

## **Section VII - Consultation with Other Affected Federal, State, Regional and Local Agencies**

### **Consultation with Affected Agencies - Narrative**

The consultation procedures employed during the preparation of the Local Waterfront Revitalization Program is outlined in this section. Federal, State, regional and local agencies and groups bring a broad array of interest and requirements to bear on the LWRP process. Issues requiring coordination and interface between the Village's program and each agency include: regulatory review and permit authority; funding review and participation; design review and revision authority; and technical advisory inputs. The consultation process is a two-step process - one of identification of projects, actions and programs, the other - the establishment of procedures to coordinate on-going projects, actions and implementation strategies with affected agencies. It is not the intent of this section to identify every Federal, State, regional and local agency, no matter how obscure or narrows its regulatory focus. Rather, this section identifies the major and significant projects, programs and actions (Tasks 4 and 5) and those agencies with the most direct involvement from the regulatory, administrative, and financial perspectives.

### **Consultation with Affected Agencies - Procedure**

Those Federal, State, Regional and Local Agencies most likely to be affected by Village LWRP actions and programs were identified at the start of the LWRP process. A mailing list was developed and notices of all Citizen's Advisory Committee meetings and public meetings were sent to those agencies (and names) on the mailing list. Agencies were encouraged to attend any and all meetings. As LWRP products were developed and submitted, affected agencies were notified by mail - if requested, copies of any tasks were sent to the agency requesting a draft submittal. Task 4 - Proposed Land and Water Uses and Proposed Public and Private Projects was sent to every agency on the mailing list. This Task provided the agency with a definitive list of projects and identified those projects which would require their review, input, permitting, etc.

The structure (constituency) of the LWRP Citizen's Advisory Committee facilitated coordination with affected local agencies, groups and divisions of the Village's government. Members of the Citizen's Committee contained a Village Trustee (Chairman), Chairman of the Village's Planning, Zoning, Historic Preservation, and Parks and Recreation Boards, the Village Clerk-Treasurer, and representatives from the Lewiston Professional and Businessman's Association, Lower Niagara River Angler's Associations, and the Executive Director of Artpark. This Board structure permitted firm linkages between the proposed project and actions and the diverse requirements and participation level by many local agencies and groups to be established - members of the Committee could coordinate LWRP programs and objectives, with their respective boards, commissions and groups.

Throughout the Task 8 process - Obtaining Local Commitment, at Citizen's Advisory Committee meetings, public meetings, and Village Board Meetings the interface between projects/actions and agency coordination, participation and regulatory review was discussed. A special Citizen's Advisory Committee Meeting was conducted for the sole purpose of enabling affected agencies to comment on the initial draft of the LWRP and state their position regarding regulatory and permit authority, funding participation, project review requirements, and level of consultation assistance during planning, design and implementation for various projects and actions. The meeting was structured to permit each agency to comment on its position and requirements, followed by a question and answer period. Four agencies (the New York State Department of Environmental Conservation, the Power Authority of the State of New York, Niagara County Planning Department, and Niagara County Cooperative Extension), attended and spoke at the meeting; two agencies (Erie and Niagara Counties Regional Planning Board and Niagara County Highway Department) either telephoned a response or corresponded.

It should be noted that much of the interface and coordination with regulatory agencies is well advanced. The focal or target project, the Lewiston Landing Waterfront Park, required permit issuance from both the New York State Department of Environmental Conservation and the U.S. Army Corps of Engineers, and financial assistance and coordination from the New York State Department of Environmental Conservation and the New York State Office of Parks, Recreation, and Historic Preservation. The coordination and consultation with the affected agencies was initiated prior to preparation of the LWRP. This process has been integrated into future developmental actions that may arise from the LWRP.

## **Consultation with Affected Agencies - Focus**

The agencies, groups and departments consulted with, and the major focus of involvement and consultation is summarized below:

### **1. FEDERAL**

- a. Entity: U.S. Army Corps of Engineers
- b. Focus: Permit issuance and review authority for in-water and waterside actions/projects.

