Village of Clayton
Local Waterfront Revitalization Program

Adopted:
Village of Clayton Board of Trustees, April 1, 1986
Approved:
NYS Secretary of State Gail S. Shaffer, May 28, 1986
Concurred:
U.S. Office of Ocean and Coastal Resource Management, July 7, 1986

Village of Clayton
Local Waterfront Revitalization Program

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

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

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

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

GAIL S SHAFFER
SECRETARY OF STATE

May 28, 1986

Honorable Robert E. Purcell
Mayor
Village of Clayton
PO Box 312
Clayton, New York 13624

Dear Mayor Purcell:

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

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

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

Sincerely,

Gail S. Shaffer

GSS:at

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

JUL - 7 1986

Mr. George Stafford
Coastal Program Manager
Department of State
162 Washington Street
Albany, New York 12231

Dear Mr. Stafford

The Office of Ocean and Coastal Resource Management has completed its review of your request to incorporate the Village of Clayton Local Waterfront Revitalization Program (LWRP) into the New York State Coastal Management Program (NYS CMP). We have received the adopted program which has been approved by the New York Secretary of State. We received comments from 3 agencies, none of which objected to adopting the LWRP as a routine program implementation change.

You and my staff have discussed the problem of the need to clearly identify in the LWRP which of the 44 coastal policies listed in the NYS CMP apply to the LWRP area. The current use of "not included" is very confusing to the users of these programs. Because there is evidence in the documents, however obscure, that policies labeled "not included" do apply, we concur with your request that the Clayton LWRP be considered as a routine program implementation. However, we expect the State to remedy the problem of clearly identifying which policies apply by eliminating the term "not included" as soon as possible.

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

Sincerely,

Peter L. Tweedt
Director

ADDENDUM B

VILLAGE OF CLAYTON

RESOLUTION OF THE VILLAGE BOARD
OF TRUSTEES ADOPTING THE
LOCAL WATERFRONT REVITALIZATION PROGRAM

WHEREAS, the Village of Clayton entered into a contract with the New York State Department of State, dated December 15, 1982 for preparation of a Local Waterfront Revitalization Program; and

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

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

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

WHEREAS, a public hearing was advertised and held by the Mayor and Village Board of Trustees on October 15, 1985 to receive and consider comments on both the DLWRP and the DEIS; and

WHEREAS, a Final Environmental Impact Statement (FEIS) was prepared and accepted by the Mayor and Village Board of Trustees as complete on January 21, 1986.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Board of Trustees of the Village of Clayton, New York, that the Local Waterfront Revitalization Program for the Village of Clayton dated April, 1986, is hereby approved and adopted.

Resolution passed at a regular meeting of the Village Board of Trustees on April 1, 1986.

Suzanne Turcotte
Village Clerk

VILLAGE OF CLAYTON

LOCAL WATERFRONT REVITALIZATION PROGRAM

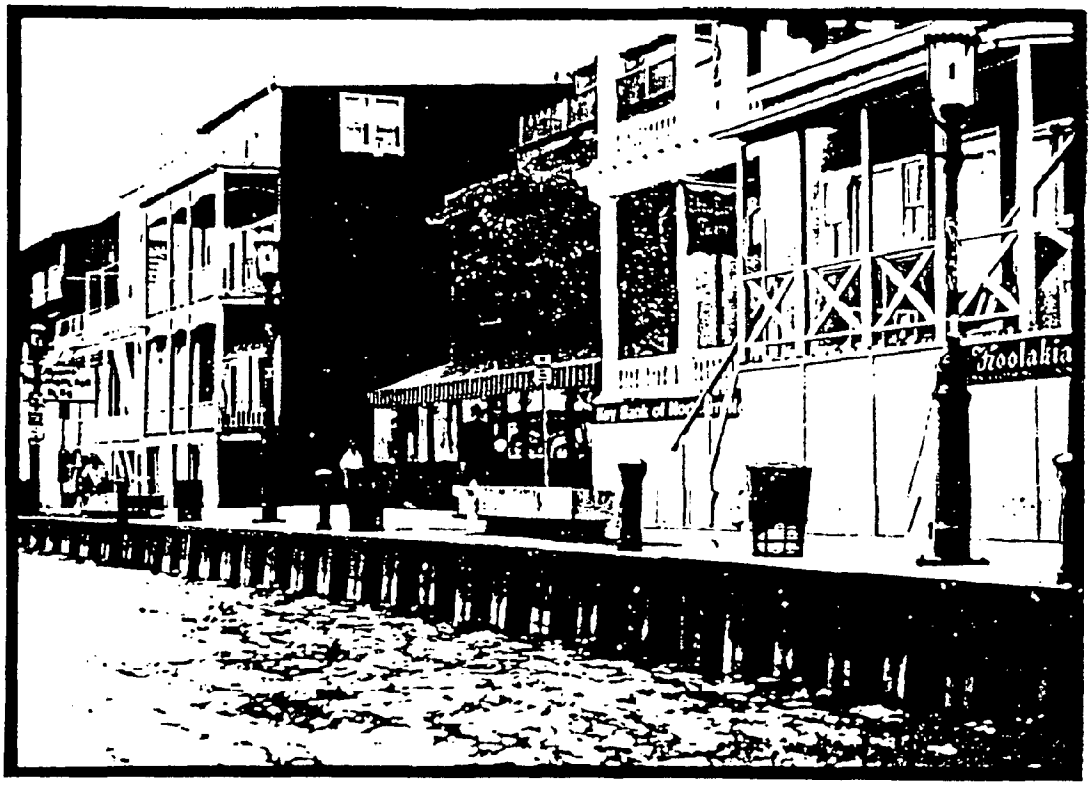

Photo montage of a proposed boardwalk spanning the head of the village peninsula (Sources: "Village of Clayton Waterfront Image Assessment Study").

Prepared by the

VILLAGE OF CLAYTON

with the assistance of the

ST. LAWRENCE-EASTERN ONTARIO COMMISSION

and the

NEW YORK STATE DEPARTMENT OF STATE

ACKNOWLEDGEMENTS

Village of Clayton, New York

Mayor: Robert Purcell
Trustees: Charles Cipullo
Kevin Kittle
Thomas Irvine
Donald Turcotte

Waterfront Advisory Committee

Allen Benas, Chairman
Robert Bastian, Executive Dir., Clayton Improvement Assoc., Inc.
Gordon Cerow, Supervisor, Town of Clayton
Shirley Guardino
Dale Kenyon
Gary Kirch
Frank Koons
Pat Phinney
Robert Purcell, Mayor
Donald Turcotte, Village Trustee

Consultant: St. Lawrence - Eastern Ontario Commission

State Office Building
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Watertown, New York 13601

Executive Director: Daniel J. Palm, Ph.D.
Program Manager: Rodney A. McNeil
Project Managers: Rodney A. McNeil, John Bartow
Project Associates: Thomas M. Cutter, Marcia A. Osterhout,
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Kenneth McDonald, Deborah Gillan,
Halbert Puffer

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PREFACE

BACKGROUND

The Village of Clayton, New York is situated in northern Jefferson County along the scenic St. Lawrence River. Straddling a peninsula and three small river embayments, the community offers its nearly 2,000 permanent residents and the visitor alike enchanting vistas of the myriad islands which dot the river's broad expanse. Touted as the "Gateway to the Thousand Islands," Clayton has long been a unique recreational area for fishermen, boaters and travelers.

One hundred years before its incorporation, Clayton and its environs were covered by mighty oaks, elms and cedars. Indians of the Onondaga Nation are believed to have first frequented the area to fish. Later, the Iroquois and Algonquins claimed the territory. On the shores of French Creek the Algonquin tribe established a small settlement and fort. Still later, after the Algonquins were driven off by the Oneidas, the site acquired its first name, Weteringhera Guentere (meaning "fallen fort").

Following the American Revolution, New Englanders began clearing in the vicinity for farming. Settlement in the village, then called French Creek, began in the early 1820's with a store and raft yard. Timber and staves purchased from the farmers were rafted from French Creek Bay downriver to Quebec. During this same period, an office and wharf were built on the northern shores of the peninsula.

The Village of Clayton would grow to be an important resort center of the St. Lawrence River during the next seventy-five years as shipbuilding, steamboat and passenger train service and the accompanying development of hotels and fabulous island estates brought tourism and prosperity to the community.

By 1830 a viable growing settlement had been established. In 1831 its name was changed to Clayton, in honor of John M. Clayton, a U.S. Senator from Delaware. In 1832, a shipbuilding era began with the construction of two "ways" (or "stocks") in the area of Hugunin Street. On these ways ships were constructed or repaired employing as many as two to three hundred workmen. Shipbuilding contributed to Clayton's growth until near the turn of the century. (The last large "ship of the ways", the Nightingale, was built in 1890 and ran for years between Clayton and Fineview.)

Coinciding with the shipbuilding era in Clayton and further spurring the village's growth was the period of "steamers" operating on the St. Lawrence River (1840 to 1912). The village served as a fueling stop for the steamers and thus provided a point of debarcation for the wealthy to reach luxurious hotels or their own estates on the islands.

By the time the Village of Clayton was incorporated in 1872, its bustling waterfront included elaborate hotels, retail shops and other business establishments catering to the growing tourist trade. However, Clayton's greatest period of growth and prosperity was yet to come.

A visit by President Grant to the Thousand Islands in 1873 and the arrival of the Utica and Black River Railroad in Clayton that year signaled the onset of a tourism and resort development boom that lasted through the turn of the century. The railroad, later acquired by New York Central, provided a vital transportation link to the steamboats and, thus, the St. Lawrence River. A depot and wharf near Franklin Street and Riverside Drive became a hub of activity. At one time, eleven passenger trains arrived and departed daily as steamboats, ships and yachts of the wealthy islands plied the St. Lawrence River to and from Clayton's waterfront.

By the early 1900's the "boom" had peaked. The advent of the automobile and improved roads coupled with increasing use of private motor boats diminished the role of the passenger trains and brought the Clayton steamboat era to an end in 1912. Although the village remained a resort community, few of the fabulous wealthy continued to frequent the area. The hotel trade gradually fell off as more and more private camps and cottages came to dot the river's edge.

Despite the decline in passenger rail service, freight service continued to play an important role in the village. Deep water adjacent to the railroad yard allowed large vessels to dock, load coal for fuel and unload and take on freight from the trains. With the opening of the St. Lawrence Seaway in 1959 and the transition of shipping on the river to larger, diesel fueled ocean vessels the village's role as a coal refueling station ceased. New York Central moved the railroad terminus further inland and continued to transport freight for local industries until 1972 after which time it discontinued rail service in this area altogether. The only vestiges of the railroad era that remain today are an abandoned railroad right-of-way and coal loading platform along the eastern portion of the village peninsula.

Although much diminished from former times, tourism continues to be an important economic activity in the Village of Clayton today, supplementing several local industries. The waterfront reflects the decline of tourist activity and a resultant lack of reinvestment. Deteriorated structures and underutilized properties threaten the stability of adjoining viable waterfront activities. Nevertheless, opportunities exist for their revitalization.

A concerted effort is needed to achieve the most advantageous use, the physical improvement and protection of the village's waterfront. By fostering a strong partnership between the public and private sectors, Clayton can, indeed, promote a successful revitalization effort. To that end, it has prepared a Local Waterfront Revitalization Program with consultant services provided by the St. Lawrence-Eastern Ontario Commission.

PROGRAM OVERVIEW

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

1. BOUNDARY DETERMINATION in which the coastal area serving as the program basis for waterfront policies and activities is defined.

2. INVENTORY AND ANALYSIS in which opportunities and problems are identified and their interrelationships and complexities are studied.

3. POLICY DETERMINATION in which the municipality's governing body, upon recommendation from a local advisory committee, identifies those state policies applicable to its coastal area and develops a statement of local policies.

4. USES AND PROJECTS in which specific proposals are presented as potential uses and projects which will advance the coastal policies.

5. IMPLEMENTATION TECHNIQUES in which specific management, funding, and program strategies are identified or developed including organizational structures, land use controls, laws, ordinances, regulations, local government capabilities and necessary and appropriate State actions.

6. CONSULTATION WITH FEDERAL, STATE, REGIONAL AND LOCAL AGENCIES in which these agencies comment on the proposed program.

7. IDENTIFICATION OF RELEVANT STATE AND FEDERAL PROGRAMS in which the impacts of non-local programs and actions are considered and both those programs and the waterfront program are modified for consistency.

8. LOCAL COMMITMENT in which the advisory committee formally presents the program to the Village Board of Trustees who approve the program and transmit this Local Waterfront Revitalization Program to the State of New York.

9. ENVIRONMENTAL CLEARANCE AND PRELIMINARY DRAFT SUBMISSION in which the waterfront program is examined for impacts on the environment and the program is presented to State, regional, and local authorities for review and comment.

10. DRAFT SUBMISSION in which the revisions suggested in Step 9 above are incorporated and submitted to the NYS Department of State for approval.

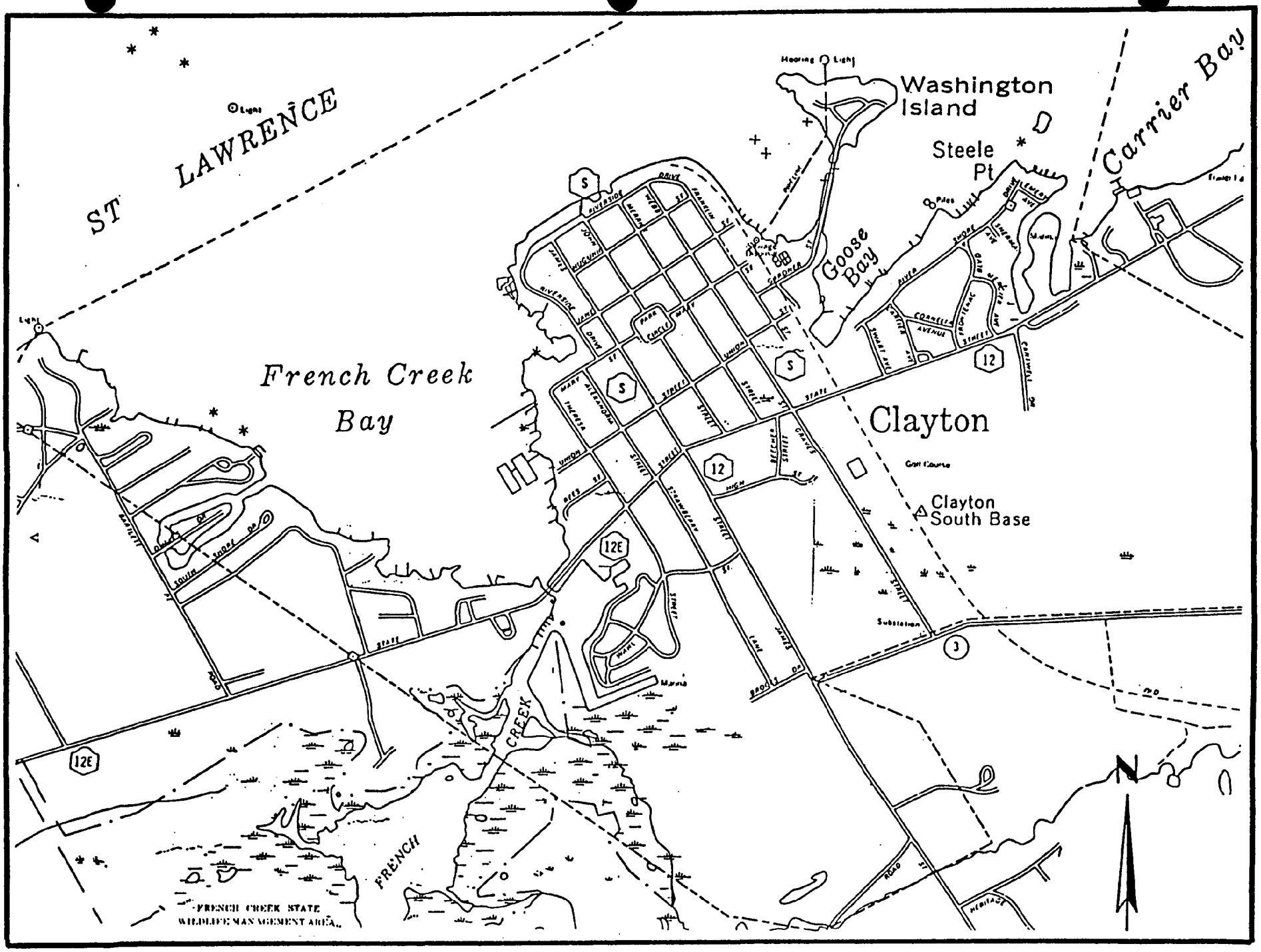
By following this planning process, with the involvement of the Clayton Waterfront Revitalization Advisory Committee, the Village Board of Trustees, the NYS Department of State and other public and private organizations, Clayton was assured an effective development effort and rapid implementation of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

Two key benefits accrue to the village once its final program is approved. Foremost, is the concept of "consistency." During the development of its draft local program, the village was required to consult with State and federal agencies concerning aspects of mutual interest. With an approved Local Waterfront Revitalization Program (LWRP), State and federal programs are required by law to be undertaken, to the maximum extent practicable, in a manner consistent with such local program. A LWRP is not, however, a substitute for any existing permit authority nor an additional permit authority. Rather, it provides a common set of policies upon which permit decisions will be made by all permit authorities at all three levels of government.

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

The Village of Clayton will periodically update its approved LWRP so that it will remain a current and accurate statement of policies and purposes upon which to base local, State and Federal decisions affecting the local coastal area.

(Note: A street map of the Village of Clayton is provided on the last page of this preface to facilitate street identification on plates located throughout the text of this program. Because of the amount of information presented and the need for scale standardization, it was impractical to identify streets on the plates themselves.)


ST LAWRENCE
Washington Island
Steele Pt
Carrier Bay
Goose Bay
French Creek Bay
Clayton
Clayton South Base
FRENCH CREEK
FRENCH CREEK STATE WILDLIFE MANAGEMENT AREA
N

SECTION I

WATERFRONT REVITALIZATION AREA BOUNDARY

SECTION I

WATERFRONT REVITALIZATION AREA BOUNDARY

SECTION I - WATERFRONT REVITALIZATION AREA BOUNDARY

The State's Coastal Management Program has established statewide coastal boundaries in accordance with the requirements of the Coastal Zone Management Act of 1972, as amended, and its subsequently issued rules and regulations. The State's landward boundary, for the most part, delineates the inland extent of the Village of Clayton waterfront area. Since the village can only implement policies within its established corporate limits, it was necessary to define the waterside extent of its waterfront area. The waterfront revitalization area boundary for the village follows the landward and municipal boundaries as shown on Plates I and II.

LANDWARD BOUNDARY

Through field surveys and the evaluation of coastal conditions, it was determined that a revision to the NYS Coastal Area boundary for the Village of Clayton was in order. An area to the east of the existing boundary inland to James Street, Strawberry Lane and Front Street warranted inclusion.

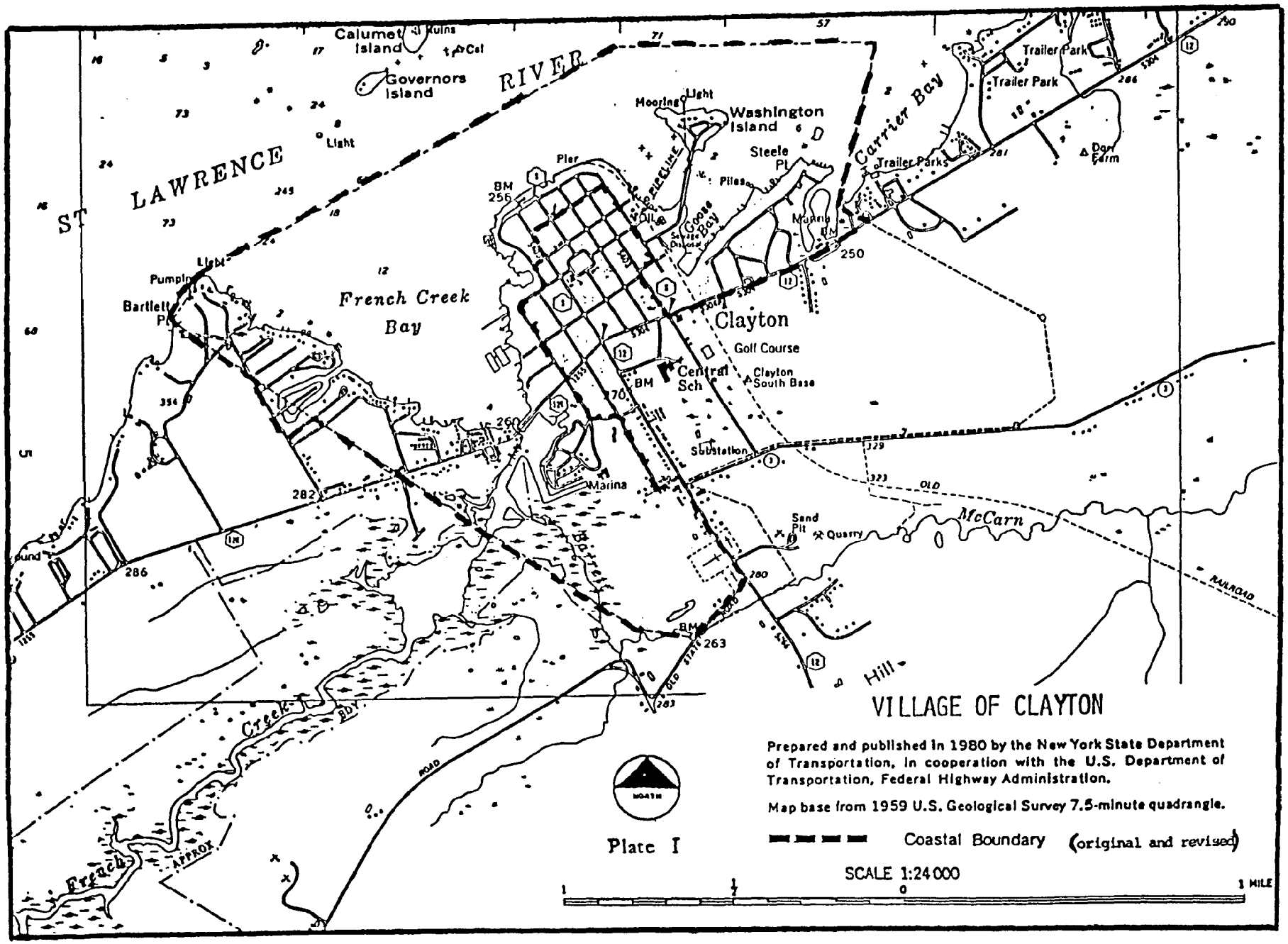
This section of the village encompasses wetlands and associated upland areas that drain into French Creek. Also, included is a mix of vacant commercial property, forest brushlands, inactive agricultural lands and existing commercial and residential land uses which are directly related to waterfront activities. Its inclusion will allow the village to guide the development of suitable land uses with appropriate buffers to a sensitive area near the wetlands of the French Creek Wildlife Management Area. The area will also provide for continuity in waterfront planning efforts and enable additional public access to be considered. Exclusion, on the other hand, would overlook a vast area of open and deteriorated waterfront conditions that significantly affect adjacent coastal areas. The following describes the boundary as revised.

Landward Boundary. Thence northeast on Old State Road to James Street in the Village of Clayton; thence north on James Street to Brooks Drive, west on Brooks to Strawberry Lane; thence north on Strawberry Lane to Wahl Street, generally west on Wahl to Front Street; thence north on Front Street to NY Route 12E, crossing 12E and Continuing north on Theresa Street to Mary Street, east on Mary Street to Riverside Drive; thence north on Riverside Drive to Jane Street, east on Jane Street to James Street; thence north on

James Street to Hugunin Street, east on Hugunin to franklin Street; thence south on Franklin to Union Street, west on Union to Webb Street; thence south on Webb to State Street; thence east on State Street to the Clayton Village line.

WATERSIDE BOUNDARY

Waterside (riverward) Boundary. Beginning at the eastern intersection of the landward boundary, on State Street, and the Village of Clayton/Town of Clayton line, the boundary follows the village municipal line north over the St. Lawrence River to the northeastern most point of the village limits. Thence upriver (westerly) to the northwestern most point of the village limits north of Bartlett Point, thence southerly following the municipal line crossing NY 12E and French Creek to the intersection of the municipal line and the landward boundary at the southwestern limits of the village at Old State Road.



VILLAGE OF CLAYTON

Prepared and published in 1980 by the New York State Department of Transportation, in cooperation with the U.S. Department of Transportation, Federal Highway Administration.

Map base from 1959 U.S. Geological Survey 7.5-minute quadrangle.

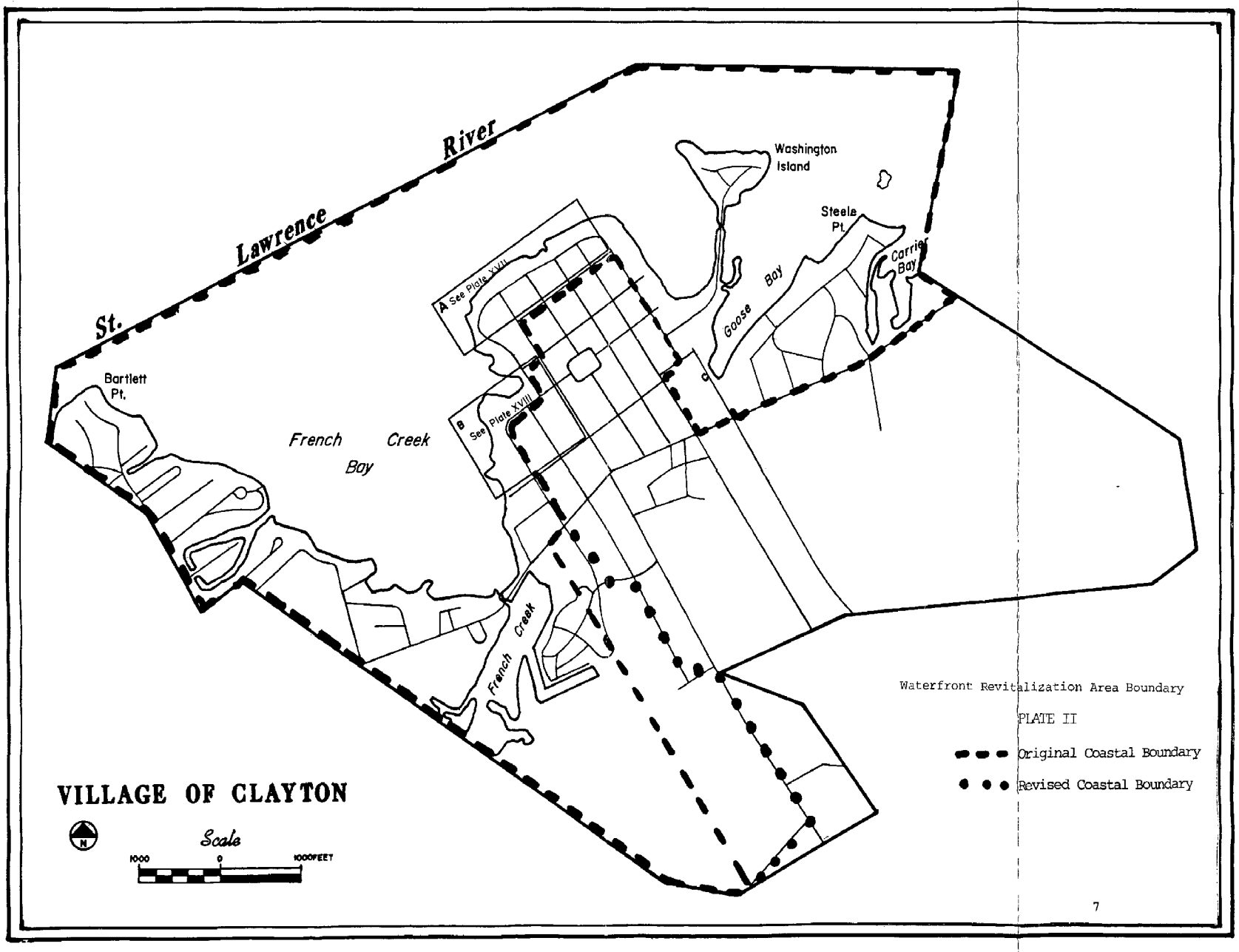

St. Lawrence River
Washington Island
Steele Pt.
Carrier Bay
Goose Bay
Bartlett Pt.
French Creek Bay
A See Plate XVIII
B See Plate XVIII
C
French Creek
VILLAGE OF CLAYTON
Scale
1000 0 1000 FEET
Waterfront Revitalization Area Boundary
Original Coastal Boundary
Revised Coastal Boundary

PLATE II

SECTION II

INVENTORY AND ANALYSIS

SECTION II -- INVENTORY AND ANALYSIS

PREPARATION OF A WATERFRONT INVENTORY

The inventory process involved three basic stages: an overview which examined a wide range of existing information concerning coastal resources in Clayton, a summarization of inventory data in narrative and graphic formats with topical headings selected for easy reference from other sections of the program, and, after review by the New York State Department of State, the provision of additional, more detailed information about certain features of the waterfront having special significance. Underlying each of these stages was the primary objective of preparing a clear and meaningful account of local coastal conditions. Meeting that objective would be critical to both the development of subsequent sections of the program and the ultimate use of the program by local, State and federal government agencies.

In the overview stage, the village's consultants (FN 1) examined the New York State Coastal Atlas (FN 2), tax maps of the village, soils reports, geological and topographic data, maps of wetlands and floodprone areas, and numerous other reports and studies covering water quality, wildlife, vegetation, land use, public access and recreation, transportation, housing and population. Additional information was obtained through air photo interpretation and field investigation.

In the summary stage, the main inventory topics used were Natural Resources, Community/Cultural Resources, Current Land Use, Current Water Uses, and Important Economic Activities. These topics were broken down into various subtopics where appropriate for the array of information covered. Summary maps were provided to generally coincide with the main inventory topics. (One should note that, under a few subtopics, the inventory's scope was expanded to include a larger area than the immediate Clayton waterfront as delineated in Section I. This allowed the inventory to address the role area-wide resources and conditions play in the overall coastal setting of the community.)

Finally, in the detailing stage for selected topics, narrative was added with supporting tabular and mapped information. To maintain the logical order of the inventory topics, the additional material was incorporated under the subtopics selected earlier in the inventory process. The results are presented below.

Natural Resources

Historically, the Village of Clayton has been tied to the natural resources of the immediate locale and of the St. Lawrence River Valley as a whole. The waters of the St. Lawrence offered an important route for early exploration, settlement, and navigation to support the growth of commerce along and between what would eventually become an international boundary and the easternmost link of a major shipping system. Abundant fish and wildlife and remarkable scenery gave rise to tourism that still flourishes today

whereas the geology, topography, soils and vegetation of the immediate vicinity accounted for settlement, growth patterns and much of the present-day character of the village. Summary maps identifying natural resources in Clayton's waterfront are provided on Plates III, IV and V.

1. Water Resources. Among northern New York's most significant natural resources are those attributable to the St. Lawrence River. The river's fish and wildlife resources, scenic beauty, and the water resource for shipping, boating, recreational fishing, swimming, municipal and industrial water supply, and the production of hydroelectricity have been recognized as significant coastal resources of the State.

The St. Lawrence River takes on particular significance for Clayton through its nearshore areas, especially the shallow embayments: French Creek Bay, Goose Bay and Carrier Bay. Collectively, they provide the community with relatively protected areas for marinas, depths supportive of aquatic vegetation and, thus, warm water fish habitats, nearshore boating and fishing opportunities, municipal water supply and treated wastewater disposal, and 6.5 miles of river shoreline (excluding French Creek) characterized by coastal development of varying intensity with pockets of scenic views.

French Creek Bay is the largest of the three St. Lawrence River embayments at Clayton. Covering an area in excess of 100 acres, it is the center of recreational boating activity in the waterfront. Water depths range from four feet at the mouth of French Creek to 24 feet at the bay's confluence with the river. Although this bay serves a small harbor function for the village, its openness to wind and wave action from the river presently limits a greater harbor role.

Goose Bay, formerly an open embayment bordering the entire eastern side of the village peninsula, is now traversed by a causeway from the mainland to Washington Island. The area east of the causeway -- still called Goose Bay -- is confined to an area of roughly 50 acres. With depths averaging 4 feet, it is Clayton's shallowest bay. Its potential for boating activity is limited, especially in the weed-choked shallows of its southern end (FN 3). The remaining embayment area west of the causeway has depths that increase from south to north toward the tip of the peninsula. However, wind and wave action from the river's open waters are again a limiting factor confronting marina development potential.

Along the eastern limits of the village's waterfront two narrow arms of Carrier Bay define the southerly side of Steele Point and a narrow strip of land and wetland between Steele Point and NY Route 12. Here, depths range from four to six feet and limit use to small watercraft.

French Creek and its tributaries, Barrett Creek and McCarn Creek (a very short section) drain upland areas south of the village. French Creek empties into French Creek Bay (see Plate I, p. 5). The mouth of French Creek is constricted by the NY Route 12E bridge such that navigable stretches of the creek above the mouth are inaccessible except to smaller watercraft.

No published data was available regarding groundwater resources of the village. This was not viewed as a serious shortcoming of the inventory since the entire village is served by the municipal water supply system and most intensive land uses and development activities are located away from Clayton's landward village limits and outlying areas dependent on groundwater.

2. Geology, Soils and Topography. The Village of Clayton and, in particular, its waterfront coincide closely with the distribution of underlying sandstone bedrock known as the Potsdam Sandstone. The Potsdam Sandstone which dates to the Cambrian period and the absence of sedimentary rock overlying it reflect the broad transition form more recently deposited limestone of the Lower Ordovician period located south and southwest of the village to older gneisses and granites of upper pre-Cambrian age located in the north and northeast through the Thousand Islands. Although bedrock outcrops are limited to the northern tip of the village peninsula, Washington Island and south of Carrier Barrier, many areas of the waterfront are characterized by very shallow depth to bedrock.

Five generalized types of soils are distributed through the waterfront: silt loams, silty clay loams, cobbly soils, saprists and aquents, and cut and fill. Silt loams (Collamer, Rhinebeck, Vergennes and Hudson series) are found throughout Bartlett Point, west of NY Route 12, along the eastern side of the village peninsula and on Steele Point. These are deep, fine textured soils occupying nearly level to gently sloping or undulating topography and, with the exception of the Rhinebeck soils, are moderately well drained. Their permeability ranges from moderately permeable (Collamer) to very slowly permeable (Vergennes). Silty clay loams (Willpoint and Chaumont series), located in the central areas of Bartlett Point and Steele Point and along the western and northern portions of the village peninsula, are moderately deep, moderately poor to poorly drained and found on nearly level to gently sloping terrain. These soils are very slowly permeable. At the northern tip of Bartlett Point one finds a deep, coarse textured Hinckley Cobbly soil deposited from glacial outwash. This is an excessively drained, rapidly permeable soil. Underlying the drainageways of French Creek, Barrett Creek and around Carrier Bay, saprists and aquents occur. They consist of mixed organic and mineral materials in freshwater wetlands and areas covered by water most of the year. Finally, cut and fill is found at the western end of Mary Street and around the small, horseshoe shaped lagoon on Bartlett Point. These are highly altered soils with variable characteristics.

The general topography of the waterfront is one of undulating landforms approximately 270 feet above mean sea level (USGS Datum). Situated along the northern shore of the village peninsula is the lowest terrain at an elevation of about 256 feet. The highest elevation in the waterfront, 330 feet, occurs at the northern tip of Bartlett Point. Although steep slopes (greater than 15%) can be found north of Old State Road along the drainage way of Barrett Creek and at the tip of Bartlett Point, most of the waterfront is characterized by relatively level areas, some with notably poor subsurface drainage and high water tables.

3. Vegetation. The distribution of forest, forest brushland and wetland vegetation in Clayton coincides with the undeveloped areas of the community. The only forested area in the waterfront is located inland on Bartlett Point and is characterized by mixed hardwoods and softwoods. Forest brushland, found in an extensive area north of Old State Road, bears witness to the abandonment of agriculture within the village. There, thickets of woody shrubs and small saplings are interspersed with varied upland meadow vegetation and occasional mature trees. Wetland vegetation is found extensively along French Creek and in a small pocket along the Carrier Bay shoreline.

The French Creek wetlands are part of a 675-acre riparian marsh extending roughly 5 miles inland (westerly) along the creek from its mouth at the NY Route 12E bridge. About 50 acres of the marsh are situated within Clayton's waterfront area. Dominant plant life there consists of submerged aquatics and floating leaved vegetation in shallows with mean annual water depths of about 3 feet and 1 1/2 feet, respectively, and robust emergents (mostly cattails) in shallows with mean annual water depths ranging from 1/2 to 1 1/2 feet. The large area of robust emergents give way to a fringe of narrow leaved meadow emergents, dead emergents and bushy shrubs in progression from the continually saturated marsh soils to the wetland-upland interface.

Carrier Bay exhibits a similar progression from submerged aquatics to bushy shrubs, but at a much smaller scale and with more abrupt transition. The rapid change from shallows to upland there diminishes the occurrence of certain species of wetland vegetation. Robust emergents are prevalent.

4. Fish and Wildlife Resources. Clayton lies within a river valley ecosystem that abounds with fish and wildlife resources. Its waterfront encompasses fish and wildlife habitats common to the international portion of the St. Lawrence River. Deep waters of the river, its bays and shallow nearshore areas, and the stream bottom and marsh areas of French Creek support a variety of fauna as do the ice edge, shoreline, shoreland and upland environments.

A more detailed account of fish and wildlife occurrence in Clayton's waterfront area draws upon two recent sources: the Oil Spill Response Model II-St. Lawrence River, completed in February of 1984 by the St. Lawrence-Eastern Ontario Commission and consultation with Region 6 staff of the NYS Department of Environmental Conservation (see Appendix A). The model provided information about probable occurrences based on local habitat characteristics and extensive literature addressing the French Creek Marsh (FN 4).

Habitat characteristics indicate the likely presence of as many as 32 mammal species within the village's waterfront area, including common occurrences of Eastern cottontail, Muskrat and Skunk; uncommon occurrences of Eastern Coyote, Porcupine and Opossum; and rare occurrences of Mink, White-tailed Deer and Bobcat.

Two hundred and twenty-nine bird species may be expected, including common occurrences of Mallard, Robin and Red-Winged Blackbird; uncommon occurrences of breeding Ruffed Grouse, Common Tern and Black Tern; and rare occurrences of breeding Northern Harrier, Gray Partridge and Peregrine Falcon. Among the 16 amphibian species expected to be present are common occurrences of Red-backed Salamander, American Toad and Bullfrog; uncommon occurrences of Mudpuppy, Spotted Salamander and Western Chorus Frog; and rare occurrences of Jefferson Salamander, Mink Frog and Pickeral Frog. Thirteen species of reptiles may be expected, including common occurrence of Snapping Turtle, Painted Turtle and Eastern Garter Snake; uncommon occurrences of Map Turtle, Reb-bellied Snake and Eastern Ribbon Snake; and rare occurrences of DeKay's Snake Stinkpot and Blanding's Turtle. Finally, some 80 fish species may be present, including common occurrences of Smallmouth Bass, Yellow Perch and Bluntnose Minnow; uncommon occurrences of Muskellunge, Walleye and Turbot; and rare occurrences of White Bass, Pugnose Shiner and Lake Sturgeon.

These examples represent a sample of all possible occurrences. Thorough and authoritative documentation of actual habitat occupancy by vertibrates simply does not exist except for French Creek Marsh and, with respect to possible Muskellunge spawning, Carrier Bay.

French Creek Marsh is documented as occupied habitat for 9 resident mammal species, 147 bird species (74 of which rely on the marsh for breeding habitat), 7 amphibian species, 6 reptile species and 27 fish species (FN 5). Muskrat and Beaver are two mammals commonly found in the marsh. The Opossum, uncommon along the St. Lawrence River, has been reported in adjacent upland areas. Most notable among the bird species presently breeding in the marsh area are the Pied-billed Grebe, American Bittern, Least Bittern, Dabbling Ducks, Northern Harrier, Virginia Rail, Sora and, perhaps, Black Tern. Black-crowned Night Heron, waterfowl, shorebirds in migration, Common Tern and Marsh Wren, among many others, seek the marsh for feeding and loafing. A small number of Blanding Turtles may be found in addition to more common amphibian and reptile species characteristic of the habitat. Finally, a wide variety of fish species rely on the shallows for spawning, most notably the Northern Pike.

Fish collection activities undertaken in Carrier Bay by DEC personnel over the last few years have produced both sexually mature Muskellunge that were close to spawning and Muskellunge fingerlings. This evidence, plus earlier reports, confirms Carrier Bay as a Muskellunge spawning and nursery area -- one of only two such areas known in U.S. waters of the St. Lawrence River (see Appendix B).

5. Scenic Resources. The scenic beauty of the Thousand Islands section of the St. Lawrence River has received national and international recognition. Clayton benefits from this resource by way of both specific scenic vistas and a general coastal ambiance.

In the village's waterfront, the river is best viewed from four locations along the north side of Riverside Drive: Frink Park, the municipal docks, Memorial Park and Centennial Park. Between these municipal sites intermittent segments of privately owned commercial boardwalk offer additional opportunities to observe the river scenery. Bartlett Point, Steele Point and Washington Island also offer views of the river but the pattern of shoreline cottage development, exclusively private ownership, and remoteness from tourist facilities preclude scenic access.

Although Frink Park and Centennial Park allow the more sweeping views of the river, the area of the municipal docks draws the greatest interest. Numerous tourists strolling along Riverside Drive's wall of stores and shops pause here to watch the lively activity of arriving and departing watercraft in the foreground set against the scenic backdrop of the river. Many pedestrians linger to view the occasional lake and ocean-going vessels churning up or down the Seaway channel in the distance.

