an area as a habitat. When the action significantly reduces a vital resource (e.g., food, shelter, living space) or changes environmental conditions (e.g., temperature, substrate, salinity) beyond the tolerance range of an organism, then the action would be considered to "significantly impair" the habitat. Indicators of a significantly impaired habitat may include: reduced carrying capacity, changes in community structure (food chain relationships, species diversity), reduced productivity and/or increased incidence of disease and mortality.

The range of generic activities most likely to affect significant coastal fish and wildlife habitats include, but are not limited to the following:

1. Draining wetlands, ponds: Cause changes in vegetation, or changes in groundwater and surface water hydrology.
2. Filling wetlands, shallow areas of streams, lakes, bays, estuaries: May change physical character of substrate (e.g., sandy to muddy, or smother vegetation, alter surface water hydrology).

3. Grading land: Results in vegetation removal, increased surface runoff, or increased soil erosion and downstream sedimentation.
4. Clear cutting: May cause loss of vegetative cover, increase fluctuations in amount of surface runoff, or increase streambed scouring, soil erosion, sediment deposition.
5. 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.
6. Dredge spoil disposal: May include shoaling of littoral areas, or change circulation patterns.
7. Physical alteration of shore areas through channelization or construction of shore structure: May change volume and rate of flow or increase scouring, sedimentation.
8. 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.

The range of physical, biological and chemical parameters which should be considered include, but are not limited to, the following:

1. Physical parameters, such as living space, circulation, flushing rates, tidal amplitude, turbidity, water temperature, depth (including loss of littoral zone), morphology, substrate type, vegetation, structure, erosion and sedimentation rates;
2. Biological parameters, such as community structure, food chain relationships, species diversity, predator/prey relationships, population size, mortality rates, reproductive rates, behavioral patterns and migratory patterns; and
3. Chemical parameters, such as dissolved oxygen, carbon dioxide, acidity, dissolved solids, nutrients, organics, salinity, and pollutants (heavy metals, toxic and hazardous materials).

When a proposed action is likely to alter any of the biological, physical or chemical parameters as described in the narrative beyond the tolerance range of the organisms occupying the habitat, the viability of that habitat has been significantly impaired or destroyed. Such action, therefore, would be inconsistent with the above policy.

In cooperation with the State's Coastal Management Program, the Department of Environmental Conservation has developed a rating system incorporating these five parameters<sup>26</sup>.

---

<sup>26</sup> The Development and Evaluation of a System for Rating Fish and Wildlife Habitats in the Coastal Zone of New York State, Final Report, January 1981, [http://www.dos.ny.gov/opd/programs/pdfs/NY\\_CMP.pdf](http://www.dos.ny.gov/opd/programs/pdfs/NY_CMP.pdf)

To further aid Federal and State agencies in determining the consistency of a proposed action with this policy, a narrative will be prepared for each significant habitat which will: (1) identify the location of the habitat; (2) describe the community of organisms which utilize the habitat; (3) identify the biological, physical and chemical parameters which should be considered when assessing the potential impacts of a project on that habitat; (4) identify generic activities which would most likely create significant impacts on the habitat; and (5) provide the quantitative basis used to rate the habitat. Prior to formal designation of significant fish and wildlife habitats, copies of the individual habitat narratives plus copies of habitat maps and completed rating forms will be provided to Federal and State agencies and the public for the review and comment.

The Department of State periodically reviews and updates designated NYS Significant Coastal Fish and Wildlife Habitat Areas<sup>27</sup>, which may include revising existing designated area, designating new areas, or omitting designated areas. Any updates to the NYS Significant Coastal Fish and Wildlife Habitat Areas, subsequent to the approval of this LWRP, should be taken into consideration in determining the consistency of a proposed action with this policy.

#### Explanation of Policy 7A

Any activity that would disturb Ironside Island during the heron-nesting period (from April to August) could adversely affect the potential for reestablishment of a nesting population of great blue herons. Human activity on the island should be minimized during this period. Permanent posting of the area has been provided to help protect the nesting birds, and visitors to the island should obtain written permission from The Nature Conservancy. Introduction or attraction of mammalian predators to Ironside Island, including pet animals, could also be detrimental to the heron population. Removal of the island's upland forest habitat through cutting or wildfire would have a significant impact on heron populations in the Thousand Islands region of New York. However, habitat management activities, such as manipulation of vegetative cover, may be desirable or necessary in the future to ensure the survival of the great blue heron population at Ironside Island. Disturbance or elimination of preferred wetland feeding areas (possibly distant, but poorly documented) may also affect birds nesting at Ironside Island.

#### Explanation of Policy 7B

Any activity that would substantially degrade water quality, increase turbidity or sedimentation, reduce water levels, alter flows, or increase water level fluctuations in Crooked Creek Marsh could adversely affect a variety of fish and wildlife species. Discharges of sewage or stormwater runoff containing sediments or chemical pollutants (including fertilizers, herbicides, or insecticides) may result in adverse impacts on fish and wildlife resources of the area. Spills of oil or other hazardous substances are a potentially serious threat to fish and wildlife in Crooked Creek Marsh, and every effort should be made to prevent such contamination. Elimination of wetland habitats, or significant human encroachment into the area, through dredging, filling, construction of roads, or motorboat access development, could

---

<sup>27</sup> NYS Significant Coastal Fish & Wildlife Habitats  
<http://www.dos.ny.gov/opd/programs/consistency/scfwhabitats.html>

severely reduce its value to fish and wildlife. Channelization would reduce stream channel diversity, and result in a direct loss of valuable habitat area. However, habitat management activities may be designed to maintain or enhance populations of certain fish or wildlife species.

Any significant disturbance of Crooked Creek would be especially detrimental during fish spawning and nursery periods (from March to July for most warm water species) and wildlife breeding seasons (from April to July for most species). Barriers to fish migration in the creek, whether physical or chemical, could have significant impacts on fish populations within the marsh and in Chippewa Bay. Existing areas of natural vegetation bordering Crooked Creek Marsh should be maintained for their value as cover for wildlife and as buffer zones from human disturbance. Development of additional public access may be desirable to increase compatible human uses of the marsh, but should be designed to minimize disturbance of sensitive fish and wildlife species that occur in the area.

#### Explanation of Policy 7C

Any activity that would substantially degrade water quality, increase turbidity or sedimentation, reduce water levels, alter flows, or increase water level fluctuations in Goose Bay or Cranberry Creek could adversely affect the biological productivity of this unique area. Discharges of sewage or stormwater runoff containing sediments or chemical pollutants (including fertilizers, herbicides, or insecticides) may result in significant impacts on fish and wildlife resources of the area. Spills of oil or other hazardous substances are a potentially serious threat to fish and wildlife in Goose Bay and Cranberry Creek, and every effort should be made to prevent such contamination. Elimination or disturbance of wetland habitats, including submergent aquatic vegetation, through dredging, filling, construction of roads, or shoreline property development, would result in a direct loss of valuable habitat area. Activities that would subdivide or cause significant human encroachment into sizable wetland areas should not be allowed. Development of motorboat access to the area should be confined to existing sites to minimize potential disturbance of fish and wildlife species that may be adversely affected by human activities. Habitat disturbances would be especially detrimental during fish spawning and nursery periods (from March to July for most warm water species) and wildlife breeding seasons (from April to July for most species). However, habitat management activities, such as Eurasian Watermilfoil control, water level management or creation of turtle nesting areas, may be designed to maintain or enhance populations of certain fish or wildlife species. Barriers to fish migration in Cranberry Creek, whether physical or chemical, should have significant effects on fish populations throughout the Goose Bay area. Existing areas of natural vegetation bordering Goose Bay and Cranberry Creek should be maintained for their value as cover for wildlife, perch sites, and buffer zones.

#### Explanation of Policy 7D

Any activity that would substantially degrade water quality in Lake of the Isles could affect the biological productivity of this area. All species of fish and wildlife may be adversely affected by water pollution, such as oil spills, excessive turbidity or sedimentation, waste disposal, and discharges of sewage or stormwater runoff containing chemical pollutants (including fertilizers, herbicides, or insecticides). Spills of oil or other hazardous substances are an especially significant threat to waterfowl concentrations in this area. Efforts should be made to maintain high water quality throughout the bay, including control of

sewage discharges from recreational boats and upland sources. Disturbances of littoral areas or wetland vegetation, through dredging, filling, bulkheading, or other shoreline activities (including development of motorboat access facilities), could adversely affect fish and wildlife through direct loss of habitat or increased human disturbance during fish spawning and nursery periods (from April to July for most warm water species) and wildlife breeding seasons (from April to July for most species). Significant boat traffic within the area during fall may also inhibit use of the area by migrant waterfowl. Common loons may nest on small islands in Lake of the Isles, and if so, human activity (e.g., motorboat traffic, fishing) around occupied sites should be minimized during the nesting season. However, development of additional public access to the area may be desirable to ensure that adequate opportunities are available for compatible human uses of the fish and wildlife resources. Such development should be confined to existing access sites to minimize potential disturbance of sensitive fish and wildlife species. Activities that would subdivide or cause significant human encroachment into sizable wetland areas should be restricted. Substantial alteration or fluctuation of water levels in the St. Lawrence River could also affect fish and wildlife use of Lake of the Isles. Natural freshwater flows into and out of the bay should be maintained. Barriers to fish migrations between Lake of the Isles and the St. Lawrence River could have significant impacts on fish populations in the area. Existing areas of natural vegetation bordering the bay should be maintained for their value as cover, perch sites, and buffer zones from human disturbance.

#### Explanation of Policy 7E

Any activity that would substantially degrade water quality, increase turbidity or sedimentation, reduce water levels, or increase water level fluctuations in the St. Lawrence River Shoreline Bays could adversely affect fish and wildlife use of these areas. Discharges of sewage or stormwater runoff containing sediments or chemical pollutants (including fertilizers, herbicides, or insecticides) into any of the bays may result in adverse impacts on fish and wildlife resources. Spills of oil or other hazardous substances are a potentially serious threat to fish populations in the Shoreline Bays area, and every effort should be made to prevent such contamination. Significant human disturbance of the area, through dredging, filling, construction of roads, waste disposal, or unlimited motorboat access development could severely reduce its value as a spawning and nursery habitat. Such disturbances would be especially detrimental during fish spawning and nursery periods (from March to July for most warm water species). Existing areas of natural vegetation bordering the St. Lawrence River Shoreline Bays should be maintained for their value as cover for wildlife, perch sites, and buffer zones.

#### Explanation of Policy 7F

Any activity that would substantially degrade water quality, alter river flows or ice formation or increase human disturbance during winter months (from December through March) at Wellesley Island Pools could adversely affect fish and wildlife use of this area. Winter navigation use of the St. Lawrence Seaway could be an especially serious threat to the area, as a result of flow diversion, shipping traffic, and increased risk of oil spills or other hazardous substances. Hydroelectric water level management for formation of stable pack ice may benefit this area by enhancing open water. Alteration of water level management should consider impacts on open water formation. Major physical alteration of the river channel could enhance ice formation and impact critical wildlife feeding areas. Removal of large mature

trees would further reduce available roosting habitat which is already limited near the river. Introduction of toxic chemicals from upstream sources may also affect bird populations using these pools. Thermal discharges, depending on time of year, may have variable effects on use of the areas by aquatic species and migratory birds.

#### Explanation of Policy 7G

Bird species nesting in colonies on artificial structures and islands in the St. Lawrence River are highly vulnerable to disturbance from mid-April through July. Significant human activities (e.g. boat-landing, fishing or maintenance) on or around occupied sites could eliminate tern colonies. Annual or permanent post of nesting sites should be provided to help protect nesting birds. Further cooperation with the St. Lawrence Seaway Development Corporation may be necessary to ensure survival of common tern populations in the St. Lawrence River.

### **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 SUB-LETHAL OR LETHAL EFFECT ON THOSE RESOURCES.**

#### Explanation of Policy 8

Hazardous wastes are unwanted by-products of manufacturing processes and are generally characterized as being flammable, corrosive, reactive, or toxic. More specifically, waste is defined in Environmental Conservation Law [Section 27-0901 (3)], [27-0903] and [37-0103]<sup>28</sup> 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, or otherwise managed." A list of hundreds of ignitable, corrosive, reactive, toxicity characteristic, acute hazardous, and toxic wastes has been adopted by DEC (6 NYCRR Part 371)<sup>29</sup>. The handling (storage, transport, treatment and disposal) of the materials included on this list is being strictly regulated in New York State to prevent their entry or introduction into the environment, particularly into the State's air, land, and waters. 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 States laws.

---

<sup>28</sup>The definitions for hazardous wastes are available at: <http://public.leginfo.state.ny.us/lawssrch.cgi?NVLWO:>

<sup>29</sup>The list of hazardous wastes as updated or revised is available at: <http://www.dec.ny.gov/regs/2491.html>

**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 THAT ENSURES THE PROTECTION OF RENEWABLE FISH AND WILDLIFE RESOURCES AND CONSIDERS OTHER ACTIVITIES DEPENDENT ON THEM.**

Explanation of Policy 9

Recreational uses of coastal fish and wildlife resources include consumptive uses such as fishing and hunting, and non-consumptive 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 in marine and freshwater coastal areas and which takes into consideration other activities dependent on these resources. Also, such efforts must be done in accordance with existing State law and in keeping with sound resource management considerations. Such 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 action with the above 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 Town of Alexandria/Village of Alexandria Bay waterfront area.
2. Efforts to increase access to recreational fish and wildlife resources should not lead to over utilization 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 habitat area.
3. The impacts of increasing access to recreational fish and wildlife resources should be determined on a case-by-case basis, consulting 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-hunting or fee-fishing facilities) must be done in accord with existing State law.

**POLICY 10      FURTHER DEVELOP COMMERCIAL FINFISH, SHELLFISH, AND CRUSTACEAN RESOURCES IN THE COASTAL AREA BY: (I) ENCOURAGING THE CONSTRUCTION OF NEW, OR IMPROVEMENT OF EXISTING, ON -SHORE COMMERCIAL FISHING FACILITIES; (II) INCREASING MARKETING OF THE STATE'S SEAFOOD PRODUCTS AND (III) MAINTAINING ADEQUATE STOCKS AND EXPANDING AQUACULTURE FACILITIES. SUCH EFFORTS SHALL BE IN A MANNER THAT ENSURES THE PROTECTION OF SUCH**

**RENEWABLE FISH RESOURCES AND CONSIDERS OTHER ACTIVITIES DEPENDENT ON THEM.**

There are no commercial fishing operations in the Town of Alexandria and Village of Alexandria Bay waterfront area. This policy does not apply.

## **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 11

On coastal lands identified as coastal erosion hazard areas, buildings and similar structures shall be set back from the shoreline a distance sufficient to minimize damage from erosion unless no reasonable prudent alternative site is available as in the case of piers, docks and other structures necessary to gain access to coastal waters to be able to function. The extent of the setback will be calculated, taking into account the rate at which land is receding due to erosion and the protection provided by existing erosion protection structures, as well as by natural protective features such as beaches, sandbars, spits, shoals, barrier islands, bay barriers, nearshore areas, bluffs and wetlands. The only new structure allowed in coastal erosion hazard areas is a moveable structure as defined in 6NYCRR Part 505.2(x). Prior to its construction, an erosion hazard areas permit must be approved for the structure. Existing, non-conforming structures located in coastal erosion hazard areas may be only minimally enlarged.

In coastal lands identified as being subject to high velocity waters caused by hurricane or other storm wave wash - a coastal high hazard area - walled and roofed buildings or fuel storage tanks shall be sited landward of mean high tide; and no mobile home shall be sited in such area. In coastal lands identified as floodways, no mobile homes shall be sited other than in existing mobile home parks. Where human lives may be endangered by major coastal storms, all necessary emergency preparedness measures should be taken, including disaster preparedness planning.

Flooding: Both the town and the village participate in the National Flood Insurance Program. As defined in Section II.G.1 Inventory and Analysis, Flood Hazard Areas and Wetlands and mapped on LWRP [Figures 6A](#), Flood hazard areas have been mapped by the Federal Emergency Management Agency (FEMA) on the Flood Hazard Boundary map for the Town of Alexandria, dated May 31, 1974, and the Flood Insurance Rate Map for the Village of Alexandria Bay, dated April 3, 1978. Development in both the town and the village is subject to the respective local flood control regulations.

Shoreline Erosion: The New York State Department of Environmental Conservation (DEC) has not identified Coastal Erosion Hazard Areas (CEHAs) along the St. Lawrence River. Although 60-80% of the shoreline is protected from erosion by bedrock along the waterline, many riparian property owners have built protective structures to guard against wave and ice action. Docks, piers, boat houses, etc., often need stabilizing or strengthening in areas exposed to northern winds, ice damage, the effects of high

water levels, or wave disturbances from the St. Lawrence Seaway shipping channel. Where the navigation channel is close to the shore, ship waves may cause bank erosion or damage to boats and shore structures. The St. Lawrence Seaway Development Corporation has established and enforces speed limits for commercial vessels. However, protective structures such as bulkheads, riprap, and revetment should only be used where there is a need based on the rate of erosion.

Upland Erosion: Upland erosion is not a significant concern within the local waterfront area. On the other hand, extensive disturbance of vegetative cover in the process of development is likely to result in increased soil erosion. Therefore, public and private actions involving development should be guided to avoid or minimize substantial disturbance of existing vegetative cover to prevent erosion or, at a minimum, be required to employ suitable erosion and sedimentation control techniques after disturbance has occurred.

During local site plan review all development will be reviewed for potential shoreline or upland erosion and best practices will be encouraged to either eliminate or reduce potential for unwanted erosion.

**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 ENCROACHMENT THAT COULD IMPAIR THEIR NATURAL PROTECTIVE CAPACITY.**

Explanation of Policy 12

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 actions are minimized. Primary dunes will be protected from all encroachments that could impair their natural protective capacity.

Barrier islands, small beaches, bluffs, and wetlands are found along the St. Lawrence River in the Town of Alexandria and Village of Alexandria Bay. Dunes are not found along the shorelines of the Town of Alexandria and Village of Alexandria Bay. Beaches, barrier islands, bluffs, and other natural protective features help safeguard coastal lands and property from damage, as well as reduce flood and erosion harm to human life. The coastal lands' highly protective value and fragile nature can be compromised by poorly designed structures and site planning, or excavation of coastal features or other similar actions. Thus, adverse actions to natural protective features along coastal lands should be minimized with activities or development.

The shorelines of the St. Lawrence River, Otter Creek, Cranberry Creek and Goose Bay Creek are subject to flooding and subject to erosion of slopes. As future development is proposed, preservation of natural

features to avoid flooding and erosion hazards will be considered during local site plan and subdivision review processes.

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

Erosion protection structures are widely used throughout the State's coastal area. However, because of improper design, construction and maintenance standards, many fail to give the protection that they are presumed to provide, such as bulkheading that might be used for docks or other water-related uses. As a result, development is sited in areas where it is subject to damage or loss due to erosion. No Coastal Erosion Hazard Areas have been designated, pursuant to Section 34-104, Coastal Erosion Hazard Areas Act (Article 34, Environmental Conservation Law) within the Town of Alexandria or the Village of Alexandria Bay.

This policy will assist in slowing the rate of deterioration of shoreline structures and in avoiding disruptions or losses of public access to the St. Lawrence River by increasing the durability of such structures. Non-structural erosion protection measures to minimize damage to natural resources and property from flooding and erosion should be used whenever possible (see Policy 17). If erosion protection structures are proposed as part of development or redevelopment of a parcel, the Town or Village Planning Boards and/or other agencies will examine proposed structures through site plan and subdivision review processes. Otherwise, permit reviews will be consistent with this policy.

**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 14

Erosion and flooding are processes, which occur naturally. However, by their actions, humans can increase the severity and adverse effects of those processes, causing damage to, or loss of property, and endangering human lives. Those actions include: the use of erosion protection structures such as groins, or the use of impermeable docks which block the littoral transport of sediment to adjacent shorelands, thus increasing their rate of recession; the failure to observe proper drainage or land restoration practices, thereby causing run-off and the erosion and weakening of shorelands; and the placing of structures in identified floodways so that the base flood level is increased causing damage to otherwise hazard-free areas. (see Policies 12 and 13).

Site plan review, subdivision review and permit review processes can be used to monitor projects and developments to ensure that actions will not be taken which may result in the damage to or loss of property and endangerment of human lives. If at all possible, developments along the St. Lawrence River, Otter Creek, Goose Bay and Cranberry Creek should be sited to avoid construction on clay soils and soils subject to erosion, and to preserve existing geological and topographic features.

**POLICY 15 MINING, EXCAVATION, DREDGING, OR BLASTING IN COASTAL WATERS SHALL NOT SIGNIFICANTLY INTERFERE WITH THE NATURAL COASTAL PROCESSES WHICH SUPPLY BEACH MATERIALS TO LAND ADJACENT TO SUCH WATERS AND SHALL BE UNDERTAKEN IN A MANNER WHICH WILL NOT CAUSE AN INCREASE IN EROSION OF SUCH LAND.**

Explanation of Policy 15

Coastal processes, including the movement of beach materials or shoreline sediment by water, and any mining, excavation or dredging in near shore or offshore waters which changes the supply and net flow of such materials can deprive shorelands of their natural regenerative powers. Such mining, excavation and dredging should be accomplished in a manner so as not to cause a reduction of supply, and thus an increase of erosion, to such shorelands.

Offshore mining is a future alternative option to land mining for sand and gravel deposits, which are needed to support building and other industries. This policy will assist in assuring safe mining, dredging or excavating practices in coastal waters in the future.

**POLICY 16 PUBLIC FUNDS SHALL ONLY BE USED FOR EROSION PROTECTION 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.**

**Policy 16A Public funds shall not be used for shoreline structures subject to severe wave action and ice movement except where the public benefits that would accrue to the village or town in terms of improving public access and recreation, enhancing tourism or siting water-dependent uses outweigh the long-term costs of such structures.**

**Policy 16B Public funds shall be used for wave and ice protective structures only where deemed necessary for public safety or, if public benefits outweigh long-term costs, for the protection of shoreline structures upon which existing or proposed water-dependent uses must rely.**

### Explanation of Policy 16

Public funds are used for a variety of purposes on the State's shorelines. This policy recognizes the public need for the protection of human life and existing investment in development or new development, which requires a location in proximity to the coastal area or in adjacent waters to be able to function. However, it also recognizes the adverse impacts of such activities and development on the rate of erosion and on natural protective features and requires that careful analysis be made of such benefits and long-term costs prior to expending public funds.

### Explanation of Policy 16A and 16 B

Wind driven wave action and ice movement represent destructive forces that cause considerable short- and long-term damages to shoreline structures. Town or village investment in shoreline structures exposed to these forces is generally unwise unless sufficient capital is expended to ensure such structures have sufficient strength and durability.

Measures to diminish the severity of wave action or ice movement may be needed to protect life, limb, or property. However, town or village investment in measures to protect properties should, as in the construction of shoreline structures in the more exposed areas, weigh the economic benefits accruing to the town or village and its waterfront in view of public costs.

### **POLICY 17      NON-STRUCTURAL MEASURES TO MINIMIZE DAMAGE TO NATURAL RESOURCES AND PROPERTY FROM FLOODING AND EROSION SHALL BE USED WHENEVER POSSIBLE.**

**Policy 17A      Wherever possible, use nonstructural measures to minimize damage to shoreline structures from wave action and ice movement, including the siting of structures in areas less exposed to such forces.**

### Explanation of Policy 17

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

"Non-structural measures" shall include, but not be limited to,

1. Within coastal erosion hazard areas identified under Section 0104 of Coastal Erosion Hazard Areas law (Article 34, Environmental Conservation Law), and subject to the permit requirements on all regulated activities and development established under that law, (a) the use of minimum setbacks as provided for in Section 0108 of Environmental Conservation Law Article 34; and (b) the strengthening of coastal landforms by the planting of appropriate vegetation on natural features (such as dunes and bluffs), the installation of sand fencing on dunes, the reshaping of bluffs to achieve an appropriate vegetation on dunes and 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 stabilization vegetation, and the installation of drainage systems on bluffs to reduce runoff and internal seepage of waters which erode or weaken the land-forms; and

2. Within identified flood hazard areas, (a) the avoidance of risk or damage from flooding by the siting of buildings outside the hazard area, and (b) the flood-proofing of buildings or their elevation above the base flood level.

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 this policy, it must be determined if any one, or a combination of, non-structural measures would afford the degree of protection appropriate both to the character and purpose of the activity or development, and to the hazard. If non-structural 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 non-structural 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.

#### Explanation of Policy 17A

**Flooding:** This policy recognizes the potential adverse impacts of flooding upon development in the coastal area as well as the costs of protection against flood hazards which structural measures entail.

This policy should 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 should 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 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.

“Nonstructural measures” within identified flood hazard areas should include, but not be limited to: (a) the avoidance of risk or damage from flooding by the setting back of buildings and (b) their elevation above the base flood level.

**Wave Action and Ice Movement:** This policy recognizes the potential adverse impacts of wave action and ice movement upon development along the St. Lawrence Seaway. Stable ice cover during the winter season is a natural protective feature that can minimize chances of flooding and erosion in the waterfront area. Even under normally stable conditions, ice cover does exert lateral and vertical pressures causing movement of in-water structures. Destabilization of the ice cover, as occurs naturally

every spring, commonly leads to incidences of flooding (as waters back up behind ice jams), and erosion of shorelines, shoreline structures, and soils and vegetation in near-shore areas. Ice-induced structural damage and erosion can occur during the annual spring ice-breakup.

This policy shall apply to the planning, siting and design of proposed activities and development along the waterfront. Nonstructural measures to minimize damage from wave action and/or ice movement primarily involve facilitating the location of water-dependent uses that rely on shoreline structures in areas of the waterfront less exposed to such forces. Structural measures to minimize damage from wave action and/or ice movement should be considered when nonstructural measures are not a viable alternative.

## General Policies

**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 18

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

## 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 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 waterborne access to public water-related recreation facilities at the James Street docks, Scenic View Park and Casino Island.**

**Policy 19B      Protect, maintain, and improve access to the public water-related recreational facilities at the Village boat launches at Holland Street and at Crossman Street and the Town boat launch at Goose Bay.**

Explanation of Policy 19, 19A and 19B

This policy calls for achieving balance among the following factors: the level of access to a resource or facility, the capacity of a resource or 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 within the heavily populated areas of the town and village and to increasing access to waterfront recreation areas by improved transportation facilities. The particular water-related recreation resources and facilities which will receive priority for improved access are public boat launches at Holland Street, Crossman Street, and Goose Bay; dock facilities at James Street; access to Casino Island; Scenic View Park, the public beach and adjacent properties. In addition, because of the greater competition of waterfront locations within the village, the Local Waterfront Revitalization Program will encourage multiple uses of facilities to improve public access. Public pedestrian access points along the waterfront from Otter Creek around the shoreline to Scenic View Park is encouraged to physically connect, if possible, with the Riverwalk.

The following guidelines will be used in determining the consistency of a proposed action with this policy (applies to both Policies 19 and 20):

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 guideline:
  - 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 fee 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. 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.

- 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 that 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 that 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 that 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. No State or local agency will undertake or fund any project that 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 SHOULD BE PROVIDED IN A MANNER COMPATIBLE WITH ADJOINING USES. SUCH LANDS SHALL BE RETAINED IN PUBLIC OWNERSHIP.**

Explanation of Policy 20

In waterfront areas where there are no recreation facilities providing specific water-related recreational activities, access to the publicly-owned lands of the shoreline should be provided for numerous activities and pursuits which require only minimal facilities for their enjoyment. Such access would provide for walking along a beach or the village waterfront or to a vantage point from which to view the river. Similar activities requiring access would include bicycling, bird watching, photography, nature study, beachcombing, fishing, and hunting.

For those activities, there are several methods of providing access that will receive priority attention of the Local Waterfront Revitalization Program. These include: the development of a waterfront trails system; the provision of access across transportation facilities to the shoreline; the improvement of access to waterfronts in the village; and the promotion of mixed and multi-use development.

While 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 regulation of projects and structures, proposed to be constructed in or over lands underwater, is necessary to responsibly manage such lands, to protect vital assets held in the name of the people of the State and to guarantee common law and sovereign rights. Since private docks and boathouses impact the public's rights to the use of the water surface and water column and the resources contained within, regulation of structures is also necessary to ensure that waterfront owners' reasonable exercise of riparian rights and access to navigable waters shall be consistent with the public interest in reasonable use and responsible management of waterways and such public lands for the purposes of navigation, commerce, fishing, bathing, recreation, environmental and aesthetic protection, and access to the navigable waters and lands underwater of the State.

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 guideline:
  - a. See definitions under Policy 19 of "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 that 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 that 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 access way.
4. The State will not undertake or fund any project that 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 that would exceed the physical capability of the resource coastal lands. If this were determined to be the case, the proposed level of access to be provided shall be deemed inconsistent with the policy.
6. In making any grant, lease, permit, or other conveyance of land now or formerly underwater, there shall be reserved such interests or attached such conditions to preserve the public interest in the use of state-owned lands underwater and waterways for navigation, commerce, fishing, bathing, recreation, environmental protection, and access to the navigable waters of the state. In particular, the granting of publicly owned underwater or formerly underwater lands to private entities will be limited to exceptional circumstances only.

## 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.**

### Explanation of Policy 21

Water-related recreation includes such obviously water-dependent activities as boating, swimming, 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 pedestrian and bicycle trails, picnic areas, scenic overlooks and passive recreation areas 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, historic and cultural resources, agriculture and significant mineral and fossil deposits, 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 use. Determining a priority among coastal dependent uses will require a case-by-case analysis.

Among priority areas for increasing water-related recreation opportunities are those areas where access to the recreation opportunities of the coast can be provided by new or existing public transportation services and those areas where the use of the shore is severely restricted by highways, railroads, industry, or other forms of existing intensive land use or development. The Department of State, working with the Office of Parks, Recreation, and Historic Preservation and with local governments, will identify communities whose use of the shore has been so restricted and those sites shoreward of such developments, which are suitable for recreation and can be made accessible. Priority shall be given to recreational development of such lands.

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. The provision of new public boating facilities is essential in meeting this demand, but such public actions should avoid competition with private boating development. Boating facilities will, as appropriate, include parking, park-like surroundings, toilet facilities, and pump out facilities. Harbors of Refuge are particularly needed along Lake Erie and Lake Ontario. There is a need for a better development pattern of boating facilities to correct problems of overused, insufficient, or improperly sited facilities.

Where adverse environmental impacts will occur, mitigating measures will be implemented, where practicable, to minimize such adverse impacts. If acceptable mitigation is not practicable, prohibition of the use by off-road recreational vehicles will be posted and enforced.

**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 22

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, or a reasonable demand for public use cannot be foreseen.

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

- parks
- highways
- 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 State Office of Parks, Recreation, and Historic Preservation<sup>30</sup> (OPRHP) if there is an approved local waterfront program, and with the municipality in which the development is located to determine appropriate recreation uses. The agency should provide OPRHP and the municipality with the opportunity to participate in project planning.

Appropriate recreation uses that 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 the total project cost. In determining whether compelling reasons exist which would make inadvisable recreation as a multiple use, safety considerations should reflect recognition that some risk is acceptable in the use of recreational facilities.

Whenever a proposed development would be consistent with LWRP policies and the development could, through the provision of recreation and other multiple uses, significantly increase public use of the shore, then such development should be encouraged to locate adjacent to the shore, which would generally apply within the more developed portions of the town and village.

---

<sup>30</sup> New York State Office of Parks, Recreation and Historic Preservation - <http://nysparks.com/>

## Historic and Scenic Resources Policies

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

### Explanation of Policy 23

Among the most valuable of the State's man-made resources are those structures or areas that are of historic, archeological, or cultural significance. The protection of these structures must involve 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 also 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 effective 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 that have a coastal relationship.

The structures, districts, areas, and sites that are of significance in the history, architecture, or culture of the State, the Town of Alexandria, the Village of Alexandria Bay, or the Nation are comprised of the following resources:

1. The five structures on the National Register of Historic Places:
  - Cornwall Brothers Store
  - Boldt Yacht House
  - Ingleside
  - Long Vue Island
  - Densmore Methodist Church
2. A potential thematic district of summer mansions on islands near Alexandria Bay including Long Vue, Castle Rest, Cherry Island, and others, that serves as a chronicle of an era when the area was a resort "mecca" for the wealthy and as a major focus for commercial boat tours.
3. Historic two-story boathouses, with distinctive architectural features compatible with the community character, located along the Town and Village shoreline. These boathouses are primarily located in Otter Creek Bay, Carnegie Bay, Vivian Point, Swan Bay, and on the private islands. The two-story boathouse with distinctive architectural features is a cultural element that distinguishes the Thousand Island community from other New York State waterfront communities. (See LWRP Figure 7, Boat Houses in the Thousand Islands)
4. Former Holland Library, which is currently occupied by the Chamber of Commerce, submitted for potential listing on the State and National Registries of Historic Places.
5. Structures of local historic significance:

- Boldt Castle
  - Graham Thomson Memorial Museum
  - Reformed Church of the Thousand Islands
  - St. Cyril's Church
  - United Methodist Church
  - Episcopal Church of the St. Lawrence
6. The four archeological sensitive areas<sup>31</sup> along the south side of the St. Lawrence River as identified by the NYS Historic Preservation Office.
  7. Historic shipwrecks<sup>32</sup> found in the St. Lawrence River in Alexandria and Alexandria Bay (see Table II-4 included in Section II and [HMP Figure 5](#)).

All practicable means to protect structures, districts, areas, or sites that are of significance in the history, architecture, archeology, or culture of the State, its communities, or the Nation shall be deemed to include the consideration and adoption of any techniques, measures, or controls to prevent a significant adverse change to such significant structures, districts, areas, or sites.

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 archeological 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<sup>33</sup> 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 archeological resource or component thereof, to include all those features described above (see 7.1 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 archeological 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

---

<sup>31</sup> Cultural Resource Information System (CRIS) - <http://nysparks.com/shpo/online-tools/>

<sup>32</sup> Great Lakes Seaway Trail National Scenic Byway - <http://www.seawaytrail.com/dive/>

<sup>33</sup> The Secretary of the Interior's Standards for Rehabilitation - <http://www.nps.gov/tps/standards/rehabilitation/rehab/stand.htm>

visual and locational relationship between the proposed action and the special character of the historic, cultural, or archeological 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 archeological resource that 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 of a recognized historic, cultural, or archeological resource that does not involve a significant adverse change to the resource, as defined above.

**POLICY 24      PREVENT IMPAIRMENT OF SCENIC RESOURCES OF STATEWIDE SIGNIFICANCE, AS IDENTIFIED ON THE COASTAL AREA MAP.**

Explanation of Policy 24

The applicability of this policy is limited in that the Secretary of State has not yet identified scenic resources of statewide significance within the Local Waterfront Revitalization Area. If at some time such resources are identified, they will be protected from any impairment.

**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, restore, or enhance the scenic quality of the St. Lawrence River and the Thousand Islands as important features of the local economy and the area’s unique identity.**

Explanation of Policies 25 and 25A

When considering a proposed action, agencies shall undertake to ensure that the action would be undertaken so as to protect, restore, or enhance the overall scenic quality of the coastal area. Scenic resources of local significance should be considered. Activities that could impair or further degrade scenic quality are the same as those cited under Policy 24, i.e., modification of natural landforms, removal of vegetation; etc. The effects of these activities will be considered as particularly serious for those locally significant scenic resources listed below:

1. The downriver view from Boldt Castle on Heart Island.
2. The view from Cherry Island toward Wellesley Island.
3. The view from Edgewood Park across the harbor to the Village.
4. Views of the St. Lawrence River from:
  - a. Goose Bay
  - b. Kring Point
  - c. Ironside Island
  - d. Scenic View Park and Casino Island
  - e. Scenic Rest stop on NYS Route 12

The following siting and facility-related guidelines are to be used to achieve this policy, recognizing that each development situation is unique and that the guidelines will have to be applied accordingly.

Guidelines include:

1. Siting structures and other development such as highways, power lines, wind turbines, 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;
2. Clustering or orienting structures to retain views, save open space, and provide visual organization to a development;
3. Incorporating sound, existing structures (especially historic buildings) into the overall development scheme;
4. Removing deteriorated and/or degrading elements;
5. Maintaining or restoring the original land form, except when changes screen unattractive elements and/or add appropriate interest;
6. 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;
7. Using appropriate materials, in addition to vegetation, to screen unattractive elements;
8. Using appropriate scales, forms, and materials to ensure that buildings and other structures are compatible with and add interest to the landscape.

One and two-story boathouses with distinctive architectural features add to the scenic quality of the Thousand Islands and are a cultural element that distinguishes the Thousand Island community from other New York State waterfront communities. Maintenance of existing boathouses should be allowed as well as new construction of boathouses in appropriately designated areas. New boathouse construction should not encroach upon navigation channels, severely limit public access to the coast, degrade natural resources or significant scenic views, diminish the reasonable exercise of riparian rights by adjacent waterfront landowners, and should be designed with architectural features compatible with the community character. Architectural features common to local boathouse generally include pitched roofs and minimum of four walls with windows. Variations in other architectural features are welcome as they add uniqueness and character to the area. Architectural variations in terms of material used; placement, size, and number of windows; roofing material; number of bays; number and placement of entrance; attached decks, etc., should be determined during site plan review. (See LWRP Figure 7, Boat Houses in the Thousand Islands)

## Agricultural Lands Policy

**POLICY 26 TO CONSERVE AND PROTECT AGRICULTURAL LANDS IN THE STATE'S COASTAL AREA, AN ACTION SHALL NOT RESULT IN A LOSS, NOR IMPAIR THE PRODUCTIVITY, OF IMPORTANT AGRICULTURAL LANDS, AS IDENTIFIED ON THE COASTAL AREA MAP, IF THAT LOSS OR IMPAIRMENT WOULD ADVERSELY AFFECT THE VIABILITY OF AGRICULTURE IN AN AGRICULTURAL DISTRICT OR IF THERE IS NO AGRICULTURAL DISTRICT, IN THE AREA SURROUNDING SUCH LANDS.**

### Explanation of Policy 26

The first step in conserving agricultural lands is the identification of such lands. The Department of State is mapping all important agricultural lands within the State's coastal area. The following criteria have been used to prepare the maps, and the mapped information will be incorporated in the New York State Coastal Resources Inventory and on the Coastal Area Map.

Land meeting any of the following criteria is being mapped.

1. Land which meets the definition of the U.S. Department of Agriculture as being prime farmland, unique farmland, or farmland of statewide importance.
  - a. Prime farmland is defined by USDA Soil Conservation Service in CRF #7 Agriculture Part 657.5(a), January 1979. A list of the soil associations that meet this definition has been prepared for each coastal county.
  - b. Unique farmland is defined by USDASCS in CRF #7 Agriculture Part 657.5(b). In the coastal area of New York all fruit and vegetable farming meets the terms of the definition.
  - c. Farmland of Statewide importance is defined by USDASCS in CRF #7 Agriculture Part 656.5(c). Lists of soil associations which constitute farmland of statewide importance have been prepared for each coastal county.
2. Active farmland within Agricultural Districts. The map of each Agricultural District shows land committed by farmers. This is the land that will be mapped as active farmland. The district boundary will also be shown.
3. Areas identified as having high economic viability for farming. Any farm not identified above in 1 and/or 2, and which is located in an area identified as having "high viability" on the map entitled "Economic Viability of Farm Areas" prepared by the Office of Planning Coordination in May, 1969. This would be the basis for initial identification of areas having high economic viability for farming. Areas will be added and/or deleted based on comments from the agricultural community.
4. Areas adjacent to land identified above in 1, when are being farmed and are part of a farm with identified important agricultural lands.

5. Prime farmland, unique farmland, and farmland of statewide significance will not be identified as important agricultural land whenever it occurs as parcels of land less than 25 acres in size and these small parcels are not within a mile of areas of active farming.

Given the Program's application to a narrow strip of land, implementing a policy of promoting agricultural use of land must, to be practical, concentrate on controlling the replacement of agricultural land uses with non-agricultural land use as the result of some public action. The many other factors such as markets, taxes, and regulations, which influence the viability of agriculture in a given area, can only be addressed on a Statewide or national basis.

The Program policy requires a concern for the loss of any important agricultural land. However, the primary concern must be with the loss of agricultural land when that loss would have a significant effect on an agricultural area's ability to continue to exist, to prosper, and even to expand. A series of determinations are necessary to establish whether a public action is consistent with the conservation and protection of agricultural lands, or whether it is likely to be harmful to the health of an agricultural area. In brief, these determinations are as follows:

First, it must be determined whether a proposed public action would result in the loss of important agricultural lands as mapped in on the Coastal Inventory. If it would not result, either directly or indirectly, in the loss of identified important agricultural lands, then the action is consistent with the policy on agriculture. If it is determined that the action would result in a loss of identified important agricultural lands, but that loss would not have an adverse effect of the viability of agriculture in the surrounding area, then the action may also be consistent with this policy. However, in that case, the action must be undertaken in a manner that would minimize the loss of important farmland. If the action is determined to result in a significant loss of important agricultural land, that is if the loss is to a degree sufficient to adversely affect surrounding agriculture's viability -- its ability to continue to exist, to prosper, and even to expand -- then the action is not consistent with this agriculture policy.

The following guidelines define more fully what must be considered in making the above determinations:

- A. A public action would be likely to significantly impair the viability of an agricultural area in which identified important agricultural lands are located if:
  1. The action would occur on identified important agricultural land and would:
    - (a) Consume more than 10% of the land of an active farm containing such identified important agricultural lands
    - (b) Consume a total of 100 acres or more of identified important agricultural land, or
    - (c) Divide an active farm with identified important agricultural land into two or more parts, thus impeding efficient farm operation
  2. The action would result in environmental changes which may reduce the productivity or adversely affect the quality of the product of any identified important agricultural lands.

3. The action would create real estate market conditions favorable to the conversion of large areas of identified important agricultural land to non-agricultural uses. Such conditions may be created by:
  - (a) Public water or sewer facilities to serve non-farm structures.
  - (b) Transportation, improvements, except for maintenance of, and safety improvements to, existing facilities that serve non-farm or non-farm related development
  - (c) Major non-agribusiness commercial development adjacent to identified agricultural lands
  - (d) Major public institutions
  - (e) Residential uses other than farm dwellings
  - (f) Any change in land use regulations applying to agricultural land which would encourage or allow uses incompatible with the agricultural use of the land
  
- B. The following types of facilities and activities should not be construed as having adverse effects on the preservation of agricultural land:
  1. Farm dwellings, barns, silos, and other accessory uses and structures incidental to agricultural production or necessary for farm family supplemental income.
  2. Agribusiness development, which includes the entire structure of local support services and commercial enterprises necessary to maintain an agricultural operation, e.g., milk hauler, grain dealer, farm machinery dealer, veterinarian, food processing plants.
  
- C. In determining whether an action that would result in the loss of farmland is of overriding regional or statewide benefit, the following factors should be considered:
  1. For an action to be considered overriding, it must be shown to provide significantly greater benefits to the region or State than are provided by the affected agricultural area (not merely the land directly affected by the action). In determining the benefits of the affected agriculture to the region or State, consideration must be given to its social and cultural value, its economic viability, its environmental benefits, its existing and potential contribution to food or fiber production in the State and any State food policy, as well as its direct economic benefits.
    - (a) An agricultural area is an area predominantly in farming and in which the farms produce similar products and/or rely on the same agribusiness support services and are to be a significant degree economically inter-dependent. At a minimum, this area should consist of at least 500 acres of identified important agriculture land. For the purpose of analyzing impacts of any action on agriculture, the boundary of such area need not be restricted to land within the coastal boundary. If the affected agricultural lands lie within an agricultural district then, at a minimum, the agricultural area should include the entire agricultural district.
    - (b) In determining the benefits of an agricultural area, its relationship to agricultural lands outside the area should also be considered.

- (c) The estimate of the economic viability of the affected agricultural area should be based on an assessment of:
  - i soil resources, topography, conditions of climate and water resources
  - ii availability of agribusiness and other support services, and the level and condition of investments in farm real estate, livestock and equipment
  - iii the level of farming skills as evidenced by income obtained, yield estimates for crops, and costs being experienced with the present types and conditions of buildings, equipment, and cropland
  - iv use of new technology and the rates at which new technology is adopted
  - v competition from substitute products and other farming regions and trends in total demand for given products
  - vi patterns of farm ownership for their effect on farm efficiency and the likelihood that farms will remain in use
  
- (d) The estimate of the social and cultural value of farming in the area should be based on an analysis of:
  - i the history of farming in the area
  - ii the length of time farms have remained in one family
  - iii the degree to which farmers in the area share a cultural or ethnic heritage
  - iv the extent to which products are sold and consumed locally
  - v the degree to which a specific crop(s) has become identified with a community
  
- (e) An estimate of the environmental benefits of the affected agriculture should be based on analysis of:
  - i the extent to which the affected agriculture as currently practiced provides a habitat or food for wildlife
  - ii the extent to which a farm landscape adds to the visual quality of an area
  - iii any regional or local open space plans, and degree to which the open space contributes to air quality
  - iv the degree to which the affected agriculture does, or could, contribute to the establishment of a clear edge between rural and urban development
  
- D. Whenever a proposed action is determined to have an insignificant adverse effect on identified important agricultural land, or whenever it is permitted to substantially hinder the achievement of the policy according to DOS regulations, Part 600, or as a result of the findings of an EIS, then the required minimization should be undertaken in the following manner:
  - 1. The proposed action shall, to the extent practicable, be sited on any land not identified as important agricultural, or, if it must be sited on identified important agricultural land, sited to avoid classes of agricultural land according to the following priority:
    - (a) prime farmland in orchards or vineyards
    - (b) unique farmland in orchard or vineyards
    - (c) other prime farm land in active farming
    - (d) other unique farmland
    - (e) farmland of Statewide importance in active farming.

- (f) active farmland identified as having high economic viability
  - (g) prime farmland not being farmed
  - (h) farmland of Statewide importance not being farmed
2. To the extent practicable, agricultural use of identified important agricultural land not directly necessary for the operation of the proposed non-agricultural action should be provided for through such means as lease arrangements with farmers, direct undertaking of agriculture, or sale of surplus land to farmers. Agricultural use of such land shall have priority over any other proposed multiple use of the land.

## 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.**

**POLICY 27A**      **Decisions siting commercial wind farms or solitary wind turbines for commercial or residential use in the coastal area must take into consideration potential impacts on the scenic, cultural, and historic resources in the local waterfront revitalization area.**

### Explanation of Policy 27

New York's overall annual energy demand has begun to flatten over time, in part due to the success of State and utility energy efficiency programs. However, peak load (the highest amount of energy consumption in a given year) has continued to increase at a more rapid pace.<sup>34</sup> Renewable power sources—hydro, solar, wind, and other carbon-free solutions—also continue to grow as a share of the total energy produced in the State.<sup>35</sup> Significant investments in the billions of dollars are needed to replace New York's aging electric transmission and distribution infrastructure just to meet currently projected energy demand.<sup>36</sup> To respond to these significant shifts in the State's energy infrastructure, State energy policies are being designed to maintain energy system reliability during peak load in ways that improve the grid's overall system efficiency, from both energy transmission and capital investment perspectives.<sup>37</sup>

The New York State energy planning process provides a comprehensive framework for improving the State's energy system, addressing issues such as environmental impacts, resiliency, and affordability.<sup>38</sup> Key areas of focus for New York's energy planning and implementation policies include integration of renewable energy generation; local energy generation that can foster both economic prosperity and

---

<sup>34</sup> 2015 New York State Energy Plan, Vol. 1, p. 27.

<sup>35</sup> 2015 New York State Energy Plan, Vol. 1, p. 10.

<sup>36</sup> 2015 New York State Energy Plan, Vol. 1, pp. 25-26.

<sup>37</sup> 2015 New York State Energy Plan, Vol. 1, p. 27.

<sup>38</sup> 2015 New York State Energy Plan, Vol. 1, p. 9.

environmental stewardship; seeking innovative energy solutions across the State’s public facilities and operations; increasing energy efficiency; and decreasing greenhouse gas emissions.<sup>39</sup> New York’s energy policy is also central to how the State responds to the challenges presented by a changing climate. New York State’s energy planning recognizes that extreme weather events demand more resilient energy infrastructure, and that climate change presents both challenges and opportunities to lead and innovate.<sup>40</sup>

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 Article 6 of the New York State Energy Law. That Article requires the preparation of a State Energy Plan. With respect to transmission lines and the siting of major electric generating facilities, Articles 7 and 10 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 providing additional electric capacity. 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 of Coastal Areas and Inland Waterways Law. That law is used for the purposes of ensuring consistency with the State Coastal Management Program and this Local Waterfront Revitalization Program.

The Department of State will present testimony for the record during relevant certification proceedings under Articles 7 and 10 of the Public Service Law when appropriate; and use the State SEQRA and DOS regulations to ensure that decisions regarding other proposed energy facilities (not subject to Articles 7 and 10 of the Public Service Law) that would affect the coastal area are consistent with coastal policies.

#### Explanation of Policy 27A

As discussed in previous policies, the scenic, cultural, and historic resources in the Town of Alexandria and the Village of Alexandria Bay are of significant importance to the tourism and summer seasonal economy of the communities as well as the quality of life experienced by local residents. The placement or siting of any structure or facility associated with a wind farm or wind turbine within view of/from the local waterfront revitalization area should be analyzed for its potential visual impact to the scenic, cultural, and historic resources within the LWRA. The scenic beauty of the communities’ waterfront carries with it an economic value, which contributes to the quality and economic health of the local tourism and summer vacation industries. Any substantial degradation to these resources should be avoided.

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

---

<sup>39</sup> 2015 New York State Energy Plan, Vol. 1, p. 7; 2015 New York State Energy Plan, Vol. 1, p. 11.

<sup>40</sup> 2015 New York State Energy Plan, Vol. 1, p. 17.

#### Explanation of Policy 28

Prior to undertaking actions required for ice management, an assessment must be made of the potential effects of such actions upon the production of hydroelectric power, fish and wildlife and their habitats, as identified in the Coastal Area Maps, 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 such potential effects must be utilized if the proposed action is to be implemented.

**POLICY 29 THE DEVELOPMENT OF OFFSHORE USES AND RESOURCES, INCLUDING RENEWABLE ENERGY RESOURCES, SHALL ACCOMMODATE NEW YORK'S LONG-STANDING OCEAN AND GREAT LAKES INDUSTRIES, SUCH AS COMMERCIAL AND RECREATIONAL FISHING AND MARITIME COMMERCE, AND THE ECOLOGICAL FUNCTIONS OF HABITATS IMPORTANT TO NEW YORK.**

#### Explanation of Policy 29

The Town of Alexandria and Village of Alexandria Bay are located on the St. Lawrence River, not the ocean or Great Lakes, so this policy does not apply.

## **Water and Air Resources Policies**

**POLICY 30 RESIDENTIAL, 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 30

Residential, municipal, industrial, and commercial discharges<sup>41</sup> include "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 that directly empty into receiving coastal waters and those that 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**

---

<sup>41</sup> State Pollutant Discharge Elimination System (SPDES) - <http://www.dec.ny.gov/permits/6054.html>

**COASTAL WATER CLASSIFICATIONS AND WHILE MODIFYING WATER QUALITY STANDARDS; HOWEVER, THOSE WATERS ALREADY OVERBURDENED WITH CONTAMINANTS WILL BE RECOGNIZED AS BEING A DEVELOPMENT CONSTRAINT.**

Explanation of Policy 31

Pursuant to the Federal Clean Water Act of 1977 (PL 95-217) the State has classified its coastal and other waters in accordance with considerations of best usage in the interest of the public and has adopted water quality standards for each class of waters. These classifications and standards are reviewable at least every three years for possible revision or amendment. Local Waterfront Revitalization Programs and State coastal management policies shall be factored into the review process for coastal waters. 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 limiting". 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.

**POLICY 32      ENCOURAGE THE USE OF ALTERNATIVE OR INNOVATIVE SANITARY WASTE SYSTEMS IN SMALL COMMUNITIES WHERE THE COSTS OF CONVENTIONAL FACILITIES ARE UNREASONABLY HIGH, GIVEN THE SIZE OF THE EXISTING TAX BASE OF THESE COMMUNITIES.**

**Policy 32A      Encourage the improvement of sanitary waste systems within the waterfront area of the Town of Alexandria not served by municipal systems, in order to protect the water quality of the St. Lawrence River and its associated water areas.**

Explanation of Policy 32

Alternative systems include individual septic tanks and other subsurface disposal systems, dual systems, small systems serving clusters of households or commercial users, and pressure or vacuum sewers. These types of systems are often more cost effective in smaller, less densely populated communities and for which conventional facilities are too expensive.

Explanation of Policy 32A

Localized problems of water quality degradation exist within the town/village waterfront area. Among the causes of such water quality degradation is a high level of available nutrients from inadequate residential sanitary waste disposal systems in island, shoreline, or stream settlements.

Protection of the river and its associated water areas is essential to the local economy. Therefore, the use of improved conventional sanitary waste systems, or alternative or innovative sanitary waste systems should be encouraged in the waterfront area. Alternative systems include individual septic tanks and other subsurface disposal systems, dual systems, small systems serving clusters of households or commercial users, and pressure or vacuum sewers. These types of systems are often more cost effective in smaller less densely populated communities for which conventional facilities are too expensive. Alternative communal systems such as these will be seriously considered for the dense, seasonal housing along the shoreline. Currently, these houses only have individual septic systems that are of questionable adequacy along the immediate shoreline. Centralized management of decentralized treatment systems through a wastewater management district would provide more consistent maintenance and improve water quality.

In areas outside the immediate area of the Village sewer system and the service area of the new Orleans Alexandria Waste Treatment Plant, any new developments should consider alternative sewage collection and treatment systems.

**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 33

Best management practices include both structural and non-structural 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 overflows in areas where they create severe water quality impacts. Until funding for such projects becomes available, non-structural approaches (e.g., improved street cleaning, reduced use of road salt) will be encouraged.

**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 34

All untreated sanitary waste from vessels is prohibited from being discharged into the State's coastal waters. Where coastal resources or activities require greater protection than afforded by this requirement the State may designate vessel waste no discharge zones. Within these no discharge zones the discharge of all vessel waste whether treated or not is prohibited. A determination from EPA that an adequate number of vessel waste pump out stations exists is necessary before the State can designate a

no discharge zone. The State prepared a Clean Vessel Act Plan which identifies the coastal waters for which no discharge zones are needed and the number of vessel waste pump outs required to obtain the determination from EPA. The discharge of other wastes from vessels is limited by State law. Ballast discharges are regulated through the EPA Vessel General Permit.

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

Explanation of Policy 35

Dredging, filling, blasting, and dredge material disposal are activities that are needed for waterfront revitalization and development, such as maintaining navigation channels at sufficient depths, pollutant removal, and other coastal management needs. Such projects, however, may 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, filling, or blasting activities, proper siting of dredged material disposal sites, and the beneficial use of dredged material. Such projects shall only be permitted if they satisfactorily demonstrate that these anticipated adverse effects have been reduced to levels which satisfy State 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 and use of coastal resources (State Coastal Management policies 7, 15, 19, 20, 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 CLEAN UP OF SUCH DISCHARGES; AND RESTITUTION FOR DAMAGES WILL BE REQUIRED WHEN THESE SPILLS OCCUR.**

Explanation of Policy 36

Hazardous wastes are unwanted by-products of manufacturing processes generally characterized as being flammable, corrosive, reactive, or toxic. More specifically, waste is defined in Environmental Conservation Law (Section 27-0901 [3]), [27-0903] and [37-0103]<sup>42</sup> 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

---

<sup>42</sup>The definitions for hazardous wastes are available at: <http://public.leginfo.state.ny.us/lawssrch.cgi?NVLWO>:

the environment when improperly treated, stored, transported, or otherwise managed." A list of hundreds of ignitable, corrosive, reactive, toxicity characteristic, acute hazardous and toxic wastes (NYCRR Part 371) has been adopted by the DEC<sup>43</sup>.

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

Explanation of Policy 37

Best management practices used to reduce these sources of pollution could include, but are not limited to, encouraging organic farming and pest management principles, soil erosion control practices, and surface drainage control techniques.

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 should not be greater than would be the case under natural conditions. Appropriate techniques to minimize such efforts should include, but not be limited to, the use of stormwater detention basins, roof top 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. Consider alternative sites for development proposed on areas of steep slopes where significant cut and fill would be needed.
5. Extreme care should be exercised to locate artificial drainage ways 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 disturbance.
10. Runoff from a site should be collected and detained in sediment basins to trap pollutants that 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 of runoff resulting from facilities constructed.

---

<sup>43</sup>The list of hazardous wastes as updated or revised is available at: <http://www.dec.ny.gov/regs/2491.html>

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. Whenever practicable improve site conditions.

**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 38

The St. Lawrence River serves as the primary source of water supply for the Village of Alexandria Bay and adjacent development, as well as shoreline communities throughout the Town of Alexandria. Therefore, the water quality of the St. Lawrence River must be protected. All actions must be reviewed relative to their impacts on the St. Lawrence River.

**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 39

The definitions of terms "solid wastes" and "solid wastes management facilities" are taken from New York's Solid Waste Management Act<sup>44</sup>. Solid wastes include sludge from air or water pollution control facilities, demolition and construction debris, and industrial and commercial wastes.

Hazardous wastes are unwanted by-products of manufacturing processes generally characterized as being flammable, corrosive, reactive, or toxic. More specifically, waste is defined in Environmental Conservation Law, Section 27-0901 [3], [27-0903] and [37-0103]<sup>45</sup> as "waste or combination of wastes which because of its quantity, concentration, or physical, chemical, or infectious characteristics may: a. Cause, or significantly contribute to, an increase in mortality or an increase in serious, irreversible, or incapacitating reversible illness; or b. Pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, or otherwise managed." A list of

---

<sup>44</sup> Article 27— Collection, treatment and disposal of refuse and other solid waste - [http://www.dec.ny.gov/docs/materials\\_minerals\\_pdf/rca2009.pdf](http://www.dec.ny.gov/docs/materials_minerals_pdf/rca2009.pdf)

<sup>45</sup>The definitions for hazardous wastes are available at: <http://public.leginfo.state.ny.us/lawsrch.cgi?NVLWO>:

hundreds of ignitable, corrosive, reactive, toxicity characteristic, acute hazardous and toxic wastes<sup>46</sup> has been adopted by DEC<sup>47</sup>.

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 wetland and littoral areas, atmospheric loading, and degradation of scenic resources.

**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 QUALITY STANDARDS.**

Explanation of Policy 40

The State Board on Electric Generation Siting and the Environment must consider a number of factors when reviewing a proposed site for facility construction. One of these factors is that the facility "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 by the siting board 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 41

New York's Coastal Management 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 coastal lands and water use policies. Conversely, coastal management guidelines and program decisions with regard to land and water use and any recommendations with regard to specific sites for major new or expanded industrial, energy, transportation, or commercial facilities will reflect an assessment of their compliance with the air quality requirements of the State Implementation Plan. The Department of Environmental Conservation will allocate substantial resources to develop a regulatory and management program to

---

<sup>46</sup> Part 371: Identification and Listing of Hazardous Wastes - <http://www.dec.ny.gov/regs/14897.html>

<sup>47</sup>The list of hazardous wastes as updated or revised is available at: <http://www.dec.ny.gov/regs/2491.html>

identify and eliminate toxic discharges into the atmosphere. The State's Coastal Management Program will assist in coordinating major toxic control programming efforts in the coastal regions and in supporting research on the multi-media nature of toxics and their economic and environmental effects on coastal resources.

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

Explanation of Policy 42

The policies of the State Coastal Management Program and the Local Waterfront Revitalization Program 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 prevention of significant deterioration land classifications in coastal regions or adjacent areas. In addition, the Department of State will provide the Department of Environmental Conservation with recommendations for proposed prevention of significant deterioration land classification designations based upon the State CMP and the LWRP.

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

Explanation of Policy 43

The New York Coastal Management Program incorporates the State's policies on acid rain. As such, the Coastal Management 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 PRESERVE AND PROTECT TIDAL AND FRESHWATER WETLANDS AND PRESERVE THE BENEFITS DERIVED FROM THESE AREAS.**

Explanation of Policy 44

Freshwater wetlands include marshes, swamps, bogs, and flats supporting aquatic and semi-aquatic vegetation and other wetlands so defined in the N.Y.S. Freshwater Wetlands Act and the N.Y.S. Protection of Waters Act (Water Resources Law, Environmental Conservation Law Article 15).

The Town of Alexandria has a number of high quality wetlands, including Crooked Creek South Marsh, Cranberry Creek Marsh, Point Vivian Marsh, Swan Bay Marsh, and Barnett Marsh, which are shown in

LWRP [Figures 6A](#). The benefits derived from the preservation of tidal and freshwater wetlands include but are not limited to:

- a. habitat for wildlife and fish, including a substantial portion of the State’s commercial fin and shellfish varieties; and contribution to associated aquatic food chains
- b. erosion, flood and storm control
- c. natural pollution treatment
- d. groundwater protection
- e. recreational opportunities
- f. educational and scientific opportunities
- g. aesthetic open space in many otherwise densely developed areas

## Definitions

Selected terms<sup>48</sup> used in this section are defined as follows:

**Agricultural land** means land used for agricultural production, or used as part of a farm, or having the potential to be used for agricultural production. Agricultural lands include lands in agricultural districts, as created under Article 25-AA of the Agricultural and Markets Law; lands comprised of soils classified in soil groups 1, 2, 3, or 4 according to the New York State Department of Agriculture and Markets Land Classification System; or lands used in agricultural production, as defined in Article 25-AA of the Agriculture and Markets Law.

**Beach** means all public beaches (of all jurisdictions), private membership club beaches, and private homeowners’ association beaches, as depicted on the Harbor Management Map.

**Best management practices** means methods, measures, or practices determined to be the most practical and effective in preventing or reducing the amount of pollutants generated by nonpoint sources to a level compatible with water quality standards established pursuant to section 17-0301 of the Environmental Conservation Law. Best management practices include, but are not limited to, structural and non-structural controls, and operation and maintenance procedures. Best management practices can be applied before, during, or after pollution-producing activities to reduce or eliminate the introduction of pollutants into receiving waters.

**Development**, other than existing development, means any construction or other activity which materially changes the use, intensity of use, or appearance of land or a structure including any activity which may have a direct and significant impact on coastal waters. Development shall not include ordinary repairs or maintenance or interior alterations to existing structures or traditional agricultural practices. The term shall include division of land into lots, parcels, or sites.

---

<sup>48</sup> Definitions of some terms used in this LWRP are also included in the local laws enclosed in Appendix A-1 and A-2

**Dock** means any structure, or fixed platform built on floats, columns, open timber, piles, or similar open-work supports, or cantilevered structures anchored to the shore including piers and wharfs and designed to provide access from the shore of the St. Lawrence River for swimming, boating or other recreational or commercial uses and shall also include accessorial uses including but not limited to boat slips and berths. All structural descriptions provided above, which are placed on the waterside of the mean high water mark, shall be defined as a dock.

**Free Diving** means the sport or activity of diving without the aid of breathing apparatus.

**Historic resources** means those structures, landscapes, districts, areas or sites, or underwater structures or artifacts which are listed or designated as follows: any historic resource in a Federal or State park established, solely or in part, in order to protect and preserve the resource; any resource on, nominated to be on, or determined eligible to be on the National or State Register of Historic Places; any cultural resource managed by the State Nature and Historic Preserve Trust or the State Natural Heritage Trust; any archaeological resource which is on the inventories of archaeological sites maintained by the Department of Education or the Office of Parks, Recreation, and Historic Preservation; any resource which is a significant component of a Heritage Area; any locally designated historic or archaeological resources protected by a local law or ordinance.

**Marina** means any lot, building, structure or part thereof located on the waterfront and providing docking and secure mooring facilities for yachts, motor boats, sail boats and other marine vehicles or craft. Includes the sale, rental and/or storage of marine and boating vehicles; as well as supplies, service, repair and other related facilities and/or operations necessary to maintain such craft.

**Natural protective features** means a nearshore area, beach, bluff, or wetland, and the vegetation thereon.

**Non-structural measures**<sup>49</sup> are those that contribute directly towards reducing losses of life and damage to property, such as flood preparedness (flood management plan), emergency response, legislature (flood control regulations, zoning ordinances for limiting types of land use, regional planning, subdivision regulation, building codes of practice, housing codes of practice, sanitary and other utility codes of practice, redevelopment policies such as proper design of utilities), financing (funding mechanism for drainage capital investment, operations, and routine and remedial maintenance, public acquisition), environmental impact assessment (source pollution control measures), reconstruction and rehabilitation planning (pre-planned post-flood management problems), and their component techniques (infrastructure relocation, permanent evacuation, open space programs, flood proofing)

**Public trust resources** means lands, waters, and living resources held in trust by the State or by the trustees of individual towns for the people to use for walking, fishing, commerce, navigation, and other recognized uses of public trust lands. Public trust lands are those lands below navigable waters, with the

---

<sup>49</sup> GUIDELINES ON NON-STRUCTURAL MEASURES IN URBAN FLOOD MANAGEMENT - IHP-V | Technical Documents in Hydrology | No. 50, UNESCO, Paris, 2001

upper boundary normally being the mean high water line, or otherwise determined by local custom and practice.

**Smart Growth** invests time, attention, and resources in restoring community and vitality by making them more town-centered, transit and pedestrian oriented, and with a greater mix of housing, commercial and retail uses. It also preserves open space and many other environmental amenities.

**Vessel** means every description of vessel and watercraft or other contrivance used or capable of being used as a means of transportation in or on the water, including aircraft, and personal watercraft.

**Water-dependent use** means a business or other activity which can only be conducted in, on, over, or adjacent to a water body because such activity requires direct access to that water body, and which involves, as an integral part of such activity, the use of the water.

**Water-enhanced use** means a use or activity which does not require a location adjacent to coastal waters, but whose location on the waterfront adds to the public use and enjoyment of the water's edge. Water-enhanced uses are primarily recreational, cultural, retail, or entertainment uses.

## Section IV Proposed Land and Water Uses and Projects

### A. Introduction

This section addresses the proposed land uses in designated character or development areas and projects for revitalizing the LWRA. Proposed Development Areas and Projects are illustrated in LWRP [Figures 8](#). This section begins with a discussion of preferred and proposed future land uses throughout the waterfront area, then focuses on necessary infrastructure improvements, and culminates with a discussion of the proposed capital improvement projects. Included are specific capital improvement projects, which have been prioritized and are supported by the policies that guide the land and surface-water uses for the village and town.



The town and village recognize the benefits of managing the surface-water activity within the LWRA. A Harbor Management Plan has been developed to address management of surface-water and under-water uses. The HMP is included in Section IV of this LWRP. The harbor management area (HMA) covered by the HMP is illustrated in [HMP Figure 1](#) and described in Section IV. All other surface-water uses outside of the HMA are also discussed in this section.

### B. Proposed Development Areas within the LWRA

#### 1. Sensitive Environmental Development Area

The sensitive environmental development area is suitable for limited residential development with minimal disturbance of the shoreline. These sensitive areas include Lake of the Isles/Barnett Marsh, Swan Bay, St. Lawrence Bay, Goose Bay/Cranberry Creek, and Crooked Creek. In addition, the upland wetland area of Mud Creek, two State Wildlife Management Areas and two properties owned by the Thousand Island Land Trust are designated as critical environmental areas. The proposed Sensitive Environmental Development Area is illustrated in [LWRP Figures 8](#). The current uses are seasonal and year-round residential. Future land uses should be similar in type and intensity. The primary regulatory



mechanisms protecting these environmentally sensitive areas are local development regulations, New York State Environmental Quality Review (SEQR), and New York State Protection of Waters permit requirements.

## 2. Waterfront Development Area

The waterfront development area for the Village of Alexandria Bay is expected to continue to be the primary location for water-dependent and water-enhanced public recreational and private commercial uses. The Waterfront Development Area highlighted in LWRP Figures 8 falls within the current Marine Development Zoning District highlighted in LWRP Figures 5 and directly interfaces with the river and provides many water-related and water-enhanced activities, which are served by existing public services and facilities. Also located in this area are historic buildings that should be preserved, restored, and enhanced. This area is appropriate for continued development and re-development of the type of water-dependent and water-enhanced uses that have historically been accommodated.

Water-dependent uses, which are expected to continue, are primarily recreational activities (swimming, docking, fishing, and passive recreation) and marinas. Mining, manufacturing, and mariculture activities are not expected to be initiated and navigational or flood and erosion protection structures are not expected to be necessary. Future water-dependent and water-enhanced uses developed in this area should provide maximum public physical and visual access to the waterfront and opportunities for water-related recreational use to the maximum extent practicable. Opportunities for expanding the public's waterfront access should be considered under all circumstances.

Future construction activities and facility operations shall utilize best management practices to minimize adverse environmental impacts related to sewage disposal and storm water management. Likewise the long-term environmental health of the village shoreline is critical to the economic value of waterfront property, which indirectly affects the economic health of the village and the town. Treatment measures may vary for shorelines with different environmental conditions; nevertheless, the best shoreline treatment options should be incorporated.



## 3. Mixed-Use Development Areas

### Village Core Mixed-Use Area

The village core development area consists of a unique compact, pedestrian-scale collection of visitor/resident-oriented retail and service businesses. Similar and complementary uses should be allowed. Continued investment in the buildings and businesses in this area is key to sustaining tourism and the local quality of life. Reduction of visual clutter and streetscape repair and enhancements,



as well as infill redevelopment, which are necessary for revitalization to occur, may require collaboration between the public sector and private businesses. The existing Business District zoning regulations in conjunction with Site Plan Review will guide future re-use and site development in this area. The Village Core Mixed-Use Development Area is illustrated in LWRP [Figures 8](#).

### Town Gateway Mixed-Use Area

The town gateway mixed-use development area includes approximately four miles of NYS Route 12 between I-81 and the Village of Alexandria Bay. This area is currently zoned Business District. This corridor is the primary entrance to the communities and includes approximately 40 percent of the hotel rooms in Jefferson County. Consequently, many visitors to the area form their first impressions of this area while traveling this corridor. The corridor includes a number of hospitality businesses, including eating, lodging and recreational facilities, and boat storage facilities.

Existing zoning for this area allows for a range of land uses appropriate for a commercial corridor, however, municipal water and sewer is not available and there is a substantial amount of undeveloped land along this corridor, with 400 feet of frontage along both sides. Incremental extension of sewers in this area would expand the opportunity for development in a preferred pattern that would characterize the transition between rural countryside and a dense village setting. The character and pattern of future development along this corridor will have a significant impact on the local quality of life, tourist economy, and the town's developed character. Thus, it is important that local development standards and guidelines are in place prior to the extending public utilities.

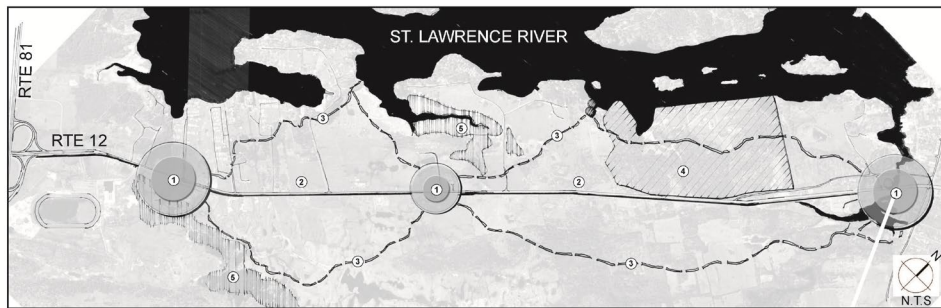
Jefferson County and the local communities studied many of the land use and economic development issues relative to this corridor. In 2003, Jefferson County Planning completed a NYS Route 12 Corridor Plan. The Plan reflects the many strengths and weaknesses facing this corridor, and provides some recommended strategies for future growth. The Town of Alexandria's comprehensive plan identifies two strengths for this area: 1) it is part of the Seaway Trail and; 2) the wonderful views of the Thousand Island Bridge, which stretches across the St. Lawrence River connecting the United States to Canada. Some of the weaknesses identified are the clutter caused by the many billboards and lack of pedestrian crossings at targeted commercial areas.

The most optimum solution to encourage and manage future development in this gateway mixed-use area is to develop a gateway overlay district with specific development standards. Until such regulatory improvements are achieved, all future projects should undergo strict scrutiny through the site plan review process, with consideration of the policies stated herein.

To encourage development that contributes to the existing character in the area, the following development alternatives should be encouraged:

1. Organize development to preserve existing landforms and vegetation and use appropriate forms and patterns of circulation, structures and plantings.
2. Preserve views to the St. Lawrence River and Thousand Islands Bridge.
3. Address visual impacts of billboard advertising.
4. Encourage mixed-use developments that integrate highly visible retail and service business uses along the frontage with a range of housing types in the residential area to the rear.

- Cluster development to preserve environmentally sensitive lands, minimize curb cuts and land locked parcels, and retain or enhance the corridor's rural character.



**Regional Plan (N.T.S):**

1. Development Node - Urban Character
2. Development Guided by Rural Characteristics
3. Trail Opportunities
4. Existing Keewaydin State Park
5. Existing Wetland Areas

**Development Node (N.T.S):**

1. Street Trees and Sidewalks
2. Commercial Uses with Shallow Setbacks Oriented to Street
- Parking
4. Residential Uses Oriented

## 4. Waterfront Residential Development Area

Water-enhanced residential use and some hospitality-service uses that are either water-dependent or water-enhanced are appropriate in this proposed area highlighted in LWRP Figures 8. This area is located in the Town Marine Residential District illustrated in LWRP Figures 5. The type and scale of appropriate use will depend on the availability of public utilities. To adequately protect the sensitive waterfront, consideration of shoreline treatments, docking, and stormwater management must occur for all future development in this area during either site plan or special permit review. With respect to shoreline treatment, best management practices at the time should act as a guide in determining adequacy of what is proposed.

