



SECTION TWO

SECTION 2 EXISTING AUTHORITIES

2.1 Political and Regulatory Jurisdiction

Jurisdiction over the Sag Harbor Cove/Bay Complex and its shoreline is divided among numerous entities at various levels of government. These include the Town of Southampton, the Town of East Hampton, and the Incorporated Village of North Haven, in addition to the Incorporated Village of Sag Harbor, the State of New York and various Federal government agencies. The current roles and responsibilities of the agencies and entities that effect the use, management and conservation of the Sag Harbor Cove/Bay Complex are shown in Table 1. A more complete discussion of the roles and responsibilities of the various governmental entities is contained in Appendix A.

The multiplicity of political jurisdictions which apply to the Sag Harbor Cove/Bay Complex complicates efforts to manage this important resource effectively. In many cases, more than one review, permit and/or approval is required to undertake a certain action. This can make it more difficult, as well as timely, when attempting to conduct dredging or other similar activities that are essential to the efficient operation of the harbor district. Furthermore, although tangible benefits can result from the initiatives undertaken by an individual municipality (e.g., the Village of Sag Harbor, in the case of this plan) or government agency, the cooperation of all involved political entities is necessary to achieve overall management goals such as the improvement of water quality and enhancement of ecological resources.

The Village of Sag Harbor exercises multi-faceted responsibilities with respect to activities within the Sag Harbor Cove/Bay Complex and the areas of the harbor complex watershed located within its jurisdiction. These responsibilities are summarized as follows.

- The Village has the exclusive authority for the general regulation of land use activities within its boundaries, which coincide with the mean high water line for the landward extent, the seaward extent of which is 1,500 feet from the mean high water line.
- The Village has the exclusive authority to regulate, under navigation law, the overwater use, operating speed, and anchoring and mooring of vessels in coastal waters extending for a distance of 1,500-feet from the mean high water line along the shoreline within its boundaries. This jurisdictional authority for the Village, which is derived from the State Navigation Law, does not affect the proprietary rights of the owner(s) of the underwater lands. Nor does the Village's vessel regulation jurisdiction supersede the authority of the Town of Southampton or the State to regulate the use of underwater lands owned by these authorities.

In some areas the Village of North Haven's surface water jurisdiction overlaps with that of the Village of Sag Harbor. This, however, has not led to conflicts over the use of the harbor and cove complex, particularly with regard to the construction of docks and similar structures, and

the regulation of moorings. This is because the two Villages have established an amicable relationship wherein the Village of Sag Harbor generally patrols the waters off the shores of North Haven and notifies that Village of any marine-related problems.

As discussed in Section 3.3, the Town of Southampton owns the underwater lands inside Sag Harbor Cove. Therefore, permits for certain activities undertaken within this area are required from both the Village of Sag Harbor and the Town of Southampton, as well as the State in some cases (e.g., shellfishing and wetlands).

The New York State agencies involved in the coastal affairs of the Sag Harbor Cove/Bay Complex are shown in Table 1. The New York State Department of Environmental Conservation (NYSDEC), the Department of State (NYSDOS) and the Sea Grant Institute have primary responsibility for the planning, management and/or the execution of research within this area. Sea Grant's role is limited to research work. NYSDEC permits and regulates the State's recreation and commercial fisheries and the tidal and freshwater wetlands, and manages other natural resources common to the coastal environment. NYSDEC also provides technical support for the coastal zone management program and is responsible for preservation of water quality throughout the State. The Department of State, through its Division of Coastal Resources and Waterfront Revitalization, has developed and administers the State's Coastal Management Program. The Sea Grant Institute is a consortium of the State University and Cornell University. Sea Grant conducts a program of research, advisory service work and education that is directed at improving the wise use and conservation of the State's marine and freshwater resources.

The Federal agencies vary greatly in their roles and responsibilities, as shown in Table 1. The agencies noted in this table are engaged in programs that directly effect the use of coastal lands, coastal waters and harbors. The offshore and upland jurisdictions of these agencies vary according to responsibility. Certain Federal entities, such as the Department of Interior, have several agencies that conduct a wide variety of programs that effect the coastal zone.