Views of French Creek Bay and its shoreline development are less scenic than those of the open river. Nevertheless, the bay views enhance the village's small harbor image and contribute to the general coastal character. Specific vista Points are located at the mouth of French Creek (looking northward from the NY Route 12E bridge) and along the west side of the village peninsula (looking westward from Centennial Park, the Mary Street docks, and marinas at the ends of Rees and Union Streets).

The NY Route 12E bridge also offers the motorist (looking southward) a scenic view of French Creek in the foreground and the vast marshlands and upland areas beyond. This view is limited to a short duration while approaching and crossing the bridge. Travelers may observe, however, the sharp demarcation between the developed area of the French Creek Marina and the surrounding areas of wetland and forest brushland vegetation.

Another important aspect of the river as a scenic resource is the opportunity it affords boating enthusiasts to view the Clayton shoreline from the water. Boaters approaching the village can observe a wide perspective of the village's built shoreline environment. The wall of older two- and three-story commercial structures hugging the village peninsula's northern edge stands out from the distance and dominates views from nearer shore. Views from the wide mouth of French Creek Bay take in the clustered marinas and marine-related activity along the bay's eastern shore in striking contrast to the cottages and tree cover across the bay.

Finally, the streetscapes of Riverside Drive and James Street, though not particularly scenic, contribute importantly to the waterfront image of Clayton's commercial core. While facades of older structures near the intersection of these streets reflect the past, their storefronts (street level) and those of smaller structures built more recently along Riverside Drive convey the present day coastal orientation. Various shops, restaurants and other businesses sport signs with nautical terms or symbols, display souvenirs for the tourist, offer products or services for boaters and fishermen, or provide their patrons with views of the river. The resulting streetscape exhibits a decidedly coastal character even though the river vistas are limited. Pedestrians strolling the sidewalks and browsing the storefronts during the tourist season complete the waterfront image.

Community/Cultural Resources

A significant part of the village's built environment derives from the man-made resources that have been developed from, superimposed on or interwoven with the natural resources of the surrounding coastal area. Clayton's waterfront thus encompasses much of the community's urban fabric and permeating riverside culture. The waterfront inventory, therefore, examined community and cultural resources which were vital to the coastal setting of the village as a whole. Community and cultural resources included in the inventory were public and semi-public facilities, commercial facilities, industrial facilities, housing stock, infrastructure and historic resources. Their locations are mapped on Plates VI, VII and VIII.

1. Public and Semi-Public Facilities. The public facilities inventoried in Clayton's waterfront were generally divided into two categories: those pertaining to governmental operations or services and those providing for public access and recreation. Semi-public facilities, on the other hand, were treated as a collection of facilities providing community services or cultural activities. Such facilities were typically open to the public and operated or supported by private, non-profit organizations.

The first category of public facilities includes the village's water supply pumphouse and sewage treatment plant located at the tip of Bartlett Point and the eastern end of Gardner Street, respectively. Also, it includes a village parking lot on Mary Street and, though not properly a "facility", a vacant lot on Steele Point owned by the village. One Town of Clayton

facility, a town hall located on the south side of Riverside Drive, falls in this category. Two federal facilities, a U.S. Customs Office on the north side of Riverside Drive and the Clayton Post Office on James Street, are noted.

The second category of public facilities is comprised of four village parks, two municipal docking facilities, a village boat launch, and a State-owned wildlife management area. Three of the parks are located along Riverside Drive: Centennial Park at the west end, Memorial Park in the middle and Frink Park at the east end. Their primary use involves passive recreation such as fishing and viewing the river. The fourth, Lion's Park, is a neighborhood playfield located near the southern end of Webb Street. As the largest waterfront park, it hosts more active recreation. However, it does not offer either visual or recreational access to the water. Municipal docks on the north side of Riverside Drive and the west end of Mary Street provide for the village's water-based recreational activities. The former provide short-term dockage closely linked to the dining and shopping facilities of Riverside Drive while the latter accommodate overnight mooring. Adjoining the Mary Street docks is the village's only public boat launch.

Three semi-public facilities are situated along the south side of Riverside Drive: the Chamber of Commerce--1000 Islands Museum, the 1000 Islands Arts and Craft School and a senior citizen's club. Another, the Shipyard Museum, is located on the north side of Mary Street. A church on John Street and two cemeteries adjacent to NY Route 12 (outer James Street) are the only other semi-public facilities found within the waterfront area. The two museums offer a historical perspective of the community and its interrelations with the St. Lawrence River.

2. Commercial Facilities. With the exception of a small number of businesses along State Street and Outer James Street, Clayton's commercial facilities typically occupy waterfront locations. The inventory of such facilities identified 13 as tourist accommodations (rental cottages and motels) or restaurants, 11 as marinas or marine-related businesses, and over 25 as a collection of stores, shops, a few offices and the branch office of a major area bank.

While the restaurants are largely concentrated in the commercial core area at the tip of the village peninsula, the tourist accommodations are more loosely strung along NY Routes 12 and 12E, the village's eastern and western highway approaches, respectively. Most of these accommodations take the form of tourist cabins or rental cottages.

Three marinas and several marine-related facilities hug the eastern shore of French Creek Bay. Stretching intermittently from the tip of the peninsula to the mouth of French Creek and beyond, these facilities give the bay its small harbor character. Two other marinas, one along the southeastern side of French Creek and another along NY Route 12 at Carrier Bay, add significantly to the village's marine commercial base. Collectively, the marinas offer a wide range of products and services for boating enthusiasts. These include the sale of boats and boating accessories, the provision of dockage and winter storage for both large and small watercraft, repair services for hulls and engines, and the sale of fuel, bait and tackle. Other marine-related businesses join the handfull of gift and specialty shops in merchandising souvenirs and other articles for the tourists.

3. Industrial facilities. Industrial facilities in the waterfront are limited to Frinks of America, Inc. and Graphic Controls Corp. The former, an important local employer, fabricates snow removal equipment at its plant on Webb Street. Their operations cover a large area in the northeast corner of the village peninsula. The latter facility, on the other hand, produces medial graph and chart paper. It is situated at the intersection of Franklin and East Union Streets.

4. Housing Stock. Approximately one-third of the village's housing stock sits within the waterfront area. Barring a small number of second and third floor apartments above businesses in the commercial core and excluding a senior citizen complex on Strawberry Lane, the waterfront housing stock consists primarily of detached, single-family structures. Such structures are located along the eastern and western sides of the village peninsula, on both Bartlett Point and Steele Point, on Washington Island and along French Creek.

On the peninsula, residences line the east-west streets and the landward sites of some north-south streets. These residences are more heavily concentrated toward the base of the peninsula and are usually separated from the shoreline by a commercial, industrial or municipal facility. Most of the residences in these areas are occupied year-round.

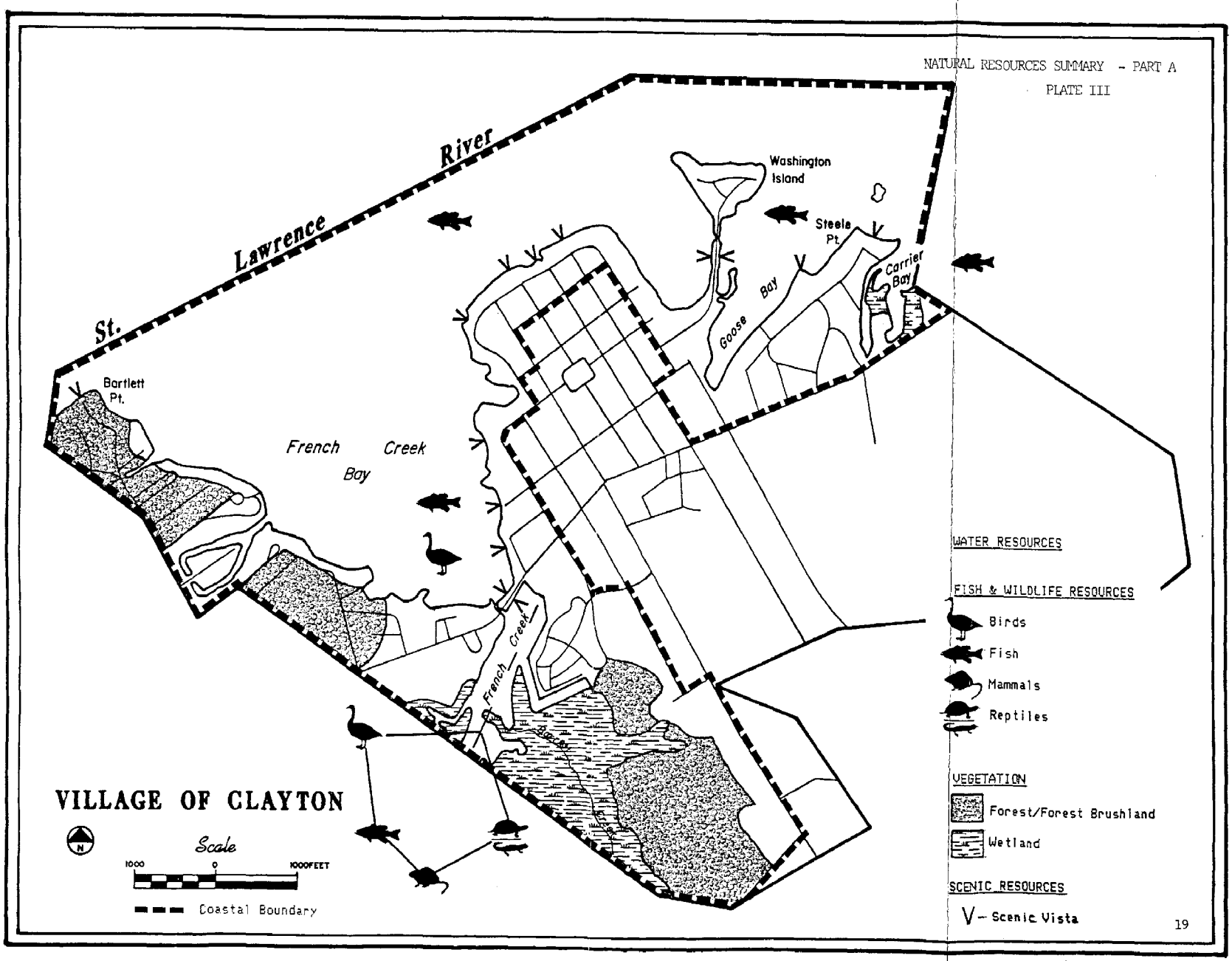
The two points and Washington Island are characterized by a mix of year-round and seasonal residences. While homes and cottages stretch along the immediate shoreline of Bartlett Point, such structures cover both shore and inland areas of Steele Point. Washington Island contains a partly developed subdivision with newer single-family structures.

A small mobile home park -- part of the French Creek Marina operation -- sits along the southeastern side of French Creek. The mobile homes there are occupied seasonally.

5. Historic and Archaeological Resources. The late nineteenth century historic commercial structures along Riverside Drive and James Street have recently been placed on the National Register of Historic Places as a historic district. In addition, another building of local historic significance that is being considered for nomination to the National Register of Historic Places is a limestone structure that houses part of the Shipyard Museum (on Mary Street). The Kemp Realty Building on Riverside Drive is the village's only individual waterfront structure listed on the National Register of Historic Places.

The Kemp Realty Building, also known as the Kemp-Johnston House, was built between 1880 and 1882 for a local shipbuilder and ship captain, Simon G. Johnston. The building is noted for the wealth and variety of original detail that remains intact on its interior and exterior.

The NYS Archaeological Site Location Map indicates five, 1-mile diameter zones of archaeological sensitivity in the general vicinity of the village as possible prehistoric areas with sensitive archaeological resources. Such resources might include encampment and fortification artifacts from the Iroquois, Algonquin and Oneida Indians known to have fished or settled in the area.


St. Lawrence River
Washington Island
Steele Pt.
Carrier Bay
Goose Bay
Bartlett Pt.
French Creek Bay
French Creek
VILLAGE OF CLAYTON
N
Scale
1000 0 1000FEET
Coastal Boundary
WATER RESOURCES
FISH & WILDLIFE RESOURCES
Birds
Fish
Mammals
Reptiles
VEGETATION
Forest/Forest Brushland
Wetland
SCENIC RESOURCES
V - Scenic Vista

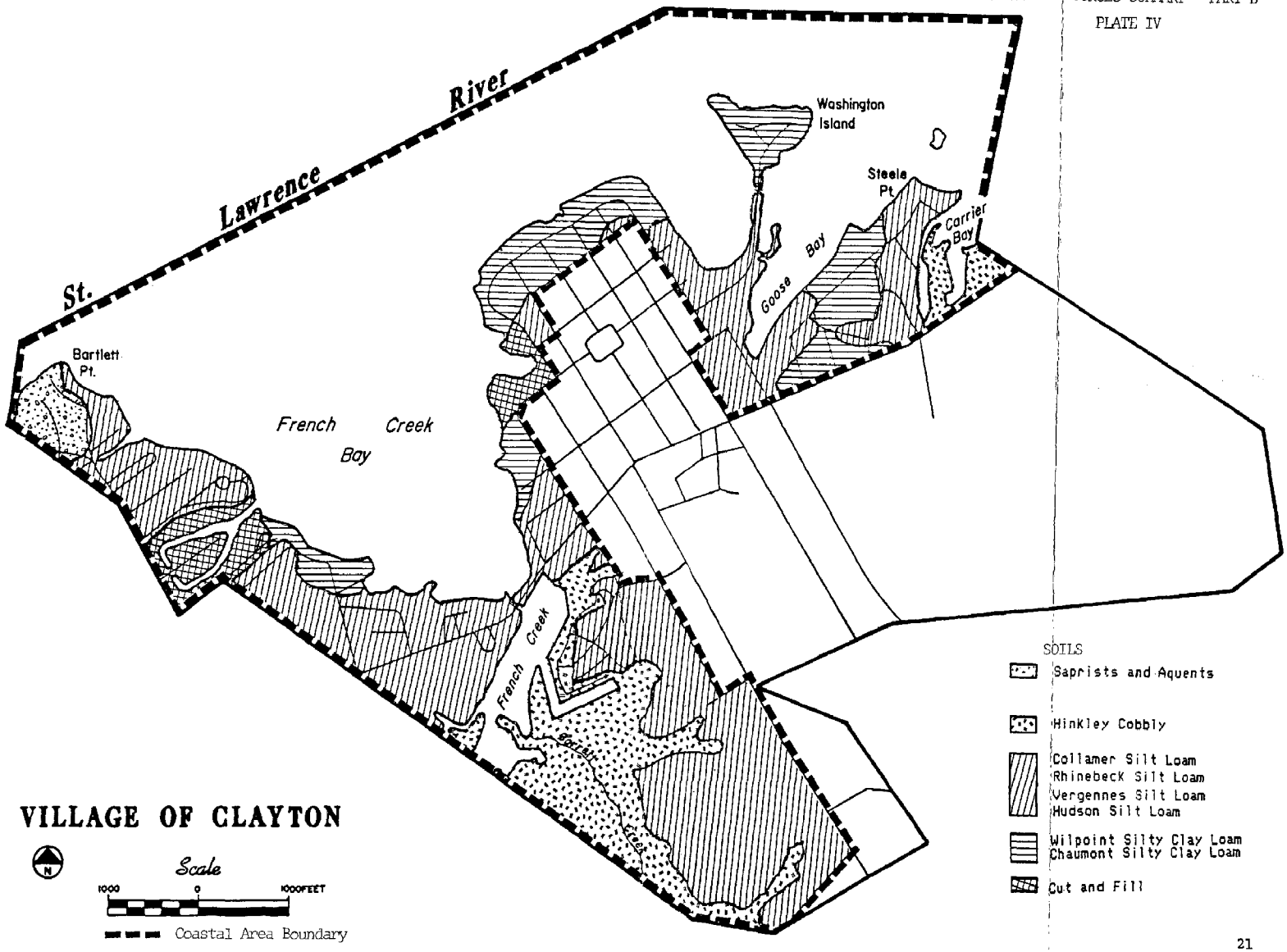

St. Lawrence River
Washington Island
Steele Pt.
Carrier Bay
Goose Bay
Bartlett Pt.
French Creek Bay
French Creek
Bartlett Creek
SOILS
Saprists and Aquents
Hinkley Cobbly
Collamer Silt Loam
Rhinebeck Silt Loam
Vergennes Silt Loam
Hudson Silt Loam
Wilpoint Silty Clay Loam
Chaumont Silty Clay Loam
Cut and Fill
VILLAGE OF CLAYTON
N
Scale
1000 0 1000 FEET
Coastal Area Boundary

PLATE V

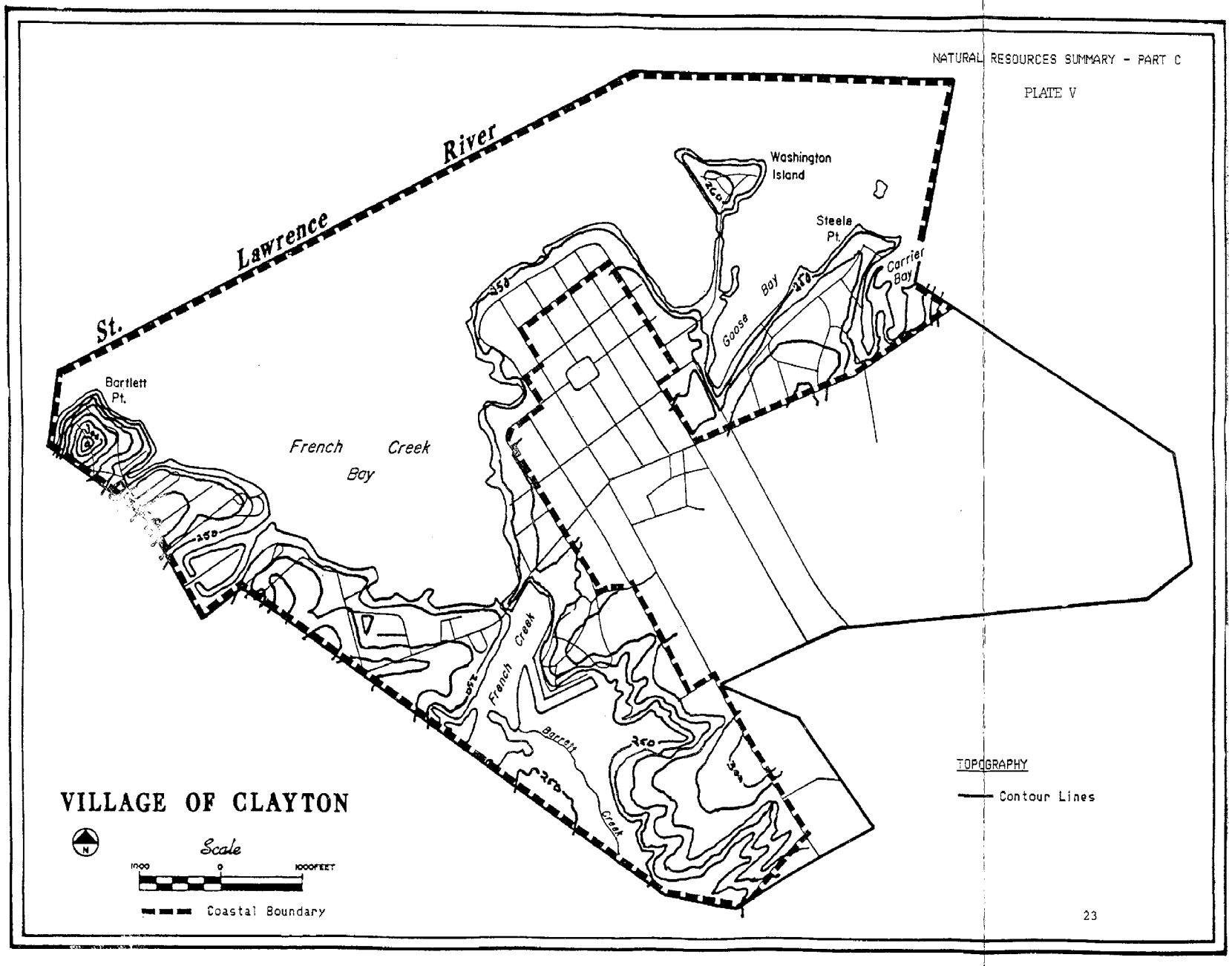
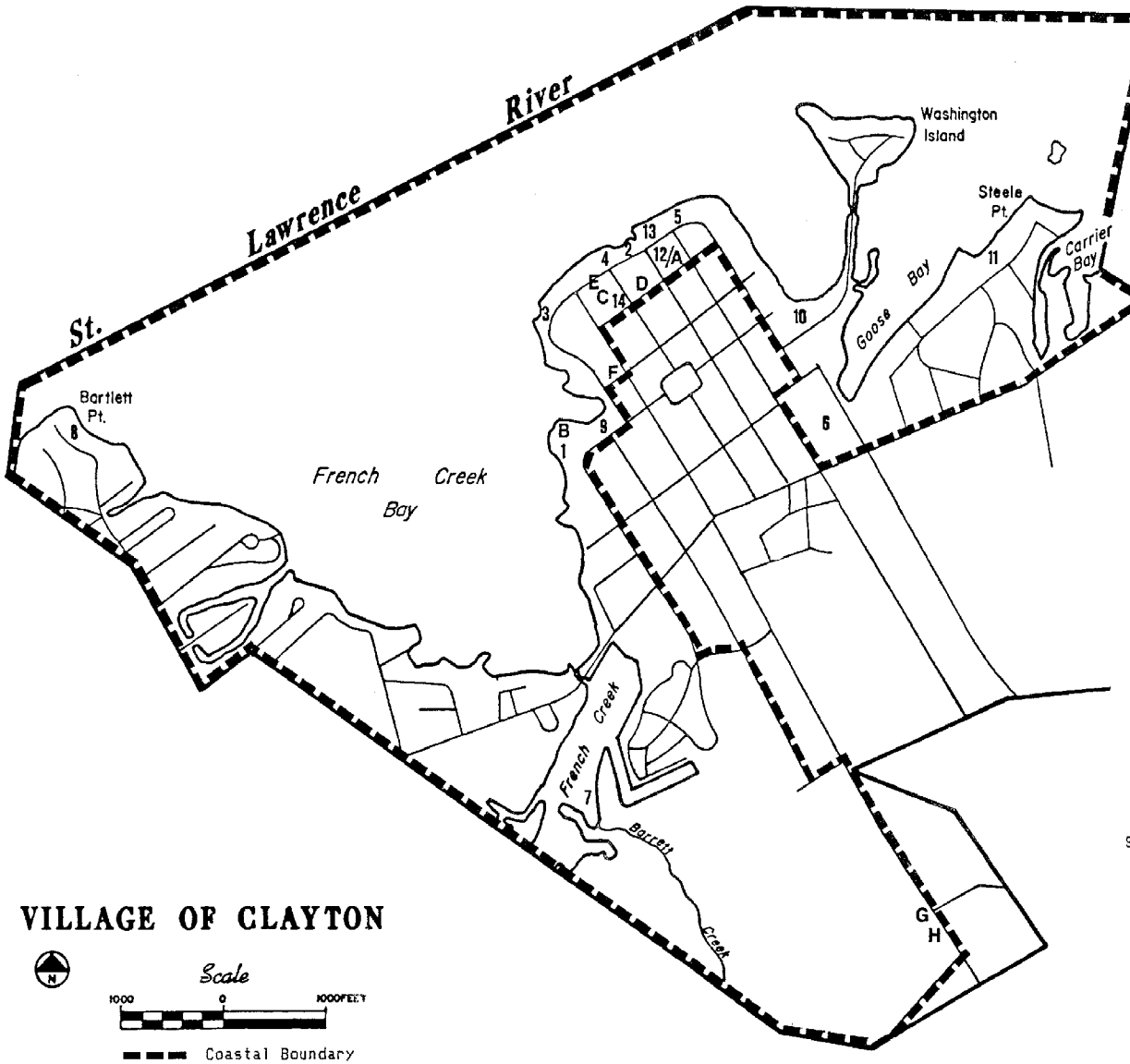

St. Lawrence River
Washington Island
Steele Pt.
Carrier Bay
Goose Bay
Bartlett Pt.
French Creek Bay
French Creek
Barrett Creek
250
260
TOPOGRAPHY
Contour Lines
VILLAGE OF CLAYTON
N
Scale
1000
0
1000 FEET
Coastal Boundary

PLATE VI



Public Facilities

1. Mary Street Dock/Launch
2. Village Dock
3. Centennial Park
4. Memorial Park
5. Frink Park
6. Lion's Park
7. French Creek Wildlife Management Area
8. Village Water Supply Pumphouse
9. Village Parking Lot
10. Village Sewage Treatment Plant
11. Village Lot
12. Town Hall
13. U.S. Customs Office
14. U.S. Post Office

Semi-Public Facilities

A. Chamber of Commerce/ 1000 Islands Museum
B. Shipyard Museum
C. 1000 Islands Arts and Crafts School
D. Church
E. Senior Citizens Club
F. Commercial Parking Lot
G. Cemetery
H. Cemetery

PLATE VII

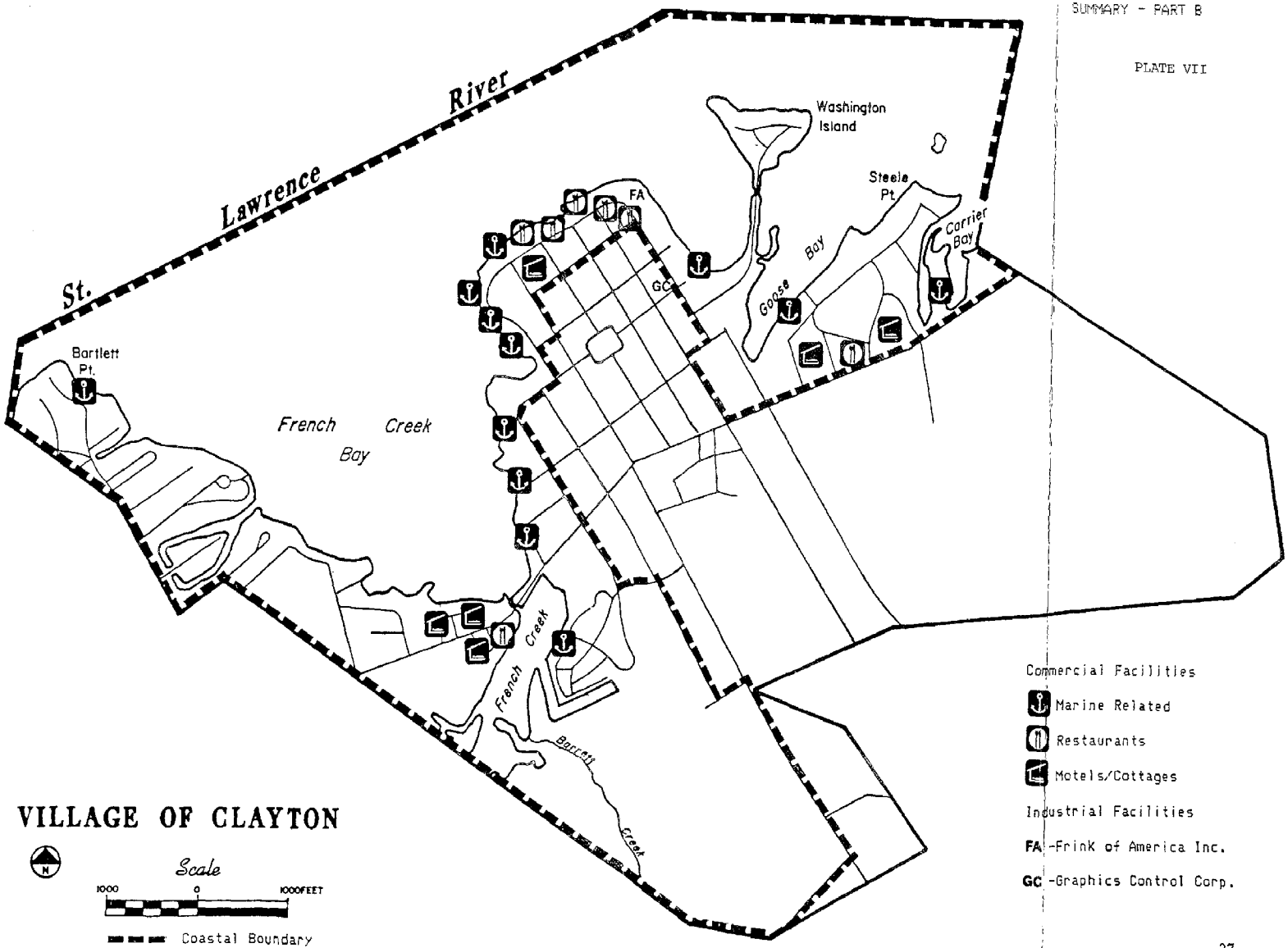
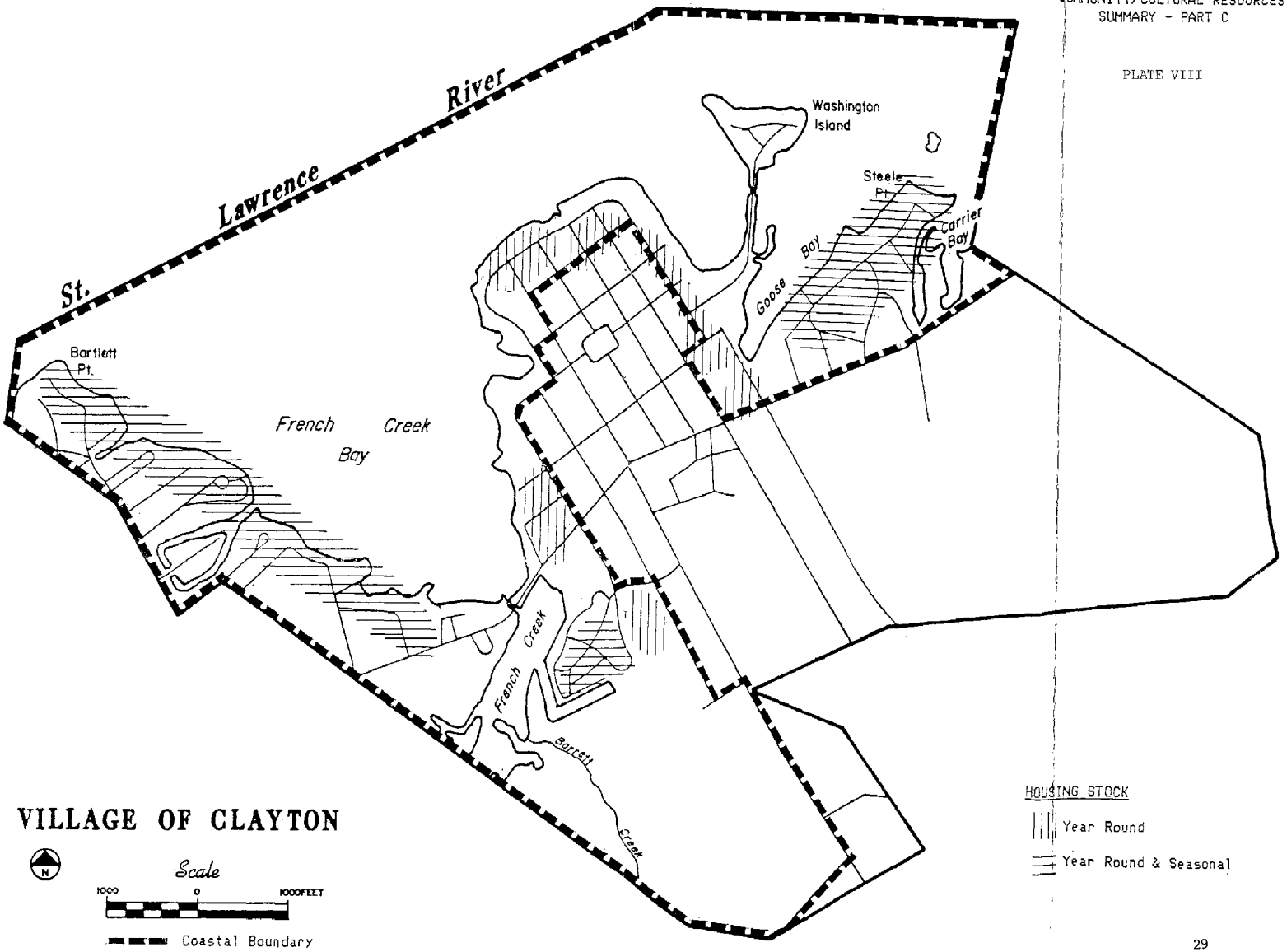

St. Lawrence River
Washington Island
Steele Pt.
Carrier Bay
Goose Bay
FA
GC
Bartlett Pt.
French Creek Bay
French Creek
Barrett Creek
VILLAGE OF CLAYTON
Scale
1000
0
1000FEET
Coastal Boundary
Commercial Facilities
Marine Related
Restaurants
Motels/Cottages
Industrial Facilities
FA -Frink of America Inc.
GC -Graphics Control Corp.

PLATE VIII


St. Lawrence River
Washington Island
Steele Pt.
Carrier Bay
Goose Bay
Bartlett Pt.
French Creek Bay
French Creek
Barrett Creek
VILLAGE OF CLAYTON
N
Scale
1000
0
1000 FEET
Coastal Boundary
HOUSING STOCK
Year Round
Year Round & Seasonal

6. Infrastructure. Water supply for the Village of Clayton is pumped from the St. Lawrence River via an intake located offshore from the northernmost end of Bartlett Point. The pumphouse sits further inland. Chlorination treatment is provided before distribution (through 3 to 10-inch mains) to the developed areas of the village and a few areas beyond.

Sanitary sewers serve all of the waterfront area on the village peninsula and along the developed frontage of streets east of the French Creek Marsh. Steele Point, all of the area west of the NY Route 12E bridge and the undeveloped uplands east of the French Creek Marsh are unsewered. Plate XIII on p. 55 depicts the sewered areas as "concentration of development." Sewage is treated at a secondary treatment plant built in 1975 on the eastern side of the village peninsula. The plant has a capacity of 300,000 gallons per day and operates, on average, at about 50 percent of its capacity.

Solid waste collection and disposal is handled by the village through a private contractor. Refuse is hauled to the Town of Clayton landfill, outside of the coastal area.

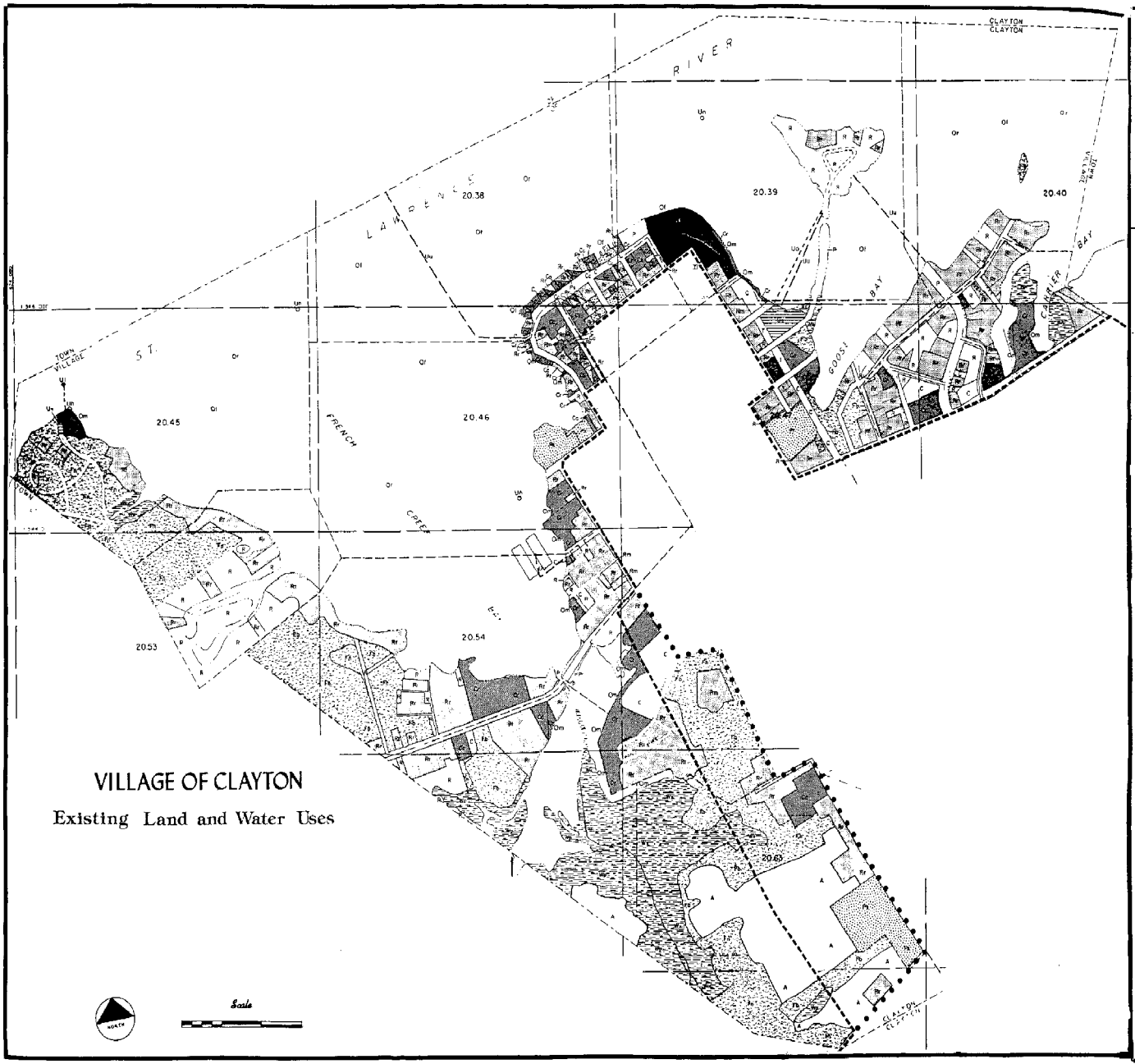
The transportation system serving the community includes a network of local, county, state and interstate roads. Regional transportation access to the area is provided by Interstate 81 (located 8 miles to the east of Clayton) and NY Routes 12 and 12E (segments of the Seaway Trail). These highways provide direct links to all points north/south/east and west, respectively. Collector roads in or near the village consist of County Highways 3, 4 and 181. Within the waterfront area, Webb Street, Riverside Drive and James Street are considered to be the major local streets. They serve the commercial and industrial facilities while collecting traffic from the adjoining residential streets.

Current Land Uses

Plate IX shows the extent and distribution of current land uses in Clayton's waterfront. Six distinct waterfront subareas were identified by general location and nature of land uses.

1. West of French Creek Bay/Northwest of French Creek. Waterfront uses here consist of a thin veneer of seasonal cottages and single-family residences along the Bartlett Point shorefront backed by large areas of forested lands and vacant residential lots further inland. Commercial recreation and single-family uses are clustered along NY Route 12E near the bridge in the easternmost part of this area. Southwest of 12E is a small section of the French Creek Wildlife Management Area.

2. Southeast of French Creek/South of NY Route 12E. This area is the least developed portion of Clayton's waterfront with about eighty percent of the land uses falling into wetlands, forest, or forest brushland categories. The limited development that does exist involves commercial recreation and single-family uses (marina, campground and mobile home sites) along the creek's shore, south of the NY Route 12E bridge. A small amount of commercial retail and semi-public frontage is found along the western side of outer James Street (NY Route 12). Also, limited areas of multiple-family residential and vacant land occur east of the marina.



VILLAGE OF CLAYTON

Existing Land and Water Uses

PLATE IX

Scale

NORTH

LEGEND

LAND USES

Agriculture
- Ac - Cropland
- Ap - Pasture
- As - Other Agriculture
- A - Inactive

Residential
- Rr - 1 & 2 Family
- Rm - 3 or More (Multi-family)
- R - Vacant

Commercial
- Cr - Retail Trade
- Cf - Recreational
- Co - Office & Non Retail
- Ca - Other Commercial
- C - Vacant

Industrial/Extractive
- Il - Light
- Ih - Heavy
- Is - Industrial Storage
- Ia - Other Industrial
- Es - Stone Quarries
- Eg - Sand & Gravel Pits
- Ea - Other Mining
- I/E - Vacant

Public/Semi-Public
- Pg - Government Services
- Pe - Educational
- Pr - Recreational
- Ps - Semi-Public
- P - Vacant

Transportation/Utilities & Communications
- Ta - Airports
- Tr - Railways
- Tw - Water Transport
- Tx - Other Transportation
- Ue - Electric Gen/Dist
- Ug - Gas & Oil Transmission
- Uz - Water Treatment
- Ur - Solid Waste Management
- Ux - Other
- T/U - Vacant

Forest
- Fn - Forest
- Fb - Forest Brushland
- Fp - Forest Plantation

Wetlands
- Wp - Public/Recreational
- Wx - Other

Non-Productive Lands
- Ns - Sand & Beach
- Nr - Exposed Rock Cliffs

WATER USES

Ry	- Residences Over Water	Ts	- Shipping
Or	- Boating	Un	- Navigation Aides
Om	- Mooring & Dockage	Uu	- Underground Cables
Of	- Fishing	Up	- Oil and Gas Pipelines
Ow	- Swimming	Ud	- Spoil Disposal Areas
Ok	- Water Skiing	Uo	- Sewer Outfalls
Tf	- Ferry	Ui	- Water Intakes

N.Y.S. Coastal Area Boundary

Revised Coastal Area Boundary

3. Western Side of the Village Peninsula. With the exception of two public uses (the Shipyard Museum and municipal dock/boat launch) the western side of the village peninsula is distinguished by intensive commercial recreation land uses including marinas, boat repair operations, and bait and tackle shops. A band of single-family residential use borders the commercial recreation.