Long-term environmental health of the shoreline in the village and town is critical to the economic value of waterfront property, which indirectly affects the economic health of the whole community. Treatment measures may vary for shorelines with different environmental conditions. Buffer strips as a natural shoreline treatment for development along the river, streams, or wetlands could provide the following benefits:

- 1) water quality and quantity protection
- 2) bank stabilization
- 3) erosion reduction
- 4) filter for sediments, nutrients, pesticides and other pollutants
- 5) increase infiltration of stormwater runoff

Naturalization of the shoreline is generally recommended unless existing circumstances call for other, more effective treatments. In addition, the conservation of native trees, shrubs and grasses is recommended to enhance overall quality of the environment along the communities' waterfront.

## 5. Residential Development Area

This development area includes the primary concentrations of existing year-round residents within the LWRA. The portion of the proposed Residential Development Area, highlighted in LWRP Figures 8, under

town jurisdiction is primarily located in the current Agricultural and Rural Residence District illustrated in LWRP [Figures 5](#). The portion of this area that is under village jurisdiction is located in either the neighborhood residential, single-family residential, or general residential district. None of the properties in this area have direct access to the river. This area can accommodate additional year-round and seasonal-residential use. Existing zoning is adequate to guide use in these areas. Further study is recommended to address management of traffic congestion and other potential adverse impacts on village residential areas due to increased commercial activity in the waterfront development and village core areas.

The vitality of all Village residential neighborhoods requires continued improvements to public utilities, neighborhood streets and sidewalks, and on-site stormwater management. Continuous maintenance projects simultaneously benefit residents, landowners, and visitors.

## C. Proposed Surface-Water Uses

### 1. International Shipping Channel

The St. Lawrence Great Lakes Waterway is a marked international shipping channel that passes through the waters of the Alexandria and Alexandria Bay LWRA connecting the Great Lakes to the Atlantic Ocean. The shipping channel is typically open from late March to late December and accommodates approximately 1,400 vessels per shipping season. Maximum vessel size is 740 feet long and 78 feet wide.

The shipping channel is important to international freight transportation in North America and contributes significantly to the national economy and local economy of the nearest ports located in Ogdensburg and Oswego, New York and Prescott, Ontario. The shipping channel is also a significant cultural and scenic resource within the LWRA and is important to the local economy as it adds interest to the international tourism route.

### 2. Sensitive Environmental Areas and Passive Recreation

The surface-waters in the sensitive environmental areas are environmental resources that contribute significantly to healthy ecosystems. These surface-waters have a limited capacity to withstand increased intensity of use and to accommodate additional shoreline or upland development. The New York State Protection of Waters permit program is the primary mechanism to regulate additional docks or other structures in or on the surface-waters in these areas. In addition, in 2016 the Town and Village adopted local laws that regulate the construction, expansion, or revitalization of docks, piers, decks or other structures along their shorelines to not only ensure safe navigation on the water but also to protect the overall health of these critical environmental areas. Appendix A-1 includes the Town of Alexandria Docking Facilities Law and Village of Alexandria Docking Facilities Law.



### 3. Active Recreation

Active and passive recreational water use occurs throughout the St. Lawrence River and its many bays and inlets. LWRP Figures 6B (Scenic, Cultural and Historic Resources), and LWRP Figures 8 (Proposed Land and Water Uses and Projects) highlight the areas for recreation. The active recreational uses include boating, fishing, swimming, and scuba diving in the warm months and ice fishing in the winter months. The river is the primary source of recreational entertainment for the communities. The safe and environmentally friendly continuation of these uses is critical to the future environmental health of the communities.

The portion of the St. Lawrence River between Densmore Bay and Steamboat Island is most appropriate for continued active boating recreation. Within this area, the mix and volume of use is greatest between the Upper James Street/Otter Creek basin and the bay on Wellesley Island directly opposite this area. An additional active recreation area has also been identified on the riverside of Kring Point to recognize the concentration of activity from the State Park and Goose Bay Town boat launch.



Recreational boating (S. Gerling)

Some of the more frequent recreational activities accommodated in these areas include:

- Pleasure boating and fishing
- Water skiing/tubing
- Scuba diving
- Commercial tour boats
- Charter fishing

The active surface-water recreation areas about the higher density residential areas, visitor accommodation areas, local and state public boat launches and docks, and private marinas, as illustrated in HMP Figure 3 and LWRP Figures 8. Vessel regulations and enforcement are important to facilitate co-existence of intensive land and water uses in these areas.

Vessel regulations include:

- Speed limits – shoreline, harbor and special speed zones
- Noise limits
- Right-of-way regulations

New York State Navigation Law §44 imposes noise limits of 90 dba dockside and 75 dba while underway. The US Navigation and Navigable Waters regulations outline right-of-way protocols. NYS Navigation Law may be enforced by any law enforcement officer; in the LWRA enforcement is currently provided by the NYS Parks Department and Jefferson County Sheriff. The US Coast Guard is charged with enforcing federal navigation law. Although the current regulations are adequate, different forms of educational information would assist in informing all visitors of these regulations, such as the development of an educational brochure on boating safety for distribution to recreational boaters.

## 4. Open Water Use

The surface-waters designated as “open water<sup>50</sup>” on LWRP [Figures 6A](#) are considered open water use. These “open-water” areas do not exhibit environmental or use conditions that require focused planning or special regulatory attention.

### D. Harbor Management Plan

#### 1. Introduction

While preparing the LWRP, the Town of Alexandria and the Village of Alexandria Bay recognized the need to manage potential conflicting uses and activities occurring in certain areas of the waterside portion of the local waterfront revitalization area. To that end, the Town of Alexandria and the Village of Alexandria Bay, pursuant to Article 42 of the Executive Law and Department of State regulations, 19 NYCRR Part 600, 601.1, and 603<sup>51</sup>, have prepared a Harbor Management Plan (HMP) as part of their LWRP. With the goal of avoiding redundancy, many sections within the LWRP are cross-referenced in its HMP.

This HMP addresses current surface-water uses and proposes goals and objectives for a defined Harbor Management Area (HMA) described below, and identifies opportunities for protecting and improving the quality of the HMA while supporting the continued and safe use of surface-waters therein. The goals, objectives, recommendations, and implementation strategies for protecting the surface-waters within the HMA are consistent with the policies included in Section III of the LWRP.

#### 2. Harbor Management Area Boundary

The Harbor Management Area (HMA) falls within the jurisdiction of both the Village of Alexandria Bay and the Town of Alexandria and includes waters adjacent to the mainland and Wellesley Island, as well as many smaller islands. Although the HMA includes the St. Lawrence shipping channel, the United State Coast Guard maintains jurisdiction over this channel. The HMA is illustrated on [HMP Figure 1](#) and is described as follows:

The HMA begins at the mean high water line along the northeastern half of Keewaydin State Park just north of Comfort Island; then extends west across the St. Lawrence River to the mean high water line on Wellesley Island; then continues northeast along the mean high waterline of the Wellesley Island shoreline to the northern tip of the Wellesley Island; then extends northeast across the St. Lawrence River to the Town of Alexandria mean high water line in Carnegie Bay just south of Iroquois Island; then continues southwest along the mean high water line of the Alexandria and Alexandria Bay shoreline to its point of origin.

---

<sup>50</sup> An area of surface unobstructed by aquatic vegetation, boulders, and the like, adequate for navigation.

<sup>51</sup> Guidelines for the Preparation of Harbor Management Plans  
<http://www.dos.ny.gov/opd/programs/pdfs/hmpguide.pdf>

### 3. Existing Conditions

#### A. Natural, Historic, and Cultural Resource Inventory

A complete inventory of the existing natural and cultural resources, physical features, surface-waters and underwater lands within the Harbor Management Area is incorporated in Section II of the Local Waterfront Revitalization Area, as indicated below in Table A.

**Table A: Existing Conditions Reference to LWRP Sections**

HMP Inventory	HMP Figures or LWRP Sections
<b>Commercial, industrial, and recreational water-dependent uses (such as ferries, marinas, boat yards, transshipment facilities, swimming areas, commercial or recreational fishing)</b>	LWRP Section II.D Land and Water Uses and Table II.3; LWRP Figures 6B: Scenic, Cultural, and Historic Resources.
<b>Types of vessel activity (including ferries, tour boats and other commercial or recreational vessel traffic)</b>	LWRP Section II.D Land and Water Uses.
<b>Water quality and use standards</b>	LWRP Section II G1. Flood Hazard Areas, Wetlands, Surface Water
<b>Wetlands and significant habitats (No NYS designated significant habitats lie within the HMP area)</b>	LWRP Section II. G1. Flood Hazard Areas, Wetlands, Surface Water; and G2. Significant Coastal Fish and Wildlife Habitat Areas; LWRP Figures 6A: Natural Resources.
<b>Historic underwater sites or structures (such as shipwrecks, historic dry docks, or archaeological sites) and National Historic Register sites</b>	Section II. Archeological Resources and Table II-4; HMP Figure 4 and 5: Underwater Resources and Underwater Land Use Grants
<b>Underwater cables, pipelines, and any other underwater structures</b>	HMP Figure 6: Docking Facilities Map
<b>Navigation channels</b>	HMP Figure 1: Harbor Management Area
<b>HMP Inventory</b>	maps and narrative of LWRP Section II and VI
<b>Bulkheads, docks and docking facilities</b>	HMP Figure 6: Docking Facilities Map
<b>Sewage treatment facilities (no sewage treatment facilities fall within the HMP area)</b>	Section II. E. Infrastructure
<b>Vessel waste facilities (no vessel waste facilities are located within the HMA)</b>	Section II. E. Infrastructure
<b>Public water supplies (no public water supplies fall within the HMP area)</b>	Section II. E. Infrastructure
<b>Roadways</b>	Section II.E2. Infrastructure; LWRP Figure 2: Local Map
<b>Adjacent existing land uses to HMA</b>	Section II.D Land and Water uses, LWRP Figures 4: Existing Land Use
<b>Adjacent zoning districts to HMA</b>	Section II.D Land and Water Uses; LWRP Figures 5: Existing Zoning
<b>Scenic Resources</b>	Section II.F Recreational, Cultural and Historic Resources; LWRP Figures 6B: Scenic, Cultural, and Historic Resources

## B. Character Areas

Based on primary surface-water uses, the HMA can be characterized into recreational character areas and commercial character areas, as illustrated in [HMP Figure 2](#).

The recreational character areas are divided between the mainland and Wellesley Island. The mainland recreational area begins along the northeastern half of Keewaydin State Park and continues northeast along the shoreline of the mainland until Cherry Island and then extending into the St. Lawrence River to the St. Lawrence shipping channel boundary. The Wellesley Island recreational area begins just north of the U.S. Coast Guard Wellesley Island Station and continues northeast along the shoreline of Wellesley Island to the island's northeastern most tip and then extends into the River to the St. Lawrence shipping channel boundary. The predominant recreational surface-water activities occurring in these areas include boating, swimming, scuba diving, and fishing.

Similar to the recreational areas, the commercial character areas are divided by either the mainland or Wellesley Island. The mainland commercial character area hugs the shoreline of the village beginning at Edgewood Resorts, just southwest of Otter Creek, continuing northeast until just south of Iroquois Island and extending into the River to the St. Lawrence shipping channel boundary. In addition, the Mainland Commercial Area includes Otter Creek to the grocery store docks. There are also two areas along Wellesley Island where the predominant surface-water use is commercial. The first includes the Wellesley Island Yacht Club located northwest of Welcome Island. The second commercial character area is located within a marina along the shoreline west of Maple Island. The predominant commercial surface-water activities occurring in these areas include private marinas and docking facilities.

## C. Existing Authorities for Underwater Lands and Navigable waters

Ownership of the St. Lawrence River, within the territorial limits of the United States and all submerged lands, including subsurface lands under the river, is held by the State of New York, unless ownership has otherwise been granted to any other person or entity.

The New York State Office of General Services (OGS) manages all state-owned underwater lands. The OGS issues grants, leases, easements and other interests for these underwater lands. Navigable waters in the Town/Village of Alexandria Bay LWRA are managed under the authority of the New York State Navigation Law and United States Coast Guard (NYS Executive Law, §§915,922; and Navigation Law §§46, 46-a, 130.17, 33-c.10, 45-b, and 130.11). Local town or village law regulates privately owned underwater lands.

A review of OGS maps of the shoreline of the Village of Alexandria Bay and Wellesley Island reveals that the majority of shoreline property owners have been granted by OGS a beneficial enjoyment use or commercial use of the adjacent underwater lands, as shown in [HMP Figure 4](#). Prior to any proposed development over the surface water and on these underwater lands, research should be conducted regarding the type and duration of use granted by the OGS as well as land ownership. This will clarify the regulatory authority primarily responsible for overseeing future development and authorizing the proposed use.

## 4. Local and Regional Issues

### A. Issues of Local Importance

The St. Lawrence River is one of the community's most valuable resources and a focal point for the village's downtown redevelopment strategy for economic growth. The St. Lawrence River provides a dynamic facet to the residents who live near the water's edge. During the planning process for this HMP, residents and stakeholders of the Town of Alexandria and the Village of Alexandria Bay identified issues pertinent to the maintenance and revitalization of the HMA. During various stakeholder meetings the following issues were identified:

1. Management of surface-water activities.
2. Physical and visual access to the Harbor Management Area.
3. Protection of scenic quality of Harbor Management Area.
4. Protection of the cultural resources and environmental integrity of the Harbor Management Area.

#### Surface-Water Activities

Surface-water activities in the HMA are predominantly recreational and include boating, swimming, scuba diving, and fishing. Boating is the dominant activity and includes a variety of motorized vessels both private and commercial. International commercial and industrial ships travel through the international shipping channel. Public swimming in the HMA is allowed in a designated area just off of the village public beach. Scuba diving is also allowed in a designated area off of Scuba Park. Currently neither activity conflicts with the recreational or commercial boating activities. [HMP Figure 2](#) illustrates distinctive character areas within the HMA, based on primary surface-water uses.

Due to the physical configuration of this harbor area with its many islands and shoals coupled with the recreational surface water activity and international shipping channel, temporary anchoring and overnight mooring activities generally occur close to one of the many island shorelines.

Although the boating traffic routinely crisscrosses through the St. Lawrence international shipping channel, the shipping channel is well marked and vessel speed limits minimize potential boating conflicts. As the region increases in popularity and new visitors frequent the St. Lawrence River, it is anticipated that these surface-water activities will increase. Continuity in local and regional regulation of the various boating activities along with well-marked areas for swimming and scuba diving will effectively manage such activities to ensure safe and enjoyable use of surface waters in the HMA.

#### Physical and Visual Access

Protection and enhancement of existing public access points is a focus of the LWRP and this HMP, and is reflected in Sections III and IV of the LWRP. Public access to the water occurs in two forms: physical access to and on the water and visual access of the St. Lawrence River. Protection and enhancement of physical and visual access within the HMA is of primary concern as it impacts the quality of life for local residents, quality of experience for visitors, as well as economic development through tourism and water-related recreational activities.

Strong management of seasonal boat traffic as well as the development of future water-dependent or water-enhanced structures is necessary to ensure that the benefits of public access to the water is achieved without compromising navigation, boating safety, or the scenic and environmental quality of the waterfront and harbor.

Property along the town shoreline of the St. Lawrence River in the HMA, is primarily privately owned land with limited public access opportunities. The only publicly owned site on an island in the HMA is Boldt Castle on Heart Island. The dominant land use on the islands in the HMA is residential waterfront with a few commercial marinas. There are two commercial marinas open to the paying public as well as the private Thousand Island Yacht Club, which operates and maintains a marina for its members and visitors. Boat storage and traffic in this area has grown and may have reached capacity for this area. The safe navigation of boats in and around Wellesley Island should be given careful consideration prior to allowing additional dockage on or near the island.

The village shoreline within the HMA is also predominantly privately owned, with commercial hospitality uses dominating the scene. The vast majority of these water dependent and water enhanced uses provide direct access to the water for paying customers. Publicly owned access to the water is available to all residents, business owners, and visitors at Lower and Upper James Street Docks, Scenic View Park, including the public swimming beach and Casino Island, and Scuba Park.

### **Scenic Views**

Protection of the scenic quality of the St. Lawrence River and its dynamic islands as a “scenic resource” is of primary importance to the community. This includes protecting views of the St. Lawrence River as well as protecting the overall quality of the river and its environs to sustain its scenic beauty. Maintaining and improving the uniqueness of the Thousand Islands is tantamount to ensuring a sustainable economy for the Village of Alexandria Bay and the Town of Alexandria.

What is distinctive about this section of the St. Lawrence River and sets it apart from its neighbors is the number and proximity of the many islands, which are dotted with colorful, one-of-a-kind boathouses, many of which are culturally and historically significant to the area. The unique character of this waterscape, with the close proximity of many small, intimate islands with outcroppings, alpine vegetation, and colorful boathouses, is unique to this area. Boating tourists travel this stretch of the river for its narrow “waterways and corridors”. Boating access and visual access to this scenic wonder from landside and waterside is critically important to one’s overall experience and enjoyment of the area.

### **Historic, Cultural and Environmental Resources**

Protection of significant cultural resources in the HMA is necessary to preserving the unique quality of the HMA. Many of the cultural and historic resources are located landside (on an island or the mainland), however, there are a few underwater features, such as several shipwrecks on the river bottom, which have attracted recreational tourists. Over the last decade, the Thousand Island region has experienced an increase in recreational tourists interested in diving the many historic shipwreck sites. Underwater access to the shipwrecks is allowed, however it is unlawful to disturb archeological resources (including most shipwrecks and underwater archeological sites) on public lands without first

obtaining a permit from the New York State Museum, as stipulated in § 233 of New York State Education Law.

Adequate protection is provided to the historic resources listed on the national register, and identified in LWRP [Figures 6B](#). However, there are many other cultural features that deserve local support, in terms of management and preservation. Among these important resources are the many historic private boathouses, some with second-story living quarters. These boathouses have been part of the Alexandria Bay culture since it was founded in 1818. The use of the second level of a boathouse as water-enhanced living quarters has historic precedence in this region. The preservation and maintenance of these is critical to carry on the Alexandria Bay/Thousand Island vernacular, which undoubtedly contributes to its scenic beauty.

Of equal significance is the environmental health of the HMA. The majority of the environmentally sensitive areas along the shoreline located in the LWRP and illustrated in LWRP [Figures 6A](#), are not located within the HMA.

The harbors and local bays have received increased pressure in terms of shoreline development. Management of growth along the shoreline is essential to ensure the safe and reliable navigation through the HMA, and to protect its environmental integrity and scenic quality.

## B. Issues of Regional Importance

Similar to the issues of local importance, the primary issues of regional importance center on tourism, recreation, and commerce. The St. Lawrence River is an important seaway for all three facets of the regional economy. Tourism opportunities exist all along the St. Lawrence Seaway from Massena to its transition into Lake Ontario at Cape Vincent, New York. The Thousand Islands are a tourist destination with international attraction that includes the Town of Alexandria and Village of Alexandria Bay. The shipping channel through the St. Lawrence remains central to the movement of commerce from the Atlantic Ocean to the interior Great Lakes and major harbors located in Rochester, Buffalo, and ports further west such as Chicago and Milwaukee. One of the many recreational destinations for fisherman, boaters, skiers and other water enthusiasts is the Thousand Island venue with its unique island formations and spellbinding beauty. International tourism, an important aspect for the region as well as for each local community is strong due to these unique qualities.

The protection of the natural, scenic, and cultural resources in the area is key to promoting economic growth for the region. What is healthy for the region is also healthy for the local community. The responsibility of managing local resources falls to each community, however the results benefit the entire region.

Potential conflict exists between development in commerce and promotion of the natural and cultural beauty of the St. Lawrence region. This conflict can be avoided as effective environmental quality standards are maintained while managing growth in commercial activity along the St. Lawrence Seaway.

## 5. HMP Goals and Objectives consistent with LWRP policies

The policies that regard water-related uses in the land side or water side of the Harbor Management Area are set forth in Section III of the LWRP. Following is a list of goals and recommended action steps for future management of and improvements to the Harbor Management Area. The LWRP policies applicable to each goal are identified.

### A. Public Physical and Visual Access

The following HMP goals are consistent with Policy 9, 19, and 20 of the LWRP.

#### **HMP GOAL 1 MAINTAIN WATERFRONT ACCESS FOR BOTH PUBLIC AND PRIVATE USERS.**

Objectives:

1. Encourage a reasonable mixture of privately-owned and publicly-owned water-dependent or water-enhanced uses.
2. Ensure safe and reliable public boating access to and from lower and Upper James Street municipal dock.

#### **HMP GOAL 2 ENHANCE ACCESSIBILITY FROM THE WATER TO LANDSIDE DESTINATIONS.**

Objectives:

1. Establish wayfinding signage for boating tourists to access businesses in the village.
2. Provide affordable and accessible public transient docking.

#### **HMP GOAL 3 PROTECT IMPORTANT SCENIC VISTAS FOR ENJOYMENT BY COMMUNITY RESIDENTS AND VISITORS.**

Objectives:

1. Maintain public viewing opportunities of the scenic St. Lawrence River.
2. Protect scenic view of Boldt Castle from Casino Island.
3. Protect distinctive vistas and panoramic views located between the mainland and Wellesley Island.

### B. Safety in Water-Related Activities

The following HMP goal is consistent with Policy 21 of the LWRP.

#### **HMP GOAL 4 PROMOTE SAFE BOATING AND OTHER WATER-RELATED ACTIVITIES THROUGHOUT THE HMA.**

Objectives:

1. Minimize potential conflict points between different boating activities.
2. Provide safe environment for swimmers and scuba divers in HMA.
3. Regulate the development of new docks or dock extensions or floating structures to reduce potential congestion in harbor.

### C. Protect Cultural and Environmental Resources

The following HMP goals are consistent with Policy 7, 8, 9, 10, 23, 24, and 25 of the LWRP.

#### **HMP GOAL 5: INVENTORY AND PROTECT CULTURAL RESOURCES LOCATED IN THE HMA.**

Objectives:

1. Establish a permitting and site plan review process for all new construction, alteration, or renovation of existing boathouses and other docking facilities.
2. Encourage the preservation of historic boathouses located on waters adjacent to private lands that influence the unique vistas, and dramatic shoreline of the HMA.
3. Encourage development compatible with the Thousand Islands signature character, which includes pitched roofs, wood siding, stone facades, and colorful entryways through local design standards and guidelines.

**HMP GOAL 6 PROTECT THE SIGNIFICANT COASTAL FISH AND WILDLIFE HABITATS IN THE HMA.**

Objectives:

1. Protect the environmentally sensitive areas within and adjacent to the HMA.
2. Understand the interdependence between neighboring bays for a sustainable aquatic ecosystem.

#### D. Economic Development

The following HMP goal is consistent with Policy 1, 2, 4, and 5 of the LWRP.

**HMP GOAL 7 PROMOTE THE HMA AS A REGIONAL, NATIONAL, AND INTERNATIONAL TOURIST DESTINATION.**

Objectives:

1. Support water-dependent commercial activities.
2. Maintain a quality wayfinding system for navigation.
3. Promote international scuba diving activities/opportunities.
4. Promote international fishing activities.
5. Support ecotourism in the Thousand Island region.

## 6. Surface-Water Use Plan

### A. Basis for Plan

The basis for this surface-water use plan is founded upon the goals stated above and the policies included in Section III of the LWRP, whereas the overarching goal is to encourage a healthy balance of safe recreational and commercial surface-water uses with preserving the water quality and environmental integrity of the St. Lawrence River. Surface-water uses in the HMA include a mixture of commercial and private recreational boating activities, swimming, and scuba diving. Industrial fishing is no longer present in this area. As the local economy is dependent on tourism, it is critical that surface-water uses in the HMA are managed to support recreational enjoyment of the river and protect the environmental quality of the area.

### B. Current Surface-Water Uses and Opportunities for Improvements

During the warmer seasons there is continuous surface-water activity in the Harbor Management Area. With the exception of ice fishing and ice diving, a specialty among scuba divers, almost no activity takes place during the winter season. Clearly more activity takes place during the tourist season of the warmer

months and a high percentage of the surface-water activity is recreational in nature. A more detailed breakdown of use type along the waterfront is illustrated in the [HMP Figure 3-Existing Surface-Water Use Map](#).

### **Boating Traffic**

The primary surface-water activity is recreational boating, both private and commercial. The vast majority of the recreational boating activity involves motorized vessels. Most of the commercial boating operations are tourism related, and include boating repair services, marinas, charter fishing boats, boat rentals, tour boats, and sunset cruises. The private recreational boating activity primarily includes personal pleasure boats, fishing boats, water skiing, wakeboarding and small personal watercraft including jet skis, canoes, kayaks, and rowboats. Visitors, residents, and tourists from all of the Islands as well as the mainland, from Otter Creek to Carnegie Bay, engage in recreational boating throughout the area. During the summer tourist season, boating activities increase dramatically and in recent years, there has been an increase in the number of personal watercraft (jet skis, jet boats etc) in the HMA. An increase in the volume and diversity in boating activities may pose a concern for safety and overall health of the river, however, the current New York State Navigation Law and United States Coast Guard regulations regarding vessel speed limits and noise levels effectively address these concerns.

The St. Lawrence Seaway Shipping Channel slices through the heart of the HMA. The international shipping channel has been an important component of the communities' cultural fabric. Even though there is potential for conflict between the larger commercial vessels and smaller vessels, due to strong and effective communication between boaters and the coast guard conflicts have been mitigated or avoided. The local boating traffic does routinely cross the shipping channel to access many of the islands including Wellesley Island. The many islands, which make this area so dramatically unique, also contribute to the multitude of "traveling corridors" which, at times, can generate chaotic boating patterns. The current pattern of boating traffic and the points at which congestion occurs is depicted on [HMP Figure 3-Surface-water Uses](#).

### **Docking, Mooring, and Anchoring**

The majority of docks and marinas in the HMA are located on privately-owned sites that provide direct access to the surface-water in the HMA. These include residential properties with docks, recreational clubs, marinas, resorts, restaurants, and motels with private docks, and boating supplies and service facilities. The location and approximate number of docking facilities in the HMA are identified in [HMP Figure 6](#). Currently there is enough docking capacity to house approximately 1,400 boats, however there is pressure for additional dockage. There is an opportunity for local municipal overview of newly constructed or expansion of existing docking facilities and marinas. The purpose of local regulation would be to coordinate the growth and expansion of docking facilities and marinas to avoid congestion and to ensure sustainable and safe growth along the shoreline.

The town and village do not have an established anchorage area in the HMA and boaters have been allowed to anchor wherever they determine to be safe and convenient. Over the years, transient anchoring hasn't been a concern, however recently, due to the increase in boating traffic and tourism, transient anchoring has increased. Because of the many islands in the HMA, and the volume of visitors

unfamiliar with the area, regulating transient anchoring is now necessary. The volume of boaters who anchor temporarily is not the issue as much as identifying the critical areas where transient anchoring should not happen for safety reasons. Therefore, designating for safety reasons “No Anchor Zones” in the dangerous areas will improve the safety for all boaters. These specific areas have been identified on the [HMP Figure 1-Harbor Management Area Map](#) and [HMP Figure 3-Surface-water Uses](#), within which anchoring should not be allowed for safety reasons. This will minimize the potential for “grid lock” in some of the more narrow fairways. Also, due to the dynamic layout of the HMA, with islands and shoals and an international shipping channel, permanent moorings will not be allowed anywhere in the HMA.

Most recently there has been a slight increase in the number of houseboats either docked or moored near the village or town mainland. Although such surface-water uses are not of concern to date, proactive management through code enforcement of such water-dependent and water-enhanced uses in the HMA will effectively protect the overall environmental health, recreational enjoyment, and scenic quality of the waters in the HMA.

### **Environmental, Cultural, and Scenic Resources**

The Thousand Island region is known for its rich and dynamic waterscape, which consists of natural, cultural, and scenic resources. These resources are important assets of the HMA. While there are no New York State-designated Significant Coastal Fish and Wildlife Habitats within the HMA as described in Section II and Appendix B of the LWRP, there are other wetland and shoreline habitat areas within the HMA that are worthy of protection and preservation as depicted in LWRP Figures 6A. These areas will be protected from excessive surface-water uses. Currently the more intense surface-water uses in the HMA are not near the sensitive wildlife sites. Future development or increase in uses will be managed so as to protect these sensitive areas.

Of equal significance are the many islands that contribute to the waterscape and the beautiful and unique two story boathouses located on the shoreline of various islands. The protection of these scenic and cultural resources is important to the economic vitality of the region, as they attract national and international tourists to the area. New two story boathouses with appropriate architectural features, is supported by the community as such use has been woven into and become part of the cultural and architectural fabric of the Thousand Island region. With site plan review high quality and environmentally safe development will be encouraged, adding value to the scenic beauty of the area. As discussed in Section II.F of the LWRP, an inventory of existing boathouses should be conducted and used to designate historic boathouse districts where it would be more appropriate to allow for the construction of new boathouses and development of local design standards and guidelines to ensure new boathouse construction is compatible with community character and does not detract from scenic resources.

### **Publicly-owned access points**

Although the majority of the waterfront adjacent to the HMA is privately owned with varying degrees of access to the water, there are important public access points available to the community. The following

are the publicly owned access sites within the HMA, and identified in LWRP [Figures 6B and LWRP Figures 8](#):

1. Scenic View Park and Casino Island including Scenic View Dock
2. Scuba Park at foot of Market Street
3. Upper and lower James Street Docks
4. Bethune Street access

Upper James Street Dock is a municipal dock with daytime and overnight docking options for a minimal fee. This surface-water use is strategically located for public boating access to and from the village and supports the tourist industry that is vital to the economic health of the community. The water access point at the end of Bethune Street is small in scale and is available for use by smaller motorboats.

A well-used publicly owned access point is Scenic View Park, which has a beach and swimming area, a pavilion, a municipal dock and parkland along the shoreline with a pedestrian bridge connected to Casino Island. The swimming area is well marked to avoid potential conflict between the swimmers and boaters. A sister park, Scuba Park, provides public access to the HMA for scuba diving which is growing in popularity. To date these surface-water activities have been successfully managed and protected from the motorized boating activities.

However, the scuba diving area should be marked with buoys and the speed limit for all vessels should be 5 mph within 100 feet of such buoys or red flags. With proper markers for restricted diving areas these underwater uses can safely continue.

There are privately owned sites along the water's edge with opportunities for revitalization, improved scenic quality, and expanded visual and physical waterfront access. One particular site with an opportunity, which would benefit the entire community, is the River Hospital site along the village's northern shoreline. There is an opportunity along this stretch of the waterfront to connect the two parks, Scenic View and Scuba Park with a pedestrian walk in front of the hospital to provide both physical and visual access to the water, as illustrated by the Riverwalk Concept Plan included in Section II. Such an improvement would be extremely beneficial to the community, as the scenic views from this vantage point are spectacular.

## 7. Recommended Implementation Strategies

Implementation of this Harbor Management Plan is dependent on the communities' proactive management of the issues and opportunities identified herein. The following is a discussion of the various strategies that can be used to protect and enhance the HMA. These strategies are discussed relative to the goals and objectives stated herein.

### **HMP GOAL 1 MAINTAIN WATERFRONT ACCESS FOR BOTH PUBLIC AND PRIVATE USERS.**

Currently, waterfront access is somewhat limited to public users. The development of a river walkway connecting Scenic View and Scuba Park would greatly improve access to the St. Lawrence River. The river walk should also be connected with the upper James Street dock and downtown business center, providing a walkable experience for tourists and visitors from the water's edge to downtown shops and

restaurants. Another long-term strategy to ensure adequate public access is to develop a parks master plan for both communities that assesses the local recreational needs, including recreational water activities and identifies future improvement opportunities.

**HMP GOAL 2 ENHANCE ACCESSIBILITY TO LANDSIDE DESTINATIONS.**

To accomplish this goal the village must establish a strong connection between boating tourism in the HMA and landside tourism in the village and town. To this end, the village must ensure reliable and convenient access for boaters from the water to landside destinations by maintaining safe, reliable, and clean public dockage and by providing directional signage to landside locations as well as safe, convenient, and visually appealing pedestrian connections from the inner harbor to the business center and other points of interest.

**HMP GOAL 3 PROTECT IMPORTANT SCENIC VISTAS FOR ENJOYMENT BY COMMUNITY RESIDENTS AND VISITORS.**

An effective strategy for the protection of distinctive scenic views in the portion of the St. Lawrence River within the HMA is to require all commercial development projects along or near the shoreline of the HMA to be reviewed during site plan review for potential visual impacts. This can be achieved on a per project basis. Village and town planning boards should consistently apply this long-term implementation strategy to all waterfront development. Strategies for mitigating possible visual impacts should be determined on a per project basis.

**HMP GOAL 4 PROMOTE SAFE BOATING AND OTHER WATER-RELATED ACTIVITIES THROUGHOUT THE HMA.**

Safe boating access can be achieved with application of a local harbor management law that regulates boating and other water-related activities within the Harbor Management Area. The local harbor management laws regulating surface-water activities, for the town and for the village, are included in Appendix A-1. Another ongoing implementation strategy is for the local municipalities to continue supporting the enforcement of state and federal laws to ensure safe boating and swimming experiences.

A continuous, long-term strategy is to facilitate the development of an educational brochure on boating safety in the thousand islands, for distribution to visitors, tourists, seasonal residents, and novice recreationalists. A brochure can list the “dos and don’ts” of safe water-recreation such as:

- Safe vessel speed
- Boating license requirements
- Boating registration requirements
- Safe boating practices
- Safe swimming and scuba diving practices
- How to read flags, buoys, and other water-signs
- Boating etiquette
- Rules of the waterway as defined by Alexandria Bay

**HMP GOAL 5 INVENTORY AND PROTECT CULTURAL RESOURCES LOCATED IN THE HMA.**

The development of an historical and cultural resources inventory and management plan for the HMA would be a useful tool in the protection of the communities’ resources. Also, boathouse districts, architectural standards, and design guidelines could be developed to address new boathouse

construction or additions, renovations, or expansions to existing boathouses and other waterfront structures to ensure compatibility with community character protection of scenic resources.

**HMP GOAL 6 PROTECT THE SIGNIFICANT COASTAL FISH AND WILDLIFE HABITATS IN THE HMA.**

The best implementation strategy for this goal is to ensure that during site plan review and SEQR review, potential environmental impacts to the significant coastal fish and wildlife habitats in the area be identified and mitigated or avoided through application of appropriate techniques or by adjusting the proposed development.

**HMP GOAL 7 PROMOTE THE HMA AS A REGIONAL, NATIONAL, AND INTERNATIONAL TOURIST DESTINATION.**

Continued safe, efficient, and convenient access through the Harbor Management Area and from the harbor to landside destinations is critical to connect the boating traffic with the local hospitality businesses. This includes smartly managing the public docks, promoting landside destinations and convenient hospitality services.

What has become inconvenient for many international boaters is the time incurred waiting for clearance to enter the United States territory. Establishing a more convenient checkpoint experience may not rest solely with the local officials, however, it is recommended that the village and town continue to facilitate the establishment of a more convenient checkpoint process in collaboration with the necessary federal agencies.

The promotion of local water activities and special events is a strategy that can be facilitated by the village and town in partnership with the local businesses, either individually or through the chamber of commerce. For example, the village and town can promote the use of Scuba Park and the historic shipwrecks located in the HMA by hosting specific seminars, diving expositions, or other educational events relative to scuba diving. Private and public collaboration on the development of special events for tourists would benefit the entire community.

## **E. Proposed Waterfront Revitalization Goals**

An analysis of the current land uses and physical conditions along the waterfront helped the community identify the following goals for their waterfront revitalization efforts:

- Goal 1: Revitalize abandoned, deteriorated and underutilized sites.**
- Goal 2: Expand and improve physical pedestrian access to the waterfront.**
- Goal 3: Encourage development of commercial hospitality services for boating tourists to attract destination boating.**
- Goal 4: Protect scenic quality and improve visual access to the waterfront.**
- Goal 5: Address adverse water quality impacts from inadequate waste disposal systems and future new development.**

It is important to ensure a strong connection between recreational boating and tourism in the HMA and landside tourism in the village and town. This can be achieved by providing safe, reliable, and convenient access for boaters from the water to landside destinations. This requires maintenance of available dockage and directional signage to landside locations as well as safe, convenient, and visually appealing pedestrian connections. All future development projects must be reviewed with consideration for convenient and safe pedestrian connections.

The following projects were identified as the keystone projects necessary to kick-start revitalization efforts along the waterfront. These projects are consistent with and promote the LWRP policies stated in Section III herein. The following project descriptions provide additional breakdown of estimated construction costs excluding necessary contingency and fees. Project locations are identified on [LWRP Figures 8](#). Table IV.2 summarizes time frames and costs for identified projects including a 15% construction cost contingency and 25% cost contingency for legal, technical, and administrative fees. Table VI summarizes potential funding programs for each project. Concept sketches of the proposed Riverwalk and improved Scuba Park at Market Street, improved Goose Bay launch and desirable NYS Route 12 proposed development patterns are provided immediately following this section.

## F. Priority Sites for Improvements

While identifying important projects that are part of the village and town waterfront revitalization efforts, there are a few projects which are of priority to the two communities. Priority sites have been so designated due to their location and influence relative to the whole community. Included are sites for potential expanded and improved waterfront access, underutilized properties or properties with visual and physical degradation, and vacant properties with opportunities for re-development. These sites are listed in Table IV.1. All of these priority projects along with additional waterfront projects are described below.

**Table IV-1: Priority Sites for Improvements along the Shoreline**

	Village of Alexandria Bay	Town of Alexandria
<b>Potential Expanded Waterfront Access</b>		
	Former Thompson Motel site	Goose Bay
	Scenic View Park	Wellesley Island Public Boat Launch
	Scuba Park @ Market St.	Swan Bay
	River walk	Otter Creek
	Village Public Beach	
<b>Priority Revitalization Areas</b>		
	Former Thompson Motel site	Edgewood Resort
	Former Monticello Hotel	Gionets
	Former Grand Hotel site	
	Harden site	

## G. Proposed Waterfront Revitalization Projects

### 1. Village of Alexandria Bay

#### Waterfront Public Access Projects

The scope of this project involves redevelopment efforts along the public waterfront and downtown business district with the goal of establishing a strong physical and visual connection. This waterfront revitalization effort is divided into three phases. The first two phases have been completed and the community is very committed to completing the third phase. Any opportunity for additional public access to the waterfront should be considered while these waterfront revitalization efforts are undertaken. Sketches and conceptual plans illustrating the proposed improvements are included in Appendix F.

**Phase I: Scenic View Park Improvements:** This phase consisted of improvements to Scenic View Park. The village received funding to renovate the existing pavilion and to add public restrooms at Scenic View Park. Both of these improvements have occurred. All that is remaining is a safe pedestrian connection along the waterfront from Scenic View Park to Scuba Park at Market Street (see Phase III).

**Sketch 1: View of Scuba Park from St. Lawrence River**

**Phase II: Scuba Park @ Market Street:** This 0.16-acre site with 128 feet of shoreline was donated to the village by an adjacent landowner. The site is one block north of James Street at Market Street. Primarily scuba divers use the site, but it also has the potential to provide enhanced passive recreation, visual access, and hand-powered boat access. The village engaged in the initial development of this site with a gazebo, parking area, and scuba launch in 2008. Further enhancement of this site and the neighboring public streets will improve the pedestrian connection between the public

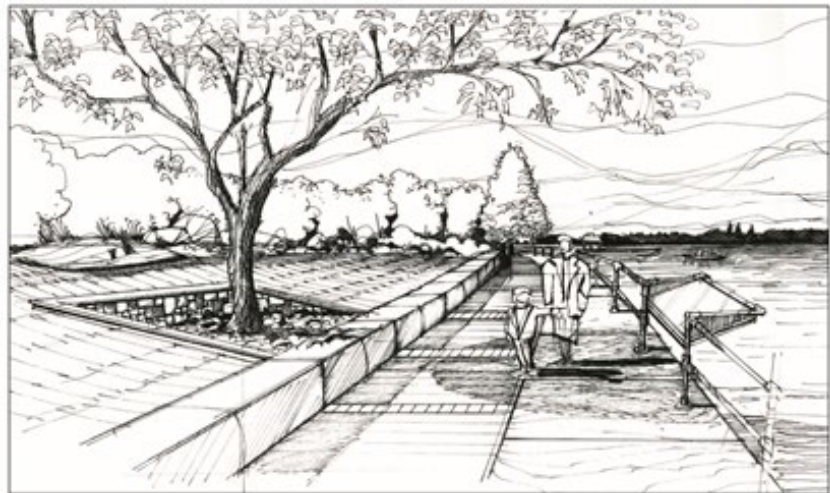
waterfront and the village core, which will encourage redevelopment of nearby privately owned properties.

Estimated Construction Cost for further enhancement of Scuba

Park:	Interpretive signage	\$4,000
	Site furnishings and lighting	\$4,000

**Phase III: Riverwalk:** There is an important opportunity for the River Hospital, which sits on the village’s northern waterfront overlooking the St. Lawrence. The opportunity is to participate in the development of a river walkway along the shoreline from James Street to Scenic View Park along the water’s edge. This would improve physical and visual access, for users of all abilities, to and enjoyment of the dynamic waterscape. Further improvements to the public dock north of the River Hospital to enable Tall Sailing Ships to dock there for historical tourist events would complement the addition of a river walkway in this area.

Sketch 2: View of River Walk and Casino Island



This phase includes the specific elements associated with actual construction such as site preparation and demolition, earthwork, curbs, pavers, pedestrian structures (boardwalk, sidewalk, striping, etc.), and Riverwalk amenities such as benches, lighting and plantings.

Estimated Construction Cost for the proposed Riverwalk:

Survey	\$ 20,000
Engineering/Design	\$ 114,900
Permitting/SEQR	\$ 100,000
Construction costs	\$ 849,000
Construction Inspection	\$ 50,000
Estimated total project costs	\$1,133,900

## Repair Existing Public Docks and Boat Launches

Some of the village-owned docks and boat launching facilities need improvements to address structural deterioration, and improve functionality and aesthetics. The following is a list of proposed projects:

### Upper James St. Dock Improvements

- Replace remaining steel piling foundations and supporting steel framed wood deck and dock; estimated cost \$500,000
- Add lighting, plants, signage and furniture; estimated cost \$100,000

### Lower James St. Dock Improvements

- Replace existing steel piling foundations and supporting steel framed wood deck/dock with steel sheet piling, controlled backfill, concrete top & pavers; estimated cost \$99,000
- Add lighting, plantings, and signage; estimated cost \$50,000

### Holland Street Boat Launch Improvements

- Demolition; estimated cost \$8,000
- Refurbish concrete ramp; estimated cost \$12,000
- Replace wood decking and piers with steel sheet piling, controlled backfill, and concrete deck; estimated cost \$46,500
- Add lighting, plants, sign and bench; estimated cost \$12,000

### Crossman Street Boat Launch Improvements

- Demolition; estimated cost \$4,000
- Replace wood decking and piers with steel sheet piling, controlled backfill, and concrete deck; estimated cost \$46,500
- Add lighting, plants, sign and bench; estimated cost \$12,000

## Sewer Treatment Plant Upgrade

The existing village treatment plant is an activated sludge treatment system with a 1.5 mgd peak design flow. The village sewer system has infiltration and inflow problems, which on occasion result in sewage overflow. The infiltration/inflow problem is widespread and the presence of subsurface bedrock conditions makes it cost prohibitive to replace the entire sewer network. Summer season population levels also result in organic loadings near the plant's design capacity (1,251 lbs./day). The village also incurs substantial expenses hauling liquid sludge (max. 12% solids content with current equipment) not eligible for solid waste disposal (min 20 % solids required).

For these reasons, the 1998 engineering report recommended upgrading and that the village seek USDA, NYS Bond Fund and State Revolving Fund grant/loan funding to retrofit the existing sewer treatment plant with sequencing batch reactors able to handle a 2.4 mgd peak capacity and organic loadings of 1,576 lbs. /day. The existing sewer treatment plant was upgraded in 2012 to address identified problems. Additional upgrades are recommended to improve sludge handling, and provide storage, flow monitoring equipment, and chlorine contact tankage to handle higher peak flows.

Estimated Construction Cost for Sewer Treatment Plant Upgrade:

Treatment	\$1,612,750
Solids handling	\$ 930,000
Miscellaneous	\$ 300,000

### Best Practices for Stormwater Management

Stormwater management practices should be reviewed in both communities to determine potential impacts of development, redevelopment and land conversion activities on flooding, shoreline erosion, siltation, nonpoint source pollution, and the integrity of watershed and aquatic habitats. Shared stormwater management standards and design criteria are recommended for the village and town. All future development should be assessed according to the standards during site plan review. The following components for the standards and design criteria are suggested:

- Require new development, redevelopment, and all land conversion activities to maintain the natural hydrologic characteristics of the land;
- Establish minimum post-development Low Impact Development (LID) standards and design criteria for the control of stormwater runoff quantity and quality. Establish minimum design criteria for the protection of aquatic and groundwater resources down river from land development and land conversion activities from damages due to increases in volume, velocity, frequency, duration, and peak rate of storm water runoff. Establish minimum design criteria for measures to minimize nonpoint source pollution from stormwater runoff.
- Encourage the use of LID practices such as reducing impervious cover and the preservation of green space and other natural areas to the maximum extent possible where applicable.
- Establish provisions for the long-term responsibility for and maintenance of structural stormwater control facilities and nonstructural LID management practices to ensure proper function over time and so the facilities do not pose a threat to public safety.

The United States Green Building Council's (USGBC) LEED Sustainable Sites: Credits 6.1<sup>52</sup> and 6.2<sup>53</sup> can be used as a guide for developing low impact development management practices.

### Streetscape and Facade Improvements for Business District

This project includes improvements to the area between Walton Street, north to Fuller Street and Upper James Street Dock, east to Lower James Street Dock.

---

<sup>52</sup> Sustainable Sites: Credit 6.1- Stormwater Design - Quantity Control - <http://greenexamguide.com/content/sustainable-sites-credit-61-stormwater-design-quantity-control>

<sup>53</sup> Sustainable Sites: Credit 6.2- Stormwater Design - Quality Control- <http://greenexamguide.com/content/sustainable-sites-credit-62-stormwater-design-quality-control>

**Refurbish sidewalks:** Refurbish sidewalks along all streets in the commercial area and along residential streets linking key destinations such as Bolton Avenue, Catherine Avenue, and Walton Street.

Estimated Construction Cost for Streetscapes on Secondary Streets (assumes 50% of existing walk, curb, & trees can be saved)

Demolition	\$10/LF
Replace curb and 4' walk	\$41/LF
Lighting	\$50/LF
Signage	\$10/LF
Planting	\$20/LF
Street furniture	\$10/LF
Pavement repair	\$ 6/LF

**Comprehensive streetscape improvements:** The project includes lighting, plantings, street furniture, signage, pavers and curbs. Priority areas for comprehensive streetscape improvements are along upper James Street between the public dock and Church Street and along Market Street between James Street and the Cornwell Brothers Store Museum.

Estimated Construction Cost for Village Business District Streetscapes

Demolition	\$24/LF
Replace curb and 8' walk	\$55/LF
Lighting	\$70/LF
Signage	\$50/LF
Planting	\$30/LF
Street furniture	\$25/LF
Pavement repair	\$ 6/LF

**Façade program:** Encourage commercial properties in the Village Business District to make historically sensitive, pedestrian-scale façade improvements. Façade improvement costs vary greatly from building to building based on the number of stories and street frontage, façade materials, and desired character. Some buildings can be improved substantially with installation of an appropriate sign, paint, and perhaps an awning. Other buildings may require removal of existing façade, repairs to underlying brick or stone, cornice repair and painting, and reconfiguration of historically appropriate door, window, and sign placements. A minimum of \$250,000 is recommended to initiate a façade program in a target area, and a larger program would be required to include property owners in more than one target area.

### Develop Intermunicipal Parks Master Plan

A long-term strategy to ensure adequate public access to the water is to develop a parks master plan, for the village and town, which assesses the local recreational needs including recreational water activities.

Estimated costs to develop an intermunicipal parks master plan \$50,000

### Develop Tourism Marketing Plan

The Village of Alexandria Bay continues to rely on seasonal tourism as its primary economic engine. The tourism market has become increasingly more competitive over the years with constant pressure to improve the quality of events, hospitality services, and local entertainment provided to the tourist. Although an awareness of Alexandria Bay and the Thousand Islands already exists, improvements and enhancements are necessary to remain competitive in the tourism industry. It is recommended that the village engage in and develop a tourism marketing campaign that is tailored to promote the village's historic, cultural, recreational, and scenic resources.

Estimated costs to develop a Tourism Marketing Campaign \$50,000

Suggested tasks in this effort include:

**Wayfinding and Interpretive System:** Design, produce, and install wayfinding signs to provide directional information for travelers to points of interest throughout the village and local waterfront and interpretive signs that provide historic and current information regarding Alexandria Bay and the Thousand Island region.

**Website:** Improve the village website to be an interactive website for the village in conjunction with the Chamber of Commerce.

### Develop Joint Municipal Outdoor Recreational Facility

Since the 1960's, Alexandria Bay has owned and managed the Alexandria Bay Golf Club, a nine-hole golf course with tennis courts. The village's initial intention was to expand the golf course to include 18 holes. However, over the years, use of the golf course has declined while the need for outdoor recreational facilities for youth and adult activities and events has dramatically increased.

This village-owned undeveloped land is located in the Town of Alexandria. Thus, the Village of Alexandria Bay and the Town of Alexandria executed an intermunicipal agreement to share the development, maintenance, and operation of the proposed recreational facilities. The property is located within walking, biking and driving distance for both communities, is easily accessed, and has potential for connecting with the waterfront at Carnegie Bay. In response to the strong demand in the

community for recreational trails the Carnegie Bay Trail was developed. There is also a need for additional athletic fields. The current athletic fields are in constant use, which results in over-use of the fields and scheduling conflicts between user-groups. Municipally owned recreational trails and fields would benefit all recreationalists in the local community and could be used individually and for special events open to the greater community. With a multi-purpose recreational facility the community can host sporting events for cross-country skiing, cross country running, or soccer tournaments. This would increase recreational tourism opportunities in the Thousand Islands region.

The development of a new recreational facility would include the development of athletic fields, access roads, restroom facilities, and parking areas. The work will include clearing existing vegetation, grading, topsoil, seeding, and installation of miscellaneous amenities.

Estimated costs for full development of municipally shared recreational facility  
Athletic Fields and amenities     \$800,000

### Inventory of Thousand Island Boathouses

The unique boathouses along the Thousand Island shoreline significantly contribute to the Thousand Island regional character and are a valuable historic, cultural, and tourism resource. The Thousand Island Boathouse Inventory would document characteristics of existing boathouses including location, use, dimensions, and preferred architectural features. This inventory would provide the information necessary to designate historic boathouse districts where it would be more appropriate to allow for the construction of new boathouses and for the development of local design standards and guidelines to ensure new boathouse construction would be compatible with community character and would not detract from scenic resources. A Thousand Island Boathouse Catalog would also be produced for regional marketing and tourism efforts.

Estimated costs for development of inventory of Thousand Island Boathouses     \$35,000

### Recreational Boating Capacity Study of the HMA

A variety of surface-water activities take place within the Harbor Management Area, which is immediately adjacent to the open waters of the St. Lawrence River. A firm understanding of the boating capacity of this Harbor Management Area would provide the village and town with relevant data to support the development of best management practices for the area to ensure a healthy environment for all to enjoy.

Estimated costs for development of a recreational boating capacity study of the HMA     \$50,000

### Privately Owned Opportunity Sites in the Village

**Former Thompson Motel Site** This site, upon which once was the former Thompson Motel, consists of approximately one acre with 250 feet of waterfront, including the

waterfront adjacent to the Cornwall Brothers Store Museum. This site represents an excellent re-development opportunity incorporating enhanced visual and physical access to the waterfront. A water-enhanced use such as a hotel and/or a restaurant is preferred. Re-development of this site should include public recreational waterfront access.

**Monticello Hotel** This complex consists of two connected four or five story buildings on a .27-acre site. The original 1860's building was the home of John F. Walton and later the home of Harvey Cornwell. In 1922 it was expanded and converted into a hotel. The buildings were last operated as a hotel 25 years ago and most if not all of the interior finishes have been removed. There is currently a restaurant operating on the first floor. Re-development of the site is made difficult by the lack of on-site parking and the scale and cost of renovations. In spite of its deteriorating condition, the building remains an important example of historical architecture and an important link to the Village's resort legacy. It also occupies a key site between the James Street commercial area and the St. Lawrence River. Given the extended history of in-action, it will be necessary for the public sector to take a lead role in efforts to evaluate the feasibility of adaptive re-use or demolition/redevelopment including structural stability of each building, marketability of potential uses, and funding for renovations or demolition/construction.

Estimated Cost for Reuse Feasibility Study \$60,000

**River Hospital** The hospital is currently active and providing needed medical services to the community. The hospital occupies a key 3.1-acre site with approximately 325 feet of water frontage between Scenic View Park and the Scuba Park at the Cornwall Brothers Store Museum. Currently, the hospital has indicated an interest in collaborating with the village in the portion of the proposed river walkway that traverses on the waterside of the St. Lawrence River. Key hospital representatives and village representatives have discussed various options including land easements to ensure public access to an established riverwalk.

**Harden Site** This vacant property is the site of a former gas station located along Church Street (the main entrance to the village commercial area). The structures have been demolished, but the ground needs remediation prior to re-development. The village will discuss with the owner appropriate reuses of the site and steps necessary to remediate and re-develop the property. If possible, the village should facilitate an application to New York State Department of Environmental Conservation for environmental remediation funds.

**Former Grand Hotel Site** This vacant 78 ft by 69 ft site is located on Market Street between James Street and Walton Street. This site has had many owners, but is now owned by Ceresoli LLC. This site, located in the heart of the village's downtown area, is currently used for parking but is suitable for commercial or mixed

use, which would contribute to the local economy and help promote downtown revitalization.

## 2. Town of Alexandria

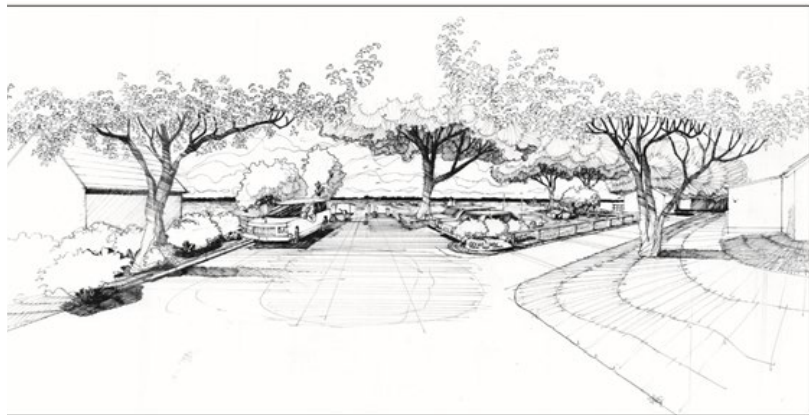
### Repair Existing Public Docks

**Goose Bay Boat Launch** The town has recently installed a new permanent dock at this boat launch and purchased a 33' by 80' site adjacent to the boat launch for public parking purposes. Development of parking will require demolition of an existing deteriorated structure.

#### Estimated Construction Cost for Goose Bay Launch Phase II

Demolish existing structure	\$ 8,000
Refurbish concrete launch ramp	\$12,000
Pavement replacement, walk, parking and curb stops	\$12,300
Lighting, plantings, railing, sign and site furnishings	\$18,800

Sketch 3: View of Goose Bay Public Boat Launch



**Wellesley Island Boat Launch** There is no municipal boat launch in the Town of Alexandria section of Wellesley Island. There is an existing publicly accessible launch at Blue Heron Boat Works. Potential opportunities exists to develop a municipal boat launch at Brown Bay, at Densmore Bay (near former B&R Cottages at Lois Lane), at Stump Road, or at the existing Blue Heron site at the far north end of the river side of Wellesley Island. The Town will review the pros and cons of each site and pursue improvements necessary to provide expanded public access at one or more of the sites.

#### Estimated Construction Cost for Wellesley Island Launch

Install or improve ramp and dock	\$62,500
Parking (5 cars) and circulation	\$74,000
Lighting, plantings, and site furnishings	\$12,000

**Swan Bay Boat Launch** There is an existing privately owned, publicly accessible boat launch at Swan Bay. The opportunity exists to provide additional parking at this location to allow for expanded use. The town will explore options for working with the property owner to fund improvements and expand public access at this site.

**Otter Creek Hand Carried Boat Launch** The Thousand Islands Land Trust (TILT) owns property southeast of Otter Creek near the village. This site represents an opportunity to provide paddling access and interpretive trails. TILT will be responsible for pursuing funding for expanded public access at this location. Construction cost estimates includes installation of a floating dock suitable for launching hand carried boats and low impact parking for up to 10 cars adjacent to an existing road.

Estimated Construction Cost for Otter Creek Launch: \$50,000

### Expansion of Town Sewer and Water Districts

The town has initiated incremental extension of sewers along NYS Route 12. Phases I and II including a sewage treatment plant at Fishers Landing and associated sewer lines as far-east as Bonnie Castle Stables have been funded. Efforts are now underway to plan for Phases III and IV which would expand the Fishers Landing treatment plant and extend sewers east to St. Lawrence Park and Snow Roads respectively. Fishers Landing sewage treatment plant, located in the Town of Orleans, serves the Town of Alexandria, Town of Orleans, and Town of Clayton.

Efforts are also underway to plan for the extension of the Otter Street water district to NYS Route 12. The expanded district would serve Keewaydin State Park, Thompson Mall, the Gionet site, and other uses between Otter Street and NYS Route 12. This project would also involve upgrading deteriorated lines within the existing district area. There are also plans to provide public sewers in this area.

Estimated Construction Cost for Otter Street Water Line Upgrade & Extension

Site Preparation and Restoration	\$315,550
Material + 15,000 LF 8-10" ductile pipe, + 10,000 LF of copper service Hydrants, values, meters, stops	\$661,430
NYS DOT crossing	\$ 25,000
Miscellaneous	\$ 83,500

Preliminary planning discussions have also occurred regarding extension of sewers to Dingman Point and Goose Bay. Project costs based on an estimated \$15,000 per hook-up would be \$2,500,000 and \$3,500,000 respectively.

### Integrated Management of Eurasian Watermilfoil

The spread of Eurasian watermilfoil, a highly invasive species, has had severe negative ecological and economic implications across the Great Lakes Region, including Goose Bay within the LWRA. It is known for its negative ecological impacts to native aquatic vegetation and local fisheries. With its canopy at the water surface and high growth rate, Eurasian watermilfoil reduces the light available for native vegetation and causes oxygen depletion in waterways. This results in decreased biodiversity, reduced fish spawning areas and diminished fish growth. Eurasian watermilfoil also has negative impacts on outdoor recreation and tourism; the dense floating mats created by Eurasian watermilfoil are menacing for swimmers and impede boaters and other water-based recreationists. This plant is a detriment to waterbodies within the Town of Alexandria, NY, particularly notable in Goose Bay due to its public boat launch. An integrated management approach that includes coordinated removal, assessment, and community engagement is warranted.

Locally, there are several groups that have been catalyzed by Eurasian watermilfoil removal efforts, including the Goose Bay Reclamation Corporation and the Goose Bay Ecosystem Based Management stakeholder group. In 2017, the Town was awarded a grant through the Great Lakes Restoration Initiative to utilize a variety of Eurasian watermilfoil control and removal methods, including chemical treatment, mechanical removal, and hand pulling efforts. While these funds will be an excellent resource to purchase the equipment and conduct preliminary planning necessary to launch an integrated management strategy, the town will have to sustain long-term costs to purchase herbicide, file permits, hire contractors, conduct observational surveys, and maintain equipment. The Town will also pursue other innovative strategies that may work to indirectly control Eurasian milfoil populations (e.g. restore fish passages or widen road culverts to restore natural hydrology, improve septic systems to remove additional nutrients from entering the ecosystem). For these innovative strategies, further planning and research is necessary. Estimated costs for these projects range between \$10,000 to \$300,000 depending on the scope and nature of the project.

### Bicycle Routes with Improved Safety

NYS Route 12 is a scenic byway, is included in the NY Seaway Trail and is a designated bicycle route. Most of the highway in the LWRP area has seven to nine foot shoulder suitable for bicycle use. There is however a short four lane, high speed curbed section less than one mile long between Keewaydin State Park and the main entrance to the village at Church Street which has a marked shoulder of only one foot. This area should be re-striped to provide for safer use by bicyclists.

County Route 1 and Otter Street carry lower vehicle volumes than New York State Route 12 and provide scenic alternative routes for bicyclists. Improvements to the bridge at Cranberry Creek may improve bicycle safety along County Route 1.

## Privately Owned Opportunity Sites in the Town

**Edgewood Resort** This facility is currently operating as a restaurant, bar and hotel/motel. This is a key waterfront site between the Village and Keewaydin State Park. Future improvements to the facility would benefit the facility as well as the surrounding community.

**Gionets Site** This site includes an unoccupied building and is located on NYS Route 12 near the village. Once remediated, this site may be appropriate for a wide range of commercial uses. The town will discuss with the owner appropriate uses of the site and steps necessary to remediate and re-develop the property.

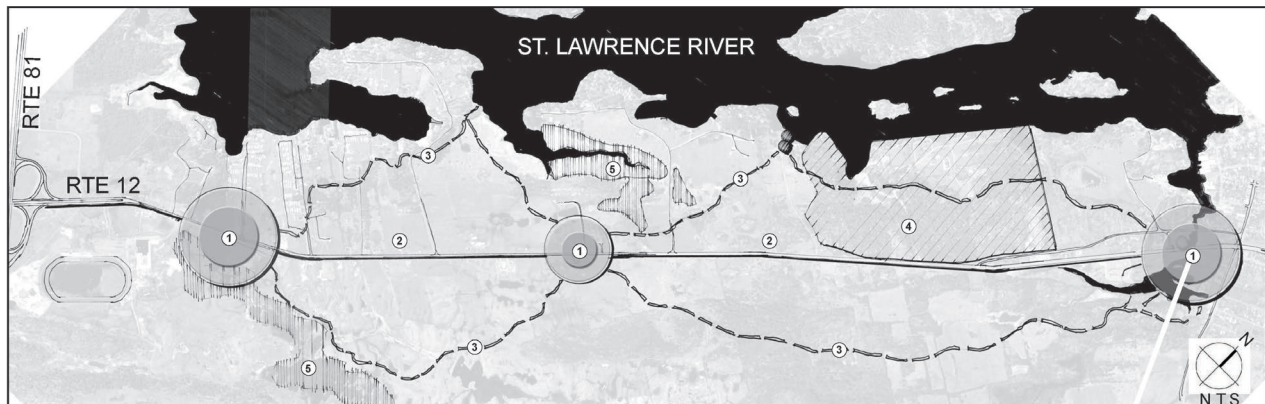
### County Route 100 Commercial Area/Wellesley Island Planned Development District

The Wellesley Island Planned Development District identifies an area at the intersection of County Route 100 and Stump Road as a neighborhood commercial area to serve Wellesley Island residents. The site is appropriate for development of commercial uses of a type and scale suitable given the water supply and sewer disposal infrastructure.

### Development opportunities along NYS Route 12 Corridor

As previously noted, incremental extension of public sewers in the NYS Route 12 corridor southwest of the village will expand the development potential of properties in this area. It is important that appropriate land use regulations and guidelines are in place so that future development activities address access management, aesthetics, and environmental protection. Sketch 4 illustrates desirable development patterns in this area.

Sketch 4: RTE 12 Corridor



### 3. Summary of Proposed Projects

Table IV.2 – Proposed Project Timeframes and Costs

Project	Time Frame*	Estimated Project Cost
<b>Village of Alexandria Bay</b>		
Scuba Park @ Market St.	S	\$8,000 <sup>1</sup>
Riverwalk	S/M	\$1.3 million <sup>1</sup>
Dock/Launch Improvements	S/M	
Upper James Street Dock		\$724,600 <sup>1</sup>
Lower James Street Dock		\$111,000 <sup>1</sup>
Holland Street Launch		\$78,500 <sup>1</sup>
Crossman Street Launch		\$62,500 <sup>1</sup>
Sewer Treatment Plant Upgrade	M	\$2.8 - \$4.0 million <sup>2</sup>
Water Intake Improvements	M	\$862,000 <sup>2</sup>
Church St. Water Distribution Improvements	M	\$2.97 million <sup>2</sup>
Best Practices for Stormwater Management	M	Undetermined
Streetscape Improvements	S/M	
Commercial Core		\$36,400/100 LF <sup>1</sup>
Secondary Streets		\$20,600/100 LF <sup>1</sup>
Facades		\$250,000 or more
Former Thompson Motel Site redeveloped	S/M	\$60,000 <sup>1</sup>
Monticello Hotel Feasibility Study	M/L	\$60,000 <sup>1</sup>
River Hospital	M/L	Undetermined
Harden Site Remediation Investigation	M	Undetermined
Former Grand Hotel Site Infill	M	Undetermined
Oddfellows Hall Renovations	M	Undetermined
Zoning Revisions	M	\$50,000 <sup>1</sup>
Intermunicipal Marketing Plan	M	\$35,000 <sup>1</sup>
Joint Municipal Outdoor Recreational Facilities	M	\$700,350 <sup>1</sup>
Inventory of Thousand Island Boathouses	M	\$35,000 <sup>1</sup>
Recreational Boating Capacity Study of HMA	M	\$50,000 <sup>1</sup>
<b>Town of Alexandria</b>		
Goose Bay Launch Improvements Phase II	S	\$51,100 <sup>1</sup>
Bicycle Route Improvement Project	M/L	Undetermined
Wellesley Island Boat Launch	M/L	\$148,500 <sup>1</sup>
Swan Bay Boat Launch – expand parking	S	Undetermined
Otter Creek Hand Carry Launch	M	\$50,000 <sup>1</sup>
NYS 12 Sewers	M/L	Undetermined
Eurasian Watermilfoil control	M/L	\$10,000-\$300,000
Otter Street Water and Sewer	M	\$1.52 million <sup>2</sup> (Water only)
NYS 12 Corridor design guidelines	M/L	Undetermined
Edgewood Resort	M	Undetermined
Gionets Site Remediation Investigation	M/L	Undetermined
CR 100/Wellesley Island PDD	S	Undetermined
Walton Street site @ NYS 12	L	Undetermined
<p>*S=Short Term (1-3 yrs), M=Medium Term (3-5 yrs), L=Long Term (5-10 yrs)            1 2003 cost estimates prepared by EDR based on experience with similar projects. Construction projects include a 15% contingency and 25% contingency for legal, technical, &amp; administrative fees.            2 2003 cost estimates based on engineering reports completed by Bernier Carr Group</p>		

## Section V Implementation Techniques

### A. Introduction

Implementation of the proposed policies and projects outlined in Sections III & IV of this LWRP requires varying degrees of involvement from the public and private sectors. To achieve a successful waterfront revitalization program, it is critical that there is local regulatory support, consistent application of the local LWRP and state DOS coastal policies, and an understanding of financial support and resources available to achieve the recommended projects. Implementation of this waterfront revitalization plan is discussed in the following three subsections:



#### **Resources for Implementation of the Recommended Projects: Local, State, and Federal**

This includes a listing and description of the various local, state and federal funding sources that may be available for any of the proposed LWRP projects

#### **Local Laws and Regulations Necessary to Implement the LWRP**

This includes a description of the existing village and town local zoning and land use regulations as well as suggestions for new regulations or amendments to the existing regulations.

#### **Management Structures and Procedures for Consistency Review**

This includes a discussion of the proposed administrative procedures to assure all future activities are consistent with the LWRP policies and goals.

### B. Potential Funding Sources for Implementation of the Recommended Projects.

Section IV of this LWRP identifies a number of projects necessary to revitalize the Village of Alexandria Bay and Town of Alexandria waterfront. Implementation of these projects hinges on obtaining funding from public or private sources or public/private partnerships. Appendix E includes a matrix summarizing the potential funding sources for each of the proposed LWRP projects. Below is a more detailed description of the existing state and federal funding sources and the types of activities that could be funded through those sources.

## 1. Environmental Protection Fund (EPF)

The Environmental Protection Act of 1993 funds a number of programs relevant to LWRP implementation. The NYS Office of Parks, Recreation, and Historic Preservation (NYS OPRHP) administer the Parks, Acquisition and Historic Preservation grant programs. NYS Department of State administers the Local Waterfront Revitalization Program Grants. These EPF programs can fund design, planning, and capital improvement components. In addition, NYS OPRHP can fund land acquisitions. All programs are matching grant programs for a maximum of 50 percent reimbursement of eligible costs. Demand for funds is high and availability and rating criteria vary from year to year.

Contacts: NYS DOS, Office of Planning and Development<sup>54</sup>, 518-474-6000  
NYS Office of Parks, Recreation, and Historic Preservation<sup>55</sup>, 518-474-0456

## 2. Brownfield Programs

### **Brownfield Cleanup Program (BCP):**

The BCP, administered by DEC, was developed to enhance private sector cleanup of brown fields and to reduce development pressure on greenfields. A taxpayer who has entered into a Brownfield Cleanup Agreement (BCA) with DEC may be eligible for tax credits relating to the cleanup and redevelopment of a brownfield site.

### **Brownfield Opportunity Areas Program (BOA):**

The NYS DOS partners with DEC to administer the BOA Program<sup>56</sup> which provides technical and financial assistance for area-wide revitalization plans and implementation strategies for communities affected by brownfields or economic distress. Outcomes are: effective strategies to return dormant sites to productive use by creating public and private investment priorities for revitalization and shovel-ready sites to redevelop areas more quickly for new or expanding businesses and housing; public amenities or recreational opportunities; and improved environmental quality.

### **Environmental Restoration Program:**

In an effort to spur the cleanup and redevelopment of brownfields, New Yorkers approved a \$200 million Environmental Restoration Fund as part of the \$1.75 billion Clean Water/Clean Air Bond Act of 1996 (Bond Act). Under the Environmental Restoration Program, the State provides grants to municipalities to reimburse up to 90 percent of on-site eligible costs and 100% of off-site eligible costs for site investigation and remediation activities. Once remediated, the property may then be reused for commercial, industrial, residential or public use. Applications have not been approved since 2008 and new applications are not being accepted due to lack of funding.

Contacts: NYS DEC Environmental Remediation, Albany, 518-402-9764

---

<sup>54</sup> EPF LWRP grants [http://www.dos.ny.gov/opd/grantOpportunities/epf\\_lwrpGrants.html](http://www.dos.ny.gov/opd/grantOpportunities/epf_lwrpGrants.html)

<sup>55</sup> OPRHP grant programs <http://www.nysparks.com/grants/grant-programs.aspx>

<sup>56</sup> BOA Grant Opportunities <http://www.dos.ny.gov/opd/grantOpportunities/boagrants.html>

NYS DEC Region 6, Watertown, 315-785-2252  
NYS DOS, 518-474-6000

### **3. Water Quality Improvement Project (WQIP)**

The New York State Department of Environmental Conservation (DEC) supports water quality improvements through the Water Quality Improvement Project (WQIP) Statewide Grant Program. The WQIP program is a competitive, reimbursement grant program that directs funds from the New York State Environmental Protection Fund to projects that reduce polluted runoff, improve water quality and restore habitat in New York's waterbodies. Municipal wastewater treatment, municipal separate storm sewer systems (MS4s), non-agricultural nonpoint source abatement and control, aquatic habitat restoration, and water quality management projects are eligible for funding. Depending on the type of project, reimbursement is available for up to 85% of the total cost of the project.

Contacts: NYS DEC Region 6, Watertown 6 (315) 785-2513

### **4. Environmental Facilities Corporation (EFC)**

The Clean Water State Revolving Fund<sup>57</sup> (CWSRF) helps municipalities finance facilities that reduce or prevent water pollution. The Drinking Water State Revolving Fund<sup>58</sup> (DWSRF) helps finance public and private water system improvements. The CWSRF can also fund habitat restoration projects, municipal brownfield projects, and remediation of leaking underground tanks that protect water quality. The Green Innovation Grant Program<sup>59</sup> (GIGP) supports projects across New York State that utilize unique stormwater infrastructure design and create cutting-edge green technologies. These programs are frequently used to finance design and construction activities associated with reimbursement programs and to finance required local share.

Contacts: NYS EFC, Albany 1-800-882-9721

### **5. Clean Vessel Assistance Program (EFC)**

The Clean Vessel Assistance Program (CVAP) is a federally funded program that provides grants to marinas for the installation, renovation, and replacement of pumpout stations for the removal and disposal of recreational boater septic waste. CVAP grants are federally funded through the United States Fish & Wildlife Service and administered by New York State Environmental Facilities Corporation.

Contacts: NYS EFC, 518-402-7461, [CVAP@efc.ny.gov](mailto:CVAP@efc.ny.gov)

---

<sup>57</sup> Clean Water State Revolving Fund <http://www.efc.ny.gov/Default.aspx?tabid=82>

<sup>58</sup> Drinking Water State Revolving Fund <http://www.efc.ny.gov/Default.aspx?tabid=83>

<sup>59</sup> Drinking Water State Revolving Fund <http://www.efc.ny.gov/Default.aspx?tabid=461>

## **6. Empire State Development (ESD)**

This New York State Agency operates numerous economic development programs. Most financial assistance is tied to the creation or retention of jobs. The 2003-2004 state budget includes a Main Street pilot program in 12 designated communities. In subsequent years there may be competitive funding for activities such as feasibility studies, demolition, streetscape improvements and façade programs.

