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COASTAL ZONE PLANNING ELEMENTS: GOALS AND BOUNDARIES

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NASSAU-SUFFOLK REGIONAL PLANNING BOARD

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FEB 1 1978

Final Report
New York State Department of State
Agreement # D88681

DR. LEE E. KOPPELMAN, Executive Director

New York Coastal Zone Program Management

31 JANUARY 1976

11563

COASTAL ZONE PLANNING ELEMENTS: GOALS AND BOUNDARIES

Final Report
Submitted to the State of New York
Department of State
Pursuant to Agreement No. D88681

31 January 1976

FEB 1 1978

Nassau-Suffolk Regional Planning Board

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New York Coastal Zone Program
HT393.N7 C63 1976
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January 30, 1976

Mr. Henry G. Williams
Director of State Planning
State of New York
Department of State
162 Washington Avenue
Albany, New York 12231

RE: Final Report, Coastal Zone Program

Dear Mr. Williams:

We are pleased to submit 8 copies of the final report, Coastal Zone Planning Elements: Goals and Boundaries, required under Agreement #D88681. This report discusses the following four coastal zone management activities undertaken by the Nassau-Suffolk Regional Planning Board in accordance with the above mentioned agreement: Goals and Objectives, Public Participation, Intergovernmental Process and Coastal Zone Boundaries.

We look forward to continuing our joint coastal zone management studies with assistance from your office in 1976.

Sincerely,

Lee E. Koppelman

Lee E. Koppelman
Executive Director

LEK:fp

Acknowledgements

The Nassau-Suffolk Regional Planning Board wishes to thank the members of the Citizen Participation Committee who have contributed time and effort in this project. The Board also wishes to acknowledge the cooperation and assistance of New York State Dept. of Environmental Conservation - Region I personnel in the preparation of maps showing the Long Island coastal zone.

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I. Goals and Objectives

According to Agreement #D88681, dated 3 March 1975, the Nassau-Suffolk Regional Planning Board (Board) was requested to assist and work in concert with the Office of Planning Services in the establishment of goals and objectives leading to strategies for the management of Long Island's coastal area.

As the following pages indicate, the Board has chosen to interpret goals and objectives in the broad sense suggested by the initial paragraph of Exhibit A of the Agreement, "General Description". The major effort has been directed toward the development of goals and objectives related to land use. The management and use of estuaries and other coastal waters have also been considered in view of the inseparability of the terrestrial and marine environments of Long Island.

The goals and objectives recommended by the Citizens Participation Committee (CPC) address six major problems found in coastal areas that have undergone or are undergoing development.

These are:

1. Destruction of the shoreline caused by uncontrolled development and natural processes.
2. Deterioration of marine, fresh surface and groundwater quality caused by:
    a. Disposal of inadequately treated wastewater.
    b. Ocean disposal of treatment plant sludges.
    c. Disposal of sanitary wastes from vessels.
    d. Leaching of materials from solid waste disposal sites.
    e. Lack of properly designed stormwater systems.

3. Diminishing quantities of fresh surface and groundwater caused by:
   a. Lack of stormwater recharge systems.
   b. Disposal of wastewater into marine water bodies.
4. Loss of natural landforms, vegetation, natural resources of high biologic productivity and important habitats due to development.
5. Aesthetic degradation, diminution of recreational opportunities and loss of areas of historic and cultural significance.
6. Lack of coordinated management programs and authorities for coastal zone management.

The identification of Coastal Zone Management (CZM) goals and objectives began with a staff review of the goals and objectives contained in the Nassau-Suffolk Regional Comprehensive Development Plan, the guidelines of the Regional Marine Resources Council (MRC) and the goals and objectives formulated in the Long Island Sound Study. A preliminary list of nine goals and 20 objectives was submitted to the MRC for comment, and was also distributed to the CPC at the 13 May 1975 organization meeting.

CPC devoted its 10 June 1975 meeting to the discussion, clarification and initial revision of the goals and objectives. The staff acted as resource persons for the citizens, whose comments were reflected in the revised document distributed with the minutes of the meeting.

Further changes were proposed at the 1 July 1975 meeting. Suggested changes were generally intended to strengthen the preservationist posture of the goals and objectives statement and dealt with such matters as pro-

hibition of the reconstruction of environmentally unacceptable groins should these be damaged or destroyed, the greater protection of historic sites, and the control of growth in accordance with the carrying capacity of Long Island's water supply.

The goals and objectives were again discussed at the 5 August 1975 meeting. More revisions, most of them submitted by the Suffolk County Council on Environmental Quality were considered and accepted. The first really controversial issue surfaced in respect to Goal V, Objective B. 4, which read, "Encourage municipalities to open underutilized parks and beaches to all during weekdays in accordance with optimum recreational capacity of resources." A second issue was raised by the marine contractors who felt that paragraphs one through five of Goal I, Objective B, failed to reflect their views adequately. Dr. Koppelman requested one of the contractors, Mr. Parthe, to join with other interested persons in developing a new version of paragraphs one through five for presentation at the next meeting.

Messrs. Parthe and Sanko submitted their suggested revisions to the CPC at the 2 September, 1975 meeting. The CPC expressed reservations concerning the new material and requested the Board/staff to attempt to integrate the old and the new versions of Goal I, Objective B. One other revision and one addition were accepted.

On 7 October 1975 further revisions were proposed, discussed, and in some cases, accepted. Those that were accepted by the CPC were incorporated in the draft subsequently submitted to the MRC.

The MRC devoted the greater part of its 17 November 1975 meeting to a detailed scrutiny of the much revised list of goals and objectives. After lengthy discussion, council members suggested approximately 20 or more revisions, additions and a possible deletion.

The CPC took up final consideration of the Goals and Objectives at its 18 November 1975 meeting.

It was evident that the formulation of a single set of goals and objectives agreeable to all of the diverse interests in the coastal zone could not be accomplished. Therefore, it was determined that the CPC would attempt to achieve consensus wherever possible but would submit both majority and minority views to New York State concerning those goals and objectives that remained a subject of controversy.*

An unedited version of the goals and objectives for coastal zone management as developed by the CPC may be found in Appendix B under Attachment A to the minutes of the 18 November 1975 CPC meeting. The document represents the majority view except where otherwise indicated. The Board offered to forward to New York State any additional comments submitted by interested persons or organizations. However, with the exception of the Nassau County Planning Commission letter (Appendix C) no correspondence was received.

The statement of goals and objectives that appears on pages 5 to 9 is essentially a staff translation of the CPC document. The Board has attempted, wherever possible, to clarify and simplify the language and format to insure greater public understanding of coastal zone management issues. An attempt has been made in Appendix D to define terms in the goals and objectives that were unfamiliar or unclear to members of the CPC.

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* See attachment "A" to the minutes of the 18 November 1975 CPC meeting.

Goals and Objectives for Nassau-Suffolk Coastal Area Management

GOAL I MINIMIZE SHORELINE* DESTRUCTION.

Obj. A Control future development to minimize damage to such critical areas as flood plains, dunes, bluffs, and fresh and marine wetlands.

1. Use flood plain zoning, land use management concepts and other regulatory tools to control development in the Intermediate Regional Tidal Flood Plain.

2. Regulate construction on primary dunes and on the seaward side of secondary dunes (including intervening swales) to prevent destruction of natural vegetation.

3. Regulate development on shoreline bluffs through the adoption of bluff hazard zoning and other land management controls to prevent excessive erosion and property damage.

4. Control development affecting fresh and marine wetlands as inventoried pursuant to the N.Y.S. Fresh and Tidal Wetlands Acts.

5. Encourage the establishment of conservation and recreation uses in any shoreline areas where development is substantially destroyed by storms.

Obj. B Establish erosion prevention policies that are compatible with coastal processes.

1. Encourage the use of non-structural methods as a primary means of stabilizing dunes, nourishing beaches and building wetlands.

2. Regulate dredging of sand for beach nourishment from the outer winter bar and from areas shoreward of the outer winter bar.

3. Encourage development of the required technology for the economical transfer of sand from deep water to the shore.

4. Prohibit the construction of groins and other shore protection devices unless it can be demonstrated that such structures will not adversely affect adjacent properties.

5. Encourage the establishment of sand bypassing systems where interruption of littoral transport is contributing to the erosion of adjacent areas.

6. Establish control methods along stream corridors to prevent excessive erosion and sedimentation.

7. Regulate off-road vehicles in the shoreline area, and eliminate their use in natural areas where it can be shown that they are responsible for environmental degradation.

* Terms underlined are defined in glossary (Appendix D).

GOAL II PRESERVE AND PROTECT WATER RESOURCES.

Obj. A Manage and direct growth in Nassau and Suffolk Counties.

Obj. B Dispose of wastewater without appreciably diminishing the quality and quantity of groundwaters and fresh surface waters, and the quality of marine waters.

1. Encourage continuation of research on wastewater treatment and disposal.

2. Require adequate treatment for all sewage plant effluents discharged to either ocean, sound, estuarine or other confined waters, in order to maintain acceptable marine water quality.

3. Phase out ocean disposal of properly treated wastewater when water supplies can be successfully augmented by recharging to groundwater.

4. Design storm water systems to meet acceptable water quality standards so as to reduce contaminants entering fresh and saline environments.