4. Northern Side of the Village Peninsula. The northern side of the village peninsula constitutes the commercial core of Clayton. A mixture of uses are found although commercial retail (shop, restaurants, etc.), commercial office (banking and real estate), and public uses (villages docks and parks) predominate. In a number of structures the principal commercial use is accompanied by multiple-family residential (apartments) on the upper floors. A small amount of the land area is vacant.

5. Eastern Side of the Village Peninsula. This area, which includes Washington Island, is a distinct waterfront area containing the village's principal industrial land uses (Frinks of America and Graphic Controls Corporation), commercial retail (lumber yard), public (sewage treatment plant and Lion's Park) and a mixture of single and multiple-family residential uses. Vacant land on Washington Island and along the former railroad right-of-way make the respective distribution of vacant residential and vacant commercial land uses prominent in this part of the waterfront.

6. East of Goose Bay/North of Route 12. A patchwork pattern of single-family residential (shorefront cottages and year-round homes), commercial recreational (marina and tourist lodging), commercial retail (restaurant and gas station), and vacant land uses characterize this area. The commercial recreational and commercial retail uses are located on a point of land extending into Carrier Bay and along the north side of NY Route 12, respectively.

Current Water Uses

The Clayton section of the St. Lawrence River supports a number of water uses related to the natural protection afforded by the small coves and bays. Five principal categories of water uses are shown on Plate IX. They include boating, mooring and docking, fishing, navigational aids and submerged infrastructure.

1. Boating. Recreational boating is concentrated in and around French Creek Bay and along the tip of the village peninsula where crafts converge toward the municipal docks and private marinas. Commercial boating includes scenic cruises of the Thousand Islands, charter boat fishing, barges, and rentals.

2. Mooring and Docking. Public docking facilities located adjacent to Riverside Drive and along French Creek Bay near Mary Street provide boaters with access to shopping, dining and other tourist activities in the village core.

Together, the marinas of French Creek Bay and Carrier Bay and the many private docks of shorefront cottages along the river provide the bulk of dockage for large and small watercraft alike. The French Creek Marina, south

of the NY Route 12E bridge, is confined to smaller craft due to the height of the bridge at the mouth of the creek.

3. Fishing. Fishing has grown in popularity as a year-round activity on the Clayton section of the river. Boats of every size and description cluster around favorite fishing spots in the river during the warmer months, and the cars and trucks of ice fishermen venture out on the frozen-over bays in the winter. The attractiveness of Clayton's fishing is heightened by tournaments and derbies. Public access sites along Riverside Drive draw numerous shore fishermen to the river's edge.

4. Navigational Aids. Foremost in navigational aids are the buoys used to mark the channel of the Great Lakes-St. Lawrence Seaway System. Lighted buoys guide the large ocean vessels through the hazardous islands, shoals and point of land near the seaway channel. Beacons and smaller buoys are found in the bay areas warning navigators of protruding structures and submerged hazards along the coast.

5. Submerged Infrastructure. Underwater power cables supply electricity to the boat houses of the Thousand Islands Marina in French Creek Bay and to Grindstone Island. The village water intake extends off Bartlett Point. A submerged sewer line in Goose Bay connects Washington Island residences to the municipal sewage treatment plant.

Important Economic Activities

Commerce and manufacturing are the two principal economic activities of the Clayton waterfront. The former depends heavily, though not exclusively, on a local tourism market, whereas the latter is geared to broader market areas. Both provide important local employment opportunities and contribute to the village's general revenues.

As previously noted, the waterfront encompasses most of the village's commercial facilities. A large share of these either depend on the tourist (marinas, marine-related businesses, motels, rental cottages, restaurants, and gift or speciality shops) or benefit more or less from tourist expenditures (department or variety stores, banking, real estate and insurance offices and so forth). Promotional activities of the Clayton, 1000 Islands Area Chamber of Commerce and those of individual entrepreneurs help to sustain and increase the level of tourism at this point along the Seaway Trail. Annual events such as the Shipyard Museum's antique boat show, an arts and crafts show and an ice fishing derby combine with special events such as the Gold Cup Regatta, a national bass fishing tournament and new boat shows to draw thousands of visitors to the village and its waterfront. A significant share of municipal revenues from sales and property taxes depend, respectively, on the tourist dollars spent in the village and on capital reinvested in the businesses which capture those dollars.

Although they occupy a relatively small part of the waterfront, Frink of America, Inc. and Graphic Controls Corporation are important local manufacturing activities. Frink of America, Inc. (former Frink Snow-Plow, Inc.) manufactures more than twenty models of snow removal equipment between its plant in Clayton and its affiliate, Frink of Canada. Graphic Controls Corp. is a multi-million dollar holding company that established its Clayton plant in 1957.

ANALYSIS OF WATERFRONT CONDITIONS

The preceding inventory provided a basis for analyzing the local waterfront area in terms of both the level of significance attributable to the village's coastal resources and the conditions, i.e. the problems, issues and opportunities, such resources entail. To focus attention on resources critical to Clayton's waterfront, the analysis segregates the inventoried coastal resources into two levels of significance and discusses their conditions accordingly. The discussion of conditions is broken down into subcategories which correspond to the broad headings under which the State Coastal Policies were grouped in DOS, NYCRR Part 600.

Highly Significant Coastal Resources

The waterfront inventory and discussions with village residents, community business leaders, local elected officials, the Local Waterfront Revitalization Advisory Committee and representatives of various State and federal agencies enabled the village's program consultant to identify the highly significant coastal resources in Clayton's waterfront area. The resources so identified -- Development, Fish and Wildlife, Public Access, Recreation and Scenic Quality -- are described below and mapped in summary form on Plates XII through XIV.

1. Development. The built coastal environment of Clayton's waterfront, especially along the shores of the village peninsula, represents a critical resource for the community. On it depends much of the local economy. From it derives a substantial part of Clayton's riverside community image. In it are vested important elements of local history, culture and quality of life.

Deteriorating structures and vacant or underutilized lands and buildings are present within six subareas of Clayton's waterfront. Although the deterioration and underutilization are not rampant in these subareas, they do constitute problems which, if unchecked, can degrade Clayton's built environment and diminish its value as a coastal resource. From another perspective, however, the vacant and underutilized properties also represent opportunities for promoting new and more economically rewarding uses in the waterfront.

Area 1 - South of NY Route 12E/west of the 12E Bridge. Along the north shore of French Creek are a number of underutilized commercial and single-family residential properties separated by open forested lands. Extending over the creek's edge are several dilapidated boat houses and docks that detract from the visual quality of the French Creek Wildlife Management Area and give witness to the underutilization.

NY Route 12E provides a primary means of access to the village from the west. Underutilized lands contiguous to the French Creek side of this route provide opportunities for expansion of tourist accommodations to mirror those on the French Creek Bay (north) side of the highway.

Area 2 - West of Strawberry Lane. The majority of this area consists of undeveloped properties which are overgrown with forest brushland. Within this area is a large tract of vacant commercial property adjacent to the French Creek Marina, an abandoned one-story metal-clad structure behind residences on Wahl Street and a senior citizen housing complex

(Riverview Apartments) adjacent to Strawberry Lane. From various points there are interesting views of marshlands that border this area's southwest corner.

The proximity of the northern portion of this underutilized area to NY Route 12, the village core, and existing marina facilities make it suitable for expansion of existing multiple-family dwelling units and commercial recreation facilities.

Area 3 - Northeastern Shore of French Creek Bay. Riverside Drive Extension is a narrow village street that runs southerly from the west end of Riverside Drive. As it winds along the northeastern shore of French Creek Bay, it provides a one-way connection to the west end of James Street then widens to a two-way link with Mary Street. Marinas, marine-related businesses and a small number of residences are crowded along its course -- especially in the one-way section. Structures built between the street and the edge of the bay are often so densely clustered that they block views to the bay, restrict access to the shore, and create an ambiance of congestion and confusion. To these problems are added the deteriorated conditions of several boat houses, a number of docks, and across the street a few dilapidated residential structures. Facade improvements and structural rehabilitation are needed for both commercial recreation and residential properties in this area.

Since the area contains a significant part of Clayton's marina and marine-related commercial facilities, capital reinvestment here will benefit the local tourist economy. Reconstruction, replacement and expansion activities in this area will warrant careful attention to design and function.

Area 4 - Western Half of Riverside Drive. James Street, Riverside Drive and Webb Street are the principal traffic corridors serving the village peninsula and its commercial core area. Since the first two are the more heavily traveled, their intersection experiences greater traffic congestion and forms the hub of the core area's business activity. The western half of Riverside Drive is also the village's busiest pedestrian corridor. Here, the excessive street width, awkward parking arrangements and heavy traffic flows have been conducive to vehicular/pedestrian conflicts. The spread of pavement has also detracted from the image (FN 6) of the area as a whole. Along the north side of Riverside Drive, the often neglected rear (riverward) building facades reflect the orientation to the streetside activity. Intermittent sections of private boardwalks, some deteriorating or in disrepair, show the sporadic and uncoordinated efforts of some entrepreneurs to capitalize on their riverside locations. At the street's westernmost end, several riverside buildings were destroyed by a major fire in December of 1983. Although cleared of rubble and debris, this part of the core area now represents the village's foremost area of concern with respect to deterioration and underutilization.

The village is currently examining opportunities to redevelop the area where these buildings were destroyed. A recently completed market feasibility study funded through the Department of State has determined that the area market would support a motel, a restaurant, and a small amount of retail space at this site.

An earlier study (FN 7) examined the streetside and riverside image of Riverside Drive as well as vehicular and pedestrian movements. Its recommendations pointed to significant opportunities to enhance the commercial core area's image and the level of tourism there. These opportunities included improvement of front and rear building facades, better separation of pedestrian movements from traffic flows, and linkage of boardwalk segments into a safe, attractive and continuous boardwalk system across the face of the peninsula. By increasing business orientation toward the river, the community would create a unique and compelling tourist attraction from which few businesses would fail to gain.

Area 5 - Eastern and Northeastern Shores of the Peninsula. Abandonment of rail service within the waterfront in 1959 led to removal of track along the eastern side of the peninsula and demolition of the former depot and coal loading facilities along the north side of Riverside Drive. Vacant and deteriorated land remains today, coinciding with the alignment of the railroad right-of-way. While a portion of this land is used for industrial storage and parking, much remains unused and overgrown with a few deteriorated boat houses occupying the immediate shoreline. Views of this part of the waterfront from offshore give the impression of desolation, deterioration and absence of productive use.

A closer working relationship between village officials and Frink of America, Inc., the largest property owner in this section of the waterfront, could increase the opportunities for revitalization and improved visual quality. A small parcel along Riverside Drive was donated by the firm to the village for park purposes. As the village improves this site (now called Frink Park), it can urge upgrading of lands to the east and south along the shoreline. Continued joint efforts should focus on riverbank stabilization and vegetative screening to buffer industrial activities along the shore.

Area 6 - Section of Goose Bay Southern Shore. The western portion of Goose Bay's southern shore is separated by a railroad embankment from land uses of the peninsula. This area of the waterfront is overgrown with forest brushland that surrounds the few old, dilapidated cottages and boat houses located there.

Rehabilitation of deteriorated structures and improved road access would encourage further development and put vacant lands to more economically productive use. Linking Lion's Park to Goose Bay and neighboring areas to the east will increase the diversity of recreational opportunities and provide a better visual setting for residences in this part of Steele Point.

Analysis of Clayton's waterfront land uses indicates that many uses either depend on or are enhanced by their waterfront location. The water dependent uses consist of marinas and marine-related commercial uses along the shores of French Creek Bay, Carrier Bay and French Creek; public access and recreation sites along the tip of the village peninsula and the municipal sewage treatment plant on Goose Bay. Water enhanced uses, on the other hand, are more widespread. Restaurants, motels, tourist cabins and various shops geared to tourism fall into the water-enhanced category and occupy most of

Riverside Drive and large areas along the eastern and western State Highway approaches to the village.

It is evident from the densely clustered water dependent uses along the eastern shore of French Creek Bay that shoreline space is limited there while the demand for such space is high. Competition for waterfront sites is also fairly high along NY Routes 12 and 12E and across the tip of the peninsula. Public/private participation is needed to make additional shoreline available for development, especially in accommodating water dependent uses. Vacant, deteriorated shoreline along the eastern side of the village peninsula may provide opportunities to encourage additional water dependent uses to locate in the waterfront. Over the long run, local land use regulations could also facilitate the expansion of water dependent uses along the eastern shore of French Creek Bay.

The relatively protected waters of French Creek Bay support a range of public and private marine activities which, in turn, have heightened the bay's function as a small harbor for the village. An important part of the village's economic base derives from development along the bay's shoreline and from tourist dollars attracted thereby. Intense competition for limited shoreline sites, impacts of commercial activities on adjoining residential properties, and parking deficiencies may hamper future development around the harbor. Measures to provide greater protection for wind and wave action and ice damage will also be important. With careful planning and design, harbor facilities development can continue. Again, public/private participation is required to capitalize more fully on the harbor's economic potential.

It is readily apparent that the heaviest concentrations of development in Clayton's waterfront have coincided with the availability of public sewer and water service on the village peninsula. The peninsula's vacant and underutilized lands present opportunities to further concentrate development for efficient use of existing infrastructure. However, parking shortages and the limited carrying capacity of the peninsula's major traffic corridors will put a cap on development potential. As waterfront revitalization and tourism development pressures continue, extension of the sewer system will become necessary to serve adjoining lands along NY Routes 12 and 12E and the water enhanced uses which have gravitated there. Careful planning and judicious timing will be necessary to ensure that the sewer extensions keep pace with development activity while providing for an orderly and efficient development pattern. Care must also be taken to see that viable and stable residential areas are not impacted by commercial expansion.

2. Fish and Wildlife. The stream-wetland-upland complex of French Creek Marsh and the shallows of Carrier Bay represent unique fish and wildlife habitats -- the former for its abundance and variety of species; the latter as a Muskellunge spawning and rearing area. Both areas warrant consideration as "significant fish and wildlife habitats" pursuant to recent State legislation (FN 8).

New York State has already recognized the importance of the marsh by way of prior fee simple acquisition and establishment of the French Creek Wildlife Management Area (WMA). Rules and regulations of the NYS Department of Environmental Conservation (DEC) provide for the protection of the marsh and the management of its fish and wildlife habitats. Fishing, hunting, trapping and passive recreation activities are allowed.

The designated WMA did not, however, encompass all of the French Creek Marsh lying within Clayton's waterfront (see Plate X). While some 24 acres were included, the mouth of French Creek and a large area of wetlands were not. The excluded areas, according to DEC Region 6 officials, had been deemed already impacted by surrounding development, and, thus, had not merited acquisition for habitat protection. Nevertheless, DEC views the mouth of the creek as important since any blockage or major disturbance there could hamper fish migrating from the river to spawn in the shallow waters of the creek. The excluded wetlands are likewise recognized as important. Almost wholly contained in one privately-owned 24.9 acre parcel, these wetlands are protected under the Freshwater Wetlands Act and DEC regulations (FN 9) as designated Class II wetlands. They provide a substantial natural buffer between the WMA and developable lands to the east.

Most of the development that has occurred near the marsh in Clayton is located close to the mouth of French Creek. To the west of the mouth, roughly one-half of the land between the WMA and NY Route 12E is undeveloped. Considerably larger areas of vacant land lie east of the WMA and the excluded wetlands. Intensive development activity in these areas could impact the fish and wildlife habitats at the easternmost end of the WMA.

Although the absence of sewers in these areas will forestall intensive development pressure, some development activity can be expected in the form of commercial uses along NY Route 12E and residential uses east of the excluded wetlands. Given the poor suitability of soils in both areas, control over the use of septic systems will be essential. Careful review of commercial development proposals around and west of the mouth of French Creek will be crucial in assuring that site layout, facilities design and actual construction are undertaken in a manner cognizant of and sensitive to the adjoining fish and wildlife habitat. The wetlands lying outside the WMA must be protected both for their own intrinsic value and for the substantial development buffer they provide.

The conditions pertaining to Carrier Bay as a potentially significant habitat differ greatly from those of the French Creek Wildlife Management Area. First, the extent of Muskellunge habitats has only been approximated as an area circled on a USGS 7' quadrangle map (see Appendix A). The portion of the circle falling within Clayton's waterfront is shown as an enlargement on Plate XI. Secondly, the habitat's sensitivity cannot be ascertained since documentation is lacking to define its essential conditions for Muskellunge spawning and rearing. Finally, the extent of surrounding development and the limited amount of buffer suggest difficulties in controlling impacts of the habitat. Most of the land surrounding this part of Carrier Bay has been extensively subdivided, and all of it is developed with the exception of two small pockets of wetland. Given the lack of sewers in this part of the village, the potential for localized water quality degradation is fairly high. Also, boating activities generated by an established marina at the southernmost end of the bay represent a source of continuing, uncontrollable disturbances to the habitat.

Clouding the question of the habitat's State-wide significance is the fact that Muskellunge are not included on any of the State's lists of threatened and endangered species or species of special concern. Regardless, the relatively uncommon occurrence of this species in the St. Lawrence River does merit local and regional concern. The lure of "Muskie" fishing to sport

PLATE X

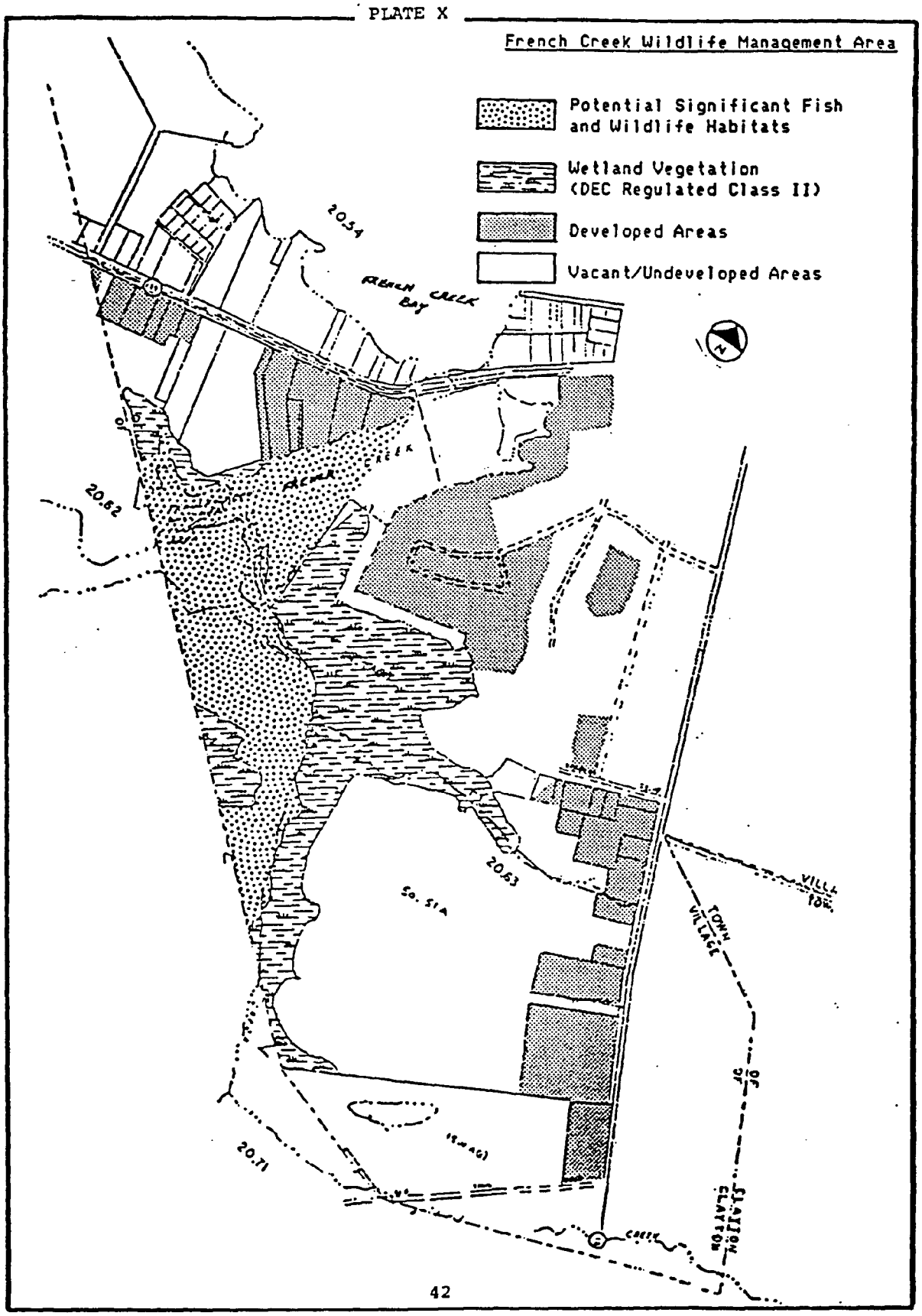
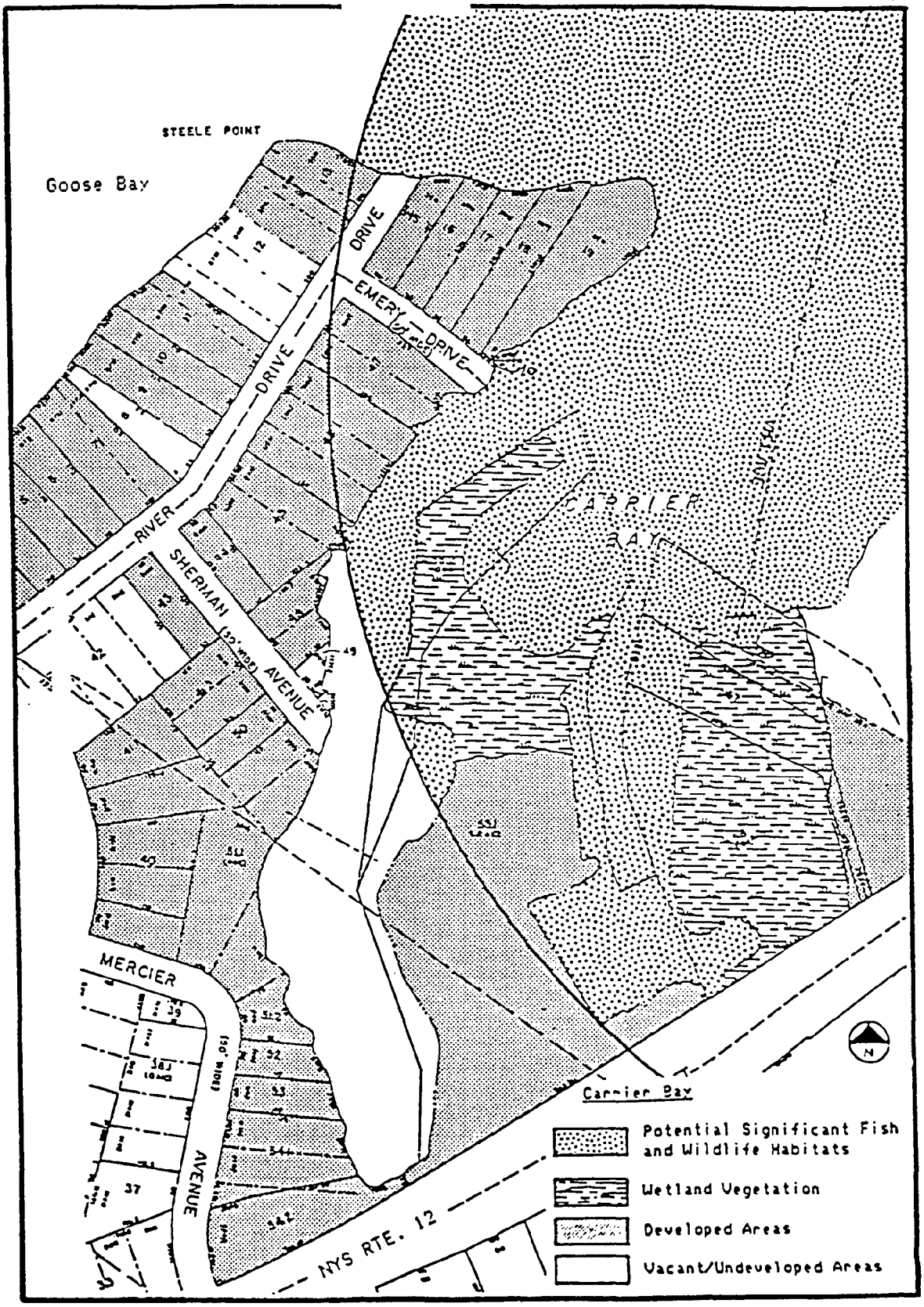

French Creek Wildlife Management Area
Potential Significant Fish and Wildlife Habitats
Wetland Vegetation (DEC Regulated Class II)
Developed Areas
Vacant/Undeveloped Areas
20.54
FRENCH CREEK BAY
20.62
20.63
20.71
TOWN
VILLAGE
CLAYTON

PLATE XI


STEELE POINT
Goose Bay
RIVER DRIVE
EMERY DRIVE
SHERMAN AVENUE
MERCIER AVENUE
CARRIER BAY
Carrier Bay
NYS RTE. 12
Potential Significant Fish and Wildlife Habitats
Wetland Vegetation
Developed Areas
Vacant/Undeveloped Areas

fishermen makes the species and its few known habitats important for tourism in the Thousand Islands and, thus, the Village of Clayton.

In any case, the habitat conditions do presently support a Muskellunge nursery, and local efforts to protect it should include avoiding any major intensification of land use activities near the habitat. Again, control over the use of septic systems will be critical to prevent a decline in water quality. Eventual extension of sewers to Steele Point and along NY Route 12 would diminish the water quality concerns. Review of commercial development proposals along the State Highway would allow the village to include Carrier Bay's habitat sensitivity as a consideration in site layout, design and construction.

Along with development review, the village can carry out another important function in managing fish and wildlife resources in the vicinity. Through the expansion of existing public access and recreation facilities and the encouragement of private marina development, Clayton can promote increased recreational use of these resources. Although the St. Lawrence River ranks first among all New York State waterways in total harvest of Large-mouth Bass, Northern Pike and Muskellunge, it ranks only fourth in total angler-days fished (after Lake Erie, Oneida Lake and Lake Ontario). The potential for increased fishing, hunting, trapping and wildlife observation is considerable. Habitat sensitivity notwithstanding, the only serious limits to reaching that potential reside in the availability of access and recreation facilities. The demand already exists. The cooperative efforts of municipal officials and private business operators to facilitate sport fishing in the river, shoreline fishing for panfish, ice fishing in the winter and, where allowed, hunting and trapping in the French Creek Wildlife Management Area can enhance local tourism significantly.

3. Public Access. In spite of the vast amount of mainland and island shoreline within the Thousand Islands section of the St. Lawrence River, public access to the river is very limited. Most of the existing public access opportunities are found within a handful of State parks. Municipal public access sites are typically few in number and poorly situated with respect to parking availability, pedestrian safety and accessibility to the more attractive features of the shoreline.

While public access in Clayton can be generally characterized by these conditions, the village is atypical in comparison to its neighboring towns and villages along the St. Lawrence. The four municipal properties along the tip of the village peninsula and a fifth lying along the eastern shore of French Creek Bay provide a level of municipal public access not commonly found along the U.S. shoreline of the Thousand Islands. These public access sites contribute to the quality of life in the village by enabling all of its residents to experience the river physically or visually. Such sites also support the local tourism economy by attracting day visitors and complementing semi-public and commercial facilities nearby. Public access must, therefore, be considered a highly significant community resource in Clayton's waterfront and deserving of both protection and enhancement.

Presently, the demand for access to the area's fish and wildlife resources exceeds the supply of public and private recreation facilities. This is most evident in the village's need to limit docking time at its municipal docks and the waiting lists maintained by local marina operators for

boat owners seeking slips. The increasing numbers of adults and children fishing from municipal properties along Riverside Drive attests to the growing recreational demand.

Through direct actions such as acquiring land or easements and developing public docks and shore fishing sites, the village can meet part of the demand for access. Indirectly, it can also accomplish this working in cooperation with private marina owners where expansion of their facilities can be accommodated. Similarly, Clayton can explore with DEC means of increasing access to the French Creek Wildlife Management Area where compatible with the habitat's sensitivity.

Deficiencies in parking and docking facilities -- a problem which confronts public, semi-public and commercial uses along the northern and western sides of the peninsula -- may be the foremost threat to public access. A continuing effort to increase the supply of parking spaces and boat slips must be balanced with a cautious review of new development or expansion proposals and the additional parking and/or docking demand they would entail. Vehicular/pedestrian conflicts along Riverside Drive near James Street also need resolution. At the same time, the potential for heightening public access opportunities via a riverside boardwalk warrants serious consideration. The linking of municipal properties with intervening public access easements along the riverward side of commercial properties would magnify the tourist's exposure to the river, increase the duration of the visitor's stay and precipitate greater expenditures at the stores, shops, restaurants and other establishments along the boardwalk.

4. Recreation. Together, the St. Lawrence River, its embayments and French Creek offer a wide range of local recreation opportunities including boating, fishing, waterskiing, swimming, hunting, trapping, canoeing, hiking, observation and relaxation. The specific recreation facilities of the village which capitalize on these water resources are thus highly significant resources of the waterfront. They are an important element of leisure activity for local residents and tourists alike.

The individual shoreline parks and public docking facilities along Riverside Drive represent water-dependent recreational uses which should be retained and promoted. Centennial Park, located at the western end of this street, is presently being considered as part of the project area for a redevelopment package to rebuild the commercial area destroyed by fire in late 1983. While the park is the least actively used of Riverside Drive's four municipal properties, its recreational value should not be eliminated without offsetting gains in other public access and recreation opportunities. Specifically, any commercial redevelopment proposal involving Centennial Park should incorporate public access and recreation as a multiple use via appropriate facilities design, construction and public access easements to "anchor" the westernmost segment of a riverside boardwalk. At the same time, the village should work with other businesses along the tip of the peninsula to foster the unified boardwalk system. The recreational potential for a well-designed boardwalk is second only to the potential commercial activity it would entail. As in the case of public access, parking deficiencies and vehicular/pedestrian conflicts present difficulties to be resolved in attempts to enhance recreation activities along Riverside Drive.

The municipal boat launch and docks at the end of Mary Street and the various marinas in Clayton as a whole are part of the village's stock of significant recreational resources. Efforts to expand such facilities will require a coordinated approach balancing private initiatives with public development review. Careful planning of dock and marina expansions will be necessary to avoid increased congestion of traffic, crowding of competing land uses and impacts on adjacent neighborhoods, especially along French Creek Bay. A long-range harbor management plan could serve as a valuable guide in this respect.

Lion's Park is separated from the eastern shoreline of the peninsula by a steep embankment lying within a former railroad right-of-way. A future means of providing water-dependent and water-enhanced recreation rests with acquisition of the right-of-way and removal of the embankment to expand and open Lion's Park to Goose Bay. Present demand for access to this bay is currently rather low in view of its weeds and shallowness. Also, rerouting the 8-inch village water main that runs under the embankment might be cost prohibitive. The feasibility of expanding Lion's Park in this manner needs to be studied.

Looking beyond the variety of municipal and private facilities for water-based recreation, the village also offers opportunities for enjoyment of the local culture and history as a recreational activity. Museums, arts and crafts shows and historic structures also constitute resources for the enjoyment of leisure time and, thus, a form of recreation. At present, only one structure -- the Kemp Realty Building located across from Memorial Park -- has been documented as highly significant through placement on the National Register of Historic Places.

5. Scenic Resources. Coastal scenery and waterfront imagery are two of the most universally appreciated features of the Thousand Islands region. Views of the island-studded river and the ambiance imparted to coastal development by such views are important sources of recreational, educational and psychological experiences. The quality of such resources heightens the pleasures of living, working or vacationing in the area.

As noted in the waterfront inventory, the Village of Clayton shares in the region's wealth of scenery and imagery by way of various scenic vistas and the character of riverside development, respectively. The most significant vistas in the waterfront are found along Riverside Drive and out in the river looking shoreward to the northern and western sides of the village peninsula. Collectively, these views of the St. Lawrence River and the village's coastline may warrant consideration as resources of statewide significance. On the other hand, vistas at the Mary Street docks and the NY Route 12E bridge are mainly of local importance. Local imagery draws from both river views and bay views along the shoreline.

Views from Memorial Park and the village docks on Riverside Drive are confined to limited openings in an almost continuous wall of structures built directly on the water's edge. Properties surrounding the limited visual access sites are substantially developed and relatively stable. Major new construction activities which could further restrict the views here are not expected. On the other hand, the concentration of pedestrians, shoppers and sightseers in the vicinity of Memorial Park and the village docks points to a

boardwalk's potential for enhancing scenic access and enjoyment along this stretch of the peninsula's face.

Presently, the broader views of the St. Lawrence River are permitted at the western and eastern ends of the street where the structural "wall" yields to the open shorelines of Centennial Park and Frink Park, respectively. The openness of these village parks is paralleled by more openness in the surrounding private properties. Protection of their vistas will rest upon careful village review of development proposals on adjoining land to ensure that views are not blocked or seriously restricted by multi-story structures hugging the adjacent shoreline. Again, any redevelopment package proposed for the western end of Riverside Drive should incorporate means of offsetting the loss of scenic vistas if the package encompasses Centennial Park. Public access easements and appropriate design for linkage to a full boardwalk system would surely compensate that loss. Frink Park, on the other hand, is limited to solely park use by restrictions placed in the deed at the time it was donated to the village.

The Mary Street docks offer views out into French Creek Bay through a foreground bustling with marina activity. Practical considerations of parking and safety limit the enjoyment of this visual access point mostly to the boaters using these facilities. Review of private marina development proposals would enable the village to protect the vista while ensuring that ample room is retained for docking activities.

Views from the NY Route 12E bridge are also limited in the sense that the drivers of vehicles approaching and crossing it are permitted brief glances to the north out into French Creek Bay and to the south over French Creek and into the French Creek Marsh. Although the possibility of a public scenic overlook site near the bridge is remote, the village could encourage private enterprises to incorporate visual access into their development plans. Development review by the village can incorporate attention to visual quality in the design of sites near the mouth of French Creek. Also, the village can enhance the views near the bridge by working with property owners in the vicinity to rehabilitate or remove dilapidated dock and boathouse structures.

Finally, the village has the opportunity to improve the image of its built shoreline environment through concerted public and private revitalization initiatives. As explained in the Village of Clayton Waterfront Image Assessment Study, the community can foster a unique riverside ambiance by tying together a street improvements program, a facade improvements program and a pedestrian boardwalk spanning the tip of the village peninsula. The increased public access, expanded recreational opportunities, heightened retailing and unlimited vistas accompanying such a comprehensive approach would create a waterfront image unparalleled along the U.S. shoreline of the Thousand Islands region. At the same time, development review by the village can guide the layout and design of marinas and marine-related commercial uses to reduce both land and water-based congestion is also needed to deal with deteriorated structures in this part of the waterfront. Both approaches will improve the small harbor's imagery as well as its function.

Other Coastal Resources of Significance

Under the preceding subheadings, the analysis examined coastal resources which are highly significant in Clayton's waterfront and deserving of

concerted local management efforts. There are other coastal resources which warrant discussion for their general or potential significance to the community, the region and the State. They are: Water Resources, Wetlands, Economic Resources and Historic Resources (see Plate XIV).

1. Water Resources. The abundant water resources of the St. Lawrence River are an incomparable asset of the State and Nation for navigation, power generation, tourism, fish and wildlife habitat, contact recreation, municipal and industrial water supplies and wastewater treatment. Barring navigation and power generation, the village relies on the water quality of the river for all of these functions. Its water quality classification as "A" (FN 10) is appropriate.

Barrett Creek and McCarn Creek, its tributary, have water quality classifications of "D" (FN 10) due primarily to the small flows they carry. French Creek, on the other hand, is classified as "C" (FN 10). These classifications are believed to be appropriate in terms of their present usage.

Although no specific water quality problems were identified in the waterfront inventory, the potential for its degradation exists, particularly in the shallower bays. The reliance on septic systems throughout Bartlett Point, Steele Point and the undeveloped land east of French Creek Marsh, and the poorly suited soils in these areas speak to the potential seepage or drainage of effluent into adjoining waters. Local precautions for preventing decline in water quality should be two-fold: careful control over density in areas lacking sewers and adherence to standards for the installation of septic systems.

The area with steep slopes east of the French Creek Marsh and, to a lesser extent, the slopes at the tip of Bartlett Point are potential sources for erosion and sedimentation problems. Removal of the vegetative cover during the development of these areas would likely cause soil erosion and transport of sediments during periods of heavy surface runoff. Deposition of such sediments in nearby waters would jeopardize water quality as well as the fish and wildlife habitats depending on the water. Erosion and sedimentation controls should be included among the concerns addressed during village reviews of development proposals. Similarly, attention to other potential non-point sources of pollutants would be appropriate during such reviews, even though none have yet been identified.

In general, the depth of water along the shoreline of the village's waterfront is sufficient for most existing and future marine recreation activities. However, limited dredging operations will undoubtedly be proposed from time to time. While such dredging might greatly enhance the potential boating activities in the shallower areas such as Goose Bay and French Creek, the potential for significant adverse environmental impacts are also great. Changes in bottom topography, disruption of fish habitats, reintroduction of contaminants (previously buried under bottom sediments) into the water, and increased turbidity are a few of the potential impacts. Also, depending on the extent of contamination in the dredge spoil material, finding suitable disposal sites can present serious difficulties. Given the sensitive habitat areas in Clayton's waterfront, all dredging proposals will need careful review.

Other potential threats to water resources and water quality include discharges of shipboard wastes from commercial and recreational watercraft and the potential for oil and hazardous substance spills in the waters of the St. Lawrence River. Because of the village's location on the river and the St. Lawrence Seaway, the village is subject to the dangers which may result from the discharge of untreated vessel wastes and hazardous substance spills. However, the jurisdiction over the discharge of such pollutants lies with State and/or federal regulatory agencies. At the same time, the village can assure that marinas providing facilities for pumping out marine holding tanks are properly tied into the municipal sewer system. It can also encourage the installation of such facilities through the review of new marina development or expansion proposals.

A thin veneer of low-lying shoreland surrounding the village is susceptible to flooding from long-term fluctuations in the water levels of the St. Lawrence River. Regulation of releases from the Moses-Saunders Dam in Massena usually maintains the levels at a reasonable balance between navigation, hydroelectric power generation and shoreline protection interests. Nevertheless, long-term increases in the water levels of Lake Ontario and the St. Lawrence River can result -- up to two years later -- from sustained, heavy precipitation and rapid snowmelt occurring throughout the Great Lakes basin. Unrestricted development in the river's floodplain increases the risks of property damage and economic losses. Given the limited extent of Clayton's flood hazard areas, injuries and losses of life are less likely. The village must ensure the new development is either located outside of the floodplain or protected by floodproofing measures, as may be appropriate.

No areas of Clayton's shoreline were identified as experiencing or likely to experience erosion. Yet, the NYS Department of Environmental Conservation could theoretically determine the existence of one or more coastal erosion hazard areas within the Clayton waterfront pursuant to the Coastal Erosion Hazard Areas Act of 1981 (FN 11). In that unlikely event, the village would necessarily consider means of complying with the regulatory provisions of the act and amend its Local Waterfront Revitalization Program accordingly.

Certain areas of the village's shoreline do, however, suffer damages to docks, piers, boathouses and other structures due to wave action and ice movement. Principal areas of concern are on the northern and western shores of the village peninsula. Whenever possible, use of non-structural measures to minimize damage to structures must be encouraged. Where structural improvements are proposed in such areas, they should be designed and constructed so as to have a reasonable probability of controlling or withstanding such forces. Given the importance of French Creek Bay as a small harbor, public and private cooperation would be beneficial in studying and pursuing measures to provide greater protection from wave and ice damage for harbor development.

2. Wetlands. French Creek Marsh and the wetlands associated with Carrier Bay are the only major freshwater wetland located within the Clayton coastal area. The broad floodplain of French Creek supports extensive emergent plant communities. Most of French Creek Marsh is designated a Class II Wetland, under the Freshwater Wetlands Act of the Environmental Conservation Law (FN 12). Although the wetlands associated with Carrier Bay are not protected by DEC under the provisions of the Freshwater Wetlands Act because they are less than 12.4 acres in size, they are regarded as a locally

significant wetland resource by the Village of Clayton. In addition to the Village's purview, they are, however, afforded protection under the N.Y.S. Use and Protection of Waters Act (ECL Article 15) and DEC's corresponding 6 NYCRR Part 608 regulations.

Approximately 50 acres of the French Creek wetland complex are found within the village's jurisdiction. Ownership is divided almost equally between the DEC-French Creek Wildlife Management Area and a 24.9 acre privately-owned parcel. These two properties are generally separated by Barrett Creek which enters French Creek from the south a short distance from its mouth. Two large vacant parcels border the southeast portion of the area and pose no immediate threats to the wetland.

Because of the importance of the French Creek wetland, the type and intensity of uses permitted within it is severely limited. As noted previously for the wildlife management area, potential threats to the wetland would derive from any extensive development activities on the vacant lands to the east. With eventual access to roads, sewers and water supply, some future development is predictable. The density of development should be moderated so as to minimize adverse impacts on the nearby wetlands.

3. Economic Resources. Manufacturing and tourism are the major economic activity in the Village of Clayton. Encouraging economic growth in the waterfront centers around stabilization and diversification of existing enterprises and general expansion of the local tourism economy.

The most effective means of encouraging future industrial and manufacturing growth in the village will be continuing, close cooperation with federal, State and county government agencies which have been set up to stimulate such economic expansion. While implementation of new or expanded industries will rely heavily on private investment, attracting private investment will require the imaginative use of all of the community's legal and financial tools including: zoning, grantsmanship, capital facilities programming, tax incentives, and improvement districts.