Contacts: ESD, Watertown 315-785-7940

## **7. Local Government Efficiency Program (LGE)**

This NYS Department of State program provides technical assistance and grants to local governments to cover costs associated with consolidations, mergers, dissolutions, cooperative agreements, and shared services between two or more municipalities, including but not limited to, legal and consultant services, feasibility studies, capital improvements, and other necessary expenses.

Contacts: NYS DOS Local Government Services<sup>60</sup>, 518-473-3355

## **8. NYS Community Development Block Grant Program<sup>61</sup> (CDBG)**

This federal grant program funds design, acquisition, and/or construction funding for housing, infrastructure, and economic development activities principally benefiting low and moderate-income households. The NYS Office of Community Renewal administers the Community Development Block Grant (CDBG) program for the State of New York.

Contacts: Governor's Office for Community Renewal, Albany 518-474-2057

## **9. NYS Legislative Grant Program**

Local state legislative representatives may request state appropriations for community projects of local interest. Modestly sized, highly visible and unique facilities or those involving creative partnerships may be most attractive to this funding mechanism.

Contacts: State Senate District # 48  
State Assembly District #118

## **10. United States Department of Agriculture (USDA)**

USDA Rural Utilities Service programs provide loans, grants, and loan guarantees to public entities and nonprofit corporations to build, repair, and improvement public water and waste water collection and treatment systems.

Contacts: USDA Rural Development Services, Syracuse 315-477-6427

---

<sup>60</sup> Local Government Efficiency Program <http://www.dos.ny.gov/lge/index.html>

<sup>61</sup> NYS Office of Community Renewal programs <http://www.nyshcr.org/Programs/NYS-CDBG/>

USDA, Watertown, 315-782-7289 x202

## **11. Land and Water Conservation Fund (LWCF)**

This federal program funds outdoor recreation programs and is administered in conjunction with the EPF by the NYS Office of Parks, Recreation, and Historic Preservation.

Contacts: Thousand Islands Region, NYSOPRHP 315-482-2593

## **12. Federal Highway Administration Recreational Trails Program**

The Federal Highway Administration provides assistance to states to develop and maintain trails for both motorized and non-motorized recreational trail uses through the Recreational Trails Program (RTP). Recreational activities that can be supported by the program include hiking, biking, in-line skating, equestrian use, cross-country skiing, snowmobiling, off-road motorcycling, all-terrain vehicle riding, four-wheel driving, or using other off-road motorized vehicles. In New York State, RTP is a program of the NYS Department of Transportation and administered by the NYS Office of Parks, Recreation and Historic Preservation (NYSOPRHP).

Contact: Recreational Trails Program Coordinator, NYSOPRHP, Albany, NY 12238 518-474-0427

## **13. Federal Transportation Act (FTA)**

In the past several years, legislation authorizing the Federal Transportation Program (ISTEA and TEA-21) has included funding for transportation enhancements including provision of facilities for bicycles and pedestrians, provision of safety and educational activities for bicyclists and pedestrians, acquisition of scenic easements and scenic or historic sites, landscaping and other scenic beautification, historic preservation, rehabilitation and operation of historic transportation buildings or facilities, preservation of abandoned railway corridors, control and removal of outdoor advertising, archaeological planning and research, environmental mitigation to address water pollution due to highway runoff, and establishment of transportation museums. The Transportation Enhancement Program is administered by the NYSDOT. The program requires a minimum 20% local match of cash or in-kind services.

Contacts: NYSDOT, Watertown 315-785-2480

## **14. Partners for Wildlife**

This funding program is appropriate mostly for habitat enhancement activities such as native species buffers and storm water management activities. Partners for Wildlife is a program of the U.S. Fish and Wildlife Services and is administered by the office in Cortland, New York.

Contacts: U.S. Fish and Wildlife Services, Cortland, 607-753-9334

## **15. Town, Village, and County Capital and Operating Budgets**

Capital budgets are most appropriate for budgeting, in whole or in part, for priority public infrastructure projects including improvements to public utilities, roads, sidewalks, and parks. LWRP implementation

also requires operating budget commitments for consistency reviews, maintenance of public facilities, and additional planning activities.

## **16. Other Agency Capital and Operating Budgets**

In addition to state and federal assistance programs, some LWRP activities can be funded through annual capital and operating budgets of State and Federal agencies such as NYS Department of Transportation, NYS Department of Environmental Conservation, and NYS Department of Parks, Recreation, and Historic Preservation, US Coast Guard, and US Army Corps of Engineers, and the Thousand Island Bridge Authority. Examples of such activities include improved accommodations for bicycle and pedestrian traffic along NYS 12, trails or interpretative displays at state wildlife management areas, and continued restoration of Boldt Castle. There are also not-for-profit entities such as the Seaway Trail, Inc., Thousand Island Land Trust and E.J. Noble Hospital that have a role in implementing some LWRP activities.

## **17. Public/Private Partnerships**

Many of the projects proposed to implement waterfront revitalization present opportunities for public/private partnerships. The private sector may contribute to municipal improvement projects by donating labor or materials, guiding volunteer labor or sponsoring project elements such as benches or plantings. Similarly, municipal improvement projects, advocacy, regulatory changes or other types of partnerships are often necessary to spur private sector revitalization efforts.

## **18. Restore NY communities' initiative**

Restore NY<sup>62</sup> is a program designed to encourage economic development and neighborhood growth by providing municipalities with financial assistance for revitalization of commercial and residential properties. Restore New York funding is available for projects involving the demolition, deconstruction, rehabilitation and/or reconstruction of vacant, abandoned, condemned and surplus properties. Future grant rounds are contingent upon the availability of future appropriations.

### **C. Existing Local Laws and Regulations**

The village and town have existing land use regulations, which impact the development of all land within the LWRA. The following is a discussion of the existing local laws, which directly impact future activities in the LWRA. This subsection is followed with a discussion of recommended land use regulations that would enhance the implementation of the LWRP policies and preferred water uses in the LWRA.

#### **1. Village of Alexandria Bay**

Village of Alexandria Bay local laws that regulate development activities in the LWRA support the policies stated in Section III and the land and water uses listed in Section IV, including the Harbor

---

<sup>62</sup> Restore NY communities' initiative <http://esd.ny.gov/BusinessPrograms/RestoreNY.html>

Management Plan. Currently the village does not have an historic preservation district or associated zoning regulations.

## Zoning Districts

The entire Village of Alexandria Bay is in the LWRA. The six zoning districts, which are illustrated in LWRP Figures 5, within the Village are:

- Single Family Residential (SFR)
- Neighborhood Residential (NR)
- General Residential (GR)
- Marine Residential (MR)
- Marine Development District (MDD)
- Business (B)



**Single Family Residential, Neighborhood Residential; General Residential (SFR, NR, GR):** These are the three mainland residential districts for the village. They allow increasingly higher density of residential use (with SFR with the lowest density), a wide variety of housing types, home occupations, and additional special permit uses. Multiple-family uses are not permitted in the SFR district, while mobile-home parks and rental cottages are only permitted in the GR district. All mainland residential districts allow places of worship, educational institutions, and operational facilities of public utilities by special use permit. Private clubs, motels, and radio and television transmission facilities are also allowed by special use permit in the NR and GR districts. Individual mobile homes and commercial and light industrial uses are allowed, with a special use permit, in the GR district. Site details include front, side, and rear-yard setbacks, minimum frontage, and building height restrictions will adequately guide future development while supporting the policies set forth in Section III of this LWRP.



**Marine Residential District (MR):** MR district covers all the islands within the Village's municipal jurisdiction. Uses permitted in the MR district include single-family homes and accessory uses and places

of worship, Bed & Breakfasts, recreation areas, boarding houses, and campgrounds are allowed by special use permit.

**Marine Development District (MDD):** This district covers the entire Village waterfront along the mainland. This zoning district is intended to foster water dependent and water enhanced uses such as marinas and marine repair; rental cottages, motels, and hotels; and commercial recreation, retail, service, assembly, and amusement uses. The MDD district also permits higher density residential use as permitted by the GR district and unspecified uses by special use permit. The MDD district has a 50-foot height limit for non-residential structures. Site details include front, side, and rear-yard setbacks, minimum frontage, and height restrictions will adequately guide future development while supporting the policies set forth in Section III of this LWRP.

**Village Business District (BD):** A mix of compatible uses are permitted in the BD. They are residential, commercial-retail, professional office, service, and hospitality uses. This district also allows automotive sales and services uses and a variety of uses likely to include outdoor storage of materials and equipment by special use permit. The business district dimensional regulations include lot dimensions, rear yard setbacks and building height restrictions. These dimensional regulations will guide future development while supporting the policies set forth in Section III of this LWRP.

**Signage:** Signs are regulated per zoning district with some application of the general criteria under site plan review. The Village Board has a lot of discretionary power over the allowance of signage.

### Site Plan Review

In addition to the specific standards listed for each zoning district, the site plan review regulations include general standards for all development. These general criteria address adequacy of vehicle and pedestrian circulation; parking and loading; location, arrangement, size and design of buildings, lighting and signs; landscaping and screening; and utilities. Site plan review also includes consideration of architectural design compatibility with the surrounding environment and preservation of scenic, historical and cultural attributes of the site.

The existing site plan review regulations also include shoreline standards related to location of sewage disposal facilities, storage and use of polluting or hazardous materials, and parking lots within 100 feet of the shoreline. The shoreline standards also include guidance on construction and design of facilities to minimize adverse impacts to water quality, erosion, and aesthetic and ecological character.

### Subdivision Regulations

The village has standard subdivision regulations that require a minimum lot size appropriate to the village scale and density. An applicant must obtain preliminary and final subdivision approval from the planning board. Relevant issues regarding lot size, sewer and water, pedestrian and vehicular access, intensity of land use, and site development are considered during the review process. These regulations will continue effectively managing residential subdivision development throughout the village.

### Flood Damage Prevention Law

The Village of Alexandria Bay addresses flood damage prevention in Chapter 82 of the local laws, which was adopted in 1987. The general purpose of this local law is to promote the public health, safety, and general welfare and to minimize public and private losses due to flood conditions. The provisions of this local law are designed to:

- Regulate uses which are dangerous to health, safety and property due to water or erosion hazards or which result in damaging increases in erosion or in flood heights.
- Require that uses vulnerable to floods, including facilities, which serve such uses, are protected against flood damage at the time of initial construction.
- Control the alteration of natural floodplains, stream channels and natural protective barriers, which are involved in the accommodations of floodwaters.
- Control filling, grading, dredging and other development, which may increase erosion or flood damages.
- Regulate the construction of flood barriers which will unnaturally divert floodwaters or which may increase flood hazards to other lands.
- Qualify for and maintain participation in the National Flood Insurance Program.

This local flood prevention law incorporates the Flood Insurance Rate Maps thereby covering the areas of special flood hazard identified by the Federal Emergency Management Agency (FEMA) in 1978. The general and specific provisions for flood hazard reduction are consistent with and support the policies set forth in Section III of this LWRP.

### Docking Facilities

An important feature of the village's local waterfront is the accessibility onto and navigability of the river. Local regulation of waterside structures, specifically docks, moorings, and floating structures support the goals of the HMP and LWRP policies relative to public access and protection of local resources. To meet these goals, the village's zoning law, Section 150-8, was amended in 2016 and 2017 with the Village of Alexandria Bay Docking Facilities Law to regulate docking facilities and other structures in the waterfront area. These provisions require a permit for construction of all seasonal or permanent docks, piers, boat hoists, boat stations, boathouses or other waterside structures for private residential use. The docking facilities provisions also require site plan approval for construction of all docks, piers, boat hoists, boat accessory structures, boat stations, boat houses, marinas or other waterside structures for non-residential use. The Town of Alexandria Docking Facilities Law is included in Appendix A-1.

### Harbor Management Law

In 2016 the village adopted a harbor management law to support the policies and purposes of the Harbor Management Program. The Village of Alexandria Bay Harbor Management Law is included Appendix A-1. The purpose for this local law is to manage the surface water uses within its designated HMA, promote the safety of commercial and recreational navigation, provide for the equitable allocation of the water's surface for a variety of uses, and to protect the natural and cultural resources upon which many of these uses depend. The HML addresses vessel operation, identification, and safety, use of personal watercraft, aquatic events, anchoring or mooring, floats, docks and other in-water

structures. This Local Law was enacted for these purposes and to implement and support the Town of Alexandria and Village of Alexandria Bay Local Waterfront Revitalization Program, including the Harbor Management Program.

### Recommended Improvements to the Village of Alexandria Bay Regulations

The land use and zoning regulations for the Village of Alexandria Bay have effectively guided development in terms of use-type and density. In the future, the Village will consider amending its land use and zoning regulations to more effectively manage and encourage development that will protect and enhance the unique village character and its natural, cultural, and scenic resources, and control tourism and seasonal population growth while continuing to harness the tourism market.

The issues that warrant focus include the following:

1. Special permits for all non-water-enhanced or non-water-related uses in the waterfront area.
2. Dimensional regulations set forth in the village zoning code should be reviewed in light of current development patterns.

With respect to addressing land use and development issues that will require a long-term focus, and with specific respect to the Village Business District, consideration should be given to the allowed lot size and the building size, scale and placement relative to the adjacent road, sidewalk, and neighboring structures. The business district is essentially built out and has the beginnings of an established development pattern. Although the establishment of development standards would effectively guide growth in this area, the existing site plan approval process could be used as an effective planning tool. Future development in this business district should complement the immediate environment and reflect the existing positive dimensional relationships. This can be achieved through a deliberate and thoughtful site plan review, which is currently required. Development criteria specific to the Village Business District could be added to site plan review, to provide necessary guidance.

With respect to outdoor storage practices for existing business, the current regulations adequately address these issues. Through stronger and more consistent application of its code enforcement efforts, the Village can mitigate the negative impact unchecked outdoor storage has had on its waterfront. The goal is to encourage outdoor storage practices, which do not interfere or detract from the experience of the visitor or tourist and if possible, further enhance the waterfront area.

With respect to signage, it is recommended that the review criteria for signs in all districts be clarified and improved to support necessary code enforcement efforts. A detailed sign local law for the entire village will help unify the area and could encourage a signature statement unique to the Village.

Amendments to the zoning map are not necessary to implement the LWRP.

## 2. Town of Alexandria

### Zoning Districts

Land in the Town of Alexandria's LWRA is currently zoned:

- Marine Residential (MR)
- Business (BD)
- Agricultural and Rural Residential (AR)
- Planned Development District (PDD)

The existing Town zoning districts are shown in LWRP [Figures 5](#).

The following summarizes the use and development regulations of these four districts.

**Marine Residential District:** The Marine Residential district permits agricultural use, one and two family dwellings, and accessory uses including home occupations, boathouses and docks. It also permits a wide range of non-residential uses including marinas, multi-family dwellings, mobile homes and parks, commercial and recreational facilities, hotels, motels, and resorts, clubs, and service stations with site plan review. Community facilities and mobile homes are allowed with a Special Use Permit.

**Business District:** The Business District is similar to the Marine Residential District plus it permits shopping centers and billboards with site plan review. The Business District also has no front yard setback for parking lots.

**Agricultural and Rural Residential District:** The Agricultural and Rural Residential District permits an even wider range of uses than the Marine Residential or Business districts. Permitted uses include agricultural, one and two family dwellings, multiple dwellings, mobile homes, and recreational facilities without site plan review and rural uses such as airstrips, quarries, and slaughter houses with site plan review. Uses allowed with a Special Use Permit include educational institutions, small commercial enterprises, drive-in restaurants, services stations, agricultural processing, community facilities, riding stables, places of worship, clubs, above ground fuel storage, building supply and salvage yards, and billboards.

**Planned Development District:** This district permits a range of housing types and non-residential uses in keeping with the residential character of the proposed district and creation of a self-sustaining neighborhood. This regulatory district must be initiated by the developer and could be effectively applied in the mixed-use business area along NYS Route 12 corridor in the Town.

### [Supplemental Regulations, Site Plan and Special Use Permit Criteria](#)

Supplemental regulations include standards for signs in the AR and MR Districts. Business district standards permit on-premises signs that include moving, flashing or self-illuminating components and include setbacks for permitted billboards. There are no sign standards for the PDD district.

The general performance criteria address preservation of scenic, historical and cultural attributes of the site and the adequacy of vehicle and pedestrian circulation: parking and loading; location, arrangement, size and design of buildings, lighting and signs; landscaping and screening; and utilities. Site plan review and special use permit regulations include a number of use specific standards with minimal standards for marinas and docks. The Town of Alexandria also has regulations regarding flood damage prevention and installation of individual sanitary sewage and waste disposal systems.

## Subdivision Regulations

In 2012 the Town of Alexandria adopted local subdivision regulations which are consistent with the policies of this local waterfront revitalization program. Pursuant to the new regulations, an applicant must obtain preliminary and final subdivision approval from the planning board. Relevant issues regarding lot size, sewer and water, pedestrian and vehicular access, intensity of land use, and site development are considered during the review process. These regulations will effectively manage residential subdivision development throughout the town.

## Flood Damage Prevention Law

The Town of Alexandria addresses flood damage prevention via a local law, which was adopted in 1987. The general purpose of this local law is to promote the public health, safety, and general welfare and to minimize public and private losses due to flood conditions. The provisions of this local law are designed to:

- Regulate uses which are dangerous to health, safety and property due to water or erosion hazards or which result in damaging increases in erosion or in flood heights.
- Require that uses vulnerable to floods, including facilities, which serve such uses, are protected against flood damage at the time of initial construction.
- Control the alteration of natural floodplains, stream channels and natural protective barriers, which are involved in the accommodations of floodwaters.
- Control filling, grading, dredging and other development, which may increase erosion or flood damages.
- Regulate the construction of flood barriers which will unnaturally divert floodwaters or which may increase flood hazards to other lands.
- Qualify for and maintain participation in the National Flood Insurance Program.

This local flood prevention law incorporates the Flood Insurance Rate Maps thereby covering the areas of special flood hazard identified by the Federal Emergency Management Agency (FEMA) in 1978. The general and specific provisions for flood hazard reduction are consistent with and support the policies set forth in Section III of this LWRP.

## Docking Facilities

An important feature of the town's local waterfront is the accessibility onto and navigability of the river. Local regulation of waterside structures, specifically docks, moorings, and floating structures support the goals of the HMP and LWRP policies relative to public access and protection of local resources. To meet these goals, the Town's zoning law was amended in 2016 with the Town of Alexandria Docking Facilities Law to regulate docking facilities and other structures in the waterfront area. These provisions require a permit for construction of all seasonal or permanent docks, piers, boat hoists, boat stations, boathouses or other waterside structures for private residential use. The docking facilities provisions also require site plan approval for construction of all docks, piers, boat hoists, boat accessory structures, boat stations, boat houses, marinas or other waterside structures for non-residential use. The Town of Alexandria Docking Facilities Law is included in Appendix A-1.

## Harbor Management Law

In 2016 the town adopted a harbor management law to support the policies and purposes of the Harbor Management Program. The Town of Alexandria Bay Harbor Management Law is included Appendix A-1. The purpose for this local law is to manage the surface water uses within its designated HMA, promote the safety of commercial and recreational navigation, provide for the equitable allocation of the water's surface for a variety of uses, and to protect the natural and cultural resources upon which many of these uses depend. The HML addresses vessel operation, identification, and safety, use of personal watercraft, aquatic events, anchoring or mooring, floats, docks and other in-water structures. This Local Law was enacted for these purposes and to implement and support the Town of Alexandria and Village of Alexandria Bay Local Waterfront Revitalization Program, including the Harbor Management Program.

## Recommended Improvements to the Town of Alexandria Regulations

The town's land use and zoning regulations that regulate land use in the LWRP area, have effectively guided development in terms of use-type and density. Due to an increase in tourism and seasonal population growth coupled with an interest in harnessing more of the tourism market, in 2012 the town amended its land use and zoning regulations to more effectively manage and encourage development that will protect and enhance its rural character and unique natural, cultural, and scenic resources.

The town also worked with Jefferson County in the development of the NYS Route 12 Corridor Study. The Corridor Study will provide suggestions for access management, parking, streetscape treatment, landscaping, signs, and lighting, among other things. The land use and zoning issues that currently warrant specific focus are the following:

- Discontinuance of billboards along NYS Route 12.
- Signage
- Shoreline treatment
- Protection of sensitive environmental resources

No zoning map amendments are necessary to implement the LWRP.

## D. Waterfront Consistency Review Laws

To implement the LWRP, the Town of Alexandria and the Village of Alexandria Bay adopted Local Consistency Review Laws in 2016. However, the Routine Program Changes to the New York State Coastal Management Program that were made in 2017 resulted in revisions to the Coastal Policies that now appear in this 2018 Draft LWRP. These changes were not reflected in the Local Consistency Review Laws that were adopted in 2016. Therefore, this Draft LWRP includes in Appendix A-2 revised Local Consistency Laws for the Town and Village that include the 2017 changes to the Coastal Policies as well as several other corrections. The Town adopted the revised version in September 2018, and the Village adopted revisions in May 2019.

The Local Consistency Laws require all Type I, Unlisted Actions, and certain Type II Actions (as defined by the SEQRA implementing regulations) directly undertaken, approved or funded by the town or village and located within the LWRA to be consistent to the maximum extent practicable with the policies of

this LWRP. No such actions may be implemented unless the Town of Alexandria Town Board or Village of Alexandria Bay Board of Trustees finds that the actions are consistent with policies and purposes of the LWRP, and certifies their consistency.

The Local Consistency Law is adopted under the authority of the Municipal Home Rule Law and the Waterfront Revitalization of Coastal Areas and Inland Waterways Act of the State of New York. By adopting this local law, the town and village have established a legal framework for reviewing actions within the LWRA, and have committed themselves and their agents to comply with the provisions of the LWRP. Accordingly, this law is intended to allow for the permitting of the beneficial use of coastal resources while preventing loss or impairment of ecosystem resources and wildlife; loss or reduction of open space; diminution of public access to the waterfront; erosion of shoreline; loss or impairment of scenic and historical resources; losses due to flooding, erosion and sedimentation; impairment of water quality; and long term adverse changes to the natural and human environment of the coastal area.

To facilitate the consistency review, a Coastal Assessment Form (CAF), is adopted as part of the Local Consistency Review Law. The Federal Coastal Assessment Form (FCAF) may be substituted for the CAF for local review purposes. Applicants or, in the case of direct actions, village or town agencies, shall complete the CAF or FCAF to supplement other information used in making a determination of consistency.

## **E. Management Structure and Procedures for Consistency Review**

### **1. Management Structure**

A number of town and village agencies or local officials are responsible for management and coordination of the LWRP and are directly involved in ensuring that consistency reviews are completed for projects within the LWRA. These agencies or officials, with their responsibilities are:

#### **Village of Alexandria Bay**

**Mayor:** The Village of Alexandria Bay Mayor will provide overall management of the Local Waterfront Revitalization Program as it applies to the village. The mayor will apply for funding to implement projects and programs identified in the LWRP/HMP.

**Village Clerk-Treasurer:** Correspondence, communications, and record keeping for village government actions pertaining to the implementation of the LWRP/HMP will be the responsibility of the Village Clerk-Treasurer. Applicants can obtain coastal assessment forms from the village clerk's office.

**Village Board of Trustees:** The Village of Alexandria Bay Board of Trustees will oversee all LWRP activities to ensure that all proposed actions under village jurisdiction and within the LWRA are consistent with the policies of the LWRP.

**Village Planning Board:** The planning board will be responsible for undertaking site plan review for new development within the LWRA. Applicants shall be required to provide a completed Coastal Assessment

Form for all Type I, Unlisted Actions, and certain Type II Actions (as defined by SEQR regulations) within the LWRA to determine consistency with the LWRP.

Zoning Board of Appeals: The zoning board of appeals will hear and render decision on variance applications and appeals involving property or activities within the LWRA.

Village Zoning/Code Enforcement Officer: The zoning/code enforcement officer will be responsible for enforcing the zoning/code regulations; and will issue summonses for violations of the Village of Alexandria Bay Waterfront Consistency Review Law.

### Town of Alexandria

Town Supervisor: The town supervisor will provide overall management of the Local Waterfront Revitalization Program as it applies to the town. The supervisor will apply for funding to implement projects and programs identified in the LWRP/HMP.

Town Clerk: Correspondence, communications, and record keeping for town government actions pertaining to the implementation of the LWRP/HMP will be the responsibility of the town clerk. Applicants can obtain coastal assessment forms from the town clerk's office.

Town Board: The Town of Alexandria Board will oversee all LWRP activities to ensure that all proposed actions under the town's jurisdiction and within the LWRA are consistent with the policies of the LWRP.

Planning Board: The planning board will be responsible for undertaking site plan review for new development within the LWRA. Applicants shall be required to provide a completed Coastal Assessment Form for all Type I, Unlisted Actions, and certain Type II Actions (as defined by SEQR regulations) within the LWRA to determine consistency with the LWRP.

Zoning Board of Appeals: The zoning board of appeals will hear and render decisions on variance applications and appeals involving property or activities within the LWRA.

Town Zoning Officer: The zoning officer will be responsible for enforcing the zoning regulations; and will issue summonses for violations of the Town of Alexandria Waterfront Consistency Review Law.

## 2. Regulatory Reviews

### Local Consistency Review

To implement this LWRP the Town of Alexandria and the Village of Alexandria Bay have adopted Local amended Consistency Review Laws that require review of actions or agency decisions in the waterfront area for consistency with this LWRP.

The Local Consistency Review Law, requires all Type I, Unlisted Actions, and certain Type II Actions (as defined by the SEQRA implementing regulations) directly undertaken, approved or funded by the town or village within the LWRA are consistent to the maximum extent practicable with the policies of this

LWRP. Consistency review and certification procedures are set forth in the Village's and Town's amended Local Consistency Review Law, included in Appendix A-2.

When an application for approval or funding comes before any agency, department, office of other body of the town or village, the applicant shall fill out a Coastal Assessment Form (CAF). The agency receiving the CAF shall provide it, with all relevant supporting documentation (maps, EAFs, plans, etc.), to the Town Board or Village Board of Trustees within ten days of its submission. The Town Board or Village Board of Trustees has thirty days to make a determination of consistency, unless an EIS is being prepared, in which case the SEQRA requirements supersede this timeline. The Town Board or Village Board of Trustees has the authority, in issuing a ruling on consistency, to impose practicable and reasonable conditions on any action to ensure its consistency.

### New York State Environmental Quality Review

Local agencies and boards must follow the New York State Environmental Quality Review (SEQR) regulations for all actions pursuant to 6 NYCRR Part 617. Many of the policies and purposes for SEQR review are similar to the stated policies and standards of this LWRP. Thus, the local board or agency should consider the recommendation of the Village Board of Trustees or Town Board as documented in the CAF when determining the degree of potentially significant adverse impacts caused by the proposed action or agency decision. Assessing potential environmental impacts subsequent to receipt of the consistency findings and recommendations is most beneficial to achieving a full spectrum assessment of the proposed actions or agency decision. The final determination of significance pursuant to SEQR should be compatible with the final consistency determination.

### Guidelines for Notification and Review of State Agency Actions

A requirement of the NYS Coastal Management Program is to ensure consistency between local, state and federal agencies. Local, State and federal actions taken within the boundaries of the LWRP must be consistent with the policies of an approved Local Waterfront Revitalization Program. There must be a determination that an agency action is consistent with the policies and purposes of the LWRP. The Waterfront Revitalization of Coastal Areas and Inland Waterways Act (Article 42 of the Executive Law) and the 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). Appendix D includes the Guidelines for Notification and Review of State Agency Actions Where Local Waterfront Revitalization Programs are in effect, which are intended to guide agencies in meeting this statutory consistency obligation.

Guidelines for Coordinating NYS Department of State and LWRP Consistency Review of Federal Agency Actions Consistency must also be adhered to when reviewing federal agency actions. The Procedural Guidelines for Coordinating NYS Department of State (DOS) and LWRP Consistency Review of Federal Agency Actions, which are set forth in Appendix D, provide assistance to the NYSDOS and program coordinator when determining whether a federal agency action within the LWRA is consistent with the stated policies and purposes of the LWRP.



## **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.

### **6.1. State Actions and Programs Which Should Be Undertaken in a Manner Consistent With the LWRP**

Pursuant to the State Waterfront Revitalization of Coastal Areas and Inland Waterways Act (Executive Law, Article 42), the Secretary of State notifies affected State agencies of those agency actions and programs that are to be undertaken in a manner consistent with approved LWRPs. The following list of State actions and programs is that list. The State Waterfront Revitalization of Coastal Areas and Inland Waterways Act requires that an LWRP identifies those elements of the program that can be implemented by the local government, unaided, and those that can only be implemented with the aid of other levels of government or other agencies. Such statement shall include those permit, license, certification or approval programs; grant, loan subsidy or other funding assistance programs; facilities construction, and planning programs that may affect the achievement of the LWRP.

#### **OFFICE FOR THE AGING**

- 1.0 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 Program
- 3.00 Farm Worker Services Program
- 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
- 5.00 Farmland Protection Implementation Grants
- 6.00 Agricultural Nonpoint Source Abatement and Control Program

#### **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 Licenses
  - 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

**OFFICE OF ALCOHOLISM AND 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 (Substance Abuse Services Program)
- 3.00 Permit and approval:
  - 3.01 Letter Approval for Certificate of Need
  - 3.02 Operating Certificate (Alcoholism Facility)
  - 3.03 Operating Certificate (Community Residence)
  - 3.04 Operating Certificate (Outpatient Facility)
  - 3.05 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.

**OFFICE OF CHILDREN AND FAMILY 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 CORRECTIONS AND COMMUNITY SUPERVISION**

- 1.0 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 Certification 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 Wholesale of Drugs and/or Devices
  - 2.07 Registered Wholesaler-Repacker of Drugs and/or Devices
  - 2.08 Storekeeper's Certificate
- 3.00 Administration of Article 5, Section 233 of the Educational Law regarding the removal of archaeological and paleontological objects under the waters of the State.

**OFFICE OF EMERGENCY MANAGEMENT**

- hazard identification,
- loss prevention, planning, training, operational response to emergencies,
- technical support, and disaster recovery assistance.

**EMPIRE STATE DEVELOPMENT/EMPIRE STATE DEVELOPMENT CORPORATION**

- 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.

**ENERGY RESEARCH AND DEVELOPMENT AUTHORITY**

- 1.00 Issuance of revenue bonds to finance pollution abatement modifications in power-generation facilities and various energy projects.
- 2.00 New Construction Program – provide assistance to incorporate energy-efficiency measures into the design, construction and operation of new and substantially renovated buildings.
- 3.00 Existing Facilities Program – offers incentives for a variety of 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 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.
- 6.00 Marine Finfish and Shellfish Programs
- 9.00 Permit and approval programs
  - Air Resources
    - 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
  - Construction Management
    - 9.08 Approval of Plans and Specifications for Wastewater Treatment Facilities
  - Fish and Wildlife
    - 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 Permit – Article 15, (Protection of Water) – Dredge and Deposit Material in a Waterway
- 9.22 Permit – Article 15, (Protection of Water) – Stream Bed or Bank Disturbances
- 9.23 Permit – Article 24, (Freshwater Wetlands)

Hazardous Substances

- 9.24 Permit to Use Chemicals for the Control or Elimination of Aquatic Insects
- 9.25 Permit to Use Chemicals for the Control or Elimination of Aquatic Vegetation
- 9.26 Permit to Use Chemicals for the Control or Elimination of Undesirable Fish

Lands and Forest

- 9.27 Certificate of Environmental Safety (Liquid Natural Gas/Liquid Petroleum Gas)
- 9.28 Floating Object Permit
- 9.29 Marine Regatta Permit
- 9.30 Navigation Aid Permit

Marine Resources

- 9.31 Digger's Permit (Shellfish)
- 9.32 License of Menhaden Fishing Vessel
- 9.33 License for Non Resident Food Fishing Vessel
- 9.34 Non Resident Lobster Permit
- 9.35 Marine Hatchery and/or Off Bottom Culture Shellfish Permits
- 9.36 Permits to Take Blue Claw Crabs
- 9.37 Permit to Use Pond or Trap Net
- 9.38 Resident Commercial Lobster Permit
- 9.39 Shellfish Bed Permit
- 9.40 Shellfish Shipper's Permits
- 9.41 Special Permit to Take Surf Clams from Waters other than the Atlantic Ocean
- 9.42 Permit – Article 25, (Tidal Wetlands)

Mineral Resources

- 9.43 Mining Permit
- 9.44 Permit to Plug and Abandon (a non-commercial, oil, gas or solution mining well)
- 9.45 Underground Storage Permit (Gas)
- 9.46 Well Drilling Permit (Oil, Gas and Solution Salt Mining)

Solid Wastes

- 9.47 Permit to Construct and/or operate a Solid Waste Management Facility
- 9.48 Septic Tank Cleaner and Industrial Waste Collector Permit

Water Resources

- 9.49 Approval of Plans for Wastewater Disposal Systems
- 9.50 Certificate of Approval of Realty Subdivision Plans
- 9.51 Certificate of Compliance (Industrial Wastewater Treatment Facility)
- 9.52 Letters of Certification for Major Onshore Petroleum Facility Oil Spill Prevention and Control Plan
- 9.53 Permit Article 36, (Construction in Flood Hazard Areas)
- 9.54 Permit for State Agency Activities for Development in Coastal Erosion Hazards Areas
- 9.55 Permit for State Agency Activities for Development in Coastal Erosion Hazards Areas
- 9.56 State Pollutant Discharge Elimination System (SPDES) Permit
- 9.57 Approval – Drainage Improvement District

- 9.58 Approval – Water (Diversions for Power)
- 9.59 Approval of Well System and Permit to Operate
- 9.60 Permit – Article 15, (Protection of Water) – Dam
- 9.61 Permit – Article 15, Title 15 (Water Supply)
- 9.62 River Improvement District Permits
- 9.63 River Regulatory District approvals
- 9.64 Well Drilling Certificate of Registration
- 9.65 401 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**

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

#### **DEPARTMENT OF FINANCIAL SERVICES (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 Corp. 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 DeNovo 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

**OFFICE OF GENERAL SERVICES**

- 1.00 Administration of the Public Lands Law for acquisition and disposition of lands, grants of land and grants of 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.
- 4.00 Administration of Article 5, Section 233, Subsection 5 of the Education Law on removal of archaeological and paleontological objects under the waters of the State.
- 5.00 Administration of Article 3, Section 32 of the Navigation Law regarding location of structures in or on navigable waters.
- 6.00 Section 334 of the State Real Estate Law regarding subdivision of waterfront properties on navigable waters to include the location of riparian lines.

**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 Shared Health Facility Registration Certificate

**DIVISION OF HOMES AND COMMUNITY RENEWAL and its subsidiaries and affiliates**

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

**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)

**DIVISION OF MILITARY AND NAVAL AFFAIRS**

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

**NATURAL HERITAGE TRUST**

- 1.0 Funding program for natural heritage institutions.

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

- 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 program.
- 10.00 Urban Cultural Parks Program.
- 11.00 Planning, construction, rehabilitation, expansion, demolition or the funding of such activities and/or projects funded through the Environmental Protection Fund (Environmental Protection Act of 1993) or Clean Water/Clean Air Bond Act of 1996.

**OFFICE FOR PEOPLE WITH DEVELOPMENTAL 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

**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 STATE**

- 1.00 Local Government Efficiency (LGe) Program
- 2.00 Coastal Management Program (CMP).
  - 2.10 Planning, construction, rehabilitation, expansion, demolition or the funding of such activities and/or projects funded through the Environmental Protection Fund (Environmental Protection Act of 1993) or Clean Water/Clean Air Bond Act of 1996.
- 3.00 Community Services Block Grant Program (CSBG).
- 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**

- 1.0 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 or the funding of such activities.

**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) 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)
  - 3.03 Funding programs for rehabilitation and replacement of municipal bridges
  - 3.04 Subsidies program for marginal branch lines 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 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.

**DIVISION OF YOUTH**

- 1.0 Facilities construction, rehabilitation, expansion, or demolition or the funding for approval of such activities.

## 6.2. Federal Activities Affecting Land and Water Uses and Natural Resources in the Coastal Zone of New York State

*Note: This LWRP's list of the federal agency activities is identical to the most recent version of the Table 3 list in the New York State Coastal Management Program as approved by the federal Office of Ocean and Coastal Resources Management on May 7, 2017. Please contact the New York State Department of State, Office of Planning and Development, at (518) 474-6000, for any updates to New York State Coastal Management Program Table 3 federal agency activities list that may have occurred post-approval of this LWRP.*

This list has been prepared in accordance with the consistency provisions of the federal Coastal Zone Management Act and implementing regulations in 15 CFR Part 930. It is not exhaustive of all activities subject to the consistency provisions of the federal Coastal Zone Management Act, implementing regulations in 15 CFR Part 930, and the New York Coastal Management Program. It includes activities requiring:

1. the submission of consistency determinations by federal agencies;
2. the submission of consistency certifications by entities other than federal agencies; and
3. the submission of necessary data and information to the New York State Department of State, in accordance with 15 CFR Part 930, Subparts C, D, E, F and I, and the New York Coastal Management Program.

### I. Activities Undertaken Directly by or on Behalf of Federal Agencies

The following activities, undertaken directly by or on behalf of the identified federal agencies, are subject to the consistency provisions of the Coastal Zone Management Act, its implementing regulations in 15 CFR Part 930, Subpart C, and the New York Coastal Management Program.

#### **Department of Commerce, National Marine Fisheries Service:**

- Fisheries Management Plans

#### **Department of Defense, Army Corps of Engineers:**

- Proposed authorizations for dredging, channel improvement, breakwaters, other navigational works, erosion control structures, beach replenishment, dams or flood control works, ice management practices and activities, and other projects with the potential to impact coastal lands and waters.
- Land acquisition for spoil disposal or other purposes.
- Selection of open water disposal sites.

#### **Department of Defense, Air Force, Army and Navy:**

- Location, design, and acquisition of new or expanded defense installations (active or reserve status, including associated housing, transportation or other facilities).
- Plans, procedures and facilities for handling or storage use zones.
- Establishment of impact, compatibility or restricted use zones.

#### **Department of Energy:**

- Prohibition orders.

**General Services Administration:**

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

**Department of Interior, Fish and Wildlife Service:**

- Management of National Wildlife refuges and proposed acquisitions.

**Department of Interior, National Park Service:**

- National Park and Seashore management and proposed acquisitions.

**Department of Interior, Bureau of Ocean Energy Management:**

- OCS lease sale activities including tract selection, lease sale stipulations, etc.

**Department of Homeland Security, Coast Guard:**

- Location and design, construction or enlargement of Coast Guard stations, bases, and lighthouses.
- Location, placement or removal of navigation devices which are not part of the routine operations under the Aids to Navigation Program (ATON).
- Expansion, abandonment, designation or anchorages, lightering areas or shipping lanes and ice management practices and activities.

**Department of Transportation, Federal Aviation Administration:**

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

**Department of Transportation, St. Lawrence Seaway Development Corporation:**

- 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.

**Department of Transportation, Federal Highway Administration:**

- Highway construction

## **II. Federal Licenses and Permits and Other Forms of Approval or Authorization**

The following activities, requiring permits, licenses, or other forms of authorization or approval from Federal agencies, are subject to the consistency provisions of the Coastal Zone Management Act, its implementing regulations in 15 CFR Part 930, Subpart D, and the New York Coastal Management Program.

**Department of Defense, Army Corps of Engineers:**

- 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).

- Establishment of harbor lines pursuant to Section 11 of the Rivers and Harbors Act of 1899 (33 U.S.C. 404, 405).
- 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).
- 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).
- Disposal of dredged spoils into the waters of the U.S., pursuant to the Clean Water Act, Section 404 (33 U.S.C. 1344).
- 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).
- 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, Federal Energy Regulatory Commission:**

- 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).
- Orders for interconnection of electric transmission facilities under Section 202 (b) of the Federal Power Act (15 U.S.C. 824 a (b)).
- 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. 717 f (c)).
- Permission and approval for the abandonment of natural gas pipeline facilities under Section 7(b) of the Natural Gas Act (15 U.S.C. 717 f (b)).

**Department of Energy, Economic Regulatory Commission:**

- 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.
- Exemptions from prohibition orders.

**Environmental Protection Agency:**

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

**Department of Interior, Fish and Wildlife Services:**

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

**Department of Interior, Bureau of Ocean Energy Management:**

- 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.

- 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.

**Surface Transportation Board:**

- 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 slurry pipelines.

**Nuclear Regulatory Commission:**

- 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:**

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

**Department of Transportation, Federal Aviation Administration:**

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

### III. Federal Financial Assistance to State and Local Governments

The following activities, involving financial assistance from federal agencies to state and local governments, are subject to the consistency provisions of the Coastal Zone Management Act, its implementing regulations in 15CFR Part 930, Subpart F, and the New York Coastal Management Program. When these activities involve financial assistance for entities other than State and local governments, the activities are subject to the consistency provisions of 15 CFR Part 930, Subpart C.

**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 Water-borne 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 - Manages ant 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 the 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
- 15.952 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 Railroad Rehabilitation and Improvement - Guarantee of Obligations
- 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 Area-wide Water Quality Management 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
- 66.800 Comprehensive Environmental Response, Compensation and Liability (Superfund)

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

### **6.3. State and Federal Actions and Programs Necessary to further this LWRP**

Part 6.3 provides a more focused and descriptive list of the immediately preceding Parts 6.1 and 6.2 listing under this LWRP Section VI, entitled, “State and Federal Actions and Programs Likely to Affect Implementation.” It is recognized that a State and federal agency’s ability to undertake these listed actions is subject to a variety of factors and considerations; that the consistency provisions of the approved LWRP may not apply; and, that the consistency requirements cannot 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 II, Section IV and Section V, which discuss local goals, proposed projects, and local implementation techniques, including State and federal assistance needed to implement the approved LWRP.

#### **I. State Actions and Programs**

##### **COUNCIL ON THE ARTS**

1. Assistance from the Architecture, Planning and Design program for designing public facilities.

##### **DEPARTMENT OF ENVIRONMENTAL CONSERVATION**

1. Planning, development, construction, major renovation, or expansion of facilities in waterfront, including recreational improvement projects.
2. Advance assistance under Small Communities and Rural Wastewater Treatment Grant Program and a subsequent construction grant subsidy.
3. Review of actions within or adjacent to National Register Districts pursuant to SEQR.

##### **DIVISION OF HOUSING AND COMMUNITY RENEWAL**

1. Provision of funding under the Rural Preservation Company Program.
2. Approval of funding for Rural Area Revitalization Program projects.

##### **EMPIRE STATE DEVELOPMENT**

1. Provision of low interest mortgage loans to local non-profit development corporations to finance commercial and industrial facilities.
2. Division of Marketing, Advertising and Tourism: Any action or provision of funds for the development or promotion of tourism related activities or development.

##### **OFFICE OF GENERAL SERVICES**

1. Prior to any development occurring in the water or on the immediate waterfront, OGS should be contacted for a determination of the State’s interest in underwater, or formally underwater, lands and for authorization to use and occupy these lands.
2. In accordance with Section 334 of the NYS Real Property Law, any subdivision of waterfront properties on navigable waters must depict the location of riparian (including littoral) lines out into the navigable waters on the property survey that must be filed with the respective county clerk.

**OFFICE OF PARKS, RECREATION AND HISTORIC PRESERVATION**

1. Planning, development, construction, major renovation or expansion of recreational facilities or the provision of funding for such facilities.
2. Approval of funding for State and local activities from the Land and Water Conservation Fund.
3. Planning, development, implementation or the provision of funding for recreation services programs.
4. Certification of properties for listing on the National Register.
5. Provision of funding for State and local historic preservation activities.
6. Review of Type I actions affecting a property listed on the National Register of Historic Places.
7. Activities under the Urban Cultural Park program.

**DEPARTMENT OF STATE**

1. Provision of funding for the implementation of an approved LWRP.
2. Provision of funding under the Community Services Block Grant program.

**THOUSAND ISLAND BRIDGE AUTHORITY**

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

**DEPARTMENT OF TRANSPORTATION**

1. Assistance for street repairs through the Consolidated Highway Improvements Program.

**II. Federal Actions and Programs**

**DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT**

**Office of the Assistant Secretary for Community Planning and Development**

1. Funding under the Community Development Block Grant Program for improvements in the waterfront.

**DEPARTMENT OF DEFENSE**

**Army Corps of Engineers, Buffalo District**

1. Review of any proposed affecting a resource listed on the National Register of Historic Places, pursuant to the National Environmental Protection Act.

**DEPARTMENT OF THE INTERIOR**

**National Park Service**

1. Provision of funding under the Land and Water Conservation Fund Program.
2. Review of federal actions within the National Register Districts pursuant to NEPA.

**DEPARTMENT OF THE TREASURY**

1. Continuation of Incentives for Qualified Building Rehabilitation.
2. Provision of appropriate tax-exempt status for non-profit agencies active in the coastal area.

**ECONOMIC DEVELOPMENT ADMINISTRATION**

1. Assistance under the Public Works and Economic Development Act for street improvements.

**SAINT LAWRENCE SEAWAY DEVELOPMENT CORPORATION**

1. Acquisition, disposition, lease, grant of easement and other activities related to the management of land under the jurisdiction of the Corporation.
2. Construction, rehabilitation, expansion or demolition of facilities.
3. Operations and management activities related to traffic safety, traffic control and length of the navigation system.

**DEPARTMENT OF TRANSPORTATION**

**United States Coast Guard**

1. Maintenance/rehabilitation of facilities.

## **Section VII Local Commitment and Consultation with Other Affected Federal, State, Regional, and Local Agencies**

### **A. Local Commitment**

The Village of Alexandria Bay and the Town of Alexandria have adopted this LWRP as an official policy document along with the supporting local laws. Resolutions adopting the LWRP and authorizing submission of the LWRP to the Department of State have been submitted to DOS.

Preparation of this LWRP was a participatory process involving the town and village boards, official representatives, stakeholders, and interested citizens as well as NYSDOS and the Jefferson County Planning Department. The process has involved multiple consultant-facilitated meetings, additional committee work sessions, focus group meetings and three community informational meetings.

The village and town are committed to protecting and enhancing the waterfront along the St. Lawrence River. Since the inception of this process both communities have engaged in improvement efforts and the town is undertaking the task of reviewing and revising its local zoning regulations to ensure regulatory support and consistency. The town and village will adopt supporting regulatory changes and pursue funding for LWRP project implementation. The village has been awarded funding for the proposed Riverwalk along the north shore. The waterfront policies set forth in Section III will help guide all private development efforts in the LWRA. As development opportunities continue to occur, the whole community will benefit from these smart growth policies, which will guide economic development while protecting the cultural, historic, scenic, and natural resources that define the unique characteristics of Alexandria and Alexandria Bay.

### **B. Consultation with Other Federal, State, Regional, and Local Agencies**

The Town of Alexandria and the Village of Alexandria Bay convened a joint advisory committee to guide preparation of this LWRP. Advisory committee members contributed countless hours developing this LWRP with the assistance of a consultant. Over the course of this planning process the advisory committee has held three public informational meetings, in addition to many other focus group meetings and committee working sessions. The first community informational meeting on May 21, 2002 was advertised in a local newspaper and focused on the inventory and policy sections. A second public informational meeting was held on August 16, 2007 and a third meeting was held on July 7, 2008. The focus was to inform the public of the proposed projects and expected completion time for this LWRP. Subsequently to these public meetings, village and town representatives and legal counsel focused on developing the supporting local consistency law, harbor management law, and docking facility law.

The community has been given many opportunities to comment and ask questions regarding this waterfront revitalization effort. Prior to final adoption of this program the final draft LWRP and all supporting local laws will be presented to the public for review and comment. During the SEQR process, local, state, and federal agencies were given the appropriate time to comment regarding the LWRP. The comments provided to the village or town during the planning process are summarized in Appendix C.

### **C. New York State Environmental Quality Review Process**

This Local Waterfront Revitalization Program (LWRP) and its Harbor Management Program (HMP) included in Section IV, are focused on the protection and enhancement of the environmental, historic, cultural, and scenic resources of the St. Lawrence River waterfront and surface waters in the Town of Alexandria and the Village of Alexandria Bay. In the initial stage of developing this program, the Village of Alexandria Bay declared itself lead agency and has accepted the responsibility of undertaking and coordinating SEQR review of the approval of the LWRP and supporting local laws. Through stakeholder meetings, committee meetings, and public informational sessions, the general public has had multiple opportunities to be involved during the process of developing this LWRP and as such, has directly influenced the policies and proposed waterfront projects set forth herein.

The adoption of this LWRP and supporting local laws by the Village of Alexandria Bay Board of Trustees and the Town of Alexandria Board is a local action that requires review of possible environmental impacts pursuant to New York State Environmental Quality Review (SEQR) regulations, Part 617 of New York State General Regulations. Upon consideration of the potential adverse impacts from the adoption of this LWRP and supporting local laws, the Village Board of Trustees concluded that there would be no adverse environmental impacts and issued a negative declaration.

# **Appendix A-1 Local Laws and Regulations Adopted to Implement the LWRP**

## **Town of Alexandria Harbor Management Law**

Local Law No. 3 of 2016

Be it enacted by the Town Board of the Town of Alexandria as follows:

**FINDINGS:** The St. Lawrence River along the shoreline of the Town of Alexandria supports a wide range of public and private in-water uses. These uses include recreational and commercial boating, recreational fishing and swimming, marinas, public and private docks, special aquatic events, and ferry service. The Town of Alexandria finds that to manage the efficient use of the St. Lawrence River that flows through the Town, promote the safety of commercial and recreational navigation, provide for the equitable allocation of the water's surface for a variety of uses, and to protect the natural and cultural resources upon which many of these uses depend, this Local Law is hereby enacted for these purposes and to implement the Town's Local Waterfront Revitalization Program and Harbor Management Plan.

### **SECTION 1.0 AUTHORITY:**

1.1 This law is adopted pursuant to §130(17) of New York State Town Law, §922 of the New York State Executive Law, §10 the Municipal Home Rule Law; and Article IX of the New York State Constitution.

1.2 The provisions of this law shall, except when prohibited by the laws of the United States, apply to all the waters of the St. Lawrence River that lie within the Harbor Management Area of the Town of Alexandria.

### **SECTION 2.0 DEFINITIONS:**

As used in this law, the following terms shall have the meaning indicated.

**ANCHOR:** To secure a vessel temporarily to the bottom of a water body by dropping an anchor or anchors or other ground tackle from a vessel.

**AQUATIC EVENT:** Any public or private organized activity including but not limited to a regatta, boat race, boat show, water skiing competition or demonstration, or firework display, which uses a defined area of the water for set period of time.

**BEACH:** All public beaches (of all jurisdictions), private membership club beaches, and private homeowners' association beaches, as depicted on the Harbor Management Map.

**BULKHEAD:** Any seasonal or temporary structure, except a building, positioned parallel to the shoreline, the primary function of which is to retain soil or any other material from eroding into a waterway or to protect the land from wave damage.

**CHANNEL:** Water areas specifically reserved for unobstructed movement of vessels and which may be marked in the water by aids to navigation. Channels are depicted on the Harbor Management Map.

**DOCK:** Any structure, or fixed platform built on floats, columns, open timber, piles, or similar open-work supports, or cantilevered structures anchored to the shore including piers and wharfs and designed to provide access from the shore of the St. Lawrence River for swimming, boating or other recreational or commercial uses and shall also include accessorial uses including but not limited to boat slips and berths. All structural descriptions provided above, which are placed on the waterside of the mean high water mark, shall be defined as a dock.

**DOCK-COMMERCIAL:** A dock or portion of a dock operated for a fee such as, but not limited to, dock space for rent, lease or sale.

**DOCK-PRIVATE:** A dock, owned by the upland property owner for the sole use of the upland owner for the upland owner's personal benefit. Private docks shall not be used for any monetary gain such as, but not limited to, dock space for rent, lease or sale.

**FAIRWAY:** An area in the harbor, other than a federally or locally designated channel, commonly used as an open access way between marine structures or designated channels, and buffers areas.

**FLOAT:** Any structure buoyant on the water surface affixed and secured in place to underwater lands which provides an offshore surface, for swimmers, or other purposes.

**HARBOR MANAGEMENT AREA:** All surface waters, inlets, and bays on the St. Lawrence River within the Town of Alexandria as designated on the Harbor Management Area Map.

**HARBOR MANAGEMENT AREA MAP:** The Harbor Management Area map adopted by the Town of Alexandria as part of this local law.

**LIVE-ABOARD VESSEL:** Any vessel used, designed, or occupied as a dwelling unit, business office or any commercial use, or for any private or social club of whatsoever nature, including but not limited to a structure constructed upon a barge while the same is moored or docked within the Harbor Management Area of the Town of Alexandria.

**MARINA:** Any lot, building, structure or part thereof located on the waterfront and providing docking and secure mooring facilities for yachts, motor boats, sail boats and other marine vehicles or craft. Includes the sale, rental and/or storage of marine and boating vehicles; as well as supplies, service, repair and other related facilities and/or operations necessary to maintain such craft.

**MOOR:** To attach a vessel to the ground or lands underwater by means of tackle so designed that, when such attachment is terminated, some portion of the tackle remains below the surface of the water and is not under the control of the vessel or its operator.

**MOORING OR MOORING BUOY:** A floating object anchored to the lands underwater by means of tackle but not to the shore, to which a boat could be attached for waterside storage.

**NAVIGATIONAL AID:** Buoys, beacons, signs or other object, buoyant or affixed to land or a structure, for the purpose of assisting in the safe operation of a vessel by marking obstructions to navigation or to direct navigation through safe channels.

**NO ANCHORAGE ZONE:** The zones designated by the Town of Alexandria, as depicted on the Harbor Management Boundary Area Map, which are specifically dangerous or congested locations for the anchoring of vessels.

**PERSONAL WATERCRAFT OR SPECIALTY PROP CRAFT:** A vessel which uses an inboard motor powering a water jet pump as its primary source of motor power or is powered by an outboard motor or a propeller drive motor, and which is designed to be operated by a person sitting, standing, or kneeling on, or being towed behind the vessel rather than in the conventional manner of sitting or standing inside the vessel.

**PERSON:** An individual, partnership, corporation, association, and any other legal entity subject to the provisions of this chapter.

**SHORELINE:** The line of the shore as generally depicted on the Harbor Management Map.

**SPEED:** The speed of a vessel over the water's surface as measured in miles per hour.

**SCUBA AREA:** A water area designated on the Harbor Management Map as set aside for scuba diving.

**SWIMMING AREA:** A water area designated on the Harbor Management Map as set aside for swimming.

**TOWN BOARD:** The Town Board of the Town of Alexandria.

**UNREGISTERED VESSEL:** A vessel that is not registered as required by New York State Law.

**VESSEL:** Includes every description of vessel and watercraft or other contrivance used or capable of being used as a means of transportation in or on the water, including aircraft, and personal watercraft.

**VESSEL OWNER:** The person under whose name the vessel was last registered in accordance with the provisions of Section 46, United States Code or Chapters 121-125 of the NYS Motor Vehicle and Traffic Law or any similar statute of any other state or county, and, in any other case, the last known owner or person who claims lawful possession of such vessel by virtue of legal title or equitable interest therein which entitles him/her to such possession.

**WATER DEPENDENT USE:** an activity which can only be conducted on, in, over or adjacent to a water body because such activity requires direct access to that water body, and which involves, as an integral part of such activity, the use of the water (i.e. commercial and recreational boating and fishing, swimming, marinas, facilities for shipping, ferry landings)

### **SECTION 3.0 VESSEL OPERATIONS:**

**3.1 Dangerous operation prohibited:** No person shall operate a vessel at a speed greater than what is posted or cause the throwing of its wake, so as to:

- a. Endanger the life or limb of another person using St. Lawrence River under the conditions and having regard to the actual and potential hazards then existing; or to
- b. Endanger a person on or operating another vessel or cause damage to another vessel, structure, shoreline property, the environment, or interfere with the free and proper use of the waters of any channel.

### 3.2 Speed and noise of vessels:

- a. No person shall operate a vessel at a speed in excess of that posted by speed markers and shall not exceed five (5) miles per hour when within one hundred feet of the shore, a dock, pier, raft, float or an anchored or moored vessel.
- b. No person shall operate a vessel within one hundred (100) feet of any area marked for public swimming, or skin or scuba diving by the placement a regulation red diving flag, except a vessel being used to support such diving.
- c. No person shall operate a vessel at a noise level above the maximum noise level designated in Article 4 §44 of New York State Navigation Law.

### 3.3 Identification and Vessel Registration:

No person shall operate an unregistered vessel upon the waters of the Town. Vessel operators shall identify themselves and produce the vessel's registration to town, county, state or federal law enforcement authorities upon request. Failure to produce such registration upon request shall be presumptive evidence of the operation of an unregistered vessel and a violation of this section.

### 3.4 Required equipment:

No person shall operate a vessel which does not meet all duly adopted and published requirements of Article 4 of New York State Navigation Law and applicable federal laws and regulations with regard to safety equipment to be carried or incorporated into vessels of its type.

### 3.5 Prohibited discharges.

No person on or operating a vessel shall dump refuse or garbage, or discharge treated or untreated sanitary waste into the water in violation of county public health laws, Article 3 of New York State Navigation Law or federal laws or regulations.

## **SECTION 4.0 PERSONAL WATER CRAFT (PWC):**

4.1 No person shall operate a PWC within five hundred (500) feet of a designated swimming area or the shore at a speed greater than ten (10) miles per hour except that such shall not apply when launching such vessel away from the shore or returning to the shore.

4.2 No person shall operate a PWC within the Town so as to knowingly endanger the health or safety of another person or wildlife and shall at all times be operated in a reasonable and prudent manner in accordance with Article 4 §73-A of New York State Navigation Law.

**SECTION 5.0 LIVE-ABOARD VESSEL:**

No houseboat, boat or barge or other floating accommodation to be used for residential living may be moored or anchored or secured to any dock, piling or shore within any surface waters, inlets, or bays within the Town of Alexandria for more than three (3) days without a special permit from the Town Zoning Officer. All Live-Aboard Vessel permits shall clearly state the following:

- i. Exact location vessel will be anchored.
- ii. Source of potable water and type of wastewater facility to be used during visit.
- iii. Length of visit.

**SECTION 6.0 MOORING AREAS:**

6.1 Public or Private mooring is not allowed in the Harbor Management Area.

**SECTION 7.0 ANCHORING:**

7.1 No person shall anchor a vessel in the Harbor Management Area in a no anchorage zone so designated on the Harbor Management Map.

7.2 No person may anchor a vessel for more than three (3) days without obtaining a permit from the Town.

7.3 A person owning, operating, or in control of a vessel while at anchor or properly secured may leave a vessel temporarily to go ashore, but must be available to tend the vessel in the event of inclement weather or other emergency. It shall be the vessel owner and/or operator's responsibility to remain clear of all anchored vessels and other structures.

**SECTION 8.0 FLOATS:**

8.1 No person shall anchor or moor a float without a permit from the Town Zoning Officer. An application for a Float Permit can be obtained at the Town Clerk's Office. All floats must be properly marked and visible at all times during the day and night.

8.2 Issuance of permits shall take into account safety, day and night navigation, water depth and bottom conditions, tackle, access, and compliance with the Local Waterfront Revitalization Program. No float shall interfere with the use of channels or fairways.

**SECTION 9.0 DOCKS AND OTHER IN-WATER STRUCTURES:**

9.1 No person shall construct or expand any structure including but not limited to docks, piers, wharves, boatlifts, breakwaters, or jetties, without obtaining approval or a permit in compliance with the Town of

Alexandria Zoning Law, specifically the Docking Facilities Law, in addition to complying with all applicable New York State and Federal laws.

9.2 Issuance of permits shall take into account safety, day and night navigation, effects on natural resources, cultural resources and water quality, public use of the water, and compliance with the Town's Local Waterfront Revitalization Program.

**SECTION 10.0 MISCELLANEOUS PROVISIONS:**

No owners of the upland property shall fail to completely remove any pilings, floats, or similar structures which are abandoned or fall into disuse.

**SECTION 11.0 ENFORCING AUTHORITY:**

The Town Zoning Officer and any police or peace officer, is empowered to enforce the provisions of this Local Law.

Every person in charge of a vessel shall at all times obey the lawful orders of the Town Zoning Officer or a police or peace officer.

**SECTION 12.0 PENALTIES FOR OFFENSES:**

A conviction of a violation of this Local Law shall be deemed an offense and punishable by a fine of not less than

Fifty (\$50.00) and not exceeding Two Hundred Fifty (\$250.00) dollars, and/or imprisonment for a term not to exceed fifteen (15) days, or both such fine and imprisonment for a first offense. A second offense within a twelve month period shall be punishable by a fine of not less than One Hundred (\$100.00) dollars nor more than Three Hundred Fifty (\$350.00) and/or imprisonment for a term not to exceed fifteen (15) days, or both such fine and imprisonment. A third offense within a twelve month period shall be punishable by a fine of not less than Two Hundred (\$200.00) dollars nor more than Five Hundred (\$500.00) and/or imprisonment for a term not to exceed fifteen (15) days, or both such fine and imprisonment.

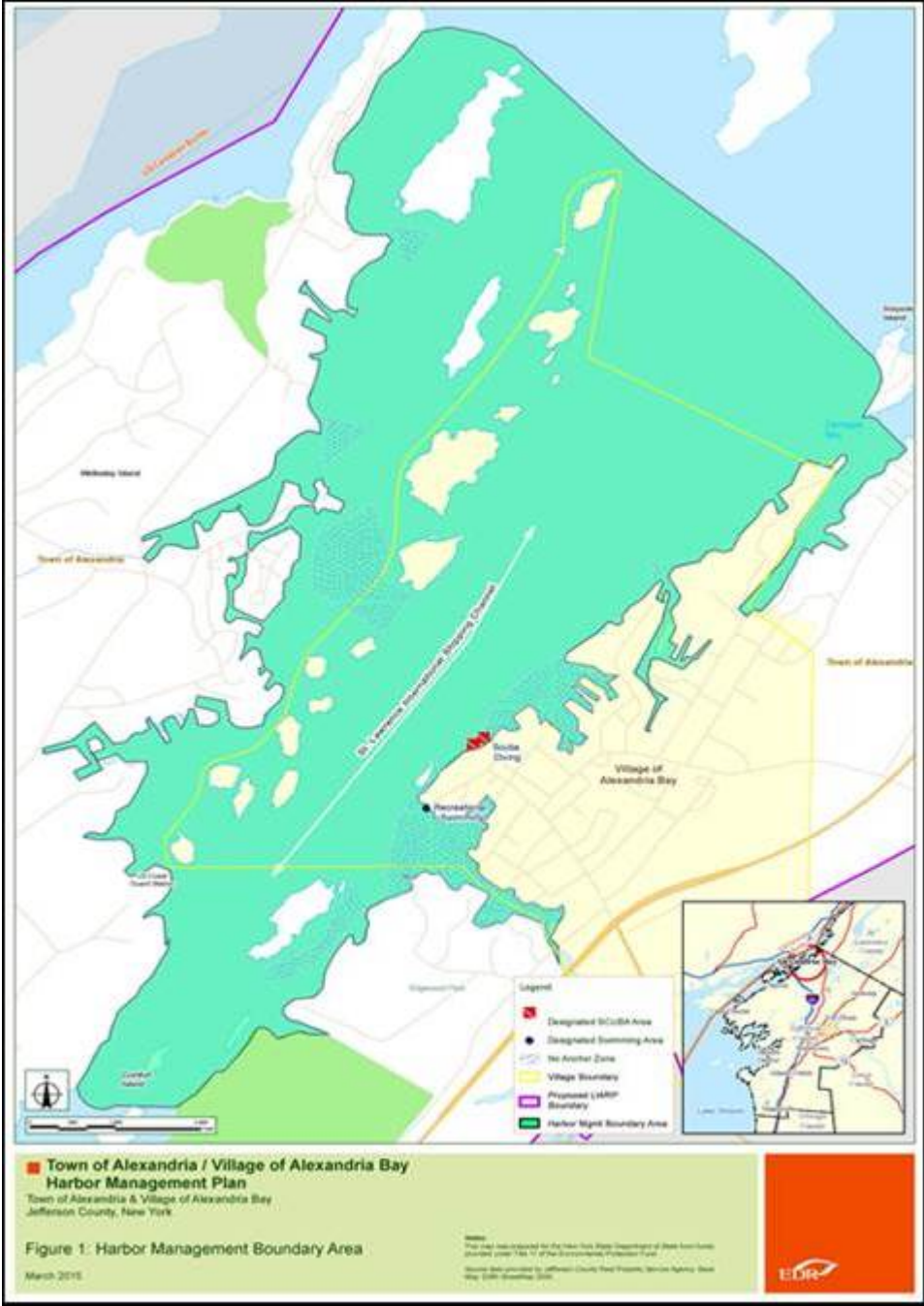
**SECTION 13.0 SEVERABILITY:**

The provisions of this law are declared to be severable and, if any section, sentence, clause, or phrase hereof shall for any reason be held to be invalid, ineffective, in conflict with regulations of state or federal authorities or unconstitutional, such decision shall not affect the validity of the remaining portions hereof, but such portions shall remain in full force and effect.

**SECTION 14.0 EFFECTIVE DATE:**

This Law shall take effect immediately upon its adoption by the Town of Alexandria and approval of the Harbor Management Plan as a component of the Town of Alexandria Local Waterfront Revitalization Program by the New York Secretary of State, according to the applicable provisions of law.

Harbor Management Boundary Area



## **Village of Alexandria Bay Harbor Management Law**

Local Law No. 2 of 2016

Be it enacted by the Village Board of the Village of Alexandria Bay as follows:

Article I. STATEMENT OF AUTHORITY. 1.1 This law is adopted pursuant to §7-700 of New York State Village Law, §922 of the New York State Executive Law, §10 the Municipal Home Rule Law; and Article IX of the New York State Constitution.

1.2 The provisions of this law shall, except when prohibited by the laws of the United States, apply to all the surface waters, inlets, and bays of the St. Lawrence River that lie within Village of Alexandria Bay.

Article II. PURPOSE AND FINDINGS. The St. Lawrence River along the shoreline of the Village of Alexandria Bay supports a wide range of public and private in-water uses. These uses include recreational and commercial boating, anchorage and mooring areas, recreational fishing and swimming, marinas, public and private docks, special aquatic events, and ferry service. The Village of Alexandria Bay finds that to manage the efficient use of the St. Lawrence River that flows alongside the Village, promote the safety of commercial and recreational navigation, provide for the equitable allocation of the water's surface for a variety of uses, and to protect the natural and cultural resources upon which many of these uses depend, this Local Law is hereby enacted for these purposes and to implement the Village's Local Waterfront Revitalization Program and Harbor Management Plan.

Article III. ENACTMENT. The Board of Trustees of the Village of Alexandria Bay hereby adds a new Chapter 88, Harbor Management Law, to the Village of Alexandria Bay Code as follows:

### 3.1 DEFINITIONS:

As used in this law, the following terms shall have the meaning indicated.

**ANCHOR:** To secure a vessel temporarily to the bottom of a water body by dropping an anchor or anchors or other ground tackle from a vessel.

**AQUATIC EVENT:** Any public or private organized activity including but not limited to a regatta, boat race, boat show, water skiing competition or demonstration, or firework display, which uses a defined area of the water for set period of time.

**BEACH:** All public beaches (of all jurisdictions), private membership club beaches, and private homeowners' association beaches, as depicted on the Harbor Management Map.

**BULKHEAD:** Any seasonal or temporary structure, except a building, positioned parallel to the shoreline, the primary function of which is to retain soil or any other material from eroding into a waterway or to protect the land from wave damage.

**CHANNEL:** Water areas specifically reserved for unobstructed movement of vessels and which may be marked in the water by aids to navigation. Channels are depicted on the Harbor Management Map.

**DOCK:** Any structure, or fixed platform built on floats, columns, open timber, piles, or similar open-work supports, or cantilevered structures anchored to the shore including piers and wharfs and designed to provide access from the shore of the St. Lawrence River for swimming, boating or other recreational or commercial uses and shall also include accessorial uses including but not limited to boat slips and berths. All structural descriptions provided above, which are placed on the waterside of the mean high water mark, shall be defined as a dock.

**DOCK-COMMERCIAL:** A dock or portion of a dock, operated for a fee such as, but not limited to, dock space for rent, lease or sale.

**DOCK-PRIVATE:** A dock, owned by the upland property owner for the sole use of the upland owner's personal benefit. Private docks shall not be used for any monetary gain such as, but not limited to, dock space for rent, lease or sale.

**FAIRWAY:** An area in the harbor, other than a federally or locally designated channel, commonly used as an open access way between marine structures or designated channels, buffers areas, and mooring areas.

**FLOAT:** Any structure buoyant on the water surface affixed and secured in place to underwater lands which provides an offshore surface, for swimmers, or other purposes.

**HARBOR MANAGEMENT AREA:** All surface waters, inlets, and bays of the St. Lawrence River within the Village of Alexandria Bay as depicted on the Harbor Management Area Map.

**HARBOR MANAGEMENT AREA MAP:** The map adopted by the Village of Alexandria Bay as part of this local law.

**LIVE-ABOARD VESSEL:** Any vessel used, designed, or occupied as a dwelling unit, business office or any commercial use, or for any private or social club of whatsoever nature, including but not limited to a structure constructed upon a barge while the same is moored or docked within the Harbor Management Area of the Village of Alexandria Bay.

**MARINA:** Any lot, building, structure or part thereof located on the waterfront and providing docking and secure mooring facilities for yachts, motor boats, sail boats and other marine vehicles or craft. Includes the sale, rental and/or storage of marine and boating vehicles; as well as supplies, service, repair and other related facilities and/or operations necessary to maintain such craft.

**MOOR:** To attach a vessel to the ground or lands underwater by means of tackle so designed that, when such attachment is terminated, some portion of the tackle remains below the surface of the water and is not under the control of the vessel or its operator.

**MOORING OR MOORING BUOY:** A floating object anchored to the lands underwater by means of tackle but not to the shore, to which a boat could be attached for waterside storage.

**NAVIGATIONAL AID:** Buoys, beacons, signs or other object, buoyant or affixed to land or a structure, for the purpose of assisting in the safe operation of a vessel by marking obstructions to navigation or to direct navigation through safe channels.

**NO ANCHORAGE ZONE:** The zones designated by the Village of Alexandria Bay, as depicted on the Harbor Management Map, which are specifically dangerous or congested locations for the anchoring of vessels.

**PERSONAL WATERCRAFT OR SPECIALTY PROP CRAFT:** A vessel which uses an inboard motor powering a water jet pump as its primary source of motor power or is powered by an outboard motor or a propeller drive motor, and which is designed to be operated by a person sitting, standing, or kneeling on, or being towed behind the vessel rather than in the conventional manner of sitting or standing inside the vessel.

**PERSON:** An individual, partnership, corporation, association, and any other legal entity subject to the provisions of this chapter.

**SHORELINE:** The line of the shore as generally depicted on the Harbor Management Map.

**SPEED:** The speed of a vessel over the water's surface as measured in miles per hour.

**SCUBA AREA:** A water area designated on the Harbor Management Map as set aside for scuba diving.

**SWIMMING AREA:** A water area designated on the Harbor Management Map as set aside for swimming.

**UNREGISTERED VESSEL:** A vessel that is not registered as required by New York State Law.

**VESSEL:** Includes every description of vessel and watercraft or other contrivance used or capable of being used as a means of transportation in or on the water, including aircraft, and personal watercraft.

**VESSEL OWNER:** The person under whose name the vessel was last registered in accordance with the provisions of Section 46, United States Code or Chapters 121-125 of the NYS Motor Vehicle and Traffic Law or any similar statute of any other state or country and, in any other case, the last known owner or person who claims lawful possession of such vessel by virtue of legal title or equitable interest therein which entitles him/her to such possession.

**VILLAGE BOARD:** The Village Board of the Village of Alexandria Bay.

**WATER DEPENDENT USE:** an activity which can only be conducted on, in, over or adjacent to a water body because such activity requires direct access to that water body, and which involves, as an integral part of such activity, the use of the water (i.e. commercial and recreational boating and fishing, swimming, marinas, facilities for shipping, ferry landings).

### 3.2 VESSEL OPERATIONS:

A. Dangerous operation prohibited: No person shall operate a vessel at a speed greater than what is posted or cause the throwing of its wake, so as to:

- a. Endanger the life or limb of another person using the St. Lawrence River under the conditions and having regard to the actual and potential hazards then existing; or to
- b. Endanger a person on or operating another vessel or cause damage to another vessel, structure, shoreline property, the environment, or interfere with the free and proper use of the waters of any channel.

B. Speed and noise of vessels:

- a. No person shall operate a vessel at a speed in excess of that posted by speed markers and shall not exceed five (5) miles per hour when within one hundred feet of the shore, a dock, pier, raft, float or an anchored or moored vessel.
- b. No person shall operate a vessel within one hundred (100) feet of any area marked for public swimming, or skin or scuba diving by the placement a regulation red diving flag except, a vessel being used to support such diving.
- c. No person shall operate a vessel at a noise level above the maximum noise level designated in Article 4 §44 of New York State Navigation Law.

C. Identification and Vessel Registration:

No person shall operate an unregistered vessel upon the waters of the Village. Vessel operators shall identify themselves and produce the vessel's registration to Village, county, state or federal law enforcement authorities upon request. Failure to produce such registration upon request shall be presumptive evidence of the operation of an unregistered vessel and a violation of this section.