5. Design storm water systems that will allow replenishment of groundwater aquifers with water of acceptable quality.

6. If feasible, upgrade discharge standards for all fresh and saline waters of excellent quality which are appropriate for fishing and recreation.

7. Enforce the law with respect to holding tanks or other acceptable devices on vessels for sanitary wastes, and require adequate onshore facilities for the treatment and disposal of such wastes.

8. Phase out ocean disposal of treatment plant sludges.

GOAL III MAXIMIZE THE PUBLIC BENEFIT WHILE MINIMIZING THE ENVIRONMENTAL DAMAGE FROM THE DEVELOPMENT OF THE COASTAL AREA.

Obj. A Minimize alteration of natural landforms and native vegetation.

Obj. B Maintain living natural resources of high biologic productivity and importance through preservation, protection and establishment of suitable habitats.

1. Undertake research/management programs to determine appropriate harvest quotas to maintain maximum sustained yields of shellfish and finfish.

2. Consider the net effects on hard clam resources and other marine life when determining the acceptability of: a. upgrading the treatment process of those sewage plants which presently discharge their effluents into shellfish producing waters, b. expanding existing sewage treatment plants or constructing new sewage treatment plants which discharge effluents into shellfish producing waters; c. con-

structing sewage outfall pipes which traverse shellfish beds; and d. dredging of shellfish beds.

3. Encourage New York State, pertinent local governments and private agencies to acquire at the earliest practical date a fee simple or lesser property interest in as much of the remaining privately held wetlands as possible, with a view toward preserving them in perpetuity. Grant tax and other incentives to individual wetland owners who assure preservation and enhancement of their properties.

4. Strengthen local capability in conjunction with the United States Coast Guard for the rapid containment and clean up of oil spills.

5. Encourage the design and implementation of more efficient methods and equipment for the transport and transfer of oil and other hazardous materials.

6. Endorse national regulation and management of migrating species.

7. Encourage and develop alternatives to the use of chemical and broad-spectrum pesticides in agriculture and for vector control.

8. Fund research on the effects of mosquito control on both salt marshes and estuaries and their natural resources, including immediate and cumulative effects of insecticides and evaluation of the effects of ditch systems. Support integrated approach to mosquito control with emphasis on biological controls.

Obj. C Encourage research to increase knowledge base necessary for understanding the environmental effects of development.

Obj. D Identify, preserve and protect distinct geologic and geomorphic features.

Obj. E Identify, preserve and protect areas of scenic beauty.

Obj. F Identify, preserve and protect important wildlife populations (fauna and flora) and their habitats, with special emphasis on rare and endangered species.

Obj. G Use available administrative and technological tools to insure the orderly economic and social development of the coastal zone.

GOAL IV IDENTIFY, PRESERVE, PROTECT AND RESTORE AREAS OF HISTORIC AND CULTURAL SIGNIFICANCE.

Obj. A Designate historical and cultural districts and historical highway and trailway corridors.

Obj. B Solicit awards of technical and financial assistance required for classifying, categorizing, and documenting areas and structures according to the guidelines established by the State of New York Historic Resources Survey Manual.

Obj. C Stimulate public and quasi-public acquisition of historical and cultural

structures and areas, and encourage private protection of such areas.

Obj. D Develop a procedure to compensate property owners who are adversely affected by efforts to preserve significant archeological resources.

GOAL V PROMOTE PUBLIC ENJOYMENT OF THE AMENITIES OF COASTAL AREAS IN A MANNER THAT INSURES PRESERVATION OF THE ENVIRONMENT.

Obj. A Promote visual and physical access to the coastal area.

1. Delineate areas for visual access through regulation and easement acquisition for maximum visual enjoyment of the shoreline and coastal waters.

2. Designate areas where the location of vehicle parking facilities should be encouraged or discouraged.

3. Identify underutilized recreational facilities where access can be improved through improved mass transportation.

4. Require utilities to provide public access to the water for suitable recreational purposes at shoreline power generation sites.

5. Increase access for fishermen to fishing grounds.

Obj. B Encourage a diversity of public recreational opportunities in coastal areas.

1. Where feasible, increase the use of existing public properties and facilities.

2. Identify additional lands to be acquired in fee simple or lesser property interest for both active and passive recreation.

3. Establish criteria for the optimal use of recreational facilities in order to prevent the degradation of recreational areas through overutilization.

4. Encourage municipalities to open underutilized parks and beaches to all during week days in accordance with optimum recreational capacity of resources.*

GOAL VI PROVIDE FOR COMPATIBLE, WATER DEPENDENT AND WATER ENHANCED USES IN COASTAL AREAS.

Obj. A Identify those activities which are water dependent and/or water enhanced.

Obj. B Amend zoning ordinances to encourage only compatible water dependent and water enhanced uses in coastal areas.

Obj. C Direct non-water dependent and non-water enhanced growth inland.

*See Attachment "A" to the minutes of 16 November 1975 CPC meeting

GOAL VII PRESERVE, PROTECT AND DEVELOP REGIONAL INFRASTRUCTURE SITES WHICH MUST BE LOCATED IN COASTAL AREAS.

Obj. A Anticipate the future needs for regional infrastructure sites, review siting criteria for locating infrastructure, and identify sites which are appropriate for the needs.

Obj. B Establish a land bank for the preservation of potential regional infrastructure sites.

Obj. C Determine which infrastructure related dredging projects are essential and in the best interests of the public. Design and implement such projects, including the selection of appropriate spoil disposal sites, in a manner which is not environmentally counter-productive.

Obj. D Satisfy demand for electric power on Long Island in environmentally acceptable ways including possible use of wind power, solar power and tidal power.

Obj. E Consolidate port facilities for the receipt of petroleum in order to reduce vessel trips, oil spillage, dredging, highway congestion, and shorefront land consumption.

GOAL VIII RESTORE AND ENHANCE, WHEREVER POSSIBLE, DEGRADED COASTAL AREA RESOURCES.

Obj. A Improve degraded wetlands and estuarine areas, and create new wetlands.

Obj. B Require the planting of suitable vegetation in spoil or other disturbed areas for stabilization and restoration of marsh habitats.

Obj. C Rehabilitate coastal areas that have been mined for sand and gravel.

Obj. D Upgrade urban waterfronts.

GOAL IX DEVELOP LEGAL AND ADMINISTRATIVE MECHANISMS NECESSARY FOR IMPLEMENTATION OF COASTAL AREA PLANS.

Obj. A Foster intergovernmental coordination and cooperation to eliminate regulatory duplication in coastal area management.

Obj. B Establish the necessary authorities for coastal area management.

Obj. C Identify areas of public interest in the coastal area and adopt legislation designating areas subject to public acquisition and/or regulatory control.

Obj. D Develop a comprehensive educational program to foster interest in the solution of coastal area management problems.

GOAL X ENCOURAGE RESEARCH AND EDUCATION TO INCREASE KNOWLEDGE AND UNDERSTANDING OF NATURAL PROCESSES IN COASTAL AREAS.

II. Public Participation

Citizen and public official participation in activities pursuant to Agreement #D88681 has been accomplished through the establishment of a Citizens Participation Committee (CPC). The CPC, which has held seven meetings to date, has focused on the selection of goals and objectives, the determination of criteria for the delineation of coastal zone boundaries, and the review of local plans and ordinances. Board personnel have made a number of brief presentations relating to these subjects in order to stimulate public discussion and feedback. In several instances individual citizens or ad hoc citizen committees responded with presentations of their own. The Board attempted to facilitate rather than direct CPC discussions and deliberations.

In the hope of involving a large cross section of the public in the formulation of a CZM plan, a notice of the first CPC meeting was mailed to public officials, public agencies, environmental organizations, industry representatives, academic representatives and concerned citizens. Long Island and metropolitan area newspapers and a local TV station were informed of the time and purposes of the meeting. The invitation list included almost 300 names and included individuals from the following public offices and organizations:

1. Nassau-Suffolk County Executives
2. Nassau-Suffolk Town Supervisors
3. Nassau-Suffolk Village Mayors
4. Suffolk County Legislators
5. New York State Assemblymen & Senators representing Nassau-Suffolk
6. U.S. Congressmen representing Nassau-Suffolk
7. Voting and advisory members of Marine Resources Council
8. Members of Nassau-Suffolk Regional Planning Board

9. Members of Suffolk County Planning Commission
10. Town Councilmen
11. Nassau-Suffolk college presidents
12. Public & private land shellfish farmers
13. L. I. Builder's Institute

The letter of invitation is shown as Appendix A.

A diverse group of 40 individuals attended the first CPC meeting. The names of these individuals who either attended the first meeting or indicated an interest in working on the CZM project were maintained on a mailing list. Representatives from the following organizations generally attended CPC meetings:

1. Marine Contractors Association
2. Thomspon Bros. Pile Corp.
3. Sea Grant Advisory Service
4. Suffolk County Cooperative Extension
5. Long Island Farm Bureau
6. F. M. Flower & Sons Oyster Co.
7. Southampton Town Baymen's Association
8. Suffolk County Park Commission
9. League of Women Voters
10. Audubon Society
11. ACTION for Preservation & Conservation of the North Shore
12. Roslyn Landmark Society
13. Udalls Cove Preservation Committee
14. Pt. Lookout Civic Association
15. L. I. Environmental Council
16. Environmental Technology Seminar
17. Marine Environmental Council of Long Island

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18. College faculty
19. New York State Department of Environmental Conservation
20. County, town and village officials
21. Suffolk County Council on Environmental Quality
22. Nassau-Suffolk Recreation and Park Associations
23. Town and Nassau-Suffolk County planning department staffs

Following the initial meeting, the Board determined that an open, unstructured organizational format would best assure maximum public participation. This "open house" arrangement facilitated the rapid involvement of a broad range of citizen interests. The CPC currently consists of a core group of 20 to 30 regular attendees and a somewhat larger group of occasional participants. The initial sessions were dominated by conservationists, who represented and reported back to organized constituencies. As those on the mailing list and others became aware of the CPC's deliberations, the conservationists were joined by public officials, developers, and marine contractors.