Growth in the local tourism economy can be fostered through the development of public access and recreation facilities, the expansion of marinas and marine-related commercial facilities, the diversification of retail services and promotional activities. A partnership of municipal official and local business leaders is needed to pursue these growth activities as common goals of the community. Efforts to counteract the highly seasonal nature of current tourism activities will be essential. Although sustained, year-round tourism isn't likely to occur at a major scale, the attraction of more tourists during the Fall and Spring shoulder seasons is a possibility. During these times of the year, the existing tourist facilities -- both public and private -- should be considered underutilized economic resources. The potential economic gain from increased off-season tourism using existing marinas, accommodations, stores, etc. cannot be considered lightly.

4. Historic Resources. Other buildings now being considered for nomination to the National Register of Historic Places include a limestone structure that houses part of the Shipyard Museum (on Mary Street) and older structures near Riverside Drive and James Street. The historic structures near Riverside Drive and James Street have recently been placed on the

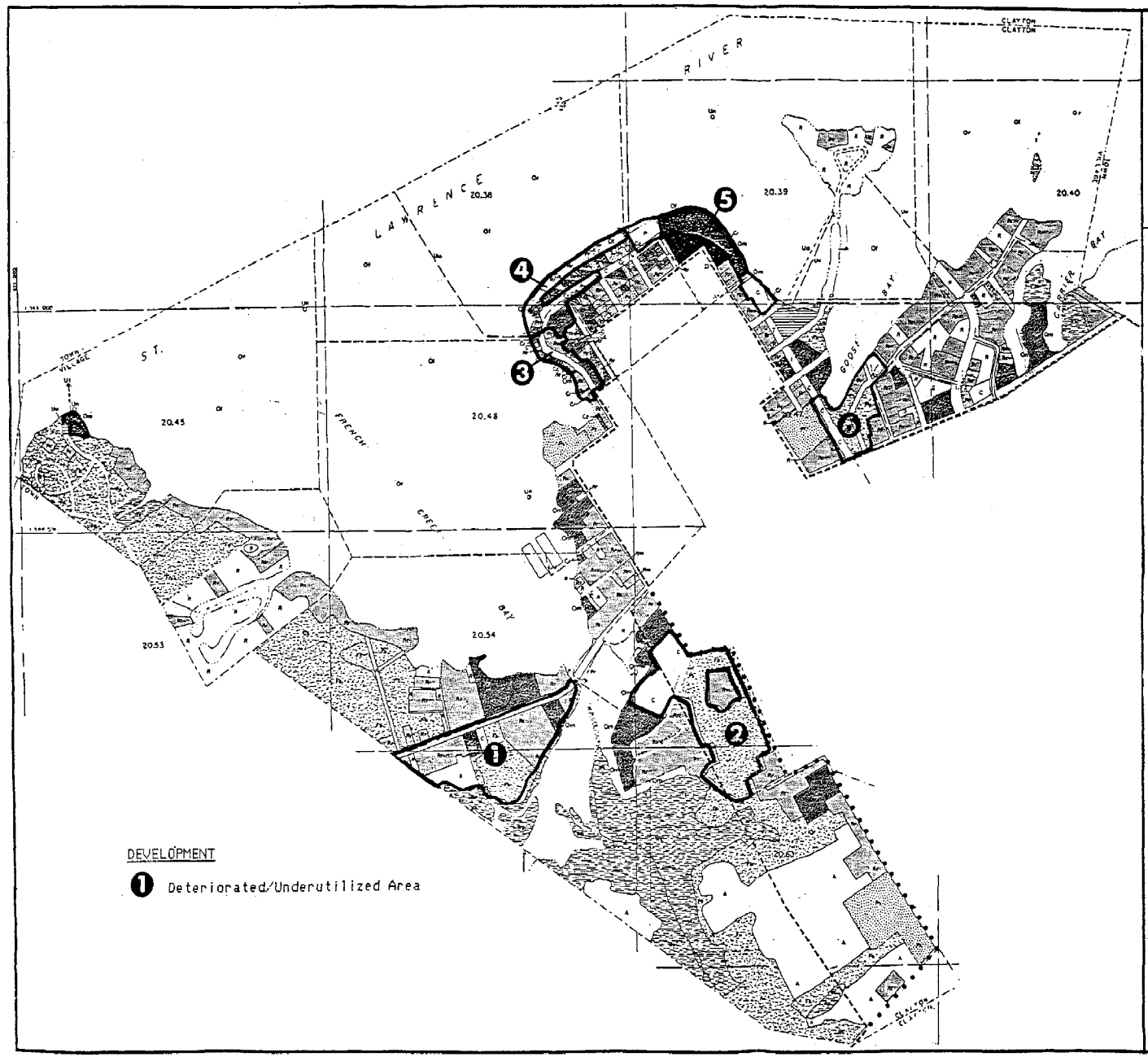
National Register of Historic Places as a historic district. The limestone structure would be part of a thematic nomination involving structures built of native stone. On the other hand, the Riverside Drive/James Street buildings were placed on the National Register as a historic district representative of Clayton at the turn of the century.

It should be noted that in addition to individual structures and historic districts which are listed in the National Register of Historic Places (NRHP), those which are declared eligible for listing in the NRHP are assessed the same protective treatment as those that have been listed in the NRHP.

VILLAGE OF CLAYTON

ANALYSIS SUMMARY - PART A

PLATE XII



LEGEND

LAND USES

Agriculture
- Ac - Cropland
- Ap - Pasture
- Ax - Other Agriculture
- A - Inactive

Residential
- Rr - 1, 2, Family
- Rm - 3 or More (Multi-family)
- R - Vacant

Commercial
- Cc - Retail Trade
- Cr - Recreational
- Co - Office & Non Retail
- Cx - Other Commercial
- C - Vacant

Industrial/Extractive
- Il - Light
- Ih - Heavy
- Is - Industrial Storage
- Ix - Other Industrial
- Es - Stone Quarries
- Eg - Sand & Gravel Pits
- Ex - Other Mining
- I/E - Vacant

Public/Semi-Public
- Pg - Government Services
- Pe - Educational
- Pr - Recreational
- Ps - Semi-Public
- P - Vacant

Transportation/Utilities & Communications
- Ta - Airports
- Tr - Railways
- Tw - Water Transport
- Tx - Other Transportation
- Ue - Electric Gen./Dist.
- Ug - Gas & Oil Transmission
- Uw - Water Treatment
- Ur - Solid Waste Management
- Ux - Other
- T/U - Vacant

Forest
- Fn - Forest
- Fb - Forest Brushland
- Fp - Forest Plantation

Wetlands
- Wp - Public/Recreational
- Wx - Other

Non-Productive Lands
- Ns - Sand & Beach
- Nr - Exposed Rock Cliffs

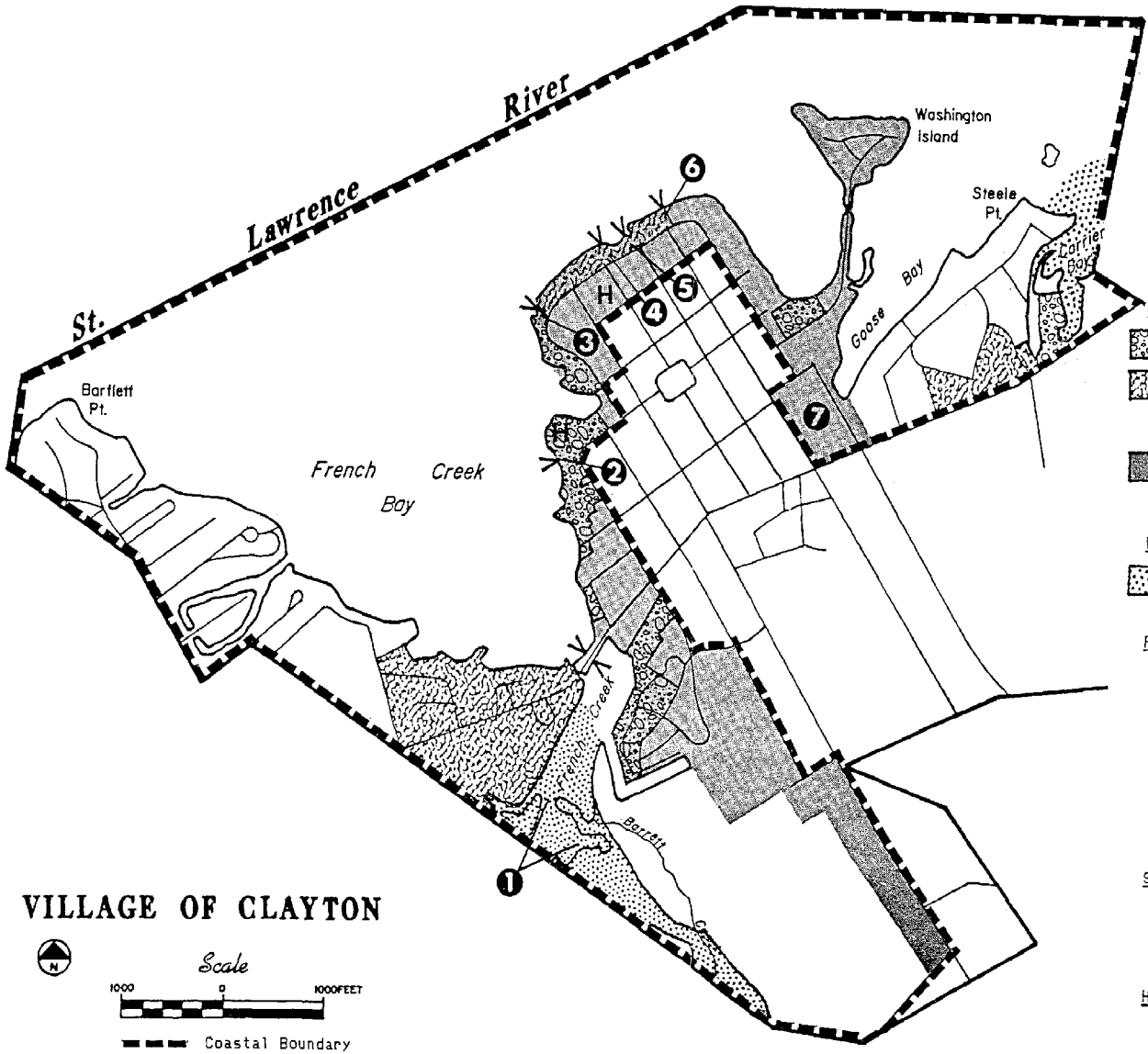
WATER USES

Ry - Residences Over Water	Ts - Shipping
Or - Boating	Un - Navigation Aides
Om - Mooring & Dockage	Uu - Underground Cables
Of - Fishing	Up - Oil and Gas Pipelines
Ow - Swimming	Ud - Spoil Disposal Areas
Ok - Water Skiing	Uo - Sewer Outfalls
Tf - Ferry	Ui - Water Intakes

N.Y.S. Coastal Area Boundary

Revised Coastal Area Boundary

PLATE XIII



DEVELOPMENT (CONTINUED)

Water-dependent Uses

Water-enhanced Uses

Small Harbor Development (French Creek Bay)

Concentration of Development

FISH & WILDLIFE

Significant Fish & Wildlife Habitat

PUBLIC ACCESS & RECREATION

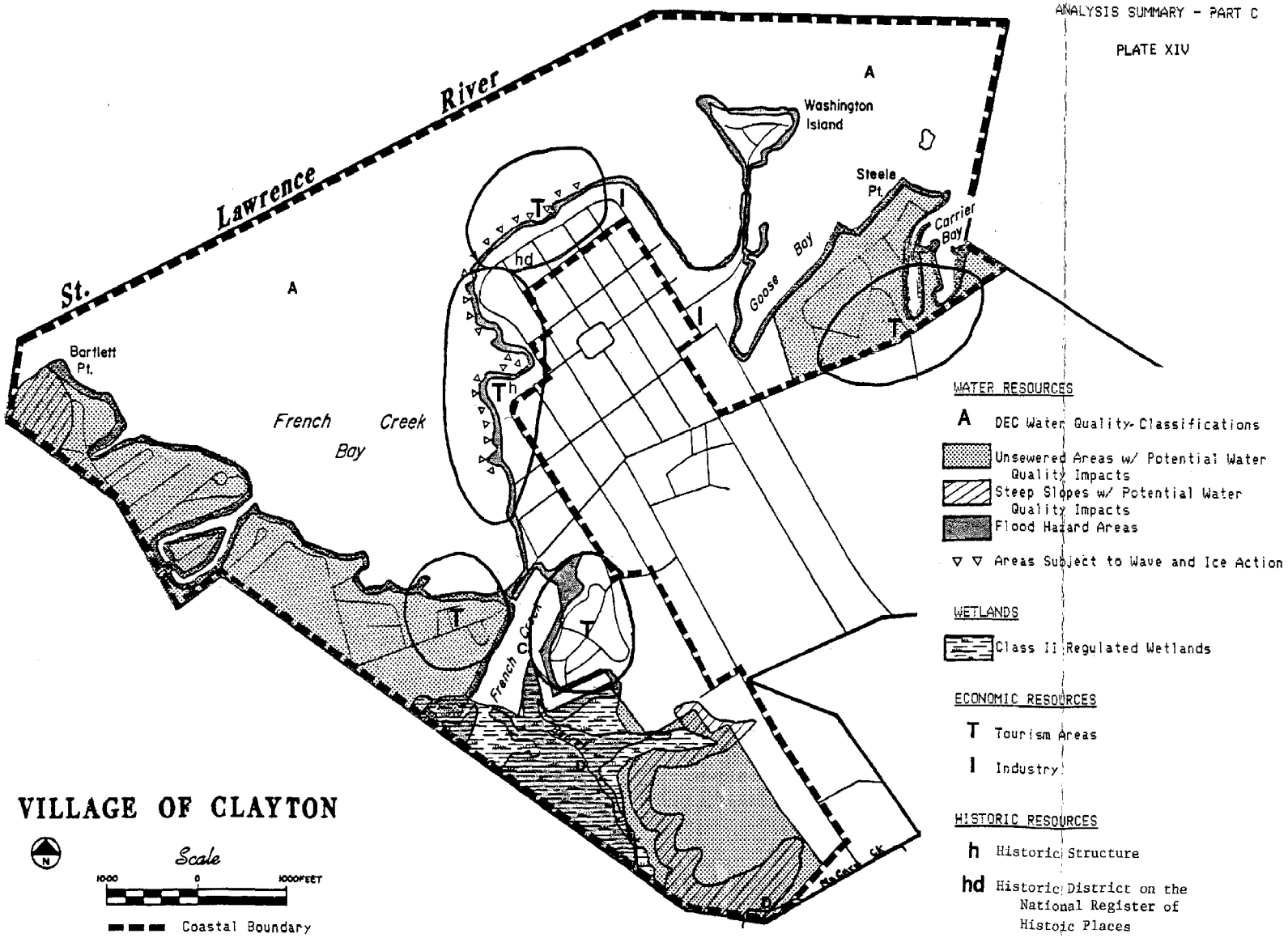
1. French Creek WMA
2. Mary Street Dock/Launch
3. Centennial Park
4. Memorial Park
5. Village Docks
6. Frink Park
7. Lion's Park

SCENIC RESOURCES

V Scenic Vistas

HISTORIC RESOURCES

H Historic Structure



VILLAGE OF CLAYTON

FOOTNOTES (SECTION II)

FN 1 - The St. Lawrence-Eastern Ontario Commission.

FN 2 - The Coastal Atlas consists of a series of four maps identifying major resources and conditions occurring within the NYS Coastal Area Boundary: "Existing Land and Water Uses," "Natural Resources," "Development Considerations," and "Summary Map." These maps were prepared in 1978-79 through the State's Coastal Management Program administered by the NYS Department of State.

FN 3 - Local officials believe silt carried from the French Creek watershed into French Creek Bay and around the village peninsula has contributed to this bay's shallowness.

FN 4 - Oil Spill Response Model II - St. Lawrence River, Volume II, Tables 8-11, pages 17-27, Volume III, pages 10-11, St. Lawrence-Eastern Ontario Commission, Watertown, NY.

FN 5 - Ibid.

FN 6 - Prior to this report, the Village of Clayton completed a Waterfront Image Assessment Study with assistance from the St. Lawrence-Eastern Ontario Commission, SUNY College of Environmental Science & Forestry at Syracuse, the Clayton Improvement Association, and the Clayton Lions Club. Descriptions of Area draw from and incorporate many of the results and findings of that study.

FN 7 - Ibid.

FN 8 - New York Code of Rules and Regulations, DOS Part 602.

FN 9 - Ibid., 6 NYCRR Part 662-665 and 6 NYCRR Part 608.

FN 10 - Class A waters are suitable as a source of water supply for drinking, culinary or food processing purposes and any other usages with treatment. Class B waters are suitable for primary contact recreation and any other uses except as a source of water supply for drinking, culinary or food processing purposes. Class C waters are suitable for fishing and all other uses except as a source of water supply for drinking, culinary or food processing purposes. Class D waters are suitable for secondary contact recreation, but due to such natural conditions as intermittence of flow, water conditions not conducive to propagation of game fish, or streambed conditions, the waters will not support the propagation of fish.

FN 11 - Section 34-0104 of Article 34, Environmental Conservation Law.

FN 12 - Class II Wetlands are the second-most important category of protected wetlands.

SECTION III

WATERFRONT REVITALIZATION PROGRAM POLICIES

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State Coastal Policies Not Applicable to the Local Waterfront Area

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

Policy	3	Major Ports	71
Policy	10	Commercial Fishing	78
Policy	12	Natural Protective Features	79
Policy	13	Erosion Protection Structures (EPS)	79
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*Federal agencies should refer to the New York State Coastal Management Program and Final Environmental Impact Statement for the text of this policy. In addition, the text has been included in Appendix C.

SECTION III WATERFRONT REVITALIZATION PROGRAM POLICIES

DEVELOPMENT

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

Policy 1A - Revitalize the area south of NY Route 12E, west of the 12E bridge, while providing for limited infill development, especially tourist accommodations, in a manner compatible with sensitive fish and wildlife habitat; protective of wetlands, visual access and water quality; and conducive to improved visual quality.

Policy 1B - Revitalize and develop the area west of Strawberry Lane for marine-related commercial recreation and multi-family uses in a manner protective of the mouth of French Creek and nearby wetlands.

Policy 1C - Revitalize and stabilize the congested area of existing marinas, marine-related commercial facilities and residences along the northeastern shore of French Creek Bay while providing for the expansion of harbor facilities where conditions allow.

Policy 1D - Restore, revitalize and redevelop the area along the western half of Riverside Drive for commercial uses while promoting public access and recreation and encouraging improvement of the overall riverside image.

Policy 1E - Revitalize, stabilize and redevelop areas along the eastern and northeastern shores of the peninsula with emphasis on retention of existing local industry, siting of new marine-related commercial uses and improvement of visual quality.

Policy 1F- Restore, revitalize and redevelop the area along the southwestern corner of Goose Bay for residential uses with emphasis on improving visual access and visual quality and, if feasible, expanding public access and recreation opportunities.

Explanation of Policy. All government agencies must ensure that their actions further the revitalization of waterfront areas within the Village of Clayton. The transfer and purchase of property; the construction of new buildings, roads or parks; and the provision of tax incentive to businesses are examples of governmental means for spurring waterfront revitalization. When any such action, or similar action is proposed, it must be analyzed to determine if the action would contribute to or adversely affect the village's waterfront revitalization efforts. Such efforts must be recognized as the most effective means of encouraging economic growth in the community, without consuming valuable open space outside of these waterfront areas and/or fragile coastal areas. Uses requiring a location on the shoreline must be given priority in any development effort. Revitalization efforts will conform to

the other policies of this program for the protection and beneficial use of significant coastal resources in Clayton's Waterfront.

The local economy within the Village of Clayton is sustained in large measure by tourism (Ref: pp. 36 and 50). In order to stimulate economic growth, the Village will encourage the reinvestment of capital in a broad range of tourist facilities already established in its waterfront (Ref: pp. 16-18). Particular emphasis will be placed on revitalization, restoration, redevelopment and, where appropriate, stabilization or infill development in six deteriorated and/or underutilized waterfront areas (Ref: pp. 37-40 and 53). While certain opportunities exist for new development on all of its vacant lands, the Village will promote those which support or enhance existing development and area revitalization objectives (Ref: pp. 31, 33 and 35).

The village is committed to promoting the revitalization and beneficial use of these areas in a manner sensitive to significant fish and wildlife habitats (see Policies 7 through 9); cognizant of potential damage from flooding, wave or ice action (see Policies 11 through 17); supportive of public access and recreation (see Policies 19 through 23); and protective of scenic quality (see Policies 24 and 25), water quality (see Policies 30 through 40) and freshwater wetlands (see Policy 44).

Policy Guidelines. The following guidelines are to be used in assessing proposed public and private actions affecting waterfront revitalization in the village:

1. When a government agency action is proposed to take place within one of Clayton's deteriorated and/or underutilized waterfront areas regarded suitable for development, the following shall apply:

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

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

      1) improving deteriorated conditions, if present, on the site subject to the action;
      2) providing for development of the site in a manner compatible with the character of the area in terms of scale, architectural style, density and intensity of use;
      3) serving as a catalyst for private reinvestment in other deteriorated and/or underutilized sites of the area;
      4) improving adjacent and upland views of the water; and
      5) at a minimum, not causing deterioration, imposing obstacles to other public or private investment initiatives in the area, or affecting important views in an insensitive manner;

   c) The action should have the potential to:

      1) improve opportunities for multiple use of the site,
      2) benefit the village's economic base, and

3) at a minimum, not jeopardize it; and

d) The action should generally meet the guidelines of other applicable policies set forth in this program.

2. If a government agency action is proposed to take place outside of a deteriorated and/or underutilized waterfront area suitable for redevelopment and is either within the village or an adjacent coastal community, the agency proposing the action must first determine if it is feasible to take the action within the deteriorated and/or 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 Facilitate the new location, redevelopment and expansion of water-based commercial recreation facilities, marine support services and other water-dependent commercial uses along the western and eastern sides of the village peninsula and, to a limited extent, along the eastern side of French Creek.

Policy 2B Encourage the new location, redevelopment and expansion of tourist accommodations, restaurants and other water-enhanced commercial facilities along the northern side of the village peninsula and, to the extent consistent with other policies of this program, along the north side of NY Route 12 and the south side of NY Route 12E, west of the Route 12E bridge.

Policy 2C Develop and expand water-dependent and water-enhanced public access and recreation facilities along the northern and western sides of the village peninsula and, if feasible, in the southwest corner of Goose Bay.

Policy 2D Encourage the development and expansion of water-dependent and water-enhanced semi-public cultural facilities along the northen and western sides of the village peninsula.

Explanation of Policy. There is a finite amount of waterfront space suitable for development purposes. Although demand for a specific piece of property will vary with economic and social conditions on both a village-wide and State-wide basis, long-term expectations are for increased demand for waterfront property.

The traditional method of land allocation, i.e., the real estate market, with or without local land use controls, offers little assurance that uses which require waterfront sites will, in fact, have access to coastal waters. To ensure that such "water-dependent" uses can continue to be accommodated within the village, government agencies will avoid undertaking, funding, or approving non-water-dependent uses when such uses would preempt the reasonably foreseeable development of water-dependent uses; furthermore government

agencies will utilize appropriate existing programs to encourage water-dependent activities.

The following uses and facilities are considered as water dependent:

1. Uses which depend on the utilization of resources found in coastal waters (for example: fishing);

2. Recreational activities which depend on access to coastal waters (for example: swimming, fishing, boating, wildlife viewing);

3. Uses involved in the sea/land transfer of goods (for example: docks, loading areas, pipelines, short- and long-term storage facilities);

4. Structures needed for navigational purposes (for example: dams and lighthouses);

5. Flood and erosion protection structures (for example: breakwaters and bulkheads);

6. Facilities needed to store and service boats and ships (for example: marinas, boat repair, boat construction yards);

7. Uses requiring large quantities of water for processing and cooling purposes (for example: hydroelectric power plants);

8. Scientific/educational activities which, by their nature, require access to coastal waters (for example: water resource nature centers); and

9. Support facilities which are necessary for the successful functioning of permitted water-dependent uses (for example: parking lots, snack bars, first-aid stations, short-term storage facilities). Though these uses must be near the given water-dependent uses they should, as much as possible, be sited inland from the water-dependent use rather than on the shore.

In addition to water-dependent uses, uses which are enhanced by a waterfront location should be encouraged to locate along the shore, though not at the expense of water-dependent uses. A water-enhanced use is defined as a use that has no critical dependence on obtaining a waterfront location, but the profitability of the use and/or the enjoyment level of the users would be increased significantly if the use were adjacent to, or had visual access to, the waterfront (e.g., restaurants, hotels and other tourist accommodations).

The village will facilitate the location and expansion of water-dependent uses in its waterfront with particular emphasis on those which will contribute to local revitalization efforts and tourism development.

Uses such as marinas, boat repair facilities, tour boat operations and bait and tackle shops will be encouraged along the western and eastern sides of the village peninsula and along the east side of French Creek. Portions of these areas are confronted with deterioration and/or underutilization and, therefore provide important target areas for new investment (Ref: pp. 37-40 and 53). The suitability of these areas for water-dependent uses has already

been established by the presence and continued operation of such uses there (Ref: pp. 31, 35-36, 39-40). The water-dependent uses now located in these areas were most often attracted by either the relative protection from wind and wave action or water depths suited to marine operations (Ref: p. 12). Congestion of development along the northwestern side of the peninsula and the sensitivity of other coastal resources near the mouth of French Creek impose constraints on siting water-dependent uses similar to those which limit revitalization (see Policy 1).

At the same time, the village will encourage the location and expansion of resorts, motels, restaurants, and other water-enhanced commercial facilities in three other areas of the waterfront: along the northern tip of the peninsula and along the eastern and western highway approaches to the village (NY Routes 12 and 12E). Each of these areas already has, to a certain extent, an orientation to the development of water-enhanced accommodations or commercial facilities for the tourist (Ref: pp. 37-40 and 55). Portions of the tip of the peninsula and the area along NY Route 12E have also been identified as deteriorated and/or underutilized (Ref: pp. 37-40 and 53). The need for revitalization in such areas justifies the encouragement of water-enhanced uses which could entail reinvestment or introduction of new capital. Measures taken to site or expand such uses will also be limited by the constraints imposed on revitalization in these areas (see Policy 1).

In order to increase public access and recreation opportunities (see Policies 19 through 23), the village will develop or expand both water-dependent and water-enhanced public access and recreation facilities along the northern and western sides of the peninsula. If determined feasible, the village would also pursue such development or expansion in the southwest corner of Goose Bay. Village facilities in the first two areas already provide either water-dependent or water-enhanced public access or recreation opportunities (Ref: pp. 16, 17, 25, 44, 45, 46, 47 and 55). Further explanation of this policy is provided in Policies 21 and 22.

Finally, the village will encourage local museums, arts and craft shows, and other semi-public cultural facilities which depend on or are enhanced by a location near the water. The principal areas for expanding or attracting and siting such facilities will be along Riverside Drive and at the west end of Mary Street where certain semi-public uses have already located (Ref: pp. 16-17 and 25).

Policy Guidelines. 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 such as: the availability of public sewer and water services; ability to accommodate parking and necessary storage; and the accessibility of the site via existing streets.

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. Affirmative approaches should also be employed so that water-dependent uses and adjacent uses can serve to complement one another. For example, a recreation-oriented water-dependent use area could be sited in an area already oriented towards tourism. Clearly, a marina, fishing pier or swimming area would enhance, and in turn be enhanced by, nearby restaurants, motels and other non-water-oriented tourist activities. 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 as a result of the capital programming, permit expediting, and other State and local actions that will be used to promote the site. Nowhere is such a stimulus needed more than in those portions of the village's waterfront areas which are currently underutilized.

6. Providing for expansion -- a primary objective of the policy is to create a process by which water-dependent use can be accommodated well into the future. State agencies and the village should therefore give consideration to long-term space needs and, where practicable, accommodate future demand by identifying more land than is needed in the near future.

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

-- Favored treatment to water-dependent use areas with respect to capital programming. Particular priority should be given to the construction and maintenance of small harbor and marina facilities, roads, parking areas, and storage areas suitable for water-dependent uses.

-- When areas suitable for water-dependent uses are publicly owned, favored leasing arrangements should be given to water-dependent uses.

-- Where possible, consideration should be given to providing water-dependent uses with property tax abatements, loan guarantees, or loans at or below market rates.

-- State and village 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.

-- Local, State and federal agencies should work together to streamline permitting procedures that may be burdensome to water-dependent uses. This effort should begin for specific uses in deteriorated and underutilized areas.

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 4A - Encourage the rehabilitation and expansion of marine-related facilities and retail business along the western and northern shores of the village peninsula to strengthen the harbor functions of French Creek Bay.

Explanation of Policy. These policies recognize that the traditional activities occurring in and around Clayton's waterfront contribute significantly to the economic strength and attractiveness of the community. Thus, local governmental efforts shall center on promoting and protecting such desirable activities as recreational fishing and boating, provision of marina services, historic preservation, cultural pursuits and other compatible activities which have made the village's small harbor area appealing as a tourist destination and as a prosperous commercial and residential area. Particular attention will be given to the attraction of marine activities to French Creek Bay in relation to the visual appeal of the St. Lawrence River and the support facilities and services of marine-related and commercial retail businesses along the western and northern shores of the village peninsula and near the mouth of French Creek. (Ref: pp. 17, 27, 39-40 and 55).

Policy Guidelines. The following guidelines will be used in determining consistency with these policies:

1. The action shall give priority to those traditional and/or desired uses which are dependent on or enhanced by a location adjacent to the water (e.g., marinas, boat repair services, tour boat operations, resorts or tourist accommodations).

2. The action will enhance or not detract from or adversely affect existing traditional and/or desired anticipated uses.

3. The action shall not be out of character with, nor lead to development which would be out of character with, existing development in terms of the area's scale, intensity of use, and architectural style.

4. The action must not cause a site to deteriorate, e.g., a structure shall not be abandoned without protecting it against vandalism and/or structural decline.

5. The action will not adversely affect the existing economic base of the community, e.g., waterfront development designed to promote residential development might be inappropriate in a harbor area where the economy is dependent upon tourism and recreational fishing and boating.

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.

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

Policy 5A - Maintain, and where necessary improve those public services and infrastructure that serve the village core area and areas along NY Route 12, east of French Creek to assure their continued availability to meet existing and future development needs.

Policy 5B - Encourage the development of uses which have little or no potential to generate a demand on public services and infrastructure in those waterfront areas where existing services are limited and/or nonexisting.

Explanation of Policy. By its construction, taxing, funding, and regulatory powers, Clayton's governing body has become a dominant force in shaping the course of development in the village. Through these government actions, development in the waterfront 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 (Ref: pp. 31, 40 and 55).

Although Clayton is a rural village, public services and infrastructure are generally adequate throughout the village for current and future development needs. Future developments which will place a demand on existing infrastructure (sewer, water and road network) and public services (primarily parking) will be concentrated in those waterfront areas where existing services are currently available or readily accommodated. Preferred areas for such development are the village core area and to the south along NY Route 12, east of French Creek (Ref: 31, 37-40 and 55).

Those uses which will place little or no demand on existing public services and infrastructure will be encouraged to locate in those waterfront areas where such services are limited or nonexistent. Such uses include water-dependent recreational facilities and resort single-family residential infill development that can be accommodated by individual on-site services.

Policy Guidelines. For any action that would result in large scale 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 1 mile radius of the proposed site 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 1 mile of the proposed site; and

   e) A significant concentration of commercial and/or industrial activity is within one-half mile of the proposed site.

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

   a) Streets and highways serving the proposed site can safely accommodate the peak traffic generated by the proposed land development;

   b) Development's water needs (consumptive and fire fighting) can be met by the existing water supply system;

   c) Sewage disposal system can accommodate the wastes generated by the development;

   d) Energy needs of the proposed land development can be accommodated by existing utility systems;

   e) Stormwater runoff from the proposed site can be accommodated by on-site and/or off-site facilities; and

   f) Schools, police and fire protection, and health and social services are adequate to meet the needs of the population expected to live, work, shop, or conduct business in the area as a result of the development.

It is a 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.

-- Economic activities which depend upon sites at or near locations where natural resources are present, e.g., lumber industry, quarries.

-- Development which is designed to be a self-contained activity, e.g., a small college, an academic or religious retreat.

-- Water-dependent uses with site requirements not compatible with this policy or when alternative sites are not available.

-- Development which because of its isolated location and small scale has little or no potential to generate and/or encourage further land development.

-- Uses and/or activities which because of public safety consideration should be located away from populous areas.

-- Rehabilitation or restoration of existing structures and facilities.

-- Development projects which are essential to the construction and/or operation of the above uses and activities.

In certain areas where development is encouraged by these policies, the condition of existing public water and sewage infrastructure and other services may necessitate improvements. The NYS Department of Environmental Conservation as well as other State and Federal agencies use specific criteria to determine water and sewer facility needs. If specific water and sewer projects in Clayton rank high enough when compared with other projects in the State, then funding for these projects may be available. Nevertheless, both the need for improvements and need for outside financial assistance exists in Clayton.

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

Explanation of Policy. For specific types of development activities and, in areas suitable for such development, the village will make every reasonable effort to coordinate and expedite local permit procedures and regulatory activities as long as the integrity of the regulatory objectives is not jeopardized. Nevertheless, the village's efforts in expediting permit procedures are part of a much larger system for regulating development, which also includes county, State and federal government agencies. Regulatory programs and procedures should be coordinated and synchronized between all levels of government and, if necessary, legislative and/or programmatic changes will be recommended from the local level.

FISH AND WILDLIFE POLICIES

POLICY 7 - SIGNIFICANT COASTAL FISH AND WILDLIFE HABITATS, AS DESIGNATED PURSUANT TO TITLE 19 NYCRR PART 602, WILL BE PROTECTED, PRESERVED AND WHERE PRACTICAL, RESTORED SO AS TO MAINTAIN THEIR VIABILITY AS HABITATS.

Policy 7A - French Creek Marsh and Carrier Bay are locally significant fish and wildlife habitats located within or near the village's waterfront. They will be protected and preserved to maintain their viability and value to the village and the general area.

Explanation of Policy. Habitat protection is recognized as fundamental to assuring the survival of fish and wildlife populations. Land and water uses or development shall not be undertaken if such actions destroy or significantly impair the viability of an area designated a significant coastal fish and wildlife habitat. When the action significantly reduces a vital resource (e.g., food, shelter, living space) or changes environmental conditions (e.g., temperature, substrate) beyond the tolerance range of an organism, then the action would be considered to "significantly impair" the habitat. Indicators of the 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 French Creek Marsh or at least that portion of the marsh located within the French Creek Wildlife Management Area represents a fish and wildlife habitat of potential statewide significance. (FN 1) (Ref: pp. 14, 15, 19, 40-44, 55 and 57) Proposed public or private development actions must be cognizant of and compatible with the sensitivity of this habitat area. Upland and shoreline development west and east or southeast of the mouth, if not carefully guided and appropriately limited, could jeopardize the habitat's viability (Ref: pp. 37-40, 48-50 and 55).

Shallow areas in the southwest corner of Carrier Bay may also merit consideration as habitat with potential statewide significance due to the spawning and rearing of Muskellunge there (Ref: pp. 14, 15, 19, 40, 41, 43, 55 and 57). Proposed public or private development actions near the bay on Steele Point or along NY Route 12 must be undertaken in a manner that will not jeopardize such spawning and rearing activity. While these areas are not targeted for special emphasis by the village on revitalization or facilitation of water-dependent uses (see Policies 1 and 2), review of private development or expansion efforts will still be important to ensure that physical disturbances (such as dredging or filling) and contamination (from septic system leachate) are not increased.

Policy Guidelines. The range of generic activities most likely to affect significant coastal fish and wildlife habitats includes but is 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 increase 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 induce shoaling of littoral areas, or change circulation patterns.

7. Physical alteration of shore areas through channelization or construction of shore structures: May change in volume and rate of flow or increased 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, lechate of hazardous and toxic substances stored in landfills: May cause increased mortality of 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:

-- Physical parameters such as: Living space, circulation, flushing rates, tidal amplitude, turbidity, water temperature, depth (loss of littoral zone), morphology, substrate type, vegetation, structure, erosion and sedimentation rates.

-- Biological parameters such as: Community structure, food chain relationship, species diversity, predator/prey relationships, population size, mortality rates, reproductive rates, behavioral patterns, and migratory patterns.

-- Chemical parameters such as: Dissolved oxygen, carbon dioxide, ph, dissolved solids, nutrients, organics, salinity, 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.

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

Explanation of Policy. Hazardous wastes are unwanted by-products of manufacturing processes and are generally characterized as being flammable, corrosive, reactive, or toxic. More specifically, hazardous waste is defined in Environmental Conservation Law §27-0901.3 as follows: "Hazardous waste means a 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 illness; or (2) pose as substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, disposed or otherwise manage." A list of hazardous wastes is provided in 6 NYCRR Part 371.

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 State laws. In view of the lack of sewers in the vicinity of both the French Creek Marsh and Carrier Bay, all public agencies must consider the potential effects that intensive development using conventional septic systems could have on the fish and wildlife habitats nearby (Ref: pp. 14, 15 19-23, 31-35, 37-43, 48-50, 55 and 57).

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

Explanation of Policy. Recreational uses of coastal fish and wildlife resources include consumptive uses such as fishing and hunting, and 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 the waterfront area and which takes into consideration other activities dependent on these resources. Also, such efforts must be made 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 Clayton area of the St. Lawrence River is endowed with exceptional fishing resources. Demand for access to these resources has increased greatly in the last few years. The Village of Clayton will continue to cooperate with government agencies to expand recreational use of these resources while ensuring their protection (Ref: pp. 14, 15, 19, 40-46 and 55).

The village's cooperative efforts with DEC, the NYS Office of Parks, Recreation & Historic Preservation, and other public and private groups will involve the development of public access to, and recreational use of the St. Lawrence River and its related fish and wildlife resources (see Policies 19 through 22).

Policy Guidelines. The following 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 as to whether such action will impede existing or future utilization of the village's recreational fish and wildlife resources.

2. Efforts to increase access to recreational fish and wildlife resources should not lead to overutilization of that resource or cause impairment of the habitat. Sometimes such impairment can be more subtle than actual physical damage to the habitat. For example, increased human presence can deter animals from using the 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 - 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.

Explanation of Policy. Flooding: Areas of special flood hazard were identified and mapped in Clayton by the Federal Insurance Administration and are subject to village flood control regulations (Ref: pp. 48-49 and 57). In such areas identified, no structure will be permitted that is in violation of local flood control regulations (including mobile homes).

Shoreline Erosion: (Not Applicable). NYS Department of Environmental Conservation (DEC) is required by Section 34-0104 of Article 34, Environmental Conservation Law, to identify Coastal Erosion Hazard Areas (CEHA's). This survey has not been finalized by DEC for the Clayton area. However, based on existing information, it is unlikely that the Clayton coastal area will have CEHA's warranting the adoption of CEHA regulations at any level of government. If it is found otherwise, the village will review the local program at that time and comply with or supplement policies and regulations as needed. Final decision on applicability of this policy, as to erosion, must await clarification from DEC.

Upland Erosion: Erodible upland soils could be carried into the coastal waters of the village if development is permitted on steep slopes without erosion and sedimentation control measures. Of two such areas identified and discussed in the preceding section, the one east of the French Creek Marsh is more extensive and closer to sensitive wetlands and fish and wildlife habitats (Ref: pp. 12-13, 21-23, 40, 42, 55 and 57). Public and private actions involving development in this area 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.

POLICY 12 - NOT APPLICABLE.

POLICY 13 - NOT APPLICABLE.

Policy 13A - The construction or reconstruction of docks, boathouses, boat hoists, public access 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 13B - 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. As noted in the analysis of Clayton's waterfront, the western and northern portions of the village peninsula are variably subject to wind driven wave action and ice movement, causing both long- and short-term damage to shoreline structures (Ref: pp. 12, 40, 49 and 57). Shoreline erosion, on the other hand, is minimal due to the durability of the Potsdam sandstone bedrock typically exposed along the shore (Ref: pp. 12-13, 48 and 49).

Proper design, construction and maintenance of shoreline structures will prolong their utility and benefits when resistance to wave and ice action is included as a design parameter. This policy will thus 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.

The Village of Clayton installed a floating tire breakwater to protect docking facilities along the northwestern side of the village peninsula by diminishing the impact of wave action there. To date, the breakwater has worked effectively. Additional breakwater of this relatively inexpensive type is under serious consideration at present. Shoreline property owners in areas that cannot be afforded this or similar protection must consider the risks that wave and ice action impose on capital investment in shoreline structures, especially where water depth, current or other limiting site conditions require more costly design, construction and maintenance practices.

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. Flooding: Flooding is a process which occurs naturally. However, by his actions, man can increase the severity and adverse effects of this process, causing damage to, or loss or property, and endangering human lives. Those actions include the placing of structures in identified floodways so that the base flood level is increased causing damage in otherwise hazard-free areas.

Erosion: Not Applicable. (See Policy 11 - "Shoreline Erosion.")

POLICY 15 - NOT APPLICABLE.

POLICY 16 - NOT APPLICABLE.

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 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. Wind driven wave action and ice movement represent destructive forces which cause considerable short- and long-term damages to shoreline structures. 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, village investment in measures to protect properties must, as in the construction of shoreline structures in the more exposed areas, weigh the economic benefits accruing to Clayton and its waterfront in view of public costs.