D. Required equipment:

No person shall operate a vessel which does not meet all duly adopted and published requirements of Article 4 of New York State Navigation Law and applicable federal laws regulations with regard to safety equipment to be carried or incorporated into vessels of its type.

E. Prohibited discharges.

No person on or operating a vessel shall dump refuse, or garbage, or discharge treated or untreated sanitary waste to the water in violation of any village, county, state, or federal laws and regulations.

### 3.3 PERSONAL WATER CRAFT (PWC):

A. No person shall operate a PWC within five hundred (500) feet of a designated swimming area or the shore at a speed greater than ten (10) miles per hour except that such speed limit shall not apply when launching such vessel away from the shore or returning to the shore.

B. No person shall operate a PWC within the Village so as to knowingly endanger the health, or safety of another person or wildlife and shall at all times be operated in a reasonable and prudent manner in accordance with Article 4 §73-A of New York State Navigation Law.

### 3.4 AQUATIC EVENTS:

A. No person shall conduct organized aquatic events without obtaining an event permit for such event from the Village Board in addition to any required New York State or Federal permit.

### 3.5 LIVE-ABOARD VESSEL:

A. No houseboat, boat or barge or other floating accommodation to be used for residential living may be anchored or secured to any dock, piling or shore within any surface waters, inlets, or bays within the Village of Alexandria Bay for more than three (3) days without a special permit from the Village Zoning Officer. All Floating Residential Accommodation permits shall clearly state the following:

- i. Exact location vessel will be anchored.
- ii. Source of potable water and type of wastewater facility to be used during visit.
- iii. Length of visit.

### 3.6 MOORING AREAS:

Public or Private mooring is not allowed on any surface waters, inlets, or bays within the Village of Alexandria Bay.

### 3.7 ANCHORING:

A. No person shall anchor a vessel in the Harbor Management Area in a no anchorage zone so designated on the Harbor Management Map.

B. No person may anchor a vessel for more than three (3) days without obtaining a permit from the Village.

C. A person owning, operating, or in control of a vessel while at anchor or properly secured may leave a vessel temporarily to go ashore, but must be available to tend the vessel in the event of inclement weather or other emergency. It shall be the vessel owner and/or operator's responsibility to remain clear of all anchored vessels and other structures.

### 3.8 FLOATS:

A. No person shall anchor or moor any float without a permit from the Village Zoning Officer. An application for a Float Permit can be obtained at the Village Clerk's Office. All floats must be properly marked and visible at all times during the day and night.

B. Issuance of permits shall take into account safety, day and night navigation, water depth and bottom conditions, tackle, access, and compliance with the Local Waterfront Revitalization Program. No float shall interfere with the use of channels or fairways.

### 3.9 DOCKS AND OTHER IN-WATER STRUCTURES:

A. No person shall construct or expand any structure including but not limited to docks, piers, wharves, boatlifts, breakwaters, or jetties, without obtaining approval or a permit in compliance with the Village of Alexandria Bay Zoning Law, specifically the Docking Facilities Law, in addition to complying with all applicable New York State and Federal laws.

B. Issuance of permits shall take into account safety, day and night navigation, effects on natural resources, cultural resources and water quality, public use of the water, and compliance with the Village's Local Waterfront Revitalization Program.

### 3.10 ENFORCING AUTHORITY:

A. The Village Zoning Officer and any police or peace officer, is empowered to enforce the provisions of this Local Law. Every person in charge of a vessel shall at all times obey the lawful orders of the Village Zoning Officer or a police or peace officer.

### 3.11 PENALTIES FOR OFFENSES:

A conviction of a violation of this Local Law shall be deemed an offense and punishable by a fine of not less than Fifty (\$50.00) and not exceeding Two Hundred Fifty (\$250.00) dollars, and/or imprisonment for a term not to exceed fifteen (15) days, or both such fine and imprisonment for a first offense. A second offense within a twelve month period shall be punishable by a fine of not less than One Hundred (\$100.00) dollars nor more than Three Hundred Fifty (\$350.00) and/or imprisonment for a term not to exceed fifteen (15) days, or both such fine and imprisonment. A third offense within a twelve month period shall be punishable by a fine of not less than Two Hundred (\$200.00) dollars nor more than Five Hundred (\$500.00) and/or imprisonment for a term not to exceed fifteen (15) days, or both such fine and imprisonment.

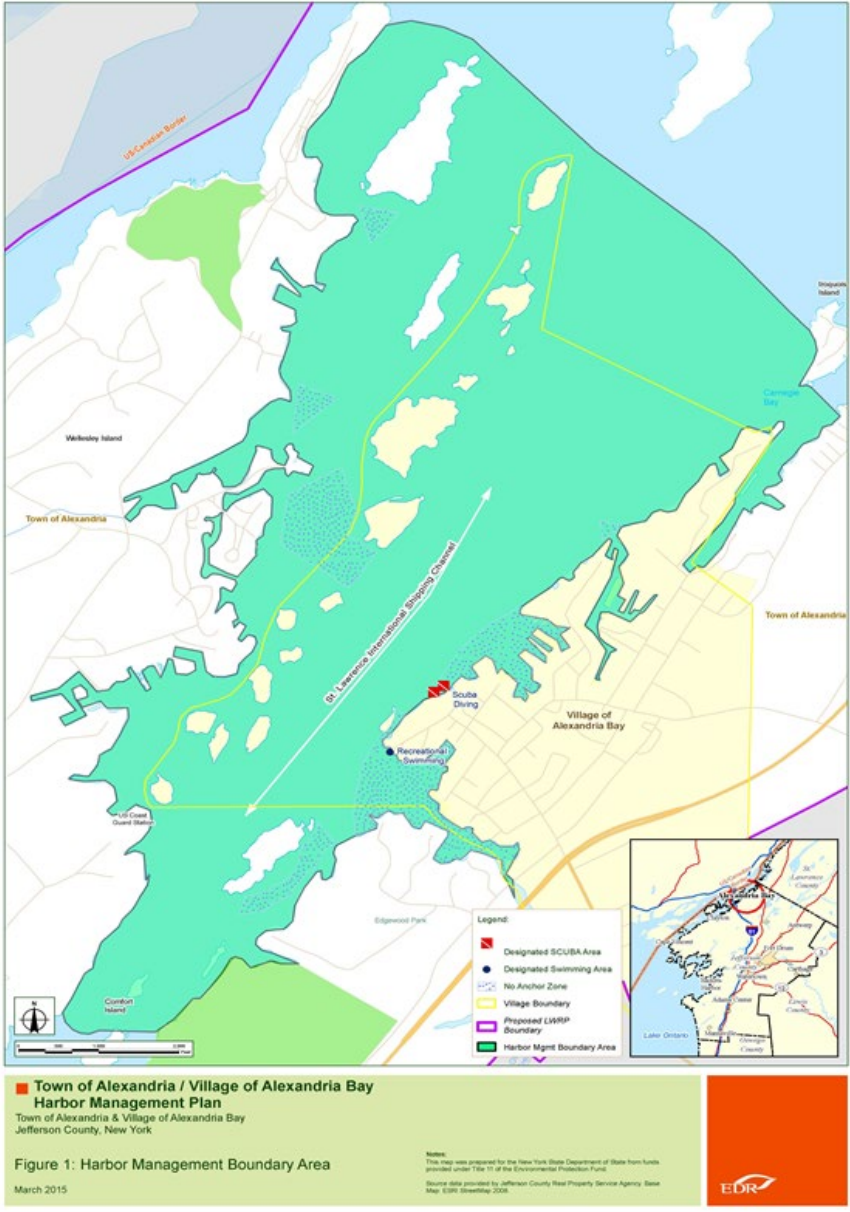
### Article IV. SEVERABILITY:

The provisions of this law are declared to be severable and, if any section, sentence, clause, or phrase hereof shall for any reason be held to be invalid, ineffective, in conflict with regulations of state or federal authorities or unconstitutional, such decision shall not affect the validity of the remaining portions hereof, but such portions shall remain in full force and effect.

Article V. EFFECTIVE DATE:

This Law shall take effect immediately upon its adoption by the Village of Alexandria Bay and approval of the Harbor Management Plan as a component of the Village of Alexandria Bay Local Waterfront Revitalization Program by the New York Secretary of State, according to the applicable provisions of law.

**HARBOR MANAGEMENT AREA MAP**



## **Town of Alexandria Docking Facilities Law**

### **Local Law No. 2 of the year 2016**

A local law to amend Local Law No. 1 of the year 2010 (Zoning) to regulate docking facilities within the Town of Alexandria

Be it enacted by the Town Board of the Town of Alexandria as follows:

#### **SECTION 1. AUTHORITY**

This law is adopted pursuant to §130.17 of New York State Town Law, §922 of the New York State Executive Law, §10 the Municipal Home Rule Law; and Article IX of the New York State Constitution. The provisions of this law shall, except when prohibited by the laws of the United States, shall apply to all the waters that lie within the Town of Alexandria.

#### **SECTION 2.**

Local Law No. 1 of the year 2014 is hereby amended by adding the following thereto as Article VIII-A:

#### **Article VIII-A: Docking Facilities**

The purpose of this Article is to provide reasonable navigational access and recreational use of the St. Lawrence River and the many bays that exist along the shoreline of the river as well as the many lakes within the Town of Alexandria, by preventing overcrowding, allocating fairly the use of the shoreline to minimize conflicts among neighbors, and to protect the public health, safety and welfare, while preserving the environment, scenic beauty, waterfowl spawning areas and wildlife and views of the waterside area.

#### **1. DEFINITIONS**

Construction of Words: When used in this Article, words in the present tense include the future and words of one gender include all genders. The singular number includes the plural and the plural includes the singular. The term “shall” is intended to be mandatory. Whenever a word or term is defined to include “such as” certain items or matters, such inclusion is intended to be by way of specification and not of limitation.

For the purposes of this Article the following definitions apply:

**ADJACENT UPLAND OWNER:** The person or persons having title in fee to the adjacent upland parcel. This shall include the owner(s), lessee(s), occupant(s), easement holder(s), or any other person(s) or entity(ies) with a legal or beneficial interest in the adjacent upland parcel.

**ADJACENT UPLAND PARCEL:** A parcel of land bordering on the shore of the St. Lawrence River and adjacent bays, creeks, and lakes within the township.

**BERTH:** See Boat Slip.

**BOAT:** Any vessel, floating craft, seaplane, or personal watercraft which utilizes a docking facility including but not limited to canoes, rowboats, rowing shells, kayaks, windsurfers, jet skis, and other small boats or personal watercraft which are contained in a docking facility.

**BOATHOUSE:** A permanent enclosed structure that provides direct water access for boats, and is wholly or partially supported or constructed below the mean high water mark. A boathouse has a permanent roof and one or more enclosed sides. A boathouse shall not be defined to mean a boat hoist structure, boat station or boat accessory structure.

**BOAT ACCESSORY STRUCTURE:** An enclosed storage structure, the purpose of which is the storage of related boating accessories. A boat accessory structure shall not be defined to mean a boat hoist structure, boat station or boathouse.

**BOAT HOIST/LIFT:** Any mechanical or manual device the purpose of which is to raise or lift a boat out of the water for waterside storage.

**BOAT HOIST STRUCTURE:** A temporary open-sided structure placed in the water; a mechanical or manual device is attached to the structure to raise or lift a boat out of the water for waterside storage. A boat hoist structure may have a roof. A boat hoist structure shall not be defined to mean a boat station, boathouse or boat accessory structure.

**BOAT SLIP:** A waterside storage area adjoining the shore, any structure, boat hoist structure, boat station, slip, boat house, dock or pier, the purpose for which is the storage of a boat, yacht, or any floating craft.

**BOAT STATION:** A permanent open-sided structure constructed in the water, with a mechanical device, the purpose of which is to raise or lift a boat out of the water for waterside storage. A boat station is intended as a permanent boat hoist structure. A boat station shall not be defined to mean a boat hoist structure, boathouse or boat accessory structure.

**DOCK:** Any structure, or fixed platform built on floats, columns, open timber, piles, or similar open-work supports, or cantilevered structures anchored to the shore including piers and wharfs and designed to provide access from the shore of a body of water for swimming, boating or other recreational or commercial uses and shall also include accessorial uses. All structural descriptions provided above, which are placed on the waterside of the mean high water mark, shall be defined as a dock.

**DOCKING FACILITY:** A waterside area consisting of one or more structures, docks, mooring buoys, or a combination thereof, used for the docking or mooring of boats, yachts, or other floating craft, whether manually, mechanically, or sail powered.

**FLOATING STRUCTURE:** Any floating structure or device anchored or moored to the shore or land underwater of the St. Lawrence River or other body of water.

**HEIGHT:** The vertical distance measured from the mean high water level to the highest portion of the building or structure.

**ICEBREAKER:** A device used in or near the water to interrupt the transformation of water to ice or to break up already established ice during the winter season.

**LINEAL FOOT OF SHORE:** The horizontal lineal distance measured in a straight line between the lot lines at the mean high water mark. Lineal foot of shore for developments that involve alteration of shore will be measured at the natural mean high water mark before such alteration. The mean high water tie line of the adjacent upland parcel which is described herein determines the lineal feet of shore.

**MARINA:** Any lot, building, structure or part thereof located on or adjacent to the waterfront and which provides docking or secure mooring facilities for yachts, motor boats, sail boats or other marine vehicles or craft for a fee. The use can also include the sale, rental and/or storage of marine and boating vehicles; as well as supplies, service, repair and other related facilities and/or operations necessary to maintain such craft and service those using such vehicles.

**MEAN LOW AND HIGH WATER LEVELS:** The approximate average low water level or high water level for a given body of water at a given elevation, determined by reference from survey datum provided by the United States Geological Service (USGS). The Mean Low/High Water Level for Alexandria is according to data from the New York State Office of General Services.

**MEAN HIGH WATER MARK:** The location where the mean high water levels intersect with the adjacent upland parcel.

**MEAN LOW WATER MARK:** The location where the mean low water level intersects with the adjacent upland parcel.

**MOORING OR MOORING BUOY:** A floating object anchored to the lands underwater by means of tackle but not to the shore, to which a boat could be attached for waterside storage.

**PERMANENT:** The type of construction for any dock, boathouse, boat station, or boat accessory structure that is anchored to the shoreline or the land underwater and intended not to be removed each season.

**PIER OR WHARF:** Any structure extending out into or over the water built upon fill, which shall include, but shall not be limited to earth, clay, silt, sand, gravel, stone, rock, shale, concrete (whole or fragmentary), ashes, cinders, slag, metal, whether or not enclosed, or containing (1) crib, crib work of wood, timber, logs, concrete or metal, or (2) bulkheads and cofferdams or timber sheeting, bracing and piling or steel sheet piling, or steel H piling, separate or in combination.

**PERSONAL WATERCRAFT:** A vessel which uses an inboard motor powering a water jet pump as its primary source of propulsion and which is designed to be operated by a person sitting, standing or kneeling inside the vessel.

**TEMPORARY OR SEASONAL:** The type of construction for any waterside structure that is intended to be removed each season.

**WATER DEPENDENT USE:** An activity which can only be conducted on, in, over or adjacent to a water body because such activity requires direct access to that water body, and which involves, as an integral part of such activity, the use of the water (i.e. commercial and recreational boating and fishing, swimming, marinas, facilities for shipping, ferry landings).

**WATER ENHANCED USE:** An activity which does not require a location adjacent to coastal waters, but whose location on the waterfront adds to the public use and enjoyment of the water's edge (i.e. restaurants, parks, hotels, and shops).

**WATER RIGHTS LINE:** The lines that are used solely for determining the boundaries for the placement of waterside structures, and all other facilities subject to this law. The method for establishing water rights lines is as follows:

Water Rights Line: Waterside structures shall be placed within the water rights line of the parcel so as not to interfere with the waterside usage of adjacent parcels. Water rights lines are determined using the following method (see Figure 1):

1. Determine the four points where the mean high water mark intersects the property lines of the parcel and the two adjoining shore parcels.
2. Connect the points of intersection with straight lines. These lines are called mean high water tie lines.
3. Where two mean high water tie lines meet, measure the angle on the waterside.
4. Bisect (or divide by two) that waterside angle measurement. The bisecting line, projected out over the waterside, is the water rights line.

It is the owner's responsibility to determine water rights lines. The Zoning Officer can be contacted for assistance if necessary.

**WATERSIDE:** The waterside of the mean high water mark.

**WATERSIDE STRUCTURES:** All temporary or permanent structures located on the waterside of the mean high water mark.

## 2. STANDARDS

- A. **PERMITTED STRUCTURES.** All permitted waterside structures such as docks, piers, boat stations, and boathouses, whether seasonal or permanent, located in the St. Lawrence River must comply with the standards set forth below.
  - i. **SITE PLAN APPROVAL FOR WATERSIDE STRUCTURES FOR NON-RESIDENTIAL USE.** All seasonal and permanent docks, piers, boat hoists, boat accessory structures, boat stations, boat houses, marinas or other waterside structures for non-residential use, used in association with a nonresidential waterfront parcel shall require site plan approval from the Town Planning Board pursuant to Section 3 of this Article VIII-A.

- B. **MOORINGS.** Permanent mooring buoys shall not be allowed for residential or commercial use anywhere on the St. Lawrence River or connected bays within the Town of Alexandria.
- C. **STANDARDS FOR ALL WATERSIDE STRUCTURES LOCATED IN THE ST. LAWRENCE RIVER.** A seasonal or permanent waterside structure, such as a dock, pier, boat station, or boathouse located within the water rights line of any waterfront property along the St. Lawrence River shall be constructed in conformance with the standards set forth below. These standards are in addition to New York State Department of Environmental Conservation, New York State Office of General Services, New York State Department of State, and Coast Guard regulations.
- i. All waterside structures shall, at all times, be maintained in safe and sound condition (see Town of Alexandria Zoning Law Article V, Schedule II).
  - ii. All waterside structures shall be constructed of materials capable of maintaining position and location, supporting pedestrian traffic and resisting reasonable lateral loads resulting from wind, wave, ice and other potential impact forces.
  - iii. Where appropriate, construction of structures shall include guardrails, hand rails, and lighting.
  - iv. Dock and pier surfaces shall be parallel to the water surface except for a gangway from the shoreline onto/or between such dock or pier.
  - v. All waterside structures shall be constructed, where possible, in a manner that permits the free circulation of water, reduces the effects of fluctuating water levels and prevents adverse modification of the shoreline. Maintaining the natural form with native vegetation along the shoreline is preferred whenever practicable.
  - vi. The use of fingers, such as "T," or "L" or "U" shaped appendages, is permitted as additional configurations from the main walkway of the dock to form boat slip spaces, provided the design is contained within the property owner's water rights line and does not interfere with neighboring navigation rights.
  - vii. When two or more boat slips are constructed they shall be separated by a minimum of four (4) feet.
  - viii. A boat accessory structure shall not exceed 120 square feet, and 15 feet in height measured from the mean high water level and are not permitted on the water side of the mean high water mark. All boat accessory structures shall have a pitched roof with a pitch no less than 6/12. Boat accessory structures shall not be used as a dwelling, sleeping, lodging or boarding place.
  - ix. One seasonal boat hoist structure is permitted for each boat slip. Boat hoist structures may have a pitched roof at a pitch no less than a 6/12. The sides shall not be enclosed and the maximum height shall be 15 feet.
  - x. Up to two boat slips are allowed per boat station. A single story boat station shall not exceed a height of thirty-three (33) feet above the mean high water level and the sides shall not be enclosed. A roof is permitted but it must not have a pitch less than 6/12. Boat stations shall not be used as a dwelling, sleeping, lodging or boarding place.

- xi. All waterside structures, such as docks, piers, and boathouses, except for icebreakers, shall be set back a minimum of ten (10) feet from all water rights lines. No portion of a dock extending over the water shall be higher than five (5) feet above the mean high water level. No part of the dock, or associated structures and equipment, shall extend beyond a line that is sixty-five (65) feet out from the mean high water mark along the shoreline. Information regarding the method of determining water rights lines is available from the office of the Zoning Officer.
  - xii. Icebreakers shall be placed in such a manner that they will be contained within the water rights line of the parcel.
  - xiii. All boathouses are limited to a maximum of two boat slips. All boathouses shall be covered by a pitched roof with a pitch no less than 6/12. Boathouses shall not be used as a dwelling, sleeping, lodging or boarding place. A boathouse shall not exceed thirty-five (35) feet in height above the mean high water level. A boathouse shall not exceed 30% of the total shoreline frontage but shall not be smaller than 15 feet wide.
- D. ALLOWED DOCKAGE FOR RESIDENTIAL USE LOCATED IN THE ST. LAWRENCE RIVER. For the purposes of this section, width is measured parallel to the mean high water mark; length is measured perpendicular to the mean high water mark. Each residential parcel shall be allowed one (1) dock not to exceed 400ft<sup>2</sup> including the main body and all walkways.
- E. ALLOWED DOCKAGE FOR NONRESIDENTIAL USE LOCATED IN THE ST. LAWRENCE RIVER. The allowed size of docking facilities located in the St. Lawrence River for nonresidential uses will be determined during site plan review and no docking facility shall interrupt the safe navigation of vessels through the St. Lawrence River and connected bays.
- F. STANDARDS AND ALLOWED DOCKAGE FOR ALL USES LOCATED ALONG LAKE SHORELINES: All waterside structures shall, at all times, be maintained in a safe and sound condition. All waterside structures shall be constructed of materials capable of maintaining position and location, supporting pedestrian traffic and resisting reasonable lateral loads resulting from wind, wave, ice and other potential impact forces. No docking facility shall interrupt the safe navigation of vessels around the lake in which the docking facility exists.
- G. SEASONAL OR TEMPORARY STRUCTURES. All seasonal or temporary waterside structures, including docks, piers, and boat stations must follow the setback requirements stated herein and must fit within the water rights lines. Seasonal docks, piers, and boat stations are included in the total number of allowable docks. Pre-existing seasonal waterside structures existing prior to the enactment of this local law are considered nonconforming and are regulated in accordance to the Town.
- H. REPAIR OR REMOVAL. All waterside structures that fall into disrepair must be repaired or removed within one (1) year from the date cited as a hazard by the Zoning Officer. A permit is not required for repairs to an existing dock, if such repairs do not alter the dock's size or shape. All repairs or renovations, which cost more than 50% of the structure's value and is undertaken one year after the date of verification must comply with the standards and provisions set forth herein.

- I. **STEEP SLOPES ADJACENT TO SHORELINE.** For purposes of this subsection, a steep slope is defined as thirty (30) degrees (or 57% slope) or greater as measured from the horizontal, for a vertical height of twelve (12) feet or more, commencing within ten (10) feet of the mean high water mark.
  - i. Residential waterfront parcels with steep slopes which are restricted as to placement of their docking facilities may apply for a conditional use permit for docking facilities from the Planning Board and only one boat accessory structure and one boathouse.
  - ii. If any or all of the boat accessory structure is located on the waterside of the mean high water mark, such area of the boat accessory structure is to be included in the total square feet allowance. Boat accessory structures located on the landside of the mean high water mark are subject to local planning and zoning regulations.
  - iii. The boat accessory structure, boathouse, and additional dock space shall be constructed adjacent to or as close to the steep slope as possible.
- J. **STATE AND FEDERAL REVIEW.** All construction activities are subject to State and Federal review by the following agencies as applicable and as required by law: the New York State Department of Environmental Conservation; the New York State Office of Parks, Recreation and Historic Preservation; the New York State Office of General Services; the New York State Department of State; and the United States Army Corps of Engineers. It is the responsibility of the shore owner to obtain any and all State and Federal permits and approvals as may be required.

### 3. SITE PLAN APPROVAL REQUIREMENTS

- A. **SITE PLAN REVIEW AND CERTIFICATE OF COMPLIANCE.** Site plan approval and a Certificate of Compliance are required for new construction, renovation of, or addition to all non-residential permanent waterside structures such as docks, boat stations, boathouses, and marinas. Only the adjacent upland owner or their agent are eligible to submit a site plan application for site plan review in compliance with Article VIII of the Town of Alexandria Zoning Law prior to the start of construction. After site plan approval is obtained a Certificate of Compliance must be obtained from the Zoning Officer prior to use of the waterside structure. A Certificate of Compliance shall be issued after inspection and determination by the Zoning Officer that the applicant followed all stipulated conditions as indicated on the approved site plan and supporting documentation.
  - i. **Required Statements:** The application for site plan approval shall include the following statements:
    - 1. I hereby certify that all owners, lessees, occupants, easement holders, and any other persons or entities with a legal or beneficial interest in any existing or proposed docking facility, or other waterside structure related to this property have been notified of this application. Notification must be proven by applicant.
    - 2. The standards set forth in this Docking Facilities Local Law are applicable to all parties who have a property interest in the parcel. The applicant is advised that failure to notify any

party with a property interest in the parcel may affect any rights granted as a result of this application and process.

ii. Site Plan Submission Requirements:

An application for site plan approval shall follow the same submission requirements as set forth in Article VIII of the Town of Alexandria Zoning Law. A site plan application shall contain the information listed below in addition to the requirements set forth in Article VIII of the Town Zoning Law:

1. A site plan drawn to scale with a description of the existing waterside structures and proposed new structures.
2. Name, address, parcel boundaries, tax map number of the adjacent upland parcel.
3. The lineal feet of shore within the property boundary.
4. The specific location of all adjacent water rights lines.
5. Location of the mean high water mark.
6. The mean high water tie line.
7. Water depths.
8. The dimensions of all new and existing structures.
9. The pitch of all rooflines.
10. Materials and paint color for all roofing and siding.
11. Docking material and paint color.
12. Number of proposed boat slips.
13. Identification of all equipment to be located on top of any docks, piers, or other waterside structures.
14. Proposed layout of all new structures and the location of all existing structures within 300 feet of the proposed new structure in or near the water or on adjacent properties.
15. Any other features determined to be relative by the Zoning Officer or the Planning Board.

iii. Site Plan Review Criteria.

The following criteria shall be used by the Planning Board in determining the appropriateness of all proposed new, rehabilitated, or altered docking facilities or other waterside structures:

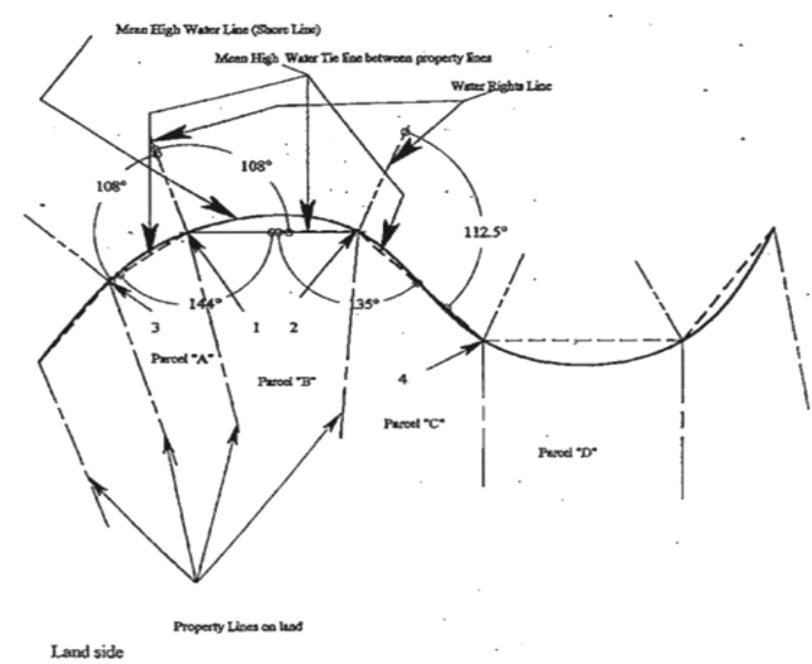
1. The construction of waterside structures shall be undertaken in such a way as not to impair water quality, cause harm to fish or fish spawning grounds, cause problems of erosion or sedimentation, create hazards for navigation, or otherwise threaten public health or safety.

2. Waterside structures shall be constructed only of materials capable of maintaining position and location, supporting pedestrian traffic and resisting reasonable lateral loads resulting from wind, wave, ice and other potential impact forces.
3. Waterside structures shall be constructed, where possible, in a manner that permits the free circulation of water, reduces the effects of fluctuating water levels and prevents adverse modification of the shoreline. Maintaining the natural form with native vegetation along the shoreline is preferred whenever practicable.
4. The amount of grading, filling, earth moving, and disturbance of land above the mean high water mark during the construction of such facilities shall be minimized.
5. The visual impact of such facilities shall be minimized.
6. The impact of the proposed facility shall be within keeping with the character of the surrounding commercial and/or residential neighborhood.
7. All docking facilities shall provide adequate pumping facilities for waste disposal when deemed appropriate.
8. The width and length of any berthing facility or other waterside structure shall not impair navigational access through the St. Lawrence River or its connected bays or through the common fairway of any lake.

### SECTION 3. EFFECTIVE DATE

This local law shall take effect upon adoption by the Town of Alexandria, and ten days after filing with the Secretary of State.

**Figure 1: Delineating Water Rights Line**



## **Village of Alexandria Bay Docking Facilities Law**

Local Law No. 1 of 2016

Amended by Local Law No. 4 of 2017

Be it enacted by the Village Board of the Village of Alexandria Bay as follows:

### **Article 1: TITLE**

This local law shall be known and may be cited as the "Alexandria Bay Docking Facilities Law".

### **Article 2: PURPOSE**

The purpose of this local law is to provide reasonable navigational access and recreational use of the river and the many bays that exist along the shoreline of the Village of Alexandria Bay, by preventing overcrowding, allocating fairly the use of the shoreline to minimize conflicts among neighbors, and to protect the public health, safety and welfare, while preserving the environment, scenic beauty, waterfowl spawning areas and wildlife and views of the waterside area. It is the purpose of this local law to amend Chapter 150 of the Village of Alexandria Bay Code to add provisions for docking facilities.

### **Article 3: AUTHORITY**

This law is adopted pursuant to §7-700 of New York State Village Law, §922 of the New York State Executive Law, §10 the Municipal Home Rule Law; and Article IX of the New York State Constitution. The provisions of this law shall, except when prohibited by the laws of the United States, apply to all the waters that lie within 1,500 from the Village of Alexandria Bay shoreline.

### **Article 4: ENACTMENT**

The Board of Trustees of the Village of Alexandria Bay hereby amends Chapter 150 of the Village of Alexandria Bay Code as follows:

- A.** Section 150-8 is hereby amended to add the following definitions.

#### **DEFINITIONS**

**ADJACENT UPLAND OWNER:** The person or persons having title in fee to the adjacent upland parcel. This shall include the owner(s), lessee(s), occupant(s), easement holder(s), or any other person(s) or entity(ies) with a legal or beneficial interest in the adjacent upland parcel.

**ADJACENT UPLAND PARCEL:** A parcel of land bordering on the shore of the St. Lawrence River and adjacent bays.

**BERTH:** See boat slip.

**BOAT:** Any vessel, floating craft, seaplane, or personal watercraft which utilizes a docking facility including but not limited to canoes, rowboats, rowing shells, kayaks, windsurfers, jet skis, and other small boats or personal watercraft which are contained in a docking facility.

**BOATHOUSE:** A permanent enclosed structure that provides direct water access for boats, and is wholly or partially supported or constructed below the mean high water mark. A boathouse has a permanent roof and one or more enclosed sides. A boathouse shall not be defined to mean a boat hoist structure, boat station or boat accessory structure.

**BOAT ACCESSORY STRUCTURE:** An enclosed storage structure, the purpose of which is the storage of related boating accessories. A boat accessory structure shall not be defined to mean a boat hoist structure, boat station or boathouse.

**BOAT HOIST/LIFT:** Any mechanical or manual device the purpose of which is to raise or lift a boat out of the water for waterside storage.

**BOAT HOIST STRUCTURE:** A temporary open-sided structure placed in the water; a mechanical or manual device is attached to the structure to raise or lift a boat out of the water for waterside storage. A boat hoist structure may have a roof. A boat hoist structure shall not be defined to mean a boat station, boathouse or boat accessory structure.

**BOAT SLIP:** A waterside storage area adjoining the shore, any structure, boat hoist structure, boat station, slip, boat house, dock or pier, the purpose for which is the storage of a boat, yacht, or any floating craft.

**BOAT STATION:** A permanent open-sided structure constructed in the water, with a mechanical device, the purpose of which is to raise or lift a boat out of the water for waterside storage. A boat station is intended as a permanent boat hoist structure. A boat station shall not be defined to mean a boat hoist structure, boathouse or boat accessory structure.

**DOCK:** Any structure, or fixed platform built on floats, columns, open timber, piles, or similar openwork supports, or cantilevered structures anchored to the shore including piers and wharfs and designed to provide access from the shore of the St. Lawrence River or the many connected bays for swimming, boating or other recreational or commercial uses and shall also include accessorial uses. All structural descriptions provided above, which are placed on the waterside of the mean high water mark, shall be defined as a dock.

**FLOATING STRUCTURE:** Any floating structure or device anchored or moored to the shore or land underwater of the St. Lawrence River or its many bays.

**HEIGHT:** The vertical distance measured from the mean high water level to the highest portion of the building or structure.

**ICEBREAKER:** A device used in or near the water to interrupt the transformation of water to ice or to break up already established ice during the winter season.

**LINEAL FOOT OF SHORE:** The horizontal lineal distance measured in a straight line between the lot lines at the mean high water mark. Lineal foot of shore for developments that involve alteration of shore will be measured at the natural mean high water mark before such alteration. The mean high water tie line of the adjacent upland parcel which is described in Section 6.C herein determines the lineal feet of shore.

**MARINA:** Any lot, building, structure or part thereof located on the waterfront and providing docking and secure mooring facilities for yachts, motor boats, sail boats and other marine vehicles or craft. Includes the sale, rental and/or storage of marine and boating vehicles; as well as supplies, service, repair and other related facilities and/or operations necessary to maintain such craft.

**MEAN LOW AND HIGH WATER LEVELS:** The approximate average low water level or high water level for a given body of water at a given elevation, determined by reference from survey datum provided by the United States Geological Service (USGS). The Mean Low/High Water Level for Alexandria is according to data from the New York State Office of General Services.

**MEAN HIGH WATER MARK:** The location where the mean high water levels intersect with the adjacent upland parcel.

**MEAN LOW WATER MARK:** The location where the mean low water level intersects with the adjacent upland parcel.

**MOORING AND MOORING BUOY:** A floating object anchored to the bed of the St. Lawrence River but not to the shore, to which a boat could be attached for waterside storage.

**PERMANENT:** The type of construction for any dock, boathouse, boat station, or boat accessory structure that is anchored to the underwater land and intended not to be removed each season.

**PIER OR WHARF:** Any structure extending out into or over the water built upon fill, which shall include, but shall not be limited to earth, clay, silt, sand, gravel, stone, rock, shale, concrete (whole or fragmentary), ashes, cinders, slag, metal, whether or not enclosed, or containing (1) crib, crib work of wood, timber, logs, concrete or metal, or (2) bulkheads and cofferdams or timber sheeting, bracing and piling or steel sheet piling, or steel H piling, separate or in combination.

**PERSONAL WATERCRAFT:** A vessel which uses an inboard motor powering a water jet pump as its primary source of propulsion and which is designed to be operated by a person sitting, standing in or kneeling on, or being towed behind the vessel rather than in the conventional manner of sitting or standing inside the vessel.

**TEMPORARY OR SEASONAL:** The type of construction for any waterside structure that is intended to be removed each season.

**WATER DEPENDENT USE -** An activity which can only be conducted on, in, over or adjacent to a water body because such activity requires direct access to that water body, and which involves, as

an integral part of such activity, the use of the water (i.e. commercial and recreational boating and fishing, swimming, marinas, facilities for shipping, ferry landings).

**WATER ENHANCED USE** - An activity which does not require a location adjacent to coastal waters, but whose location on the waterfront adds to the public use and enjoyment of the water's edge (i.e. restaurants, parks, hotels, and shops).

**WATER RIGHTS LINE** – The lines that are used solely- for determining the boundaries for the placement of waterside structures, and all other facilities subject to this law. The method for establishing water rights lines is as follows:

Water Rights Line: Waterside structures shall be placed within the water rights line of the parcel so as not to interfere with the waterside usage of adjacent parcels. Water rights lines are determined using the following method (See **Figure 1**):

1. Determine the four points where the mean high water mark intersects the property lines of the parcel and the two adjoining shore parcels.
2. Connect the points of intersection with straight lines. These lines are called mean high water tie lines.
3. Where two mean high water tie lines meet, measure the angle on the waterside.
4. Bisect (or divide by two) that waterside angle measurement. The bisecting line, projected out over the waterside, is the water rights line.

See Figure “1” Attached.

It is the owner’s responsibility to determine water rights lines. The Zoning Officer can be contacted for assistance if necessary.

**WATERSIDE** - The water side of the mean high water mark.

**WATERSIDE STRUCTURES** – All temporary or permanent structures located on the waterside of the mean high water mark.

- B.** A new Section 150-79 is hereby added to Chapter 150 of the Village of Alexandria Bay Code as follows:

150-79 – Docking Facilities

**A. Standards**

1. **PERMITTED STRUCTURES.** All waterside structures such as docks, piers, boat stations and boathouses, whether temporary or permanent, require a permit as determined in this Article of the Village of Alexandria Zoning Code.
  - a. **WATERSIDE STRUCTURE FOR RESIDENTIAL USE.** A permit shall be issued by the Zoning Enforcement Officer, for construction of all seasonal or permanent docks, piers, boat hoists, boat stations, boathouses or other waterside structures intended for private residential use

- in association with a residential waterfront parcel. Such permits shall be provided pursuant to Article 7.A & B herein.
- b. **SITE PLAN APPROVAL FOR WATERSIDE STRUCTURE FOR NON-RESIDENTIAL USE.** All seasonal and permanent docks, piers, boat hoists, boat accessory structures, boat stations, boat houses, marinas or other waterside structures for non-residential use, used in association with a non-residential waterfront parcel shall require site plan approval from the Village Planning Board pursuant to Section B herein.
2. **MOORING BUOYS.** Permanent mooring buoys shall not be allowed for residential or commercial on the St. Lawrence River or connected bays.
  3. **STANDARDS FOR ALL WATERSIDE STRUCTURES.** A seasonal or permanent waterside structure such as a dock, pier, boat station, or boathouse located within the water rights line of any waterfront property shall be constructed in conformance with the standards set forth below. These standards are in addition to New York State Department of Environmental Conservation, New York State Office of General Services, New York State Department of State and Coast Guard regulations
    - a. All waterside structures shall, at all times, be maintained in safe and sound condition. (See Village of Alexandria Bay Zoning, Chapter 150, Articles VII to XIA).
    - b. All waterside structures shall be constructed of materials capable of maintaining position and location, supporting pedestrian traffic and resisting reasonable lateral loads resulting from wind, wave, ice and other potential impact forces.
    - c. Where appropriate, construction of structures shall include guardrails, handrails, and lighting.
    - d. Dock and pier surfaces shall be parallel to the water surface except for a gangway from the shoreline onto/or between such dock or pier.
    - e. All waterside structures shall be constructed, where possible, in a manner that permits the free circulation of water, reduces the effects of fluctuating water levels and prevents adverse modification of the shoreline. Maintaining the natural form with native vegetation along the shoreline is preferred whenever practicable.
    - f. The use of fingers, such as "T," or "L" or "U" shaped appendages, is permitted as additional configurations from the main walkway of the dock to form boat slip spaces, provided the design is contained within the property owner's water rights line and does not interfere with neighboring navigation rights.
    - g. When two or more boat slips are constructed they shall be separated by a minimum of four (4) feet.

- h. A boat accessory structure shall not exceed 120 square feet and 15 feet in height measured from the mean high water level and are not permitted on the water side of the mean high water mark. Boat accessory structures shall not be used as a dwelling, sleeping, lodging or boarding place.
  - i. One seasonal boat hoist structure is permitted for each boat slip. Boat hoist structures may have a pitched roof. The sides shall not be enclosed and the maximum height shall be 15 feet.
  - j. Up to two boat slips are allowed per boat station. A single story boat station shall not exceed a height of thirty (30) feet above the mean high water level and the sides shall not be enclosed. A roof is permitted. Boat stations shall not be used as a dwelling, sleeping, lodging or boarding place.
  - k. All waterside structures such as docks, piers, and boathouses, except for icebreakers, shall be set back a minimum of ten (10) feet from all water rights lines. No portion of a dock extending over the water shall be higher than five (5) feet above the mean high water level. No part of the dock, or associated structures and equipment, shall extend beyond a line that is one hundred fifty (150) feet out from the mean high water mark along the shoreline. Information regarding the method of determining water rights lines is available from the office of the Zoning Enforcement Officer.
  - l. Icebreakers shall be placed in such a manner that they will be contained within the water rights line of the parcel. Any seasonal waterside structure or vessel tied to it shall be contained within the water rights line of the parcel.
  - m. All boathouses are limited to a maximum of two boat slips. All boathouses shall be covered by a roof. A single story boathouse shall not exceed thirty-three (33) feet in height above the mean high water level and a two-story boathouse shall not exceed thirty-five (35) feet in height above the mean high water level. A boathouse shall not exceed 30% of the total shoreline frontage but shall not be smaller than 15 feet wide.
4. **ALLOWED DOCKAGE FOR RESIDENTIAL USE.** For the purposes of this section, width is measured parallel to the mean high water mark; length is measured perpendicular to the mean high water mark. The main body of the dock shall not exceed a maximum width of eight (8) feet and a maximum length of one hundred fifty (150) feet as measured from the mean high-water mark.
5. **ALLOWED DOCKING FACILITIES FOR NONRESIDENTIAL USE.** The allowed size of docking facilities for nonresidential uses will be determined during site plan review and no docking facility shall interrupt the safe navigation of vessels through the St. Lawrence River and connected bays.
6. **SEASONAL OR TEMPORARY STRUCTURES.** All seasonal or temporary waterside structures, such as docks, piers, and boat stations must follow the setback requirements stated in Article 5.C herein and must fit within water rights lines. Seasonal docks, piers, and boat stations are included in the total number of allowable docks. Pre-existing seasonal docks or other waterside

structures for residential use must conform to these regulations within two years of adoption of this law. All seasonal docks, piers, and boat stations require a seasonal building permit. Seasonal building permits can be obtained from the Village Zoning Enforcement Officer.

7. **REPAIR OR REMOVAL.** All waterside structures that fall into disrepair must be repaired or removed within one (1) year from the date cited as a hazard by the Zoning Enforcement Officer. A permit is not required for repairs to an existing dock, if such repairs do not alter the dock's size or shape. All repairs or renovations, which cost more than 50% of the structure's value and are undertaken one year after the date of verification, must comply with the standards and provisions set forth herein. All additions or expansions require a permit and must comply with the standards set forth herein.
8. **STEEP SLOPES ADJACENT TO SHORELINE.** For purposes of this subsection, a steep slope is defined as thirty (30) degrees (or 57% slope) or greater as measured from the horizontal, for a vertical height of twelve (12) feet or more, commencing within ten (10) feet of the mean high water mark.
  - a. Residential waterfront parcels with steep slopes which are restricted as to placement of their docking facilities may apply for a conditional use permit for docking facilities from the Zoning Board of Appeals and only one boat accessory structure and one boathouse.
  - b. If any or all of the boat accessory structure is located on the waterside of the mean high water mark, such area of the boat accessory structure is to be included in the total square feet allowance. Boat accessory structures located on the landside of the mean high water mark are subject to local planning and zoning regulations.
  - c. The boat accessory structure, boathouse, and additional dock space shall be constructed adjacent to or as close to the steep slope as possible.
9. **STATE AND FEDERAL REVIEW.** All construction activities are subject to State and Federal review by the following agencies as applicable and as required by law: the New York State Department of Environmental Conservation; the New York State Office of Parks, Recreation and Historic Preservation; the New York State Office of General Services; the New York State Department of State; and the United States Army Corps of Engineers. It is the responsibility of the property owner to obtain any and all State and Federal permits and approvals as may be required.

#### **B. Permit and Site Plan Approval Requirements**

1. **PERMANENT RESIDENTIAL WATERSIDE STRUCTURE PERMITS.** To ensure compliance with this local law a Waterside Structure Permit must be obtained from the Zoning Enforcement Officer prior to any new construction or renovation, addition, or replacement of an existing permanent waterside structure for residential use. The Village Zoning Enforcement Officer shall issue a Waterside Structure Permit upon proof that all criteria and standards set forth in Article 5.C have been met. An application for such a Permit can be obtained from the Village Clerk. The Zoning Enforcement Officer's determination of denial of a permit can be appealed by the

applicant to the Zoning Board of Appeals pursuant to the procedures set forth in Article VI of the Zoning Code.

2. SEASONAL RESIDENTIAL WATERSIDE STRUCTURE PERMITS. To insure that the placement, construction and placement of a seasonal dock is in full compliance with the provisions of this local law a Seasonal Waterside Structure Permit, issued by the Zoning Enforcement Officer, is required prior to installation of such a structure. Such permits must be renewed every three years.
3. SITE PLAN REVIEW AND CERTIFICATE OF COMPLIANCE. Site plan approval and a Certificate of Compliance are required for the new construction or renovation of or addition to all non-residential permanent waterside structures, such as docks, boathouses, and marinas. Only the adjacent upland owner or their agent is eligible to submit a site plan application for site plan review in compliance with Article XII of the Village of Alexandria Bay Zoning prior to the start of construction. After site plan approval is obtained a Certificate of Compliance must be obtained from Zoning Enforcement Officer prior to use of the waterside structure. A Certificate of Compliance shall be issued after inspection and determination by the Zoning Enforcement Officer that the applicant followed all stipulated conditions as indicated on the approved site plan and supporting documentation.
  - a. Required Statements: The application for site plan approval shall include the following statements:
    1. I hereby certify that all owners, lessees, occupants, easement holders, and any other persons or entities with a legal or beneficial interest in any existing or proposed docking facility, or other waterside structure related to this property have been notified of this application. Notification must be proven by applicant.
    2. The standards set forth in this Docking Facilities Local Law are applicable to all parties who have a property interest in the parcel. The applicant is advised that failure to notify any party with a property interest in the parcel may affect any rights granted as a result of this application and process.

b. Site Plan Submission Requirements:

An application for site plan approval shall follow the same submission requirements as set forth in Article XII of the Village Zoning Code. A site plan application shall contain the information listed below in addition to the requirements set forth in Article XII of the Village Zoning Law:

1. A site plan drawn to scale with a description of the existing and proposed new structures
2. Name, address, parcel boundaries, tax map number of the adjacent upland parcel.
3. The lineal feet of shore.
4. The specific location of all adjacent water rights lines.
5. Location of the mean high water mark.

6. The mean high water tie line.
7. Water Depths.
8. The dimensions of all new and existing structures.
9. The pitch of all rooflines.
10. Materials and paint color for all roofing and siding.
11. Docking material and paint color.
12. Number of proposed boat slips.
13. Identification of all equipment to be located on top of any docks, piers, or other waterside structures.
14. Proposed layout of all new structures and the location of all existing structures within 300 feet of the proposed new structure in or near the water or on adjacent properties.
15. Any other features determined to be relative by the Zoning Enforcement Officer or the Planning Board.

c. Site Plan Review Criteria:

The following criteria shall be used by the Planning Board in determining the appropriateness of all proposed new or altered docking facilities, or other waterside structures:

1. The construction of waterside structures shall be undertaken in such a way as not to impair water quality, cause harm to fish or fish spawning grounds, cause problems of erosion or sedimentation, create hazards for navigation, or otherwise threaten public health or safety.
2. Waterside structures shall be constructed only of sturdy, durable, and stable materials capable of maintaining position and location, supporting pedestrian traffic and resisting reasonable lateral loads resulting from wind, wave, ice and other potential impact forces.
3. Waterside structures shall be constructed, where possible, in a manner that permits the free circulation of water, reduces the effects of fluctuating water levels and prevents adverse modification of the shoreline. Maintaining the natural form with native vegetation along the shoreline is preferred whenever practicable.
4. The amount of grading, filling, earth moving, and disturbance of land above the mean high water mark during the construction of such facilities shall be minimized.
5. The visual impact of such facilities shall be minimized.
6. The impact of the proposed facility shall be within keeping with the character of the surrounding commercial and/or residential neighborhood.
7. Adequate pumping facilities for waste disposal will be provided when deemed appropriate.

8. The width and length of any docks or other waterside structure shall not impair navigational access through the St. Lawrence River.

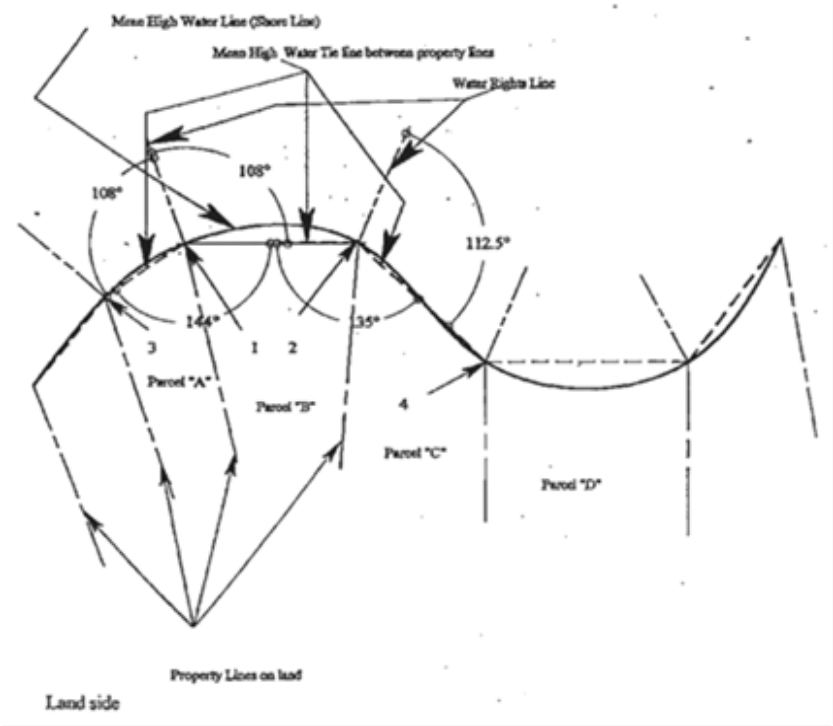
**Article 5: SEVERABILITY**

The provisions of this law are declared to be severable and, if any section, sentence, clause, or phrase hereof shall for any reason be held to be invalid, ineffective, in conflict with regulations of state or federal authorities or unconstitutional, such decision shall not affect the validity of the remaining portions hereof, but such portions shall remain in full force and effect.

**Article 6: EFFECTIVE DATE**

This local law shall take effect upon adoption by the Village of Alexandria Bay, and ten days after filing with the Secretary of State.

**FIGURE 1: Delineating Water Rights Line**





## Appendix A-2 Waterfront Consistency Review Laws

### Town of Alexandria Waterfront Consistency Review Law

Local Law No. 1 of 2016

Is hereby amended by this Local Law No. 1 of 2018

Be it enacted by the Town Board of the Town of Alexandria as follows:

#### **SECTION I. TITLE.**

This local law shall be known as the “Town of Alexandria Waterfront Consistency Review Law”.

#### **SECTION II. AUTHORITY, PURPOSE AND INTENT.**

- A. This local law is adopted under the authority of the Municipal Home Rule Law and the Executive Law, Article 42 Waterfront Revitalization of Coastal Areas and Inland Waterways Act (“the Act”) of the State of New York.
- B. The purpose of this local law is to provide a means for the boards and officers of the Town of Alexandria (“Town”) to consider the policies and purposes contained in the Town of Alexandria and Village of Alexandria Bay Local Waterfront Revitalization Program (“LWRP”) when reviewing applications for actions or undertaking direct Town agency actions located in the Local Waterfront Revitalization Area (“LWRA”), and to provide a means to assure that such actions are consistent with the said policies and purposes.
- C. By adopting this local law, the Town hereby declares its intention that the preservation, enhancement and utilization of the natural and/or human-made resources of the LWRA occur in a coordinated and comprehensive manner to ensure a proper balance between natural resources and the need to accommodate population growth and economic development. Accordingly, this local law is intended to achieve such a balance, permitting the beneficial use of coastal resources while preventing loss or impairment of ecosystem resources and wildlife; loss or reduction of open space; diminution of public access to the waterfront; erosion of shoreline; loss or impairment of scenic and historical resources; losses due to flooding, erosion and sedimentation; impairment of water quality; and long term adverse changes to the natural and human environment of the coastal area.
- D. The provisions of this local law shall only apply while an LWRP is in existence that has been adopted by the Town and approved by the Secretary of State in accordance with Article 42 of the Executive Law of the State of New York.

#### **SECTION III. DEFINITIONS.**

**Actions** include all of the following except minor actions:

- (1) projects or physical activities, such as construction or other activities that may affect the environment by changing the use, appearance or condition of any natural resource or structure, that:
  - (i) are directly undertaken by an agency; or
  - (ii) involve funding by an agency; or
  - (iii) require one or more new or modified approvals from an agency or agencies;
- (2) agency planning and policy making activities that may affect the environment and commit the agency to a definite course of future decisions;
- (3) adoption of agency rules, regulations and procedures, including local laws, codes, ordinances, executive orders and resolutions that may affect the environment; and
- (4) any combinations of the above.

**Coastal Area or Local Waterfront Revitalization Area (LWRA)** means that portion of New York State coastal waters and adjacent shorelands as defined in Article 42 of the Executive Law which is located within the boundaries of the Town of Alexandria, as shown on the Local Waterfront Revitalization Area Boundary map, on file at the Office of the Town Clerk/Treasurer.

**Coastal Assessment Form (CAF)** means the Federal Coastal Assessment Form (FCAF), completed by an applicant or town agency to assist it in assuring that the action being proposed is consistent with the policies and purposes of the LWRP.

**Consistent** means that the action will fully comply with the policies and purposes of the LWRP and, whenever practicable, will advance one or more of them.

**Direct Actions** mean actions planned and proposed for implementation by a Town agency, such as, but not limited to, capital projects, rule making, procedure making and policymaking.

**Environment** means all conditions, circumstances and influences surrounding and affecting the development of living organisms or other resources in the coastal area.

**Involved Agency** means a state, county, or local government agency, other than the Town, that has the jurisdiction by law to fund, approve or directly undertake an action. If any of the listed agencies are required to make a discretionary decision to fund, approve or undertake an action, then it is an “involved agency” notwithstanding that it has not received an application for funding or approval at the time the SEQRA process is commenced. The lead agency is also an “involved agency”.

**Local Waterfront Revitalization Program (LWRP)** means Local Waterfront Revitalization Program of the Town of Alexandria, approved by the Secretary of State, pursuant to the Waterfront Revitalization of Waterfront Areas and Inland Waterways Act (Executive Law, Article 42), a copy of which is on file in the Office of the Town Clerk/Treasurer.

**Minor Actions** include the following actions, which are not subject to review under this local law.

- (1) Maintenance or repair involving no substantial changes in an existing structure or facility;
- (2) Replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site, including upgrading buildings to meet building or fire codes, unless such action meets or exceeds any of the thresholds in in NYCRR Part 617.4 ;
- (3) Agricultural farm management practices, including construction, maintenance and repair of farm buildings and structures, and land use changes consistent with generally accepted principles of farming;
- (4) Repaving of existing highways not involving the addition of new travel lanes;
- (5) Street openings and right-of-way openings for the purpose of repair or maintenance of existing utility facilities;
- (6) Maintenance of existing landscaping or natural growth except where threatened or endangered species of flora or fauna are affected, or within a Significant Coastal Fish and Wildlife Habitat Area.;
- (7) Construction or expansion of a primary or accessory/appurtenant, non-residential structure or facility involving less than 4,000 square feet of gross floor area and not involving a change in zoning or a use variance and consistent with local land use controls, but not radio communication or microwave transmission facilities.
- (8) Routine activities of educational institutions, including expansion of existing facilities by less than 10,000 square feet of gross floor area and school closings, but not change in use related to such closings;
- (9) Construction or expansion of a single-family, a two-family or a three-family residence on an approved lot including provision of necessary utility connections and the installation, maintenance and/or upgrade of a drinking water well and a septic system;
- (10) Granting of an area variance(s) for a single-family, two-family or three-family residence;
- (11) Public or private best forest management (silvicultural) practices on less than 10 acres of land, but not including waste disposal, land clearing not directly related to forest management, clear-cutting or the application of herbicides or pesticides;
- (12) Minor temporary uses of land having negligible or not permanent impact on the environment;
- (13) Installation of traffic control devices on existing streets, roads and highways;
- (14) Mapping of existing roads, streets, highways, natural resources, land uses and ownership patterns;

- (15) Information collection including basic data collection and research, water quality and pollution studies, traffic counts, engineering studies, surveys, subsurface investigations and soils studies that do not commit the agency to undertake, fund or approve any Type I or Unlisted action;
- (16) Official acts of a ministerial nature involving no exercise of discretion, including building permits and historical preservation permits where issuance is predicated solely on the applicant's compliance or noncompliance with the relevant local building or preservation code(s);
- (17) Routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment;
- (18) Conducting concurrent environmental, engineering, economic, feasibility and other studies and preliminary planning and budgetary processes necessary to the formulation of a proposal of action, provided those activities do not commit the agency to commence, engage in or approve such action;
- (19) Collective bargaining activities;
- (20) Investments by or on behalf of agencies or pension or retirement systems, or refinancing existing debt;
- (21) Inspections and licensing activities relating to the qualifications of individuals or businesses to engage in their business or profession;
- (22) Purchase or sale of furnishings, equipment or supplies, including surplus government property, other than the following: land, radioactive material, pesticides, herbicides, or other hazardous materials;
- (23) Adoption of regulations, policies, procedures and local legislative decisions in connection with any action on this list;
- (24) Engaging in review of any part of any application to determine compliance with technical requirements, provided that no such determination entitles or permits the project sponsor to commence the action unless and until all requirements of 6NYCRR Part 617.5 have been fulfilled;
- (25) Civil or criminal enforcement proceedings, whether administrative or judicial, including a particular course of action specifically required to be undertaken pursuant to a judgment or order, or the exercise of prosecutorial discretion;
- (26) Adoption of a moratorium on land development or construction;
- (27) Interpreting an existing code, rule or regulation;
- (28) Designation of local landmarks or their inclusion within historic districts; and
- (29) Emergency actions that are immediately necessary on a limited and temporary basis for the protection or preservation of life, health, property or natural resources, provided that such action

are directly related to the emergency and are performed to cause the lease change or disturbance, practicable under the circumstances, to the environment. Any decision to fund, approve or directly undertake other activities after the emergency has expired is fully subject to the review procedures of 6NYCRR Part 617.5.

**SEQRA** means the New York State Environmental Quality Review Act (6 NYCRR 617) and any rules and regulations promulgated thereunder.

**Town** means the Incorporated Town of Alexandria.

**Town Agency** means any official board, council, office, department, or other body or officer of the Town of Alexandria. The chief law enforcement agency for this local law shall be the Town Zoning Officer.

#### **Section IV. LWRP MANAGEMENT AND COORDINATION**

- A. The Town Board shall be responsible for coordinating review of actions in the Town's coastal area for consistency with the LWRP, and will advise, assist and make consistency recommendations to other Town agencies in the implementation of the LWRP, its policies and projects, including physical, legislative, regulatory, administrative and other actions included in the program.
- B. The Town Board shall coordinate with the New York State Department of State regarding consistency review of actions by Federal agencies and with State agencies regarding consistency review of their actions.
- C. The Town Board shall make applications for funding from State, Federal, or other sources to finance projects under the LWRP.
- D. The Town Board shall perform other functions regarding the coastal area and direct such actions or projects as are necessary, or as the Town Board may deem appropriate to implement the LWRP.

#### **Section V. REVIEW OF ACTION**

- A. Whenever a proposed action is located within the Town's coastal area, each Town agency shall, prior to approving, funding, or undertaking the action, make a determination that it is consistent with the LWRP policy standards set forth in paragraph L herein. No action in the coastal area shall be approved, funded, or undertaken by that agency without such a determination.
- B. As early as possible in a Town agency's formulation of a direct action to be located in the Coastal Area, the Town agency shall complete a Coastal Assessment Form (CAF) to assist the Town Board with the LWRP consistency review. The Town Board shall prepare the CAF for any direct action by the Town.
- C. Whenever an applicant prepares and submits an application for approval or funding of an action to be located in the Coastal Area to a Town agency, the applicant shall prepare and submit a CAF as part of the application to assist the Town Board with the LWRP consistency review.

- D. The Town agency proposing an direct action to be located in the Coastal Area on its own behalf or receiving an application for authorization or funding from an applicant shall forward a copy of the completed CAF together with a description of the direct action by a Town agency, or an application for authorization or funding, to the Town Board within ten (10) days of the completion of the CAF by the Town agency or receipt of the CAF from the applicant. No Town agency shall make a final determination on an application or an action during the time allowed for the Town Board review, prior to receiving a recommendation on the application from the Town Board.
- E. After having received a referral from a Town agency, the Town Board shall consider whether the proposed action is consistent with the LWRP policy standards and conditions set forth in this local law. An applicant or a Town agency, as the case may be, shall submit to the Town Board at its request, any additional information that the Town Board decides is material and necessary to make its consistency recommendation. Any such requests for additional information shall be reasonably related to the subject of the Town Board' review authority.
- F. If the Town Board determines that it is necessary for other involved agencies to review the action, a copy of the CAF, the SEQRA Environmental Assessment Form, application, and any other pertinent supporting materials shall be forwarded to each such involved agency for its review and comment. If there is no response from an involved agency within thirty (30) days, the Town Board shall presume that the involved agency has not identified any conflict(s) or has no comment.
- G. After review of the CAF and related materials and any comment received from involved agencies or other interested parties, the Town Board shall render its written consistency recommendation. Such recommendation shall be made within thirty (30) days following receipt of the completed CAF, unless such time is extended by mutual agreement of the Town Board and the Town agency or applicant. The recommendation shall indicate whether the proposed action is consistent with the LWRP policy standards or conditions. The Town Board may, along with its consistency recommendation, make recommendations to the Town agency concerning modification of the proposed action to make it consistent with, or to better advance, the LWRP policy standards. [If an Environmental Impact Statement (EIS) is required for a proposed action pursuant to SEQRA, the Town Board' decision may be deferred until the EIS has been completed.]
- H. Determination by the Town Board.
- (1) If the Town Board determines that the action is not consistent with one or more of the LWRP policy standards or purposes, the Town Board shall provide the Town agency, involved agency, or applicant with a written statement identifying the policies or purposes of the LWRP with which the proposed action conflicts and make any suggestions concerning modification of the proposed action to make it consistent with or to greater advance LWRP policies or purposes. The Town Board may also provide an alternative to the proposed action, if practicable, which would advance any of the LWRP policies or purposes.
- (2) Where an action has been determined to be inconsistent with the policies or purposes of the LWRP, the Town agency or applicant may propose modifications in writing, which if determined to be sufficient by the Town Board, may result in a finding of consistency.

(3) Any modification agreed to by the Town agency or applicant and the Town Board shall be binding on the Town agency, involved agency or applicant and shall be included as a condition in writing any approvals and/or authorizations.

I. If an Environmental Impact Statement (EIS) is required for an action in the LWRA, the Draft EIS (DEIS) shall contain a discussion of the effects of the action on all applicable LWRP policies and purposes. The DEIS shall be reviewed by the Town Board, which shall provide comments to the lead agency (as defined in SEQRA regulations (6 NYCRR 617.2) on the consistency of the action with the LWRP policies and purposes. A written consistency recommendation shall be provided in the Final EIS for the action.

J. If the Town Board determines that the action would not be consistent with one or more of the LWRP policies and purposes, such action shall not be undertaken unless the Town Board certifies in writing, that the proposed action meets all of the following four requirements:

(1) The action would be undertaken in a manner which would minimize all adverse effects on such LWRP policies and purposes to the maximum extent practicable; and

(2) No reasonable alternative exists which would permit the action to be undertaken in a manner that will not substantially hinder the achievement of such LWRP policies and purposes; and

(3) The action advances one or more of the other LWRP policies and purposes; and

(4) The action will result in overall Town, Regional or Statewide public benefit.

Such written certification shall constitute a determination that the action is consistent with the LWRP.

K. The Town Board shall maintain a file for each action made the subject of a consistency determination. This file shall be made available for public inspection upon request, subject to the requirements of the Freedom of Information Law.

L. Actions to be undertaken within the Coastal Area shall be evaluated for consistency in accordance with the following LWRP policy standards and conditions, and the land and water use plan in Section IV of the LWRP. The policies are described and explained in greater detail in Section III of the LWRP, a copy of which is on file in the Office of the Town Clerk/Treasurer, and is available for inspection during normal business hours.

#### A. Development Policies

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

- Policy 1A Foster a pattern of development in the waterfront area that enhances community character, preserves open space, makes efficient use of infrastructure, makes beneficial use of a waterfront location, and minimizes adverse effects of development.
- POLICY 2 FACILITATE THE SITING OF WATER-DEPENDENT USES AND FACILITIES ON OR ADJACENT TO COASTAL WATERS.
- Policy 2A The construction or reconstruction of docks, boat houses, boat hoists, public facilities, and other shoreline structures shall be undertaken in a manner which will, to the maximum extent practicable, protect against or withstand the destructive forces of wave action and ice movement.
- Policy 2B Where environmentally sound, cost-effective measures can be taken to minimize the wave action and ice movement itself, such measures shall be pursued in consultation with appropriate State and federal agencies, local marina and shoreline interests, and experts in the fields of marine engineering and construction.
- POLICY 3 (Not Applicable)
- 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.
- POLICY 5 ENCOURAGE THE LOCATION OF DEVELOPMENT IN AREAS WHERE PUBLIC SERVICES AND FACILITIES ESSENTIAL TO SUCH DEVELOPMENT ARE ADEQUATE.
- Policy 5A Improve the sewer system within the waterfront area of the Town of Alexandria and Village of Alexandria Bay.
- POLICY 6 EXPEDITE PERMIT PROCEDURES IN ORDER TO FACILITATE THE SITING OF DEVELOPMENT ACTIVITIES AT SUITABLE LOCATIONS.

B. Fish and Wildlife Policies

- POLICY 7 SIGNIFICANT COASTAL FISH AND WILDLIFE HABITATS, AS IDENTIFIED ON THE COASTAL AREA MAP, SHALL BE PROTECTED, PRESERVED, AND, WHERE PRACTICAL, RESTORED SO AS TO MAINTAIN THEIR VIABILITY AS HABITATS.
- Policy 7A Ironside Island is a significant coastal fish and wildlife habitat and shall be protected, preserved, and, where practical, restored so as to maintain its viability as a habitat.
- Policy 7B Crooked Creek Marsh is a significant coastal fish and wildlife habitat and shall be protected preserved, and where practical, restored so as to maintain its viability as a habitat.

- Policy 7C Goose Bay and Cranberry Creek constitute a significant coastal fish and wildlife habitat and shall be protected, preserved and, where practical, restored so as to maintain its viability as a habitat.
- Policy 7D Lake of the Isles is a significant coastal fish and wildlife habitat and shall be protected, preserved and, where practical, restored so as to maintain its viability as a habitat.
- Policy 7E St. Lawrence River Shoreline Bays are significant coastal fish and wildlife habitat and shall be protected, preserved and, where practical, restored so as to maintain its viability as a habitat.
- Policy 7F Wellesley Island Pools are a significant coastal fish and wildlife habitat and shall be protected, preserved and, where practical, restored so as to maintain its viability as a habitat.
- Policy 7G Chippewa Bay Tern Colonies are a significant coastal fish and wildlife habitat and shall be protected, preserved and, where practical, restored so as to maintain its viability as a habitat.
- 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 SUB-LETHAL OR LETHAL EFFECT ON THOSE RESOURCES.
- 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 THAT ENSURES THE PROTECTION OF RENEWABLE FISH AND WILDLIFE RESOURCES AND CONSIDERS OTHER ACTIVITIES DEPENDENT ON THEM.
- POLICY 10 FURTHER DEVELOP COMMERCIAL FINFISH, SHELLFISH, AND CRUSTACEAN RESOURCES IN THE COASTAL AREA BY: (I) ENCOURAGING THE CONSTRUCTION OF NEW, OR IMPROVEMENT OF EXISTING, ON -SHORE COMMERCIAL FISHING FACILITIES; (II) INCREASING MARKETING OF THE STATE'S SEAFOOD PRODUCTS AND (III) MAINTAINING ADEQUATE STOCKS AND EXPANDING AQUACULTURE FACILITIES. SUCH EFFORTS SHALL BE IN A MANNER THAT ENSURES THE PROTECTION OF SUCH RENEWABLE FISH RESOURCES AND CONSIDERS OTHER ACTIVITIES DEPENDENT ON THEM. (Not applicable)

#### C. 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.

- 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 ENCROACHMENT THAT COULD IMPAIR THEIR NATURAL PROTECTIVE CAPACITY.
- POLICY 13      THE CONSTRUCTION OR RECONSTRUCTION OF EROSION PROTECTION STRUCTURES SHALL BE UNDERTAKEN ONLY IF THEY HAVE A REASONABLE PROBABILITY OF CONTROLLING EROSION FOR AT LEAST THIRTY YEARS AS DEMONSTRATED IN DESIGN AND CONSTRUCTION STANDARDS AND/OR ASSURED MAINTENANCE OR REPLACEMENT PROGRAMS.
- 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.
- POLICY 15      MINING, EXCAVATION, DREDGING, OR BLASTING IN COASTAL WATERS SHALL NOT SIGNIFICANTLY INTERFERE WITH THE NATURAL COASTAL PROCESSES WHICH SUPPLY BEACH MATERIALS TO LAND ADJACENT TO SUCH WATERS AND SHALL BE UNDERTAKEN IN A MANNER WHICH WILL NOT CAUSE AN INCREASE IN EROSION OF SUCH LAND.
- POLICY 16      PUBLIC FUNDS SHALL ONLY BE USED FOR EROSION PROTECTION 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.
- Policy 16A      Public funds shall not be used for shoreline structures subject to severe wave action and ice movement except where the public benefits that would accrue to the village or town in terms of improving public access and recreation, enhancing tourism or siting water-dependent uses outweigh the long-term costs of such structures.
- Policy 16B      Public funds shall be used for wave and ice protective structures only where deemed necessary for public safety or, if public benefits outweigh long-term costs, for the protection of shoreline structures upon which existing or proposed water-dependent uses must rely.
- POLICY 17      NON-STRUCTURAL MEASURES TO MINIMIZE DAMAGE TO NATURAL RESOURCES AND PROPERTY FROM FLOODING AND EROSION SHALL BE USED WHENEVER POSSIBLE.

Policy 17A      Wherever possible, use nonstructural measures to minimize damage to shoreline structures from wave action and ice movement, including the siting of structures in areas less exposed to such forces.

D. General Policies

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.

E. 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 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 waterborne access to public water-related recreation facilities at the James Street docks, Scenic View Park and Casino Island.

Policy 19B      Protect, maintain, and improve access to the public water-related recreational facilities at the Village boat launches at Holland Street and at Crossman Street and the Town boat launch at Goose Bay.

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 SHOULD BE PROVIDED IN A MANNER COMPATIBLE WITH ADJOINING USES. SUCH LANDS SHALL BE RETAINED IN PUBLIC OWNERSHIP.

F. 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.

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.

G. Historic and Scenic Resources Policies

- POLICY 23 PROTECT, ENHANCE, AND RESTORE STRUCTURES, DISTRICTS, AREAS OR SITES THAT ARE OF SIGNIFICANCE IN THE HISTORY, ARCHITECTURE, ARCHEOLOGY OR CULTURE OF THE STATE, ITS COMMUNITIES, OR THE NATION.
- POLICY 24 PREVENT IMPAIRMENT OF SCENIC RESOURCES OF STATEWIDE SIGNIFICANCE, AS IDENTIFIED ON THE COASTAL AREA MAP. (Not applicable)
- 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, restore, or enhance the scenic quality of the St. Lawrence River and the Thousand Islands as important features of the local economy and the area’s unique identity.

#### H. Agricultural Lands Policy

- POLICY 26 TO CONSERVE AND PROTECT AGRICULTURAL LANDS IN THE STATE’S COASTAL AREA, AN ACTION SHALL NOT RESULT IN A LOSS, NOR IMPAIR THE PRODUCTIVITY, OF IMPORTANT AGRICULTURAL LANDS, AS IDENTIFIED ON THE COASTAL AREA MAP, IF THAT LOSS OR IMPAIRMENT WOULD ADVERSELY AFFECT THE VIABILITY OF AGRICULTURE IN AN AGRICULTURAL DISTRICT OR IF THERE IS NO AGRICULTURAL DISTRICT, IN THE AREA SURROUNDING SUCH LANDS.