There is no designated voting membership on the CPC. All those attending a meeting may vote. The practice of according equal voting status to all present has put a premium on attendance and has served to maintain a high level of interest and participation. It also eliminated interest group squabbling over representation. At the same time, however, the constantly changing size and make-up of the voting membership has adversely affected the CPC's ability to achieve a consensus in respect to many coastal zone management issues. Furthermore, a consensus hammered out by those attending one meeting has often been disavowed or modified by those attending a subsequent meeting.

In retrospect, the advantages of the informal unstructured format have outweighed the disadvantages. As the minutes (Appendix B) indicate, the

CPC is active, interested, and enthusiastic. The Board will attempt to maintain a monthly or bi-monthly schedule of CPC meetings during 1976 to assure that CZM planning in Nassau-Suffolk and New York State benefits from the continued input of well informed and concerned citizens.

Appendix E contains a listing of those individuals who participated in CPC meetings.

III. Intergovernmental Process

The issues related to intergovernmental processes -- the legal and administrative mechanisms needed or likely to be proposed for implementation of the Coastal Zone Management Plan--were considered of utmost importance by the members of the CPC, especially by the elected officials of the towns and villages.

For the benefit of CPC members who were not already familiar with federal and New York State authorities and responsibilities for management of the coastal area, copies of a matrix table prepared under HUD Contract H-2050R* were distributed to the group. In order to familiarize the CPC with the county role in the direct application and/or the review of land use controls, Board staff presented the following description of Nassau and Suffolk's current activities with respect to zoning and subdivision regulation:

The Suffolk County Planning Commission reviews zoning changes and proposed subdivisions when they lie within one mile of a nuclear power plant or airport, or within a distance of 500 feet from:

(1) the boundary of any village or town; or
(2) the boundary of any existing or proposed county, state or federal park or other recreation area; or
(3) the right-of-way of any existing or proposed county or state parkway, thruway, expressway, road or highway; or
(4) the existing or proposed right-of-way of any stream, or drainage channel owned by the county or for which the county has established channel lines; or
(5) the existing or proposed boundary of any other county, state or federally-owned land; or
(6) the Atlantic Ocean, Long Island Sound, any bay in Suffolk County or estuary of any of the foregoing bodies of water.

The Suffolk County Planning Commission has conclusive review only on proposed subdivision and zoning changes that lie within 500 feet of a town or village boundary. In all other cases, the Suffolk County Planning Commission's review is advisory. Local governing boards with a majority plus one vote, can override the Suffolk County Planning Commission advisory review.

*Contract H-2050R between the U.S. Department of Housing & Urban Development and the Board was approved in July 1973 and deals with the development of guidelines for the integration of comprehensive planning and coastal management.

The Suffolk County shoreline review provision has been in operation for three years (since 1972). The New York State Department of Environmental Conservation also serves as a permit agency when a proposed subdivision is located in a tidal wetland area.

The Nassau County Planning Commission has conclusive subdivision review in all unincorporated areas. Incorporated villages conduct independent subdivision reviews. The Commission has advisory review functions in all of Nassau County for zoning changes that lie within a distance of 500 feet from:

(1) the boundary of any village or town; or
(2) the boundary of any existing or proposed county, state or federal part or other recreation area; or
(3) the right-of-way of any existing or proposed county or proposed county or state parkway, thruway, expressway, road or highway; or
(4) the existing or proposed right-of-way of any stream, or drainage channel owned by the county or for which the county has established channel lines; or
(5) the existing or proposed boundary of any other county, state or federally-owned land.

In a court decision five years ago, Nassau County lost the conclusive review power for zoning changes that lie within a distance of 300 feet from the boundary of any village or town. Nassau County does not have review of zoning changes occuring within the shoreline area or near airports or power plants.

An inventory and evaluation of local municipal agency plans, programs, and controls affecting the regulation of the coastal areas within the planning region is an essential prerequisite for the development of effective and acceptable implementation mechanisms and constitutes one of the products called for by Agreement #D88681.

Tables 1, 2, and 3 comprise a summary of this inventory. In order to verify, correct and expand the limited information then available, the staff distributed copies of the inventory data form to the municipal officials present at the 18 November, 1975 CPC meeting. Cooperation in reviewing and correcting the data and the addition of comments as to the efficiency of plans, programs and ordinances was requested. Additional copies of the form were distributed with the assistance of the Suffolk County Village Officials' Association and the Nassau County Planning Commission and the Nassau County Executive's office.

Table 1

TOWNS, CITIES AND INCORPORATED VILLAGES THAT BORDER A BODY OF WATER

Municipalities	Comp. Plans	PROGRAMS						CONTROLS									Boat Abandonment
		Conser. Advisory Board	Dept. of Environ. Protect.	Environ. Programs	Capital Programs	Bay Management	Municipal Recreation Programs	Flood Plains	Wetlands	Dunes Protection of Vegeta.	Dredging	Drainage Runoff	Stream Channels	Dumping of Oil or Refu Oil Spills	Harvest. of Shellfish	Fishing	Boating Regulations Speed Sanitary
City of Glen Cove	X						X										
Town of Hempstead	X		Conserva. & Waterways	Mandatory News. recycl.	X	Conservation & Waterways	X	X	X	X	X	X		X	X	X	X
Atlantic Beach							X										
Lawrence							X										
Island Park	X																
Woodsburgh																	
Hewlett Neck																	
Hewlett Harbor																	
Hewlett Bay Park																	
Freeport	X						X										
City of Long Beach	X			Mandatory News. recycl.			X										
Town of North Hempstead	X		Conserv. & Waterways				X							Dumping Town Code			Boats Abandonment
Great Neck Estates	X						X										
Saddle Rock	X						X										
Kings Point	X						X										
Great Neck	X						X										
Flanagome Heights																	
Flanagome																	
Flanagome Manor																	
Baxter Estates																	
Fort Washington H.																	
Manorhaven																	
Sands Point							X										
Flower Hill																	
Roslyn	X						X										
Roslyn Harbor	X																

Table 2

Municipalities	PROGRAMS							CONTROLS												
	Comp. Plans	Conser. Advisory Board	Dept. of Environ. Protect.	Environ. Programs	Capital Programs	Bay Management	Municipal Recreation Programs	Flood Plains	Wetlands	Dunes Protection of Vegeta.	Dredging	Drainage Runoff	Bay Harbor, Stream Channels	Oil Spills	Harvest. of Shellfish	Fishing	Boating Regulation Speed Sanitary	Regrading, Excavation, Dumping	Use of Beach Vehicles	Strea
Oyster Bay Town	X	Env. Cont. Comm.	DPW Div. of Env. Control	Garbage & Refuse Separated		X	X			X	X				X		X			
Sea Cliff	X						X													
Lattingtown	X						X													
Bayville	X						X													
Centre Island	X																			
Mill Neck	X																			
Oyster Bay Cove	X																			
Cove Neck	X																			
Laurel Hollow	X																			
Massapequa Park	X																			
Babylon	X		Env. Control				X		Art. IV Town Code		Art. IV Town Code									
Amityville							X										X			
Lindenhurst	X						X													
Babylon	X			Excavation Permit			X													
Brookhaven	X	Board of Waterways	Board of Wat. & Nat. Res.	Excavation Permit			X		X		X		Chap. 8						X	
Patchogue	X						X													
Bellport							X	X				X	X				X			
Old Field		Env. Council					X													
Poquott							X		X			X	X				X			
Belle Terre							X				X						X		X	
Port Jefferson	X	Env. Adv. Comm.					X	X	X	X	X	X		X						
Shoreham							X													
East Hampton	X	C.A.C.					X	X	X											
East Hampton	X						X	X		X										
Huntington	X	C.A.C.	Env. Prot.	E.I.S. Reqd.	X	X	X		X	X	X	X	Chap. 50	X		X	Chap. 60 Sap. Water.	X		
Lloyd Harbor	X	C.A.C.		Paper recycling			X	X	X	X	X						X ways	X		
Huntington Bay		Forming joint environ. & Conserva. Advisory Committee		Litter Control			X	Future	Future								Future			Futu

Table 3

Municipalities	Comp. Plans	PROGRAMS: Conser. Advisory Board	Dept. of Environ. Protect.	Environ. Programs	Capital Programs	Bay Management	Municipal Recreation Programs	CONTROLS: Flood Plains	Wetlands	Dunes Protection of Vegeta.	Dredging	Drainage Runoff	Bay Harbor Stream Channels	Oil Spills	Harvest. of Shellfish	Fishing	Boating Regulations Speed Sanitary	Tidal Ponds - Building Permits	Use of Beach Vehicles
Huntington (Con't.)																			
Ashroken		Bd. of Env. Cons.		X		X	X	X	X	X	X		X				X		
Northport	X						X					X					X		
Islip	X	Env. Council	Env. Control	X	Nature Trust	X	X	X	Chap. 67	X	Chap. 67	X	X	X	X	X	X		X
Brightwaters		Comm. on Env. Cons.					X							X		X	X		
Saltaire							X												
Ocean Beach							X												
Riverhead	X	C.A.C.									X								
Shelter Island	X	C.A.C.				\	X		X										
Dering Harbor	X																		
Smithtown	X	C.A.C.					X		X			Water Poll Control							
Nissequogue		Consv. & Rec.				Construction, Boat Facilities		1st floor above 5' MHW		X									X
Head of the Harbor																			
Southampton	X	Consv. Board					X				X								
Westhampton Beach		C.A.C.					X	Local Law in excess of FFIP	NYC DEC X	X[1]		Suffolk Board of Health					Bay Constable		
Quogue	X						X												
Southampton																			
North Haven	X							X	X										
Sag Harbor							X	X	X									X	
Southold	X	C.A.C.					X												
Greenport	X						X												

FFIP - Federal Flood Insurance Program

1 permit required to move sand, dunes may not be crossed except by stile (steps)

Although the data on programs and controls are incomplete, there is indication of significant local concerns with dredging, boating regulations, wetlands preservation and flood plain control. In addition, a majority of the responding municipalities have some type of citizen based conservation advisory group.