### **2. STATE**

- a. Entity: New York State Department of Environmental Conservation.
- b. Focus:
  - Permits for in-water and waterside work
  - State Environmental Quality Review Act-reviews/positive and negative declarations
  - Environmental reviews/permits for air and water emissions
  - Funding Programs/Design Review, for waterfront improvements (Lake Access Program)
  - Fish stocking program and habitat enhancement
- a. Entity: New York State Office of Parks, Recreation and Historic Preservation (Niagara Frontier State Parks and Recreation Commission).

- b. Focus:       -Funding programs such as Land and Water Conservation Fund (administered for Federal government) for waterfront park funding.  
-Development reviews for recreational and historical improvements/enhancements consistent with OPR Policy
- a. Entity:       Power Authority of the State of New York
- b. Focus:       -Financial assistance for recreational improvements (Federal Energy Regulatory Commission)  
-Coordination of expansion programs and potential impact on LWRA.
- a. Entity:       New York State Department of Transportation
- b. Focus:       -Regulations affecting, and support of scenic overlook.  
-Signage placement (tourism)
- a. Entity:       Artpark
- b. Focus:       Tourism linkages with waterfront park
- a. Entity:       Seaway Trail Commission
- b. Focus:       Public Awareness and tourism campaigns

### 3. REGIONAL

- a. Entity:       Erie and Niagara Counties Regional Planning Board
- b. Focus:       Consistency with area-wide objectives for economic, recreational, and environmental considerations
- a. Entity:       Niagara County Planning and Industrial Development
- b. Focus:       Consistency with County Planning goals and objectives.  
Financial and Planning assistance in comprehensive waterfront plan and programs
- a. Entity:       Niagara County Cooperative Extension
- b. Focus:       Technical and advisory assistance for waterfront implementation plans and programs (ie - erosion control measures, others).
- a. Entity:       Niagara County Highway Department
- b. Focus:       Regulations regarding signage and improvements, (incl. drainage) along Route 18F - Seaway Trail-Right-of-Way.

### 4. LOCAL

#### Village of Lewiston - Public

- a. Entity:       Village Board of Trustees
- b. Focus:       -Ultimate approval, implementation and administration of LWRP  
-Management and implementation structure  
-Lead Agency for SEQRA actions  
-Chief financial agent/source/administrator for public actions and projects.

- Program reporting and documentation for LWRP consistency.

a: Entity: Village Planning Board

b: Focus: - Site plan reviews/approvals  
- LWRP Consistency reviews

a: Entity: Village Zoning Board of Appeals

b: Focus: Consistency with Zoning requirements, and waterfront district appeals).

a: Entity: Parks, Recreation and Conservation Board

b: Focus: Advisory for recreational and conservation actions in LWRA.

a: Entity: Historic Preservation Commission

b: Focus: Advisory - review of actions in LWRA for consistency with Program and historic preservation objectives.

#### Village of Lewiston - Private Groups

a: Entity: Lewiston Professional and Businessman's Association

b: Focus: - Advertising and awareness campaigns (signage, advertising).  
-Sponsorship of waterfront activities (ie- fishing derby).

a: Entity: Niagara River Angler's Association

b: Focus: -Advisory - technical consultation on fisheries development, improvements and access.

#### Town of Lewiston - Public

a: Entity: Town of Lewiston

b: Focus: Consultation on programs of joint Town/Village involvement and benefit.

The above public and private agencies and groups represent those most significantly impacted by proposed programs and actions.

## Review of Draft LWRP by State, Federal and Local Agencies

The Draft LWRP Amendment was reviewed and approved by the Village Board and forwarded to the NYS Department of State (DOS). The DOS then initiated a 21-day review of the minor LWRP Amendment pursuant to the Waterfront Revitalization of Coastal Areas and Inland Waterways Act and State Environmental Quality Review Act. The Draft LWRP amendment was made available online by DOS to all potentially affected State and Federal agencies, Niagara County, adjacent waterfront municipalities, and the Erie and Niagara Counties Regional Planning Board. No substantive changes to the LWRP Amendment were necessary as a result of the comment letters received from the interested agencies.