#### I. 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.
- POLICY 27A Decisions siting commercial wind farms or solitary wind turbines for commercial or residential use in the coastal area must take into consideration potential impacts on the scenic, cultural, and historic resources in the local waterfront revitalization area.
- POLICY 28 ICE MANAGEMENT PRACTICES SHALL NOT DAMAGE SIGNIFICANT FISH AND WILDLIFE AND THEIR HABITATS, INCREASE SHORELINE EROSION OR FLOODING, OR INTERFERE WITH THE PRODUCTION OF HYDROELECTRIC POWER.
- POLICY 29 THE DEVELOPMENT OF OFFSHORE USES AND RESOURCES, INCLUDING RENEWABLE ENERGY RESOURCES, SHALL ACCOMMODATE NEW YORK’S LONG-STANDING OCEAN AND GREAT LAKES INDUSTRIES, SUCH AS COMMERCIAL AND RECREATIONAL FISHING AND MARITIME COMMERCE, AND THE ECOLOGICAL FUNCTIONS OF HABITATS IMPORTANT TO NEW YORK. (Not applicable)

#### J. Water and Air Resources Policies

- POLICY 30 RESIDENTIAL, 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.
- 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 OVERBURDENED WITH CONTAMINANTS WILL BE RECOGNIZED AS BEING A DEVELOPMENT CONSTRAINT.
- POLICY 32 ENCOURAGE THE USE OF ALTERNATIVE OR INNOVATIVE SANITARY WASTE SYSTEMS IN SMALL COMMUNITIES WHERE THE COSTS OF CONVENTIONAL FACILITIES ARE UNREASONABLY HIGH, GIVEN THE SIZE OF THE EXISTING TAX BASE OF THESE COMMUNITIES.
- Policy 32A Encourage the improvement of sanitary waste systems within the waterfront area of the Town of Alexandria not served by municipal systems, in order to protect the water quality of the St. Lawrence River and its associated water areas.
- POLICY 33 BEST MANAGEMENT PRACTICES WILL BE USED TO ENSURE THE CONTROL OF STORMWATER RUNOFF AND COMBINED SEWER OVERFLOWS DRAINING INTO COASTAL WATERS.
- 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.
- POLICY 35 DREDGING, FILLING, AND BLASTING IN COASTAL WATERS AND DISPOSAL OF DREDGED MATERIAL WILL BE UNDERTAKEN IN A MANNER THAT MEETS EXISTING STATE PERMIT REQUIREMENTS, AND PROTECTS SIGNIFICANT FISH AND WILDLIFE HABITATS, SCENIC RESOURCES, NATURAL PROTECTIVE FEATURES, IMPORTANT AGRICULTURAL LANDS, AND WETLANDS.
- 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 CLEAN UP OF SUCH DISCHARGES; AND RESTITUTION FOR DAMAGES WILL BE REQUIRED WHEN THESE SPILLS OCCUR.
- POLICY 37 BEST MANAGEMENT PRACTICES WILL BE UTILIZED TO MINIMIZE THE NON-POINT DISCHARGE OF EXCESS NUTRIENTS, ORGANICS, AND ERODED SOILS INTO COASTAL WATERS.

- 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.
- 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.
- 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 QUALITY STANDARDS.
- POLICY 41 LAND USE OR DEVELOPMENT IN THE COASTAL AREA WILL NOT CAUSE NATIONAL OR STATE AIR QUALITY STANDARDS TO BE VIOLATED.
- POLICY 42 COASTAL MANAGEMENT POLICIES WILL BE CONSIDERED IF THE STATE RECLASSIFIES LAND AREAS PURSUANT TO THE PREVENTION OF SIGNIFICANT DETERIORATION REGULATIONS TO THE FEDERAL CLEAN AIR ACT.
- POLICY 43 LAND USE OR DEVELOPMENT IN THE COASTAL AREA MUST NOT CAUSE THE GENERATION OF SIGNIFICANT AMOUNTS OF NITRATES AND SULFATES WHICH ARE ACID RAIN PRECURSORS.
- POLICY 44 PRESERVE AND PROTECT TIDAL AND FRESHWATER WETLANDS AND PRESERVE THE BENEFITS DERIVED FROM THESE AREAS.

**SECTION VI. ENFORCEMENT.**

A. No action within the Town of Alexandria coastal area which is subject to review under this Local Law shall proceed until a written determination has been issued from a Town agency that the action is consistent with the Town's LWRP policy standards. In the event that an activity is being performed in violation of this law or any conditions imposed there under, the Town Zoning Officer or any other authorized official of the Town shall issue a stop work order and all work shall immediately cease. No further work or activity shall be undertaken on the project so long as a stop work order is in effect. The Town Zoning Officer, Town Attorney, and Police Department shall be responsible for enforcing this Local Law.

**SECTION VII. VIOLATIONS.**

A. Any person who violates any of the provisions of, or fails to comply with any determination or condition imposed by this local law shall have committed a violation, punishable by a fine not to exceed five hundred dollars (\$500.00) upon conviction of a first offense, and punishable by a fine not to exceed one thousand dollars (\$1,000.00) for a conviction of a second or subsequent offense. For the purpose of

conferring jurisdiction upon courts and judicial officers, each week of a continuing violation after a stop-work order has been issued will constitute a separate violation.

B. The Town Attorney is authorized and directed to institute any and all actions and proceedings necessary to enforce this local law. Any civil penalty imposed shall be in addition to and not in lieu of any criminal prosecution or penalty associated with the violation.

**SECTION VIII. SEVERABILITY.**

The provisions of this local law are severable. If any provision(s) of this local law are found to be invalid or otherwise unenforceable, such finding shall not affect the validity of this local law as a whole, or any part or provision hereof other than the provision(s) found to be invalid.

**SECTION IX. EFFECTIVE DATE.**

This local law shall take effect upon adoption by the Town of Alexandria, and ten days after filing with the Secretary of State.

NEW YORK STATE DEPARTMENT OF STATE  
COASTAL MANAGEMENT PROGRAM

Federal Consistency Assessment Form

An applicant, seeking a permit, license, waiver, certification or similar type of approval from a federal agency which is subject to the New York State Coastal Management Program (CMP), shall complete this assessment form for any proposed activity that will occur within and/or directly affect the State's Coastal Area. This form is intended to assist an applicant in certifying that the proposed activity is consistent with New York State's CMP as required by U.S. Department of Commerce regulations (15 CFR 930.57). It should be completed at the time when the federal application is prepared. The Department of State will use the completed form and accompanying information in its review of the applicant's certification of consistency. This form will also be used for the Town's review.

A. **APPLICANT** (please print)

1. Name: \_\_\_\_\_
2. Address: \_\_\_\_\_
3. Telephone: Area Code (    ) \_\_\_\_\_

B. **PROPOSED ACTIVITY:**

1. Brief description of activity:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2. Purpose of activity:

\_\_\_\_\_  
\_\_\_\_\_

3. Location of activity:

_____	_____	_____
County	City, Town, or Village	Street or Site Description

4. Type of federal permit/license required: \_\_\_\_\_

5. Federal application number, if known: \_\_\_\_\_

6. If a state permit/license was issued or is required for the proposed activity, identify the state agency and provide the application or permit number, if known:

\_\_\_\_\_

C. **COASTAL ASSESSMENT** Check either "YES" or "NO" for each of these questions. The numbers following each question refer to the policies described in the CMP document (see footnote on page 2) which may be affected by the proposed activity.

- |   |        |
|---|--------|
| 1. Will the proposed activity result in any of the following:   | YES/NO |
| a. Large physical change to a site within the coastal area which will require the preparation of an environmental impact statement? (11, 22, 25, 32, 37, 38, 41, 43)  | — —    |
| b. Physical alteration of more than two acres of land along the shoreline, land under water or coastal waters? (2, 11, 12, 20, 28, 35, 44)  | — —    |
| c. Revitalization/redevelopment of a deteriorated or underutilized waterfront site? (1)   | — —    |
| d. Reduction of existing or potential public access to or along coastal waters? (19, 20)  | — —    |
| e. Adverse effect upon the commercial or recreational use of coastal fish resources? (9,10)   | — —    |
| f. Siting of a facility essential to the exploration, development and production of energy resources in coastal waters or on the Outer Continental Shelf? (29)  | — —    |
| g. Siting of a facility essential to the generation or transmission of energy? (27)   | — —    |
| h. Mining, excavation, or dredging activities, or the placement of dredged or fill material in coastal waters? (15, 35)   | — —    |
| i. Discharge of toxics, hazardous substances or other pollutants into coastal waters? (8, 15, 35)   | — —    |
| j. Draining of stormwater runoff or sewer overflows into coastal waters? (33)   | — —    |
| k. Transport, storage, treatment, or disposal of solid wastes or hazardous materials? (36, 39)  | — —    |
| l. Adverse effect upon land or water uses within the State's small harbors? (4)   | — —    |
| 2. Will the proposed activity affect or be located in, on, or adjacent to any of the following:   | YES/NO |
| a. State designated freshwater or tidal wetland? (44)   | — —    |
| b. Federally designated flood and/or state designated erosion hazard area? (11, 12, 17)   | — —    |
| c. State designated significant fish and/or wildlife habitat? (7)   | — —    |
| d. State designated significant scenic resource or area? (24)   | — —    |
| e. State designated important agricultural lands? (26)  | — —    |
| f. Beach, dune or Barrier Island? (12)  | — —    |
| g. Major ports of Albany, Buffalo, Ogdensburg, Oswego or New York? (3)  | — —    |
| h. State, county, or local park? (19, 20)   | — —    |
| i. Historic resource listed on the National or State Register of Historic Places? (23)  | — —    |
| 3. Will the proposed activity require any of the following:   | YES/NO |
| a. Waterfront site? (2, 21, 22)   | — —    |
| b. Provision of new public services or infrastructure in undeveloped or sparsely populated sections of the coastal area? (5)  | — —    |
| c. Construction or reconstruction of a flood or erosion control structure? (13, 14, 16)   | — —    |
| d. State water quality permit or certification? (30, 38, 40)  | — —    |
| e. State air quality permit or certification? (41, 43)  | — —    |
| 4. Will the proposed activity occur within and/or affect an area covered by a State-approved local waterfront revitalization program, or State-approved regional coastal management program?<br>(see policies in program document*) | — —    |

**D. ADDITIONAL STEPS**

1. If all of the questions in Section C are answered "NO", then the applicant or agency shall complete Section E and submit the documentation required by Section F.
2. If any of the questions in Section C are answered "YES", then the applicant or agent is advised to consult the CMP, or where appropriate, the local waterfront revitalization program document\*. The proposed activity must be analyzed in more detail with respect to the applicable state or local coastal policies. On a separate page(s), the applicant or agent shall: (a) identify, by their policy numbers, which coastal policies are affected by the activity, (b) briefly assess the effects of the activity upon the policy; and, (c) state how the activity is consistent with each policy. Following the completion of this written assessment, the applicant or agency shall complete Section E and submit the documentation required by Section F.

**E. CERTIFICATION**

The applicant or agent must certify that the proposed activity is consistent with the State's CMP or the approved local waterfront revitalization program, as appropriate. If this certification cannot be made, the proposed activity shall not be undertaken. If this certification can be made, complete this Section.

"The proposed activity complies with New York State's approved Coastal Management Program, or with the applicable approved local waterfront revitalization program, and will be conducted in a manner consistent with such program."

Applicant/Agent's Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: Area Code (     ) \_\_\_\_\_

Applicant/Agent's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**F. SUBMISSION REQUIREMENTS**

1. The applicant or agent shall submit the following documents to the **New York State Department of State, Office of Planning and Development, Attn: Consistency Review Unit, One Commerce Plaza-Suite 1010, 99 Washington Avenue, Albany, New York 12231.**
  - a. Copy of original signed form.
  - b. Copy of the completed federal agency application.
  - c. Other available information which would support the certification of consistency.
2. The applicant or agent shall also submit a copy of this completed form along with his/her application to the federal agency.
3. If there are any questions regarding the submission of this form, contact the Department of State at (518) 474-6000.

\*These state and local documents are available for inspection at the offices of many federal agencies, Department of environmental Conservation and Department of State regional offices, and the appropriate regional and county planning agencies. Local program documents are also available for inspection at the offices of the appropriate local government.

# Village of Alexandria Bay Waterfront Consistency Review Law

Local law No. 3 of 2016

Is hereby amended with Local Law No. 4 of 2019

Be it enacted by the Board of Trustees of the Village of Alexandria Bay as follows:

## Article I. TITLE.

This local law shall be known as the "Village of Alexandria Bay Waterfront Consistency Review Law".

## Article II. AUTHORITY, PURPOSE AND INTENT.

A. This local law is adopted under the authority of the Municipal Home Rule Law and the Executive Law, Article 42 - Waterfront Revitalization of Coastal Areas and Inland Waterways Act ("the Act") of the State of New York.

B. The purpose of this local law is to provide a means for the boards and officers of the Village of Alexandria Bay ("Village") to consider the policies and purposes contained in the Town of Alexandria and Village of Alexandria Bay Local Waterfront Revitalization Program ("LWRP") when reviewing applications for actions or undertaking direct village agency actions located in the Local Waterfront Revitalization Area ("LWRA"), and to provide a means to assure that such actions are consistent with the said policies and purposes.

C. By adopting this local law, the Village hereby declares its intention that the preservation, enhancement and utilization of the natural and/or human-made resources of the LWRA occur in a coordinated and comprehensive manner to ensure a proper balance between natural resources and the need to accommodate population growth and economic development. Accordingly, this local law is intended to achieve such a balance, permitting the beneficial use of coastal resources while preventing loss or impairment of ecosystem resources and wildlife; loss or reduction of open space; diminution of public access to the waterfront; erosion of shoreline; loss or impairment of scenic and historical resources; losses due to flooding, erosion and sedimentation; impairment of water quality; and long term adverse changes to the natural and human environment of the coastal area.

D. The provisions of this local law shall only apply while an LWRP is in existence that has been adopted by the Village and approved by the Secretary of State in accordance with Article 42 of the Executive Law of the State of New York.

## ARTICLE III. ENACTMENT.

The Board of Trustees of the Village of Alexandria Bay hereby adds a new Chapter 146, Waterfront Consistency Review Law, to the Village of Alexandria Bay Code as follows:

146-1. DEFINITIONS.

**Actions** include all of the following except minor actions:

- (1) projects or physical activities, such as construction or other activities that may affect the environment by changing the use, appearance or condition of any natural resource or structure, that:
  - (i) are directly undertaken by an agency; or
  - (ii) involve funding by an agency; or
  - (iii) require one or more new or modified approvals from an agency or agencies;
- (2) agency planning and policy making activities that may affect the environment and commit the agency to a definite course of future decisions;
- (3) adoption of agency rules, regulations and procedures, including local laws, codes, ordinances, executive orders and resolutions that may affect the environment; and
- (4) any combinations of the above.

**Applicant** means any person, other than the village agency, that proposed an action located in the LWRA.

**Coastal Area of Local Waterfront Revitalization Area (LWRA)** means that portion of New York State coastal waters and adjacent shorelands as defined in Article 42 of the executive Law which is located within the boundaries of the Village, as shown on the Coastal Area map on file in the office of the Secretary of State and as delineated in the Village of Alexandria Bay Local Waterfront Revitalization Program on file at the office of the Village Clerk/Treasurer.

**Coastal Assessment Form (CAF)** means the form, contained in Appendix A, completed by an applicant or Village agency to assist it in assuring that the action being proposed is consistent with the policies and purposes of the LWRP.

**Consistent** means that the action will fully comply with the policies and purposes of the LWRP and, whenever practicable, will advance one or more of them.

**Direct Actions** mean actions planned and proposed for implementation by a Village agency, such as, but not limited to, capital projects, rule making, procedure making and policy making.

**Environment** means all conditions, circumstances and influences surrounding and affecting the development of living organisms or other resources in the coastal area.

**Involved Agency** means a state, county, or local government agency, other than the Village, that has the jurisdiction by law to fund, approve or directly undertake an action. If any of the listed agencies are required to make a discretionary decision to fund, approve or undertake an action, then it is an “involved agency” notwithstanding that it has not received an application for funding or approval at the time the SEQRA process is commenced. The lead agency is also an “involved agency”.

**Local Waterfront Revitalization Program (LWRP)** means the program of the Village, approved by the Secretary of State, a copy of which is on file in the Office of the Village Clerk/Treasurer.

**Minor Actions** include the following actions, which are not subject to review under this local law.

- (1) maintenance or repair involving no substantial changes in an existing structure or facility;
- (2) replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site, including upgrading buildings to meet building or fire codes, unless such action meets or exceeds any of the thresholds in 6NYCRR Part 617.4;
- (3) agricultural farm management practices, including construction, maintenance and repair of farm buildings and structures, and land use changes consistent with generally accepted principles of farming;
- (4) repaving of existing highways not involving the addition of new travel lanes;
- (5) street openings and right-of-way openings for the purpose of repair or maintenance of existing utility facilities;
- (6) maintenance of existing landscaping or natural growth;
- (7) construction or expansion of a primary or accessory/appurtenant, non-residential structure or facility involving less than 4,000 square feet of gross floor area and not involving a change in zoning or a use variance and consistent with local land use controls, but not radio communication or microwave transmission facilities;
- (8) routine activities of educational institutions, including expansion of existing facilities by less than 10,000 square feet of gross floor area and school closings, but not change in use related to such closings;
- (9) construction or expansion of a single-family, a two-family or a three-family residence on an approved lot including provision of necessary utility connections as provided in paragraph (11) and the installation, maintenance and/or upgrade of a drinking water well and a septic system;
- (10) granting of an area variance(s) for a single-family, two-family or three-family residence;
- (11) public or private best forest management (silvicultural) practices on less than 10 acres of land, but not including waste disposal, land clearing not directly related to forest management, clear-cutting or the application of herbicides or pesticides;
- (12) minor temporary uses of land having negligible or not permanent impact on the environment;
- (13) installation of traffic control devices on existing streets, roads and highways;

- (14) mapping of existing roads, streets, highways, natural resources, land uses and ownership patterns;
- (15) information collection including basic data collection and research, water quality and pollution studies, traffic counts, engineering studies, surveys, subsurface investigations and soils studies that do not commit the agency to undertake, fund or approve any Type I or Unlisted action;
- (16) official acts of a ministerial nature involving no exercise of discretion, including building permits and historical preservation permits where issuance is predicated solely on the applicant's compliance or noncompliance with the relevant local building or preservation code(s);
- (17) routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment;
- (18) conducting concurrent environmental, engineering, economic, feasibility and other studies and preliminary planning and budgetary processes necessary to the formulation of a proposal of action, provided those activities do not commit the agency to commence, engage in or approve such action;
- (19) collective bargaining activities;
- (20) investments by or on behalf of agencies or pension or retirement systems, or refinancing existing debt;
- (21) inspections and licensing activities relating to the qualifications of individuals or businesses to engage in their business or profession;
- (22) purchase or sale of furnishings, equipment or supplies, including surplus government property, other than the following: land, radioactive material, pesticides, herbicides, or other hazardous materials;
- (23) adoption of regulations, policies, procedures and local legislative decisions in connection with any action on this list;
- (24) engaging in review of any part of any application to determine compliance with technical requirements, provided that no such determination entitles or permits the project sponsor to commence the action unless and until all requirements of 6NYCRR Part 617.5 have been fulfilled;
- (25) civil or criminal enforcement proceedings, whether administrative or judicial, including a particular course of action specifically required to be undertaken pursuant to a judgment or order, or the exercise of prosecutorial discretion;
- (26) adoption of a moratorium on land development or construction;

(27) interpreting an existing code, rule or regulation;

(28) designation of local landmarks or their inclusion within historic districts; and

(29) emergency actions that are immediately necessary on a limited and temporary basis for the protection or preservation of life, health, property or natural resources, provided that such action are directly related to the emergency and are performed to cause the least change or disturbance, practicable under the circumstances, to the environment. Any decision to fund, approve or directly undertake other activities after the emergency has expired is fully subject to the review procedures of 6NYCRR Part 617.5.

**SEQRA** means the New York State Environmental Quality Review Act (6 NYCRR 617) and any rules and regulations promulgated thereunder.

**Village** means the Incorporated Village of Alexandria Bay.

**Village Agency** means any official board, council, office, department, or other body or officer of the Village of Alexandria Bay. The chief law enforcement agency for this local law shall be the Village Zoning/Code Enforcement Officer.

#### 146-2. LWRP Management and Coordination

- A. The Board of Trustees shall be responsible for coordinating review of actions in the Village's coastal area for consistency with the LWRP, and will advise, assist and make consistency recommendations to other Village agencies in the implementation of the LWRP, its policies and projects, including physical, legislative, regulatory, administrative and other actions included in the program.
- B. The Board of Trustees shall coordinate with the New York State Department of State regarding consistency review of actions by Federal agencies and with State agencies regarding consistency review of their actions.
- C. The Board of Trustees shall make applications for funding from State, Federal, or other sources to finance projects under the LWRP.
- D. The Board of Trustees shall perform other functions regarding the coastal area and direct such actions or projects as are necessary, or as the Board of Trustees may deem appropriate to implement the LWRP.

#### 146-3. Review of Action

- A. Whenever a proposed action is located with the Village's coastal area, each Village agency shall, prior to approving, funding, or undertaking the action, make a determination that it is consistent with the LWRP policy standards set forth in paragraph L herein. No action in the coastal area shall be approved, funded, or undertaken by that agency without such a determination.

- B. As early as possible in a Village agency's formulation of a direct action to be located in the Coastal Area, the Village agency shall complete a Coastal Assessment Form (CAF) to assist the Board of Trustees with the LWRP consistency review. The Board of Trustees shall prepare the CAF for any direct action by the Village.
- C. Whenever an applicant prepares and submits an application for approval or funding of an action to be located in the Coastal Area to a Village agency, the applicant shall prepare and submit a CAF as part of the application to assist the Board of Trustees with the LWRP consistency review.
- D. The Village agency proposing a direct action to be located in the Coastal Area on its own behalf or receiving an application for authorization or funding from an applicant shall forward a copy of the completed CAF together with a description of the direct action by a Village agency, or an application for authorization or funding, to the Board of Trustees within ten (10) days of the completion of the CAF by the Village agency or receipt of the CAF from the applicant. No Village agency shall make a final determination on an application or an action during the time allowed for the Board of Trustees review, prior to receiving a recommendation on the application from the Board of Trustees.
- E. After having received a referral from a Village agency, the Board of Trustees shall consider whether the proposed action is consistent with the LWRP policy standards and conditions set forth in this local law. An applicant or a Village agency, as the case may be, shall submit to the Board of Trustees at its request, any additional information that the Board of Trustees decides is material and necessary to make its consistency recommendation. Any such requests for additional information shall be reasonably related to the subject of the Board of Trustees' review authority.
- F. If the Board of Trustees determines that it is necessary for other involved agencies to review the action, a copy of the CAF, the SEQRA Environmental Assessment Form, application, and any other pertinent supporting materials shall be forwarded to each such involved agency for its review and comment. If there is no response from an involved agency within thirty (30) days, the Board of Trustees shall presume that the involved agency has not identified any conflict(s) or has no comment.
- G. After review of the CAF and related materials and any comment received from involved agencies or other interested parties, the Board of Trustees shall render its written consistency recommendation. Such recommendation shall be made within thirty (30) days following receipt of the completed CAF, unless such time is extended by mutual agreement of the Board of Trustees and the Village agency or applicant. The recommendation shall indicate whether the proposed action is consistent with the LWRP policy standards or conditions. The Board of Trustees may, along with its consistency recommendation, make recommendations to the Village agency concerning modification of the proposed action to make it consistent with, or to better advance, the LWRP policy standards. [If an Environmental Impact Statement (EIS) is required for a proposed action pursuant to SEQRA, the Board of Trustees' decision may be deferred until the EIS has been completed.]
- H. Determination by the Board of Trustees.

(1) If the Board of Trustees determines that the action is not consistent with one or more of the LWRP policy standards or purposes, the Board of Trustees shall provide the Village agency, involved agency, or applicant with a written statement identifying the policies or purposes of the LWRP with which the proposed action conflicts and make any suggestions concerning modification of the proposed action to make it consistent with or to greater advance LWRP policies or purposes. The Board of Trustees may also provide an alternative to the proposed action, if practicable, which would advance any of the LWRP policies or purposes.

(2) Where an action has been determined to be inconsistent with the policies or purposes of the LWRP, the Village agency or applicant may propose modifications in writing, which if determined to be sufficient by the Board of Trustees, may result in a finding of consistency.

(3) Any modification agreed to by the Village agency or applicant and the Board of Trustees shall be binding on the Village agency, involved agency or applicant and shall be included as a condition in writing any approvals and/or authorizations.

- I. If an Environmental Impact Statement (EIS) is required for an action in the LWRA, the Draft EIS (DEIS) shall contain a discussion of the effects of the action on all applicable LWRP policies and purposes. The DEIS shall be reviewed by the Board of Trustees, which shall provide comments to the lead agency (as defined in SEQRA regulations (6 NYCRR 617.2) on the consistency of the action with the LWRP policies and purposes. A written consistency recommendation shall be provided in the Final EIS for the action.
- J. If the Board of Trustees determines that the action would not be consistent with one or more of the LWRP policies and purposes, such action shall not be undertaken unless the Board of Trustees certifies in writing, that the proposed action meets the all of the following four requirements:
  - 1. The action would be undertaken in a manner which would minimize all adverse effects on such LWRP policies and purposes to the maximum extent practicable; and
  - 2. No reasonable alternative exists which would permit the action to be undertaken in a manner that will not substantially hinder the achievement of such LWRP policies and purposes; and
  - 3. The action advances one or more of the other LWRP policies and purposes; and
  - 4. The action will result in overall Village, Town, Regional or Statewide public benefit.

Such written certification shall constitute a determination that the action is consistent with the LWRP.

- K. The Board of Trustees shall maintain a file for each action made the subject of a consistency determination. This file shall be made available for public inspection upon request, subject to the requirements of the Freedom of Information Law.
- L. Actions to be undertaken within the Coastal Area shall be evaluated for consistency in accordance with the following LWRP policy standards and conditions and the land and water use plan in Section IV of the LWRP. The policies are described and explained in greater detail in Section III of the LWRP,

a copy of which is on file in the Office of the Village Clerk/Treasurer, and is available for inspection during normal business hours.

A. Development Policies

- POLICY 1 RESTORE, REVITALIZE, AND REDEVELOP DETERIORATED AND UNDERUTILIZED WATERFRONT AREAS FOR COMMERCIAL, INDUSTRIAL, CULTURAL, RECREATIONAL AND OTHER COMPATIBLE USES.
- Policy 1A Foster a pattern of development in the waterfront area that enhances community character, preserves open space, makes efficient use of infrastructure, makes beneficial use of a waterfront location, and minimizes adverse effects of development.
- POLICY 2 FACILITATE THE SITING OF WATER-DEPENDENT USES AND FACILITIES ON OR ADJACENT TO COASTAL WATERS.
- POLICY 3 FURTHER DEVELOP THE STATE'S MAJOR PORTS OF ALBANY, BUFFALO, NEW YORK, OGDENSBURG, AND OSWEGO AS CENTERS OF COMMERCE AND INDUSTRY, AND ENCOURAGE THE SITING IN THESE PORT AREAS, INCLUDING THOSE UNDER THE JURISDICTION OF STATE PUBLIC AUTHORITIES, OF LAND USE AND DEVELOPMENT WHICH IS ESSENTIAL TO OR IN SUPPORT OF THE WATERBORNE TRANSPORTATION OF CARGO AND PEOPLE. (Not Applicable)
- 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.
- POLICY 5 ENCOURAGE THE LOCATION OF DEVELOPMENT IN AREAS WHERE PUBLIC SERVICES AND FACILITIES ESSENTIAL TO SUCH DEVELOPMENT ARE ADEQUATE.
- POLICY 6 EXPEDITE PERMIT PROCEDURES IN ORDER TO FACILITATE THE SITING OF DEVELOPMENT ACTIVITIES AT SUITABLE LOCATIONS.

B. Fish and Wildlife Policies

- POLICY 7 SIGNIFICANT COASTAL FISH AND WILDLIFE HABITATS, AS IDENTIFIED ON THE COASTAL AREA MAP, SHALL BE PROTECTED, PRESERVED, AND, WHERE PRACTICAL, RESTORED SO AS TO MAINTAIN THEIR VIABILITY AS HABITATS.
- Policy 7A Ironside Island is a significant coastal fish and wildlife habitat and shall be protected, preserved, and, where practical, restored so as to maintain its viability as a habitat.

- Policy 7B Crooked Creek Marsh is a significant coastal fish and wildlife habitat and shall be protected preserved, and where practical, restored so as to maintain its viability as a habitat.
- Policy 7C Goose Bay and Cranberry Creek constitute a significant coastal fish and wildlife habitat and shall be protected, preserved and, where practical, restored so as to maintain its viability as a habitat.
- Policy 7D Lake of the Isles is a significant coastal fish and wildlife habitat and shall be protected, preserved and, where practical, restored so as to maintain its viability as a habitat.
- Policy 7E St. Lawrence River Shoreline Bays are significant coastal fish and wildlife habitat and shall be protected, preserved and, where practical, restored so as to maintain its viability as a habitat.
- Policy 7F Wellesley Island Pools are a significant coastal fish and wildlife habitat and shall be protected, preserved and, where practical, restored so as to maintain its viability as a habitat.
- Policy 7G Chippewa Bay Tern Colonies are a significant coastal fish and wildlife habitat and shall be protected, preserved and, where practical, restored so as to maintain its viability as a habitat.
- 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 SUB-LETHAL OR LETHAL EFFECT ON THOSE RESOURCES.
- 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 THAT ENSURES THE PROTECTION OF RENEWABLE FISH AND WILDLIFE RESOURCES AND CONSIDERS OTHER ACTIVITIES DEPENDENT ON THEM.
- POLICY 10 FURTHER DEVELOP COMMERCIAL FINFISH, SHELLFISH, AND CRUSTACEAN RESOURCES IN THE COASTAL AREA BY: (I) ENCOURAGING THE CONSTRUCTION OF NEW, OR IMPROVEMENT OF EXISTING, ON -SHORE COMMERCIAL FISHING FACILITIES; (II) INCREASING MARKETING OF THE STATE'S SEAFOOD PRODUCTS AND (III) MAINTAINING ADEQUATE STOCKS AND EXPANDING AQUACULTURE FACILITIES. SUCH EFFORTS SHALL BE IN A MANNER THAT ENSURES THE PROTECTION OF SUCH RENEWABLE FISH RESOURCES AND CONSIDERS OTHER ACTIVITIES DEPENDENT ON THEM. (Not Applicable)

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.
- 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 ENCROACHMENT THAT COULD IMPAIR THEIR NATURAL PROTECTIVE CAPACITY.
- POLICY 13 THE CONSTRUCTION OR RECONSTRUCTION OF EROSION PROTECTION STRUCTURES SHALL BE UNDERTAKEN ONLY IF THEY HAVE A REASONABLE PROBABILITY OF CONTROLLING EROSION FOR AT LEAST THIRTY YEARS AS DEMONSTRATED IN DESIGN AND CONSTRUCTION STANDARDS AND/OR ASSURED MAINTENANCE OR REPLACEMENT PROGRAMS.
- 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.
- POLICY 15 MINING, EXCAVATION, DREDGING, OR BLASTING IN COASTAL WATERS SHALL NOT SIGNIFICANTLY INTERFERE WITH THE NATURAL COASTAL PROCESSES WHICH SUPPLY BEACH MATERIALS TO LAND ADJACENT TO SUCH WATERS AND SHALL BE UNDERTAKEN IN A MANNER WHICH WILL NOT CAUSE AN INCREASE IN EROSION OF SUCH LAND.
- POLICY 16 PUBLIC FUNDS SHALL ONLY BE USED FOR EROSION PROTECTION 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.
- Policy 16A Public funds shall not be used for shoreline structures subject to severe wave action and ice movement except where the public benefits that would accrue to the village or town in terms of improving public access and recreation, enhancing tourism or siting water-dependent uses outweigh the long-term costs of such structures.
- Policy 16B Public funds shall be used for wave and ice protective structures only where deemed necessary for public safety or, if public benefits outweigh long-term costs, for the protection of shoreline structures upon which existing or proposed water-dependent uses must rely.

POLICY 17 NON-STRUCTURAL MEASURES TO MINIMIZE DAMAGE TO NATURAL RESOURCES AND PROPERTY FROM FLOODING AND EROSION SHALL BE USED WHENEVER POSSIBLE.

Policy 17A Wherever possible, use nonstructural measures to minimize damage to shoreline structures from wave action and ice movement, including the siting of structures in areas less exposed to such forces.

#### D. General Policies

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.

#### 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 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 waterborne access to public water-related recreation facilities at the James Street docks, Scenic View Park and Casino Island.

Policy 19B Protect, maintain, and improve access to the public water-related recreational facilities at the Village boat launches at Holland Street and at Crossman Street and the Town boat launch at Goose Bay.

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 SHOULD BE PROVIDED IN A MANNER COMPATIBLE WITH ADJOINING USES. SUCH LANDS SHALL BE RETAINED IN PUBLIC OWNERSHIP.

#### F. 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.

POLICY 22 DEVELOPMENT, WHEN LOCATED ADJACENT TO THE SHORE, WILL PROVIDE FOR WATER-RELATED RECREATION, AS A MULTIPLE USE, WHENEVER SUCH USE IS APPROPRIATE IN LIGHT OF REASONABLY ANTICIPATED DEMAND FOR SUCH ACTIVITIES AND THE PRIMARY PURPOSE OF THE DEVELOPMENT.

#### G. Historic and Scenic Resources Policies

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

POLICY 24 PREVENT IMPAIRMENT OF SCENIC RESOURCES OF STATEWIDE SIGNIFICANCE, AS IDENTIFIED ON THE COASTAL AREA MAP, AS THE SAME MAY BE AMENDED FROM TIME-TO-TIME.

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, restore, or enhance the scenic quality of the St. Lawrence River and the Thousand Islands as important features of the local economy and the area's unique identity.

#### H. Agricultural Lands Policy

POLICY 26 TO CONSERVE AND PROTECT AGRICULTURAL LANDS IN THE STATE'S COASTAL AREA, AN ACTION SHALL NOT RESULT IN A LOSS, NOR IMPAIR THE PRODUCTIVITY, OF IMPORTANT AGRICULTURAL LANDS, AS IDENTIFIED ON THE COASTAL AREA MAP, IF THAT LOSS OR IMPAIRMENT WOULD ADVERSELY AFFECT THE VIABILITY OF AGRICULTURE IN AN AGRICULTURAL DISTRICT OR IF THERE IS NO AGRICULTURAL DISTRICT, IN THE AREA SURROUNDING SUCH LANDS.

#### I. 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.

- POLICY 27A Decisions siting commercial wind farms or solitary wind turbines for commercial or residential use in the coastal area must take into consideration potential impacts on the scenic, cultural, and historic resources in the local waterfront revitalization area.
- POLICY 28 ICE MANAGEMENT PRACTICES SHALL NOT DAMAGE SIGNIFICANT FISH AND WILDLIFE AND THEIR HABITATS, INCREASE SHORELINE EROSION OR FLOODING, OR INTERFERE WITH THE PRODUCTION OF HYDROELECTRIC POWER.
- POLICY 29 THE DEVELOPMENT OF OFFSHORE USES AND RESOURCES, INCLUDING RENEWABLE ENERGY RESOURCES, SHALL ACCOMMODATE NEW YORK’S LONGSTANDING OCEAN AND GREAT LAKES INDUSTRIES, SUCH AS COMMERCIAL AND RECREATIONAL FISHING AND MARITIME COMMERCE, AND THE ECOLOGICAL FUNCTIONS OF HABITATS IMPORTANT TO NEW YORK.

J. Water and Air Resources Policies

- POLICY 30 RESIDENTIAL, 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.
- 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 OVERBURDENED WITH CONTAMINANTS WILL BE RECOGNIZED AS BEING A DEVELOPMENT CONSTRAINT.
- POLICY 32 ENCOURAGE THE USE OF ALTERNATIVE OR INNOVATIVE SANITARY WASTE SYSTEMS IN SMALL COMMUNITIES WHERE THE COSTS OF CONVENTIONAL FACILITIES ARE UNREASONABLY HIGH, GIVEN THE SIZE OF THE EXISTING TAX BASE OF THESE COMMUNITIES.
- Policy 32A Encourage the improvement of sanitary waste systems within the waterfront area of the Town of Alexandria not served by municipal systems, in order to protect the water quality of the St. Lawrence River and its associated water areas.
- POLICY 33 BEST MANAGEMENT PRACTICES WILL BE USED TO ENSURE THE CONTROL OF STORMWATER RUNOFF AND COMBINED SEWER OVERFLOWS DRAINING INTO COASTAL WATERS.
- 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.

- POLICY 35 DREDGING, FILLING, AND BLASTING IN COASTAL WATERS AND DISPOSAL OF DREDGED MATERIAL WILL BE UNDERTAKEN IN A MANNER THAT MEETS EXISTING STATE PERMIT REQUIREMENTS, AND PROTECTS SIGNIFICANT FISH AND WILDLIFE HABITATS, SCENIC RESOURCES, NATURAL PROTECTIVE FEATURES, IMPORTANT AGRICULTURAL LANDS, AND WETLANDS.
- 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 CLEAN UP OF SUCH DISCHARGES; AND RESTITUTION FOR DAMAGES WILL BE REQUIRED WHEN THESE SPILLS OCCUR.
- POLICY 37 BEST MANAGEMENT PRACTICES WILL BE UTILIZED TO MINIMIZE THE NON-POINT DISCHARGE OF EXCESS NUTRIENTS, ORGANICS, AND ERODED SOILS INTO COASTAL WATERS.
- 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.
- 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.
- 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 QUALITY STANDARDS.
- POLICY 41 LAND USE OR DEVELOPMENT IN THE COASTAL AREA WILL NOT CAUSE NATIONAL OR STATE AIR QUALITY STANDARDS TO BE VIOLATED.
- POLICY 42 COASTAL MANAGEMENT POLICIES WILL BE CONSIDERED IF THE STATE RECLASSIFIES LAND AREAS PURSUANT TO THE PREVENTION OF SIGNIFICANT DETERIORATION REGULATIONS TO THE FEDERAL CLEAN AIR ACT.
- POLICY 43 LAND USE OR DEVELOPMENT IN THE COASTAL AREA MUST NOT CAUSE THE GENERATION OF SIGNIFICANT AMOUNTS OF NITRATES AND SULFATES WHICH ARE ACID RAIN PRECURSORS.
- POLICY 44 PRESERVE AND PROTECT TIDAL AND FRESHWATER WETLANDS AND PRESERVE THE BENEFITS DERIVED FROM THESE AREAS.

146-4. ENFORCEMENT.

- A. Enforcement of the provisions of this local law shall be coordinated by the Board of Trustees of the Village under the rules and regulations adopted by them or by such person as hereafter may be designated by the Board of Trustees.
- B. The Code Enforcement Officer of the Village of Alexandria Bay or any other law enforcement officer shall issue summonses for illegal violations of this local law. No person shall commence or undertake an action subject to review under this local law until a written determination has been made and filed stating the action is consistent with the LWRP policies and purposes. In the event that an action in the LWRA is being conducted by a person without such written determination, a notice of violation, summons and/or stop work order shall be issued immediately, and no further work shall be undertaken on the project so long as the stop work order is in effect.
- C. No action within the Village of Alexandria Bay coastal area, which is subject to review under this Local law, shall proceed until a written determination has been issued from a Village agency that the action is consistent with the Village's LWRP policy standards. In the event that an activity is being performed in violation of this law or any conditions imposed there under, the Village Zoning/Code Enforcement Officer or any other authorized official of the Village shall issue a stop work order and all work shall immediately cease. No further work or activity shall be undertaken on the project so long as a stop work order is in effect. The Village Zoning/Code Enforcement Officer, Village Attorney, and Police Department shall be responsible for enforcing this Local law.

#### 146-5. VIOLATIONS.

- A. Any person who violates any of the provisions of, or fails to comply with any determination or condition imposed by this local law shall have committed a violation, punishable by a fine not to exceed five hundred dollars (\$500.00) upon conviction of a first offense, and punishable by a fine not to exceed one thousand dollars (\$1,000.00) for a conviction of a second or subsequent offense. For the purpose of conferring jurisdiction upon courts and judicial officers, each week of a continuing violation after a stop-work order has been issued will constitute a separate violation.
- B. The Village Attorney is authorized and directed to institute any and all actions and proceedings necessary to enforce this local law. Any civil penalty imposed shall be in addition to and not in lieu of any criminal prosecution or penalty associated with the violation.

#### Article IV. SEVERABILITY.

The provisions of this local law are severable. If any provision(s) of this local law are found to be invalid or otherwise unenforceable, such finding shall not affect the validity of this local law as a whole, or any part or provision hereof other than the provision(s) found to be invalid.

#### Article V. EFFECTIVE DATE.

This local law shall take effect immediately upon its filing in the office of the Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

# Appendix A

## Coastal Assessment Form (CAF)

**A. INSTRUCTIONS** (Please print or type all answers)

- 1. Applicants or, in the case of direct actions, Village agencies shall complete this Coastal Assessment Form (CAF) for proposed actions which are subject to the consistency review law. This assessment is intended to supplement other information used by a Village agency in making a determination of consistency.
  
- 2. Before answering the question in Section C, the preparer of this form should review the policies and explanations of policy contained in the Local Waterfront Revitalization Program (LWRP), a copy of which is on file in the office of the Village Clerk/Treasurer. A proposed action should be evaluated as to its significant beneficial and adverse effects upon the LWRA.
  
- 3. If any question in Section C on this form is answered “yes”, then the proposed action may affect the achievement of the LWRP policies and purposes contained in the consistency review law. Thus, the action should be analyzed in more detail and, if necessary, modified prior to making a determination that is consistent with the LWRP policies and purposes. If any action cannot be certified as consistent with the LWRP policies, it shall not be undertaken.

**B. DESCRIPTION OF SITE AND PROPOSED ACTION**

- 1. Type of village action (check appropriate response):
  - (a) Directly undertaken (e.g. capital construction, planning activity, agency regulation, land transaction \_\_\_\_\_)
  - (b) Financial assistance (e.g. grant, loan, subsidy) \_\_\_\_\_
  - (c) Permit, approval, license, certification \_\_\_\_\_
  - (d) Agency undertaking action: \_\_\_\_\_

2. Describe nature and extent of action:

---

---

---

---

3. Location of action:

---

---

4. Size of site: \_\_\_\_\_

5. Present land use: \_\_\_\_\_

6. Present zoning classification: \_\_\_\_\_

7. Describe any unique or unusual land forms on the project site (i.e., bluffs, dunes, swales, ground depressions, other geological formations):  
\_\_\_\_\_  
\_\_\_\_\_

8. Percentage of site that contains slopes of 15% or greater: \_\_\_\_\_

9. Streams, lakes, ponds or wetlands existing within or contiguous to the project area?

(1) Name: \_\_\_\_\_

(2) Size (in acres): \_\_\_\_\_

10. If an application for the proposed action has been filed with the Village, the following information shall be provided:

(a) Name of applicant: \_\_\_\_\_

(b) Mailing address: \_\_\_\_\_  
\_\_\_\_\_

(c) Telephone number: Area Code ( \_\_\_\_ ) \_\_\_\_\_

(d) Application number, if any: \_\_\_\_\_

11. Will the action be directly undertaken, require funding, or approval by state or federal agency?

Yes \_\_\_ No \_\_\_ If yes, which State or federal agency? \_\_\_\_\_

**C. COASTAL ASSESSMENT** (Check either "Yes" or "No" for each of the following questions)

1. Will the proposed action be located in, or contiguous to, or have a potentially adverse effect upon any of the resource areas identified on the coastal area map:

	<u>YES</u>	<u>NO</u>
(a) Significant fish or wildlife habitats?	___	___
(b) Scenic resources of local or State-wide significance?	___	___
(c) Important agricultural lands?	___	___
(d) Natural protective features in an erosion hazard area	___	___

If the answer to any question above is yes, please explain in Section D any measures that will be undertaken to mitigate any adverse effects.

2. Will the proposed action have a significant effect upon:

YES NO

- (a) Commercial or recreational use of fish and Wildlife resources?
- (b) Scenic quality of the coastal environment?
- (c) Development of future, or existing water dependent uses?
- (d) Operation of the State’s major ports?
- (e) Land or water uses within a small harbor area?
- (f) Stability of the shoreline?
- (g) Surface or groundwater quality?
- (h) Existing or potential public recreation opportunities?
- (i) Structures, sites or districts of historic, archaeological or cultural significance to the (city, town, village), State or nation?

3. Will the proposed action involve or result in any of the following:

- |   | <b><u>YES</u></b>        | <b><u>NO</u></b>         |
|---|--------------------------|--------------------------|
| (a) Physical alteration of land along the shoreline, land under water or coastal waters?  | <input type="checkbox"/> | <input type="checkbox"/> |
| (b) Physical alteration of two (2) acres or more of land located elsewhere in the coastal area?                                 | <input type="checkbox"/> | <input type="checkbox"/> |
| (c) Expansion of existing public services or infrastructure in undeveloped or low density areas of the coastal area?            | <input type="checkbox"/> | <input type="checkbox"/> |
| (d) Energy facility not subject to Article VII or VIII of the Public Service Law?   | <input type="checkbox"/> | <input type="checkbox"/> |
| (e) Mining, excavation, filling or dredging in coastal waters?  | <input type="checkbox"/> | <input type="checkbox"/> |
| (f) Reduction of existing or potential public access to, or along, the shore?   | <input type="checkbox"/> | <input type="checkbox"/> |
| (g) Sale or change in use of publicly-owned lands located on the shoreline or underwater?                                       | <input type="checkbox"/> | <input type="checkbox"/> |
| (h) Development within a designated flood or erosion hazard area?   | <input type="checkbox"/> | <input type="checkbox"/> |
| (i) Development on a beach, dune, barrier island or other natural feature that provides protection against flooding or erosion? | <input type="checkbox"/> | <input type="checkbox"/> |
| (j) Construction or reconstruction of erosion protective structures?  | <input type="checkbox"/> | <input type="checkbox"/> |
| (k) Diminished surface or groundwater quality?  | <input type="checkbox"/> | <input type="checkbox"/> |
| (l) Removal of ground cover from the site?  | <input type="checkbox"/> | <input type="checkbox"/> |

4. PROJECT

- |  | <b><u>YES</u></b>        | <b><u>NO</u></b>         |
|--|--------------------------|--------------------------|
| (a) If a project is to be located adjacent to shore: | <input type="checkbox"/> | <input type="checkbox"/> |

- (1) Will water-related recreation be provided? \_\_\_ \_\_\_
- (2) Will public access to the foreshore be provided? \_\_\_ \_\_\_
- (3) Does the project require a waterfront site? \_\_\_ \_\_\_
- (4) Will it supplant a recreational or maritime use? \_\_\_ \_\_\_
- (5) Do essential public services and facilities presently exist at or near the site? \_\_\_ \_\_\_
- (6) Is it located in a flood-prone area? \_\_\_ \_\_\_
- (7) Is it located in an area of high erosion? \_\_\_ \_\_\_
- (b) If the project site is publicly owned:
  - (1) Will the project protect, maintain and/or increase the level and types of public access to water-related recreation resources and facilities? \_\_\_ \_\_\_
  - (2) If located in the foreshore, will access to those and adjacent land be provided? \_\_\_ \_\_\_
  - (3) Will it involve the siting and construction of major energy facilities? \_\_\_ \_\_\_
  - (4) Will it involve the discharge of effluents from major steam electric generating and industrial facilities into coastal facilities? \_\_\_ \_\_\_
- (c) Is the project site presently used by the community neighborhood as an open space or recreation area? \_\_\_ \_\_\_
- (d) Does the present site offer or include scenic views or vistas that are known to be important to the community? \_\_\_ \_\_\_
- (e) Is the project site presently used for commercial fishing or fish processing? \_\_\_ \_\_\_
- (f) Will the surface area of any waterways or wetland areas be increased or decreased by the proposal? \_\_\_ \_\_\_
- (g) Does any mature forest (over 100 years old) or other locally important vegetation exist on the site which will be removed by the project? \_\_\_ \_\_\_
- (h) Will the project involve any waste discharges into coastal waters? \_\_\_ \_\_\_
- (i) Does the project involve surface or subsurface liquid waste disposal? \_\_\_ \_\_\_
- (j) Does the project involve transport, storage, treatment or disposal of solid waste or hazardous materials? \_\_\_ \_\_\_

- (k) Does the project involve shipment or storage of petroleum products? \_\_\_ \_\_\_
  
- (l) Does the project involve the discharge of toxics, hazardous substances or other pollutants into coastal waters? \_\_\_ \_\_\_
  
- (m) Does the project involve or change existing ice management practices? \_\_\_ \_\_\_
  
- (o) Will the project alter drainage flow, patterns or surface water runoff on or from the site? \_\_\_ \_\_\_
  
- (p) Will best management practices be utilized to control storm water runoff into coastal waters? \_\_\_ \_\_\_
  
- (q) Will the project utilize or affect the quality or quantity of sole source or surface water supplies? \_\_\_ \_\_\_
  
- (r) Will the project cause emissions that would exceed federal or State air quality standards or generate significant amounts of nitrates or sulfates? \_\_\_ \_\_\_

**D. REMARKS OR ADDITIONAL INFORMATION:**

(Add any additional sheets to complete this form.)

---

---

---

---

---

---

---

---

If assistance or further information is needed to complete this form, please contact the Alexandria Bay Village Clerk/Treasurer.

## Appendix B Significant Coastal Fish and Wildlife Habitats

### COASTAL FISH & WILDLIFE HABITAT RATING FORM

---

Name of Area: **Goose Bay and Cranberry Creek**

Designated: **August 15, 1993**

County(ies): **Jefferson**

Town(s): **Alexandria**

7½' Quadrangle(s): **Chippewa Bay, NY; Redwood, NY; Alexandria Bay, NY**

---

<u>Score</u>	<u>Criterion</u>
64	Ecosystem Rarity (ER) One of the largest, shallow, riverine bay and wetland ecosystems on the St. Lawrence River; subject to minimal disturbance; rare in New York State.
42	Species Vulnerability (SV) Blanding's turtle (T) reside in the area; also northern harrier (T) and least bittern (SC) nesting. Additive division: $25 + 25/2 + 16/4 = 42$ .
12	Human Use (HU) A major recreational fishing area in the Thousand Islands Region; also an important waterfowl hunting and muskrat trapping area in Jefferson County. Additive division: $9 + 4/2 + 4/4 = 12$ .
9	Population Level (PL) One of the major concentration areas for migratory birds, including waterfowl, in the St. Lawrence Plains ecological region; also a major warmwater fisheries production area in the ecological region.
1.2	Replaceability (R) Irreplaceable

---

SIGNIFICANCE VALUE = [( ER + SV + HU + PL ) X R] = **152**

## **DESIGNATED HABITAT: GOOSE BAY AND CRANBERRY CREEK**

### **HABITAT DESCRIPTION:**

Goose Bay and Cranberry Creek are located along the middle St. Lawrence River, approximately three miles northeast of the Village of Alexandria Bay, in the Town of Alexandria, Jefferson County (7.5' Quadrangles: Chippewa Bay, NY; Alexandria Bay, NY; and Redwood, NY). The fish and wildlife habitat encompasses approximately 2,000 acres, including the open waters of Goose Bay, the lower one and one-quarter miles of Cranberry Creek (up to Swan Hollow Road), and extensive wetland areas which are an integral part of these aquatic ecosystems. Goose Bay is a very large, shallow (generally less than 6 feet deep below mean low water), sheltered bay on the mainland shore of the St. Lawrence River. Beds of submergent aquatic vegetation occur throughout the bay, which has a bottom of soft mud and organic matter. Goose Bay contains islands of various sizes which shelter much of the area from prevailing winds and wave action.

Cranberry Creek is a sizeable, low gradient, warmwater stream, which empties into the south end of Goose Bay. The drainage area of the creek is small, and little flow is discernible during the summer. Above N.Y.S. Route 12, the creek flows through an emergent marsh (predominantly cattail) covering approximately 130 acres.

Other major wetland areas associated with Goose Bay include: the mouth of Cranberry Creek; Point Marguerite Marsh, an approximate 90 acre emergent wetland located west of Island Number 9; and, North Goose Bay Marsh (also known as Kring Point Road Marsh), an approximate 300 acre area at the northeastern end of Goose Bay. The latter area has a diverse mixture of wetland and upland plant communities. Water levels throughout Goose Bay and Cranberry Creek are generally continuous with those of the St. Lawrence River, although fluctuations in the creek may be affected by a small water control structure at Route 12. Except for a small State-owned parcel (Cranberry Creek Wildlife Management Area), the entire area is privately owned, and remains in a relatively undisturbed condition.

Surrounding uplands are shallow to bedrock and predominantly forested. Cottage developments have avoided most of the wetland sites and are concentrated only at the hamlet of Goose Bay. Habitat disturbances are generally limited to the presence of road crossings, use of motorboats in the area, sewage discharges from adjacent residences, and the occurrence of an oil spill in the vicinity in 1976.

### **FISH AND WILDLIFE VALUES:**

Goose Bay and Cranberry Creek comprise one of the most important coastal freshwater wetland complexes in New York State. Goose Bay is the second largest bay along the New York shoreline of the St. Lawrence River, and the extensive wetlands around its periphery are among the most significant in the region. Goose Bay and Cranberry Creek remain in an unusual state of preservation, and have a high degree of interspersed wetland communities, productive littoral zones, and uplands. Consequently, this area supports large concentrations of many fish and wildlife species, and provides outstanding opportunities for human use of these resources.

Goose Bay and Cranberry Creek are a major concentration area for migratory birds. Extensive wetlands and undisturbed shorelines throughout this area serve as productive nesting habitats for a variety of waterfowl and other marsh birds, including pied-billed grebe, green heron, American bittern, least bittern (SC), mallard, American black duck, blue-winged teal, wood duck, Canada goose, northern harrier (T), Virginia rail, sora, common gallinule, belted kingfisher, marsh wren, red-winged blackbird, and swamp sparrow. Substantial numbers of dabbling ducks use the area for breeding and post-breeding activities. The marshes and shallows are important feeding areas for great blue herons nesting on nearby Ironsides Island, and for common terns (T) nesting in the vicinity. Concentrations of waterfowl, herons, raptors, and shorebirds also use the area for feeding and resting during spring and fall migrations. This area is one of about five principal water areas on the St. Lawrence River used by dabbling ducks during migration.

A diversity of non-avian wildlife species also occur in Goose Bay and Cranberry Creek. Species inhabiting the area include furbearers, such as raccoon, mink, beaver, and muskrat, various species of frogs, northern water snake, snapping turtle, painted turtle, and possibly spotted salamander (SC). Goose Bay and Cranberry Creek are especially significant as a documented concentration area for Blanding's turtle (T), one of only two such areas in New York's portion of the St. Lawrence River. These turtles have been captured or observed at several locations in the area, ranging from the northeastern end of North Goose Bay Marsh, to upper Cranberry Creek, above N.Y.S. Route 12.

Goose Bay and Cranberry Creek are extremely valuable as fish spawning and nursery habitats. These areas comprise one of the most productive fisheries habitats along the St. Lawrence River, especially for northern pike, brown bullhead, largemouth bass, white sucker, redbfin pickerel, and a variety of panfish, such as pumpkinseed, rock bass, bluegill, and black crappie. Muskellunge may also spawn in the bay, but this has not been confirmed. Cranberry Creek Marsh has all the characteristics of a good production area for northern pike, including flooded shallow areas, a population of fathead minnows (an important prey species), and dead and decaying plant material on the stream bottom. Spawning by most species is concentrated in shoreline areas and in lower Cranberry Creek, but the entire Goose Bay area is used as nursery and feeding habitat.

The abundance and diversity of fish and wildlife species in Goose Bay and Cranberry Creek provide substantial opportunities for various human uses of the area. Access to the bay and wetlands for recreational uses is available from several locations, including Kring Point State Park, the hamlet of Goose Bay, road crossings, and Cranberry Creek Wildlife Management Area (located along Swan Hollow Road). Recreational fishing attracts the greatest number of visitors to the area. Goose Bay is one of the most popular fishing areas in the Thousand Islands region, because of its productive fisheries for bass, pike, bullhead, and panfish. Fishing pressure is concentrated in Goose Bay proper (including the mouth of Cranberry Creek), and continues throughout the year as a result of the high quality ice fishery in the area. Waterfowl hunting, trapping, and informal nature study attract a significant number of Jefferson County residents to the area, with considerable use above and below N.Y.S. Route 12.

## IMPACT ASSESSMENT:

A **habitat impairment test** must be applied to any activity that is subject to consistency review under federal and State laws, or under applicable local laws contained in an approved local waterfront revitalization program. If the proposed action is subject to consistency review, then the habitat protection policy applies, whether the proposed action is to occur within or outside the designated area.

The specific **habitat impairment test** is as follows.

In order to protect and preserve a significant habitat, land and water uses or development shall not be undertaken if such actions would:

- ! destroy the habitat; or,
- ! significantly impair the viability of a habitat.

*Habitat destruction* is defined as the loss of fish or wildlife use through direct physical alteration, disturbance, or pollution of a designated area or through the indirect effects of these actions on a designated area. Habitat destruction may be indicated by changes in vegetation, substrate, or hydrology, or increases in runoff, erosion, sedimentation, or pollutants.

*Significant impairment* is defined as reduction in vital resources (e.g., food, shelter, living space) or change in environmental conditions (e.g., temperature, substrate, salinity) beyond the tolerance range of an organism. Indicators of a significantly impaired habitat focus on ecological alterations and may include but are not limited to reduced carrying capacity, changes in community structure (food chain relationships, species diversity), reduced productivity and/or increased incidence of disease and mortality.

The *tolerance range* of an organism is not defined as the physiological range of conditions beyond which a species will not survive at all, but as the ecological range of conditions that supports the species population or has the potential to support a restored population, where practical. Either the loss of individuals through an increase in emigration or an increase in death rate indicates that the tolerance range of an organism has been exceeded. An abrupt increase in death rate may occur as an environmental factor falls beyond a tolerance limit (a range has both upper and lower limits). Many environmental factors, however, do not have a sharply defined tolerance limit, but produce increasing emigration or death rates with increasing departure from conditions that are optimal for the species.

The range of parameters which should be considered in applying the habitat impairment test include but are not limited to the following:

1. physical parameters such as living space, circulation, flushing rates, tidal amplitude, turbidity, water temperature, depth (including loss of littoral zone), morphology, substrate type, vegetation, structure, erosion and sedimentation rates;

2. biological parameters such as community structure, food chain relationships, species diversity, predator/prey relationships, population size, mortality rates, reproductive rates, meristic features, behavioral patterns and migratory patterns; and,
3. chemical parameters such as dissolved oxygen, carbon dioxide, acidity, dissolved solids, nutrients, organics, salinity, and pollutants (heavy metals, toxics and hazardous materials).

Although not comprehensive, examples of generic activities and impacts which could destroy or significantly impair the habitat are listed below to assist in applying the habitat impairment test to a proposed activity.

Any activity that would substantially degrade water quality, increase turbidity or sedimentation, reduce water levels, alter flows, or increase water level fluctuations in Goose Bay or Cranberry Creek could adversely affect the biological productivity of this unique area. Discharges of sewage or stormwater runoff containing sediments or chemical pollutants (including fertilizers, herbicides, or insecticides) may result in significant impacts on fish and wildlife resources of the area. Spills of oil or other hazardous substances are a potentially serious threat to fish and wildlife in Goose Bay and Cranberry Creek, and every effort should be made to prevent such contamination. Elimination or disturbance of wetland habitats, including submergent aquatic vegetation, through dredging, filling, construction of roads, or shoreline property development, would result in a direct loss of valuable habitat area. Activities that would subdivide or cause significant human encroachment into sizeable wetland areas should not be allowed. Development of motorboat access to the area should be confined to existing sites to minimize potential disturbance of fish and wildlife species that may be adversely affected by human activities. Habitat disturbances would be especially detrimental during fish spawning and nursery periods (March - July for most warmwater species) and wildlife breeding seasons (April - July for most species). However, habitat management activities, such as water level management or creation of turtle nesting areas, may be designed to maintain or enhance populations of certain fish or wildlife species. Barriers to fish migration in Cranberry Creek, whether physical or chemical, would have significant effects on fish populations throughout the Goose Bay area. Existing areas of natural vegetation bordering Goose Bay and Cranberry Creek should be maintained for their value as cover for wildlife, perching sites, and buffer zones.

## **KNOWLEDGEABLE CONTACTS:**

Greg Capobianco or Tom Hart  
NYS Department of State  
Division of Coastal Resources &  
Waterfront Revitalization  
162 Washington Avenue  
Albany, NY 12231  
Phone: (518) 474-6000

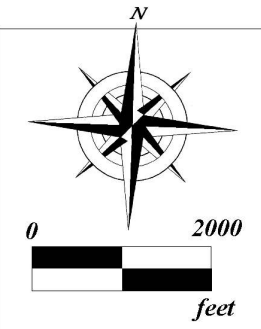
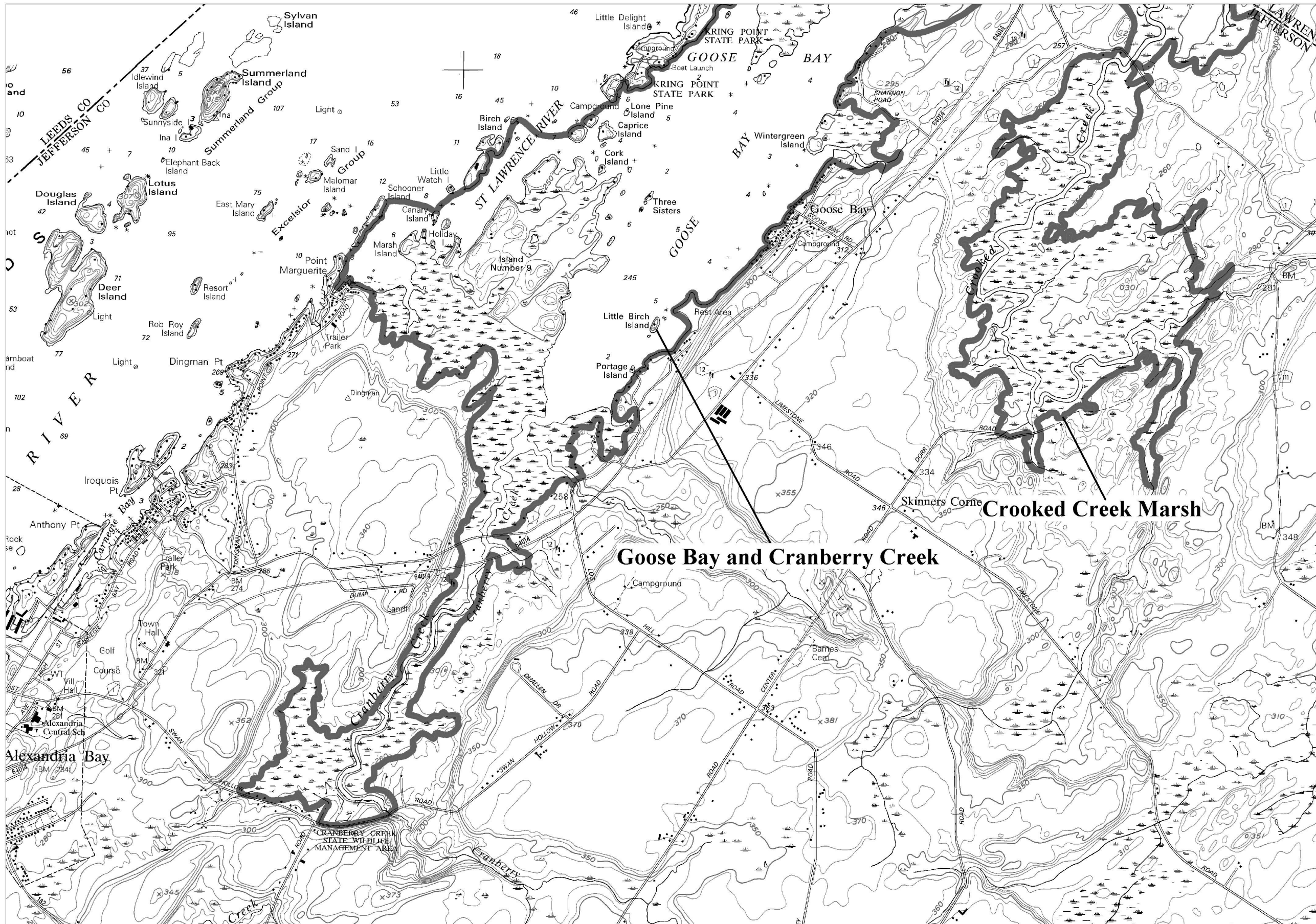
NYSDEC Latham Wildlife Resources Center  
NY Natural Heritage Program or  
John Ozard, Senior Wildlife Biologist  
700 Troy-Schenectady Road  
Latham, NY 12110  
Phone: (518) 783-3932

Dennis Faulknham, Wildlife Manager  
or Al Schiavone, Fisheries Manager  
or Len Ollivett, Environmental Protection Biologist  
NYSDEC - Region 6  
317 Washington Street  
Watertown, NY 13601  
Phone: (315) 785-2513

Jerry LeTendre, Supervising Aquatic Biologist  
NYSDEC - Lake Ontario Fisheries Unit  
Box 292  
Cape Vincent, NY 13618  
Phone: (315) 654-2147

Gerry Smith  
RR #1 Box 120G  
Barnes Corners, NY 13626  
Phone: (315) 688-2664

Tom Cutter, Coastal Development Specialist III  
St. Lawrence - Eastern Ontario Commission  
317 Washington Street  
Watertown, NY 13601  
Phone: (315) 785-2460

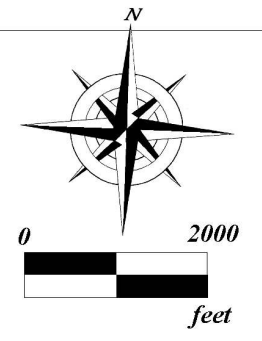
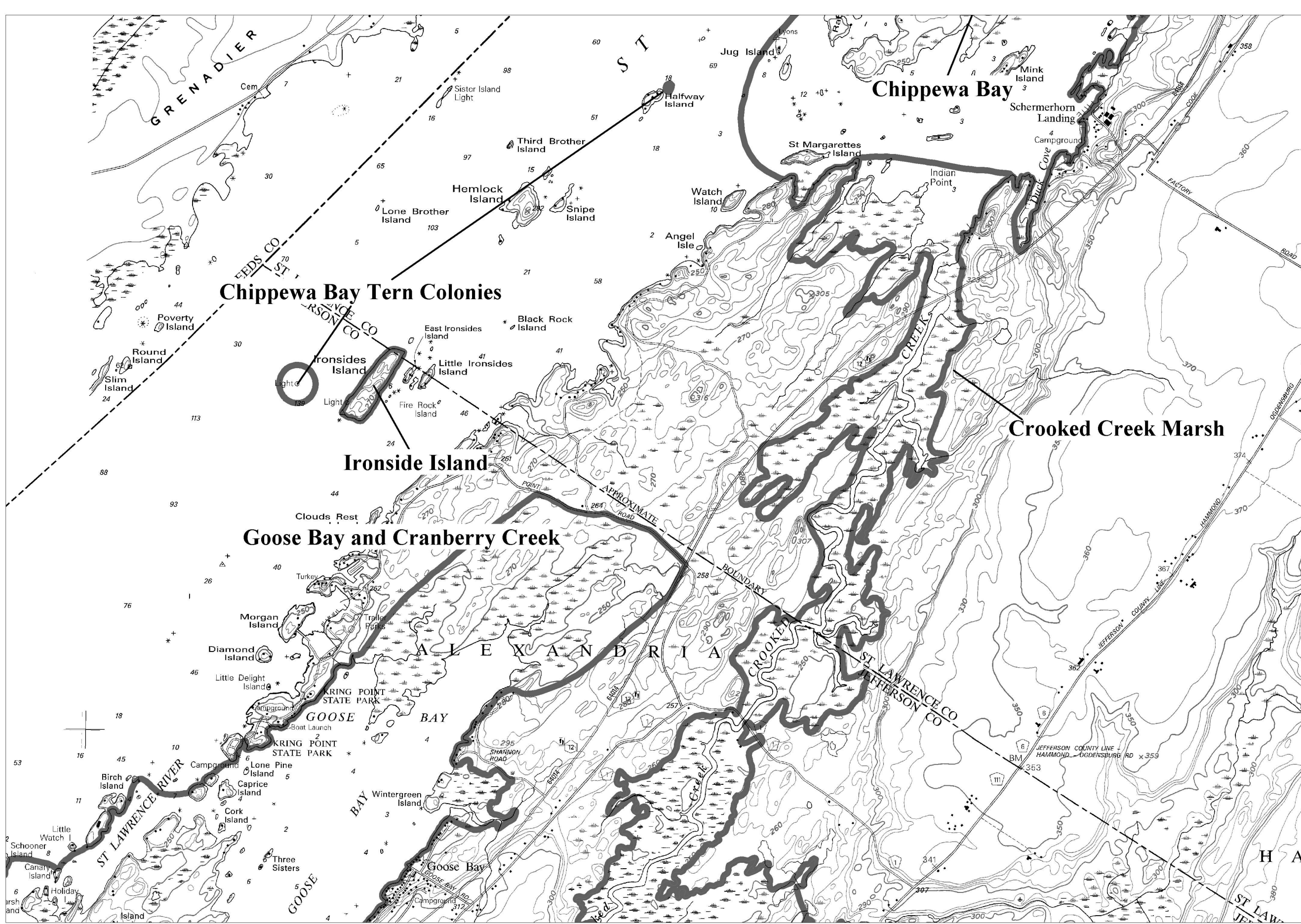


**Significant Coastal Fish and Wildlife Habitats**

Crooked Creek Marsh (In Part)  
 Goose Bay and Cranberry Creek (In Part)  
 Part 1 of 2

New York State  
 Department of State  
 Division of  
 Coastal Resources





**Significant Coastal Fish and Wildlife Habitats**

- Crooked Creek Marsh (In part)
- Chippewa Bay Tern Colonies (In Part)
- Goose Bay and Cranberry Creek (In Part)
- Chippewa Bay (In Part)
- Ironside Island



## COASTAL FISH & WILDLIFE HABITAT RATING FORM

---

Name of Area: **Crooked Creek Marsh**  
Designated: **August 15, 1993 (Jefferson Co.) May 15, 1994 (St. Lawrence Co.)**  
County(ies): **Jefferson; St. Lawrence**  
Town(s): **Alexandria; Hammond**  
7½' Quadrangle(s): **Redwood, NY; Chippewa Bay, NY**

---

**Score      Criterion**

- 25**      Ecosystem Rarity (ER)  
One of the four largest, undeveloped, coastal streamside wetlands on the St. Lawrence River; rare in the St. Lawrence Plains ecological region.
- 41**      Species Vulnerability (SV)  
Northern harrier (T) and least bittern (SC) nesting. Common tern (T) feeding area. Additive division:  $25 + 25/2 + 16/4 = 41$ .
- 7**      Human Use (HU)  
Waterfowl hunting, recreational sportfishing, and muskrat trapping are of county level significance. Additive division:  $4 + 4/2 + 4/4 = 7$ .
- 9**      Population Level (PL)  
This area is a major producer of northern pike and panfish in the St. Lawrence Plains ecological region.
- 1.2**      Replaceability (R)  
Irreplaceable.

---

SIGNIFICANCE VALUE =  $[(ER + SV + HU + PL) \times R] = 98$

## **DESIGNATED HABITAT: CROOKED CREEK MARSH**

### **HABITAT DESCRIPTION:**

Crooked Creek is a tributary of the mid St. Lawrence River, located in the Town of Alexandria, Jefferson County, and the Town of Hammond, St. Lawrence County (7.5' Quadrangles: Chippewa Bay, N.Y.; and Redwood, N.Y.). The fish and wildlife habitat extends inland approximately five miles from the south end of Chippewa Bay, encompassing an approximate 1,250 acre streamside wetland and some adjacent uplands. Crooked Creek is a sizeable warmwater stream, with a broad floodplain occupied by extensive emergent marsh communities (predominantly cattail).

The drainage area of Crooked Creek is relatively small, and little flow is discernible during the summer. Maximum water depths of approximately 10 feet occur in the lower creek channel. Water levels throughout the area are generally continuous with those of the St. Lawrence River. Flushing action in Crooked Creek may be affected by the narrow channel opening under N.Y.S. Route 12. All of Crooked Creek Marsh, including the mouth area at Chippewa Bay, is privately owned, and has been subject to minimal habitat disturbance. Upland areas bordering the marsh consist almost entirely of undeveloped forestland. Human influences on Crooked Creek Marsh are limited to the presence of two road crossings and some seasonal residences.

### **FISH AND WILDLIFE VALUES:**

Crooked Creek Marsh can be distinguished as the least disturbed of four very large, undeveloped, streamside wetland ecosystems along the St. Lawrence River. This extensive marsh has a high degree of interspersion of wetland vegetation, open water, and uplands, creating favorable conditions for many fish and wildlife species. Crooked Creek Marsh is a very productive nesting area for waterfowl and other marsh birds, including pied-billed grebe, American bittern, least bittern (SC), mallard, American black duck, blue-winged teal, wood duck, gadwall, northern harrier (T), Virginia rail, sora, common gallinule, belted kingfisher, marsh wren, red-winged blackbird, and swamp sparrow. Black tern (SC) have been observed in the area, but breeding has not been confirmed. Great blue heron, green-backed heron, black-crowned night heron, and common tern (T) often feed in the area during the breeding season. Osprey (T) have also been observed feeding here, but the extent of use by this species is not well documented. Crooked Creek Marsh is one of about ten principal areas on the St. Lawrence River that are used by concentrations of waterfowl (dabbling ducks, primarily) for feeding and resting during spring and fall migrations. Several hundred ducks have been observed in the marsh in some years. Records exist for Blanding's turtle (T) in the area, but there has been no recent confirmation of this species in Crooked Creek Marsh. Other wildlife species inhabiting the area include white-tailed deer, mink, raccoon, beaver, muskrat, various frogs, mudpuppy, northern water snake, snapping turtle, and painted turtle.