The preservation and protection of wetlands is of especial concern to the people of Long Island and has resulted in numerous local regulatory efforts; Table 4 summarizes these efforts. The past development pressures on these lands are reflected in the wide range of ordinances that have been formulated by each town in order to protect this valuable resource.

The numerous extant official plans, committees and commissions, and local regulations indicate a widespread local interest in and concern for the coastal area. The municipal plans and ordinances have all been reviewed. We could not determine whether those plans actually influence day-to-day decision-making, nor whether the ordinances and regulations have ever been challenged in the courts. Therefore, the listing of a comprehensive plan on the summary chart should be viewed as a statement of local concern with future development in the coastal area. At the present time 43 of the 73 coastal municipalities have some type of comprehensive plan. Many municipalities have adopted plans in the last few years or have amended and updated established plans. Less than six have been in existence for more than 10 years without some changes.

Some indication of the existence or effectiveness of local ordinances can be found in the records of the individual county planning agencies. Since each county reviews local zoning changes, variances and subdivisions, it is possible to observe the extent to which municipalities are implementing their comprehensive plans. The Town of East Hampton, for example, has enacted and enforces a minimum setback from the dunes to alleviate the problem of accelerated erosion along Atlantic Ocean frontage. The Town of Huntington has a series of environmental controls that address the problem of runoff

Table 4

TIDAL WETLAND ZONING REGULATIONS

Government	Agency	Date Effective	Authority	Zone of Influence	Scope of Law	Regulation Name
State of N.Y. *	N.Y.S. DEC	9/1/73	Chapt. 790, Laws of '73	Defined wetlands & zone 300' therefrom or to 10' elevation	Permit	Tidal Wetlands Act
Suffolk	Planning	1/1/73	L.L 28, 1972	500' of any tidal water	Review	Local law to amend charter re: Planning
	Health	1/1/73	Sect. 2, Art. VI	Defined subdivision development	Permit	Suffolk County sanitary code
Town of Babylon	Town Board Conservation Advisory Council	6/30/70	L.L #1-70	Defined wetlands and water courses	Permit	Marine Conservation Law
Huntington	Environmental Council Town Board	4/6/73	L.L. #2, 1973	Defined wetlands & water courses	Permit	Marine Conservation Law
Islip*	Town Board - Bd. of waterway & Nat. Resource	12/26/67	L.L. #2, 1967	Defined wetlands & water courses	Permit	Marine Law
Brookhaven	Town Board - Conser- Advisory Council			Defined wetlands & water courses	Permit	Marine Law
Smithtown						
Riverhead						
Southampton*	Town Board, Town Trustee	5/2/72	Ordinance #26	Defined wetland, ocean beach and flood plain	Permit	Tidal Wetlands & ocean beach Overlay district Tidal Flood Plain Overlay district
Easthampton	Bd. of Appeals Town Board - Town Trustees	6/26/70	Sect. 518 Zoning Ordinance	Defined flood plain & wetland and water courses	Permit	Excavation ordinance Flood and wetlands Preservation Ordinance
Shelter Island	Conservation Advisory Council	1/28/72	L.L. #24	Defined wetlands and water courses	Permit	Wetlands Ordinance
Southold	Conservation Advisory Council Town Trustees Board	7/17/73	Chapter 97	Defined wetlands	Permit	Wetlands Ordinance

* Regulations Mapped: N.Y.S. 1975, Nassau Co. 1976, Town of Islip 1973, Town of Southampton

and erosion caused by certain types of development along the shoreline. Other towns such as Hempstead and Oyster Bay have made attempts to manage wetland areas and to halt the large scale dredge and fill work so common a decade or two ago. These towns have entered into agreements with NYS for the management of wetlands and have acquired other tracts of land that are wholly or partially classified as wetlands.

In some instances municipalities that share a coastal area problem have adopted completely different policies and regulations. An example is on Fire Island where the Town of Islip has strictly limited the granting of variances for private housing construction, in order to avoid further encroachments on the dunes, and to limit population growth within the National Seashore area. The Town of Brookhaven has decided not to follow the same course, thus posing a dilemma for the National Seashore administration which is in the process of attempting to devise a uniform policy for all of the Fire Island barrier beach.

There are similar problems of coastal area protection in other villages and towns where industrial or commercial development along the shore is still permitted even though it is not in accord with the overall objectives of the Nassau-Suffolk Regional Comprehensive Development Plan.

Many of the local plans that have been developed in recent years are concerned with development in coastal areas. However, municipal plans are frequently ignored or amended by the town and village boards.

A more thorough analysis and evaluation of the status of planning and its relation to coastal area management, the magnitude and scope of municipal programs such as those mounted by the Towns of Hempstead and Islip, and the efficacy of local ordinances is well beyond the scope of agreement #D88681 and is planned as part of the second year effort. The findings will then permit a determination of the need for new state enabling legislation, direct state legislation, county charter amendments, or perhaps a combination of all three.

IV. Coastal Zone Boundaries

The Board has identified, evaluated, and tentatively selected criteria to enable the definition of the boundaries of the coastal zone.

These include:

1) resource related features

   a) the landward geographic limit of watersheds draining into coastal waters

   b) the presence of flood plains and the extent of the 100 year flood

   c) landward limit of tidal flow

   d) unstable land forms such as beaches, dunes, and bluffs;

   e) steep slopes subject to erosion and subsequent deposition of sediments in coastal waters;

   f) presence of wetlands or other ecologically significant areas

   g) landward limit of marine influenced vegetation;

   h) presence of high groundwater table;

2) man-made features

   a) major roads paralleling the coast;

   b) railroads;

   c) municipal or other administrative boundaries;

3) somewhat arbitrary but readily applicable vertical or horizontal distances from the land-water interface

   a) the 10' contour line

   b) a distance of 500 or 1000' landward of the shore at mean high water

Inasmuch as all points on Long Island lie within 8 miles of the shoreline and all land uses and activities to some degree influence the quality of coastal waters, it is possible to make a case for including all

of Long Island in a single coastal zone. However, political and legal constraints preclude the drafting and enactment of a single set of regulations, or coastal zone controls uniformly applicable throughout Nassau and Suffolk Counties.

The recommended coastal zone would encompass the area in which man's activities may be expected to have a direct and immediate influence upon coastal waters and would include the land-water interface, the most common geomorphic features normally associated with coastal processes, wetlands, rivers draining into brackish and marine systems, bays, and marine waters seaward to the extent of New York State jurisdiction.

The inland remainder of Long Island, an area in which man's activities may be expected to result in less direct and significant impacts on the preservation, wise use, and enjoyment of coastal resources must also be considered in the development of a comprehensive coastal zone plan. The proposed coastal zone delineations is depicted on Map 1.

Review of data relative to coastal processes (such as the interaction of tides, plant communities, hydrology, land forms and soils) indicated the absence of a single measure that could be used to delimit the zone of immediate and direct influence upon coastal waters in a consistent manner. The 100 year flood plain seemed to offer some utility, and was therefore subjected to further evaluation.

The preparation of environmental feature maps aided in the evaluation of the 100 year flood line and the watershed divide. (See map 2 as an example of the 50 map set). The maps facilitated the incorporation of unstable land forms, steep slopes, wetlands, and marine influenced vegetational communities into the coastal zone boundary definition. The

cyclical variations in water table elevations and the difficulties associated with mapping water tables, limited the consideration of high groundwater as a boundary criteria. Additional maps were used to plot man-made features such as roads and railroads, municipal jurisdictions, publicly owned recreation and conservation areas. Arbitrary lines such as the 10' contour and the 500 and 1000' distances from the shore were also included.

Roads or railroads parallel to the shoreline were rejected as boundary limits because they frequently include areas having little relation to the marine environment.