POLICY 17 - WHENEVER POSSIBLE, USE NONSTRUCTURAL MEASURES TO MINIMIZE DAMAGE TO NATURAL RESOURCES AND PROPERTY FROM FLOODING AND EROSION. SUCH MEASURES SHALL INCLUDE:

(i) THE SET BACK OF BUILDINGS AND STRUCTURES;
(ii) THE PLANTING OF VEGETATION AND THE INSTALLATION OF SAND FENCING AND DRAINING:
(iii) THE RESHAPING OF BLUFFS; AND
(iv) THE FLOOD PROOFING OF BUILDINGS OR THEIR ELEVATION ABOVE THE BASE FLOOD LEVEL.

Policy 17A - Wherever possible, use nonstructural measures to minimize damage to shoreline structures from wave action and ice movement.

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

In determining whether or not nonstructural measures to protect against 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 shall 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.

Erosion: Not Applicable. (See Policy 11 - "Shoreline Erosion.")

Nonstructural measures to minimize damage from wave action and ice movement primarily involve facilitating the location of water-dependent uses which rely on shoreline structures in areas of the waterfront less exposed to such forces (see Policy 2).

GENERAL POLICY

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

Policy 18A - To enhance and protect the local tourist economy, cultural resources, and riverside environment of the Village of Clayton, proposed major actions in the local waterfront area must give full consideration to the area's valuable coastal resources and the local safeguards established to protect such resources.

Explanation of Policy. 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 which the State 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 village and their citizens in such matters that could affect natural resources, water levels and flows, shoreline damage, hydroelectric power generation and recreation. Furthermore, proposed actions within Clayton's waterfront, must recognize the importance of tourism to the village's economy and the roles that local cultural resources, public access and recreation facilities, water-dependent uses, and the natural coastal environment play in sustaining healthy tourism. Local safeguards augment those of the State in protecting valuable coastal resources.

PUBLIC ACCESS POLICIES

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

Policy 19A - Develop, protect and maintain pedestrian access to and linkages between public water-related recreational uses and facilities along the northern tip of the village peninsula.

Policy 19B - Develop, protect and maintain vehicular access to public water-related recreational uses throughout the western and northern portions of the village peninsula.

Policy 19C - Increase, maintain and protect waterborne access to the village's shoreline recreation resources via public dockage along Riverside Drive and at the west end of Mary Street, and private marina facilities along the western and eastern side of the village peninsula.

Policy 19D - If feasible, develop and maintain public access from Lion's Park to the southwestern shoreline of Goose Bay.

Explanation of Policy. 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 the 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. This program will encourage mixed use areas and multiple use of facilities to improve access.

The particular water-related recreation resources and facilities which will receive priority for improved access in Clayton's waterfront are fishing areas, boating facilities and passive/active recreational parks. To optimize the use of these resources, the village must facilitate alternative modes of access, including pedestrian, vehicular and waterborne.

Clayton's waterfront has historically provided opportunities for access to the St. Lawrence River and its associated recreational resources. However, the extent of public access, both physical and visual, is surprisingly limited in view of the village's unique coastal setting in the Thousand Islands area (Ref: pp. 44, 45 and 55). Past ownership and development patterns in the village have foreclosed many access opportunities. Present conflicts between pedestrian and vehicular modes of access to or within the waterfront compound the access limitations along Riverside Drive (Ref: pp. 38 and 39). Resolution of these conflicts through streetscape improvements and a comprehensive pedestrian access system, such as the boardwalk proposed in the Village of Clayton Waterfront Image Assessment Study, will ensure optimum use of the River and Clayton's water-related recreational resources.

Measures taken to increase the supply and effective use of parking in this part of the waterfront will support both revitalization efforts (see Policy 1) and improved vehicular access to the village's waterfront recreational facilities (Ref: pp. 38, 39, 44, 45 and 55).

Finally, both public and private measures can be taken to expand dockage and support facilities to improve the accessibility of Clayton's water-related recreational resources to boaters from within the community and from outlying areas along the St. Lawrence River (Ref: pp. 40, 44, 45 and 55). Expansion of the municipal docks at the west end of Mary Street will increase overnight mooring capability and, thus, will increase the opportunity for boaters to visit the village's shoreline parks along Riverside Drive. Development and expansion of private marinas, to the extent possible, will similarly improve waterborne access from the western and eastern sides of the village peninsula. Maintenance of existing and newly developed dockage and marina facilities will be necessary to ensure their continued service. Joint public-private efforts will be appropriate in diminishing actual or potential damages to these facilities from wave and ice action (Ref: pp. 49 and 57).

All government agencies must give consideration to the village's existing and potential public access when considering proposed development actions. They should, to the extent permitted by other coastal policies, encourage new or improved pedestrian, vehicular and/or waterborne access to Clayton's recreation facilities while ensuring that their actions do not jeopardize present levels of access.

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

1. The existing access from adjacent or proximate public lands or facilities to public water-related recreation resources and facilities shall not be reduced, nor shall the possibility of increasing access in the future from adjacent or proximate public lands or facilities to public water-related recreation resources and facilities be eliminated, unless in the latter case, estimates of future use of these resources and facilities are too low to justify maintaining or providing increased public access.

2. Any proposed project to increase public access to public water-related recreation resources and facilities shall be analyzed according to the following factors.

   a) The level of access to be provided should be in accord with estimated public use. If not, the proposed level of access to be provided shall be deemed inconsistent with the policy.

   b) The level of access to be provided shall not cause a degree of use which would exceed the physical capability of the resource or facility. If this were determined to be the case, the proposed level of access to be provided shall be deemed inconsistent with the policy.

3. The State and village will not undertake or fund any project which increases access to a public water-related recreation resource or facility that is not open to all members of the public.

4. In their plans and programs for increasing public access to public water-related recreation resources and facilities, government agencies shall give priority in the following order to projects located: within the boundaries of the Federal-Aid Metropolitan Urban Area and served by public transportation; within the boundaries of the Federal-Aid Metropolitan Urban Area but not served by public transportation; outside the defined Urban Area Boundary and served by public transportation; and outside the defined Urban Area Boundary but not served by public transportation.

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

   a) Access - the ability and right of the public to reach and use public coastal lands, waters and/or water-related recreation resources or facilities.

b) Public water-related recreation resources or facilities - all public lands or facilities that are suitable for passive or active recreation that require 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.

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

e) An elimination of the possibility of increasing public access in the future includes, but is not limited to the following:

(1) Construction/modification of public facilities which physically prevent the provision, except at great expense, of convenient public access to public water-related recreation resources and facilities or to public coastal lands or waters.

(2) Sale, lease, or other conveyance of public property that could provide public access to a public water-related recreation resource or facility or to public coastal lands and/or waters, except where such sale, lease or other conveyance entails offsetting gains in public access.

(3) Construction of private facilities which physically prevent the provision of convenient public access to a public water-related recreation resource or facility or to public coastal lands and/or waters from public lands and facilities.

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.

Policy 20A - If feasible, acquire land and develop public access from Lion's Park to the shoreline of Goose Bay.

Policy 20B - Pursue the acquisition of public access easements along the northern face of the village peninsula.

Explanation of Policy. In view of the absence of public access to shoreline areas beyond those along Riverside Drive and at the west end of Mary Street (see Policy 19), the village will consider the acquisition of land between Lion's Park and the shoreline of Goose Bay, if justified by demand and determined feasible by subsequent studies (Ref: p. 46). The expansion of this park to the water's edge could also be an important source of support for revitalization efforts in the deteriorated and underutilized pocket of land near the southwestern corner of Goose Bay (see Policy 1).

Other public access considerations are discussed under Policy 19. No immediate fee-simple acquisition of lands is needed along the shoreline areas addressed under that policy heading. However, the comprehensive boardwalk system suggested therein for the northern face of the village peninsula would necessarily involve the acquisition of public access easements.

When taking action on development proposals, all government agencies must give due consideration to the village's efforts to acquire access easements for the boardwalk and, if pursued as a feasible undertaking, to acquire land for the expansion of Lion's Park.

Village-owned lands at the west end of Riverside Drive (Centennial Park) may be included in redevelopment proposals for the adjoining deteriorated and underutilized area that was destroyed by fire in 1983 (Ref: pp. 38 and 39). Transfer of such parkland should be predicated on tradeoffs whereby any new development includes public access as a multiple use and provides for linkage into the boardwalk system (Ref: pp. 46 and 47).

Government agencies must also consider the compatibility of public access use with the commercial uses along Riverside Drive to ensure that business operations are not hampered while security and liability are properly taken into account. Similarly, if the Lion's Park expansion is eventually pursued, measures will be necessary to protect adjoining residential uses from impacts due to increased park usage. The layout, types of facilities, types of recreation activities permitted and buffering or screening would need careful planning in this regard.

Policy Guidelines. 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 or eliminated, 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 local, 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.

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

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; or (b) adequate access exists within one-half mile. Such access shall not be required to be open to public use until a public agency or private association agrees to accept responsibility for maintenance and liability of the accessway.

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

5. In their plans and programs for increasing public access to public coastal lands, government agencies shall give priority in the following order to projects located: within the boundaries of the Federal-Aid Metropolitan Urban Area and served by public transportation; within the boundaries of the Federal-Aid Metropolitan Urban Area but not served by public transportation; and outside the defined Urban Area Boundary but not served by public transportation.

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

   a) The level of access to be provided should be in accord with estimated public use. If not, the proposed level of access to be provided shall be deemed inconsistent with the policy.

   b) The level of access to be provided shall not cause a degree of use which would exceed the physical capability of the resource 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.

   The explanation of terms provided under Policy 19 shall apply to the above guidelines.

RECREATION POLICIES

POLICY 21 - WATER-DEPENDENT AND WATER-ENHANCED RECREATION SHALL BE ENCOURAGED AND FACILITATED AND SHALL BE GIVEN PRIORITY OVER NONWATER 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 21A - Develop and maintain village facilities for recreational use and enjoyment of the St. Lawrence River and related land resources at village-owned properties while providing necessary transportation parking, safety and sanitary services for such uses.

Explanation of Policy. Water-related recreation in Clayton includes such obviously water-dependent activities as boating and fishing as well as certain activities which are enhanced by a coastal location and increase the general public's access to the coast such as shoreline parks or picnic areas and scenic viewpoints that take advantage of coastal scenery (Ref: pp. 15-17, 19, 23, 45-47, and 55).

Provided the development of water-related recreation is consistent with the preservation and enhancement of such important coastal resources as fish and wildlife habitats, aesthetically significant areas, and historic and cultural resources (e.g., see Policies 7, 8, 9 and 23-25) 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 nonwater-related recreation uses. In addition, water-dependent recreation uses shall have a higher priority over water-enhanced recreation uses. Determining a priority among coastal dependent uses will require a case-by-case analysis.

The siting or design or 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.

Over the past few years, Clayton has experienced increased demand for access to its waterfront for recreational boating, fishing and viewing of the river and its waterborne activities (Ref: pp. 44, 45, 46 and 55). Since Clayton's future economic growth depends principally on the quantity and quality of its water-based recreational facilities (Ref: pp. 35, 36 and 50), the village will give priority to water-dependent and water-enhanced recreational development, provided it is consistent with other policies of this program. Specifically, it will undertake measures to develop and expand recreation facilities along the western, northern and, if feasible, the eastern sides of the village peninsula to the extent that such facilities are needed, can be readily supported by new or existing public services, and will be compatible with adjacent land uses and conditions.

Among the types of water-dependent recreation, provision of adequate public and private boating facilities to meet future demand is to be encouraged by the program. The siting of such 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 marina development. Boating facilities presently in demand include docking, parking, park-like surroundings, toilet facilities, and pumpout facilities. In developing the recreational use of and access to the waterfront resources, the village will coordinate community activities to provide adequate safety and sanitation measures so as to maintain their compatibility with adjoining uses (see Policies 19 and 20).

Also to be encouraged is nonmotorized recreation in the coastal area. Water-related off-road recreational vehicle use is an acceptable activity, provided no adverse environmental impacts occur. 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, SHALL PROVIDE FOR WATER-RELATED RECREATION, AS A MULTIPLE USE, WHENEVER SUCH RECREATIONAL USE IS APPROPRIATE IN LIGHT OF REASONABLY ANTICIPATED DEMAND FOR SUCH ACTIVITIES AND THE PRIMARY PURPOSE OF THE DEVELOPMENT.

Policy 22A - Redevelopment and new development along the north side of Riverside Drive will provide for water-related recreation and public access to the shoreline as a multiple use whenever such multiple use is compatible with the purposes of the development or redevelopment.

Explanation of Policy. Many developments present practical opportunities for providing recreation facilities as an additional use of the site or facility. Therefore, whenever developments are located adjacent to the shore, they should, to the fullest extent permitted by existing law, provide for some form of water-related recreation use unless there are compelling reasons why any form of such recreation would not be compatible with the development, or a reasonable demand for public use cannot be foreseen. In determining whether compelling reasons exist which would make inadvisable recreation as a multiple use, safety considerations should reflect a recognition that some risk is acceptable in the use of recreational facilities.

Prior to taking action relative to any development, government agencies should consult with the village to determine appropriate recreation uses. The agency should provide the village with the opportunity to participate in project planning.

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

Current and future development activities in Clayton to redevelop the west end of Riverside Drive and strengthen commercial establishments in the village core should be integrated with the improvement of public access and recreational facilities as multiple uses. Municipal approvals of private development projects will assure that recreation, as a multiple use, will be required when appropriate in any development activities within this part of the waterfront (Ref: pp. 38, 39, 44, 45-47 and 55).

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

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

The policy is not to be construed as a passive mandate but must include active efforts when appropriate to restore or revitalize through adaptive reuse. While the program is concerned with the preservation of all such

resources within the coastal boundary, it will actively promote the preservation of historic and cultural resources which have a coastal relationship.

All practicable means to protect structures, districts, areas or sites that are of significance in the history, architecture, archaeology 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 archaeological resource, or component thereof. Such features are defined as encompassing the style and general arrangement of the exterior of a structure and any original or historically significant interior features including type, color and texture of building materials; entryways and doors; fenestration; lighting fixtures; roofing, sculpture and carving; steps; rails; fencing; windows; vents and other openings; grillwork; signs; canopies; and other appurtenant fixtures and, in addition, all buildings, structures, outbuildings, walks, fences, steps, topographical features, earthworks, paving and signs located on the designated resource property. (To the extent they are relevant, the Secretary of the Interior's "Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings" shall be adhered to.)

2. Demolition or removal in full or part of a building, structure, or earthworks that is a recognized historic, cultural, or archaeological resource or component thereof, to include all those features described in 1. above plus any other appurtenant fixture associated with a building structure or earthwork.

3. All proposed actions within 500 feet of the perimeter of the property boundary of the historic, architectural, cultural, or archaeological resource and all actions within a historic district that would be incompatible with the objective of preserving the quality and integrity of the resource. Primary considerations to be used in making judgment about compatibility should focus on the visual and locational relationship between the proposed action and the special character of the historic, cultural, or archaeological resource. Compatibility between the proposed action and the resource means that the general appearance of the resource should be reflected in the architectural style, design material, scale, proportion, composition, mass, line, color, texture, detail, setback, landscaping and related items of the proposed actions. With historic districts this would include infrastructure improvements or changes, such as street and sidewalk paving, street furniture and lighting.

This policy shall not be construed to prevent the construction, reconstruction, alteration, or demolition of any building, structure, earthwork, or component thereof of a recognized historic, cultural or archaeological resource which has been officially certified as being

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

While the Kemp Realty Building is the village's only individual waterfront structure listed on the National Register of Historic Places, other structures in the waterfront may deserve similar recognition. Indeed, the limestone building at the Shipyard Museum may be nominated for placement on the National Register of Historic Places. In addition, the "turn of the century" commercial structures along James Street and Riverside Drive have recently been placed on the National Register of Historic Places as a historic district. (Ref: pp. 18, 50, 51, 55 and 57). Given the possibility of zones of archaeological sensitivity within the waterfront area (ref. p. 18), developers must contact the State Historic Preservation Office to determine appropriate protective measures to be incorporated in the development process.

SCENIC RESOURCES POLICIES

POLICY 24 - PREVENT IMPAIRMENT OF SCENIC RESOURCES OF STATEWIDE SIGNIFICANCE, AS IDENTIFIED ON THE COASTAL AREA MAP. IMPAIRMENT SHALL INCLUDE:

(i) THE IRREVERSIBLE MODIFICATION OF GEOLOGICAL FORMS, THE DESTRUCTION OR REMOVAL OF VEGETATION, THE DESTRUCTION OR REMOVAL OF STRUCTURES, WHEREVER THE GEOLOGIC FORMS, VEGETATION OR STRUCTURES ARE SIGNIFICANT TO THE SCENIC QUALITY OF AN IDENTIFIED RESOURCE; AND

(ii) THE ADDITION OF STRUCTURES WHICH BECAUSE OF SITING OR SCALE WILL REDUCE IDENTIFIED VIEWS OR WHICH BECAUSE OF SCALE, FORM, OR MATERIALS WILL DIMINISH THE SCENIC QUALITY OF AN IDENTIFIED RESOURCE.

Explanation of Policy. In light of the scenic beauty of the Thousand Islands area in general and given a number of scenic vistas from Clayton's shoreline (Ref: pp. 15, 16, 19, 46-47 and 55), a scenic area of statewide significance could be designated within the village's waterfront. (FN 2) Upon such designation, agencies considering a proposed action in Clayton's waterfront must determine (1) if that action would involve such a scenic resource and (2) if the types of activities proposed would be likely to impair the scenic beauty of that resource.

Policy Guidelines. The following siting and facility-related guidelines to be used to achieve this policy, recognizing that each development situation is unique and that the guidelines must be applied accordingly, include:

1. Siting structures and other development such as highways, power lines, and signs, back from shorelines or in other inconspicuous locations to maintain the attractive quality of the shoreline and to retain views to and from the shore;

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 landform, 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 enhances 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.

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 or enhance those natural and man-made resources of local significance which have historically added to the waterfront character of the village and thus its scenic quality.

Explanation of Policy. When considering a proposed action, which would not affect a scenic resource of statewide significance, 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. Activities which could impair or further degrade scenic quality are the same as those cited under the previous policy, i.e., modification of natural landforms, removal of vegetation, etc. However, the effects of these activities would not be considered as serious for the general coastal area as for significant scenic areas.

The siting and design guidelines listed under the previous policy should be considered for proposed actions in the general coastal area. More emphasis may need to be placed on removal of existing elements, especially those which degrade, and on addition of new elements or other changes which enhance. Removal of vegetation at key points to improve visual access to coastal waters is one such change which might be expected to enhance scenic quality.

The four village-owned shoreline properties along Riverside Drive afford exciting views of an expanse of the St. Lawrence River with islands, seaway traffic and fishing and boating activities characteristic of the Thousand Islands region (Ref: pp. 15, 16, 19, 46-47 and 55). The Village of Clayton recognizes the unique value of these vistas and will support the choice of the

designation of statewide significance within its coastal area. Such a designation would parallel and support local public access and recreation development activities (see Policies 19-23) and, will undoubtedly add to the feasibility of the boardwalk project described in Section V.

Other vistas from the Clayton waterfront that warrant protection or enhancement include the view from the Mary Street docks and those from and in the vicinity of the NY Route 12E bridge (Ref: pp. 15, 16, 19, 46-47 and 55). Revitalization projects in the village's waterfront area will take advantage of these locally significant scenic resources with an aim to protect, enhance and preserve overall scenic character.

Special attention should be given by all agencies to the importance of visual quality and visual access to the image of the village's commercial core area along Riverside Drive and the revitalization efforts needed there (see Policy 1).

AGRICULTURAL LANDS POLICY

POLICY 26 - NOT APPLICABLE.

ENERGY AND ICE MANAGEMENT POLICIES

POLICY 27 - NOT INCLUDED IN THE LOCAL PROGRAM.[3]

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

Explanation of Policy. 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 will be 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 - NOT INCLUDED IN THE LOCAL PROGRAM.[3]

WATER AND AIR RESOURCES POLICIES

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

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

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

Explanation of Policy. 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 coastal management policies shall be factored into the review process for coastal waters. However, such considerations 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. The village has reviewed the classification of its waters within the waterfront and finds them to be consistent with the existing and proposed land and water uses put forth in this program. Areas with steep slopes where soil erosion is possible and areas with soils poorly suited to conventional septic systems will be considered in assessing the impact of development on water quality (Ref: pp. 12, 48, 49 and 57).

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.

Explanation of Policy. 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 areas and for which conventional facilities are too expensive.

Clayton's municipal sewer system adequately serves most of its coastal area with the exception of areas west of the NY Route 12E bridge, most of Steele Point and undeveloped area east of French Creek Marsh (Ref: pp. 31, 48-49 and 55). On site waste disposal systems will be required in these areas in accordance with NYS Department of Health standards while alternative and innovative disposal systems will be encouraged in areas identified as poorly suited to conventional 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. Best management practices include both structural and nonstructural methods of preventing or mitigating pollution caused by the discharge of stormwater runoff and combined sewer overflows. At present, structural approaches to controlling stormwater runoff (e.g., construction of retention basins) and combined sewer overflows (e.g., replacement of combined system with separate sanitary and stormwater collection systems) are not economically feasible. Proposed amendments to the Clean Water Act, however, will authorize funding to address combined sewer overflows in areas where they create severe water quality impacts. Until funding for such projects becomes available, nonstructural approaches (e.g., improved street cleaning, reduced use of road salt) will be encouraged.

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

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

Explanation of Policy. The discharge of sewage, garbage, rubbish, and other solid and liquid materials from watercraft and marinas into the State's waters is regulated. Priority will be given to the enforcement of this law in areas such as significant fish and wildlife habitats, beaches, and public water supply intakes, which need protection from contamination by vessel wastes. Also, specific effluent standards for marine toilets have been promulgated by the NYS Department of Environmental Conservation (6 NYCRR, Part 657). In addition, to further the intent of this policy, pumpout facilities will be required at new marinas or expansions of existing marinas within the coastal area of the village, provided adequate pumpout facilities do not exist elsewhere in the Clayton coastal area.

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

Explanation of Policy. Dredging often proves to be essential for waterfront revitalization and development, maintaining navigation channels at sufficient depths, pollutant removal and meeting other coastal management needs. Such dredging 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 operation and proper siting of the dredge spoil disposal site. Dredging permits will be granted by DEC if it has been satisfactorily demonstrated that these anticipated adverse effects have been reduced to levels which satisfy State dredging permit standards set forth in regulations developed pursuant to Environmental Conservation Law (Articles 15, 24, 25 and 34), and are consistent with policies pertaining to the protection of coastal resources (State Coastal Management Policies 7, 15, 24, 26 and 44).

In general, Clayton's coastal waters are of sufficient depth for navigational purposes. Limited dredging may be necessary for Clayton to maintain sufficient water depths for recreational and commercial marine-related facilities.

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

Explanation of Policy. NYS Environmental Conservation Law (Section 37-0101(2)) defines substances hazardous to the environment as, "substances which, because of their toxicity, magnification or concentration within biological chains, present a demonstrated threat to biologic life cycles when discharged into the environment."

Because of its location along the St. Lawrence Seaway, the Village of Clayton is subject to the dangers surrounding the shipment of petroleum and other hazardous materials (Ref: p. 49). The village encourages the maximum practicable measures that will prevent or at least minimize spills and discharges of such materials into its coastal waters.

As identified in the Oil Spill Response Model II: St. Lawrence River. the French Creek Marsh is one of the most critical wetland areas along the U.S. side of the international section of the river. It can be easily protected in event of a nearby spill, and every effort should be made to prevent contamination (see Policies 7, 8 and 44).

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. Excess nutrients and organics can, and in many cases do, enter surface waters as a result of uncontrolled surface runoff, leaching, development activities and poor agricultural practices. Best management practices to be used to reduce these sources of pollution include but are not limited to encouraging organic farming, pest management practices, phased development, surface runoff retention basins, placement of vegetation, erosion control practices and other surface drainage control techniques. Through the use of land use regulations and site plan review provisions, the village will be able to ensure the use of best management practices to help reduce such non-point pollution sources.

Guidelines to be used in implementing this policy include the following:

1. Runoff or other non-point pollutant sources from any specific development must not be greater than would be the case under natural conditions. Appropriate techniques to minimize such efforts shall include, but not be limited to, the use of stormwater detention basins, rooftop runoff disposal, rooftop detention, parking lot storage and cistern storage.

2. The construction site, or facilities, should fit the land, particularly with regard to its limitations.

3. Natural ground contours should be followed as closely as possible and grading minimized.

4. Areas of steep slopes, where high cuts and fills may be required, should be avoided.

5. Extreme care should be exercised to locate artificial drainageways so that their final gradient and resultant discharge velocity will not create additional erosion problems.

6. Natural protective vegetation should remain undisturbed if at all possible; otherwise plantings should compensate for the disturbance.

7. The amount of time that disturbed ground surfaces are exposed to the energy of rainfall and runoff water should be limited.

8. The velocity of the runoff water on all areas subject to erosion should be reduced below that necessary to erode the materials.

9. A ground cover should be applied sufficient to restrain erosion on that portion of the disturbed area undergoing no further active disturbance.

10. Runoff from a site should be collected and detained in sediment basins to trap pollutants which would otherwise be transported from the site.

11. Provision should be made for permanent protection of downstream banks and channels from the erosive effects of increased velocity and volume of runoff resulting from facilities constructed.

12. The angle for graded slopes and fills should be limited to an angle no greater than that which can be retained by vegetative cover or other erosion control devices or structures.

13. The length as well as the angle of graded slopes should be minimized to reduce the erosive velocity of runoff water.

14. Rather than merely minimize damage, take the opportunity to improve site conditions wherever practicable.

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

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

POLICY 39 - NOT INCLUDED IN THE LOCAL PROGRAM.[3]

POLICY 40 - NOT INCLUDED IN THE LOCAL PROGRAM.[3]

POLICY 41 - NOT INCLUDED IN THE LOCAL PROGRAM.[3]

POLICY 42 - NOT INCLUDED IN THE LOCAL PROGRAM.[3]

POLICY 43 - NOT INCLUDED IN THE LOCAL PROGRAM.[3]

POLICY 44 - PRESERVE AND PROTECT TIDAL AND FRESHWATER WETLANDS AND PRESERVE THE BENEFITS DERIVED FROM THESE AREAS.

Explanation of Policy. Freshwater wetlands include marshes, swamps, bogs, and flats supporting aquatic and semi-aquatic vegetation and other wetlands so defined in the NYS Freshwater Wetlands Act and the NYS Protection of Waters Act.

With regard to the Clayton coastal area, this policy relates most particularly to the wetlands associated with French Creek, French Creek Wildlife Management Area, and Carrier Bay (Ref: pp. 13, 14, 15, 19, 42, 43, 49, 50 and 57). The village recognizes the recreational, aesthetic and ecological benefits attributable to such natural areas and will comply with the NYS Department of Environmental Conservation's implementation of the NYS Freshwater Wetlands Act and the NYS Use and Protection of Waters Act.

The benefits derived from the preservation of freshwater wetlands include but are not limited to:

- -- habitat for wildlife and fish and contribution to associated aquatic food chains;
- -- erosion, flood and storm control;
- -- natural pollution treatment;
- -- groundwater protection;
- -- recreational opportunities;
- -- educational and scientific opportunities; and
- -- aesthetic open space in many otherwise densely developed areas.

Recognizing that the possibility does exist for development activities to be permitted in the wetland areas identified within the Clayton coastal area, mitigation of such wetland loss in the form of a one to one value-for-value replacement will be considered as a basis for allowing such development only if it can be demonstrated that a viable replacement wetland could and would be established and that provisions for establishment of such a wetland be made through performance bonds, maintenance bonds, or similar methods.

FOOTNOTES (SECTION III)

FN 1. Pursuant to 602.4(a) of Part 602, NYCRR, the Secretary of State is required to identify and designate fish and wildlife habitats of statewide significance. According to the criteria set forth under 602.5(a) of Part 602, such habitats.

(1) exhibit to a substantial degree one or more of the following characteristics:

(i) the habitat is essential to the survival of a large portion of a particular fish or wildlife population (e.g, feeding grounds, nursery areas);

(ii) the habitat supports a species which is either endangered, threatened or of special concern as those terms are defined at 6 NYCRR Part 182;

(iii) the habitat supports fish or wildlife populations having significant commercial, recreational or educational value; or

(iv) the habitat is of a type which is not commonly found in the State or a coastal region of the State; and

(2) are to varying degrees difficult or even impossible to replace in kind.

FN 2. Pursuant to NYCRR 602.4(a) of Part 602, the Secretary of State is required to identify and designate scenic areas of statewide significance. According to criteria set forth under 602.5(c) of Part 602:

(1) the area exhibits alone or in combination the following characteristics:

(i) unusual variety of major components;

(ii) unusual unity of major components;

(iii) striking contrasts between lines, forms, textures and colors; or

(iv) an area generally free of discordant features which, due to siting, form, scale or materials, visually interrupt the overall scenic quality of the resource;

(2) the area is unique in the region or the State's coastal area;

(3) the area is visually and physically accessible to the general public; or

(4) the area is widely recognized by the general public for its visual quality.

FN 3. Federal agencies should refer to the New York State Coastal Management Program and Final Environmental Impact Statement for the text of this policy. In addition, the text has been included in Appendix C.

SECTION IV

PROPOSED USES AND PROJECTS

SECTION IV - PROPOSED USES AND PROJECTS

A key component of the Village of Clayton Waterfront Revitalization Program consists of the specific land uses, development projects and revitalization programs -- both public and private -- proposed for the coastal area. The inventory, the analysis of waterfront conditions and the applicable State and local policies provided the basis for this component through a three stage process: (1) identification of alternatives to satisfy applicable policies; (2) review of alternatives by the local waterfront advisory committee for recommendations of preferred uses, projects and programs to the Village Board of Trustees; and (3) approval of such uses, projects and programs by the Mayor and Village Board.

PROPOSED LAND AND WATER USES

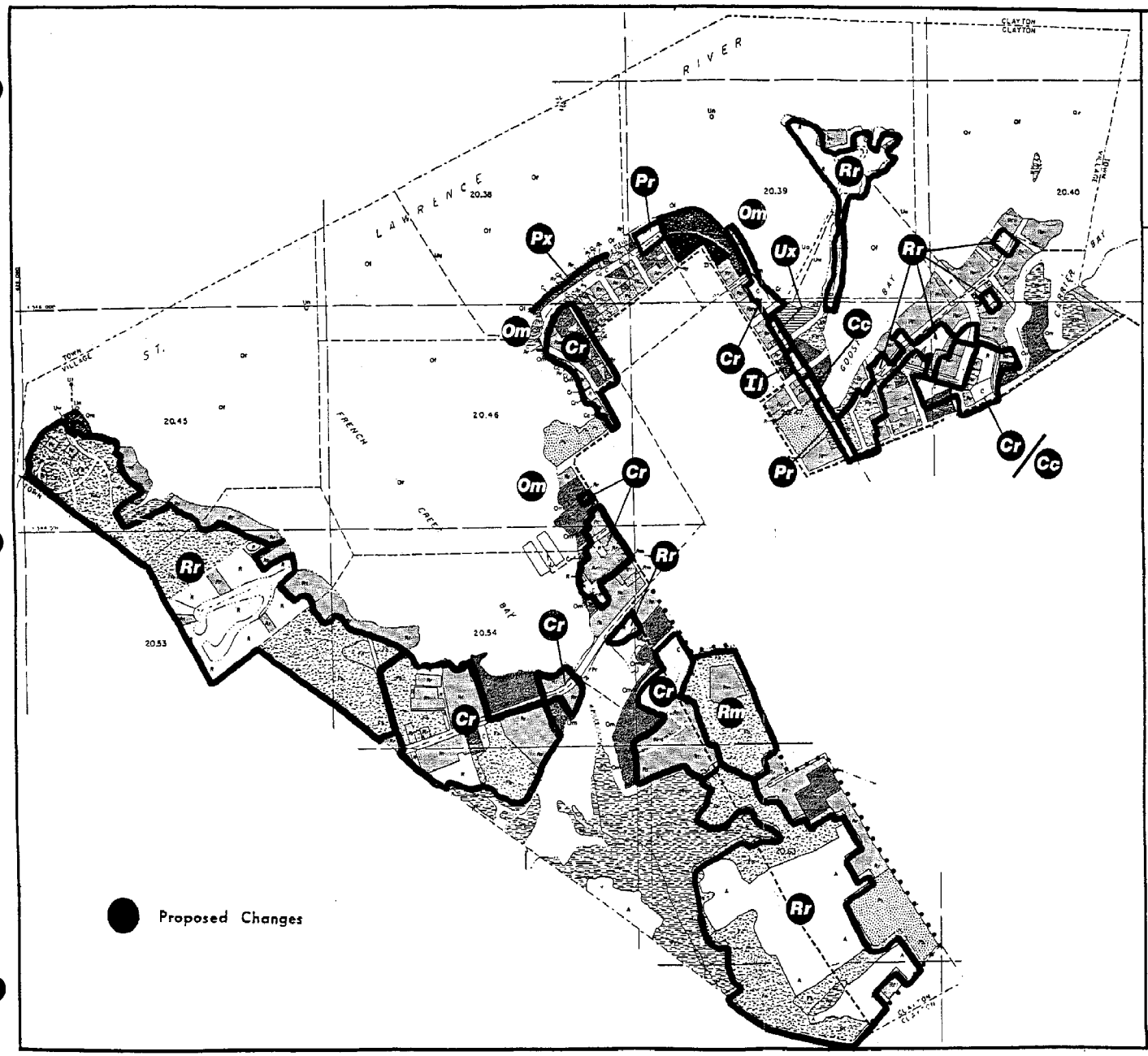
Plate XV, entitled "Village of Clayton - Proposed Land and Water Uses," illustrates the extent and distribution of proposed uses in the waterfront. The six waterfront subareas delineated previously in the existing land and water uses section are used again to facilitate the descriptions in this section.

1) West of French Creek Bay/Northwest of French Creek. Proposed waterfront uses here consist of further residential development in the inland forested areas along Bartlett Point. Additional commercial recreational uses related to tourism development are proposed for the area west of the NY Route 12E bridge. The extent of actual residential and commercial development within this subarea will be predicated on available technology for acceptable alternative waste disposal systems.

2) Southeast of French Creek/South of NY Route 12E. Land uses proposed for the undeveloped acreage of this subarea provide for a transition from commercial recreational uses in the north (near Route 12E and the French Creek Marina) to multiple-family residential uses in the center to single-family residential uses in the south (east of the sensitive wetland). The 20,000 sq.ft. lot sizes required by local law in this section of the waterfront are appropriate for the single-family uses in the unsewered southerly area.

3) Western Side of the Village Peninsula. The land use scheme proposed for this area is to promote additional commercial recreational uses (primarily marina-related facilities) between Reese and Union Streets while stabilizing the adjoining residential area. Vacant and deteriorated lots would provide space for expanded parking and storage facilities.

Along the southern extension of Riverside Drive, the proposed uses are primarily commercial involving the stabilization and limited expansion of existing commercial recreational use (marine-related services) together with the commercial parking facility at the corner of Riverside Drive and Mary Street.



VILLAGE OF CLAYTON

Proposed Land and Water Uses

PLATE XV

Scale

LEGEND

LAND USES

Agriculture
- Ac - Cropland
- Ap - Pasture
- Ax - Other Agriculture
- A - Inactive

Residential
- Ry - 1 & 2 Family
- Rm - 3 or More (Multi-family)
- R - Vacant

Commercial
- Cc - Retail Trade
- Cr - Recreational
- Co - Office & Non Retail
- Cx - Other Commercial
- C - Vacant

Industrial/Extractive
- Il - Light
- Ih - Heavy
- Is - Industrial Storage
- Ix - Other Industrial
- Eq - Stone Quarries
- Es - Sand & Gravel Pits
- Ex - Other Mining
- I/E - Vacant

Public/Semi-Public
- Pg - Government Services
- Pe - Educational
- Pr - Recreational
- Ps - Semi-Public
- P - Vacant

Transportation/Utilities & Communications
- Ta - Airports
- Tr - Railways
- Tw - Water Transport
- Tx - Other Transportation
- Ue - Electric Gen./Dist.
- Ug - Gas & Oil Transmission
- Us - Water Treatment
- Ur - Solid Waste Management
- Ux - Other
- T/U - Vacant

Forest
- Fn - Forest
- Fb - Forest Brushland
- Fp - Forest Plantation

Wetlands
- Wp - Public/Recreational
- Wx - Other

Non-Productive Lands
- Ns - Sand & Beach
- Nr - Exposed Rock Cliffs

WATER USES

- Ry - Residences Over Water
- Or - Boating
- Om - Mooring & Dockage
- Of - Fishing
- Ow - Swimming
- Ok - Water Skiing
- Tf - Ferry
- Ts - Shipping
- Un - Navigation Aides
- Uu - Underground Cables
- Up - Oil and Gas Pipelines
- Ud - Spoil Disposal Areas
- Uo - Sewer Outfalls
- Ui - Water Intakes

N.Y.S. Coastal Area Boundary

Revised Coastal Area Boundary

4) Northern Side of the Village Peninsula. Proposed uses in this waterfront area include the expansion of public access and shoreline recreational uses, and the development of more water-enhanced commercial uses at the corner of Riverside Drive and James Street. The unifying concept proposed here is public access spanning the recreational and commercial retail uses.

5) Eastern Side of the Village Peninsula. Land uses on Washington Island will remain residential. On the mainland, the abandoned railroad right-of-way south to Lion's Park is targeted to allow for expansion of existing uses (commercial recreational, commercial retail, light industrial and public utilities) found along the shoreline. Use of the right-of-way from Lion's Park south to NY Route 12 is proposed for the expansion of public recreational uses.

6) East of Goose Bay/North of NY Route 12. In an attempt to stabilize existing uses and create a better continuity of development in this part of the waterfront, proposed land uses involve single-family residential infill development along the shore of Goose Bay and on vacant properties further inland. Additional commercial retail and commercial recreational uses are proposed adjacent to the north side of NY Route 12. Again, the extent of residential and commercial development will depend on available technology to accommodate on-site sewage disposal.

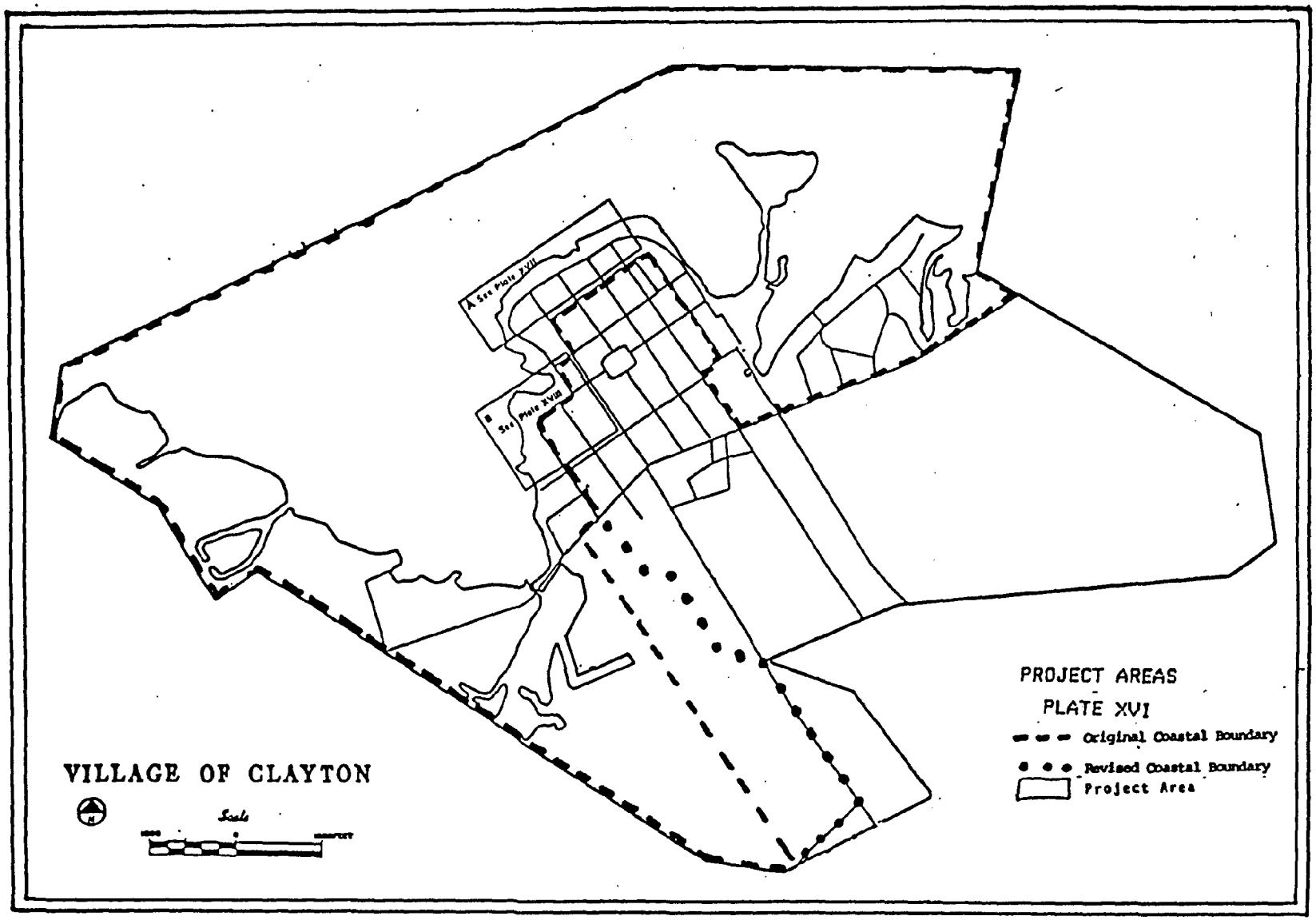
PROPOSED PROJECTS AND IMPROVEMENT PROGRAMS

Village officials, with input from the Clayton Waterfront Revitalization Advisory Committee, have identified seven potential waterfront projects (including two which take the form of improvement programs) as follows:

1) Frink Park Development
2) Streetscape Improvements
3) Centennial Park Developments
4) Facade/Structural Improvements
5) Mary Street Municipal Dock Expansion

The first four projects address the village's foremost concern, the core area (located within area A on Plate XVI - "Project Areas"). Collectively, they address revitalization and redevelopment of a deteriorated and/or underutilized waterfront area, improvement of shoreline public access and recreation, improvement of scenic quality or "image," and strengthening of the local economy through tourism development. Each project is described in greater detail below under the general heading "Riverside Drive Improvements." The fifth project focuses primarily on public access and recreation.