Extensive beds of submergent and emergent aquatic vegetation in Crooked Creek Marsh serve as valuable fish spawning and nursery habitats. The area is used extensively for spawning by a variety of warmwater fish species. Crooked Creek is considered one of the most productive fisheries habitats along the St. Lawrence River, especially for northern pike, brown bullhead, largemouth bass, white sucker, redbfin pickerel, and a variety of panfish, such as pumpkinseed, rock bass, and black crappie.

The abundance and diversity of fish and wildlife species in Crooked Creek Marsh provide potential opportunities for various human uses of the area. Road crossings provide sufficient access to support considerable recreational fishing pressure in the area, especially for black crappie and bullhead, attracting anglers from throughout the Thousand Islands region of New York. Fisheries production in Crooked Creek Marsh also contributes significantly to the year-round recreational fishing activity in Chippewa Bay. In addition, the marsh is a significant waterfowl hunting and muskrat trapping area for residents from Jefferson and St. Lawrence Counties.

#### IMPACT ASSESSMENT:

A **habitat impairment test** must be applied to any activity that is subject to consistency review under federal and State laws, or under applicable local laws contained in an approved local waterfront revitalization program. If the proposed action is subject to consistency review, then the habitat protection policy applies, whether the proposed action is to occur within or outside the designated area.

The specific **habitat impairment test** is as follows.

In order to protect and preserve a significant habitat, land and water uses or development shall not be undertaken if such actions would:

- ! destroy the habitat; or,
- ! significantly impair the viability of a habitat.

*Habitat destruction* is defined as the loss of fish or wildlife use through direct physical alteration, disturbance, or pollution of a designated area or through the indirect effects of these actions on a designated area. Habitat destruction may be indicated by changes in vegetation, substrate, or hydrology, or increases in runoff, erosion, sedimentation, or pollutants.

*Significant impairment* is defined as reduction in vital resources (e.g., food, shelter, living space) or change in environmental conditions (e.g., temperature, substrate, salinity) beyond the tolerance range of an organism. Indicators of a significantly impaired habitat focus on ecological alterations and may include but are not limited to reduced carrying capacity, changes in community structure (food chain relationships, species diversity), reduced productivity and/or increased incidence of disease and mortality.

The *tolerance range* of an organism is not defined as the physiological range of conditions beyond which a species will not survive at all, but as the ecological range of conditions that supports the species population or has the potential to support a restored population, where practical. Either the loss of individuals through an increase in emigration or an increase in death rate indicates that the tolerance range of an organism has been exceeded. An abrupt increase in death rate may occur as an environmental factor falls beyond a tolerance limit (a range has both upper and lower limits). Many environmental factors, however, do not have a sharply defined tolerance limit, but produce increasing emigration or death rates with increasing departure from conditions that are optimal for the species.

The range of parameters which should be considered in applying the habitat impairment test include but are not limited to the following:

1. physical parameters such as living space, circulation, flushing rates, tidal amplitude, turbidity, water temperature, depth (including loss of littoral zone), morphology, substrate type, vegetation, structure, erosion and sedimentation rates;
2. biological parameters such as community structure, food chain relationships, species diversity, predator/prey relationships, population size, mortality rates, reproductive rates, meristic features, behavioral patterns and migratory patterns; and,
3. chemical parameters such as dissolved oxygen, carbon dioxide, acidity, dissolved solids, nutrients, organics, salinity, and pollutants (heavy metals, toxics and hazardous materials).

Although not comprehensive, examples of generic activities and impacts which could destroy or significantly impair the habitat are listed below to assist in applying the habitat impairment test to a proposed activity.

Any activity that would substantially degrade water quality, increase turbidity or sedimentation, reduce or increase water levels, alter flows, or increase water level fluctuations in Crooked Creek Marsh could adversely affect a variety of fish and wildlife species. Discharges of sewage or stormwater runoff containing sediments or chemical pollutants (including fertilizers, herbicides, or insecticides) may result in adverse impacts on fish and wildlife resources of the area. Spills of oil or other hazardous substances are a potentially serious threat to fish and wildlife in Crooked Creek Marsh, and every effort should be made to prevent such contamination.

Elimination of wetland habitats, or significant human encroachment into the area, through dredging, filling, construction of roads, or motorboat access development, could severely reduce its value to fish and wildlife. Channelization would reduce stream channel diversity, and result in a direct loss of valuable habitat area. However, habitat management activities may be designed to maintain or enhance populations of certain fish or wildlife species. Any significant disturbance of Crooked Creek would be especially detrimental during fish spawning and nursery periods (March - July for most warmwater species) and wildlife breeding seasons (April - July for most species). Barriers to fish migration in the creek, whether physical or chemical, could have significant impacts on fish populations within the marsh, and in Chippewa Bay. Existing areas of natural vegetation bordering Crooked Creek Marsh should be maintained for their value as cover for wildlife, and as buffer zones from human disturbance.

## **KNOWLEDGEABLE CONTACTS:**

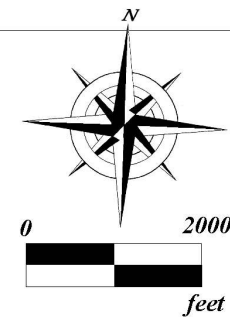
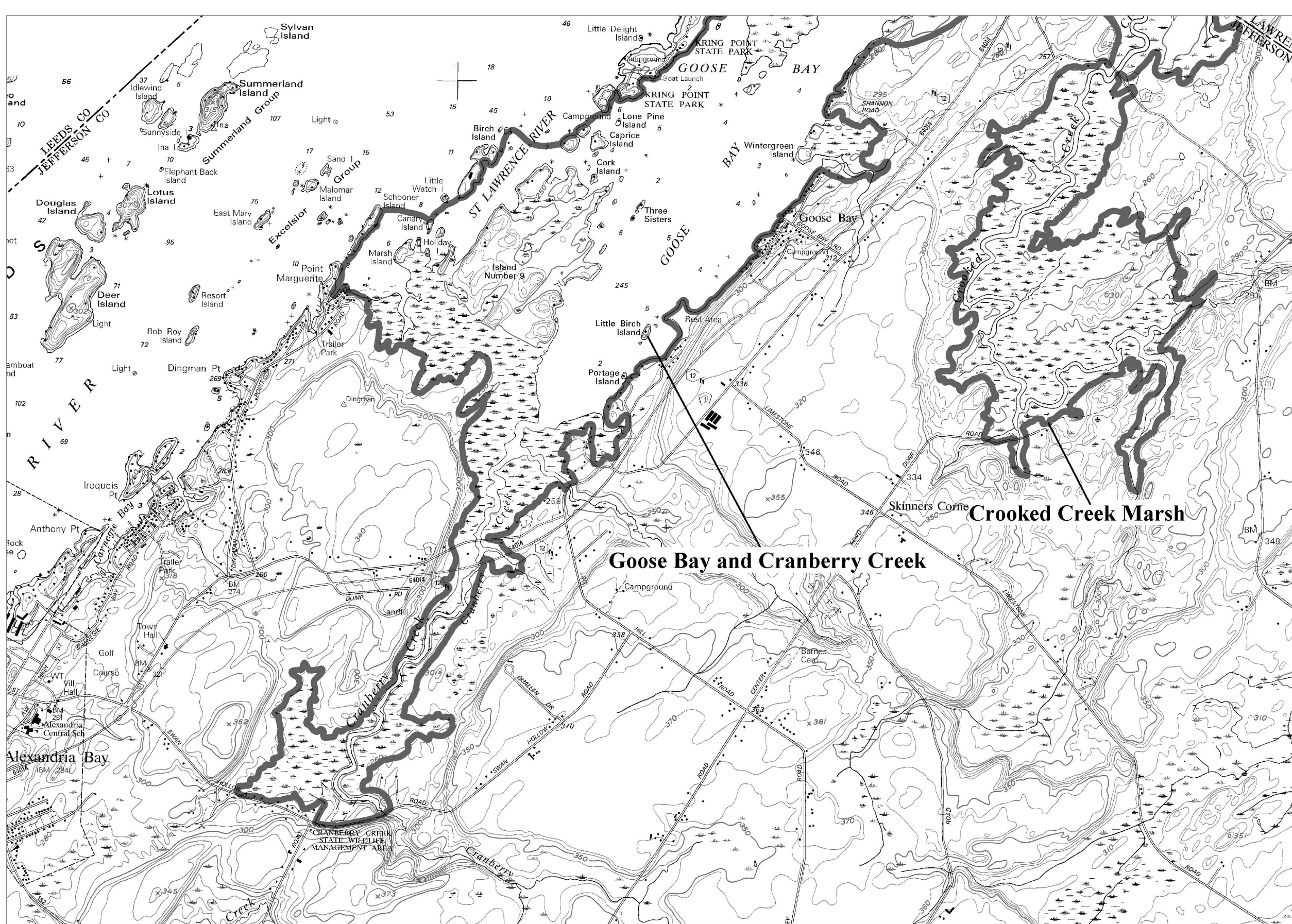
Greg Capobianco or Tom Hart  
NYS Department of State  
Division of Coastal Resources &  
Waterfront Revitalization  
162 Washington Avenue  
Albany, NY 12231  
Phone: (518) 474-6000

NYSDEC Latham Wildlife Resources Center  
NY Natural Heritage Program or  
John Ozard, Senior Wildlife Biologist  
700 Troy-Schenectady Road  
Latham, NY 12110  
Phone: (518) 783-3932

Dennis Faulknham, Wildlife Manager  
or Al Schiavone, Fisheries Manager  
or Len Ollivett, Environmental Protection Biologist  
NYSDEC - Region 6  
317 Washington Street  
Watertown, NY 13601  
Phone: (315) 785-2513

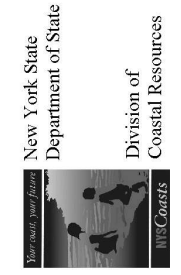
Gerry Smith  
Nature Conservancy Land Steward  
RR #1 Box 120G  
Barnes Corners, NY 13626  
Phone: (315) 688-2664

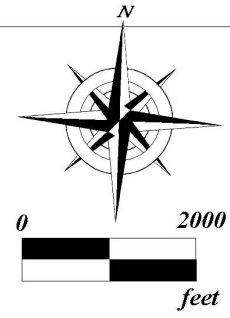
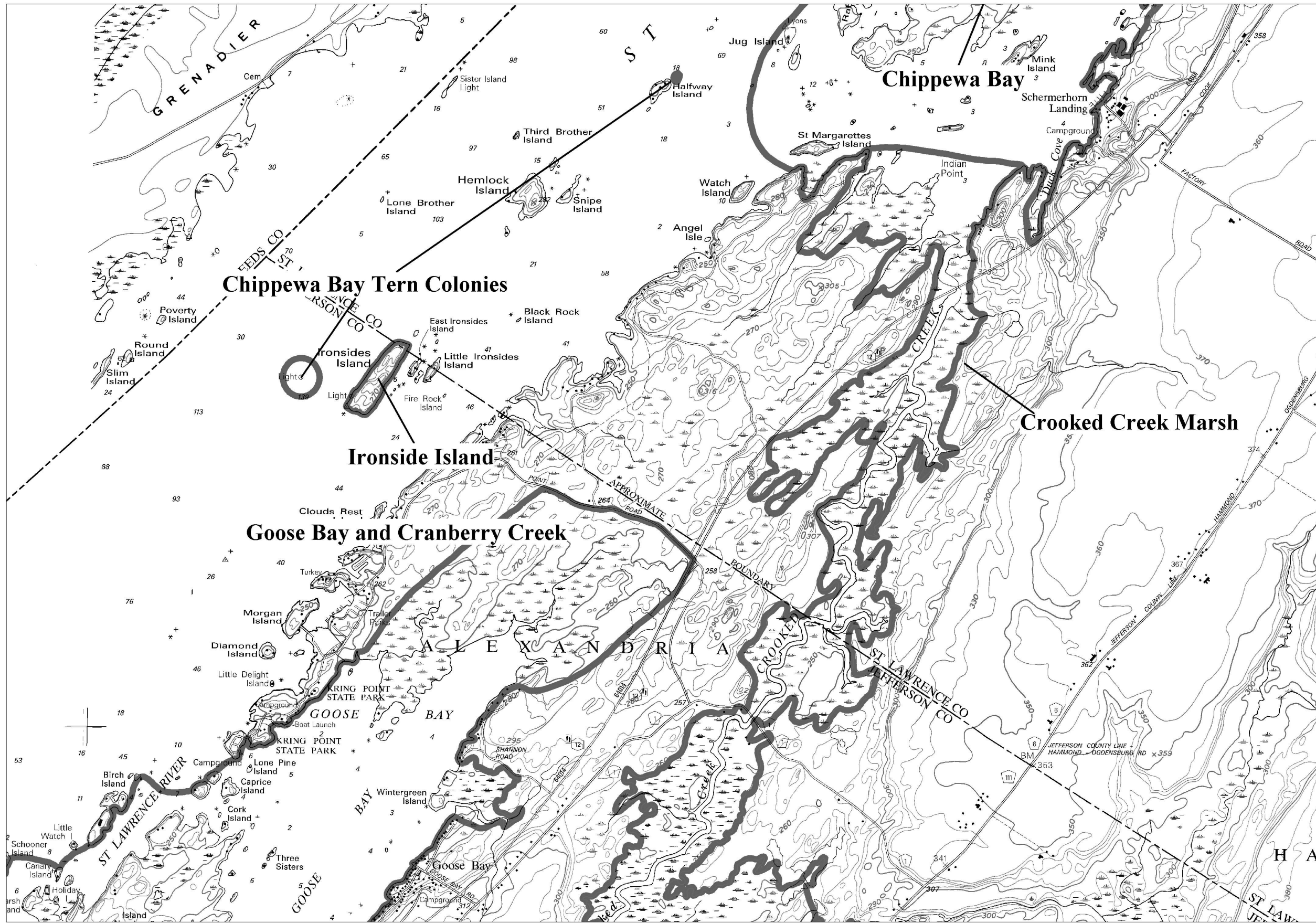
Tom Cutter, Coastal Development Specialist III  
St. Lawrence - Eastern Ontario Commission  
317 Washington Street  
Watertown, NY 13601  
Phone: (315) 785-2460



**Significant Coastal Fish and Wildlife Habitats**

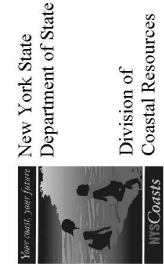
Crooked Creek Marsh (In Part)  
 Goose Bay and Cranberry Creek (In Part)  
 Part 1 of 2





**Significant Coastal Fish and Wildlife Habitats**

- Crooked Creek Marsh (In part)
- Goose Bay and Cranberry Creek (In part)
- Part 2 of 2
- Ironside Island
- Chippewa Bay Tern Colonies (In Part)
- Chippewa Bay (In Part)



COASTAL FISH & WILDLIFE HABITAT RATING FORM

---

Name of Area: **Wellesley Island Pools**  
Designated: **Draft Only 1993**  
County(ies): **Jefferson**  
Town(s): **Orleans; Alexandria**  
7½' Quadrangle(s): **Thousand Island Park, NY; Alexanrdia Bay, NY**

---

**Score**    **Criterion**

- 25**      Ecosystem Rarity (ER)  
            Relatively large, open water pools present year-round; one of four similar open water areas on the St. Lawrence River; rare in ecological region.
- 36**      Species Vulnerability (SV)  
            Bald eagle (E) wintering area.
- 0**        Human Use (HU)  
            No significant fish or wildlife related human uses of the area.
- 9**        Population Level (PL)  
            The only major bald eagle wintering area in the Great Lake Plains ecological region.
- 1.2**     Replaceability (R)  
            Irreplaceable.

---

SIGNIFICANCE VALUE = [( ER + SV + HU + PL ) X R] = **84**

## **DESIGNATED HABITAT: WELLESLEY ISLAND POOLS**

### **HABITAT DESCRIPTION:**

Wellesley Island Pools is located in the upper-St. Lawrence River narrows between the mainland and Wellesley Island, approximately two and one-half miles southwest of the Village of Alexandria Bay, in the Towns of Orleans and Alexandria, Jefferson County (7.5' Quadrangles: Thousand Island Park, NY; Alexandria Bay, NY). The fish and wildlife habitat is an approximate 1000 acre area of the main river channel that remains partially open (i.e., ice-free) throughout the winter. The pools are quite consistent in presence and extent during most winters. The St. Lawrence River is generally more than 20 feet deep and narrow at this location, resulting in strong currents and considerable turbulence. Bottom substrates are rocky, and have minimal vegetative cover. Wellesley Island, located just north of the habitat and situated in the center of the Thousand Islands region, is a large island, with some mature woody vegetation.

### **FISH AND WILDLIFE VALUES:**

Wellesley Island Pools is an area containing relatively large, open water pools during the winter ice-in season. The presence of such open water areas is uncommon on the St. Lawrence, providing an unusual ecosystem type. During much of the year, fish and wildlife use of the area is not significantly different than elsewhere in the river. However, during the winter months (December - March), the pools attract major concentrations of migratory birds. Of particular significance is the presence of wintering bald eagles (E) in the area. Apparently, fish concentrations are available near the river surface, and because this area rarely freezes, it provides a dependable prey base for these birds. Bald eagles have been reported in the area for several years.

Wellesley Island provides some roosting sites for the eagles, however, specific roosting locations or trees are not well documented. Roosting habitat typically includes large mature trees, which are not particularly abundant in the area. Although roosting occurs over a broad area, mature trees should be protected for roosting values and woodland management policies which promote growth of mature tree stands should be encouraged.

Wellesley Island Pools also harbors substantial concentrations of waterbirds, waterfowl, and gulls during most winters. Waterfowl species include mergansers and common goldeneye with lesser numbers of mallard and American black duck. There are no known significant human uses associated with the wildlife resources of this area.

### **IMPACT ASSESSMENT:**

A **habitat impairment test** must be applied to any activity that is subject to consistency review under federal and State laws, or under applicable local laws contained in an approved local waterfront revitalization program. If the proposed action is subject to consistency review, then the habitat protection policy applies, whether the proposed action is to occur within or outside the designated area.

The specific **habitat impairment test** is as follows.

In order to protect and preserve a significant habitat, land and water uses or development shall not be undertaken if such actions would:

- ! destroy the habitat; or,
- ! significantly impair the viability of a habitat.

*Habitat destruction* is defined as the loss of fish or wildlife use through direct physical alteration, disturbance, or pollution of a designated area or through the indirect effects of these actions on a designated area. Habitat destruction may be indicated by changes in vegetation, substrate, or hydrology, or increases in runoff, erosion, sedimentation, or pollutants.

*Significant impairment* is defined as reduction in vital resources (e.g., food, shelter, living space) or change in environmental conditions (e.g., temperature, substrate, salinity) beyond the tolerance range of an organism. Indicators of a significantly impaired habitat focus on ecological alterations and may include but are not limited to reduced carrying capacity, changes in community structure (food chain relationships, species diversity), reduced productivity and/or increased incidence of disease and mortality.

The *tolerance range* of an organism is not defined as the physiological range of conditions beyond which a species will not survive at all, but as the ecological range of conditions that supports the species population or has the potential to support a restored population, where practical. Either the loss of individuals through an increase in emigration or an increase in death rate indicates that the tolerance range of an organism has been exceeded. An abrupt increase in death rate may occur as an environmental factor falls beyond a tolerance limit (a range has both upper and lower limits). Many environmental factors, however, do not have a sharply defined tolerance limit, but produce increasing emigration or death rates with increasing departure from conditions that are optimal for the species.

The range of parameters which should be considered in applying the habitat impairment test include but are not limited to the following:

1. physical parameters such as living space, circulation, flushing rates, tidal amplitude, turbidity, water temperature, depth (including loss of littoral zone), morphology, substrate type, vegetation, structure, erosion and sedimentation rates;
2. biological parameters such as community structure, food chain relationships, species diversity, predator/prey relationships, population size, mortality rates, reproductive rates, meristic features, behavioral patterns and migratory patterns; and,
3. chemical parameters such as dissolved oxygen, carbon dioxide, acidity, dissolved solids, nutrients, organics, salinity, and pollutants (heavy metals, toxics and hazardous materials).

Although not comprehensive, examples of generic activities and impacts which could destroy or significantly impair the habitat are listed below to assist in applying the habitat impairment test to a proposed activity.

Any activity that would substantially degrade water quality, alter river flows or ice formation, or increase human disturbance during winter months at Wellesley Island Pools could adversely affect fish and wildlife use of this area. Winter navigation use of the St. Lawrence Seaway could be an especially serious threat to the area, as a result of flow diversion, shipping traffic in the vicinity, and increased risk of oil spills or other hazardous substances. Hydroelectric water level management for formation of stable pack ice may benefit this area by enhancing open water. Alteration of water level management should consider impacts on open water formation. Major physical alteration to the river channel could enhance ice formation and impact critical wildlife feeding areas. Removal of large mature trees would further reduce available roosting habitat which is already limited near the river. Introduction of toxic chemicals from upstream sources may also affect bird populations using these pools. Thermal discharges, depending on time of year, may have variable effects on use of the area by aquatic species and migratory birds. Human disturbances around Wellesley Island Pools should be minimized from December through March.

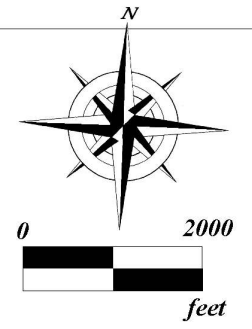
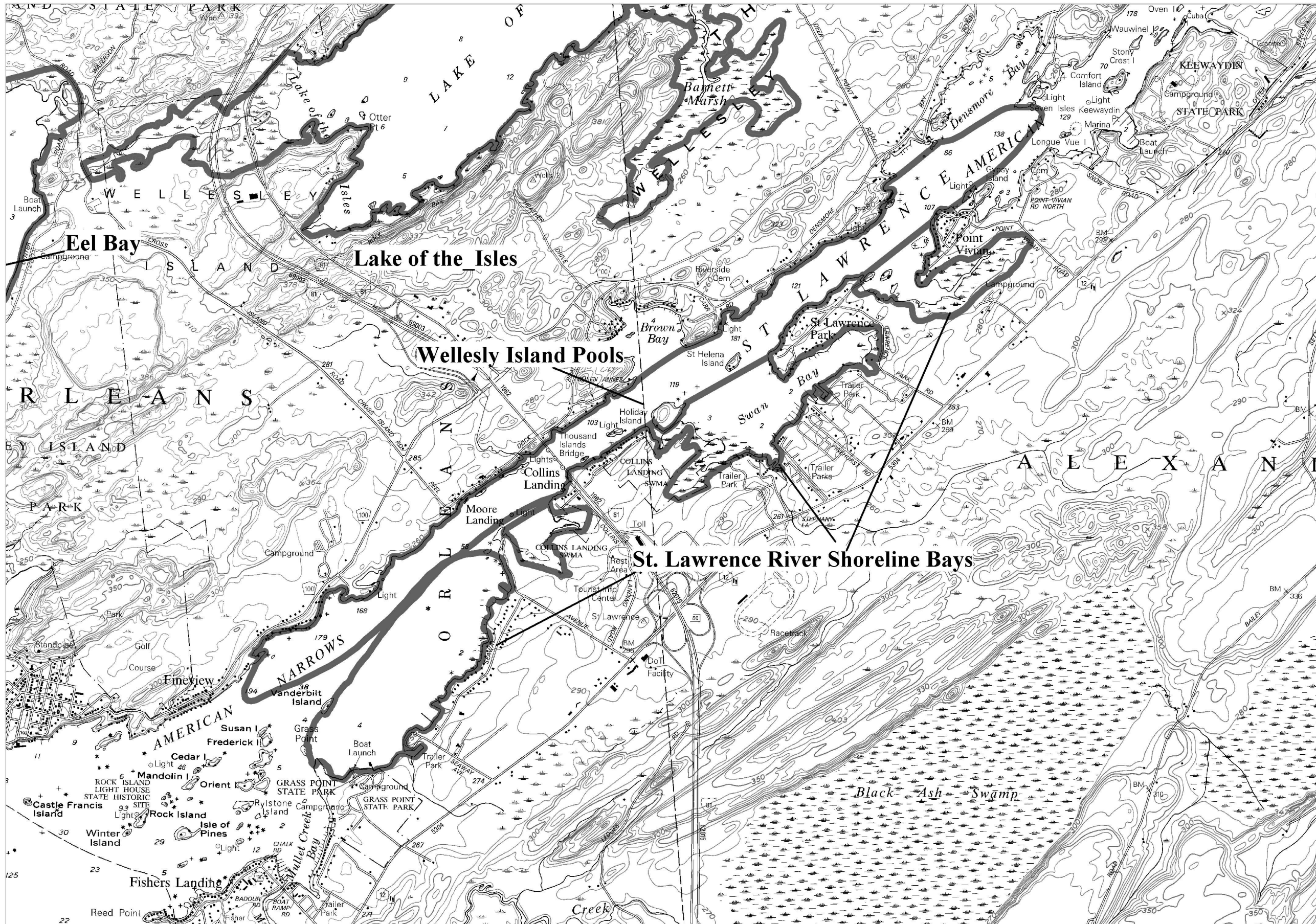
## **KNOWLEDGEABLE CONTACTS:**

Greg Capobianco or Tom Hart  
NYS Department of State  
Division of Coastal Resources &  
Waterfront Revitalization  
162 Washington Avenue  
Albany, NY 12231  
Phone: (518) 474-6000

NYSDEC Information Services  
700 Troy-Schenectady Road  
Latham, NY 12110  
Phone: (518) 783-3932

Dennis Faulkenham, Wildlife Manager  
or Len Ollivett, Environmental Protection Biologist  
NYSDEC - Region 6  
317 Washington Street  
Watertown, NY 13601  
Phone: (315) 785-2513

Tom Cutter, Coastal Development Specialist III  
St. Lawrence - Eastern Ontario Commission  
317 Washington Street  
Watertown, NY 13601  
Phone: (315) 785-2460



**Significant Coastal Fish and Wildlife Habitats**  
 St. Lawrence River Shoreline Bays (In Part) Eel Bay (In Part)  
 Part 3 of 3 Lake of the Isles (In Part)  
 Wellesley Island Pools

## COASTAL FISH & WILDLIFE HABITAT RATING FORM

---

Name of Area: **Lake of the Isles**  
Designated: **August 15, 1993**  
County(ies): **Jefferson**  
Town(s): **Alexandria, Orleans**  
7½' Quadrangle(s): **Alexandria Bay, NY; Thousand Island Park, NY**

---

**Score**      **Criterion**

- 16**      Ecosystem Rarity (ER)  
One of the largest shallow bay and wetland ecosystems in the St. Lawrence River ecological subzone.
- 25**      Species Vulnerability (SV)  
Blanding's turtle (T) reside in the area.
- 9**      Human Use (HU)  
One of the most popular recreational fishing areas in the Thousand Islands Region.
- 6**      Population Level (PL)  
Concentrations of many warmwater fish species and migratory waterfowl are unusual in the St. Lawrence River ecological subzone. Geometric mean:  
 $(4 \times 9)^{1/2} = 6$ .
- 1.2**      Replaceability (R)  
Irreplaceable

---

SIGNIFICANCE VALUE = [( ER + SV + HU + PL ) X R] = **67**

## **DESIGNATED HABITAT: LAKE OF THE ISLES**

### **HABITAT DESCRIPTION:**

Lake of the Isles is located in the center of Wellesley Island, approximately three miles west of the Village of Alexandria Bay, in the Towns of Alexandria and Orleans, Jefferson County (7.5' Quadrangles: Alexandria Bay, NY; and Thousand Island Park, NY). The fish and wildlife habitat is an approximate 1,300 acre embayment of the St. Lawrence River, that is almost completely enclosed by Wellesley Island and Hill Island. The "lake" is somewhat isolated from river flows, having only two small (approximately 200 feet wide) connections to it, both at the north end.

Lake of the Isles is relatively shallow throughout (maximum depth is about 15 feet below mean low water), and contains extensive beds of submergent aquatic vegetation (e.g., wild celery, naiads, and pondweeds). More than a dozen small islands are scattered throughout the lake. Two large emergent wetland areas (and several smaller ones) are included in the habitat. These are: Barnett Marsh, an approximate 150 acre streamside wetland extending one mile inland from the southeast side of the lake; and Otter Point Marsh, an approximate 160 acre bay and flood pond wetland complex extending from the southwestern end of the lake towards Eel Bay. The land area surrounding Lake of the Isles is predominantly forested; however, habitat disturbances have been increasing since the 1960's, including development of seasonal camps and permanent residences around the shoreline, construction of roadways through Otter Point Marsh, and use of motorboats in the area. Barnett Marsh, on the other hand, remains in a near natural condition. DeWolf Point State Park occupies a small part of the lake's north shore, but all other adjacent lands are privately owned.

### **FISH AND WILDLIFE VALUES:**

Lake of the Isles is one of the largest coastal bay ecosystems on the St. Lawrence River. This area is somewhat unique in the region because of its limited connection to the St. Lawrence River, creating a highly sheltered and productive aquatic environment. Barnett Marsh remains in an unusual state of preservation, and along with other wetland areas around the bay, is an integral part of the habitat. Although human activities have resulted in some habitat disturbance, and major tributary streams are lacking, Lake of the Isles supports significant concentrations of many fish and wildlife species.

Lake of the Isles provides valuable habitats for a variety of migratory bird species. Extensive wetlands and undisturbed shoreline areas serve as productive nesting and feeding habitats for waterfowl and other marsh birds, including pied-billed grebe, green heron, American bittern, mallard, American black duck, blue-winged teal, wood duck, Virginia rail, sora, common gallinule, belted kingfisher, marsh wren, red-winged blackbird, and swamp sparrow. Other possible breeding birds in the area include common loon (SC), least bittern (SC), and northern harrier (T); these species have been observed at Lake of the Isles during nesting season, but nesting locations have not been confirmed. The marshes and shallows around the lake are also used as feeding areas by great blue herons and common terns (T) nesting in the vicinity, but the extent of use by these birds has not been documented.

Lake of the Isles is one of about five principal water areas on the St. Lawrence River that are regularly used for feeding and resting by diving ducks during spring (March - April) and fall (October - November primarily) migrations, with several thousand birds reported in the area in some years. Some of these birds may remain in the area in winter, depending on the extent of ice cover. Mid-winter aerial surveys of waterfowl abundance for the period 1986-1991 indicate average concentrations of over 500 birds on the lake each year (1,436 in peak year), including mergansers, common goldeneye, scaup, American black duck, and mallard.

A diversity of non-avian wildlife species also occurs at Lake of the Isles. Species inhabiting the area include muskrat, beaver, raccoon, various frogs and turtles, and northern water snake. Of particular significance is the occurrence of Blanding's turtle (T) in Lake of the Isles, one of only two known concentration areas for this species in New York's portion of the St. Lawrence River. Exact breeding locations have not been identified, but probably occur in or around major wetlands adjoining the bay.

Lake of the Isles has outstanding habitat values for resident and river-based fisheries resources. The extensive beds of aquatic vegetation, high water quality, shelter from strong winds and wave action, and undeveloped shoreline areas, create highly favorable conditions for spawning and nursery use by many warmwater fish species. Included among these are bowfin, northern pike, largemouth bass, brown bullhead, rock bass, pumpkinseed, bluegill, black crappie, and yellow perch. Several uncommon species, such as yellow bullhead and chain pickerel are also found in the area. Lake of the Isles is a major concentration area in the river for many of these species, and is especially renowned for its largemouth bass population. Many trophy size bass have been taken here (including the St. Lawrence River record), attracting fishermen from throughout the Thousand Islands region. Many anglers are also attracted to Lake of the Isles by its excellent year-round fisheries for pike and various panfish species. Access to the area for recreational fishing is available from De Wolf Point State Park and from private facilities on the bay and at nearby river locations.

#### IMPACT ASSESSMENT:

A **habitat impairment test** must be applied to any activity that is subject to consistency review under federal and State laws, or under applicable local laws contained in an approved local waterfront revitalization program. If the proposed action is subject to consistency review, then the habitat protection policy applies, whether the proposed action is to occur within or outside the designated area.

The specific **habitat impairment test** is as follows.

In order to protect and preserve a significant habitat, land and water uses or development shall not be undertaken if such actions would:

- ! destroy the habitat; or,
- ! significantly impair the viability of a habitat.

*Habitat destruction* is defined as the loss of fish or wildlife use through direct physical alteration, disturbance, or pollution of a designated area or through the indirect effects of these actions on a designated area. Habitat destruction may be indicated by changes in vegetation, substrate, or hydrology, or increases in runoff, erosion, sedimentation, or pollutants.

*Significant impairment* is defined as reduction in vital resources (e.g., food, shelter, living space) or change in environmental conditions (e.g., temperature, substrate, salinity) beyond the tolerance range of an organism. Indicators of a significantly impaired habitat focus on ecological alterations and may include but are not limited to reduced carrying capacity, changes in community structure (food chain relationships, species diversity), reduced productivity and/or increased incidence of disease and mortality.

The *tolerance range* of an organism is not defined as the physiological range of conditions beyond which a species will not survive at all, but as the ecological range of conditions that supports the species population or has the potential to support a restored population, where practical. Either the loss of individuals through an increase in emigration or an increase in death rate indicates that the tolerance range of an organism has been exceeded. An abrupt increase in death rate may occur as an environmental factor falls beyond a tolerance limit (a range has both upper and lower limits). Many environmental factors, however, do not have a sharply defined tolerance limit, but produce increasing emigration or death rates with increasing departure from conditions that are optimal for the species.

The range of parameters which should be considered in applying the habitat impairment test include but are not limited to the following:

1. physical parameters such as living space, circulation, flushing rates, tidal amplitude, turbidity, water temperature, depth (including loss of littoral zone), morphology, substrate type, vegetation, structure, erosion and sedimentation rates;
2. biological parameters such as community structure, food chain relationships, species diversity, predator/prey relationships, population size, mortality rates, reproductive rates, meristic features, behavioral patterns and migratory patterns; and,
3. chemical parameters such as dissolved oxygen, carbon dioxide, acidity, dissolved solids, nutrients, organics, salinity, and pollutants (heavy metals, toxics and hazardous materials).

Although not comprehensive, examples of generic activities and impacts which could destroy or significantly impair the habitat are listed below to assist in applying the habitat impairment test to a proposed activity.

Any activity that would substantially degrade water quality in Lake of the Isles could affect the biological productivity of this area. All species of fish and wildlife may be adversely affected by water pollution, such as oil spills, excessive turbidity or sedimentation, waste disposal, and discharges of sewage or stormwater runoff containing chemical pollutants (including fertilizers, herbicides, or insecticides). Spills of oil or other hazardous substances are an especially significant threat to waterfowl concentrations in this area. Efforts should be made to maintain high water quality throughout the bay, including control of sewage discharges from recreational boats and upland sources.

Disturbances of littoral areas or wetland vegetation, through dredging, filling, bulkheading, or other shoreline construction activities (including development of motorboat access facilities), could adversely affect fish and wildlife through direct loss of habitat or increased human disturbance during fish spawning and nursery periods (April - July for most warmwater species) and wildlife breeding seasons (April - July for most species). Significant boat traffic within the area during fall may also impair use of the area by migrant waterfowl. Common loons (SC) may nest on small islands in Lake of the Isles, and if so, human activity (e.g., motorboat traffic, fishing) around occupied sites should be minimized during the nesting season. However, increasing public access to the area may be desirable to ensure that adequate opportunities are available for compatible human uses of the fish and wildlife resources. Enhanced access should be confined to existing access sites to minimize potential disturbance of sensitive fish and wildlife species. Activities that would subdivide or cause significant human encroachment into sizeable wetland areas should be restricted. Substantial alteration or fluctuation of water levels in the St. Lawrence River could also affect fish and wildlife use of Lake of the Isles. Natural freshwater flows into and out of the bay should be maintained. Barriers to fish migrations between Lake of the Isles and the St. Lawrence River could have significant impacts on fish populations in the area. Existing areas of natural vegetation bordering the bay should be maintained for their value as cover, perch sites, and buffer zones from human disturbance.

## **KNOWLEDGEABLE CONTACTS:**

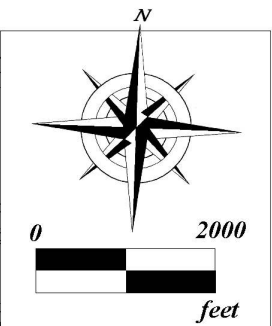
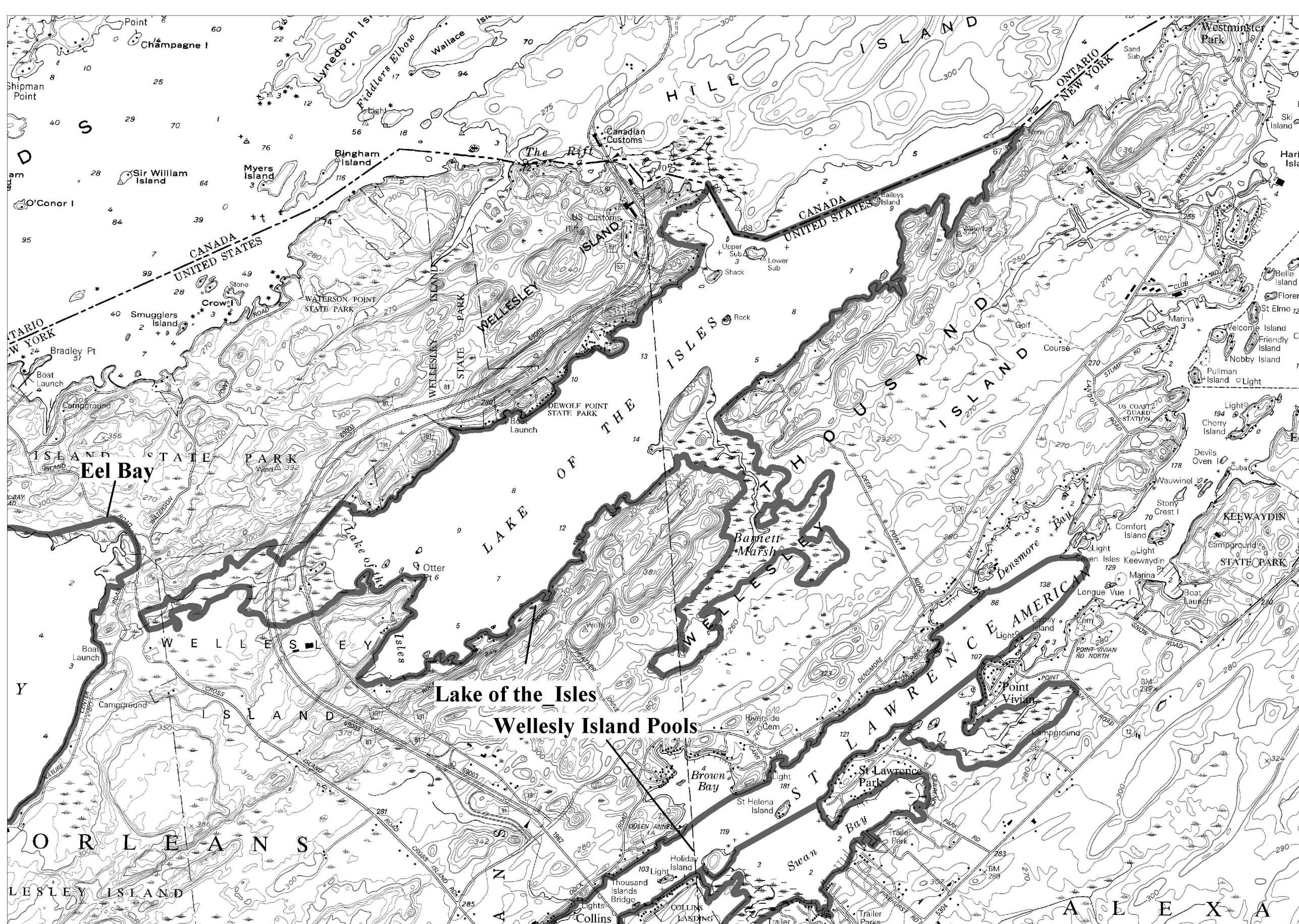
Greg Capobianco or Tom Hart  
NYS Department of State  
Division of Coastal Resources &  
Waterfront Revitalization  
162 Washington Avenue  
Albany, NY 12231  
Phone: (518) 474-6000

NYSDEC Latham Wildlife Resources Center  
NY Natural Heritage Program or  
John Ozard, Senior Wildlife Biologist  
700 Troy-Schenectady Road  
Latham, NY 12110  
Phone: (518) 783-3932

Dennis Faulknham, Wildlife Manager  
or Al Schiavone, Fisheries Manager  
or Len Ollivett, Environmental Protection Biologist  
NYSDEC - Region 6  
317 Washington Street  
Watertown, NY 13601  
Phone: (315) 785-2513

Jerry LeTendre, Supervising Aquatic Biologist  
NYSDEC - Lake Ontario Fisheries Unit  
Box 292  
Cape Vincent, NY 13618  
Phone: (315) 654-2147

Tom Cutter, Coastal Development Specialist III  
St. Lawrence - Eastern Ontario Commission  
317 Washington Street  
Watertown, NY 13601  
Phone: (315) 785-2460



**Significant Coastal Fish and Wildlife Habitats**

Lake of the Isles

Eel Bay (In Part)

Wellesley Island Pools (In Part)



COASTAL FISH & WILDLIFE HABITAT RATING FORM

---

Name of Area: **Ironsides Island**  
Designated: **August 15, 1993(Jefferson Co.) May 15, 1994(St. Lawrence Co.)**  
County(ies): **Jefferson; St. Lawrence**  
Town(s): **Alexandria; Hammond**  
7½' Quadrangle(s): **Chippewa Bay, NY**

---

**Score      Criterion**

- 25**      Ecosystem Rarity (ER)  
            An undisturbed sizeable, isolated rocky island with mature mixed forest type located adjacent to large wetland and bay complexes; rare in the Great Lakes Plain ecological region.
- 0**        Species Vulnerability (SV)  
            No endangered, threatened or special concern species are known to reside in the area.
- 0**        Human Use (HU)  
            No significant fish or wildlife related human uses of the area.
- 16**      Population Level (PL)  
            One of the largest nesting concentrations of great blue herons in New York State.
- 1.2**     Replaceability (R)  
            Irreplaceable.

---

SIGNIFICANCE VALUE = [( ER + SV + HU + PL ) X R] = **49**

## **DESIGNATED HABITAT: IRONSIDES ISLAND**

### **HABITAT DESCRIPTION:**

Ironsides Island is located in the mid St. Lawrence River, approximately five miles northeast of the Village of Alexandria Bay, in the Town of Alexandria, Jefferson County, and the Town of Hammond, St. Lawrence County (7.5' Quadrangle: Chippewa Bay, N.Y.). The fish and wildlife habitat is an approximate 30 acre bedrock island ringed with steep cliffs up to 30 or 40 feet high. Vegetative cover is predominantly mature hardwood - white pine forest. No evidence has been found of significant human disturbance for over 100 years. The island is situated near several other relatively small islands, but is otherwise separated from land by nearly one-half mile of open river channel. Ironsides Island is also located in close proximity to four large wetland and bay complexes. Ironsides Island is owned and managed by the Nature Conservancy as a wildlife sanctuary.

### **FISH AND WILDLIFE VALUES:**

Ironsides Island is an undisturbed, sizeable, isolated, steep cliffed, rocky island with a mature white-pine northern hardwood forest. This combination of factors along with its proximity to four large wetland and bay complexes make Ironsides Island unique among all the islands that occur throughout the Great Lakes Plain ecological region. The island is an important habitat for great blue herons, serving as a nesting site for this species since at least the early 1960's. In 1984 and 1985, there were an estimated 600 pairs of great blue herons nesting on Ironsides Island. In 1991, over 1000 pairs of these birds were documented nesting on the island. This is the only sizeable great blue heron rookery known on the St. Lawrence River, and is among the largest in New York State. The Ironsides Island heron population probably accounts for many of the birds seen in marshes, bays, and creeks throughout the middle St. Lawrence River and Thousand Islands region. A critical feature of the habitat is its isolation from mammalian predators and human disturbance. There are no significant fish or wildlife related human uses of Ironsides Island.

## IMPACT ASSESSMENT:

A **habitat impairment test** must be applied to any activity that is subject to consistency review under federal and State laws, or under applicable local laws contained in an approved local waterfront revitalization program. If the proposed action is subject to consistency review, then the habitat protection policy applies, whether the proposed action is to occur within or outside the designated area.

The specific **habitat impairment test** is as follows.

In order to protect and preserve a significant habitat, land and water uses or development shall not be undertaken if such actions would:

- ! destroy the habitat; or,
- ! significantly impair the viability of a habitat.

*Habitat destruction* is defined as the loss of fish or wildlife use through direct physical alteration, disturbance, or pollution of a designated area or through the indirect effects of these actions on a designated area. Habitat destruction may be indicated by changes in vegetation, substrate, or hydrology, or increases in runoff, erosion, sedimentation, or pollutants.

*Significant impairment* is defined as reduction in vital resources (e.g., food, shelter, living space) or change in environmental conditions (e.g., temperature, substrate, salinity) beyond the tolerance range of an organism. Indicators of a significantly impaired habitat focus on ecological alterations and may include but are not limited to reduced carrying capacity, changes in community structure (food chain relationships, species diversity), reduced productivity and/or increased incidence of disease and mortality.

The *tolerance range* of an organism is not defined as the physiological range of conditions beyond which a species will not survive at all, but as the ecological range of conditions that supports the species population or has the potential to support a restored population, where practical. Either the loss of individuals through an increase in emigration or an increase in death rate indicates that the tolerance range of an organism has been exceeded. An abrupt increase in death rate may occur as an environmental factor falls beyond a tolerance limit (a range has both upper and lower limits). Many environmental factors, however, do not have a sharply defined tolerance limit, but produce increasing emigration or death rates with increasing departure from conditions that are optimal for the species.

The range of parameters which should be considered in applying the habitat impairment test include but are not limited to the following:

1. physical parameters such as living space, circulation, flushing rates, tidal amplitude, turbidity, water temperature, depth (including loss of littoral zone), morphology, substrate type, vegetation, structure, erosion and sedimentation rates;
2. biological parameters such as community structure, food chain relationships, species diversity, predator/prey relationships, population size, mortality rates, reproductive rates, meristic features, behavioral patterns and migratory patterns; and,
3. chemical parameters such as dissolved oxygen, carbon dioxide, acidity, dissolved solids, nutrients, organics, salinity, and pollutants (heavy metals, toxics and hazardous materials).

Although not comprehensive, examples of generic activities and impacts which could destroy or significantly impair the habitat are listed below to assist in applying the habitat impairment test to a proposed activity.

Any activity that would disturb the Ironsides Island heronry during the nesting period (April - August) could adversely affect the nesting population of great blue herons. Human activity on the island should be minimized during this period. Permanent posting of the area has been provided to help protect the nesting birds, and visitors to the island must obtain written permission from the Nature Conservancy. Introduction or attraction of mammalian predators to Ironsides Island, including pet animals, could also be detrimental to the heron population. Removal of the island's upland forest habitat through cutting or wildfire would have a significant impact on heron populations in the Thousand Islands region of New York. However, habitat management activities, such as manipulation of vegetative cover, may be desirable or necessary in the future to ensure the survival of the great blue heron population at Ironsides Island. Disturbance or elimination of preferred wetland feeding areas (possibly distant, but poorly documented) may also affect birds nesting at Ironsides Island.

## **KNOWLEDGEABLE CONTACTS:**

Greg Capobianco or Tom Hart  
NYS Department of State  
Division of Coastal Resources &  
Waterfront Revitalization  
162 Washington Avenue  
Albany, NY 12231  
Phone: (518) 474-6000

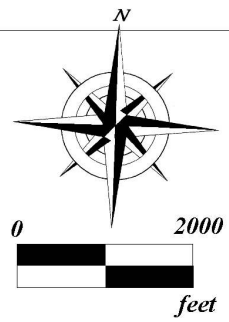
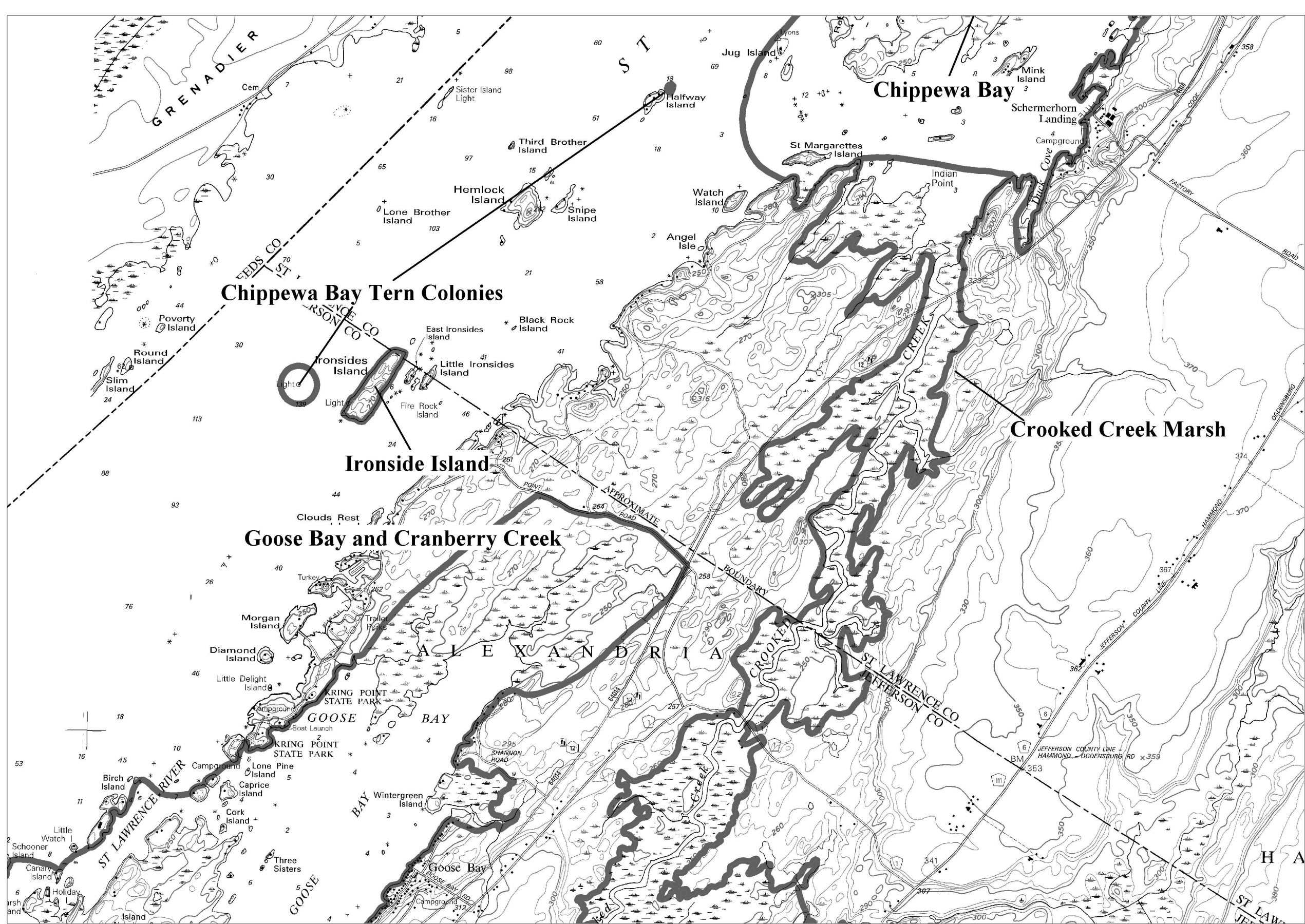
NYSDEC Latham Wildlife Resources Center  
NY Natural Heritage Program or  
John Ozard, Senior Wildlife Biologist  
700 Troy-Schenectady Road  
Latham, NY 12110  
Phone: (518) 783-3932

Dennis Faulknham, Wildlife Manager  
or Len Ollivett, Environmental Protection Biologist  
NYSDEC - Region 6  
317 Washington Street  
Watertown, NY 13601  
Phone: (315) 782-0100

New York Field Office  
The Nature Conservancy  
1736 Western Avenue  
Albany, NY 12203  
Phone: (518) 869-6959

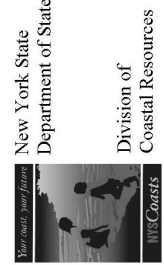
Tom Cutter, Coastal Development Specialist III  
St. Lawrence - Eastern Ontario Commission  
317 Washington Street  
Watertown, NY 13601  
Phone: (315) 785-2460

Gerry Smith  
RR #1 Box 120G  
Barnes Corners, NY 13626  
Phone: (315) 688-2664



**Significant Coastal Fish and Wildlife Habitats**

Crooked Creek Marsh (In part)    Chippewa Bay Tern Colonies (In Part)  
 Goose Bay and Cranberry Creek (In Part)    Chippewa Bay (In Part)  
 Part 2 of 2  
 Ironside Island



COASTAL FISH & WILDLIFE HABITAT RATING FORM

---

Name of Area: **St. Lawrence River Shoreline Bays**  
Designated: **August 15, 1993**  
County(ies): **Jefferson**  
Town(s): **Clayton, Orleans, Alexandria, Cape Vincent**  
7½' Quadrangle(s): **Clayton, NY; Thousand Island Park, NY; Alexandria Bay, NY;  
St. Lawrence, NY; Cape Vincent North, NY**

---

**Score**      **Criterion**

- 9**      Ecosystem Rarity (ER)  
            Several shallow shoreline bays with dense beds of aquatic vegetation; rare in Jefferson County based on protected nature of bays.
- 0**      Species Vulnerability  
            No endangered, threatened or special concern species are known to reside in the area.
- 16**      Human Use (HU)  
            The St. Lawrence muskellunge fishery, which is dependent on these bays, attracts anglers from throughout New York State and beyond.
- 16**      Population Level (PL)  
            These bays comprise major spawning and nursery areas for muskellunge on the St. Lawrence River, of statewide significance.
- 1.2**      Replaceability (R)  
            Irreplaceable.

---

SIGNIFICANCE VALUE = [( ER + SV + HU + PL ) X R] = **38**

## DESIGNATED HABITAT: ST. LAWRENCE RIVER SHORELINE BAYS

### HABITAT DESCRIPTION:

The St. Lawrence River Shoreline Bays are located on the upper St. Lawrence River, between the Villages of Clayton and Alexandria Bay, in the Towns of Cape Vincent, Clayton, Orleans, and Alexandria, Jefferson County (7.5' Quadrangles: Cape Vincent North, NY; St. Lawrence, NY; Clayton, NY; Thousand Island Park, NY; and Alexandria Bay, NY). The fish and wildlife habitat consists of eight shallow bays along the River's mainland shoreline. From southwest (upriver) to northeast (downriver), these bays are: Peos Bay (20 acres); Millen Bay (35 acres); Rose Bay (30 Acres); Carrier Bay (160 acres); Grass Point Bay (190 acres); Cobb Shoal Bay, also known as Moore Landing Marsh (40 acres); Swan Bay (140 acres); and Point Vivian Marsh (75 acres). The latter four form an almost continuous three and one-half mile reach of productive littoral zone and wetland habitat. All of the bays are generally less than six feet deep (depending on River levels) and are somewhat sheltered from prevailing winds and wave action. Much of the land area surrounding the St. Lawrence River Shoreline Bays is privately owned, and has been developed into seasonal camps, permanent residences, and small craft harbor facilities (resulting in some habitat disturbance). Grass Point State Park and Collins Landing Wildlife Management Area are exceptions to the predominance of private land ownership. These two public areas provide direct access for public use of the resources associated with the habitat.

### FISH AND WILDLIFE VALUES:

The St. Lawrence River Shoreline Bays comprise a fairly extensive area of shallow riverine habitat. Relatively protected embayments supporting extensive beds are not common in Jefferson County. Although these areas have been subject to considerable human disturbance, they continue to be important fish spawning and nursery areas in the St. Lawrence River. All of the bays support productive populations of various warmwater species, including northern pike, brown bullhead, largemouth bass, and various forage fish species. Of special significance, however, is the use of these areas by muskellunge. Studies conducted by NYSDEC and others, in the mid-1980's, revealed that all eight bays serve as spawning and nursery areas for muskellunge. Further research may indicate the other bays in the vicinity are used by muskellunge. Spicer Bay, Blind Bay, and Mullet Creek Bay are potential future additions to the Shoreline Bays habitat, but are more wind-exposed and may fail to support spawning by this species. Muskellunge populations in the St. Lawrence River, which comprise a distinct subspecies from muskellunge populations found elsewhere in New York State, appear to be largely dependent on the habitat found within St. Lawrence River Shoreline Bays. This area, in combination with Grindstone Island Bays, comprise the majority of known muskellunge spawning and nursery habitat in the St. Lawrence. The recreational fishery for this species attracts anglers from throughout New York State, as well as from adjoining states and provinces.

### IMPACT ASSESSMENT:

A **habitat impairment test** must be applied to any activity that is subject to consistency review under federal and State laws, or under applicable local laws contained in an approved local waterfront revitalization program. If the proposed action is subject to consistency review, then the habitat protection policy applies, whether the proposed action is to occur within or outside the designated area.

The specific **habitat impairment test** is as follows.

In order to protect and preserve a significant habitat, land and water uses or development shall not be undertaken if such actions would:

- ! destroy the habitat; or,
- ! significantly impair the viability of a habitat.

*Habitat destruction* is defined as the loss of fish or wildlife use through direct physical alteration, disturbance, or pollution of a designated area or through the indirect effects of these actions on a designated area. Habitat destruction may be indicated by changes in vegetation, substrate, or hydrology, or increases in runoff, erosion, sedimentation, or pollutants.

*Significant impairment* is defined as reduction in vital resources (e.g., food, shelter, living space) or change in environmental conditions (e.g., temperature, substrate, salinity) beyond the tolerance range of an organism. Indicators of a significantly impaired habitat focus on ecological alterations and may include but are not limited to reduced carrying capacity, changes in community structure (food chain relationships, species diversity), reduced productivity and/or increased incidence of disease and mortality.

The *tolerance range* of an organism is not defined as the physiological range of conditions beyond which a species will not survive at all, but as the ecological range of conditions that supports the species population or has the potential to support a restored population, where practical. Either the loss of individuals through an increase in emigration or an increase in death rate indicates that the tolerance range of an organism has been exceeded. An abrupt increase in death rate may occur as an environmental factor falls beyond a tolerance limit (a range has both upper and lower limits). Many environmental factors, however, do not have a sharply defined tolerance limit, but produce increasing emigration or death rates with increasing departure from conditions that are optimal for the species.

The range of parameters which should be considered in applying the habitat impairment test include but are not limited to the following:

1. physical parameters such as living space, circulation, flushing rates, tidal amplitude, turbidity, water temperature, depth (including loss of littoral zone), morphology, substrate type, vegetation, structure, erosion and sedimentation rates;
2. biological parameters such as community structure, food chain relationships, species diversity, predator/prey relationships, population size, mortality rates, reproductive rates, meristic features, behavioral patterns and migratory patterns; and,
3. chemical parameters such as dissolved oxygen, carbon dioxide, acidity, dissolved solids, nutrients, organics, salinity, and pollutants (heavy metals, toxics and hazardous materials).

Although not comprehensive, examples of generic activities and impacts which could destroy or significantly impair the habitat are listed below to assist in applying the habitat impairment test to a proposed activity.

Any activity that would substantially degrade water quality, increase turbidity or sedimentation, reduce water levels, or increase water level fluctuations in the St. Lawrence River Shoreline Bays could adversely affect fish and wildlife use of these areas. Discharges of sewage or stormwater runoff containing sediments or chemical pollutants (including fertilizers, herbicides, or insecticides) into any of the bays may result in adverse impacts on fish and wildlife resources. Spills of oil or other hazardous substances are a potentially serious threat to fish populations on the Shoreline Bays area and every effort should be made to prevent such contamination. Significant human disturbances of the area, through dredging, filling, construction of roads, waste disposal, or unlimited motorboat access development, could severely reduce the habitat's value as a spawning and nursery habitat. Such disturbances would be especially detrimental during fish spawning and nursery periods (March through July for most species). Existing areas of natural vegetation bordering the St. Lawrence River Shoreline Bays should be maintained for their value as cover for wildlife, perching sites, and buffer zones.

## **KNOWLEDGEABLE CONTACTS:**

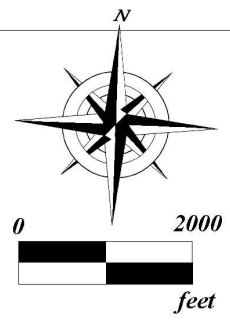
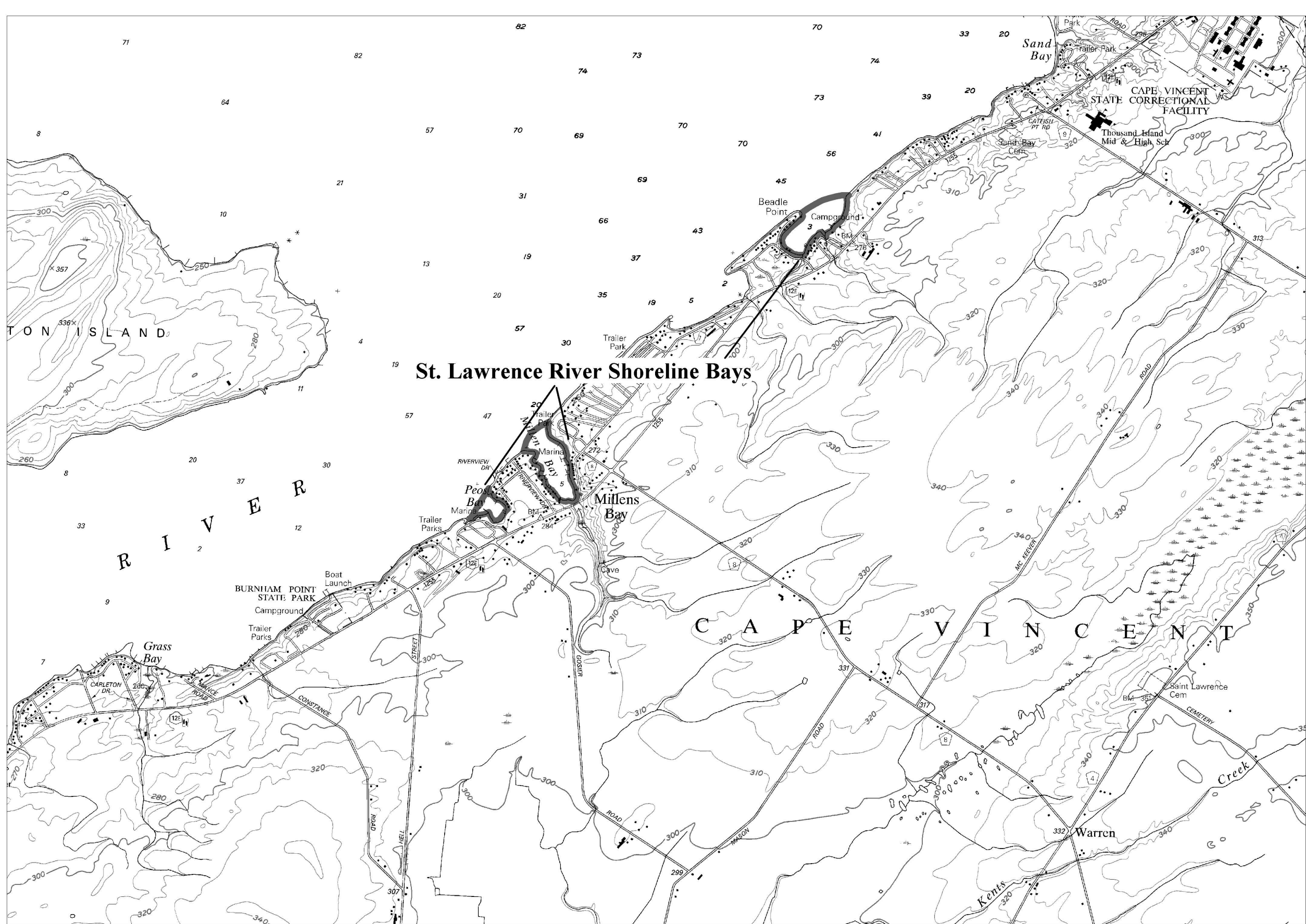
Greg Capobianco or Tom Hart  
NYS Department of State  
Division of Coastal Resources &  
Waterfront Revitalization  
162 Washington Avenue  
Albany, NY 12231  
Phone: (518) 474-6000

NYSDEC Latham Wildlife Resources Center  
NY Natural Heritage Program or  
John Ozard, Senior Wildlife Biologist  
700 Troy-Schenectady Road  
Latham, NY 12110  
Phone: (518) 783-3932

Al Schiavone, Fisheries Manager  
or Len Ollivett, Environmental Protection Biologist  
NYSDEC - Region 6  
317 Washington Street  
Watertown, NY 13601  
Phone: (315) 785-2513

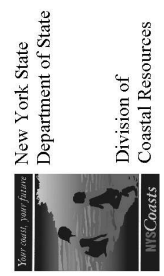
Jerry LeTendre, Supervising Aquatic Biologist  
NYSDEC - Lake Ontario Fisheries Unit  
Box 292 Cape Vincent, NY 13618  
Phone: (315) 654-2147

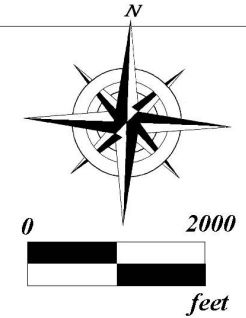
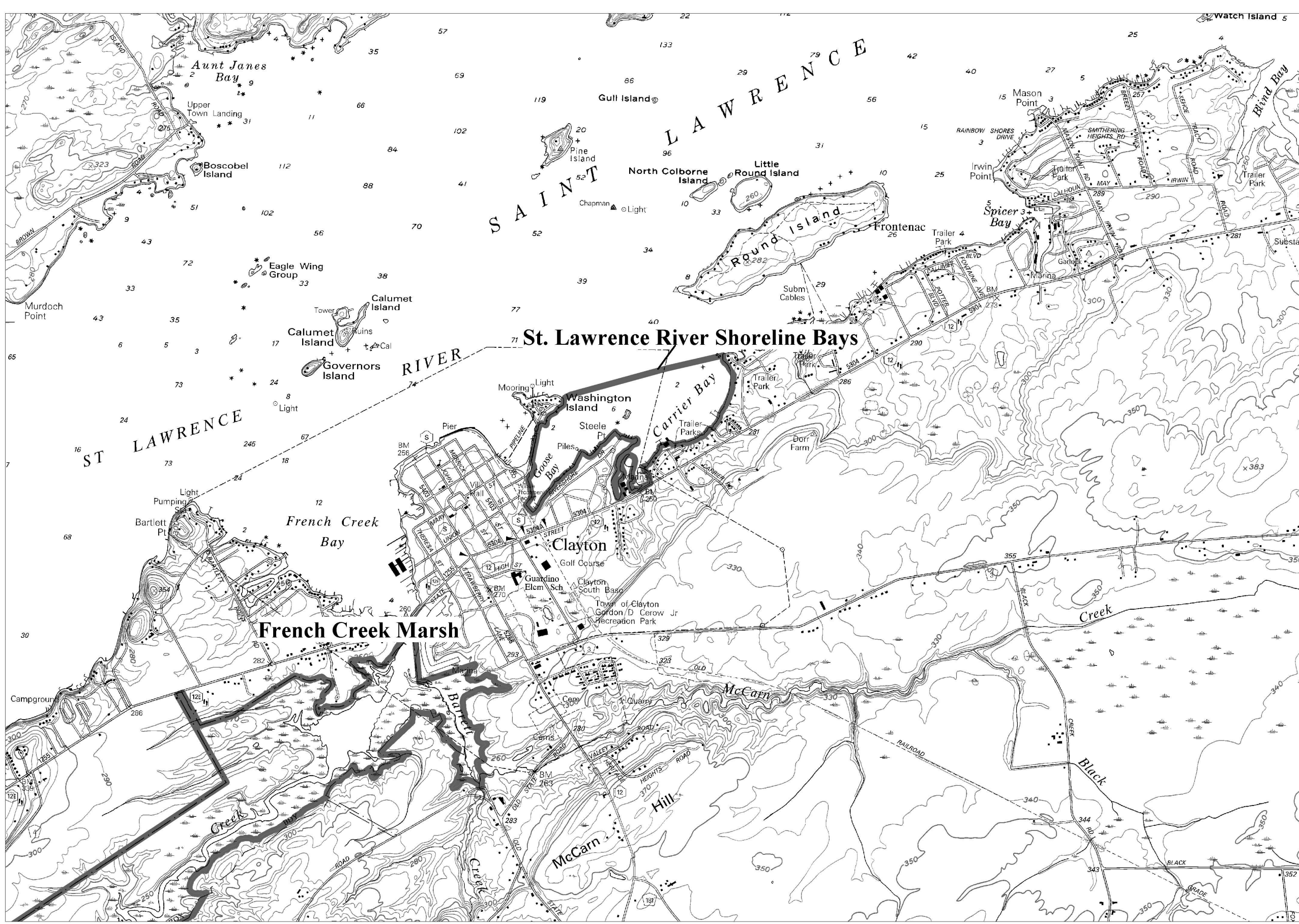
Tom Cutter, Coastal Development Specialist III  
St. Lawrence - Eastern Ontario Commission  
317 Washington Street  
Watertown, NY 13601  
Phone: (315) 785-2460



**Significant Coastal Fish and Wildlife Habitats**

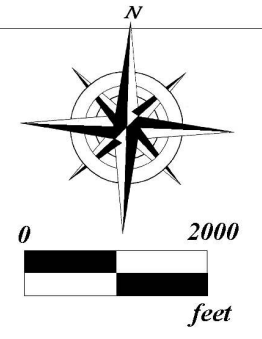
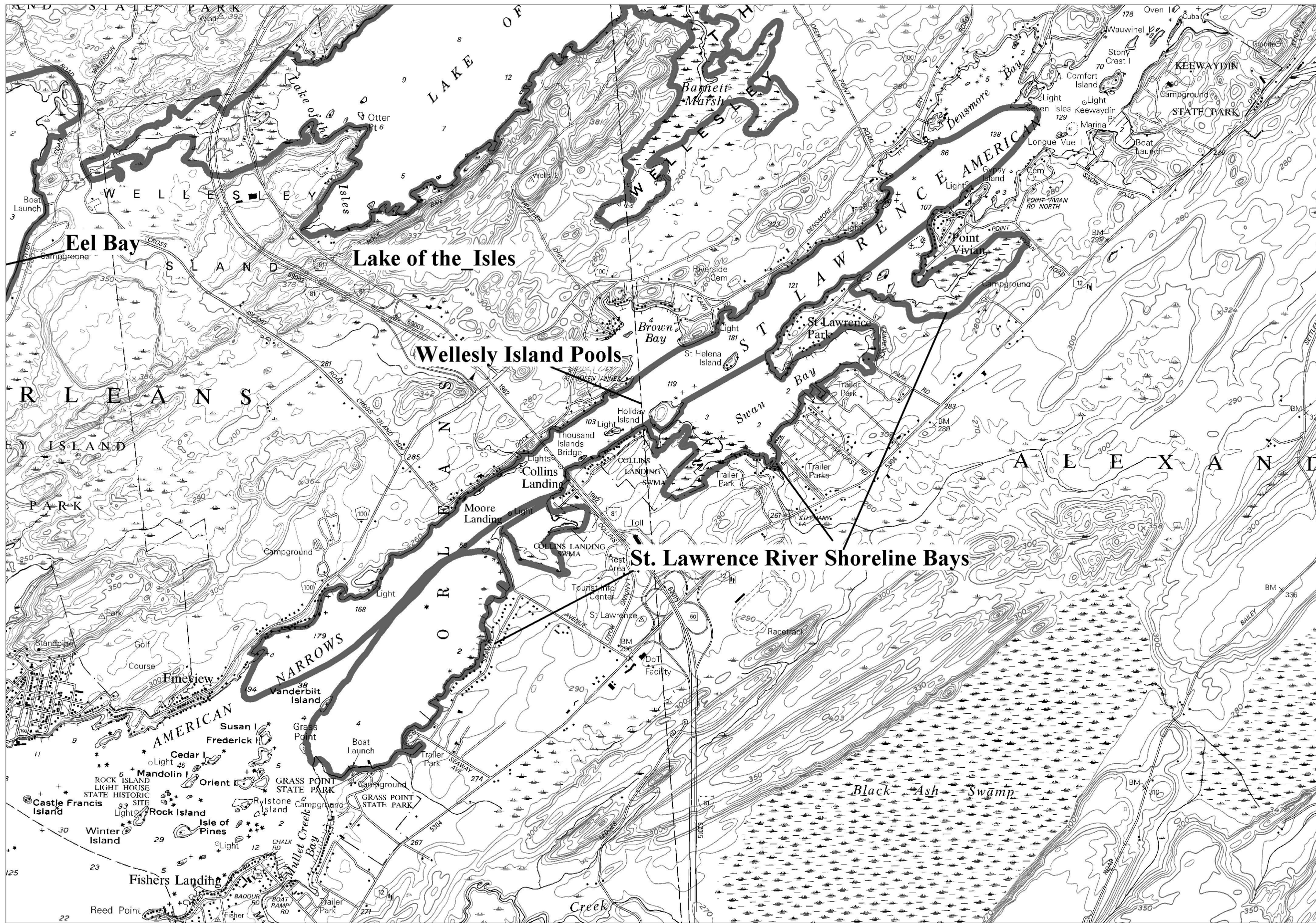
St. Lawrence River Shoreline Bays (In Part)  
Part 1 of 3





**Significant Coastal Fish and Wildlife Habitats**  
 St. Lawrence River Shoreline Bays (In Part)  
 French Creek Marsh (In Part)

Part 2 of 3



**Significant Coastal Fish and Wildlife Habitats**

St. Lawrence River Shoreline Bays (In Part) Eel Bay (In Part)  
 Lake of the Isles (In Part)  
 Wellesley Island Pools

## Appendix C Public and Agency Comments

**LWRP: Alexandria Bay  
Focus Group Meeting Notes  
September 28, 2006**

### **ARCHITECT'S:**

#### Assets

The following is a list of assets as seen by the members of the architect's focus group meeting:

- Cherry Island & Casino Island
- Harbor
- Bolt Castle is rich with local and national history
- Character & Beauty of the St. Lawrence River
- The number and uniqueness of the Boathouses in the Thousand Island area
- The water way in the Alexandria Bay area is very intimate and close due to the many islands and scale of islands and boathouses and houses. Although the area is rather large it doesn't feel overwhelming. It is intriguing all the time.
- The area is not over-developed
- Vistas that are unique

#### Threats:

- Development Pressure-High end exclusive community on the water.
- Motel rooms for tourists vs. condo users (weekenders with visitors). The condo users reduce the demand for hotel rooms and that can threaten the hotel business
- Conventions business
- Removal of hotel numbers will impact convention usage
- Exclusive private ownership along shoreline reduces public access
- Displacement of smaller commercial businesses.
- Loss of revenue - Village docking facilities cost the same price as Kingston but without water & power services. So at Kingston you get more for your money.
- Border Patrol - issues of being a border town - these issues are the same for all U.S. border towns that rely on tourism
- Customs Office at Boldt Castle
  - Anyone can use videophone
  - Issues of bringing things into the U.S.