Several proposals for the delineation of the Long Island coastal zone were sumitted by members of the CPC. Due to the diversity of coastal environments found on Long Island, a coastal zone definition based upon nine geological and water budget sectors was suggested. It was also proposed that each sector be divided into marine and inland areas, thereby allowing varying degrees of regulation for coastal zone management. A detailed description of this proposal is outlined in Attachment B to the minutes of the August 1975 meeting. A more concise definition of the Long Island coastal zone relying on distances, depths, and elevations was also proposed. Here, again, because of the uniqueness of the Long Island coastline, the definition of the coastal zone was based on two sectors - the north shore and the south shore of Long Island. The specifics of the proposal are contained in Attachment A to the minutes of the 2 September 1975 meeting.

It was the opinion of the NCPC that a secondary zone should include those areas that are approximately 1000' beyond the defined coastal zone, rather than following street or property lines in order to make them more adaptable for inclusion on local zoning maps. The full text of the letter from NCPC to the Board is included in Appendix C.

The 30' depth contour, which is generally considered to be the seaward limit for the occurrence of littoral processes was suggested as the seaward boundary of the coastal zone. Although direct onshore-offshore transport of sand generally occurs in depths shallower than 30', sand and gravel mining, channel dredging, and the construction of pipelines for sewage disposal and oil transfer could occur at depths greater than 30'. Since these activities can have major impacts upon the coastal environment, it was concluded that the coastal zone should extend seaward to the limit of NYS jurisdiction.

The 10' contour was generally regarded as a good measure for delineating the coastal zone, since use of the contour assured inclusion of all marine wetlands, and most of the 100 year flood plain. The 10' contour works well on the outwash plain of the south shore of Long Island. It is an unsatisfactory measure for the steep bluff areas of the north shore which often exceed 100 feet. It was therefore desirable to resort to a fixed distance boundary-- a 1000' setback from the mean high waterline--for Long Island's north shore.

Since river basins and some freshwater wetlands have a direct impact upon coastal water quality, the Suffolk County Council on Environmental Quality suggested that the boundaries of those wetlands as defined in the NYS Freshwater Wetlands Act of 1975, including a 1000' setback from the stream's edge, be additional factors in the determination of coastal zone boundaries.

The Town of Islip defines the boundaries of management areas for wetlands and watercourses according to property lines based primarily on hydrological factors. Their maps have held up fairly well in court. It was noted by Town of Islip officials that it is important to define in

detail the boundaries of the coastal zone so that property owners know whether they are within the coastal zone and, therefore, subject to regulation.

The Board recommends the following boundaries for the coastal zone:

landward boundaries -- a combination of the following, mapped to include the maximum land areas: the 10' contour line; line located 1000' inland from the shoreline at mean high water; line located 1000' from the banks of any stream, ditch or drainage way discharging to coastal waters; and the outer periphery of any contiguous freshwater wetland (as identified pursuant to the NYS Freshwater Wetlands Act of 1975) or other contiguous area of critical concern.

seaward boundaries -- the seaward limit of NYS jurisdiction.

A review of the maps indicates that use of the 10' contour allows inclusion of the wetlands, some protective upland vegetation, most of the barrier beach and other coastal landforms, the 100 year flood plain, and areas characterized by a high groundwater table. No other boundary line appears as consistently satisfactory for the more or less level coastal plain areas.

The 1000' setback from the shoreline is more satisfactory in areas of high relieve. It generally allows inclusion of areas hazardous to development such as bluffs and flood plains, many steep slopes, freshwater wetlands, and positions of major drainage ways or swales carrying surface runoff into coastal waters. Application of the 1000' setback from the banks of coastal streams permits the inclusion of critical stream corridors in the area of maximum regulation.

Many freshwater wetlands and other areas of critical concern are located within the primary zone as defined by the 10' contour and the 1000' setbacks. However, it is assumed that wherever areas of critical concern extend beyond or are contiguous to the 10' contour or 1000' setback, the coastal zone boundary will be drawn to include such areas.

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APPENDIX A

NASSAU-SUFFOLK REGIONAL PLANNING BOARD
H. Lee Dennison Office Building
Veterans Memorial Highway, Hauppauge, N.Y. 11787

Notice of Meeting

The New York State Office of Planning Services, through an initial development grant from the Office of Coastal Zone Management, NOAA pursuant to section 305 of the Federal Coastal Zone Management Act of 1972, has contracted the Nassau-Suffolk Regional Planning Board to undertake studies and activities necessary to enable the State of New York and local governments to plan for the wise use of Long Island's coastal resources. Public participation will play a major role in assisting the Board in the formulation of regional coastal zone goals and objectives. These goals and objectives will be used to delineate boundaries for Long Island's coastal zone. The adequacy of existing plans, laws and administrative structures to attain the goals will then be assessed.

The Board has asked its Regional Marine Resources Council (MRC) to chair a meeting to be held on Tuesday, May 13, 1975 at 7:30 p.m. in the Planning Building Auditorium, Suffolk County Center, Veterans Memorial Highway, Hauppauge, N.Y. Elected and appointed officials, voting and advisory members of the MRC, the academic community, industry representatives, environmental organizations, and concerned citizens are cordially invited to attend this meeting for the purpose of establishing a mechanism to proceed with this coastal zone planning and to participate in the discussion on goals and objectives for coastal zone management. Subsequent meetings will be held in June and July on other aspects of the program.

Please indicate whether you will attend this initial meeting by phoning Ron Verbarg of the Regional Marine Resources Council staff at (516) 979 2935-2934.

APPENDIX B

Citizen Participation Committee

Minutes

Minutes from the NSRPB Public Meeting on Coastal Zone Management

A public meeting concerning the Nassau-Suffolk Regional Planning Board/N.Y.S. Office of Planning Services (OPS) contract was held on Tuesday, May 13, 1975 at 7:30 p.m. in the auditorium of the former Planning Building, Hauppauge, N.Y. Dr. Lee Koppelman and RAdm. Edward Stephan, USN (ret), presided.

Dr. Koppelman gave an overview of coastal zone planning beginning with the formation of the Nassau-Suffolk Comprehensive Development Plan (CDP) in 1970. The CDP is primarily a physical development plan, and because of the state of available knowledge in the late 1960's, the plan does not fully take into account environmental constraints. The current NSRPB HUD project will integrate scientific knowledge and its interpretation into regional coastal zone planning, using the CDP as a case study. The results of the HUD program may determine that the CDP, as it now stands, does not sufficiently address environmental issues. Therefore, the data from the HUD program may suggest modifications to the CDP, and if this occurs, amendments to the CDP will be made.

The 208 wastewater management program, sponsored by a Federal EPA grant, is narrower in scope than coastal zone management. The 208 wastewater management program will, also, set the direction for community development. The CDP will, again, have to be analyzed to see that it conforms to the results of the 208 program.

The NSRPB/OPS contract, which runs until October, 1975, will give interested organizations and individuals an opportunity to participate in coastal zone planning. All coastal zone planning will be available to the public, and all meetings on the OPS contract will be open to the public. The results of this coastal zone planning effort will be important because no Federal actions can be implemented which are not in accordance with the CZM Plan.

Dr. Koppelman felt it would be more productive to have two separate citizens committees; one for the 208 program, the Citizens Advisory Committee (CAC), and one for the coastal zone planning project, the Citizens Participation Committee (CPC). Findings on the 208 program will, also, be presented to the CPC. An active attempt will be made to incorporate work from other studies and on-going research programs into the NSRPB/OPS contract work.

Admiral Stephan, Chairman of the Marine Resources Council (MRC), outlined four major marine-related problems on Long Island that the MRC has addressed in its publications. These problem areas are:

1. Coast Stabilization & Protection
2. Dredging & Dredge Spoil Disposal
3. Integrated Water Supply & Wastewater Disposal
4. Wetlands Management

Admiral Stephan also stated that the MRC will devote one of its regular bimonthly meetings to the discussion of the NSRPB/OPS contract.

A brief outline of the activities to be undertaken by the CPC under the NSRPB/OPS contract was then presented. The first task will be to establish goals and objectives that lead to strategies for the management of the Nassau-Suffolk coastal area. The staff of the NSRPB, in conjunction with the MRC and other interested

parties, will formulate the goals and objectives. A preliminary list of goals and objectives, subject to CPC review and refinement, was distributed at the meeting and is attached to these minutes.

A later task of the NSRPB to be discussed at subsequent meetings will be the delineation of boundaries for the Nassau-Suffolk coastal zone. The NSRPB will outline items contributing to the formulation of coastal zone boundaries, and initial sketch maps of alternative coastal zone boundaries will be presented for discussion purposes. The MRC and interested parties will discuss and review alternative coasta zone boundaries and further refinement of the boundaries will be made.

A statement of assistance from Dr. Dowling, Commissioner of the Nassau County Dept. of Health, concerning the OPS coastal zone work, was read aloud at the meeting and is attached to these minutes.

The next meeting will be held on June 10, 1975 at 7:30 p.m. in the Medical Examiner's Conference Room, Hauppauge, N.Y. (See enclosed map for directions.) The subject of this meeting will be the refinement of goals and objectives for coastal zone management on Long Island. The preliminary list of goals and objectives that was distributed at the May 13, 1975 meeting will serve as a starting point--they can be amended in any manner.

Enclosed with these minutes are:

1. Guidelines for Long Island Coastal Management
2. Guidelines for the Management of Long Island Hard Clam Resources
3. Coastal Zone Management Program for State of Washington
4. Coastal Zone Management Program for State of Maine
5. Sketch map indicating the location of the Medical Examiner's Conference Room in Hauppauge.