Riverside Drive Improvements. Utilizing pooled resources from the St. Lawrence-Eastern Ontario Commission, the School of Landscape Architecture -- SUNY at Syracuse, and the Village of Clayton, an image assessment study of Clayton's commercial core along Riverside Drive was completed in 1982. The objectives of this study were as follows:


A See Plate XVII
B See Plate XVIII
PROJECT AREAS
PLATE XVI
Original Coastal Boundary
Revised Coastal Boundary
Project Area
VILLAGE OF CLAYTON
Scale

- To assess the current image and resources of the village as perceived from interviews and field inventory.

- To analyze constraints to and opportunities for future village image enhancement.

- To develop alternative scenarios for future image enhancement.

- To test these scenarios for acceptability to permanent residential, seasonal residential, and day tourist populations.

Alternative design concepts for the revitalization of Riverside Drive were developed through field survey, analysis of constraints and opportunities, video documentation and design workshops. Village residents and visitors were surveyed with a photo questionnaire to obtain consensus on a preferred alternative.

Highlighted on Plate XVII, the four shorter term projects can be readily seen as the initial phases and foundation for the revitalization of Riverside Drive. The longer term revitalization objective involves the linkage of the parks and commercial establishments along the shoreline via a riverside boardwalk if determined feasible (see Section V, OTHER PUBLIC AND PRIVATE ACTIONS).

1) Frink Park Development. The Frink Park project involves development of a shoreline park to provide public access for shoreline fishing, passive recreation, and visual access of the river. Improvements include general grading and landscaping; installation of a large planter; construction of an access drive, sidewalks, concrete steps to the lower level and a band shelter; installation of lighting and riverbank stabilization. (See Plate XVIII - "Frink Park Development Plan.")

The village began Phase I improvements during the summer of 1983, using local revenues ($3,000), in-kind services ($4,000), and a SBA grant for landscaping ($7,000). Nearly half of the site was thus developed. Remaining work to complete Phase II of the Frink Park Development includes additional landscaping; construction of the band shelter and stairway; installation of lighting; and riverbank stabilization. Estimated costs for remaining project components are as follows:

Landscaping		4,500
Band Shelter		7,500
Stairway		3,000
Lighting		8,000
Riverbank Stabilization*		(to be determined)
	Subtotal	23,000*
Contingency		3,000
Engineering		3,400
	Total	28,700*

*An engineering study is needed to determine the actual cost of riverbank stabilization (see Section V).

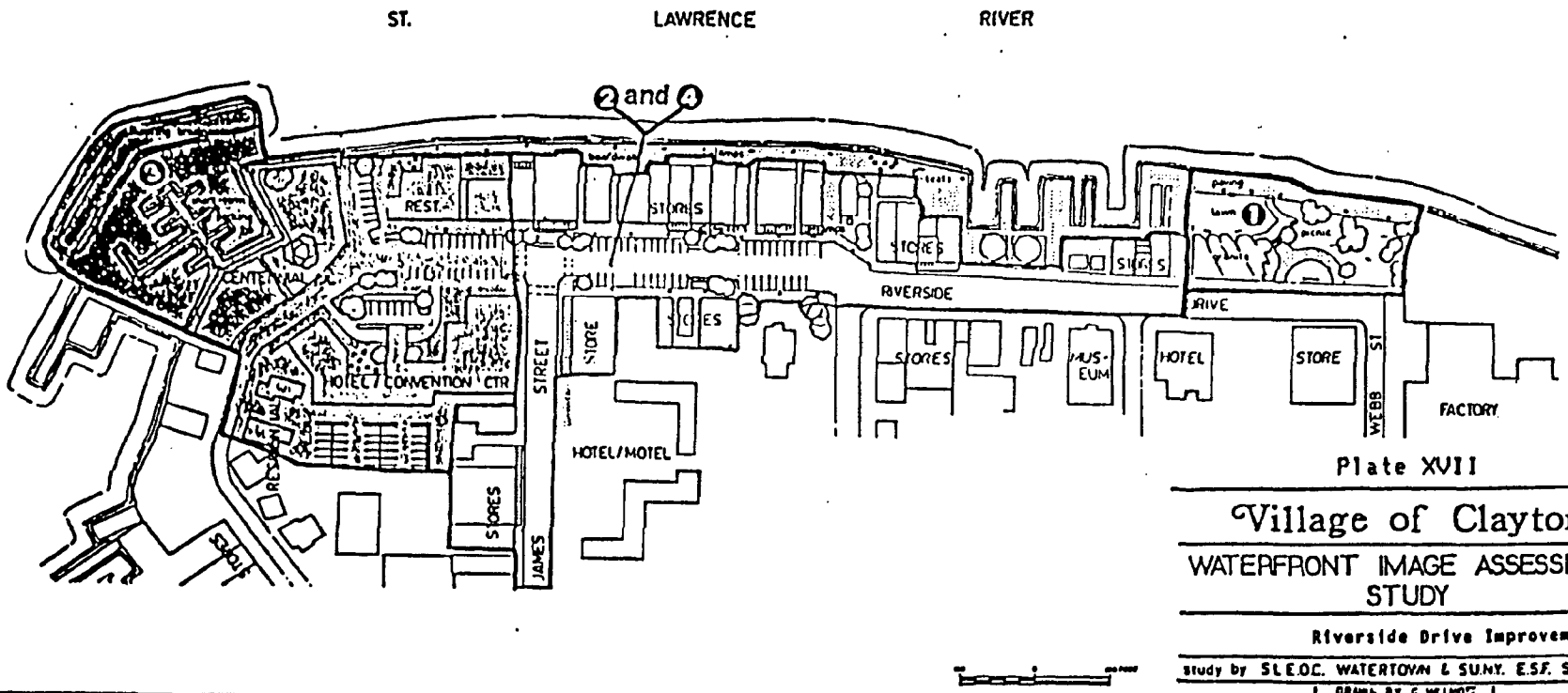


Plate XVII

Village of Clayton

WATERFRONT IMAGE ASSESSMENT STUDY

Riverside Drive Improvements

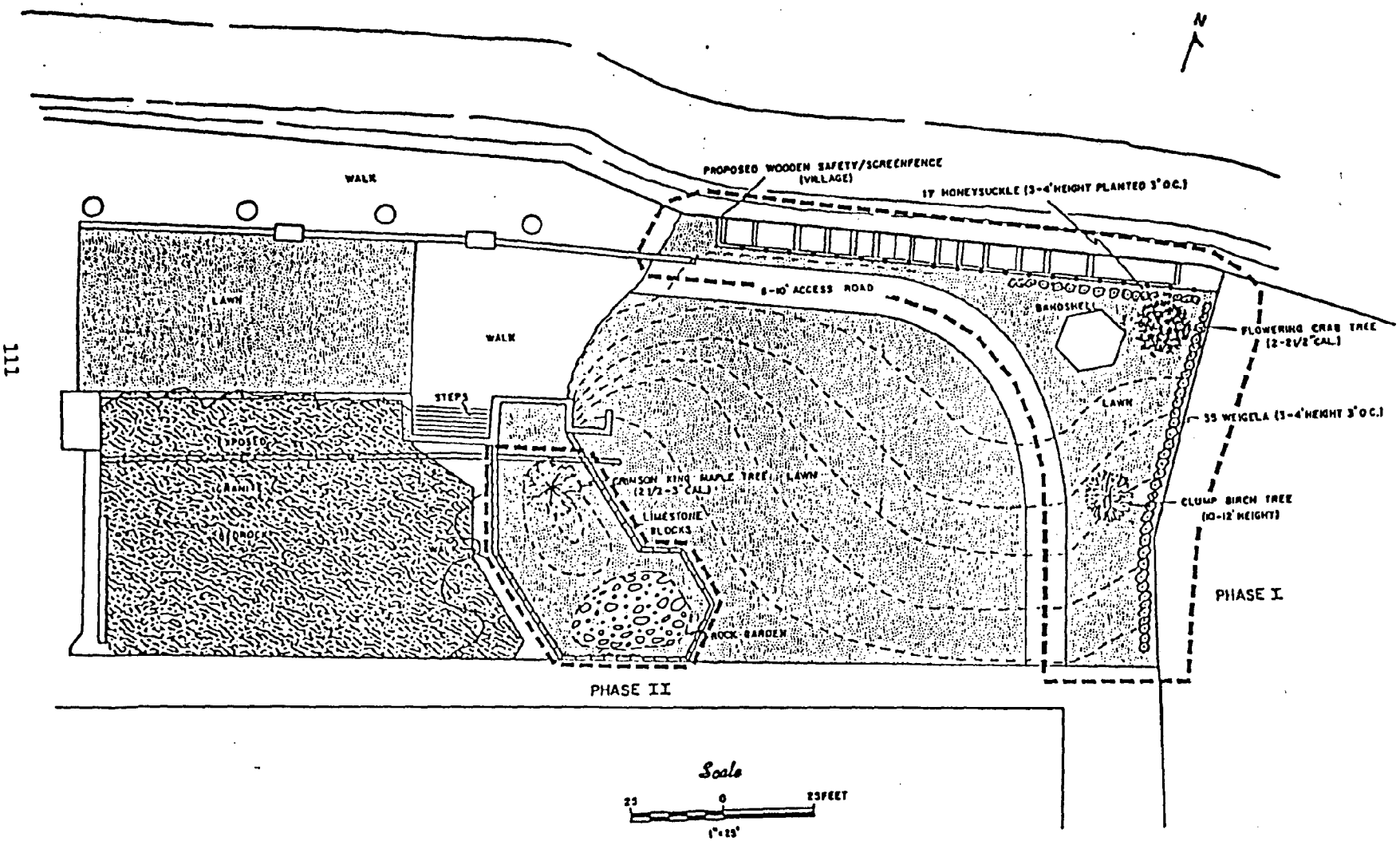
Study by S.L.E.O.C. WATERTOWN & S.U.N.Y. E.S.F. SYRACUSE

DRAWN BY C. WILMOT OCT. 1981

FRINK PARK DEVELOPMENT PLAN

PHASES I & II

Plate XVIII



The project is targeted for completion in the summer of 1984.

2) Streetscape Improvements. Presented in this project are solutions to the problems associated with the excessive width of the western half of Riverside Drive (see Plate XIX). The project consists of installing street planters; lighting fixtures; resurfacing sidewalks; and restriping pavement to delineate parking arrangements. Project cost estimates are as follows:

Street Planters		10,000
Trees, Flowers and Bedding		4,000
Lighting Fixtures		21,000
Sidewalk Resurfacing		15,000
Restriping		2,000
	Subtotal	52,000
Contingency		5,200
Engineering		7,800
	Total	65,000

The total cost of the streetscaping project is thus conservatively estimated in the range of $60,000 to $70,000. Completion of the overall project is anticipated to require two years from its initiation. Local officials envision work on the project commencing in 1986.

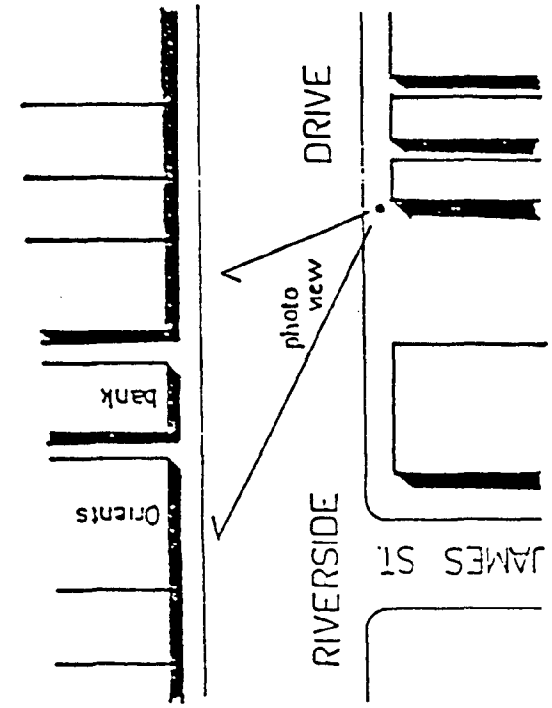
3) Centennial Park Development. The proposed development of Centennial Park, illustrated by the "photo montage" treatment in Plate XX, entails general park grading and landscaping, construction of approximately 450 linear feet of short-term dockage (for 30 to 35 boats) adjacent to the park site and a floating tire breakwater to protect such dockage. Preliminary costs estimates are as follows:

Docks		90,000
Breakwater		1,000
Grading/Landscaping		7,500
	Subtotal	98,500
Contingency		9,800
Engineering		14,800
	Total	123,100

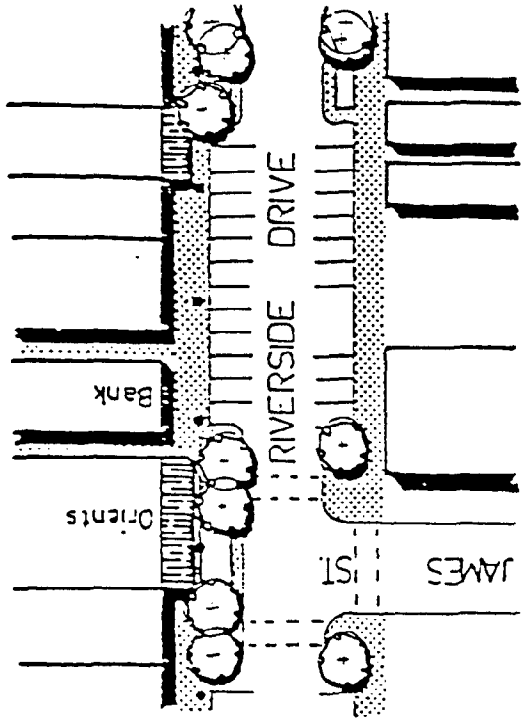
Total project costs could range between $120,000 and $130,000 depending on the amount of shoreline stabilization and grade improvements needed to provide safe access to the docks. The project will take eight months to a year to complete, and is targeted to commence in the summer of 1986.

The overall area of the western end of Riverside Drive, is shaded in Plate XVII to indicate the area involved in a recent market analysis and feasibility study (see Section V, OTHER PUBLIC AND PRIVATE ACTIONS). The restaurant facilities and 10,000 sq.ft. of shops was feasible. However, efforts to assemble land for the development have been stymied. Alternative waterfront sites are currently being examined for this type of development. If an alternative site is selected, the area along the south side of Riverside Drive labeled as hotel/convention center would no longer be considered as part

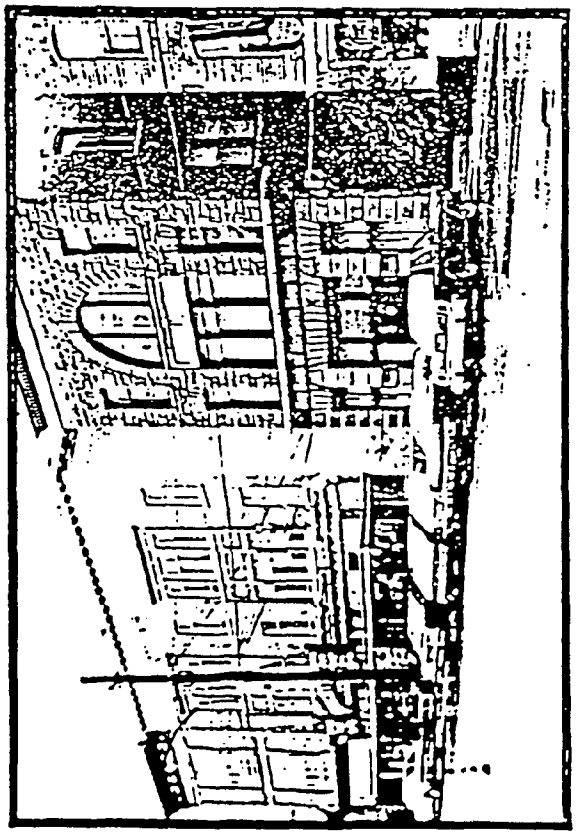
Plate XIX Streetscape Improvements and Facade/Structural Improvements

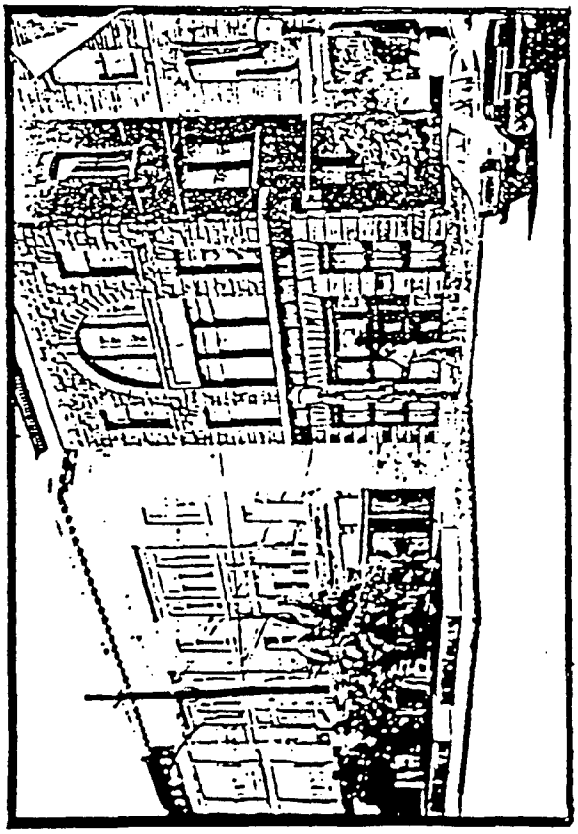


Existing



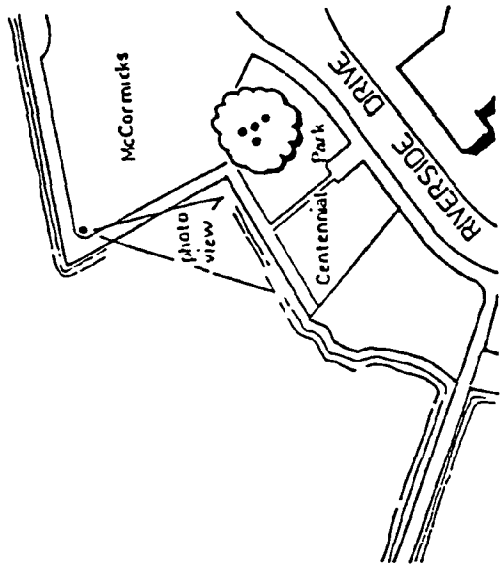
Proposed

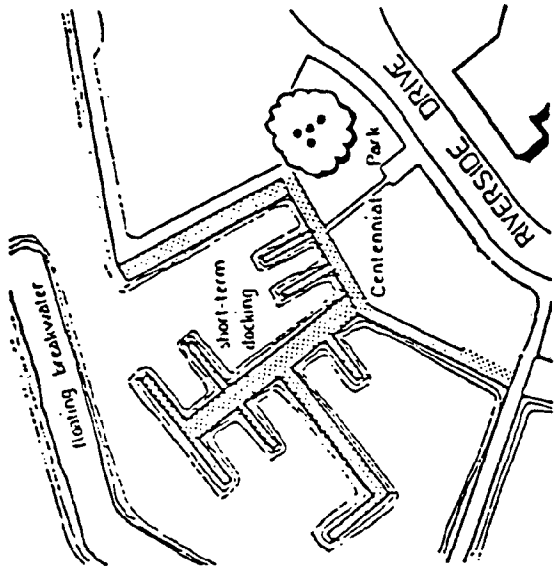




Source: Village of Clayton Waterfront Image Assessment Study

Plate XX Centennial Park Development





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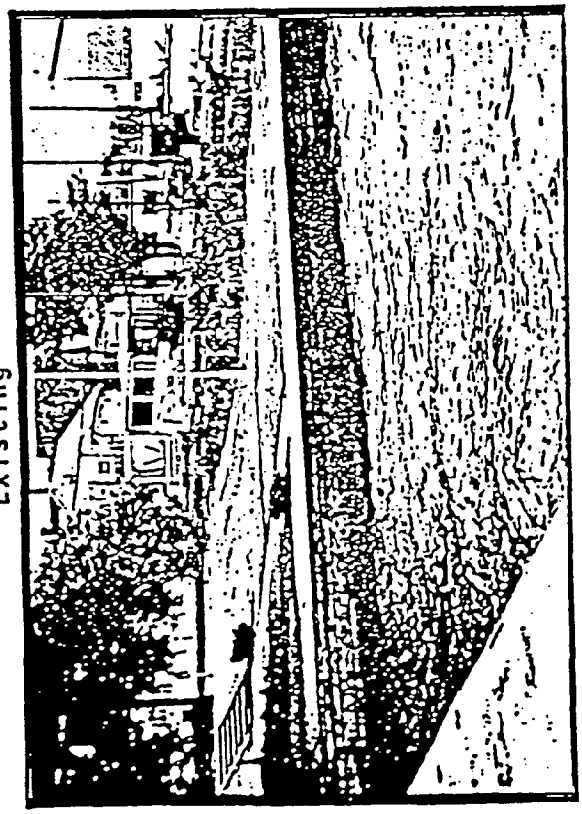
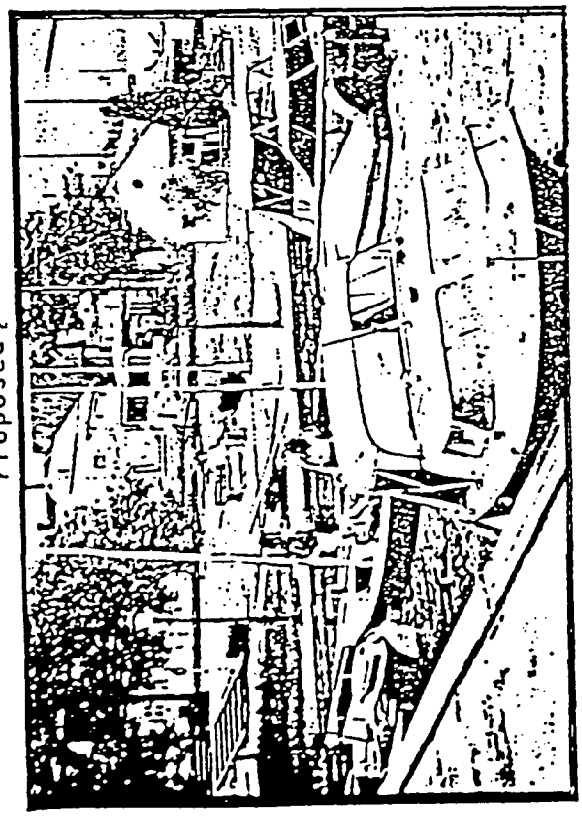
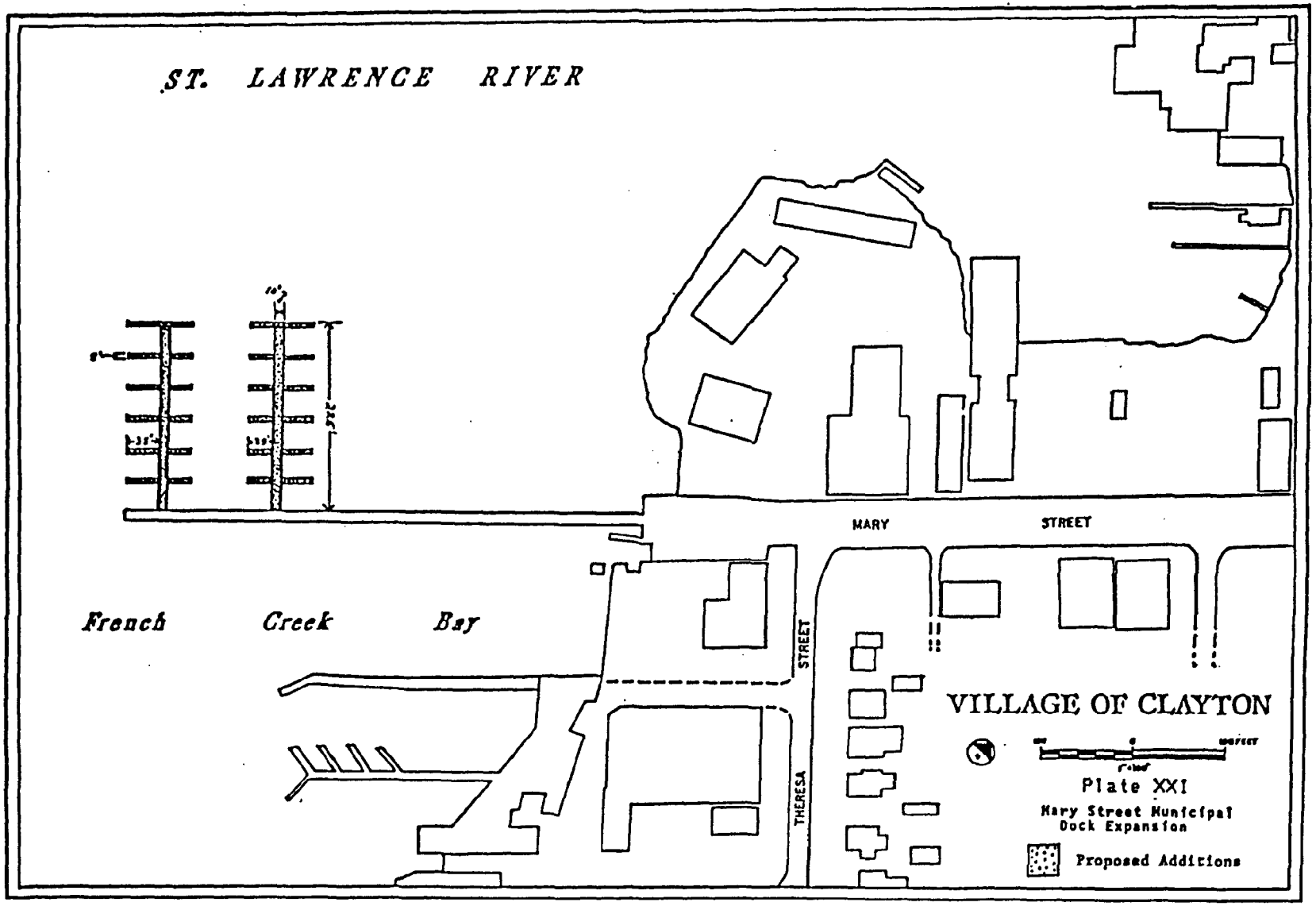


Proposed



Source: Village of Clayton Waterfront Image Assessment Study


ST. LAWRENCE RIVER
French Creek Bay
MARY STREET
THERESA STREET
VILLAGE OF CLAYTON
Plate XXI
Mary Street Municipal Dock Expansion
Proposed Additions

of the project area. The north side of the street would then be presumed to redevelop privately with types of uses similar to those destroyed by the 1983 fire.

4) Facade/Structural Improvements. Facade improvements and structural rehabilitation activities for commercial buildings in the village core area are proposed to be undertaken in tandem with the Streetscape Improvements project noted earlier (see Plates XVII and XIX). A community development program which would focus on leveraging private capital reinvestment in such improvements, is planned to begin in 1987 and run three to five years depending on funding and the extent of private property owner participation. If successful in revitalizing Riverside Drive, the program would be expanded to other areas of the waterfront and, as needed, to other areas of the village. Plate XIX also provides a "photo montage" illustration of the possible facade improvements.

The proposed facade improvements for commercial structures along the northern side of Riverside Drive represent the initial phase of the community development program. Although the costs for needed improvements may vary from structure to structure, the average cost is estimated to be $2,200 per building for facade work such as painting, awnings, signs and general cleaning. Total costs of an initial facade program for the commercial core could range between $20,000 and $30,000.

5) Mary Street Municipal Dock Expansion. The last project area involves the expansion of the longer-term municipal dockage facilities at the western end of Mary Street.

As illustrated on Plate XXI, the project involves the construction of an additional 1,170 linear feet of dockage to accommodate 45 to 50 boats. The docks will consist of 2 secondary piers (10' x 225') off the existing main pier (10' x 100'). Twelve finger piers (5' x 25' or 35') will extend from the new secondary piers. Total project costs are estimated in the range of $230,000 to $250,000. The project is planned for completion by the summer of 1987.

SECTION V

TECHNIQUES FOR LOCAL IMPLEMENTATION OF THE PROGRAM

SECTION V - TECHNIQUES FOR LOCAL IMPLEMENTATION OF THE PROGRAM

This section outlines and describes the measures to be used by the Village of Clayton to implement its Local Waterfront Revitalization Program as set forth in the preceding sections. Specific implementation measures are organized under six general headings: regulatory measures, other public and private actions, management structure, compliance procedures, federal and State consistency and financial resources. A summary chart at the end of the section tabulates the various management techniques and/or actions according to the coastal policies they would implement (see Table II).

REGULATORY MEASURES

Existing Local Laws and Regulations. The few local laws and regulations previously enacted by the village shows an inherent concern for land use and development activities within the waterfront. Local regulations include zoning, floodplain regulations, control over usage of the municipal docks and regulation of public and private sewers.

1) Zoning. "The Village of Clayton, New York, Zoning Ordinance" was adopted in 1973 as an overall means of "...promoting the health, safety, morals and general welfare of the community". It created six zoning districts which were delineated on a village zoning map and are defined as follows (see Plate XXII);

TABLE I

Village of Clayton Zoning Districts

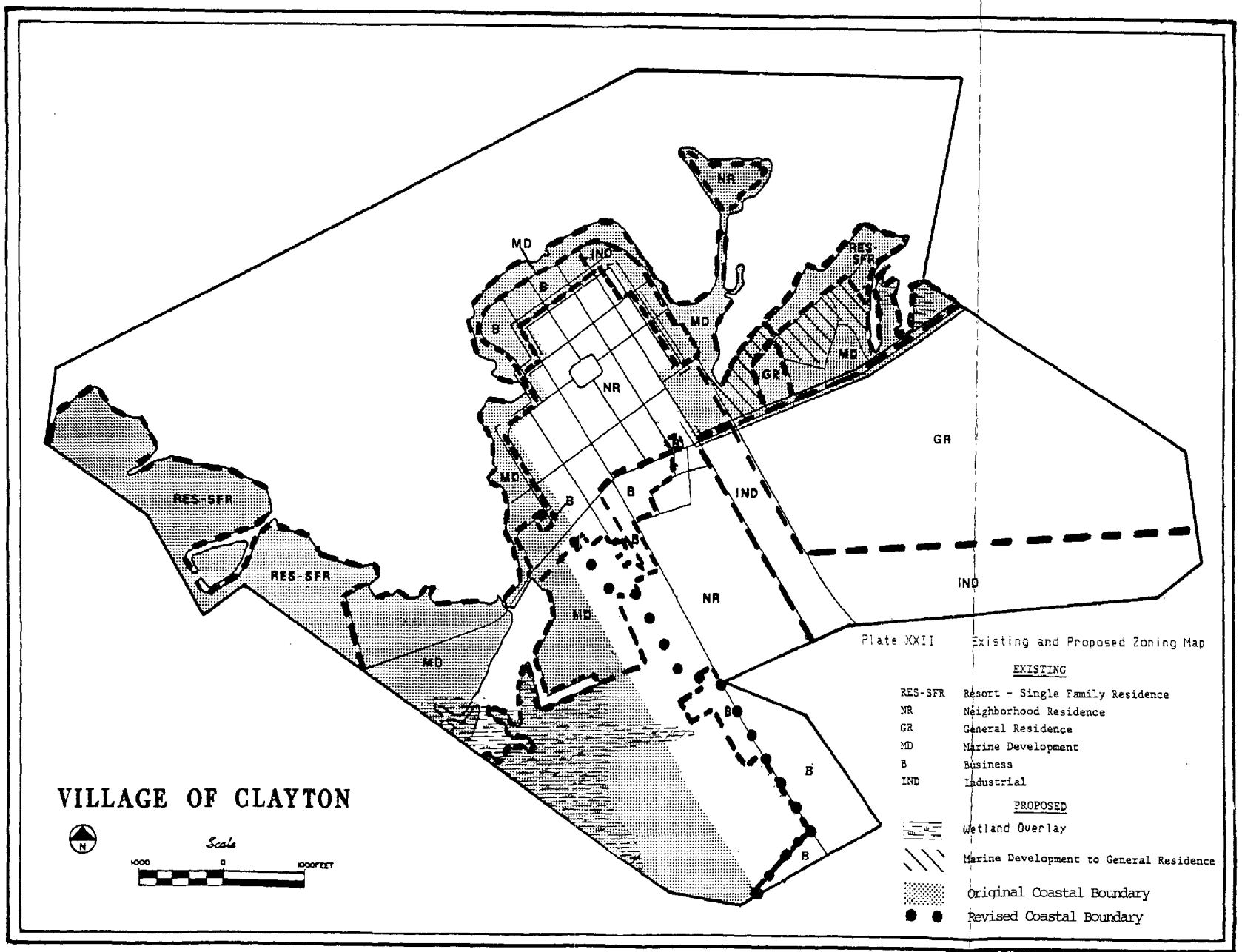
1) MD-Marine Development - Marine development districts are established primarily for the purpose of providing areas for water-related resource activity along with specified commercial recreation activities normally associated with such areas.

2) RES-SFR--Resort - Single Family Residential - Resort-Single Family Residential districts are established to provide for the development of residential neighborhoods occupied primarily by year-round single family and resort type residences (excluding mobile homes).

3) B--Business - Business districts are established to provide districts to accommodate general retail, service, finance, insurance and real estate and related structures and uses. It is contemplated that these districts will be established only in areas served by public water supply and public sewage disposal facilities.

4) IND--Industrial - Industrial districts are primarily for general industrial use and development and it is contemplated that they shall be served by public water.

5) NR--Neighborhood Residential - Neighborhood Residential districts are established to provide for the development of residential neighborhoods occupied by differing types of residential


VILLAGE OF CLAYTON
N
Scale
1000
0
1000 FEET
RES-SFR
RES-SFR
RES-SFR
MD
MD
MD
MD
MD
MD
MD
IND
IND
IND
NR
NR
NR
B
B
B
B
B
B
B
GR
GR
Plate XXII Existing and Proposed Zoning Map
EXISTING
RES-SFR Resort - Single Family Residence
NR Neighborhood Residence
GR General Residence
MD Marine Development
B Business
IND Industrial
PROPOSED
Wetland Overlay
Marine Development to General Residence
Original Coastal Boundary
Revised Coastal Boundary

structures together with certain additional uses which are supporting to and compatible with residential neighborhoods. It is contemplated that all residences in these districts shall be served by public water supply and public sewage disposal facilities.

6) GR--General Residential - General Residential districts are established to provide for uses similar to those of Neighborhood Residential districts (allows mobile home lots and mobile home parks).

The zoning law specifies for each such district the uses permitted, permitted by special permit or prohibited and the requirements for lot yard sizes, the sizes and setbacks of structures, signs and other development activities. Provisions were necessarily included to address non-conforming uses, administration of the ordinance through the issuance of building permits and certificates of occupancy, enforcement by a building inspector, violations and penalties, and appeals to a Zoning Board of Appeals.

The zoning law constitutes the village's foremost means of implementing and enforcing the Local Waterfront Revitalization Program. Existing development controls, administrative procedures and enforcement authority established in the ordinance are generally adequate to direct future land use patterns and development activities for the village as a whole but would fall short of the level of implementation needed for the LWRP.

2) Public and Private Sewer Law. "A local law regulating the use of public and private sewers and drains, the installation and connection of building sewers, and the discharge of waters and wastes into the public sewer system..." was enacted in 1975. The law requires that owners of any properties used for human occupancy install suitable toilet facilities and connect such facilities directly to the public sewer system. Where a public sanitary sewer is not available, the law requires that the building sewer connect to a private sewage disposal system complying with the provision of this local law. In addition, it restricts the substances which may be discharged into public sewers and prohibits the placement or deposition of unsanitary wastes on any property in the village except where suitable treatment has been provided.

By controlling the use of public and private sewers, requiring adequate septic systems and larger lot size in unsewered areas, this law implements Policies 5 and 5B with respect to concentration of development, Policies 7, 7A and 8 by controlling sewage and other contaminants in the vicinity of the French Creek Wildlife Management Area and Carrier Bay, Policies 30 through 34 and 38 with respect to protection of water resources in French Creek, French Creek Bay, Goose Bay and Carrier Bay as well as the St. Lawrence River in general.

3) Floodplain Regulation. "A local law to prevent flood damage in the flood zones of the Village of Clayton" was adopted in 1977. Among the general purposes of this local law was the minimization of "public and private losses due to flood conditions in specific areas by provisions designed:

(1) to protect human life and health;
(2) to minimize expenditure of public money for costly flood control projects;
(3) to minimize the need for resource and relief efforts associated with flooding and generally undertaken at the expense of the general public;
(4) to minimize prolonged business interruptions;
(5) to minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in floodplain;
(6) to help maintain a stable tax base by providing for the sound use and development of flood prone areas in such a manner as to minimize future flood blight areas; and
(7) to ensure that potential home buyers are notified that property is in a flood area."

The local law incorporated the Flood Insurance Rate Maps and the Flood Boundary-Floodway Maps promulgated by the Federal Insurance Administration and satisfied all of the basic floodplain management guidelines established by the Federal Emergency Management Agency (FEMA). In particular, these regulations provided for the administration of Development Permits (by the building inspector) for development in all special flood hazard areas, established general and specific construction standards for such development and included provisions for hearing and deciding upon appeals and variances.

This local law enforces the Local Waterfront Revitalization Program by establishing development controls to operate in the Flood Hazard Areas noted in Section II - Inventory and Analysis. Such controls implement floodplain management aspects of Policies 11, 14 and 17 (see Section III).

4) Docking Law. "A local law establishing limits on docking at village docks" was adopted in 1978. It limited docking at the village docks located at the foot John Street and Riverside Drive to two consecutive hours and established a fine for docking a boat in excess of such limits.

This law serves to implement the program by establishing controls over public access at the municipal docks. Such regulations support Policies 4 and 4A by maintaining public dockage as a traditional small harbor resource and Policies 19 through 22 by ensuring the availability of public access and recreation facilities.

Additional Local Laws and Regulatins Adopted to Implement the LWRP. In view of inherent limitations to LWRP implementation in the village's existing local laws and regulations, several amendments and one new local law have been adopted. They include various changes to the zoning law and a consistency law for direct actions of the village government. Each of these are described more fully below.

1. Zoning Amendments:

a. Creation of a Waterfront Overlay District. This amendment would establishes the NYS Coastal Area Boundary (revised) as the boundary of an overlay district wherein the review of proposed land uses and development activities would necessarily be consistent with the policies and purposes of the village's adopted LWRP.

Creation of this district specifically defines the area within which site plan review regulations (see 1.b. below) provide for LWRP implementation. This amendment, when linked with site plan approval, implements all applicable policies with respect to private development actions.

b. Establishment of Site Plan Review Regulations. For the purpose of reviewing individual site development proposals, this amendment requires the preparation of site plans by developers for review and approval by the village prior to the issuance of a building permit or certificate of occupancy. Within the Waterfront Overlay District, the review considers policy guidelines set forth for applicable policies of the LWRP. Authority for the review and approval of site plans has been retained by the Village Board of Trustees.

   Thus, the Site Plan Review Regulations provide a comprehensive means of implementing all applicable policies by requiring of private development actions consistency with the LWRP policies and purposes as part of the site plan approval process.

c. Zoning District Reclassification on Steele Point. Changes to the zoning in the central and western portions of Steele Point have been made to reclassify portions of the existing Marine Development District to General Residence District (see Plate XIII).

   These changes will help implement the LWRP by providing for development in keeping with the existing residential character of this waterfront area while reducing potential development impacts from more intensive development on the Muskellunge habitat in Carrier Bay. Specifically, this measure implements Policies 5 and 5B with respect to the lack of sewers on Steele Point and Policy 7A with respect to protection of a locally important habitat.

2. LWRP Consistency Law. "A Local Law Establishing Consistency Requirements and Review Procedures for Village Actions Involving the Local Waterfront Area" has been adopted to ensure implementation of the Local Waterfront Revitalization Program. This local law requires of each board, department, offices, officer or other body of the Village of Clayton that its actions to directly undertake or to permit, fund or otherwise approve any project, use or activity within the waterfront be consistent to the maximum extent practicable with the applicable State and local policies established in the village's LWRP.

   To this end, the Local Consistency Law establishes procedures for:

   a. initial review of proposed actions in a manner compatible with SEQRA requirements;
   b. advisement and assistance to applicants (if involved) and/or the boards, departments, offices, officers or other bodies of the village involved regarding forms, procedures, etc, and;

c. LWRP Compliance and SEQRA Review through the Village Planning Board and the local lead agency, respectively.

This law thus implements all applicable policies with regard to direct actions of the village government.