Dock can get full on weekends and boaters can't access businesses. This is an accessibility issue that has a direct impact on the local economy

- Regulated parking

- 4 hour time limit
- What about a taxi service?

Comments:

Land Trust from Wellesley Island

Seasonal Residents

- Village Dock fairly busy - 75% seasonal traffic
- Wellesley Island Harbor
  - Year round seasonal residents
  - Tennis Island
- 1200 Hotel Rooms
- Transient dockage along mainland

DEC restriction on boathouse

- Merola - owns the entire harbor
- Harbor Villa - owns all the land under the water
- Vistas that are unique

Cherry Island - dead set against levying space over the water

Size of harbor boundaries - should include boathouses

Distinction regarding ownership

- Champney owns the water in the harbor
- Ron Thompson owns all land under water near their business and under the scuba park.
- Village dock extension - permission from OGS
- Hutchins permit to extend out farther into the harbor.

Lake of the Isles North of Wellesley

- Wetland Protection
- Swan Bay -wetlands
- Ironside Island Nature Conservancy
- Summer Polka Run - beautiful boats and strong tourism event
- Boat building culture could be lost
  - Provide incentives
  - Protect building that has been site of boat building for 100 years
  - Van's & Roger's maintain family business
- Housing prices haven't changed since 1980.
- Clayton has anytime boat museum.

Thousand Island safe boating association

- Extending walkway from top of the bay
- Pedestrian accessibility from public swimming park to public dock

**BUSINESS OWNER'S:**

Threats

- Harbor- what is it?
- River is "42"d Street"

- Ferryboats going across grain
- Speed limit is not enforced
- Main arterial- 50-70 jet skis per day on the weekend
- Congestion is created by dock placements and dock extensions
- Bill's Motor Court between two marinas
- Average tourist doesn't know how to get from the village dock to the village park
- Pedestrian access around the perimeter of the harbor.

Opportunities:

- To support Alex Bay as a Destination point- they need to establish power on public dock
  - Kingston Harbor
  - Expansive harbor
  - Conveniences provide
- Close location to village center
- Village Center needs to be brought up to become a "destination point"
- There really aren't any noise issues
- Why doesn't it change from a Hanky Tonk area to a destination town?
- Need to expand 100-day season.
- Design Guidelines
  - Wayfinding Signs
  - Pedestrian Access

Business Owner's Summary Concerns:

1. Property Tax
2. Property Cost
3. Stagnation of Market- protectional mode
  - Facade program
  - Tax abatement strategy
  - Residents vs. businesses
  - Tax base very high
  - Water guide
  - Thousand Island Guide- Harbors

**RESIDENTS':**

LWRP Committee

Ted Jones

Build floating structures with buildings on top to accommodate the summer tourists –Barge with building on it used as summer camps.

- Free taxes - used as an objection to this
- Harbor management plan should restrict this use

OGS - '97 - rent for docks above our land under your marina

- Tax businesses yearly basis

Access problem x into village docks

Otter Creek

- Mooring policy- also by Wellesley Island by the Castle
- Protect views from being blocked by large vessels

Regulated fixed mooring to avoid anchoring freely

Control mooring access

(Swan Bay Club)

Address dock extension

Control Nationwide Permit 20' below

Control over navigable water

As bid as possible

Flow chart showing what and how to do it

Lake of the Isles heavily traveled and moored- has free anchor dropping.

Define view (straight, side, rear)

Pedestrian access around shoreline

Welcome visitor center

- Information
- Wayfinding

Upper bay and lower bay have points that put you on James Street

- Upper bay- access to the shore gets confusing once on shore.

#### Resident's Summary Concerns:

1. Dockage Issue
2. Congestion Issue
3. Mooring Issue

#### **Pedestrian connections**

Goal:

1. To protect the public's access to navigable waters in the harbors around alex bay.
2. Support direct pedestrian linkages between docks and landside establishments.

Objective: Encourage public access around the entire Central Business harbor

#### **Management of Docks**

Goal:

1. Maintain fluid access throughout the Central Business harbor.

Objective: Require proof of navigability around existing docks for permission to build any extension onto existing dock.

2. Maintain and control number of docks in the Central Business Harbor, as well as location and length of docks.

### **Designated Anchor locations**

#### Goal:

1. To protect the navigable waters of Swan Bay, Otter Bay, \_\_\_ from unsanctioned moorings.  
Objective: To designate specific water areas for free anchoring during the day, or night or over the weekend.
2. Discourage use of floating hotels/motels or overnight accommodations near other commercial establishments on landside.

### **Historic Character Preservation:**

#### Goal:

1. Protect the historic characteristics of the thousands island seaway.
2. Preserve the historic character and natural beauty of the St. Lawrence River
3. Protect the historic character of the many existing boathouses located in Alexandria bay.
4. Protect the small bays, inlets and other natural bodies of water such as Swan Bay and Lake of the Isles.
5. Discourage the creation of a manmade harbor for commercial reasons.
6. Encourage public access to water and maintain adequate public access areas along the shoreline.
7. Support tourism by maintaining adequate public conveniences such as water and electricity along public docks.

### **Scenic Vistas**

1. Protect the identified scenic vistas for the community to enjoy.

### Recommendations:

Establish a façade program for local businesses

Try a tax abatement strategy for assist local businesses in capital improvement projects

Consider supporting the local boat building industry through some incentive program

Regulate boat docking to reduce dock congestion

Establish a public water taxi service in designated free anchoring area to encourage visits to landside

Improve dock hookups and other conveniences (ref Kingston harbor as model)

Strengthen connection between public dock and park and beach.

Extend walkway from top of the bay

Provide pedestrian access around perimeter of harbor

Enforce water speed limits

Regulate dock placement and extensions to avoid congestion

Regulate floating houseboats of any size, private or commercial

Viewshed protection

Establish welcome center (on water?)

Turn water congestion into asset not threat. .

Fun acrobatic boating etc. at specific times (encourage landside gazing, or anchored/moored boats to stop and watch)

Consider water taxi for rides and other

## **Appendix D State and Federal Guidelines for Consistency Review**

### **Guidelines for Notification and Review of State Agency Actions Where Local Waterfront Revitalization Programs Are in Effect**

#### **A. Purposes of Guidelines**

1. The Waterfront Revitalization of Coastal Areas and Inland Waterways Act (the Act) (Article 42 of the Executive Law) and the 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 the approved joint Town of Alexandria and Village of Alexandria Bay Local Waterfront Revitalization Program (LWRP). These guidelines are intended to assist state agencies in meeting that statutory consistency obligation.
2. The Act also requires that state agencies provide timely notice to the municipalities whenever an identified action will occur within the area covered by the approved LWRP. These guidelines describe a process for complying with this notification requirement. They also provide procedures to assist the municipalities in carrying out their review responsibilities in a timely manner.
3. The Secretary of State is required by the Act to confer with state agencies and local governments when notified by the municipalities that a proposed state agency action may conflict with the policies and purposes of its approved LWRP. These guidelines establish a procedure for resolving such conflicts.

#### **B. Definitions**

1. Action means:
  - a. A "Type I" or "Unlisted" action as defined by the State Environmental Quality Review Act (SEQRA);
  - b. Occurring within the boundaries of the approved LWRP; and
  - c. 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 approved LWRP.
2. Consistent to the maximum extent practicable means that an action will not substantially hinder the achievement of any of the policies and purposes of the 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 the approved LWRP, then the action must be one:

- a. For which no reasonable alternatives exist that would avoid or overcome any substantial hindrance;
  - b. That will minimize all adverse effects on the policies or purposes of the LWRP to the maximum extent practicable; and
  - c. That will result in an overriding regional or statewide public benefit.
3. Local Waterfront Revitalization Program, or LWRP, means the program prepared and adopted by the Town of Alexandria Town Board and by the Village of Alexandria Bay Village Board of Trustees 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.
  4. Municipality refers to the Town of Alexandria or the Village of Alexandria Bay, according with the municipal jurisdiction for the geographic location of the proposed action for which the consistency review is conducted.

#### **C. Notification Procedure**

1. When a state agency is considering an action within the defined boundary of the LWRP, the state agency shall notify the Supervisor of the Town of Alexandria or the Mayor of the Village of Alexandria Bay, according to the municipal jurisdiction for the location of the action.
2. Notification of a proposed action by a state agency:
  - a. Shall fully describe the nature and location of the action;
  - b. Shall be accomplished by use of other existing state agency notification procedures, or through any alternative procedure agreed upon by the state agency and the municipality;
  - c. Should be provided to the Supervisor or Mayor as early in the planning stages 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 Waterfront Assessment Form (WAF) to the Supervisor of the Town of Alexandria or the Mayor of the Village of Alexandria Bay should be considered adequate notification of a proposed action.
  - d. If the proposed action will require the preparation of a draft environmental impact statement, the filing of this draft document with the Supervisor or the Mayor can serve as the state agency's notification to the Town of Alexandria or the Village of Alexandria Bay, respectively.

#### **D. Local Government Review Procedure**

1. Upon receipt of notification from a state agency, the municipality will be responsible for evaluating a proposed action against the policies and purposes of its approved LWRP. Upon

request of the Supervisor of the Town of Alexandria or the Mayor of the Village of Alexandria Bay, the state agency should promptly provide the Town or Village with whatever additional information is available which will assist the Town or Village to evaluate the proposed action. Upon request of the Supervisor of the Town of Alexandria or the Mayor of the Village of Alexandria Bay, the state agency should promptly provide the Town or Village with whatever additional information is available which will assist the Town or Village to evaluate the proposed action.

2. If the municipality 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 municipality's finding, the state agency may proceed with its consideration of the proposed action in accordance with 19 NYCRR Part 600.
3. If the municipality 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 approved LWRP.
4. If the municipality 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 E. below shall apply. The municipality 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 municipality shall identify the specific policies and purposes of the LWRP with which the proposed action conflicts.

#### **E. Resolution of Conflicts**

1. The following procedure applies whenever the municipality has notified the Secretary of State and state agency that a proposed action conflicts with the policies and purposes of its approved LWRP.
  - a. Upon receipt of notification from the municipality that a proposed action conflicts with its approved LWRP, the state agency should contact the Supervisor of the Town of Alexandria or the Mayor of the Village of Alexandria Bay to discuss the content of the identified conflicts and the means for resolving them. A meeting of state agency and municipal 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 municipality.
  - b. If the discussion between the municipality and the state agency results in the resolution of the identified conflicts, then, within seven days of the discussion, the municipality 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.

- c. If the consultation between the corresponding municipality and the state agency does not lead to the resolution of the identified conflicts, 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 of State within 15 days following the discussion between the municipality 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.
- d. 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 municipality.
- e. 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.
- f. 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.

## **Procedural Guidelines for Coordinating New York State Department of State and Local Waterfront Revitalization Program Consistency Review of Federal Agency Activities**

### **A. FEDERAL AGENCY ACTIVITIES**

1. After acknowledging the receipt of a consistency determination and supporting documentation from a federal agency, and based on which municipality has jurisdiction over the location of the action, DOS will forward copies of the determination and other descriptive information on the proposed federal activity to the Supervisor of the Town of Alexandria or the Mayor of the Village of Alexandria Bay, and to other interested parties, such as the Town of Alexandria and Village of Alexandria Bay Zoning Enforcement Officer.
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 federal activity.
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 activity with the LWRP 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 federal activity.

5. A copy of DOS' "concurrence" or "objection" letter to the federal agency will be forwarded to the municipality.

**B. ACTIVITIES REQUIRING FEDERAL LICENSES, PERMITS AND OTHER REGULATORY APPROVALS**

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 Supervisor or the Mayor and will identify the Department's principal reviewer for the proposed federal activity.
2. Within thirty (30) days of receiving such information, the Supervisor or the Mayor, 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 federal activity with the local coastal policies.
3. When DOS and the Supervisor or the Mayor 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 municipality upon receipt.
4. Within thirty (30) days of receiving the requested information or discussing possible problems of a proposed federal activity with the principal reviewer for DOS, whichever is later, the Supervisor or the Mayor will notify DOS of the reason why a proposed federal activity may be inconsistent or consistent with the LWRP policies.
5. After that notification, the Supervisor or the Mayor will submit the municipality's written comments and recommendations on a proposed federal activity 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 assume that the municipality has "no opinion" on the consistency of the proposed federal activity with the LWRP 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 federal activity, DOS will contact the Supervisor or the Mayor to discuss any differences of opinion prior to issuing a letter of "concurrence" or "objection" to the applicant.
7. A copy of the DOS' "concurrence" or "objection" letter to the applicant will be forwarded to the Supervisor or Mayor.

**C. FEDERAL FINANCIAL ASSISTANCE TO STATE AND LOCAL GOVERNMENTS**

1. Upon receiving notification of a proposed federal financial assistance action, DOS will request information on the federal financial assistance action from the applicant for consistency review purposes. As appropriate, DOS will also request the applicant to provide a copy of the application documentation to the Supervisor or the Mayor. A copy of this letter will be forwarded to the Supervisor or the Mayor and will serve as notification that the proposed federal financial assistance action may be subject to review.
2. DOS will acknowledge the receipt of the requested information and provide a copy of this acknowledgment to the Supervisor or Mayor. 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 acknowledgment or the receipt of requested additional information, whichever is later. The review period may be extended for major federal financial assistance actions.
4. The Supervisor or the Mayor must submit the municipality's comments and recommendations on the proposed action to DOS within twenty days (or other time agreed to by DOS and the Supervisor or Mayor) from the start of the review period. If comments and recommendations are not received within this period, DOS will presume that the municipality has "no opinion" on the consistency of the proposed federal financial assistance action with the LWRP 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 Supervisor or the Mayor 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 municipality.

## Appendix E LWRP Projects Funding Matrix

LWRP Projects Funding Matrix	EPF (OPRHP & DOS)	Brownfield Programs	WQIP	EFC	LGE (DOS)	TEP (DOT)	CDBG	Legislative grant program	USDA	LWCF	FHWA Recreational Trails Program	FTA	Village/Town/County Capital & Operating	Other Agency Capital & Operating	Public/Private Partnership	Restore NY	Project Horizon Short Term (1-3 Yrs.) Medium Term (3-5 Yrs.) Long Term (5-10 Yrs.)
<b>Village of Alexandria Bay</b>																	
Scenic View Park	X							X		X	X		X		X		S
Scuba Park	X							X		X			X		X		S
Riverwalk	X					X		X		X	X		X		X		S/M
Dock/Launch Improvements	X							X		X			X		X		S/M
Sewer Treatment Plant		X	X	X	X			X	X				X				M
Water Intake		X		X	X			X	X				X				M
Stormwater Management improvements	X		X	X			X		X				X	X	X		S/M
Church St. Water Distribution		X		X			X <sup>2</sup>	X	X				X				M
Streetscapes & facades	X						X	X		X		X	X		X		S/M
Zoning Revisions	X												X				S
Intermunicipal Parks Master Plan	X				X								X				S/M
Tourism Marketing Plan	X				X								X		X		S/M
Joint Municipal Outdoor Recreational Facility	X				X								X		X		S/M
Inventory of Thousand Island Boathouses	X												X				M
Thompson Motel Redevelopment	X						X	X					X		X	X	S/M
Monticello Hotel Feasibility	X						X	X					X		X	X	M/L
River Hospital1	X						X	X					X	X	X		M/L
Harden Site Remediation		X						X							X		M
Former Grand Hotel Site	X						X	X							X	X	M
Oddfellows Hall	X						X	X							X	X	M
<b>Town of Alexandria</b>																	
Goose Bay Boat Launch	X							X		X			X		X		S
Wellesley Island Boat Launch	X							X		X			X		X		M/L
Swan Bay Boat Launch – expand parking	X							X		X			X		X		S

LWRP Projects Funding Matrix	EPF (OPRHP & DOS)	Brownfield Programs	WQIP	EFC	LGE (DOS)	TEP (DOT)	CDBG	Legislative grant program	USDA	LWCF	FHWA Recreational Trails Program	FTA	Village/Town/County Capital & Operating	Other Agency Capital & Operating	Public/Private Partnership	Restore NY	Project Horizon Short Term (1-3 Yrs.) Medium Term (3-5 Yrs.) Long Term (5-10 Yrs.)
Otter Creek Hand Carry Launch	X							X	X	X	X			X	X		M
NYS 12 Sewers		X	X	X				X	X				X				M/L
Otter Street Water & Sewer				X			X <sup>1</sup>						X	X			M
County Route 1 & Otter St. Bike Routes											X	X					M/L
Edgewood Resort															X		M
Gionets Site Remediation															X		M/L
County Rt 100 /Wellesley Island PDD	X														X		S
NYS 12 Corridor	X			X											X		M/L
1	This project refers to potential building/site redevelopment; waterfront access from this site is included in river walk.																
2	Depends on benefit to low/moderate income households.																

## Appendix F Sketches and Conceptual Plans



### Key

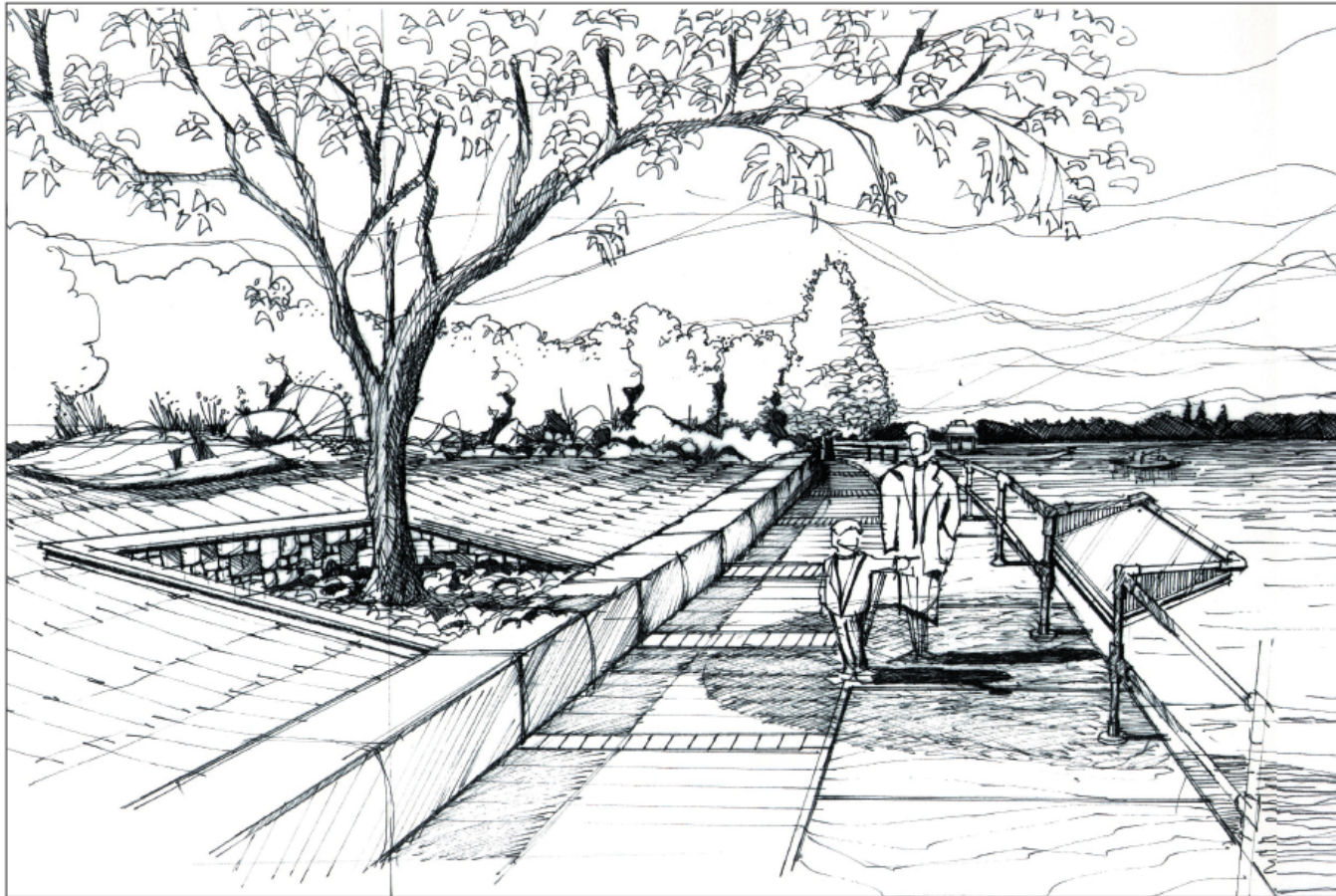


### Legend:

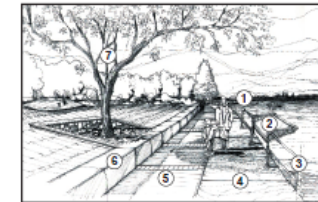
1. Existing Cornwall Building
2. New Kiosk
3. Ramp Access
4. New Bench Wall
5. New Retaining Wall
6. New Metal Rail
7. Existing Hospital
8. Refurbished Stone Slabs with New Walk

**Alexandria Bay**  
Sketch 1: View of Scuba Park from St. Lawrence River  
May 16, 2003





**Key**

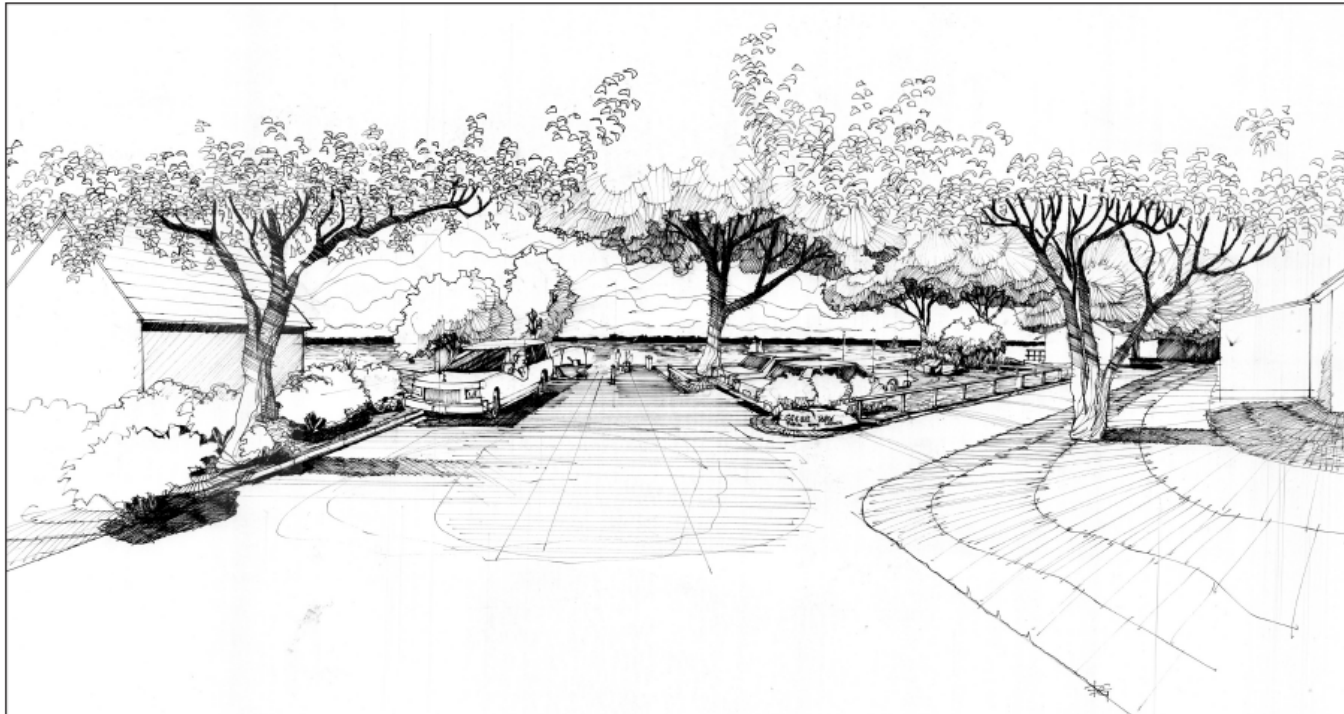


**Legend:**

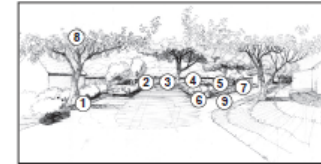
- 1. Existing Casino Island
- 2. New Interpretive Sign
- 3. New Metal Rail
- 4. Refurbished Stone Slabs
- 5. New Walk
- 6. New Bench Wall
- 7. New Tree

**Alexandria Bay**  
Sketch 2: View of River Walk and Casino Island  
May 16, 2003





**Key**



**Legend:**

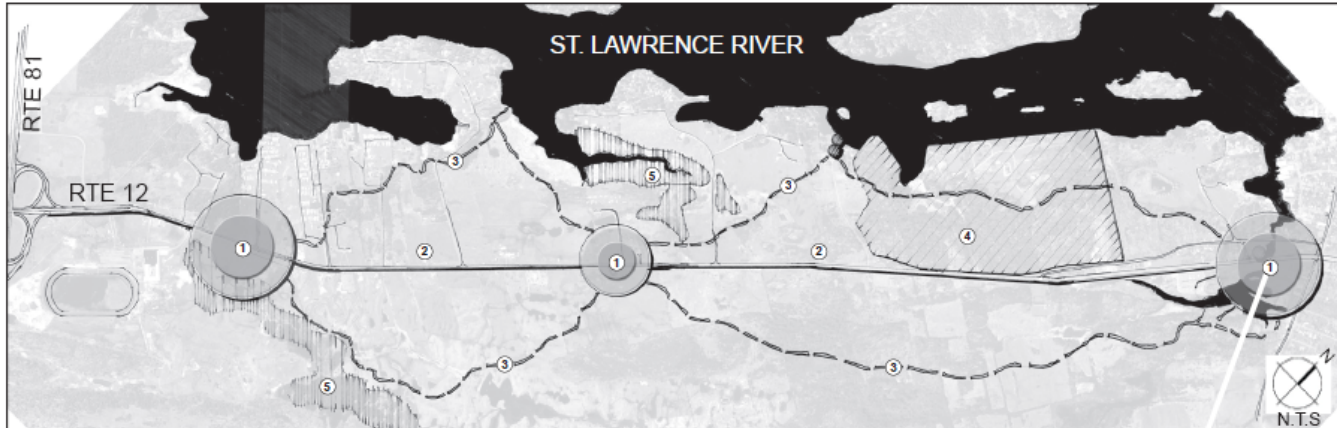
- 1. New Curb Edge
- 2. New Boat Launch Ramp
- 3. Existing Dock
- 4. New Parking
- 5. New Picnic Area
- 6. New Sign
- 7. New Fence / Rail
- 8. New Tree
- 9. Existing Private Road



New Sign

**Alexandria Bay**  
Sketch 3: View of Goose Bay Public Boat Launch  
May 16, 2003





**Regional Plan (N.T.S):**

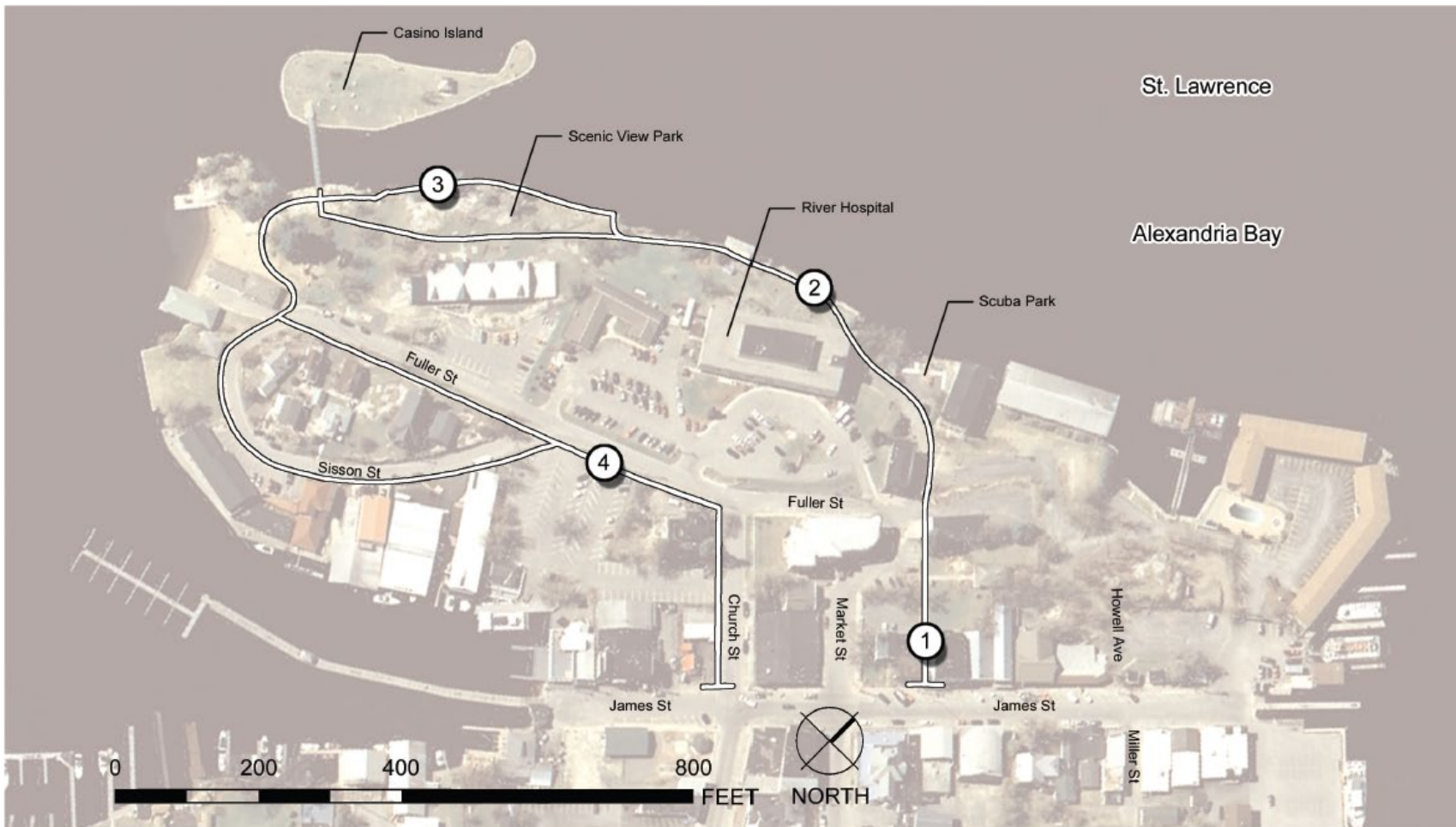
1. Development Node - Urban Character
2. Development Guided by Rural Characteristics
3. Trail Opportunities
4. Existing Keewaydin State Park
5. Existing Wetland Areas

**Development Node (N.T.S):**

1. Street Trees and Sidewalks
2. Commercial Uses with Shallow Setbacks Oriented to Street
- Parking
4. Residential Uses Oriented

**Alexandria Bay**  
Sketch 4: RTE 12 Corridor  
May 20, 2003





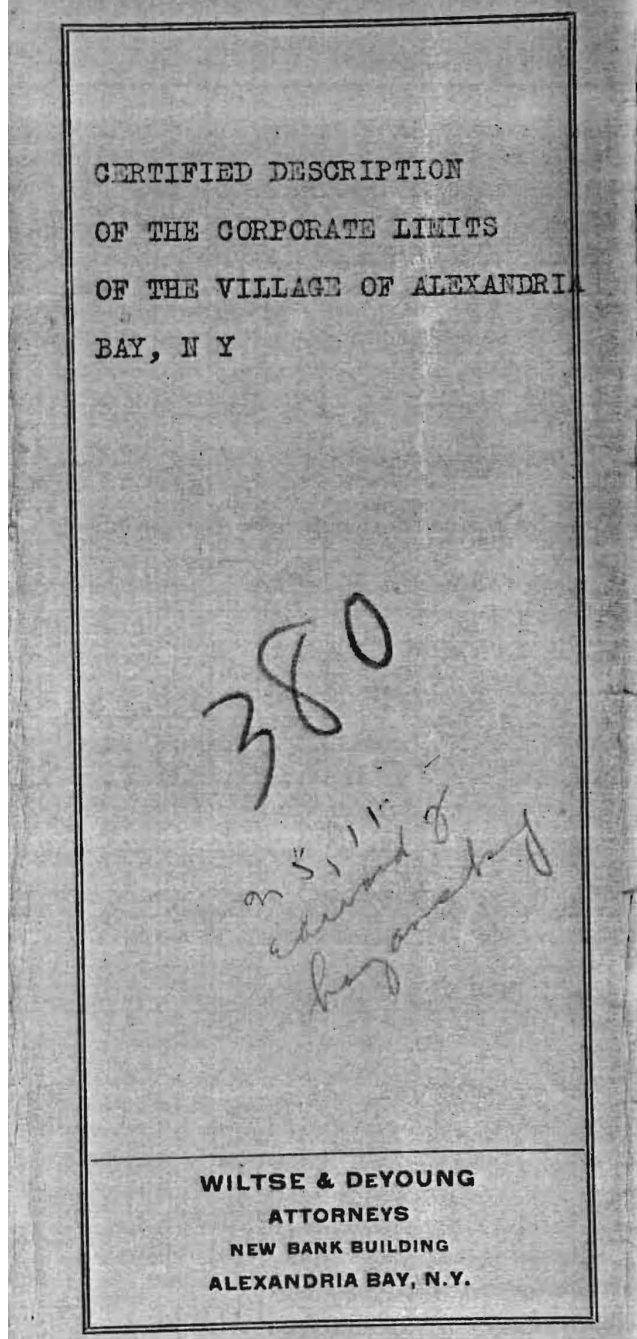
# Alexandria Bay Riverwalk

Village of Alexandria Bay, Jefferson County, New York  
Concept Plan - June 25, 2008





**Appendix G    Municipal Boundaries**



## **Appendix H    LWRP and Harbor Management Plan Maps**

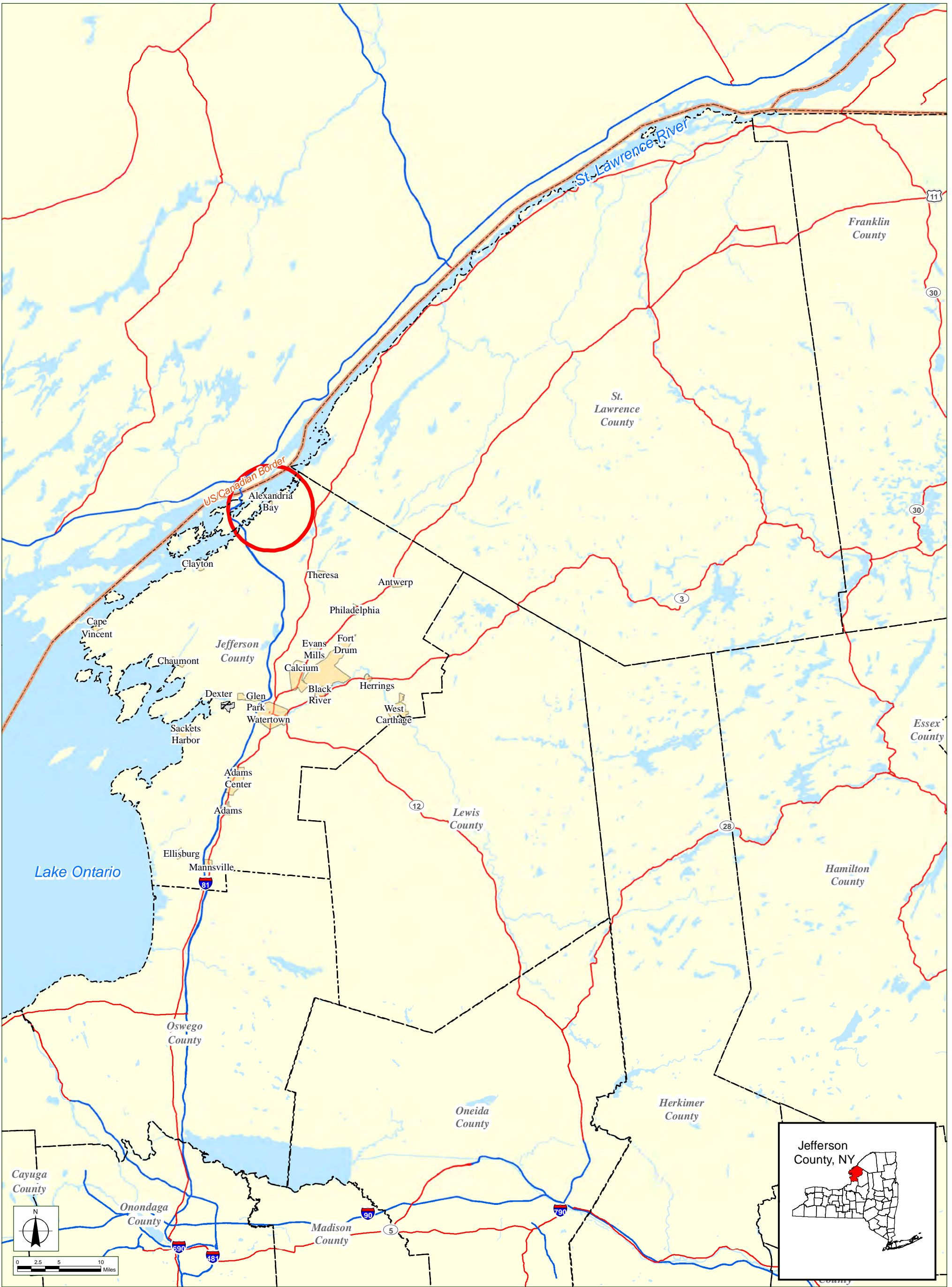
### Table of Contents

#### Local Waterfront Revitalization Program Maps

LWRP Figure 1	Regional Location Map
LWRP Figure 2	Local Map
LWRP Figure 3	Existing Coastal Boundary & LWRP Boundary
LWRP Figure 4	Existing Land Use
LWRP Figure 5	Existing Zoning
LWRP Figure 6A	Natural Resources
LWRP Figure 6B	Scenic, Cultural and Historic Resources
LWRP Figure 7	Boat Houses in the Thousand Islands
LWRP Figure 8	Proposed Land and Water Uses and Projects
LWRP Figure 9	Agricultural District Parcels – Town of Alexandria

#### Harbor Management Plan Maps

HMP Figure 1	Harbor Management Boundary Area
HMP Figure 2	Harbor Management Character Areas
HMP Figure 3	Surface Water Uses
HMP Figure 4	Underwater Land Use Grants
HMP Figure 5	Underwater Resources
HMP Figure 6	Docking Facilities Map



**Town of Alexandria/Village of Alexandria Bay LWRP**

Jefferson County, New York

Figure 1: Regional Location Map

March 2015

Legend:

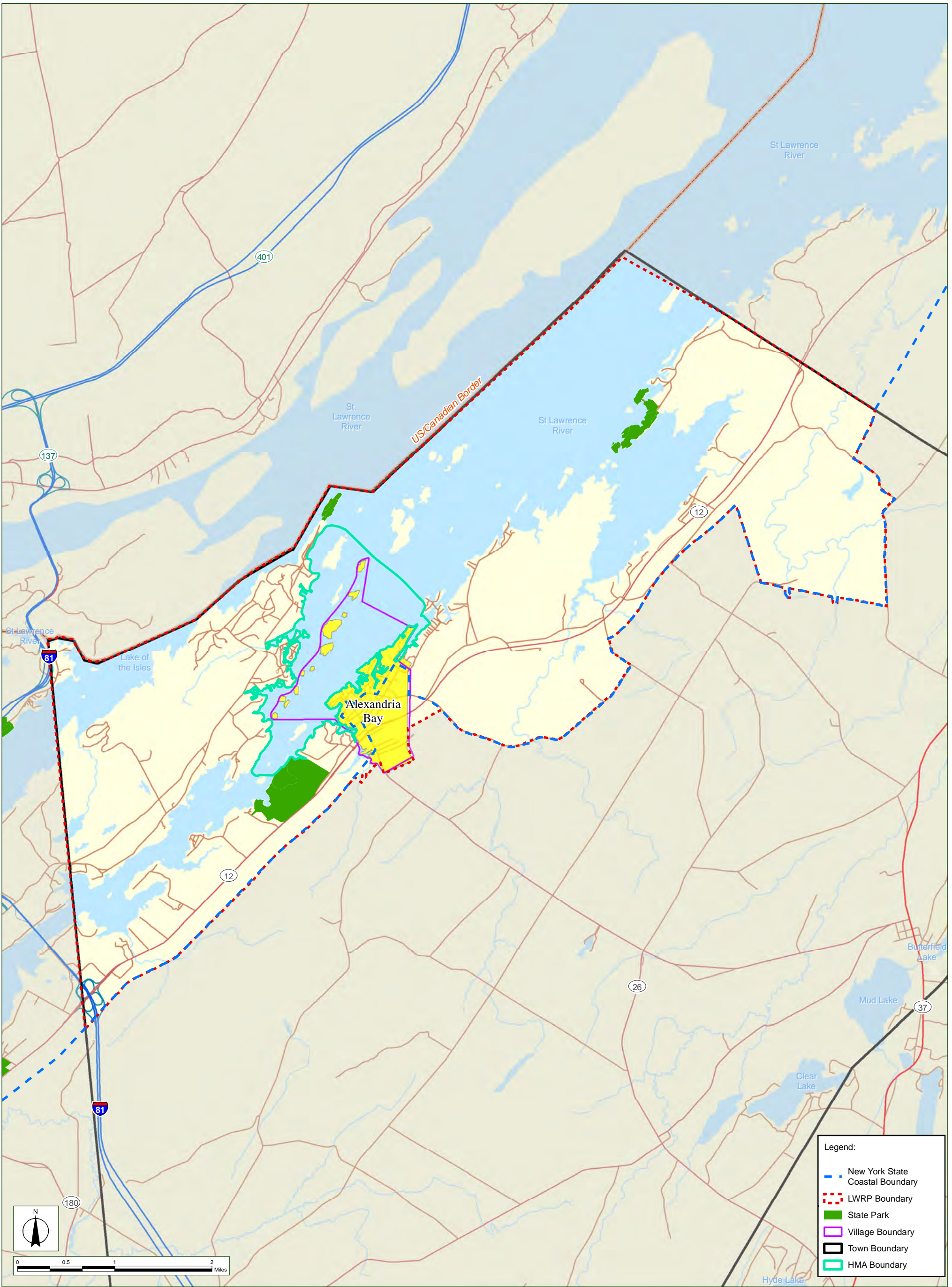
- Study Area
- County Boundary

Notes:

This map was prepared for the New York State Department of State from funds provided under Title 11 of the Environmental Protection Fund.

Source data provided by Jefferson County Real Property Service Agency. Base Map: ESRI StreetMap North America, 2008.





**Town of Alexandria/Village of Alexandria Bay LWRP**

Jefferson County, New York

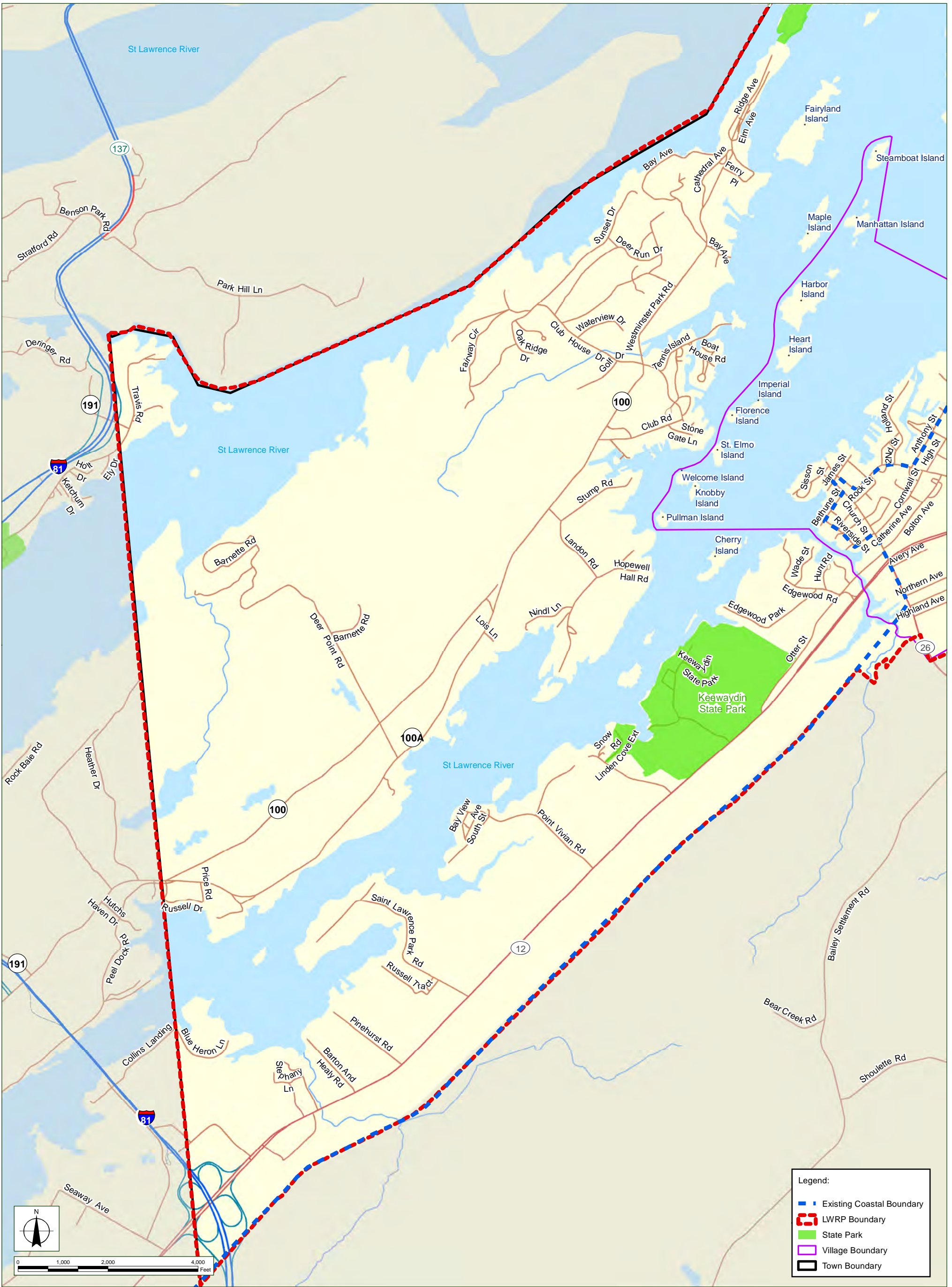
Figure 2: Local Map

March 2015

Notes:  
This map was prepared for the New York State Department of State from funds provided under Title 11 of the Environmental Protection Fund.

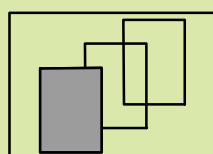
Source data provided by Jefferson County Real Property Service Agency. Base Map: ESRI StreetMap North America, 2008.





**Town of Alexandria/Village of Alexandria Bay LWRP**  
Jefferson County, New York

Figure 3: Existing Coastal Boundary & LWRP Boundary

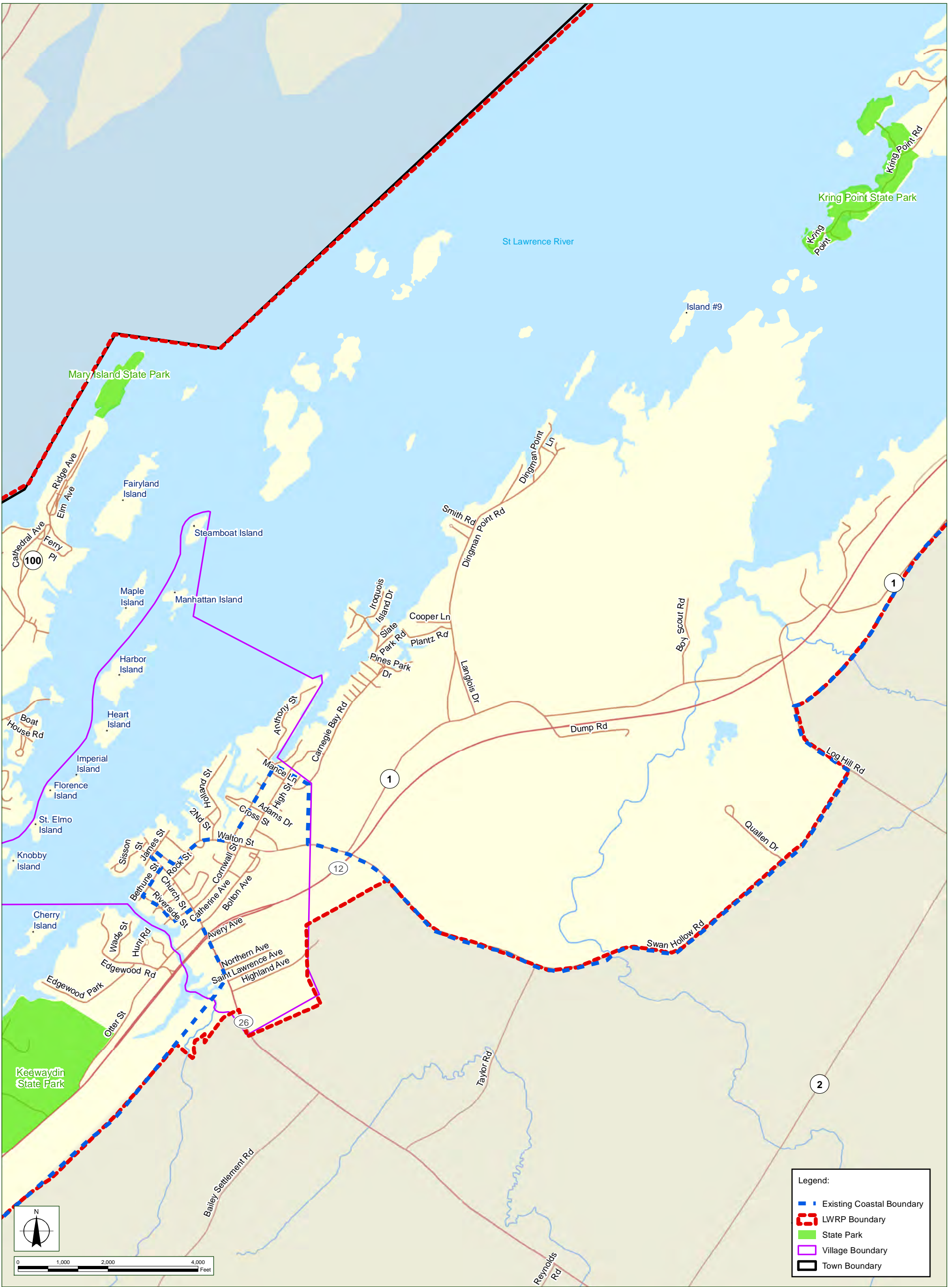


Sheet 1 of 3

March 2015

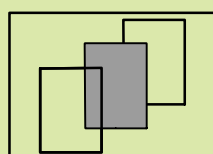
Notes:  
1. This map was prepared for the New York State Department of State from funds provided under Title 11 of the Environmental Protection Fund.  
2. Source data provided by St. Lawrence-Eastern Ontario Commission.



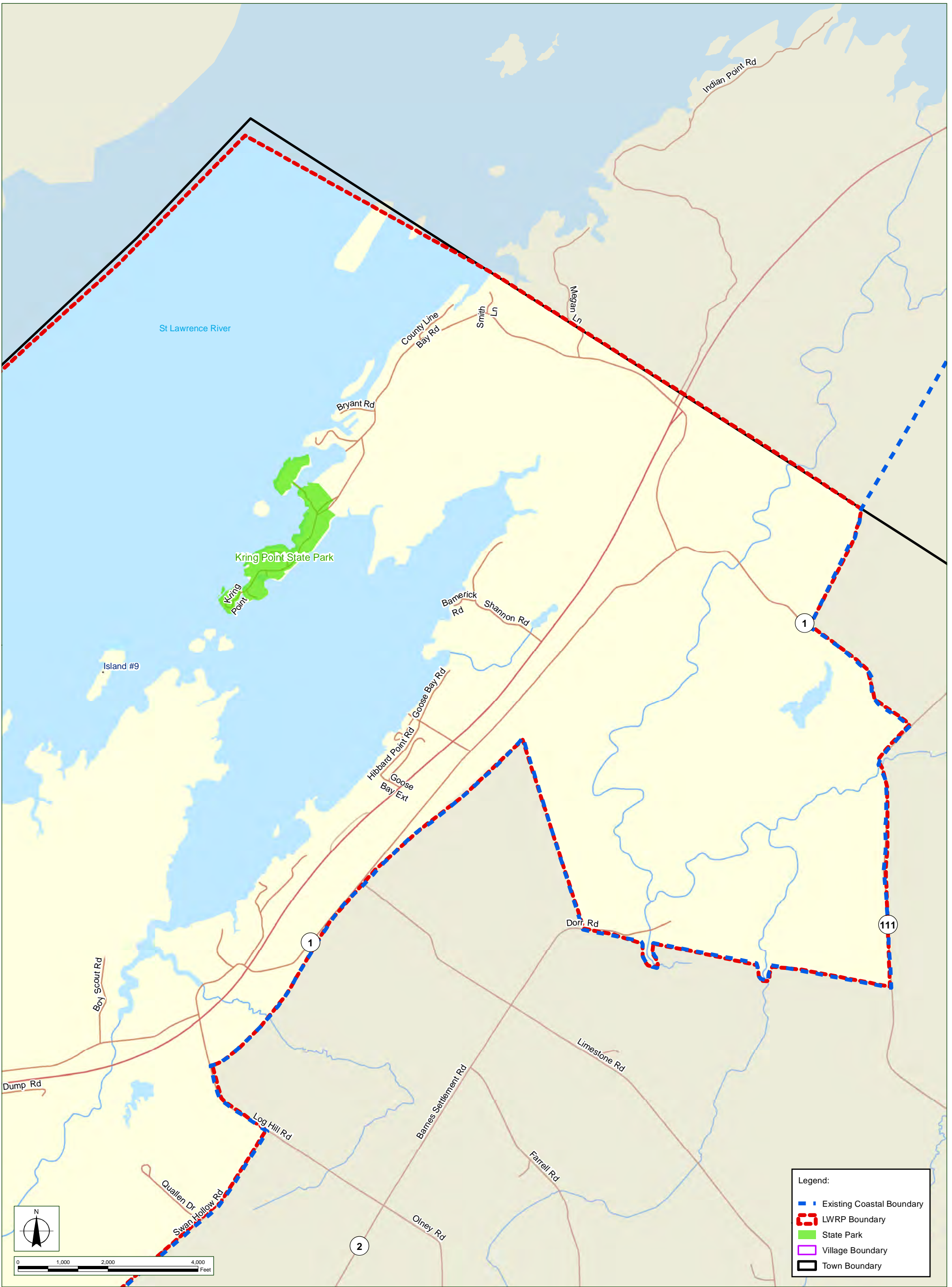


**Town of Alexandria/Village of Alexandria Bay LWRP**  
Jefferson County, New York

Figure 3: Existing Coastal Boundary & LWRP Boundary

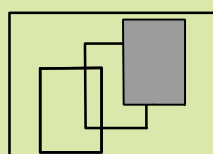


Sheet 2 of 3



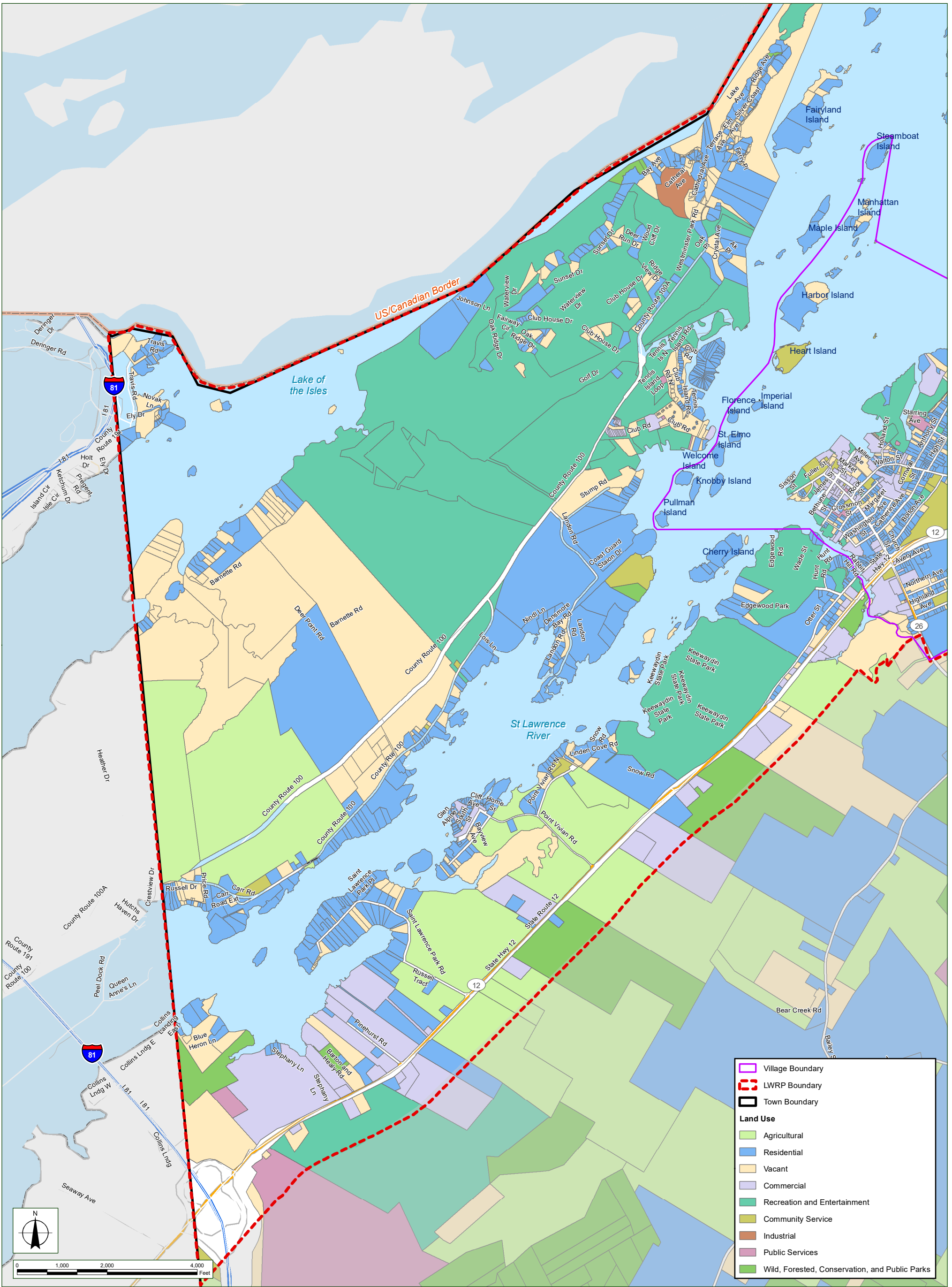
**Town of Alexandria/Village of Alexandria Bay LWRP**  
Jefferson County, New York

Figure 3: Existing Coastal Boundary & LWRP Boundary



Sheet 3 of 3

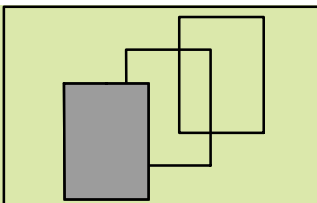
Notes:  
1. This map was prepared for the New York State Department of State from funds provided under Title 11 of the Environmental Protection Fund.  
2. Source data provided by St. Lawrence-Eastern Ontario Commission.



**Town of Alexandria/Village of Alexandria Bay LWRP**

Jefferson County, New York

Figure 4: Existing Land Use



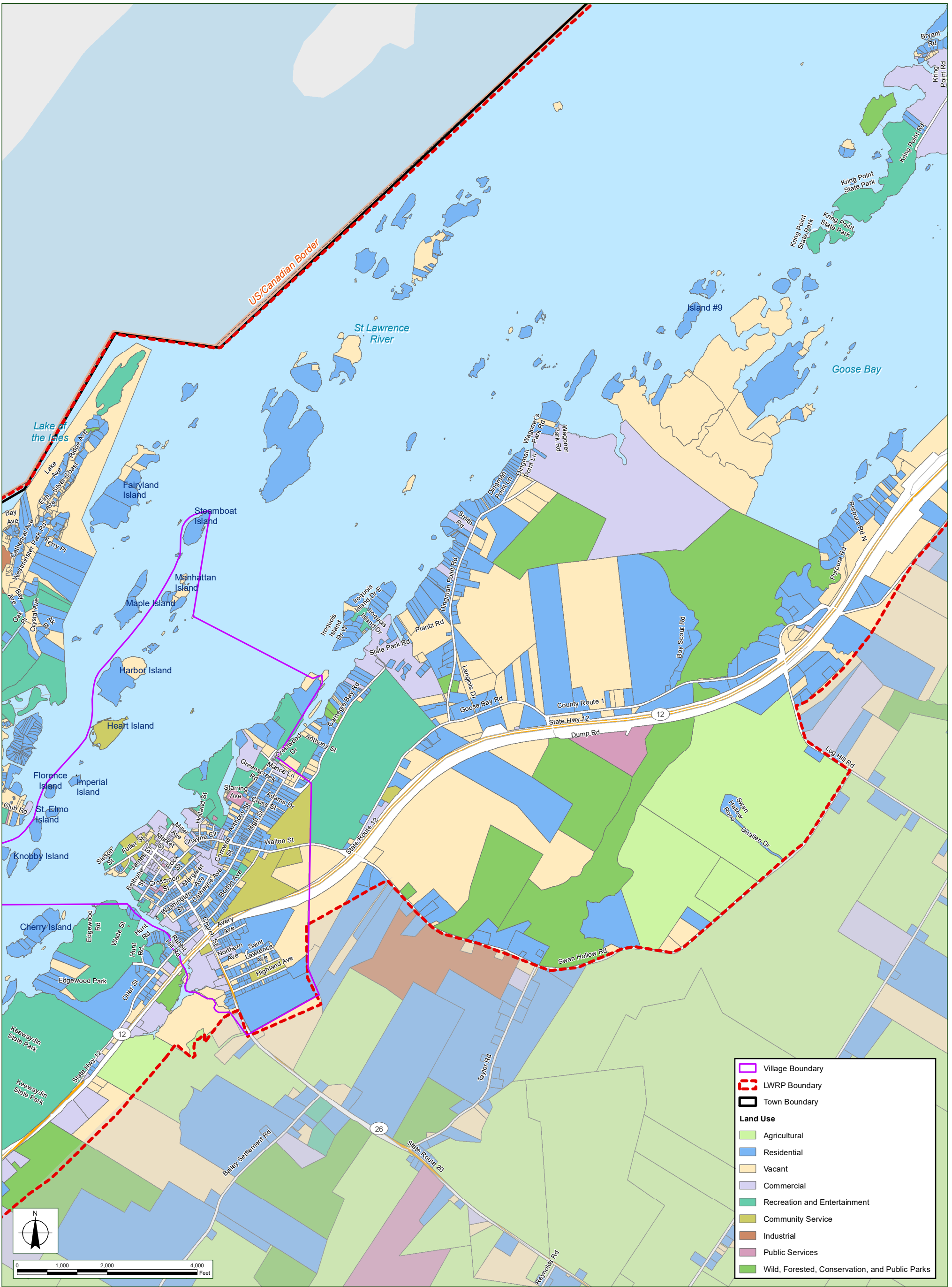
Sheet 1 of 3

**Notes:**  
This map was prepared for the New York State Department of State from funds provided under Title 11 of the Environmental Protection Fund. As land use presented is generalized, the figure is not intended as a reference document.

Source data provided by Jefferson County Real Property Service Agency.  
Base Map: ESRI Street Map USA, 2006

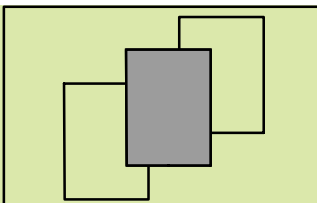
March 2015





**Town of Alexandria/Village of Alexandria Bay LWRP**  
Jefferson County, New York

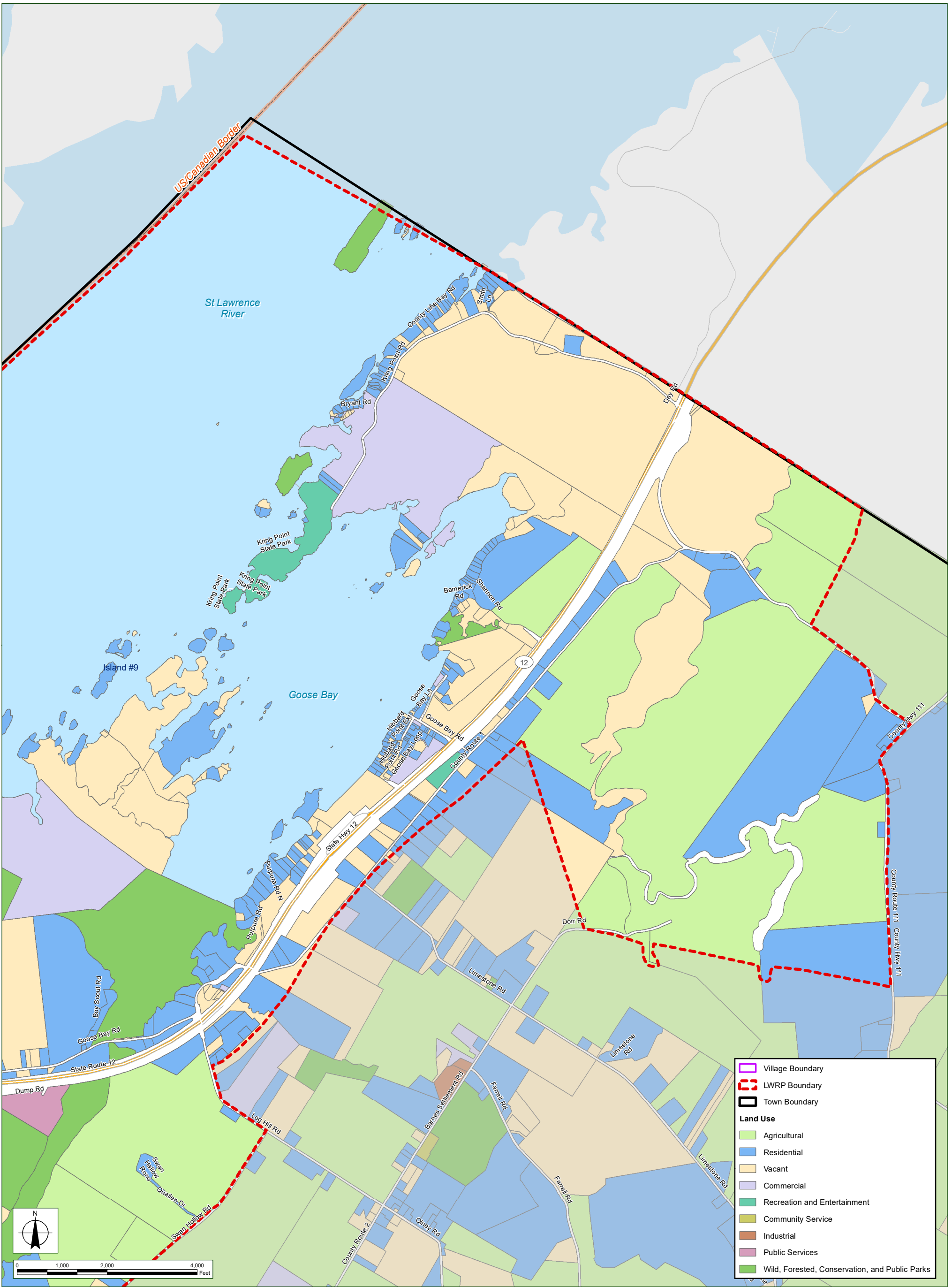
Figure 4: Existing Land Use



Sheet 2 of 3

**Notes:**  
This map was prepared for the New York State Department of State from funds provided under Title 11 of the Environmental Protection Fund. As land use presented is generalized, the figure is not intended as a reference document.

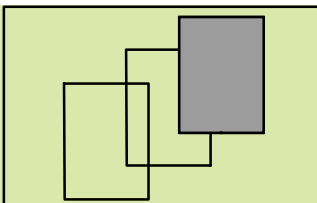
Source data provided by Jefferson County Real Property Service Agency.  
Base Map: ESRI Street Map USA, 2006



**Town of Alexandria/Village of Alexandria Bay LWRP**

Jefferson County, New York

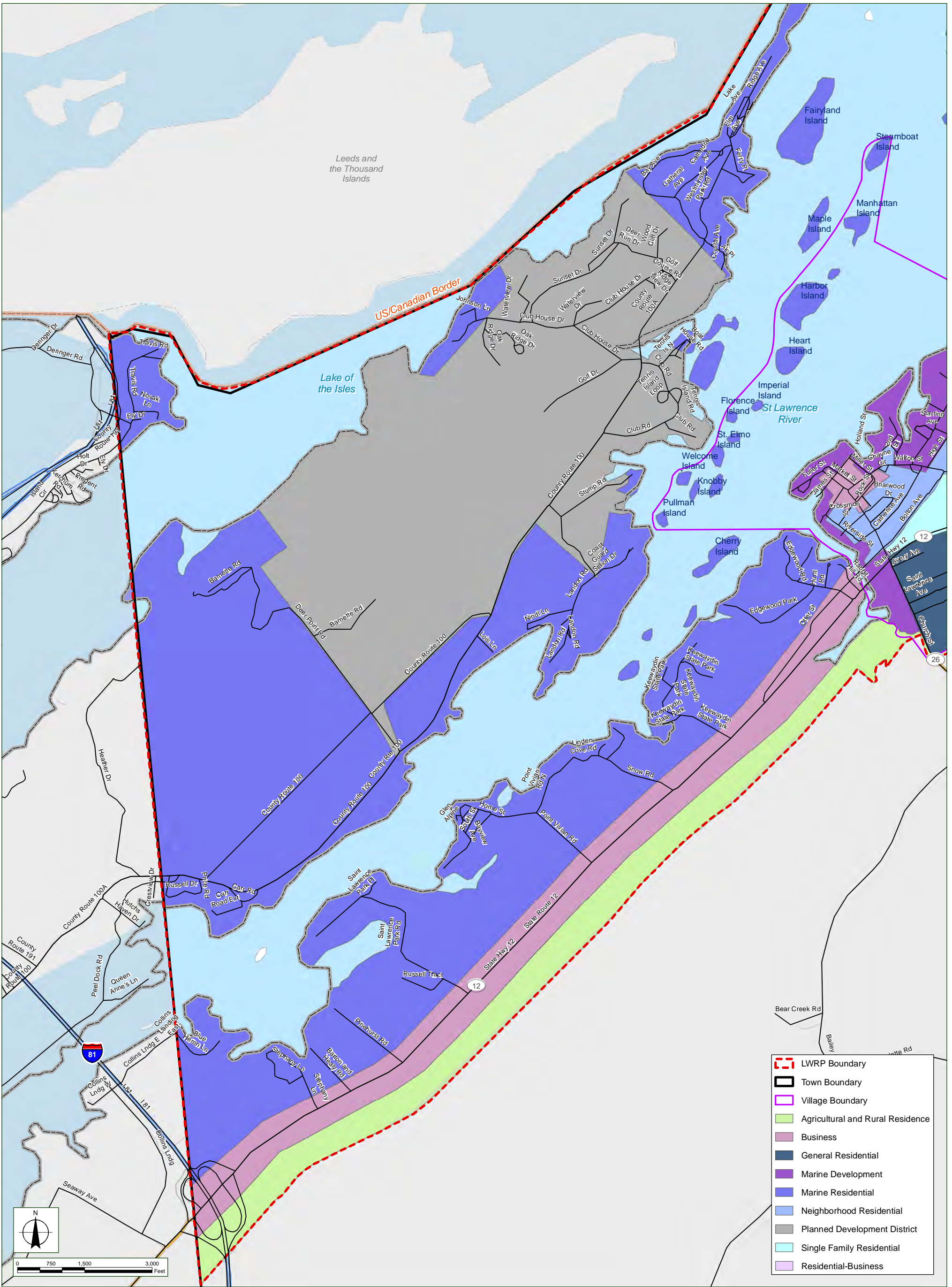
Figure 4: Existing Land Use



Sheet 3 of 3

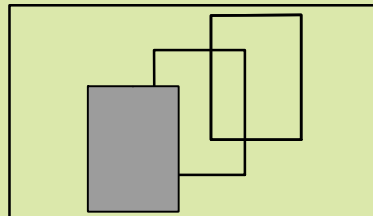
**Notes:**  
This map was prepared for the New York State Department of State from funds provided under Title 11 of the Environmental Protection Fund. As land use presented is generalized, the figure is not intended as a reference document.