PRESENTATION
by the
NASSAU COUNTY DEPARTMENT OF HEALTH
to the
NASSAU-SUFFOLK REGIONAL PLANNING BOARD
and
THE MARINE RESOURCES COUNCIL

SUBJECT: COASTAL ZONE MANAGEMENT

On behalf of Dr. John J. Dowling, Commissioner, the Nassau County Department of Health offers its assistance on those aspects of coastal zone planning which relate to environmental quality. A large number of environmental problems associated with our coastal zone have been defined along with various solutions. We are hopeful that some of these solutions may be reinforced and potentially implemented through the Coastal Zone Management Plan.

As a member of the Technical Advisory Committee for the forthcoming Areawide Waste Treatment Management Planning Study for Nassau and Suffolk County, the Health Department will be involved with the planning of significant environmental projects, such as waste water treatment facilities. In addition, as part of the environmental regulatory process, we are involved in the approval of a variety of facilities having environmental impacts, such as noise and air pollution. We believe it would be most advantageous for many of these facilities to be reviewed from conception in their early planning stages for their total environmental impact.

Our Department has much information which may be useful in developing the Coastal Zone Management Plan. Current data on a wide variety of environmental parameters such as air and water quality are available.

In addition, our knowledge of a wide range of environmental studies, technical approaches and legal requirements in the areas of air, land and water resources should be helpful in developing or planning to preserve, protect and wherever possible, restore our natural coastal resources.

Once again, the Nassau County Health Department welcomes participation in the development of the coastal zone plan and in any future discussions on the goals and objectives for coastal zone management.

SOS/ar
5/12/75

HIGHLIGHTS
OF
New York State's Application for an Initial Coastal Zone Development Grant (Pursuant to Sec. 305 of the Federal Coastal Zone Management Act of 1972)

Name of Project: Coastal Zone Management Program Development Grant

Federal Agency: Office of Coastal Zone Management, National Oceanic and Atmospheric Administration, U.S. Department of Commerce, Rockville, Maryland

Funding:

Federal grant requested -	$550,000
Matching funds (state)*	275,000
	$825,000

*Utilizes state funds already appropriated for purposes related to coastal zone planning. No additional state or local funds are required.

Distribution of Federal Grant: Federal Grant $550,000

State		Sub-State	
$ 275,000		$ 275,000	
70,000	OPS	100,000	Cities, Towns, Villages
190,000	DEC	87,500	Counties
15,000	Other State	87,500	Regional Planning Agencies

Major Purposes:

1) Enables State and local governments and the public at large to determine the need, desirability and feasibility of coastal zone approaches and techniques.
2) Produces basic information and possible methods which would be useful in themselves, in the existing planning, development and regulatory activities of State, regional, county and local agencies.

Area Affected: A broad planning area, consisting of the State's 28 (including 5 in NY City) counties. Studies and planning would be focused in a smaller area more directly related to the coastal zone.

Responsible State Agency: New York State Office of Planning Services

Preliminary Goals and Objectives for the Management of the Nassau-Suffolk Area

The N.Y.S. Coastal Zone Management Program must be consistant with the following declaration of policy stated in Section 303 of the Federal Coastal Zone Management Act of 1972:

To preserve, protect, develop, and where possible, to restore or enhance, the resources of the Nation's coastal zone for this and succeeding generations.

Goal 1. To reduce shoreline destruction and erosion.

- Obj. a. Minimize the need for coast stabilization measures.
- Obj. b. Establish erosion prevention policies that are harmonious with the dyamic nature of the shoreline area.

Goal 2. To preserve and protect water resources.

- Obj. a. Dispose of wastewater without appreciably diminishing the quality and quantity of groundwaters and fresh surface waters and the quality of marine waters.
- Obj. b. Encourage only those uses which will have the least detrimental effect upon the water resources of the coastal zone.

Goal 3. To preserve and protect the natural resources of the coastal zone.

- Obj. a. Maintain living natural resources of high biologic productivity and quality, and preserve and project their habitat.
- Obj. b. Preserve and protect distinct geologic formations.
- Obj. c. Preserve and protect areas of scenic beauty.

Goal 4. To preserve, protect and restore areas of historic and cultural significance.

- Obj. a. Arrange with owners to preserve historic buildings and features.

Goal 5. To enable the public to enjoy the amenities that the coastal zone has to offer.

- Obj. a. Promote visual and physical access to the coastal zone.
- Obj. b. Provide for a diversity of public recreational experiences in the coastal zone.

Goal 6. To provide for compatible, water related uses in the coastal zone.

Obj. a. Direct non-water related growth inland.
Obj. b. Relocate oil tank farms and oil handling facilities from valuable shorefront sites to sites further inland.

Goal 7. To preserve, protect and develop regional infrastructure sites necessary for and related to the coastal zone.

Obj. a. Determine which dredging projects are essential and in the best interests of the public, and ~~to~~ design and implement such projects in a manner which is not environmentally counter-productive.
Obj. b. Satisfy demand for electric power on Long Island in environmentally acceptable ways.
Obj. c. Consolidate port facilities for petroleum in order to reduce vessel trips, oil spillage, dredging, highway congestion around ports, shorefront land consumption by storage tanks and fuel cost to the consumer.

Goal 8. To develop coastal zone resources so as to maximize public benefit while minimizing environmental damage.

Obj. a. Develop intergovernmental cooperation for coastal zone management.
Obj. b. Minimize alteration of natural landforms and native vegetation.

Goal 9. To restore and enhance, wherever possible, degraded natural or developed portions of the coastal zone.

Obj. a. Rehabilitate coastal areas that have been mined for sand and gravel.
Obj. b. Improve degraded wetlands and create new wetlands.
Obj. c. Upgrade urban waterfronts.

MAY 3 1975
NASSAU-SUFFOLK
REGIONAL PLANNING
BOARD

STATE OF WASHINGTON

COASTAL ZONE MANAGEMENT PROGRAM

APPLICATION TO THE SECRETARY OF COMMERCE FOR APPROVAL OF THE STATE COASTAL ZONE MANAGEMENT PROGRAM UNDER SECTION 306 OF THE COASTAL ZONE MANAGEMENT ACT OF 1972 (P.L. 92-583).

Section 4 (923.4) Problems, Goals, Policies, and Objectives, Statements of, Origins of, and Procedures for

This section contains a set of statements of problems, goals, policies, and objectives. These statements were drawn from various existing sources and there will be discussion following the statements.

Problem Statements

(a) The coastal shorelines of Washington are unique and fragile resources, which if not carefully managed, could be subject to destructive changes which will have undesired environmental, economic, and functional consequences for the State.

(b) There are a variety of demands on the coastal resource, each competing for certain segments of the resource. Certain resources can withstand and support the demands; some cannot.

(c) There are many classes of interest or activity which use and involve coastal resources such as, recreation, environmental protection, power generation, defense, commerce, resource pollution, industry, communication, transportation, historical significance, protection from destructive natural forces, food, and aesthetic preservation.

Each of the above interests uses or affects coastal resources, but balancing each need, knowing how much of the resource to allocate to each interest, and knowing what the proper responsibilities for each level of government for each interest is difficult.

An example of the problem could be phrased thusly: Recreation is a local, state, and national interest but the questions are: (1) how much of the coastal resource should be allocated to recreation, and (2) which recreational activities, duties, and authorities are those of Federal agencies, which for state agencies, and which for local agencies? These same questions arise for every category of interest.

(d) There are State, National and local interests which either depend on or may impact on, the State's coastal zone capability for each interest to be served.

(e) There are a variety of public and private organizations which manage, use, and/or depend on the coastal zone. The needs of these entities may conflict, are not always known, are not always coordinated, and not always met.

(f) The needs of various competing interest are not always clearly and comprehensively known, thus creating conflicts and preventing the best prioritization for use of the coastal resources.

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(g) Various areas in the coastal zone are pre-empted by uses which do not need, are not related to, or are destructive of the coastal management and such conditions will worsen without comprehensive management and control of the use of the coastal zone.

(h) Significant portions of the State's economy and ecology depend on special areas in the coastal zone which have high biologic production and importance, but low tolerance to the impact of many human activities. These areas will be lost without special attention by all levels of government.

(i) Much of the Coastal Zone and adjacent areas are in private ownership, and unguided, unrestrictive construction of and privately and publicly owned areas is not in the best interest of the public.

(j) Knowledge of the nature, extent, tolerance, capability, value, and importance of the coastal resources is incomplete, out-of-date, and fragmented.

Goal Statements

Each of the above listed problems is worthy of solution, with such resolution becoming goals in and of themselves. However, in order to provide more positive direction and to lead into policies, additional statements of goals which combine some of the problems and address matters are presented below. (See discussion following objectives for information regarding the goal formulation occurring in the Shoreline Management Master Programs of the local government).

(a) To actively identify and coordinate the diverse interests in the coastal zone, in order to provide the resources necessary to meet the various demands.

(b) To promote and encourage by all available means the continued productivity and desired expansions of the biologic resources of the coastal zone.

(c) To consult and coordinate with other states, Federal agencies and nations which use or are related to the state's coastal zone.

(d) To manage the total resource such that each need is met to the maximum extent feasible, and such that the total resource is maintained, prospers, and continues to meet the needs.

(e) To protect and encourage the natural processes of the coastal zone.