OTHER PUBLIC AND PRIVATE ACTIONS

In addition to the regulatory measures described in the preceding section, several other public and private actions will be necessary to assure implementation of the LWRP. They include a market analysis and feasibility study, two design/engineering studies, grantsmanship, development of a structural rehabilitation program, commitment of village revenues to undertake public waterfront projects, acquisition of easements for public access, private reinvestment of capital in facade and structural improvements, the development of a professionally prepared parking study and plan, the development of a professionally prepared harbor management plan, and pursuit of attainment of 1500 feet of jurisdiction from the shore into the water for purposes of regulating boat traffic and general harbor uses in and around the waters of Clayton.

Local Government Actions.

1) Market Analysis and Feasibility Study. Village officials recognized early in the development of the LWRP that a feasibility study would be necessary to determine whether the market could support a hotel with convention facilities. However, the December 1983 fire that destroyed the western end of the commercial block along the north side of Riverside Drive altered the circumstances drastically. The village was then faced with a critical need to pursue redevelopment on a larger scale.

With funding through the NYS Department of State's Coastal Management Program, the village hired Hammer, Siler, George Associates to undertake a market analysis and feasibility study for redevelopment of the western end of Riverside Drive. A hotel with convention facilities was included among other potential redevelopment activities analyzed in the study. With technical support from the St. Lawrence-Eastern Ontario Commission and direct involvement of village officials and the Waterfront Revitalization Advisory Committee, the policies, uses and projects of the LWRP were given due consideration as the study was prepared. The study determined that it would be feasible to develop a 165-unit hotel or motel with restaurant facilities and roughly 10,000 sq.ft. of small retail shops. Current work involves the evaluation of alternative waterfront sites for the development since difficulties arose in assembling sufficient land at the initial study area at the west end of Riverside Drive. This study implements Policies 1, 2B, 4, 4A, 5, 5A, 18, and 24 by encouraging new development or redevelopment of a water-enhanced use to strengthen the small harbor role and improve economic stability.

2) Boardwalk Study. The LWRP identifies two shoreline park projects, streetscape improvements, facade/structural improvements and a riverside boardwalk as parts of a comprehensive revitalization strategy for Riverside

Drive with emphasis on the improvement of public access and recreation. Perhaps the most critical linkage in this system is the boardwalk. Without it, rehabilitation of the riverward facades of commercial shoreline structures is rather untenable. Without it, the substantially heightened levels of tourism-based retail activity probably cannot be attained. Without it, opportunities for public access to the river and its scenic beauty remain limited, being largely foreclosed by structures that reflect earlier times of intense competition for and crowding to the shoreline.

At present, the probable costs of such a boardwalk are unknown. To ascertain its costs, a design/engineering study will be necessary to determine its functional layout (total length, practical width and interface with existing sections), its structural engineering requirements, and its construction costs. Available funding sources and financing mechanisms also need to be studied in order to determine the financial feasibility of the boardwalk. Finally, if the boardwalk is determined to be feasible from the aspect of costs versus financing, its legal aspects, i.e., liability, nature of cross easements, etc. must be examined.

This study is an important LWRP implementation technique since the boardwalk, if proven feasible and developed, would likely enhance all of the other waterfront revitalization projects and programs targeted for the tip of the village peninsula. The LWRP's development policies (1, 1D, 2, 2D, 4, 4A, 5 and 5A) fish and wildlife policy (9), general policy (18), public access and recreation policies (19-22) and scenic resources (24 and 25) will all be implemented to a greater extent if the boardwalk becomes a reality.

3) Lion's Park Study. A study is needed to assess the expected growth in demand for Clayton's public access and recreation facilities in relation to the feasibility of expanding Lion's Park to accommodate such demand. The study would necessarily provide projections for future demand in the village's waterfront by type of facility over five to ten year intervals, determine whether such facilities could be accommodated by expanding the park and, if so, provide a conceptual layout for the expansion with estimated costs, funding sources and an environmental impact assessment.

This study would support the implementation of Policies 1, 1F, 2, 2C, 5, 5A, 9 and 18 by exploring means of increasing public access to the shoreline, expanding the supply of water-dependent or water-enhanced recreation facilities, and improving services and infrastructure in keeping with concentration of development and economic development through tourism.

4) Grantsmanship. The development of local capability for writing and administering grants is a critical implementation technique since the village cannot rely on the local tax base and private investment initiatives alone to carry out its extensive waterfront projects and programs. Local tax revenues are simply too limited. Bonding power can provide part of the needed capital but public sentiment will undoubtedly favor its judicious application to capital improvements involving sewer, water and street improvements over public access and recreation improvements and tourism development in general. Its use for cooperative public/private capital projects would not be

supportable. Although private initiative will be instrumental in the implementation of the LWRP, it has proven inadequate in the past. Grant funds must, therefore, be sought, obtained and used to leverage a greater level of revitalization activity than could be expected with just local capital.

5) Facade/Structural Improvements Program. Closely related to the village's grantsmanship actions will be the design, promotion, and administration of a local program aimed at improving building facades and the structural condition of buildings within the waterfront. With funding assistance, presumably from the federal level, the village will be able to operate this program to leverage needed capital reinvestment by private owners. Through eligibility requirements established in the program or by aggressive promotion or both, the funds would be targeted to deteriorated and underutilized areas of the waterfront.

Implementation of the LWRP must necessarily rely heavily on this technique, especially for revitalization along Riverside Drive and the northern end of James Street. Working in tandem with streetscape improvements and, hopefully, a shoreline boardwalk, the facade/structural improvements program will be able to enhance the image and vitality of the village's most important commercial area. The program would also address other waterfront areas where dilapidated facades and/or structures are of concern such as those along the eastern side of French Creek Bay.

6) Coordination. A significant level of coordination with various federal, State and local government agencies, community organizations and the private sector will be required to carry out the LWRP in an effective manner. Such coordination involves the following:

(a) consultations with agency representatives regarding grants, technical assistance, regulatory and permit considerations and general policies. (Involved agencies and consultation activities are discussed in greater detail in Sections VI and VII, respectively);

(b) soliciting the cooperation and involvement of service-oriented community groups in promotional activities for waterfront revitalization;

(c) generating active participation of waterfront business owners to optimize the alignment of public and private revitalization, development and tourism interests.

The LWRP's emphasis on consultation (Section VII) and public/private cooperation bears out the need for effective coordination. Indeed, few of the LWRP policies could be implemented without it. By stressing coordination as another public implementation action, it is thus recognized as fundamental to the entire implementation process.

7) Creation of a Village Planning Board. The Village Board of Trustees proposes to adopt a resolution creating a five-member planning board pursuant to Article 7, Section 7-718 of New York Village Law. The Planning Board will have general planning and advisement responsibilities allowed under certain sections of the article.

Creation of the board will establish an important means of LWRP implementation. Through its general study and advisement role, the Planning Board will be able to assist the Village Board of Trustees in overall waterfront planning.

8) Project Implementation Activities. The following specific actions will be necessary to undertake and complete projects included in Section IV - Proposed Uses and Projects:

(a) Frink Park Development
- (1) preparation of detailed landscaping and engineering specifications for the balance of the site (Phase II)
- (2) application for 100% or matching grant funds for construction funds and solicitation of donations
- (3) provision of in-kind services through the DPW for project supervision and appropriate construction assistance
- (4) coordination with SLEOC, OPRHP, DEC, Corps of Engineers, the Clayton Improvement Association, the Lion's Club and Frink of America, Inc. in undertaking the activities in (1) through (3) above.

(b) Streetscape Improvements
- (1) preparation of detailed designs and/or specifications for street planter boxes, plant materials, parking layout and lighting
- (2) application and 100% or matching grant funds for the planter boxes, lighting fixtures and sidewalk improvements
- (3) allocation of local general revenues and/or revenue sharing funds for plant materials and restriping
- (4) coordination with SLEOC; NYSDOT; College of Environmental Science and Forestry - School of Landscape Architecture at SUNY, Syracuse; HUD; Niagara Mohawk; Clayton Improvement Association; and property owners along the stretches of Riverside Drive and James Street targeted for the streetscape improvements.

(c) Centennial Park Development
- (1) preparation of detailed grading/landscaping plans and layout/construction specifications of optimum dockage facilities
- (2) application for federal matching funds to construct the docks
- (3) application for DEC/Corps of Engineers permit(s)
- (4) bonding for local funds to match those identified in (2) above
- (5) allocation of local general revenues and/or revenue sharing funds for grading and landscaping work

(6) provision of in-kind services to collect materials for, assemble and install a floating tire breakwater
(7) coordination with SLEOC, OPRHP, DEC, Corps of Engineers, Clayton Improvement Association, local marina operators, adjoining property owners and nearby business establishments.

(d) Facade/Structural Improvements
(1) design of facade/structural improvements program by consultant to ensure optimum private sector participation and maximum leveraging of improvements
(2) application for 100% grant funds to operate the program
(3) promotion and administration of the program once funded
(4) coordination with SLEOC, HUD, DHCR, Clayton Improvement Association, Clayton Chamber of Commerce, and individual property owners
(5) interface with streetscape improvements and, if funded, construction of the boardwalk.

(e) Mary Street Municipal Dock Expansion
(1) preparation of construction specifications for new docks
(2) application for federal matching funds for dock construction
(3) application for DEC/Corps of Engineers permits
(4) bonding for local funds to match those identified in (2) above
(5) provision of in-kind services through the DPW for project support and supervision of construction
(6) coordination with SLEOC, OPRHP, DEC, Corps of Engineers, local marina operators, adjoining property owners and nearby business establishments.

9) Professionally Prepared Parking Study and Plan. The village has a significant seasonal problem of adequate parking availability in certain portions of the village's waterfront area. These parking needs have not been documented and because of the importance of adequate parking for the implementation of the LWRP, the need for a professionally prepared parking study and plan has been identified as a project that should be pursued by the village.

10) Professionally Prepared Harbor Management Plan. The Village is strongly considering pursuit of development of a professionally prepared harbor management plan which will, among other things, provide guidance in managing boat traffic, general harbor uses, optimum location and number of boat support structures such as docks, piers, moorings, and pump-out facilities. The harbor management plan will provide additional opportunity to identify various alternatives for optimum harbor use, while at the same time analyzing probable environmental effects of these alternatives. Creating such a plan subsequent to the development and adoption of the Clayton LWRP will allow the benefit of formally incorporating the policies of the LWRP and help minimize adverse environmental effects of harbor use and harbor waterfront development.

11) Additional Jurisdiction 1500 feet from the Shore into the Water. In conjunction with the preparation of a harbor management plan, the village is strongly considering pursuit of 1500 feet of jurisdiction from the shore into the water for purposes of regulating boat traffic and general harbor uses in and around the waters of Clayton. This increase in jurisdiction will be

pursued under authority of §46(a) of Article 4 of the State Navigation Law. Such authority must be approved by the NYS Bureau of Marine and Recreation Vehicles within the Office of Parks, Recreation and Historic Preservation.

Private Actions. In addition to the public actions identified above, implementation of the LWRP will require several actions from the private sector. These actions consist of supporting development of the boardwalk by conveying easements for public access and reinvesting capital in facade and structural improvements with assistance through the village's facade/structural improvements program.

12) Boardwalk Easements. The proposed boardwalk project would undoubtedly prove to be a significant catalyst for increased tourist activity and thus, increased business activity along Riverside Drive and in the village as a whole. However, the project cannot be undertaken without support from the owners of property that would be spanned by the boardwalk. First, their collective support is needed to indicate a commitment to increasing tourism activity through revitalization. Second, their individual support is needed to provide the necessary public access easements. Without the first, the village's comprehensive approach to the revitalization of Riverside Drive is weakened since the boardwalk provides facade/structural improvements, streetscape improvements and riverside park developments. Without the second, the village cannot expend public dollars since it would not have the necessary legal interest in the property across which the boardwalk would run.

The general support of private property owners and their individual willingness to provide easements for the boardwalk are critical to implementation of the LWRP. Indeed, the boardwalk project epitomizes the need for a public/private partnership in revitalizing the waterfront.

13) Facade/Structural Improvements. Private commitment of capital will be essential for the village's facade/structural improvements program to succeed. Reinvestment by the individual property owners, with assistance through the program, can foster considerable revitalization activity. That activity is the focal point of the LWRP as well as the earlier Village of Clayton Waterfront Image Assessment Study.

Private reinvestment in facade improvements and structural rehabilitation implements several LWRP policies, including those addressing deterioration and underutilization, scenic quality, small harbors and economic interests of the State. Furthermore, its relationship with other waterfront projects indirectly contributes to the implementation of a broad array of coastal policies.

MANAGEMENT STRUCTURE

Lead Agency.

1. Village Board of Trustees.

2. Principal Local Official - (for program management and coordination)--Mayor.

Specific Responsibilities.

1. Mayor - provision of overall program supervision and management, and intergovernmental coordination on program policy.

2. Trustees - execution of categorical responsibilities (through coordination of the Mayor) for aspects such as infrastructure capacity, coordination with volunteer and private organizations, and local government cooperation.

3. Planning Board - provision of advice and assistance to the Village Board and the public in prioritizing program projects and activities; provision of input/feedback to the Village Board on the compatibility of waterfront activities with program policies and objectives - review and approval of site plans for all new development within the waterfront.

4. Zoning Board of Appeals - the hearing and rendering of decisions on variances, special permits and appeals from and review of any order, requirement, decision or determination made by the Building Inspector pertaining to the waterfront.

5. Building Inspector (Enforcing Officer) - determination of the compliance of waterfront land use and development proposals with the zoning law, the issuance of permits therefore and enforcement.

6. Superintendent of Public Works - coordination of operation and maintenance for public waterfront facilities.

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

8. Clayton Housing Authority - development and program coordination for assisted housing within the waterfront.

9. Housing and Community Renewal Administrator - grantsmanship and grant administration for comprehensive project funding, program administration for facade/structural improvements, coordinating with private revitalization initiatives and waterfront project reviews with respect to the LWRP and SEQR on behalf of the Village Board of Trustees, the Planning Board and the Zoning Board of Appeals.

10. Clayton Chamber of Commerce - coordination of merchant and private sector involvement in the LWRP, assistance in soliciting donations for smaller waterfront projects and promotion of public and private interest and support for revitalization activities.

11. Clayton Improvement Association - decision making for design and promotion of the facade/structural improvements program (assuming role as a Rural Preservation Company); coordination of volunteer efforts related to waterfront revitalization and operation of fund drives and events for various waterfront improvement projects.

COMPLIANCE PROCEDURES

In general, the village's procedures for assuring compliance with the coastal policies of its LWRP consist of the administration and enforcement of zoning and other local laws applicable to its waterfront in conjunction with the environmental review procedures required by the State Environmental Quality Review Act (SEQRA). Each proposed action by the village to directly undertake or to permit, fund or otherwise approve a project, use or activity contemplated within its waterfront will be processed as follows:

Initial Review. In keeping with NYCRR Part 617.5, the Building Inspector (or Community Development Coordinator if funding is obtained to support a separate position for the compliance procedures) will review each such project, use or activity in consultation with the applicant and/or the board, department, office, officer or other body of the village that would be involved. This review will identify:

1. all village actions required (permits, funding or approvals) and the board, department, office, officer or other body responsible for such actions;

2. whether such actions are subject to the provisions of SEQRA as Type I or Unlisted Actions;

3. whether such actions might conflict with the LWRP; and

4. any other agencies that may be involved.

Advisement and Assistance. The Building Inspector will advise the applicant and/or the board, department, office, officer or other body regarding the initial review, required forms and further procedures to be followed. In addition, the Building Inspector will provide assistance in the preparation of:

1. village application forms (if applicable);

2. Environmental Assessment Forms (EAF's) for all Type I and Unlisted Actions; and

3. Coastal Assessment Forms for actions subject to SEQR involving permits, funding or approvals from State or federal agencies.

SEQR and LWRP Compliance Review. Upon receipt of completed EAF's (and CAF's, if applicable) and, when appropriate, application forms, the Building Inspector will immediately initiate procedures pertaining to lead agency designation and determination of significance in accordance with NYCRR Parts 617.6 and 617.7. At the same time, any actions determined in the initial review to involve potential conflicts with the LWRP will be referred to the Planning Board for compliance review as follows:

1. The Planning Board will, within thirty (30) days from the date of referral, prepare a written report to the lead agency describing specific conflicts involved, if any, and recommending approval, approval with modification (to mitigate the conflicts) or denial (to avoid the conflicts).

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

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

4. All other boards, departments, offices, officers or other bodies shall include the Planning Board's LWRP compliance review recommendations as well as SEQR determinations in rendering decisions whether taking actions as lead agencies or as involved agencies.

FEDERAL AND STATE CONSISTENCY

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

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

1. advise the Village Board of Trustees as to whether the proposed actions are consistent, inconsistent or of uncertain consistency.

2. refer actions that are or may be inconsistent to the Planning Board for its review and comment.

Consistency Review. Within thirty (30) days of such referrals, the Planning Board will prepare a written report to the Village Board of Trustees describing specific reasons for inconsistency, if any.

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

FINANCIAL RESOURCES

Clayton's rather ambitious program for revitalizing its waterfront requires that the village draw upon the broadest possible array of financial resources for program implementation. Such resources, to be of practical value, must be reasonably available to the village. Therefore, each project included in the program and all other implementation activities were examined to determine the principal funding programs and/or financing mechanism which the village would pursue.

The village will rely largely on local tax revenues for its management structure and implementation activities concerning the development, administration and enforcement of local laws and regulations. Such technical assistance in these matters will be available through the Jefferson County Planning Board, the St. Lawrence-Eastern Ontario Commission and the NYS Department of State. Funding to support a Building Inspector will be pursued through various project and/or program grant sources identified below where administrative costs are allowed.

Projects. Funding sources for the specific waterfront revitalization projects are listed below. In each case a primary* source and several alternative sources are identified. (*The frequency with which an EDA Public Works Grant is cited as the primary source reflects the desirability of funding the park developments and streetscape improvements as an overall economic development package linked with facade/structural improvements funded with a UDAG and private reinvestment).

1) Frink Park Development

Funds Expended

Village (General Revenues)	$10,000.00
Direct ($3,000)	
In-Kind ($7,000)	
SBA (Jobs Bill) - Landscaping Grant	7,000.00
Private Donations	
Land	8,000.00
Other	2,000.00
	$99,000.00

Additional Funds Needed (est.)

$28,700 (see Section IV - Proposed Uses and Projects)

(Primary Source of Funds)

U.S. Economic Development Administration (50% to 100% Public Works Grant for tourism related development)

Alternative Source(s) of Funds

U.S. Department of Interior (50/50 matching Land and Water Conservation Funds administered through the NYS Office of Parks, Recreation & Historic Preservation)

Village (General Revenues)

2) Streetscape Improvements

Funds Expended

(None)

Additional Funds Needed (est.)

$65,000 (see Section IV - Proposed Uses and Projects)

Primary Source of Funds

U.S. Economic Development Administration (100% Public Works Grant)

Alternative Source(s) of Funds

Village (Revenues from Tax Increment Bonding)

U.S. Department of Housing and Urban Development
(100% Community Development Block Grant - Small Cities)

Village (General Revenues)
Merchant Participation

3) Centennial Park Development

Funds Expended

(None)

Additional Funds Needed (est.)

$123,000 (see Section IV - Proposed Uses and Projects)

Primary Source of Funds

U.S. Department of Housing and Urban Development
(100% Community Development Block Grant - Small Cities)

Village (General Revenues)

4) Facade/Structural Improvements

Funds Expended

Private (minimal/undetermined)

Additional Funds Needed (est.)

Facade Improvements	(14 facades @ $2,200)	$30,800
Structural	(8 structures @ $5,500)	44,000
		$74,800

Primary Source of Funds

U.S. Department of Housing and Urban Development
(Urban Development Action Grant - 30% of project costs as low interest loans)

Private (property owner reinvestment of capital)

Alternative Source(s) of Funds

U.S. Department of Housing and Urban Development (Community Development Block Grant - Small Cities for 25% to 50% improvements subsidy)

5) Mary Street Municipal Dock Expansion

Funds Expended

(None)

Additional Funds Needed (est.)

$250,000 (see Section IV - Proposed Uses and Projects)

Primary Source of Funds

U.S. Economic Development Administration (50% to 100% Public Works Grant for tourism-related project)

Alternative Source(s) of Funds

U.S. Department of Interior (50/50 matching Land and Water Conservation Funds administered through the NYS Office of Parks, Recreation & Historic Preservation)

U.S. Department of Housing and Urban Development (100% Community Development Block Grant - Small Cities)

Village (General Revenues)

Studies. In general, funding for engineering design and feasibility studies will be sought by the village as "implementation grants" through the NYS Coastal Management Program. These studies are discussed below as they relate to park developments, streetscape improvements, feasibility of a boardwalk, and construction specifications for municipal dock expansion.

1) Park Development. Detailed landscaping and grading plans are needed for both Frink Park and Centennial Park. Frink Park also warrants an engineering study to determine the appropriate extent and probable costs of shoreline stabilization work to protect the public use there. Collectively, the park development studies would cost in the neighborhood of $5,000 to $7,500.

2) Streetscape Improvements. Detailed plans and specifications are also needed for this project. Specifically, the village will require designs for the planter boxes and specifications for plant materials, street lighting and street furniture. The estimated costs for the preparation of such plans and specifications range between $1,500 to $2,500.

3) Boardwalk Study. In this case, detailed designs and preliminary engineering are first needed to determine the probable costs of constructing a boardwalk along the riverward side of the Riverside Drive commercial structures. An analysis of potential funding sources would necessarily be made. Assuming the boardwalk is determined financially feasible, legal parameters for public access easements (public versus private use and liability) and means to promote private owner cooperation must follow in order to fully assess feasibility.

The first step, the design/engineering study, is estimated to cost approximately $10,000 to $15,000. Another $5,000 would be needed for the legal and promotional aspects.

4) Lion's Park Study. The general projection of demand for public access and recreation facilities will be of value in planning for other areas of the waterfront as well as Lion's Park. Preliminary estimates for the costs of both assessing general demand and determining the feasibility of meeting demand through the expansion of Lion's Park are $7,500 to $10,000, including the conceptual design; acquisition, construction and facilities cost estimates; and environmental assessment.

5) Mary Street Municipal Docks Expansion. Construction specifications will be needed for the actual dock expansion. Such specifications would address depth, bottom composition, anchoring materials/structural strength and resistance to wave and ice damage. This study is estimated to cost approximately $1,000 to $1,500.

Special Management Needs. The village generally has the capability to manage the implementation of its LWRP through existing local officials, boards and personnel. However, an additional staff member will be needed for special management needs. Such needs entail grantsmanship, administration of the facade/structural improvements program and coordination of village revitalization programs and projects with private sector initiatives.

To meet these needs, the Clayton Improvement Association, Ltd. applied for funding through the Division of Housing and Community Renewal to operate as a Rural Preservation Company (RPC) in the Village of Clayton. A grant of $30,000 was approved for the RPC at the end of September 1984. Part of the grant funds will cover the salary and fringe benefits of a Housing and Community Renewal Administrator whose duties will include the grantsmanship, rehabilitation programs administration and coordination activities mentioned above.

TABLE II

SUMMARY OF LWRP POLICY IMPLEMENTATION

IMPLEMENTATION MEASURES	POLICIES IMPLEMENTED
1. Local Laws and Regulations	
a. Zoning Law (private actions)	
(1) Site Plan Approval in Waterfront Overlay District	(all applicable policies)
(2) Steele Point District Reclassification	5, 5B, 7A
b. Flood Damage Law	11, 14 and 17 (flooding only)
c. Public and Private Sewer Law	5, 5B, 7, 7A, 8, 30-34 and 38
d. Docking Law	4, 4A, 19-22
e. LWRP Compliance Law (public actions)	(all applicable policies)
2. Other Local Government Actions	
a. Studies and Plans	
(1) Market Analysis and Feasibility Study	1, 2B, 4, 4A, 5, 5A, 18, 24 and/or 25
(2) Boardwalk Study	1, 1D, 2, 2B, 4, 4A, 5, 5A, 9, 18, 19-22, 24 and/or 25
(3) Lion's Park Study	1, 1F, 2, 2C, 5, 5A, 9 and 18
(4) Parking Study and Plan	1, 1A-1F, 2, 2A-2D, 4, 4A, 5, 5A, 5B, 9, 18A, 19, 19B, 19D, 20, 20A, 20B, 21, 21A, 24, 37
(5) Harbor Management Plan	2, 2A-2D, 4, 4A, 5, 6, 7, 7A, 9, 11, 13A, 13B, 16A, 16B, 18, 18A, 19, 19C, 21, 21A, 22, 22A, 24, 30, 34, 35, 36, 44
b. Program Development and Administration	
(1) Grantsmanship	(all applicable Development, Public Access and Recreation Policies)
(2) Facade/Structural Improvements Program	(all applicable Development Policies)
(3) Coordination	(all applicable policies)
(4) Creation of a Village Planning Board	(all applicable policies)
(5) 1500 feet of Jurisdiction into the Water	2, 2A, 2C, 2D, 4, 6, 7, 7A, 11, 13A, 13B, 14, 17A, 18, 18A, 19, 19C, 20, 21, 24, 25, 25A, 30, 34, 35, 36, 44
c. Project Implementation Activities	
(1) Frink Park Development	2C, 5, 5A, 9, 18, 19, 19A, 21, 21A, 24 and/or 25
(2) Streetscape Improvements	1, 1D, 4, 4A, 18, 19, 23, 25
(3) Centennial Park Development	1, 1D, 2C, 5, 5A, 9, 18, 19, 19A, 21, 21A, 24 and/or 25

(4) Facade/Structure Improvements.....1, 1C, 1D, 4, 4A, 5, 5A, 18, 25

(5) Mary Street Docks Expansion.....2, 2C, 4, 4A, 5, 5A, 9, 18, 19, 19C, 21, 21A

3. Private Actions

a. Boardwalk Easements.....(same as 2.a.(2) above)

b. Facade/Structural Improvements.....(same as 2.c.(4) above)

SECTION VI

FEDERAL AND STATE PROGRAMS

LIKELY TO AFFECT IMPLEMENTATION

SECTION VI - FEDERAL AND STATE PROGRAMS LIKELY TO AFFECT IMPLEMENTATION

State and Federal actions will affect and be affected by implementation of the LWRP. Under State law and the Federal 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 makes the LWRP a unique, intergovernmental mechanism for setting policy and making decisions. While consistency requirements primarily help prevent detrimental actions from occurring and help ensure that future options are not foreclosed needlessly, active participation on the part of State and Federal agencies is also likely to be necessary to implement specific provisions of the LWRP.

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

The second part of this section is a more focused and descriptive list of State and Federal agency actions which are necessary to further implementation of the LWRP. It is recognized that a State or Federal agency's ability to undertake such actions is subject to a variety of factors and considerations; that the consistency provisions refered to above, 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 Sections IV and V, which also discuss State and Federal assistance needed to implement the LWRP.

STATE AND FEDERAL ACTIONS AND PROGRAMS WHICH SHOULD BE UNDERTAKEN IN A MANNER CONSISTENT WITH THE LOCAL PROGRAM

STATE AGENCIES

OFFICE FOR THE AGING

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

DEPARTMENT OF AGRICULTURE AND MARKETS

1.00 Agricultural Districts Program.

2.00 Rural development programs.

3.00 Farm worker services programs.

4.00 Permit and approval programs:

- 4.01 Custom Slaughters/Processor Permit
- 4.02 Processing Plant License
- 4.03 Refrigerated Warehouse and/or Locker Plant License

DIVISION OF ALCOHOLIC BEVERAGE CONTROL/STATE LIQUOR AUTHORITY

1.00 Permit and approval programs:

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

DIVISION OF ALCOHOLISM AND ALCOHOL ABUSE

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

2.00 Permit and approval programs:

2.01 Letter Approval for Certificate of Need
2.02 Operating Certificate (Alcoholism Facility)
2.03 Operating Certificate - Community Residence
2.04 Operating Certificate (Outpatient Facility)
2.05 Operating Certificate (Sobering-Up Station)

COUNCIL ON THE ARTS

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

2.00 Architecture and environmental arts program.

DEPARTMENT OF BANKING

1.00 Permit and approval programs:

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

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

DEPARTMENT OF COMMERCE

1.00 Preparation or revision of statewide or specific plans to address State economic development needs.

2.00 Allocation of the state tax-free bonding reserve.

DEPARTMENT OF CORRECTIONAL SERVICES

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

DORMITORY AUTHORITY OF THE STATE OF NEW YORK

1.00 Financing of higher education and health care facilities.

2.00 Planning and design services assistance program.

EDUCATION DEPARTMENT

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

2.00 Permit and approval programs:

2.01 Certificate of Incorporation (Regents Charter)
2.02 Private Business School Registration
2.03 Private School License
2.04 Registered Manufacturer of Drugs and/or Devices
2.05 Registered Pharmacy Certificate
2.06 Registered Wholesaler of Drugs and/or Devices
2.07 Registered Wholesaler-Repacker of Drugs and/or Devices
2.08 Storekeeper's Certificate

ENERGY PLANNING BOARD AND ENERGY OFFICE

1.00 Preparation and revision of the State Energy Master Plan.

NEW YORK STATE ENERGY RESEARCH AND DEVELOPMENT AUTHORITY

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

DEPARTMENT OF ENVIRONMENTAL CONSERVATION

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

2.00 Classification of Waters Program; classification of land areas under the Clean Air Act.

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

4.00 Financial assistance/grant programs:

- 4.01 Capital projects for limiting air pollution
- 4.02 Cleanup of toxic waste dumps
- 4.03 Flood control, beach erosion and other water resource projects
- 4.04 Operating aid to municipal wastewater treatment facilities
- 4.05 Resource recovery and solid waste management capital projects
- 4.06 Wastewater treatment facilities

5.00 Funding assistance for issuance of permits and other regulatory activities (New York City only).

6.00 Implementation of the Environmental Quality Bond Act of 1972, including:

(a) Water Quality Improvement Projects
(b) Land Preservation and Improvement Projects including Wetland Preservation and Restoration Projects, Unique Area Preservation Projects, Metropolitan Parks Projects, Open Space Preservation Projects and Waterways Projects.

7.00 Marine Finfish and Shellfish Programs.

8.00 New York Harbor Drift Removal Project.

9.00 Permit and approval programs:

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

Lands and Forest

9.21 Certificate of Environmental Safety (Liquid Natural Gas and Liquid Petroleum Gas)
9.22 Floating Object Permit
9.23 Marine Regatta Permit
9.24 Mining Permit
9.25 Navigation Aid Permit
9.26 Permit to Plug and Abandon (a non-commercial oil, gas or solution mining well)
9.27 Permit to Use Chemicals for the Control or Elimination of Aquatic Insects
9.28 Permit to Use Chemicals for the Control or Elimination of Aquatic Vegetation

9.29 Permit to Use Chemicals for the Control or Extermination of Undesirable Fish
9.30 Underground Storage Permit (Gas)
9.31 Well Drilling Permit (Oil, Gas, and Solution Salt Mining)

Marine Resources

9.32 Digger's Permit (Shellfish)
9.33 License of Menhaden Fishing Vessel
9.34 License for Non-Resident Food Fishing Vessel
9.35 Non-Resident Lobster Permit
9.36 Marine Hatchery and/or Off-Bottom Culture Shellfish Permits
9.37 Permits to Take Blue-Claw Crabs
9.38 Permit to Use Pond or Trap Net
9.39 Resident Commercial Lobster Permit
9.40 Shellfish Bed Permit
9.41 Shellfish Shipper's Permits
9.42 Special Permit to Take Surf Clams from Waters Other Than the Atlantic Ocean

Regulatory Affairs

9.43 Approval - Drainage Improvement District
9.44 Approval - Water (Diversions for) Power
9.45 Approval of Well System and Permit to Operate
9.46 Permit - Article 15, (Protection of Water) - Dam
9.47 Permit - Article 15, (Protection of Water) - Dock, Pier or Wharf
9.48 Permit - Article 15, (Protection of Water) - Dredge or Deposit Material in a Waterway
9.49 Permit - Article 15, (Protection of Water) - Stream Bed or Bank Disturbances
9.50 Permit - Article 15, Title 15 (Water Supply)
9.51 Permit - Article 24, (Freshwater Wetlands)
9.52 Permit - Article 25, (Tidal Wetlands)
9.53 River Improvement District approvals
9.54 River Regulatory District approvals
9.55 Well Drilling Certificate of Registration

Solid Wastes

9.56 Permit to Construct and/or Operate a Solid Waste Management Facility
9.57 Septic Tank Cleaner and Industrial Waste Collector Permit

Water Resources

9.58 Approval of Plans for Wastewater Disposal Systems
9.59 Certificate of Approval of Realty Subdivision Plans
9.60 Certificate of Compliance (Industrial Wastewater Treatment Facility)

9.61 Letters of Certification for Major Onshore Petroleum Facility Oil Spill Prevention and Control Plan
9.62 Permit - Article 36, (Construction in Flood Hazard Areas)
9.63 Permit for State Agency Activities for Development in Coastal Erosion Hazards Areas
9.64 Permit Granted (for Use of State Maintained Flood Control Land)
9.65 State Pollutant Discharge Elimination System (SPDES) Permit
9.66 401 Water Quality Certification

10.00 Preparation and revision of Air Pollution State Implementation Plan.

11.00 Preparation and revision of Continuous Executive Program Plan.

12.00 Preparation and revision of Statewide Environmental Plan.

13.00 Protection of Natural and Man-made Beauty Program.

14.00 Urban Fisheries Program.

15.00 Urban Forestry Program.

16.00 Urban Wildlife Program.

ENVIRONMENTAL FACILITIES CORPORATION

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

FACILITIES DEVELOPMENT CORPORATION

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

OFFICE OF GENERAL SERVICES

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

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

3.00 Facilities construction, rehabilitation, expansion, or demolition.

DEPARTMENT OF HEALTH

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

2.00 Permit and approval programs:

- 2.01 Approval of Completed Works for Public Water Supply Improvements
- 2.02 Approval of Plans for Public Water Supply Improvements.
- 2.03 Certificate of Need (Health Related Facility - except Hospitals)
- 2.04 Certificate of Need (Hospitals)
- 2.05 Operating Certificate (Diagnostic and Treatment Center)
- 2.06 Operating Certificate (Health Related Facility)
- 2.07 Operating Certificate (Hospice)
- 2.08 Operating Certificate (Hospital)
- 2.09 Operating Certificate (Nursing Home)
- 2.10 Permit to Operate a Children's Overnight or Day Camp
- 2.11 Permit to Operate a Migrant Labor Camp
- 2.12 Permit to Operate as a Retail Frozen Dessert Manufacturer
- 2.13 Permit to Operate a Service Food Establishment
- 2.14 Permit to Operate a Temporary Residence/Mass Gathering
- 2.15 Permit to Operate or Maintain a Swimming Pool or Public Bathing Beach
- 2.16 Permit to Operate Sanitary Facilities for Realty Subdivisions
- 2.17 Shared Health Facility Registration Certificate

DIVISION OF HOUSING AND COMMUNITY RENEWAL and its subsidiaries and affiliates

1.00 Facilities construction, rehabilitation, expansion, or demolition.

2.00 Financial assistance/grant programs:

- 2.01 Federal Housing Assistance Payments Programs (Section 8 Programs)
- 2.02 Housing Development Fund Programs
- 2.03 Neighborhood Preservation Companies Program
- 2.04 Public Housing Programs
- 2.05 Rural Initiatives Grant Program
- 2.06 Rural Preservation Companies Program
- 2.07 Rural Rental Assistance Program
- 2.08 Special Needs Demonstration Projects
- 2.09 Urban Initiatives Grant Program
- 2.10 Urban Renewal Programs

3.00 Preparation and implementation of plans to address housing and community renewal needs.

HOUSING FINANCE AGENCY

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

JOB DEVELOPMENT AUTHORITY

1.00 Financing assistance programs for commercial and industrial facilities.

MEDICAL CARE FACILITIES FINANCING AGENCY

1.00 Financing of medical care facilities.

OFFICE OF MENTAL HEALTH

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

2.00 Permit and approval programs:

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

OFFICE OF MENTAL RETARDATION AND DEVELOPMENT DISABILITIES

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

2.00 Permit and approval programs:

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

DIVISION OF MILITARY AND NAVAL AFFAIRS

1.00 Preparation and implementation of the State Disaster Preparedness Plan.

NATURAL HERITAGE TRUST

1.00 Funding program for natural heritage institutions.

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

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

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

3.00 Funding program for recreational boating, safety and enforcement.

4.00 Funding program for State and local historic preservation projects.

5.00 Land and Water Conservation Fund programs.

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

7.00 Permit and approval programs:

7.01 Floating Objects Permit
7.02 Marine Regatta Permit
7.03 Navigation Aide Permit
7.04 Posting of Signs Outside State Parks

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

9.00 Recreation services programs.

10.00 Urban Cultural Parks Program.

POWER AUTHORITY OF THE STATE OF NEW YORK

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

2.00 Facilities construction, rehabilitation, expansion, or demolition.

NEW YORK STATE SCIENCE AND TECHNOLOGY FOUNDATION

1.00 Corporation for Innovation Development Program.

2.00 Center for Advanced Technology Program.

DEPARTMENT OF SOCIAL SERVICES

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

2.00 Homeless Housing and Assistance Program.

3.00 Permit and approval programs:

3.01 Certificate of Incorporation (Adult Residential Care Facilities)
3.02 Operating Certificate (Children's Services)
3.03 Operating Certificate (Enriched Housing Program)
3.04 Operating Certificate (Home for Adults)
3.05 Operating Certificate (Proprietary Home)
3.06 Operating Certificate (Public Home)
3.07 Operating Certificate (Special Care Home)
3.08 Permit to Operate a Day Care Center

DEPARTMENT OF STATE

1.00 Appalachian Regional Development Program.

2.00 Coastal Management Program.

3.00 Community Services Block Grant Program.

4.00 Permit and approval programs:

4.01 Billiard Room License
4.02 Cemetery Operator
4.03 Uniform Fire Prevention and Building Code

STATE UNIVERSITY CONSTRUCTION FUND

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

STATE UNIVERSITY OF NEW YORK

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

2.00 Facilities construction, rehabilitation, expansion, or demolition.

DIVISION OF SUBSTANCE ABUSE SERVICES

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

2.00 Permit and approval programs:

2.01 Certificate of Approval (Substances Abuse Services Program)

DEPARTMENT OF TRANSPORTATION

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

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

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

3.00 Financial assistance/grant programs:

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

4.00 Permits and approval programs:

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

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

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

URBAN DEVELOPMENT CORPORATION and its subsidiaries and affiliates

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

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

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

DIVISION OF YOUTH

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

DIRECT FEDERAL ACTIVITIES AND DEVELOPMENT PROJECTS

DEPARTMENT OF COMMERCE

National Marine Fisheries Services

1.00 Fisheries Management Plans

DEPARTMENT OF DEFENSE

Army Corps of Engineers

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

2.00 Land acquisition for spoil disposal or other purposes.

3.00 Selection of open water disposal sites.

Army, Navy and Air Force

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

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

6.00 Establishment of impact, compatability or restricted use zones.

DEPARTMENT OF ENERGY

1.00 Prohibition orders.

GENERAL SERVICES ADMINISTRATION

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

2.00 Disposition of Federal surplus lands and structures.

DEPARTMENT OF INTERIOR

Fish and Wildlife Service

1.00 Management of National Wildlife refuges and proposed acquisitions.

National Park Service

2.00 National Park and Seashore management and proposed acquisitions.

DEPARTMENT OF TRANSPORTATION

Amtrak, Conrail

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

Coast Guard

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

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

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

Federal Aviation Administration

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

Federal Highway Administration

6.00 Highway construction.

St. Lawrence Seaway Development Corporation

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

FEDERAL LICENSES AND PERMITS

DEPARTMENT OF DEFENSE

Army Corps of Engineers

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

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

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

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

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

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

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

DEPARTMENT OF ENERGY

Economic Regulatory Commission

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

2.00 Exemptions from prohibition orders.

Federal Energy Regulatory Commission

3.00 Licenses for non-Federal hydroelectric projects and primary transmission lines under Sections 3(11), 4(e) and 15 of the Federal Power Act (16 U.S.C. 796(11), 797(11) and 808).

4.00 Orders for interconnection of electric transmission facilities under Section 202(b) of the Federal Power Act (15 U.S.C. 824a(b)).

5.00 Certificates for the construction and operation of interstate natural gas pipeline facilities, including both pipelines and terminal facilities under Section 7(c) of the Natural Gas Act (15 U.S.C. 717f(c)).

6.00 Permission and approval for the abandonment of natural gas pipeline facilities under Section 7(b) of the Natural Gas Act (15 U.S.C. 717f(b)).

ENVIRONMENTAL PROTECTION AGENCY

1.00 NPDES permits and other permits for Federal installations, discharges in contiguous zones and ocean waters, sludge runoff and aquaculture permits pursuant to Section 401, 402, 403, 405, and 318 of the Federal Water Pollution Control Act of 1972 (33 U.S.C. 1341, 1342, 1343, and 1328).

2.00 Permits pursuant to the Resources Recovery and Conservation Act of 1976.

3.00 Permits pursuant to the underground injection control program under Section 1424 of the Safe Water Drinking Water Act (42 U.S.C. 300h-c).

4.00 Permits pursuant to the Clean Air Act of 1976 (42 U.S.C. 1857).

DEPARTMENT OF INTERIOR

Fish and Wildlife Services

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

Mineral Management Service

2.00 Permits to drill, rights of use and easements for construction and maintenance of pipelines, gathering and flow lines and associated structures pursuant to 43 U.S.C. 1334, exploration and development plans, and any other permits or authorizations granted for activities described in detail in OCS exploration, development, and production plans.

3.00 Permits required for pipelines crossing federal lands, including OCS lands, and associated activities pursuant to the OCS Lands Act (43 U.S.C. 1334) and 43 U.S.C. 931 (c) and 20 U.S.C. 185.