Source data provided by Jefferson County Real Property Service Agency.  
Base Map: ESRI Street Map USA, 2006



**Town of Alexandria/Village of Alexandria Bay LWRP**  
Jefferson County, New York

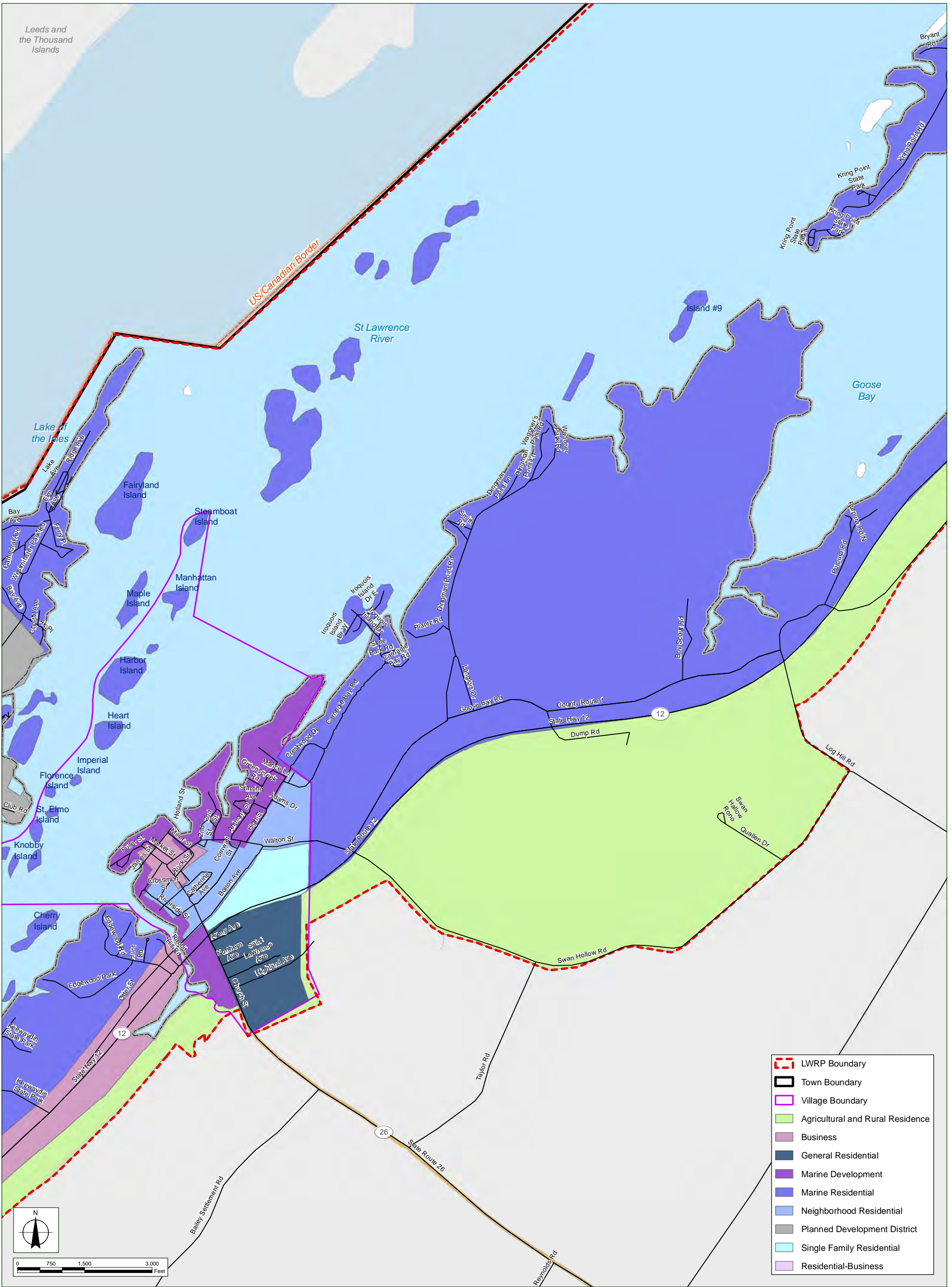
Figure 5: Existing Zoning



Sheet 1 of 3

**Notes:**  
This map was prepared for the New York State Department of State from funds provided under Title 11 of the Environmental Protection Fund. Source data provided by Jefferson County Real Property Service Agency. Base Map: ESRI Street Map USA, 2006



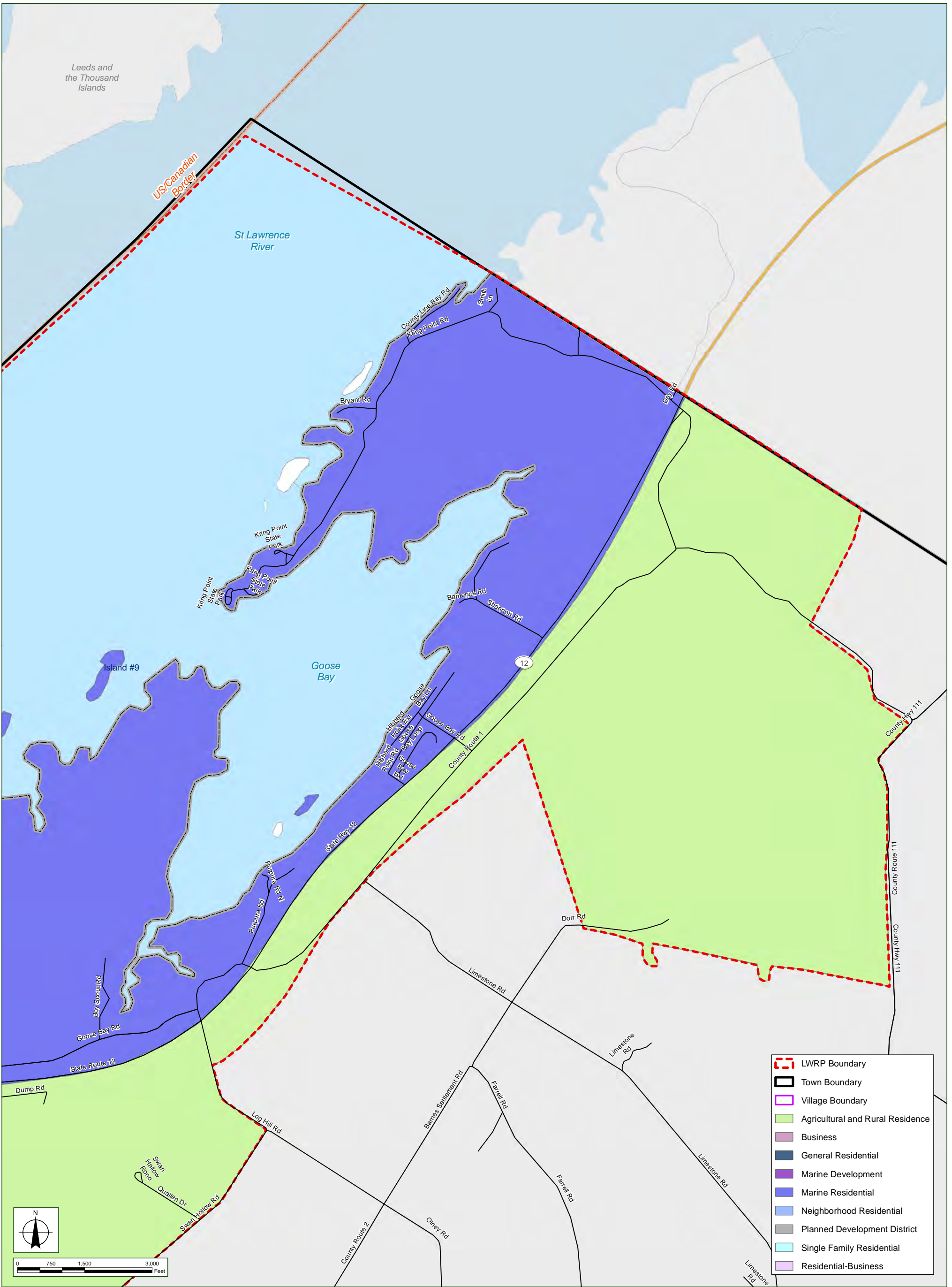


**Town of Alexandria/Village of Alexandria Bay LWRP**  
 Jefferson County, New York

**Figure 5: Existing Zoning**

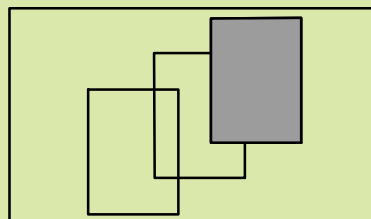
Sheet 2 of 3

**Notes:**  
 This map was prepared for the New York State Department of State from funds provided under Title 11 of the Environmental Protection Fund. Source data provided by Jefferson County Real Property Service Agency. Base Map: ESRI Street Map USA, 2006



**Town of Alexandria/Village of Alexandria Bay LWRP**  
Jefferson County, New York

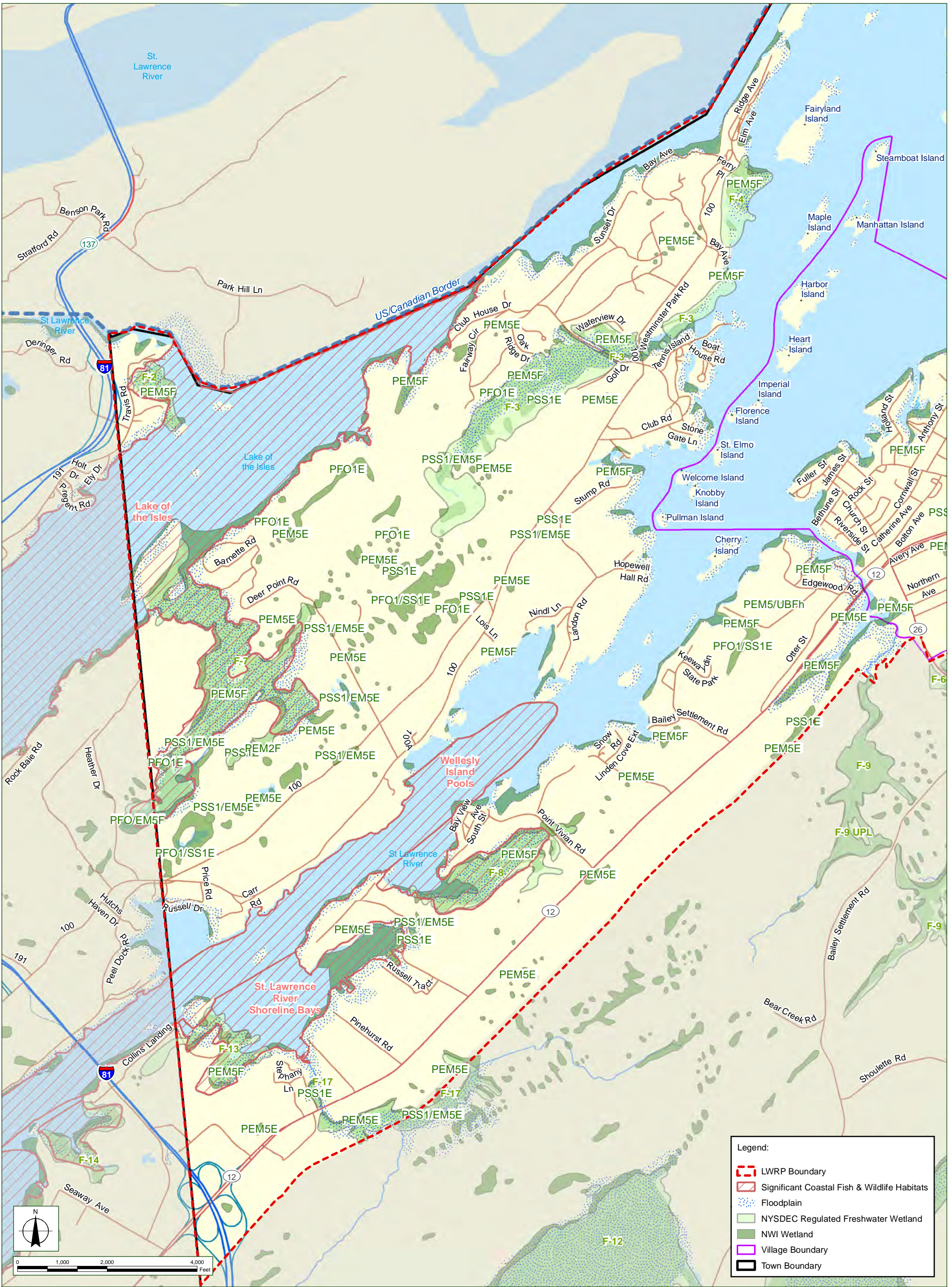
Figure 5: Existing Zoning



Sheet 3 of 3

**Notes:**  
This map was prepared for the New York State Department of State from funds provided under Title 11 of the Environmental Protection Fund.  
Source data provided by Jefferson County Real Property Service Agency.  
Base Map: ESRI Street Map USA, 2006

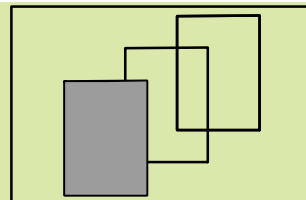




**Town of Alexandria/Village of Alexandria Bay LWRP**  
Jefferson County, New York

Figure 6A: Natural Resources

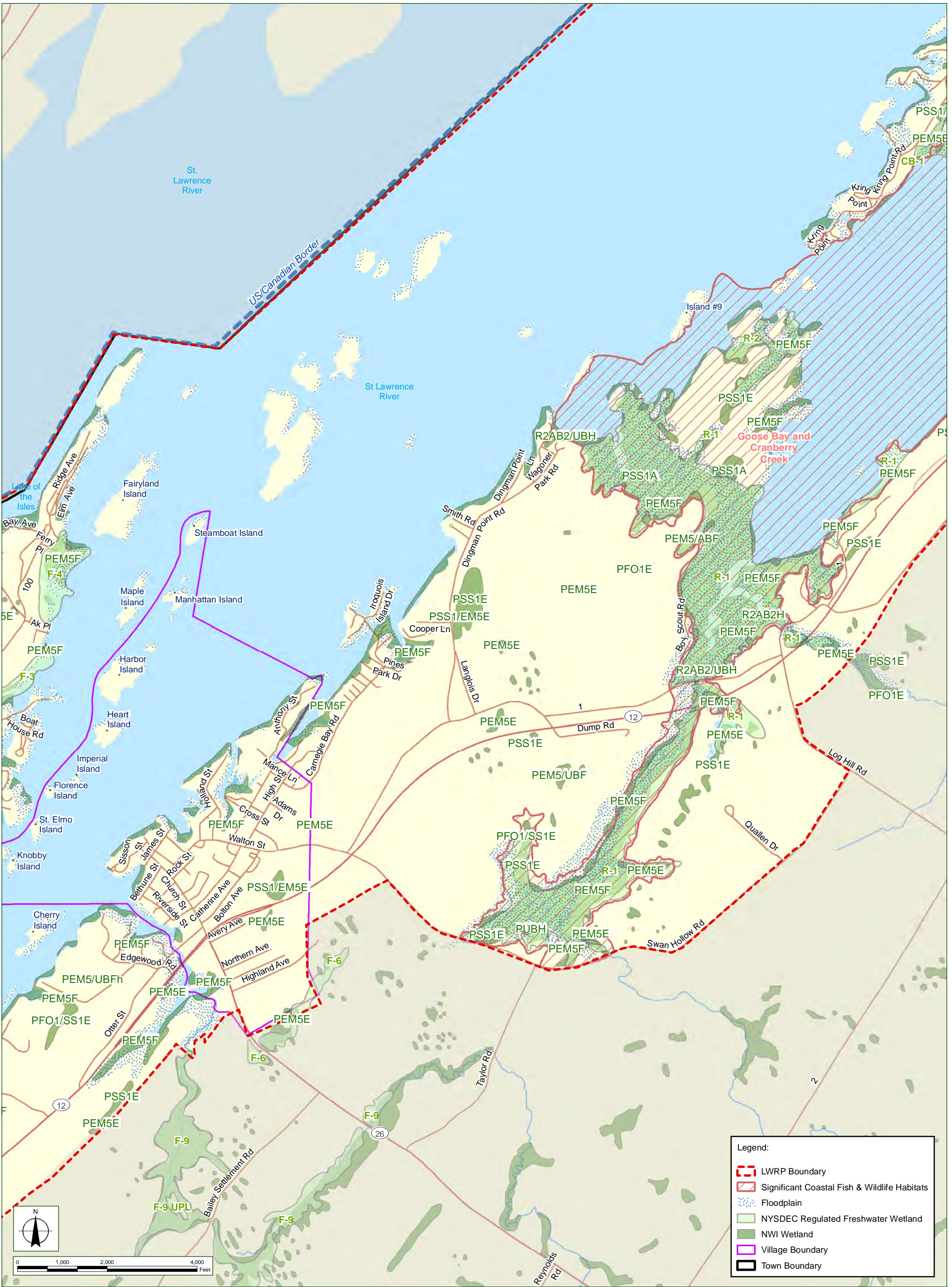
March 2015



Sheet 1 of 3

- Notes:
1. This map was prepared for the New York State Department of State from funds provided under Title 11 of the Environmental Protection Fund.
  2. Source data provided by Jefferson County Real Property Service Agency.
  3. Base Map: ESRI StreetMap North America, 2008.
  4. Areas of open water have been removed from the flood plain.

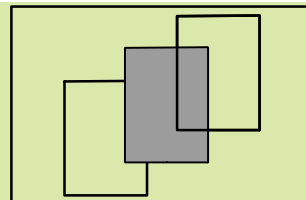




**Town of Alexandria/Village of Alexandria Bay LWRP**  
Jefferson County, New York

Figure 6A: Natural Resources

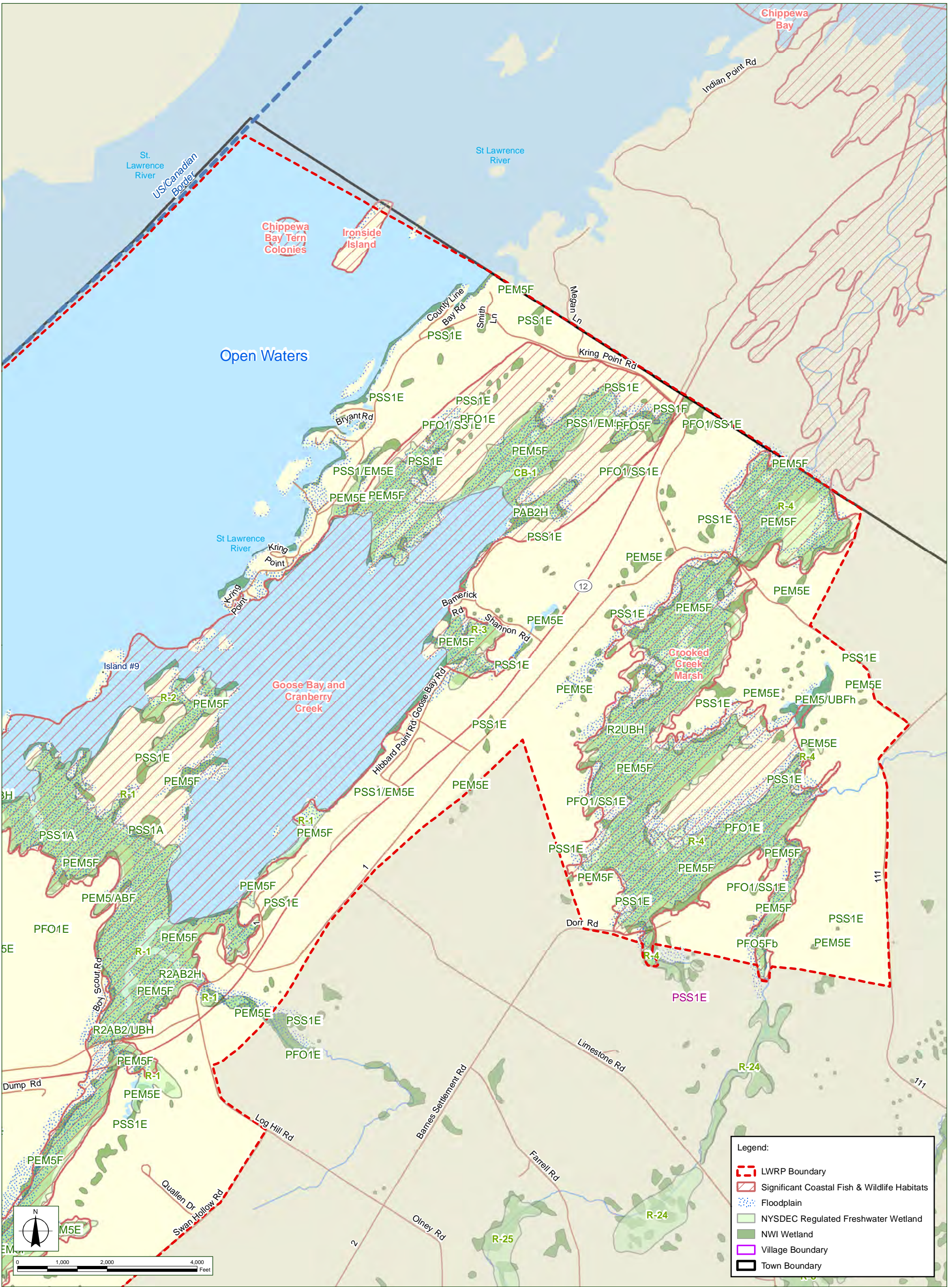
March 2015



Sheet 2 of 3

- Notes:
1. This map was prepared for the New York State Department of State from funds provided under Title 11 of the Environmental Protection Fund.
  2. Source data provided by Jefferson County Real Property Service Agency.
  3. Base Map: ESRI StreetMap North America, 2008.
  4. Areas of open water have been removed from the flood plain.

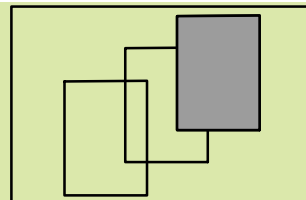




**Town of Alexandria/Village of Alexandria Bay LWRP**  
Jefferson County, New York

Figure 6A: Natural Resources

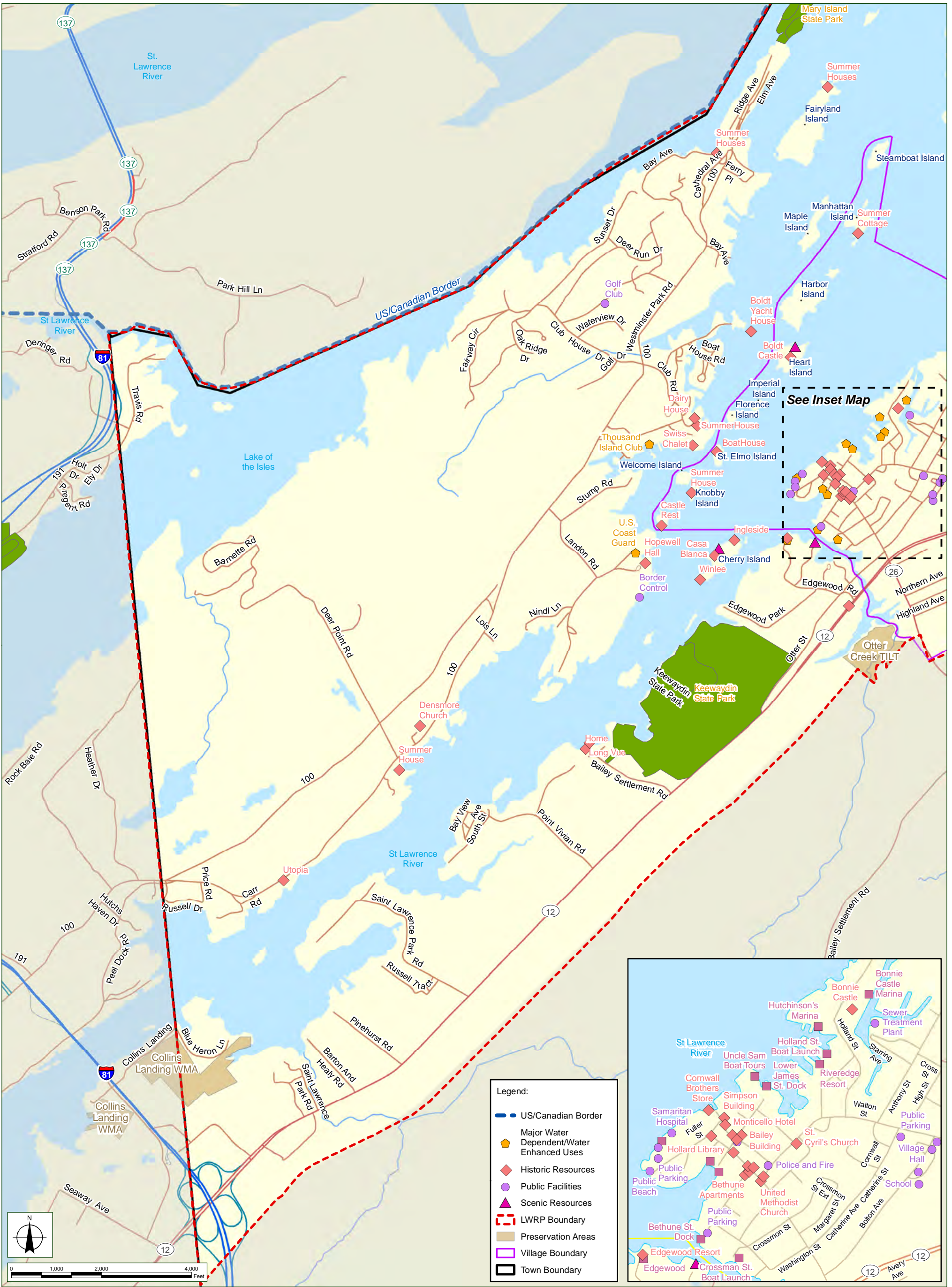
March 2015



Sheet 3 of 3

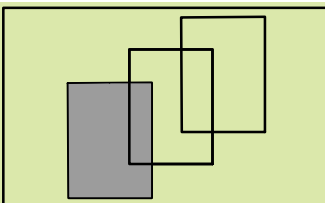
- Notes:
1. This map was prepared for the New York State Department of State from funds provided under Title 11 of the Environmental Protection Fund.
  2. Source data provided by Jefferson County Real Property Service Agency.
  3. Base Map: ESRI StreetMap North America, 2008.
  4. Areas of open water have been removed from the flood plain.





**Town of Alexandria/Village of Alexandria Bay LWRP**  
Jefferson County, New York

Figure 6B: Scenic, Cultural, and Historic Resources

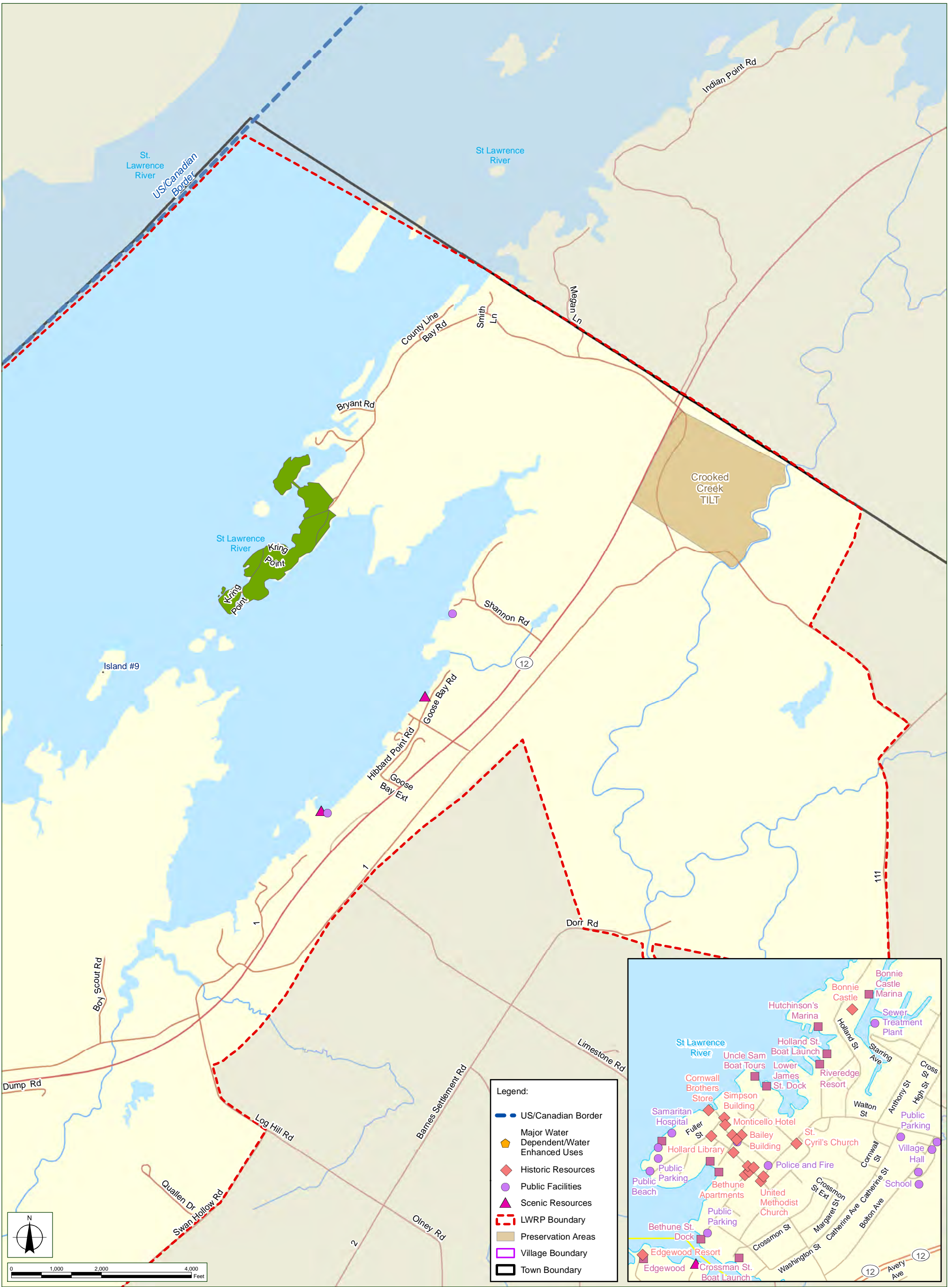


Sheet 1 of 3

Notes:  
This map was prepared for the New York State Department of State from funds provided under Title 11 of the Environmental Protection Fund.

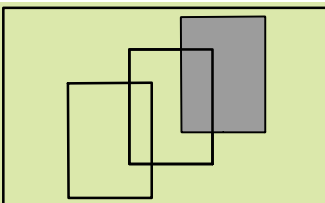
Source data provided by Jefferson County Real Property Service Agency. Base Map: ESRI StreetMap North America, 2008.





**Town of Alexandria/Village of Alexandria Bay LWRP**  
Jefferson County, New York

Figure 6B: Scenic, Cultural, and Historic Resources



Sheet 3 of 3

Notes:  
This map was prepared for the New York State Department of State from funds provided under Title 11 of the Environmental Protection Fund.

Source data provided by Jefferson County Real Property Service Agency. Base Map: ESRI StreetMap North America, 2008.





**Town of Alexandria/Village of Alexandria Bay  
Local Waterfront Revitalization Plan**

Town of Alexandria & Village of Alexandria Bay  
Jefferson County, New York

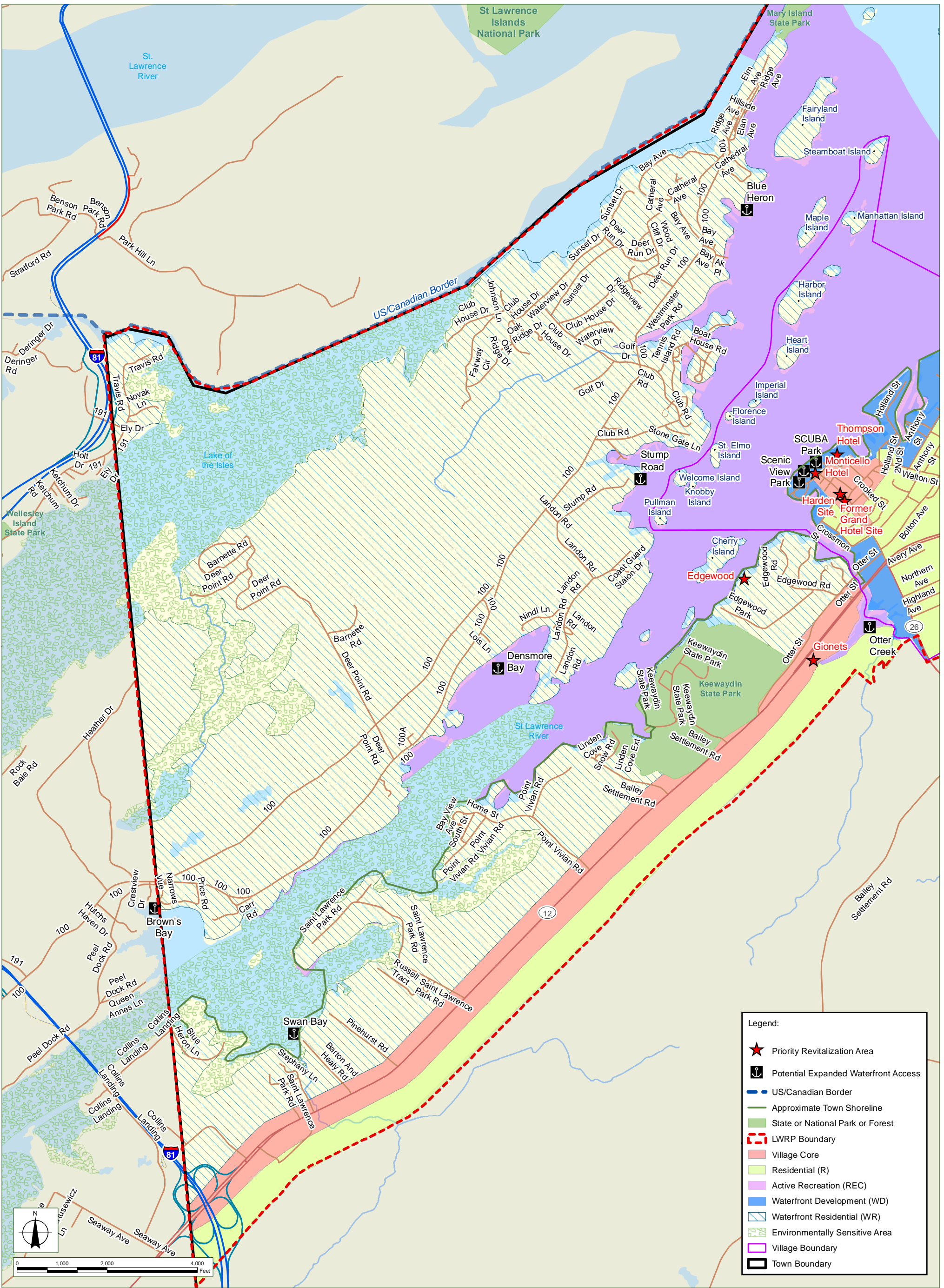
Figure 7: Boat Houses in the Thousand Islands

Sheet 1 of 1

March 2015

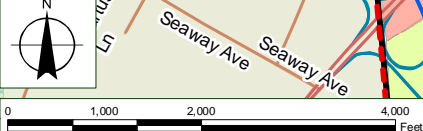
**Notes:**  
This figure was prepared for the New York State Department of State with funds provided under Title 11 of the Environmental Protection Fund.  
**Source:**  
St. Lawrence-Eastern Ontario Commission





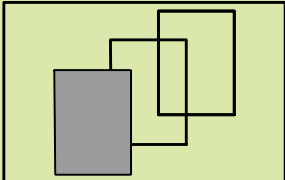
**Legend:**

- ★ Priority Revitalization Area
- ⚓ Potential Expanded Waterfront Access
- US/Canadian Border
- Approximate Town Shoreline
- State or National Park or Forest
- - - LWRP Boundary
- Village Core
- Residential (R)
- Active Recreation (REC)
- Waterfront Development (WD)
- Waterfront Residential (WR)
- Environmentally Sensitive Area
- Village Boundary
- Town Boundary



**Town of Alexandria/Village of Alexandria Bay LWRP**  
Jefferson County, New York

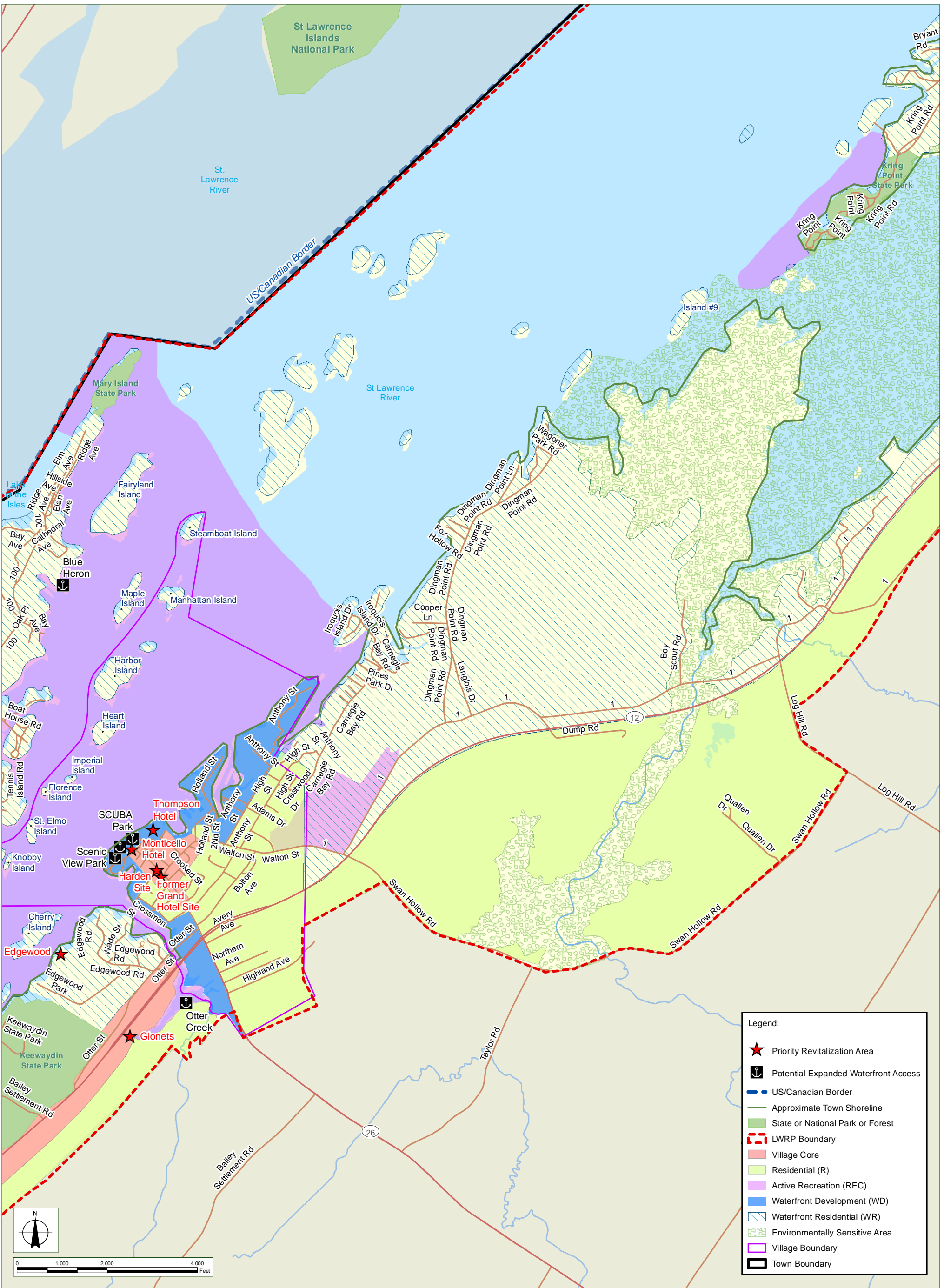
Figure 8: Proposed Land and Water Uses and Projects



Notes:  
This map was prepared for the New York State Department of State from funds provided under Title 11 of the Environmental Protection Fund.

Source data provided by Jefferson County Real Property Service Agency. Base Map: ESRI StreetMap North America, 2008.

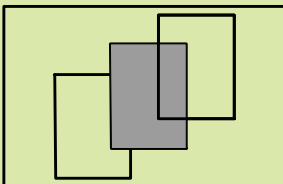




**Town of Alexandria/Village of Alexandria Bay LWRP**

Jefferson County, New York

**Figure 8: Proposed Land and Water Uses and Projects**



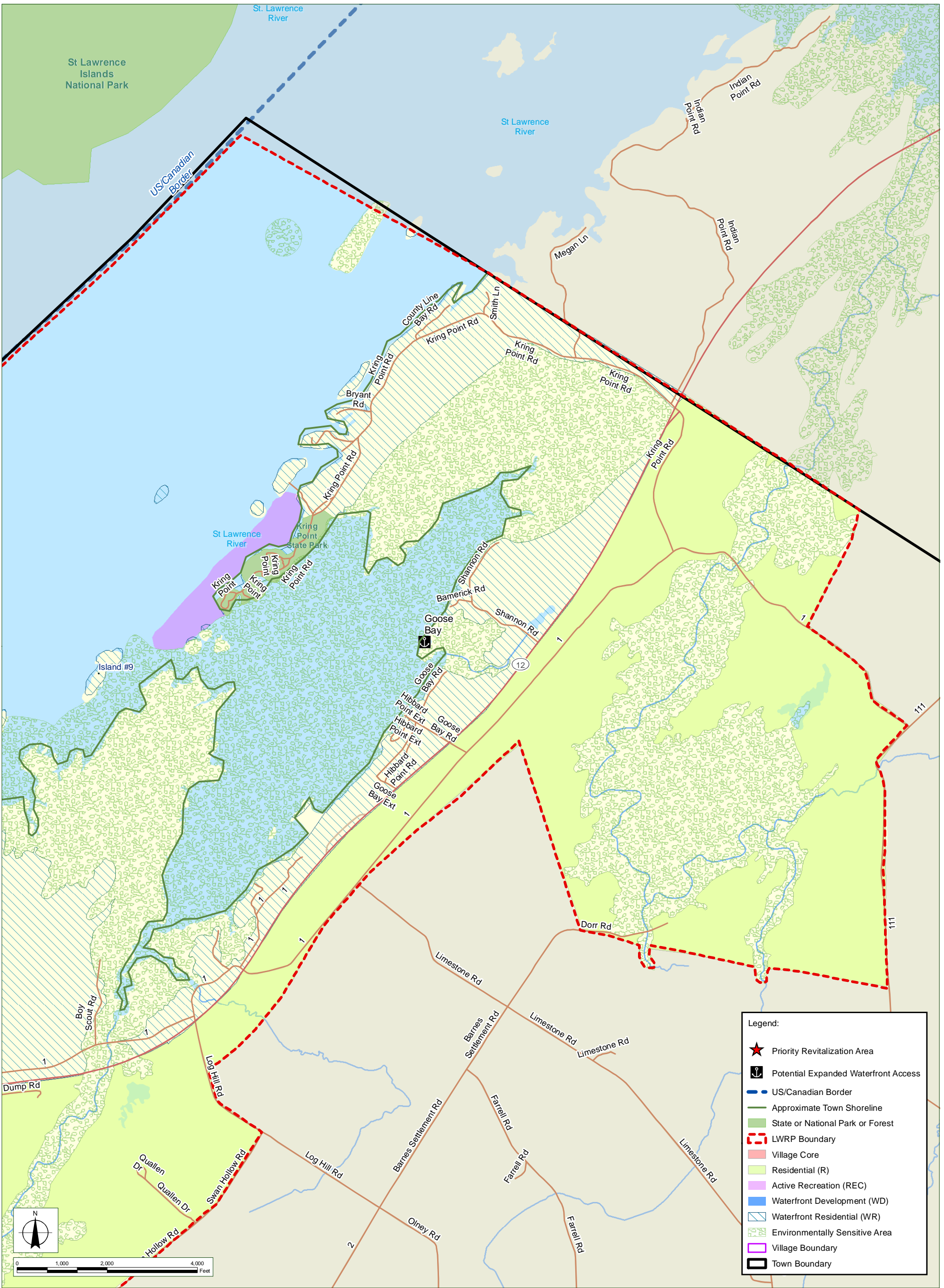
Sheet 2 of 3

Notes:  
This map was prepared for the New York State Department of State from funds provided under Title 11 of the Environmental Protection Fund.

Source data provided by Jefferson County Real Property Service Agency. Base Map: ESRI StreetMap North America, 2008.

March 2015

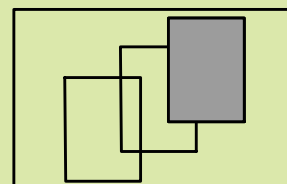




## Town of Alexandria/Village of Alexandria Bay LWRP

Jefferson County, New York

Figure 8: Proposed Land and Water Uses and Projects



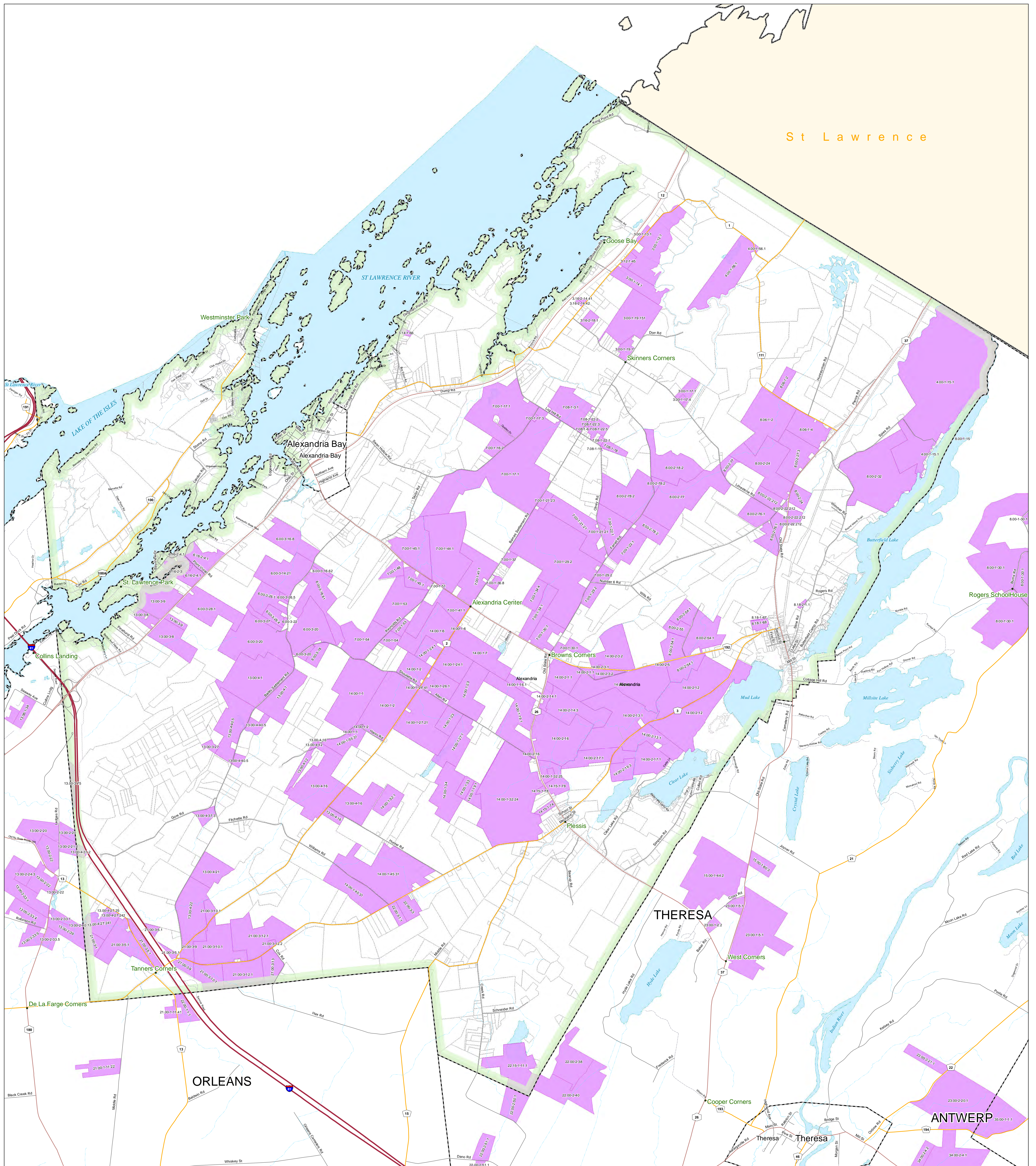
Sheet 3 of 3

**Notes:**  
This map was prepared for the New York State Department of State from funds provided under Title 11 of the Environmental Protection Fund.

Source data provided by Jefferson County Real Property Service Agency. Base Map: ESRI StreetMap North America, 2008.

March 2015



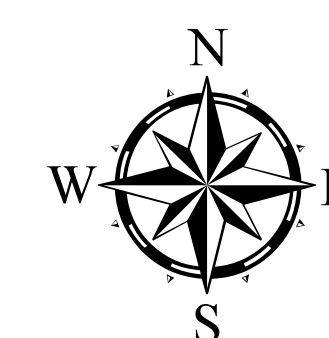


Jefferson County  
 New York State Certified Agricultural District Parcels  
 Includes 2014 Individual Inclusions  
**Town of Alexandria**

- |              |                           |
|--------------|---------------------------|
| <b>Roads</b> | • Hamlets                 |
| Interstate   | Rivers / Streams          |
| Federal      | County Boundaries         |
| State        | Municipal Boundaries      |
| County       | Fort Drum Boundary        |
| Town         | Ag District Southeast # 1 |
| Village      | Ag District North # 2     |
| Private      | Ag District Southwest # 3 |
|              | Parcels                   |
|              | Waterbodies               |

0 5,000 Feet

1:24,000  
 1 inch = 2,000 feet

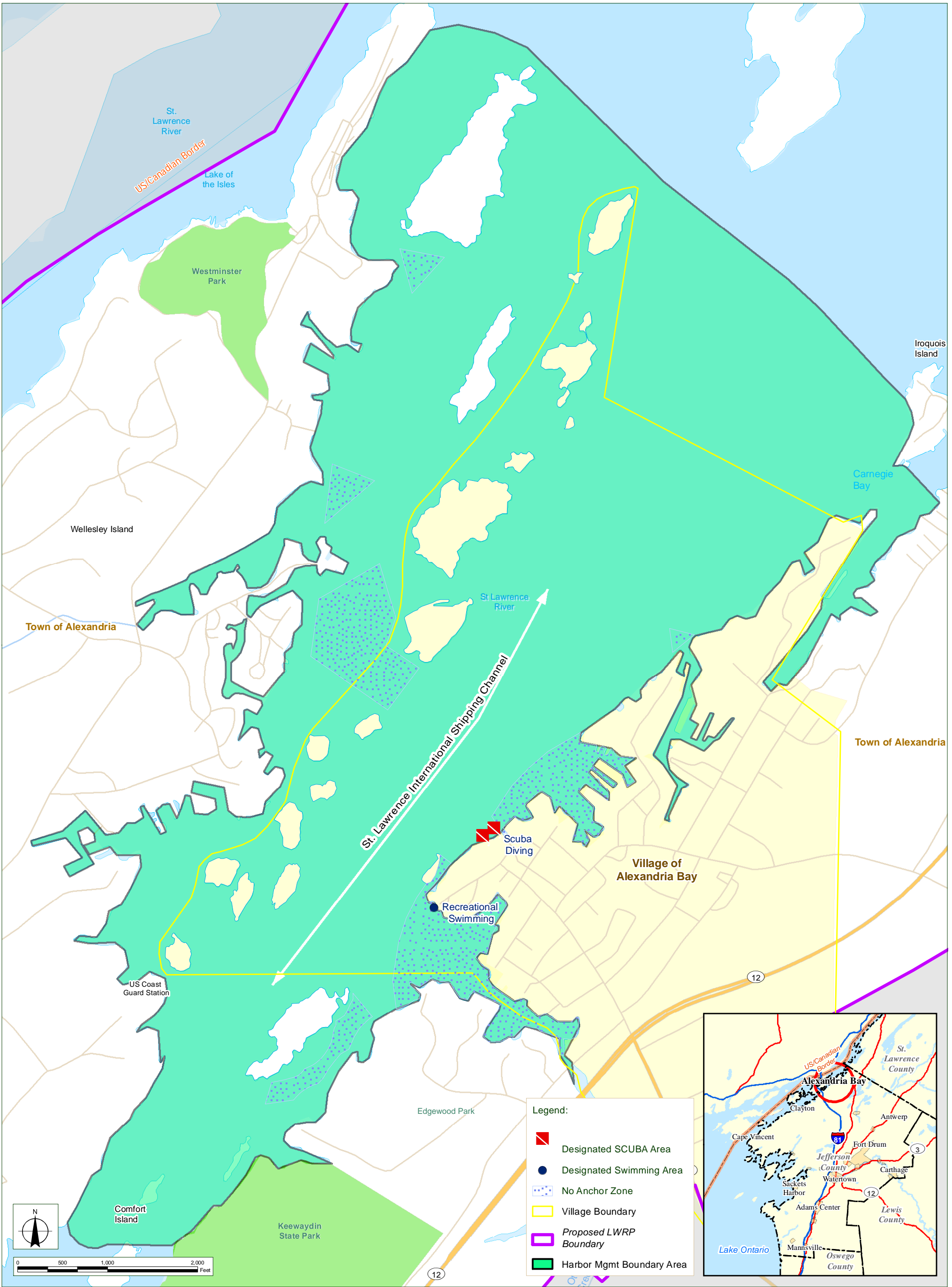


Map prepared by the Jefferson County Department of Planning  
 January 2015

Subject to change on an annual basis

New York Central State Plane coordinate system  
 1983 North American datum

**Data Sources**  
 Jefferson County Real Property Tax Services - 2014 Parcels  
 NYS Office of Cyber Security and Critical Infrastructure Coordination  
 US Census Bureau



**Town of Alexandria / Village of Alexandria Bay  
Harbor Management Plan**

Town of Alexandria & Village of Alexandria Bay  
Jefferson County, New York

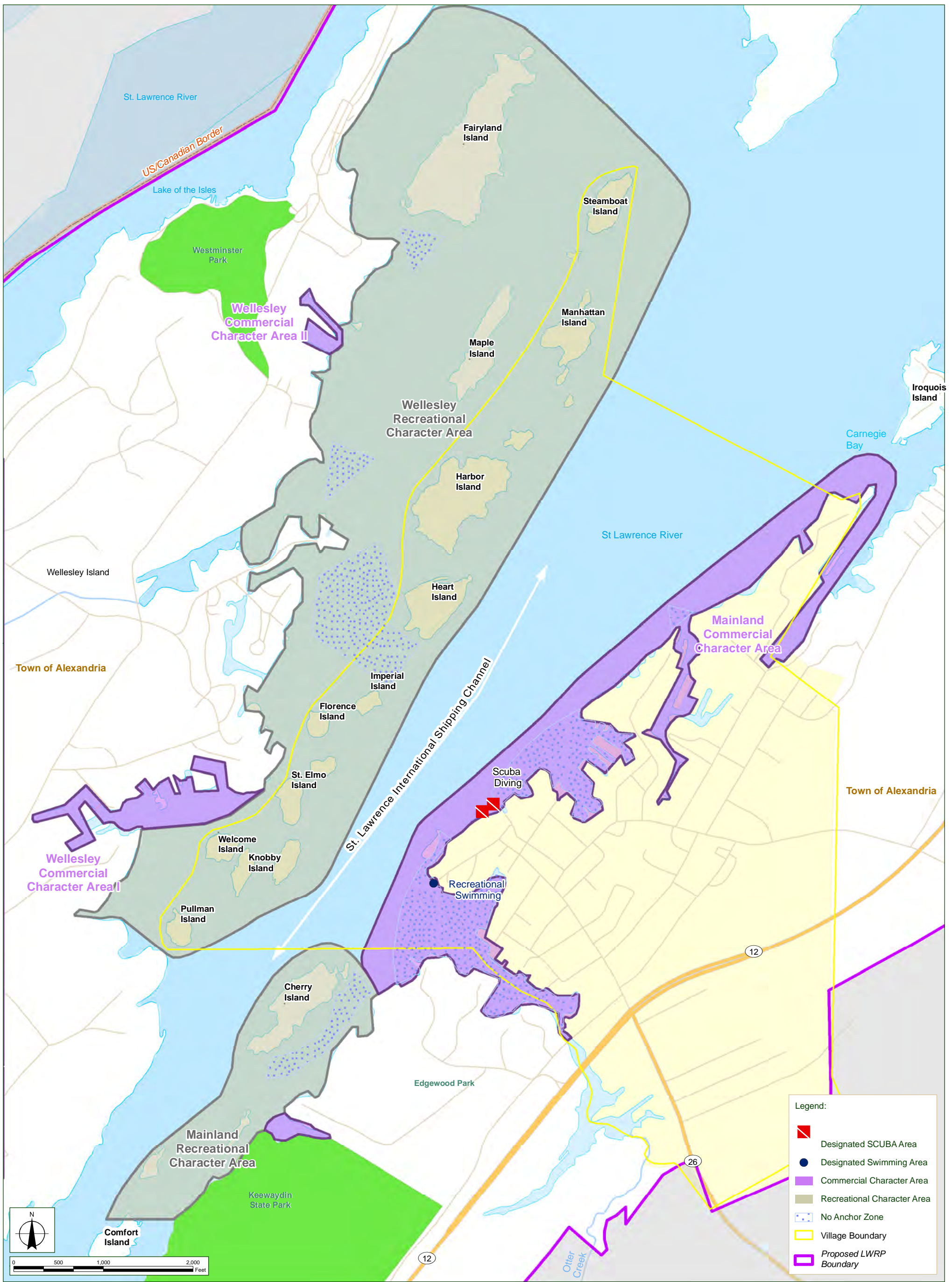
**Figure 1: Harbor Management Boundary Area**

March 2015

**Notes:**  
This map was prepared for the New York State Department of State from funds provided under Title 11 of the Environmental Protection Fund.

Source data provided by Jefferson County Real Property Service Agency. Base Map: ESRI StreetMap 2008.





## Town of Alexandria / Village of Alexandria Bay Harbor Management Plan

Town of Alexandria & Village of Alexandria Bay  
Jefferson County, New York

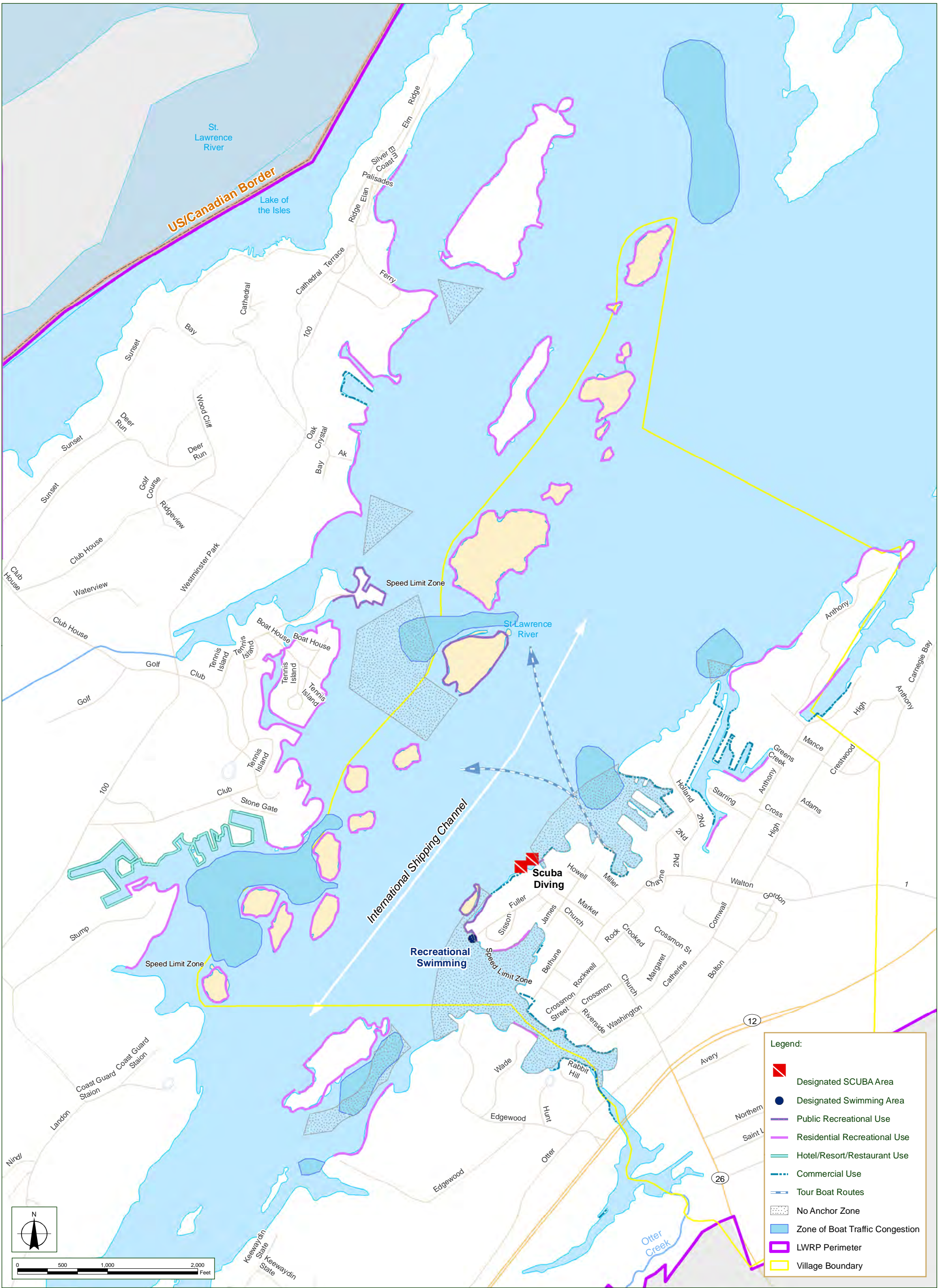
Figure 2: Harbor Management Character Areas

March 2015

**Notes:**  
This map was prepared for the New York State Department of State from funds provided under Title 11 of the Environmental Protection Fund.

Source data provided by Jefferson County Real Property Service Agency. Base Map: ESRI StreetMap 2008.





## Town of Alexandria / Village of Alexandria Bay Harbor Management Plan

Town of Alexandria & Village of Alexandria Bay  
Jefferson County, New York

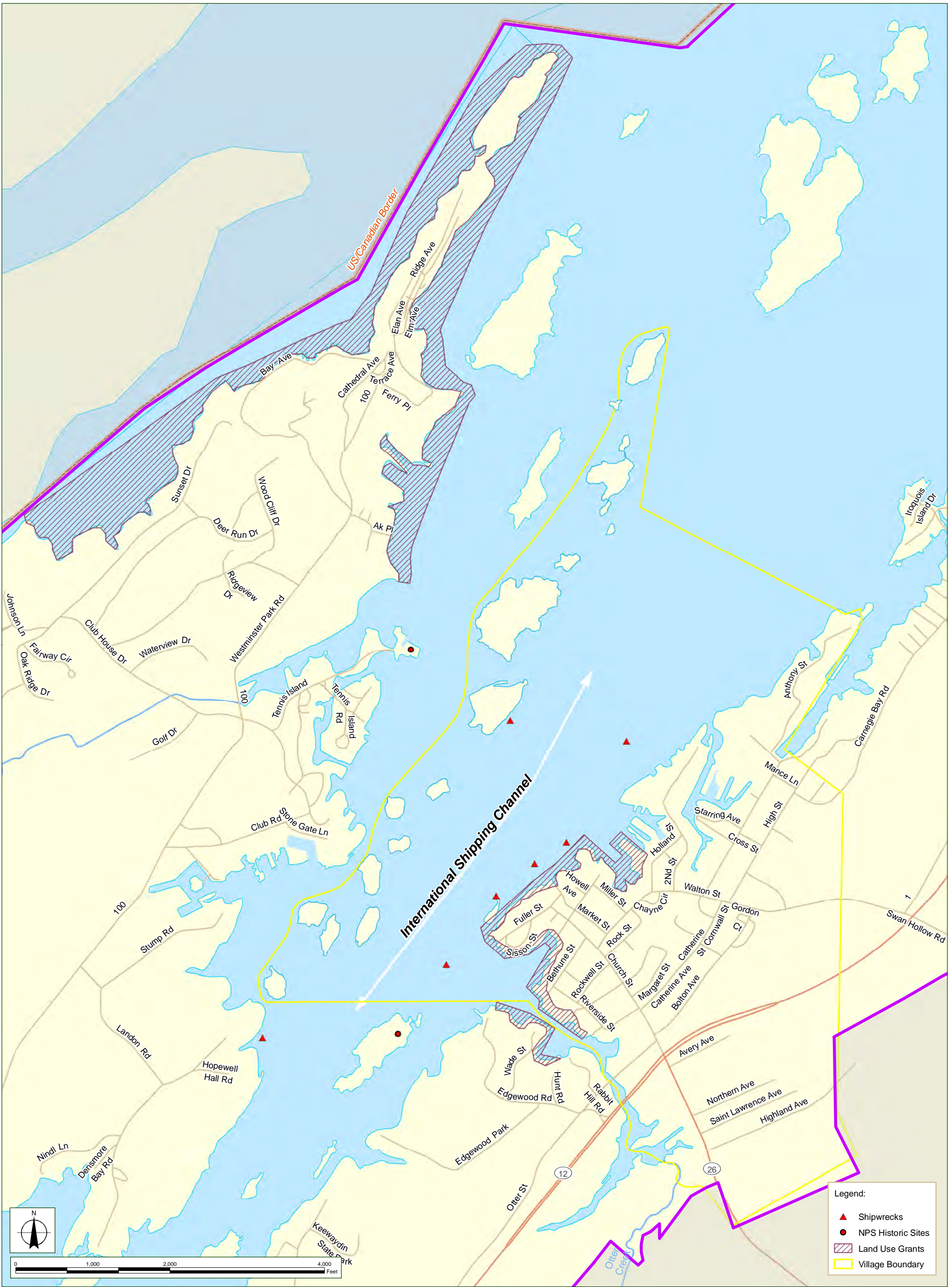
Figure 3: Surface Water Uses

March 2015

**Notes:**  
This map was prepared for the New York State Department of State from funds provided under Title 11 of the Environmental Protection Fund.

Source data provided by Jefferson County Real Property Service Agency. Base Map: ESRI StreetMap 2008.





## Town of Alexandria / Village of Alexandria Bay Harbor Management Plan

Town of Alexandria & Village of Alexandria Bay  
Jefferson County, New York

Figure 4: Underwater Land Use Grants

March 2015

### Notes:

This map was prepared for the New York State Department of State from funds provided under Title 11 of the Environmental Protection Fund. All land use grants must be confirmed with New York State Office of General Services. For an official reference, please see the OGS Grant Water Index Map for Alexandria Bay.

Source data provided by Jefferson County Real Property Service Agency.

Base Map: ESRI StreetMap North America, 2008.





## Town of Alexandria / Village of Alexandria Bay Harbor Management Plan

Town of Alexandria & Village of Alexandria Bay  
Jefferson County, New York

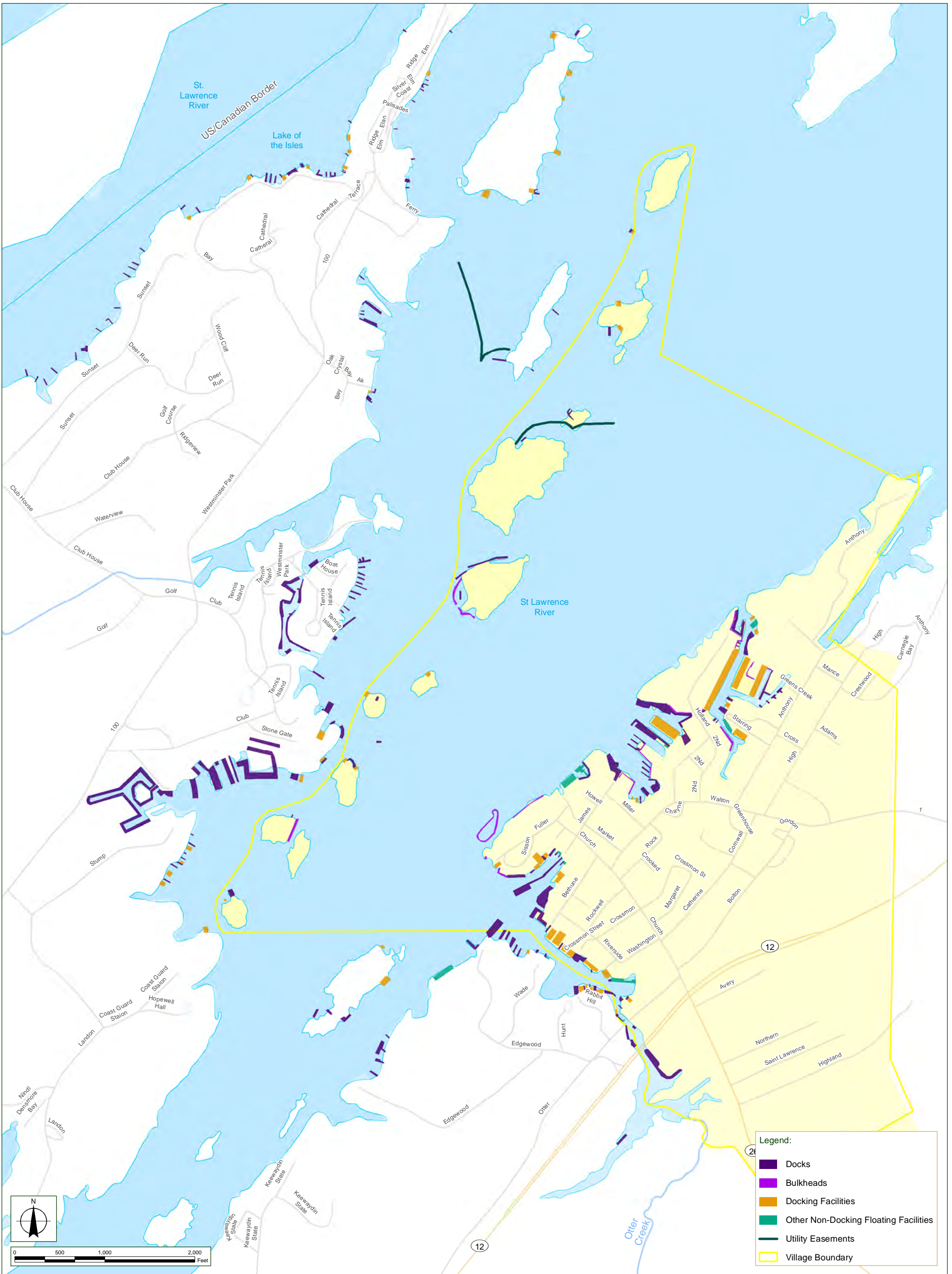
### Figure 5: Underwater Resources

March 2015

Notes:  
This map was prepared for the New York State Department of State from funds provided under Title 11 of the Environmental Protection Fund. All land use grants must be confirmed with New York State Office of General Services.

Source data provided by Jefferson County Real Property Service Agency. Base Map: ESRI StreetMap North America, 2008.





**Town of Alexandria / Village of Alexandria Bay Harbor Management Plan**

Town of Alexandria & Village of Alexandria Bay  
Jefferson County, New York

**Figure 6: Docking Facilities Map**

March 2015

**Notes:**  
This map was prepared for the New York State Department of State from funds provided under Title 11 of the Environmental Protection Fund.

Source data provided by Jefferson County Real Property Service Agency.  
Base Map: ESRI StreetMap 2008.