Policy Statements

Policies are refinements of goals which take into account existing knowledge about the coastal zone, and provide more concrete direction for all of the participants in coastal zone management to take. Policies provide a basis for the resolution of differences, and a basis for coordination of diverse programs. By combining problems, goals, demands, and knowledge related to the coastal zone, appropriate policies emerge. (See discussion following objectives for information on policy procedures and development at the local level.)

(a) Coordinated, consultative, and comprehensive planning must be done for the coastal zone at all levels of government, and coordinated through the State coastal zone management program.

(b) All reasonable and appropriate uses of the coastal zone will be planned for and fostered.

(e) Development of the coastal zone will occur in a manner which while allowing for a limited reduction of rights of the public in the navigable waters, will promote and enhance the public interest.

(f) Development shall occur in such a fashion that protects against adverse effects to the public health, the land and its vegetation and wildlife, the waters of the state and their aquatic life, and protection generally of the public rights of navigation and corollary rights incidental thereto.

(g) The interest of all the people shall be paramount in the management of certain Shorelines of Statewide Significance (see definitions) and preference shall be given to those uses, which, by order of priority, do the following:

- (i) Recognize and protect the statewide interest over local interest;
- (ii) Preserve the natural character of the shoreline;
- (iii) Result in long term benefit over short term benefit;
- (iv) Protect the resources and ecology of the Coastal Zone;
- (v) Increase public access to publicly owned areas of the coastal zone;
- (vi) Increase recreational opportunities for the public.

(h) The public's opportunity to enjoy the physical and aesthetic qualities of the coastal zone shall be preserved to the greatest extent feasible with the overall best interest of the state and the people generally.

(i) Uses of the coastal zone shall be preferred which are consistent with the control of pollution, prevention of damage to the environment, or which are unique to or dependent upon the coastal zone.

(j) Alterations to the natural condition of the coastal zone when authorized, shall be given priority for single family residences, ports, shoreline recreational uses, including but not limited to parks, marinas, piers, and other improvements facilitating access to the coastal zone, industrial and commercial developments which are particularly dependent on coastal zone locations and other developments that will provide an opportunity for substantial numbers of the people to enjoy the State's coastal zone.

(k) Permitted uses in the coastal zone shall be designed and constructed in such a manner to minimize, insofar as practical, any resultant damage to the ecology and environment of the shoreline areas and any interference with the public's use of the water.

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See final guidelines and local master programs for specific policies on uses and areas.

Objectives

By means of identification of problems, declaration of goals, and the promulgation of policies, the state has set its direction and provides common grounds upon which to pursue Coastal Zone Management.

Before progress can be made or measured, objectives must be established. These are measurable tasks which relate to the problems, goals, and policies which, when accomplished, will indicate the solution of the problems, accomplishment of the goals, and implementation of the policies. It is not suggested that the following list will solve all the problems, but it is a list of presently perceived tasks. Many of these have been addressed already with the passage and recent history of the Shoreline Management Act and others will be accomplished through the continuing management program.

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(a) Establish regulatory systems to control the use and impact on the Coastal Zone.

(b) Establish, enhance, and maintain coastal planning, management, and regulatory programs at the local level.

(c) Promulgate appropriate regulations at all levels which carry out the policies.

(d) Determine the Coastal needs and demands.

(e) Continually monitor and determine the characteristics of the Coastal Zone.

(f) Establish conflict resolution mechanisms and procedures.

(g) Involve all interested parties in planning and development decisions.

(h) Provide methods for appeal and relief.

(i) Support and fund local management and administration efforts.

(j) Define permissible uses in the coastal zone.

(k) Define boundaries for the coastal zone.

(l) Provide sufficient authorities and ogranizations.

(m) Designate and protect areas of particular concern.

(n) Provide procedures for, and accomplish the designation of areas for preservation and restoration.

(o) Determine appropriate sites and criteria for the deposition of dredge spoils.

(p) Accomplish strict regulation of ocean beach sand removal for commercial purposes.

(q) Establish criteria for location and development of second homes.

(r) Provide increased public access to and along the water, particularly to State-owned tidelands.

(s) Increase emphasis on the acquisition and development of water-oriented parks and recreation facilities.

(t) Develop criteria and techniques for enhancing and restoring urban waterfronts.

(u) Identify appropriate sites for aquacultural development and resolve problems of conflicting uses.

(v) Establish siting criteria for deep draft port facilities.

(w) Provide location and design criteria for major industrial uses, expecially petrochemical facilities.

(x) Establish criteria for regulating high rise structures.

(y) Provide methods for mitigating the impact of marina developments and accomodate the demand for such facilities.

(z) Establish criteria for bulkhead location and construction.

(aa) Establish criteria for the length, spacing and density of single family residential piers and docks.

(bb) Provide dredging guidelines and identification of appropriate locations.

(cc) Establish criteria for siting and developing major industrial wood products facilities.

(dd) Establish criteria for oil and gas drilling.

(ee) Provide for the enhancement of the commercial and recreational sports fishery.

(ff) Establish definitive guidelines for landfills.

(gg) Provide criteria for regulating forest management practices within the coastal zone.

(hh) Determine assimilative capacity of Puget Sound for municipal and industrial wastes.

(ii) Establish provisions for the preservation of estuaries and key habitat areas.

(jj) Protect and improve water quality.

(kk) Preserve the natural shoreline character.

(ll) Recognize erosion-accretion processes in the management program.

(mm) Maintain scenic vistas.

(nn) Preserve wildlife values.

(oo) Provide primary and secondary data requirements.

(pp) Maintain close and continuing coordination with all affected agencies and jurisdictions.

(qq) Enhance provisions for public access and involvement.

(rr) Delineate the coastal zone based on best available information.

(ss) Provide mechanism for assessing the impact of major Federal developments and actions in the coastal zone.

The foregoing problems, goals, policies and objectives were drawn from a variety of sources, primarily the Shoreline Management Act.

Local, State, and Federal agencies have been requested to supply various materials and this effort plus other studies being undertaken will identify additional problems. Thus, the identification of problems, statement of policies and objectives is a continuing sequence and the design of the State Coastal Zone Program is intended to accomodate that sequence.

(a) It is clear that the objectives and policies of our State Shoreline Management Act are nearly identical to those of the Coastal Zone Management Act. The National Declaration of Policy, found in Section 303 of the Act, falls into four segments. In Subpart "D", each segment will be reprinted along with appropriate excerpts from the Shoreline Management Act, which will demonstrate consistency between the policies of the two.

(b) In this paragraph we shall reference issues, problems, objectives, and policies. There are three levels at which these matters are discussed. The first level is legislative. The findings and policy enunciation of our State's legislature are found in 90.58.020 RCW. This contains a general statement regarding issues, problems, objectives, and policies. The second level is administrative. There is a more detailed discussion of issues, problems, objectives, and policies in the guidelines published by the Department under the authority granted to it by the Shoreline Management Act. These are the Washington Administrative Code Guidelines, 173-16, and found in the Appendix. They contain detailed policy for the handling of various kinds of shoreline areas, for the handling of a variety of shoreline uses, and instruction and explanation as to how to assemble a local master program. A local master program is required of all cities and counties having jurisdiction over shoreline areas. They contain both policy and regulation regarding the use and development of the shorelines. Further, local programs are required to contain the goals of the local government in the use and development of the shorelines. Such goals were required to address seven specific areas. These are:

(1) An economic development element for the location and design of industries, transportation facilities, port facilities, tourist facilities, commerce, and other developments that are particularly dependent on their location on or use of the shorelines of the State;

(2) A public access element making provisions for public access to publicly-owned areas;

(3) A recreational element for the preservation and enlargement of recreational opportunities;

(4) A circulation element consisting of general location and extent of existing and proposed major thoroughfares, transporation routes, terminals and other public utility facilities;

(5) A use element which considers the proposed general distribution and general location and extent of the use on shorelines and adjacent land area for housing, business, and other uses of land;

(6) A conservation element for the preservation of natural resources, including, but not limited to, the scenic vistas, aesthetics, and vital estuarine areas for fisheries and wildlife protection; and,

(7) A historical, cultural, scientific, and educational element for the protection and restoration of buildings, sites, and areas having historic, cultural, scientific, or educational values.

The local master program is also expected to contain policies and regulations covering at least 21 different use activities which might take place on the shorelines. These use activities are agricultural practices, aquaculture, forest management practices, commercial development, marinas, mining, outdoor advertising, signs and billboards, residential development, utilities, ports and water-related industry, bulkheads, breakwaters, jetties and groins, landfill, solid waste disposal, dredging, shoreline flood protection, road and railroad design and construction, piers, archaeological areas and historic sites, and recreation, plus any other use activities the local government wishes to address. These very same use activities are also covered in the Washington Administrative Guidelines, 173-16. Policy for the State for the use and development of each activity is enunciated in the Guidelines.

In summary, the body of State policy is found in Section 90.58.020 RCW and WAC 173-16. This body of policy covers broad shoreline/coastal issues as well as rather specific problems associated with the land water interface. Accompanying State policy is local policy, which is reported in the local shoreline master programs according to a format used in all local programs.

The Shoreline Management Act, its guidelines, other State laws and regulations, plus an example of a local master program, are all found in the Appendix. These documents, taken together, form the adopted body of goals, policies, objectives, and statements of problems for the WCZMP.