INTERSTATE COMMERCE COMMISSION

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

NUCLEAR REGULATORY COMMISSION

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

DEPARTMENT OF TRANSPORTATION

Coast Guard

1.00 Construction or modification of bridges, causeways or pipelines over navigable waters pursuant to 49 U.S.C. 1455.

2.00 Permits for Deepwater Ports pursuant to the Deepwater Ports Act of 1974 (33 U.S.C. 1501).

Federal Aviation Administration

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

FEDERAL ASSISTANCE*

DEPARTMENT OF AGRICULTURE

10.068 Rural Clean Water Program
10.409 Irrigation, Drainage, and Other Soil and Water Conservation Loans

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

DEPARTMENT OF COMMERCE

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

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

14.112	Mortgage Insurance - Construction or Substantial Rehabilitation of Condominium Projects
14.115	Mortgage Insurance - Development of Sales Type Cooperative Projects
14.117	Mortgage Insurance - Homes
14.124	Mortgage Insurance - Investor Sponsored Cooperative Housing
14.125	Mortgage Insurance - Land Development and New Communities

14.126	Mortgage Insurance - Management Type Cooperative Projects
14.127	Mortgage Insurance - Mobile Home Parks
14.218	Community Development Block Grants/Entitlement Grants
14.219	Community Development Block Grants/Small Cities Program
14.221	Urban Development Action Grants
14.223	Indian Community Development Block Grant Program

DEPARTMENT OF INTERIOR

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

DEPARTMENT OF TRANSPORTATION

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

GENERAL SERVICES ADMINISTRATION

39.002	Disposal of Federal Surplus Real Property

COMMUNITY SERVICES ADMINISTRAITON

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

SMALL BUSINESS ADMINISTRATION

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

ENVIRONMENTAL PROTECTION AGENCY

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

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

STATE AND FEDERAL ACTIONS AND PROGRAMS NECESSARY TO FURTHER THE LWRP

STATE AGENCIES

DEPARTMENT OF COMMERCE

1. Any action or provision of funds for the development or promotion of tourism related activities or development.
2. Any action involving the Seaway Trail.

DEPARTMENT OF ENVIRONMENTAL CONSERVATION

1. Planning, development, construction, major renovation, or expansion of facilities in the waterfront, including recreational improvement projects.
2. Advance assistance under the Small Communities and Rural Wastewater Treatment Grant Program and a subsequent construction grant subsidy.
3. Review of actions within 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.

JOB DEVELOPMENT AUTHORITY

1. Provision of low interest mortgage loans to local nonprofit development corporations to finance commercial and industrial facilities.

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. Provision 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 within the National Register Districts.
5. Provision of funding for State and local historic preservation activities.
6. Review of Type I actions within the National Historic Districts.
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.

ST.LAWRENCE-EASTERN LAKE ONTARIO COMMISSION

1. Review of waterfront projects.
2. Provision of funds and/or technical assistance for the implementation of the LWRP.
3. Administration of funds and/or technical assistance which encourages the preservation, enhancement and development of natural and man-made coastal resources in the area of Henderson Bay and Black River Bay.

COUNCIL ON THE ARTS

1. Assistance from the Architecture and Environmental Arts program for a harborfront plan.

BLACK RIVER-ST. LAWRENCE REGIONAL PLANNING BOARD

1. Coordination of review with village and Department of State projects within the waterfront area.

DEPARTMENT OF TRANSPORTATION

1. Assistance for street repairs through the Consolidated Highway Improvements Program.

FEDERAL AGENCIES

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Office of the Assistant Secretary for Community Planning and Development

1. Funding under the Urban Development Action Grant Program for core area and Madison Barracks projects.
2. Funding under the Community Development Block Grant Program for improvements in the waterfront.

DEPARTMENT OF DEFENSE

Corps of Engineers, Buffalo District

1. Review of any proposed action within a National Register District pursuant to NEPA.

Corps of Engineers, Huntsville Division

1. Determination of eligibility (and any related activity) of Madison Barracks for assistance under the Environmental Restoration Defense Fund.

DEPARTMENT OF THE INTERIOR

National Park Service

1. Provision of funding unde the Land and Water Conservatio Fund program.
2. Review of federal actions within the National Register Distrcits pursuant to NEPA.

DEPARTMENT OF THE TREASURY

Internal Revenue Service

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 Developoment Act for street improvements.

DEPARTMENT OF TRANSPORTATION

United States Coast Guard

1. Maintenance/rehabilitation of facilities.

SECTION VII

CONSULTATION WITH OTHER AFFECTED FEDERAL, STATE, REGIONAL AND LOCAL AGENCIES

SECTION VII - CONSULTATION WITH OTHER AFFECTED FEDERAL, STATE, REGIONAL AND LOCAL AGENCIES

Numerous government agencies and local organizations have been consulted prior to or during the preparation of Clayton's Local Waterfront Revitalization Program. This section describes the village's consultation efforts and identifies those agencies and organizations consulted.

Local initiatives in waterfront revitalization were taken by the village over a year prior to commencing work on its LWRP. As pointed out in preceding sections, a "Village of Clayton Waterfront Image Assessment Study" was undertaken to consider alternatives for the revitalization of Riverside involvement in the State's Waterfront Revitalization Program. Since this study examined problems and opportunities related to public access and recreation activities, land and water uses, revitalization concepts and tourism development, consultation measures during its preparation were fully applicable to the LWRP.

Consultation during the actual preparation of the draft LWRP involved correspondence, telephone contacts and/or meetings with representatives of those agencies and organizations most likely to affect or be affected by the local program. Such representatives were, on occasion, invited to Village Board meetings and sessions with the Local Waterfront Revitalization Advisory Committee to discuss specific components of the program. The committee and program staff also maintained an information exchange with involved groups, neighboring communities and general citizenry on elements of the local program.

The following is a list of the specific government agencies and other organizations consulted either before or during the preparation of the draft LWRP or both.

Federal Agencies

Department of Commerce
- Office of Coastal Resource Management

Department of Defense
- Corps of Engineers

Department of Housing and Urban Development

Department of Transportation
- U.S. Coast Guard

Small Business Administration

State Agencies

Department of Environmental Conservation

Department of Health

Department of State

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

Regional Agencies

Black River-St. Lawrence Regional Planning and Development Board

Local Agencies

Jefferson County Planning Board
Town of Clayton
Town of Cape Vincent
Town of Orleans
Town of Alexandria
Village of Dexter
Village of Cape Vincent
Village of Alexandria Bay

Other Organizations

Clayton Housing Authority
Clayton Improvement Association
Clayton Chamber of Commerce
Clayton Lion's Club
Local Waterfront Revitalization Advisory Committee

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

Review comments on the draft LWRP and DEIS received at public hearings and/or in writing were analyzed by the Village Board, Local Waterfront Revitalization Advisory Committee and program staff. The comments received and resulting changes made in the draft LWRP document are detailed in the Final EIS for the LWRP, which is kept on file for public inspection at the village office.

SECTION VIII

LOCAL COMMITMENT

SECTION VIII - LOCAL COMMITMENT

Because a Local Waterfront Revitalization Program represents a partnership effort, a firm local commitment to the proposed program is expected before State action is taken on the submission. This section details the local commitment to Clayton's program.

To insure that the needs and desires of the community were reflected in the local program, the Mayor of Clayton appointed a Local Waterfront Revitalization Advisory Committee representing public and private interests and general citizenry. This committee, with assistance from program staff, held a series of meetings to contribute to and review sections of the program as they were drafted. Government agencies and private groups were invited to these meetings. Recommendations of the committee on completed sections were transmitted to the Village Board for considerations by the Mayor and Trustees.

In this manner, significant contributions of time, interest and expertise were drawn from Clayton's businessmen and residents into the preparation of the Local Waterfront Revitalization Program. Citizen input improved the data base, verified program information, evaluated various alternatives and expressed the values and concerns of the community.

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

The village has recognized the need to continue public and private involvement in and commitment to implementation of the LWRP. It has thus proposed the creation of a Planning Board and a Community Development Coordinator position. These entities will have specific duties, powers and responsibilities in furthering waterfront policies, projects and other program activities (see Section V).

APPENDIX A

MAMMALS OF JEFFERSON, LEWIS AND ST. LAWRENCE COUNTIES

ORDER MARSUPIALIA

Family Didelphidae

Didelphis marsupialis	Opossum

ORDER INSECTIVORA

Family Talpidae

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

Family Soricidae

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

ORDER CHIROPTERA

Family Vespertilionidae

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

ORDER LAGOMORPHA

Family Leporidae

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

ORDER RODENTIA

Family Sciurdae

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

Family Castoridae

Castor canadensis	Beaver

Family Cricetidae

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

Family Muridae (Introduced)

Rattus rattus	Black rat
Rattus norvegicus	Brown or Norway rat
Mus musculus	House mouse

Family Zapodidae

Zapus hudsonius	Meadow jumping mouse
Napaeozapus insignis	Woodland jumping mouse

Family Erethizontidae

Erethizon dorsatum	Porcupine

ORDER CARNIVORA
Suborder Fissipedia

Family Canidae

Canis latrans	Coyote
Vulpes fulva	Red fox
Urocyon cinereoargenteus	Gray fox

Family Ursidae

Ursus americanus	Black bear

Family Procyonidae

Procyon lotor	Raccoon

Family Mustelidae

Martes americana	Marten - Central Adirondacks - possible in extreme eastern portion of Region
Martes pennanti	Fisher - Central Adirondacks, Peripheral Adirondacks, Tug Hill.
Mustela erminea	Short-tailed weasel
Mustela frenata	Long-tailed weasel
Mustela vison	Mink - Statewide
Lutra canadensis	River Otter
Mephitis mephitis	Striped skunk

Family Felidae

Lynx rufus	Bobcat - Adirondacks, Catskills and occasional Statewide

ORDER ARTIODACTYLA

Family Cervidae

Odocoileus virginiana	White-tailed deer
Alces alces	Moose- occasional wanderings (1980,1981)

Amphibians of New York State

Lewis, Jefferson, St. Lawrence Co.

Mudpuppy	Necturns maculosus maculosus
Jefferson's Salamander	Ambystoma jeffersonuanum
Spotted salamander	Ambystoma maculatum
Red-spotted newt	Diemictylus viridescens viridescens
Dusky salamander	Desmognathus fuscus fuscus
Allegheny mountain salamander	Desmognathus ochrophaeus ochrophaeus
Red-backed salamander	Plethodon cinereus cinereus
Four toed salamander	Hemidactylium acutatum
Spring salamander	Gyrinophilus porphyriticus porphyriticus
Two-lined salamander	Eurycea bislineata bislineata
American toad	Bufo terrestris americanus
Northern spring pepper	Hyla crucifer crucifer
Gray tree frog	Hyla versicolor versicolor
Western chorus frog	Pseudacris nigrita triseriata
Bullfrog	Rana catesbeiana
Green frog	Rana clamitans
Mink frog	Rana septentrionalis
Wood frog	Rana sylvatica sylvatica
Northern leopard frog	Rana pipiens pipiens
Pickerel frog	Rana palustris

Reptiles of New York State

Lewis, Jefferson & St. Lawrence Co.

Non-marine turtles

Snapping turtle	Chelydra serpentina serpentina
Stinkpot or common musk turtle	Sternotherus odoratus
Wood turtle	Clemmys insculpta
Blanding's turtle	Emydoidea blandingii
Map turtle	Graptemys geographica
Midland painted turtle	Chrysemys picta marginata

Snakes

Northern water snake	Natrix sipedon sipedon
Northern brown or DeKay's snake	Storeria dekayi dekayi
Red-bellied snake	Storeria occipitomaculata occipitomaculata
Eastern ribbon snake	Thamnophis sauritus sauritus
Eastern garter snake	Thamnophis sirtalis sirtalis
Eastern ring-necked snake	Diaophis punctatus edwardsi
Smooth green snake	Opheodrys vernalis vernalis
Black rat or pilot black snake	Elaphe obsoleta obsoleta
Eastern milk snake	Lampropeltis triangulum triangulum

PRELIMINARY REPORT:
BIOLOGICAL CHARACTERISTICS OF THE ST. LAWRENCE RIVER

February 1977

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

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

Published by
State University College of Environmental Science and Forestry
Institute of Environmental Program Affairs
Syracuse, New York 13210

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

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

Table 1. Continued.

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

Table 1. Continued.

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

Table 1. Continued.

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

Table 1. Continued.

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

Table 1. Continued.

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

Table 1. Continued.

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

Sparrow, Tree
Sparrow, Chipping
Sparrow, Field
Sparrow, White-crnd
Sparrow, White-thrtd
Sparrow, Fox

Sparrow, Lincoln's
Sparrow, Swamp
Sparrow, Song
Longspur, Lapland
Bunting, Snow

NOTE: All reports of unusual sightings (thosed marked with *), species not on checklist, or species seen out of season must be submitted with details such as numbers, date, location, observers, field marks. Field marks used in identification (plumage, action, song, flight, etc.) should be noted at time of observation.)

CASUAL OR HYPOTHETICAL:

White-tailed Tropic-bird (Specimen)
Little Blue Heron
Snowy Egret
Glossy Ibis
White-fronted Goose
European Wigeon
Barrow's Goldeneye (Specimen)
Common Eider
King Eider
Golden Eagle (Specimen)
Gyrfalcon (Specimen)
Spruce Grouse (Specimen)
Bobwhite
Yellow Rail
Piping Plover
Long-billed Curlew (Specimen)
Willet
Long-billed Dowitcher
Hudsonian Godwit
Ruff
American Avocet
Parasitic Jaeger
Little Gull
Black-legged Kittiwake
Forster's Tern
Thick-billed Murre (Specimen)

Barn Owl
Great Gray Owl
Boreal Owl (Specimen)
Red-bellied Woodpecker
Western Kingbird
Willow Flycatcher
Raven (Specimen)
Tufted Titmouse
Carolina Wren
Sage Thrasher (Photo)
Varied Thrush (Specimen)
Worm-eating Warbler
Blue-winged Warbler
Louisiana Waterthrush
Yellow-breasted Chat
Hooded Warbler
Western Meadowlark
Orchard Oriole
Black-headed Grosbeak(Photo)
Blue Grosbeak
Hoary Redpoll
Clay-colored Sparrow

(Feb. 1975)

NORTH COUNTRY BIRD CLUB
Watertown, New York
REGIONAL CHECKLIST OF BIRDS
Jefferson, Lewis, St. Lawrence Counties

Observer _____ Date _____

Locality _____ Total _____

Loon, Common
Loon, Red-thrtd*
Grebe, Red-necked*
Grebe, Horned
Grebe, Pied-billed
Cormorant, Dbl-cr
Heron, Great Blue
Heron, Green
Egret, Cattle
Egret, Great*
Heron, Black-cr N.
Bittern, Least*
Bittern, American
Swan, Mute*
Swan, Whistling*
Goose, Canada
Brant*
Goose, Snow
Mallard
Duck, Black
Gadwall
Pintail
Teal, Green-winged
Teal, Blue-winged
Wigeon, American
Shoveler, Northern
Duck, Wood
Redhead
Duck, Ring-necked
Canvasback
Scaup, Greater
Scaup, Lesser

Goldeneye, Common
Bufflehead
Oldsquaw
Scoter, White-winged
Scoter, Surf
Scoter, Black
Duck, Ruddy*
Merganser, Hooded
Merganser, Common
Merganser, Red-brstd
Vulture, Turkey
Goshawk, Northern
Hawk, Sharp-shinned
Hawk, Cooper's
Hawk, Red-tailed
Hawk, Red-shouldered
Hawk, Broad-winged
Hawk, Rough-legged
Eagle, Bald*
Hawk, Marsh
Osprey
Falcon, Peregrine*
Merlin*
Kestrel, American
Grouse, Ruffed
Pheasant, Ring-necked
Partridge, Gray
Turkey
Rail, Virginia
Sora
Gallinule, Common
Coot, American

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

Owl, Screech
Owl, Great Horned
Owl, Snowy
Owl, Hawk*
Owl, Barred
Owl, Long-eared*
Owl, Short-eared
Owl, Saw-whet*
Whip-poor-will
Nighthawk, Common
Swift, Chimney
Hummingbird, Ruby-thrtd
Kingfisher, Belted
Flicker, Common
Woodpecker, Pileated
Woodpecker, Red-headed
Sapsucker, Yellow-bld
Woodpecker, Hairy
Woodpecker, Downy
Woodpecker, Bl-bkd 3t*
Woodpecker, No. 3t*
Kingbird, Eastern
Flycatcher, Gr. Crstd
Phoebe, Eastern
Flycatcher, Yellow-bld*
Flycatcher, Alder
Flycatcher, Least
Pewee, Eastern Wood
Flycatcher, Olive-sd
Lark, Horned
Swallow, Tree
Swallow, Bank
Swallow, Rough-winged
Swallow, Barn
Swallow, Cliff
Martin, Purple
Jay, Gray*
Jay, Blue
Crow, Common
Chickadee, Bl-capped
Chickadee, Boreal*
Nuthatch, White-brstd

Nuthatch, Red-brstd
Creeper, Brown
Wren, House
Wren, Winter
Wren, Long-billed Marsh
Wren, Sht-billed Marsh*
Mockingbird*
Catbird, Gray
Thrasher, Brown
Robin, American
Thrush, Wood
Thrush, Hermit
Thrush, Swainson's
Thrush, Gray-cheeked
Veery
Bluebird, Eastern
Gnatcatcher, Bl-gray*
Kinglet, Golden-crnd
Kinglet, Ruby-crnd
Pipit, Water
Waxwing, Bohemian*
Waxwing, Cedar
Shrike, Northern
Shrike, Loggerhead
Starling
Vireo, Yellow-thrtd
Vireo, Solitary
Vireo, Red-eyed
Vireo, Philadelphia*
Vireo, Warbling
Warbler, Bl-white
Warbler, Golden-wngd
Warbler, Tennessee
Warbler, Orange-crnd*
Warbler, Nashville
Warbler, No Parula
Warbler, Yellow
Warbler, Magnolia
Warbler, Cape May
Warbler, Bl-thrtd Blue
Warbler, Yellow-rumped
Warbler, Bl-thrtd Green

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

APPENDIX B

APPENDIX B

CLAYTON BAY* MUSKELLUNGE SPAWNING AND NURSERY AREA

Fish collections in Clayton Bay*(Figure 1) have established that the area is utilized by muskellunge as a spawning and nursery area. Between May 21 and June 27, 1984, four sexuallymature muskellunge were collected in the area with trapnets. Examination of the fish indicated they were close to spawning. Subsequently, the movements of three of the four were monitored using radio telemetry techniques. The fish stayed in the Bay for one to two weeks and are assumed to have spawned.

This conclusion is supported by the collection of fingerling muskellunge in the same area during the summers of 1981 and 1984. During July 1981, two fingerlings were collected and during August 1982, seven were collected. More intensive sampling during 1983 and 1984 resulted in the collection of 27 in 1983 and 24 in 1984. The fingerlings collected ranged in size 18 mm in July to over 100 mm by September 1. Since fingerlings in the 20 to 30 mm size range are poor swimmers, it provides additional evidence that they were spawned and hatched in the area.

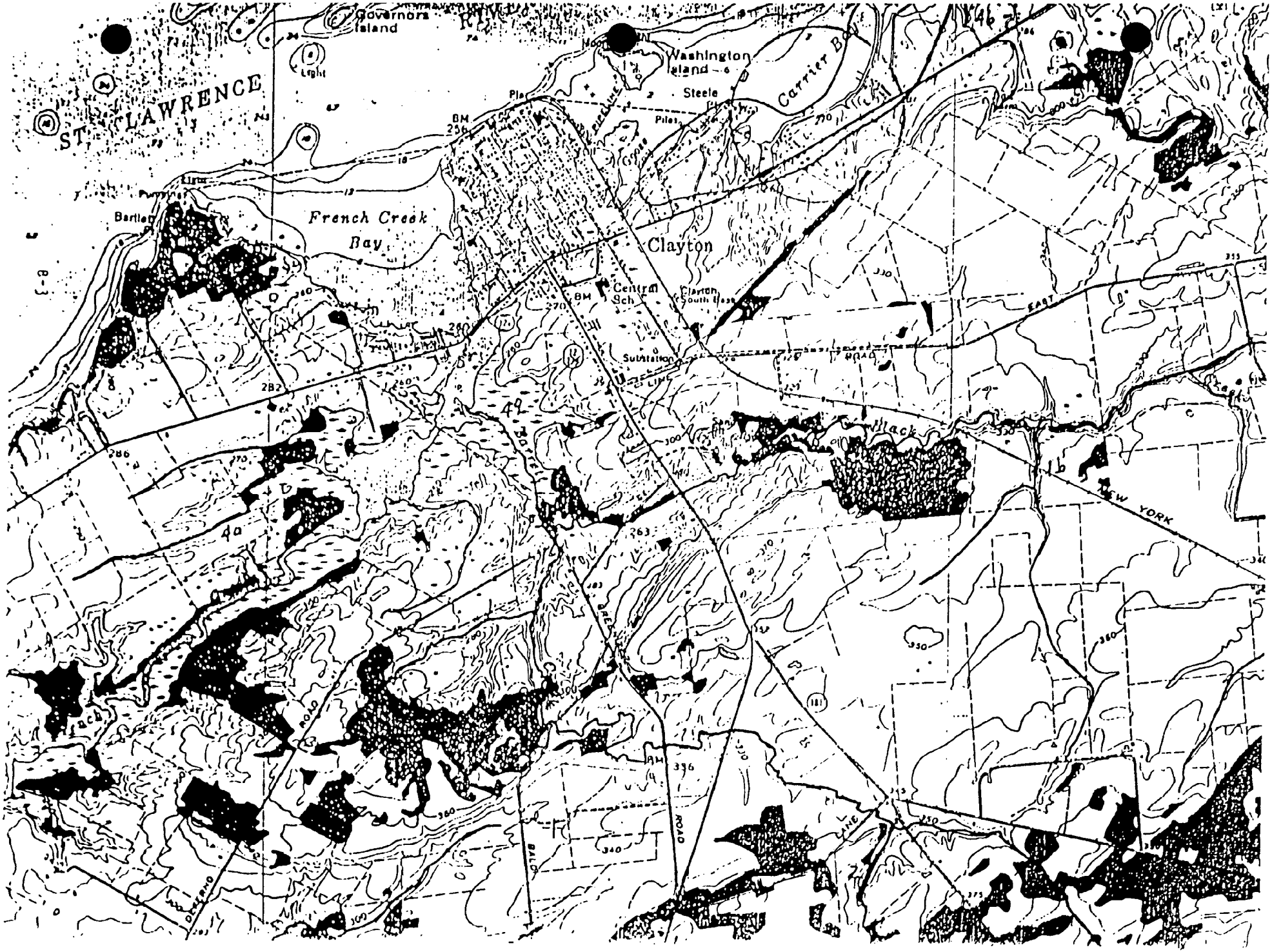
Since Clayton Bay* and Flynn Bay are the only confirmed muskellunge spawning areas in the U.S. waters of the St. Lawrence River, I believe the area should be designated as a Significant Habitat.

Al Schiavone

Albert Schiavone
Senior Aquatic Biologist
Region 6

AS:jes
September 25, 1984

*Carrier Bay


Governors Island
Washington Island
Steele
Carrier Bay
ST. LAWRENCE
Light
Bartlett
French Creek Bay
Clayton
Central Sch
Clayton South Base
Substation
Black
NEW YORK
EAST
ROAD
BALD
DEFERNO
LANE
BM 256
BM 270
BM 336
282
286
263
330
350
360
340

Report to: Eric Fried, Wildlife Resources Cent...

APPENDIX B
SIGNIFICANT HABITAT REPORT

* * *

Name of area: CARRIER BAY

Location of area:

a) Distance and direction from known location (e.g., "one-half mile northwest of Centertown"): One mile northeast of Clayton

b) County and town: Jefferson, Clayton

NOTE: If possible, attach map (e.g., USGS 7½' topographic quad) showing location of area

Approximate size, if known: Approx. 5 acres

Reason for considering significant: Spawning and rearing area for Muskellunge

5. Other information about area (e.g., vegetation, water chemistry, soils, ownership, vulnerability, recommended action), if known: Extremely vulnerable to development due to close proximity to Clayton.

6. More information on this area is available from the following source(s):

Date of Report: September 26, 1975

Submitted by: John J. Hasse

Affiliation: DEC Bureau of Fish - Region 6 Watertown

-Use reverse side for continuations, if needed-
-If available, enclose other material on this area -

APPENDIX C

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.

A. Explanation of Policy

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

A determination of public need for energy is the first step in the process for siting any new facilities. The directives for determining this need are contained primarily in Article 5 of the New York State Energy Law. That Article requires the preparation of a State Energy Master Plan. With respect to transmission lines and steam electric generating facilities, Articles VII and VIII of the State's Public Service Law require additional forecasts and establish the basis for determining the compatibility of these facilities with the environment and the necessity for a shorefront location. The policies derived from the siting regulations under these Articles are entirely consistent with the general coastal zone policies derived from other laws, particularly the regulations promulgated pursuant to the Waterfront Revitalization and Coastal Resources Act. That Act is used for the purposes of ensuring consistency with the Coastal Management Program.

The Department of State will comment on the State Energy Master Plan; present testimony for the record during relevant certification proceedings under Articles VII and VIII of the PSL; and use the State SEQR and DOS regulations to ensure that decisions on other proposed energy facilities (other than transmission facilities and steam electric generating plants) which would impact the coastal area are made consistent with coastal policies.

B. State Means for Implementing the Policy

1. Energy Law (Article 5)

Under this law an Energy Planning Board was established. As required, the Board prepared and adopted the first State Energy Master Plan which is currently in effect. The Board is now considering an updated plan. See Section 7 of this document for a more detailed discussion of this plan.

2. Public Service Law (Article VIII) - Siting of Major Steam Electric Generating Facilities

Before preparation of a site or the construction of a major steam electric generating facility can commence, a Certificate of Environmental Compatibility and Public Need must be issued by the New York State Board on Electric Generation Siting and the Environment. This process is described in detail in Section 7. In granting this certificate, the Board must determine that the facility:

- Represents the minimum adverse environmental impact, considering the state of available technology; the nature and economics of the various alternatives; and the interests of the state with respect to aesthetics, preservation of historic sites, forests and parks, fish and wildlife, and viable agricultural lands;

- Complies with applicable State laws concerning, among other matters, the environment and public health and safety;

- Serves the public interest, convenience and necessity.

The regulations which implement Article VIII and govern the Board's decision (see Appendix A, #7) assure that this decision will be compatible with the policies articulated in this document, both those relating to environmental protection and to economic development.

To further ensure compatibility, the Department of State will review applications and may present testimony during proceedings

involving facilities proposed to be sited in coastal areas. When reviewing applications, the Department will examine the required description of reasonable alternate locations as well as the rationale for the preferred site, particularly with respect to potential land uses on or near the proposed site, and the justification for the amount of shorefront land to be used. Proposed uses which are likely to be regarded by the Department as requiring a shorefront location include:

- Uses involved in sea/land transfer of goods (docks, pipelines, short term storage facilities);
- Uses requiring large quantities of water (hydroelectric power plants, pumped storage power plants); and,
- Uses that rely heavily on waterborne transportation of raw materials or products which are difficult to transport on land.

3. Public Service Law (Article VII) - Siting of Major Utility Transmission Facilities

Prior to the construction of a major electric or fuel gas transmission facility, a Certificate of Environmental Compatibility and Public Need must be granted by the Public Service Commission. See Section 7 of this document for a detailed description of this process. In issuing a certificate, the Commission must determine that the facility:

- Represents the minimum adverse environmental impact, considering the state of available technology and the nature and economics of the various alternatives;
- Conforms with applicable State laws;
- Serves the public interest, convenience and necessity.

As with steam electric generating plants, the Department of State will review applications and may present testimony during proceedings involving transmission facilities proposed to be sited in the coastal area. The Department will examine the same matters as under Article VIII. It will also use the same

criteria to determine the need for a shorefront location and the consistency of the proposal with coastal policies.

Interstate transmission facilities, such as gas and petroleum pipelines, coal slurry pipelines and electric transmission lines associated with hydroelectric facilities, are regulated by Federal agencies. Through Federal consistency provisions, such facilities will be sited in a manner that is consistent with the Program's policies.

4. Environmental Conservation Law (Article 23, Title 17) - Liquefied Natural and Petroleum Gas

All liquefied natural gas (LNG) and liquefied petroleum gas (LPG) facilities, must obtain an environmental safety permit before construction and operation. For a permit to be granted, it must be shown that such facilities would not endanger residential areas and contiguous populations and would otherwise conform to siting criteria established by the Department of Environmental Conservation. During the review of proposed projects, consideration is given to: the location of the proposed facility; the design and capacity of the facility; expected sources of the gas; methods of transporting gas to and from the facility and transportation routes; the public need for the facility; its environmental impacts; and, descriptions of reasonable alternate locations for the facility.

5. Waterfront Revitalization and Coastal Resources Act, Executive Law (Article 42)

Section 919 of Article 42 requires 1) that State agencies' actions, including direct energy development activities such as those undertaken by the Power Authority of the State of New York, must be consistent with the environmental protection and development policies of this act. This provision of law is implemented by amendments to SEQR (below) and by DOS regulations. DOS regulations (19 NYCRR Part 600) provide that, for their direct actions which do not have a significant effect on the environment, State agencies certify that the action is consistent with the coastal policies, 2) that the Secretary of State shall review actions

of State agencies that may affect achievement of the policy, and 3) that SEQR regulations be amended to reflect consideration of coastal resources.

Section 2 of the Act requires that State agencies analyze their programs' consistency with coastal policies and that the Secretary of State recommend any needed modifications to the Governor and the Legislature.

6. State Environmental Quality Review Act, Environmental Conservation Law (Article 8)

Under the State Environmental Quality Review Act, State agencies and local governments are required to prepare an environmental impact statement for any action that might have a significant impact upon the environment. This requirement applies to large scale energy facilities other than transmission lines and steam electric generating plants as described above. The environment is broadly defined to include existing patterns of development and land resources. Actions which have been subject to an environmental impact statement must, consistent with social, economic, and other essential considerations, minimize or avoid, to the maximum extent practicable, the adverse environmental effects revealed in the impact statement (ECL §8-0109-8). In addition, pursuant to Article 42 of the Executive Law, SEQR regulations are amended to require that for actions by a State agency for which an EIS has been prepared, such actions shall be consistent with the coastal policies.

7. Water Resources Law, Environmental Conservation Law (Article 15)

Proposals, including those to construct all pipelines, which would excavate or deposit fill in any navigable waters and adjacent marshes and estuaries of the State require permits issued by the Department of Environmental Conservation.

8. Tidal Wetlands Act, Environmental Conservation Law (Article 25)

The Tidal Wetlands Act requires that a permit be issued for uses, including oil piplines, in identified tidal wetlands. It must be demonstrated that proposed facilities will

not adversely affect water quality, flood and storm control, marine food production, wildlife habitats, open space, and aesthetically significant areas.

9. Freshwater Wetlands Act, Environmental Conservation Law (Article 24)

The Freshwater Wetlands Act requires that a permit be issued for uses, including oil pipelines, in identified freshwater wetlands. It must be demonstrated that proposed facilities will not adversely affect water quality, flood and storm control, erosion control, subsurface water resources, wildlife habitats, freshwater fish sanctuaries, open space, and aesthetically significant areas.

10. Oil Spill Prevention, Control and Compensation, Navigation Law (Article 12, Section 170 et. seq.)

This Article provides for the protection of the State's environment and economy by preventing unregulated discharge of petroleum from major facilities; by authorizing the Departments of Environmental Conservation and Transportation to respond quickly to remove any discharges; and by establishing liability for any damages sustained within the State as a result of such discharges.

The Article also creates a fund for clean-up, restoration and compensation for damages caused by oil spills. Before a license to construct a major oil facility can be issued by the Department of Transportation, an applicant must pay the required fee to help maintain the fund and must show that the necessary equipment to prevent, contain and remove petroleum discharges will be provided. The Department will issue licenses for major onshore facilities only after the Department of Environmental Conservation has certified that the applicant has the necessary equipment to control oil discharges.

11. State Pollutant Discharge Elimination System, Environmental Conservation Law (Article 27)

This Article requires permits for construction of new outlets or new disposal systems to discharge industrial and other wastes into State waters, including wastes from nuclear power plants, other steam electric generating

plants, and petroleum facilities. This permit procedure ensures that established water quality standards are met.

12. Air Pollution Control, Environmental Conservation Law (Article 19, Title 3)

This Article gives the Department of Environmental Conservation the authority to promulgate and enforce regulations controlling air emissions, including those released by energy facilities. These regulations appear in the State Implementation Plan which details State strategies for meeting Federal air quality standards under the Clean Air Act.

POLICY 28 Ice management practices shall not interfere with the production of hydroelectric power, damage significant fish and wildlife and their habitats, or increase shoreline erosion or flooding.

A. Explanation of Policy

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 will be 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.

B. State Means for Implementing the Policy

1. Waterfront Revitalization and Coastal Resources Act, Executive Law (Article 42)

Section 919 of Article 42 requires (1) that State agencies' actions, including funding, planning, land transactions, as well as direct development activities, must be consistent with the policies of this Act, which, among others, call for preventing the loss of fish and wildlife resources, minimizing damage to natural resources and property from flooding and erosion, and achieving the beneficial use of coastal resources. Those provisions of law are implemented by amendments to SEQR and by the Department of State regulations. In addition, the Department of State regulations (19 NYCRR Part 600) provide that, for their direct actions which do not have a significant effect on the environment, State agencies certify that the action is consistent with the coastal policies, one of which is: "Ice management practices shall not interfere with the production of hydro-electric power, damage significant fish and wildlife and their habitats, nor increase shoreline erosion or flooding." (2) that the Secretary of State shall review actions of State agencies that may affect achievement of the policy, and (3) that SEQR regulations be amended to reflect consideration of this policy.

2. State Environmental Quality Review Act, Environmental Conservation Law (Article 8)

   Pursuant to Article 42 of the Executive Law, SEQR regulations are amended to require that actions by a State agency for which an EIS has been prepared, such actions shall be consistent with the coastal policies, one of which is: "Ice management practices shall not interfere with the production of hydro-electric power, damage significant fish and wildlife and their habitats, nor increase shoreline erosion or flooding."

3. Energy Law (Article 5)

   See description under Policy 27.

4. Tidal Wetlands Act, Environmental Conservation Law (Article 25)

   See description under Policy 27.

5. Freshwater Wetlands Act, Environmental Conservation Law (Article 24)

   See description under Policy 27.

6. Oil Spill Prevention, Control and Compensation, Navigation Law (Article 12, §170 et. seq.)

   See description under Policy 27.

7. Coastal Erosion Hazard Areas Act, Environmental Conservation Law (Article 34)

   See description under Policy 27.

POLICY 29 Encourage the development of energy resources on the Outer Continental Shelf, in Lake Erie and in other water bodies, and ensure the environmental safety of such activities.

A. Explanation of Policy

The State recognizes the need to develop new indigenous energy sources. It also recognizes that such development may endanger the environment. Among the various energy sources being examined are those which may be found on the Outer Continental Shelf (OCS) or in Lake Erie. The State has been encouraging the wise development of both.

Matters pertaining to the OCS are the responsibility of the Department of Environmental Conservation. In 1977, the Department, in cooperation with regional and local agencies, completed a study which identified potential sites along the marine coast for on-shore OCS facilities. To date, these sites have not been developed for this purpose. The Department, also, actively participates in the OCS planning process by reviewing and voicing the State's concerns about federal OCS oil and gas lease sales and plans. In its review of these proposed sales and plans, the Department considers a number of factors such as the effects upon navigational safety in the established traffic lanes leading into and from New York Harbor; the impacts upon important finfish, shellfish and wildlife populations and their spawning areas; economic and other effects upon commercial and recreational fishing activities; impacts upon public recreational resources and opportunities along the marine coast; the potential for geohazards; impacts upon biological communities; and water quality.

The Department of Environmental Conservation has also examined the potential impacts of Lake Erie gas drilling and is instituting reasonable guidelines so that activities can proceed without damage to public water supplies and other valuable coastal resources. State law prohibits development of wells nearer than one-half mile from the shoreline, two miles from public water supply intakes, and one thousand feet from any other structure or installation in or on Lake Erie. Further, State law prohibits production of liquid hydrocarbons in Lake Erie, either alone or in association with natural gas. The Department has not, however, reached a decision as to whether or not the lands under Lake Erie will be leased for gas exploration purposes.

B. State Means for Implementing the Policy

1. Environmental Conservation Law (Section 23-1101)

The Department of Environmental Conservation may lease the lands beneath Lake Erie according to specific siting, operation, and liability requirements. Thus the State's environmental agency will retain control over the process and ensure appropriate environmental safeguards. The production of liquid hydrocarbons is, however, prohibited by this Article.

2. Environmental Conservation Law (Section 23-0305)

This law provides that the Department of Environmental Conservation will retain jurisdiction over any active or abandoned wells and wellheads and may limit production. The Department may act to terminate hazardous discharges which threaten natural resources. Under this law, producers and handlers must maintain accurate records of quantities of gas handled.

3. Siting of Major Utility Transmission Facilities, Public Service Law (Article VII)

This law establishes procedures to be followed by developers of natural gas in the construction of any gathering pipelines from wellheads and any master collecting pipelines in accordance with the environmental considerations of this Article as discussed under the previous policy.

4. Public Service Law (Article 4, Section 66)

Under this law, the Public Service Commission regulates the safe construction and operation of natural gas pipelines from the wellhead to any onshore connection.

5. Waterfront Revitalization and Coastal Resources Act, Executive Law (Article 42)

See description under Policy 27.

6. State Environmental Quality Review Act, Environmental Conservation Law (Section 8-0113)

See description under Policy 27.

7. Water Resources Law, Environmental Conservation Law (Article 15)

   See description under Policy 27.

8. Freshwater Wetlands Act, Environmental Conservation Act (Article 24)

   See description under Policy 27.

9. Freshwater Wetlands Act, Environmental Conservation Act (Article 24)

   See description under Policy 27.

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.

A. Explanation of Policy

The definitions of terms "solid wastes" and "solid wastes management facilities" are taken from New York's Solid Waste Management Act (Environmental Conservation Law, Article 27). Solid wastes include sludges 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)) 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 which improperly treated, stored, transported or otherwise managed." A list of hazardous wastes (NYCRR Part 366) will be adopted by DEC within 6 months after EPA formally adopts its list.

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

B. State Means for Implementing the Policy

1. Solid Waste Management Act, Environmental Conservation Law (Article 27)

2. Registration of Septic Tank Cleaners, Environmental Conservation Law (Article 27, Title 3)

3. Industrial Hazardous Waste Management Act of 1978, Environmental Conservation Law (Article 17, Title 9)

4. Freshwater and Tidal Wetlands Acts, Environmental Conservation Law (Articles 24 and 25)

5. Protection of Waters Law, Environmental Conservation Law (Article 15, Title 5)

6. Coastal Erosion Hazard Areas, Environmental Conservation Law (Article 34)

7. Waterfront Revitalization and Coastal Resources Act, Executive Law (Article 42)

POLICY 40 Effluent discharged from major steam electric generating and industrial facilities into coastal waters will not be unduly injurious to fish and wildlife and shall conform to State water quality standards.

A. Explanation of Policy

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.

B. State Means for Implementing the Policy

1. Siting of Major Steam Electric Generation Facilities, Public Service Law (Article VIII)

2. Thermal Discharge Regulation, Environmental Conservation Law (Article 17, Title 3, 6 NYCRR, Part 704)

POLICY 41 Land use or development in the coastal area will not cause National or State air quality standards to be violated.

A. Explanation of Policy

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 coastal 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 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.

B. State Means for Implementing the Policy

1. Air Pollution Control Act, Environmental Conservation Law (Article 19), Environmental Quality Bond Act, Environmental Conservation Law (Article 15, Title 5) and Hazardous Substance Act, Environmental Conservation Law (Article 37).

POLICY 42 Coastal Management policies will be considered if the State reclassifies land areas pursuant to the prevention of significant deterioration regulations of the Federal Clean Air Act.

A. Explanation of Policy

The policies of the State and local coastal management programs 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 State and local coastal management programs.

B. State Means for Implementing the Policy

1. Air Pollution Control Act, Environmental Conservation Law (Article 19)

This law provides the Department of Environmental Conservation with the authority to designate areas of the State based upon degree of pollution that may be permitted. It allows the Department to consider that what may be proper for a residential area, for example, may not be proper for a highly developed industrial area.

2. Waterfront Revitalization and Coastal Resources Act, Executive Law (Article 42)

Section 919 of Article 42 requires 1) that State agencies actions, including funding, planning, and land transactions, as well as direct development activities, must be consistent with the policies of this act, 2) that the Secretary of State shall review actions of State agencies that may affect achievement of the policy, and 3) that SEQR regulations be amended to reflect consideration and impacts on the use and conservation of coastal resources.

Section 2 of the Act requires that State agencies analyze their programs' consistency with coastal policies and that the Secretary of State recommend any needed modifications to the Governor and the Legislature.

POLICY 43 Land use or development in the coastal area must not cause the generation of significant amounts of the acid rain precursors: nitrates and sulfates.

A. Explanation of Policy

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.

B. State Means for Implementing the Policy

1. Air Pollution Control Act, Environmental Conservation Law (Article 19).

2. Waterfront Revitalization and Coastal Resources Act, Executive Law (Article 42).

   Section 919 of Article 42 requires 1) that State agencies actions, including funding, planning, and land transactions, as well as direct development activities, must be consistent with the policies of this act, 2) that the Secretary of State shall review actions of State agencies that may affect achievement of the policy, and 3) that SEQR regulations be amended to reflect consideration of impacts on the use and conservation of coastal resources.

   Section 2 of the Act requires that State agencies analyze their programs' consistency with coastal policies and that the Secretary of State recommend any needed modifications to the Governor and the Legislature.

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