The need for the new policy, goals, etc. is expected, and will be added to the WCZMP in one or more of the following ways:

(1) An amendment or addition to a local master program which will be heard and adopted locally and then reviewed and approved by the Department of Ecology.

(2) An amendment or addition to the "State Master Program" which is an administrative regulation adopted after hearing by the Department of Ecology.

(3) New legislation passed by the Washington State Legislature.

(4) Policy adopted by the Governor.

An example of a local master program is contained in the Appendix.

Section 4 (923.4)(b) Procedures for Problems, Goals, Policies, and Objectives

The Shoreline Management Act and its attendant Guidelines are two important components of our Coastal Zone Management Program. The single most important component is the local master program. Each local government has a responsibility to prepare a local master program as mandated in the Shoreline Management Act. In some cases, the coastal cities prepared their own master programs. In other cases, the cities participated with counties to prepare a regional master program. The important point here is the citizen involvement required for the preparation of master programs. The Shoreline Management Act and the Guidelines require a massive amount of citizen involvement before a master program can be approved. All of the local governments that prepared a master program assembled citizens advisory committees to assist them. The size of the committee could range from 10 to as many as 50. All together, some 2,000 citizens were involved in the preparation of the master programs statewide. The citizens committees were required to represent as diverse range of interest as possible so that no one faction or side would be over-represented. So each citizens committee had its share of industrialists, environmentalists, and as appropriate, there were hunting, fishing, and port representatives. There could be residential neighborhood representatives, or whatever sort of representation was appropriate for the local government and the conditions of that area. (See Appendix for details of citizen involvement.)

Before a master program can take effect, the Department of Ecology has to approve it. It is subjected to an intensive 90-day review by Department of Ecology personnel, plus the program is circulated to other State agencies and Federal agencies for their review. The circulation is done as soon as the program arrives at the Department after initial review to see that basic components are available. The agencies ask to receive the various programs, then review them and comment on them, then send their comments back to the Department and, in some cases, send the comments to the local government that produced the program. The Department then combines all the comments and notifies the local government as to the adequacy or inadequacy of the program. Extensive comments are made along with many suggestions to help correct deficiencies in the programs. (See SMA Act for authority.)

Prior to the development of a local master program, each local government performed an inventory of its shoreline resource, listing the shoreline mileage, the ownership, the land use, and type of shoreline. This served two functions, one was to provide the local government with basic information needed to prepare management policies, regulations, and goals, and the other was to acquaint both staff people and citizens with the issues of shoreline management and the kinds of problems that gave rise to Shoreline Management to begin with. See WAC 173-16 for the other requirements for local master programs.

The Coastal Zone Management Act requires a high degree of Federal participation. While there was considerable Federal participation in shoreline management, it was felt that some of the statewide and national issues needed more treatment, so a Federal Agency Advisory Committee has been formed, with representatives from all the Federal agencies that are interested or have interest in the coastal zone. This Committee will largely be a correspondence committee with relatively few physical meetings. The basic purposes are to help us determine the national interest in Washington's coastal zone, determine the needs and plans of the Federal agencies involved, and for the Federal agencies to review our coastal zone management efforts and participate in those that they choose to participate in. Additionally, a State Agency Advisory Committee has been formed, however, its primary purpose will be correlation and coordination of the plans of the various State agencies with the shoreline management program and coastal zone management program, and to better enable the Department to deal with coastal zone issues. The State Department of Fisheries, the State Department of Natural Resources, the State Department of Game are three important departments when it comes to discussions regarding the coastal zone, since they all have management responsibilities in that area. (See Appendix for State and Federal agency statements.)

We have a committee of local planners who provide the necessary input from local governments and help us make use of the local shoreline master programs as components of the coastal zone program. Further, the local government will be the primary line of coastal zone management administration, and DOE needs guidance from the local governments so that we may assist and support them the best way possible. It is our intention to bolster their ability to deal with coastal zone management issues and problems to enhance their capabilities to the highest degree possible. Much of the section 306 funding will be expended on grants to local governments to enhance their capabilities.

Because of the massive citizen involvement history of shoreline management, it was not deemed advisable to form citizen advisory committees in the same manner we did for shoreline management. Further, many of the citizen advisory committees still exist, and it is, apparently, the intention of many of the local governments to maintain their citizen advisory committees to help in dealing with specific issues problems, and projects that come up in the future. Instead, we thought it would be more advantageous to solicit citizen opinion by means of a questionnaire. Hence, a mailing list has been devised, using addresses from a variety of sources. These same correspondents will be asked to provide the names of ther people who are interested in coastal zone. Anybody who is interested in filling out the questionnaire will be encouraged to do so. Also, these same people will be mailed a periodic newsletter containing information and articles about shoreline management and coastal zone management.

Part D contains a more extensive discussion of the agency and citizen involvement history that has taken place and still continues under the auspices of Shoreline Management. A final element in need of discussion is the method we use to resolve conflicts which arise in the course of Shoreline Management. Naturally, the courts have always been the final arbitrator when it comes to conflicts. However, by means of the Substantial Development Permit System, described more fully in Part C, most conflicts can be resolved when they relate to a project or a type of project.

Because of its relative novelty, the rights and wrongs of shoreline management are not always clear to the participants involved and conflicts will result. Should the Department of Ecology, any other State or local agency or interested citizen feel that the local decision on a permit was wrong, an appeal process is available. In most cases, after an appeal has been initiated, the appellant and other parties can negotiate their differences, agree on a solution and proceed. Where this does not happen, the matter goes to the Shoreline Hearings Board, a quasi-judicial body who decides the issue. Appeal to Superior Court is available after the Hearings Board.

The above method satisfies most conflicts arising from Shoreline Management and will serve as well for Coastal Zone Management. There are, however, nonpermit-related conflicts and these arise from the content of the local master programs. As mentioned, the Department of Ecology must approve any program and any amendment to a program. As part of this procedure, interested agencies, including Federal agencies, have the opportunity to review, comment, and object to the content of the program or amendment. The conflict thus discovered is negotiated by Ecology, the local government and the other parties involved.

CZM implies a new form of State-Federal relationship from which conflicts may arise. We will discover the conflicts by the coordination and consultation methods described elsewhere, and resolve them through the existing methods plus a certification of Federal projects system that will be established when our CZM program is approved. The expanded A-95 review process will be a primary tool in this system.

FEB 1 1978
COASTAL ZONE INFORMATION CENTER

Preliminary Application for Program Approval
In Accordance with Section 306 of the
Federal Coastal Zone Management Act of 1972

State of Maine
Coastal Zone Management Program
Mid-Coastal Segment

February 18, 1975

Executive Department
State Planning Office
Coastal Planning Group

SUBPART A - GENERAL

In June 1970 the State Planning Office published the Phase I Report of the Maine Coastal Plan which summarized the previous nine months of activity of Maine's coastal effort. These initial steps established a firm foundation for the ongoing development of a plan for the coast of Maine. As part of this initial effort a coastal planning advisory task force was formed, composed of key state agencies, state universities, and private conservation interests. This task force established goals and objectives, delineated the coastal zone for planning purposes, and selected a pilot study area for applying resource inventory and classification procedures.

The preliminary goals and objectives developed in conjunction with the coastal advisory task force are given below. These statements of intent have provided the overall framework and target for coastal planning activities in Maine.

GOAL - To develop a comprehensive plan providing for compatible and multiple uses of the coastal zone, optimizing those intrinsic and real values assuring the greatest long-term social and economic benefits for the people of the State of Maine.

OBJECTIVES

1. Inventory coastal resources and existing uses;

2. Develop a resource classification system with appropriate uses and development standards as a basis for regulating activities within the coastal zone;

3. Identify areas of major and impending conflicts and indicate priorities for immediate action;

4. Propose regulations and controls to ensure that coastal resources will be used in a manner that is consistent with their natural character and ecological relationships;

5. Elicit public views and interests through public hearings and other concurrent planning;

6. Coordinate efforts with other New England coastal states;

7. Propose institutional arrangements, state legislation, and local ordinances necessary to implement the Maine Coastal Plan.

Coterminous with the development of the Maine coastal zone program the Maine Legislature enacted a large number of significant "environmental laws." So many, in fact, that Maine is now recognized as being one of the most progressive states in the Union in this regard. Some of the most important of these enacted since 1966 include the Site Location of Development Law, the Land Use Regulation Law, the Coastal Wetlands Act, and the Mandatory Shoreland Zoning and Subdivision Control Law, to mention only a few. While each of these laws is commendable and the reasons for their passage were and continue to be sound, growing public dissatisfaction with them poses a threat to their continued existence and jeopardizes as well the underlying concept of resource planning.

Changes in the popular conceptions of property rights have not kept pace with environmental legislation. In part, the novelty of the laws is a liability which time alone will cure. It must also be expected that a certain amount of public hostility will accompany the legitimate police work of government but this situation is aggravated if that action appears arbitrary, discriminatory or fragmented. To increasing numbers of people who come into contact with it, Maine's land use regulatory bureaucracy appears in varying degrees to be all of these.

The intent so stated in the first year program development application indicated that Maine would move towards management program approval on a region by region basis so as to help alleviate some of these problems as quickly as possible.

The sections that follow address the provisions and requirements of the Federal Coastal Zone Management Act of 1972 which the State of Maine has developed in order to gain management program approval for the entire mid-coastal region which stretches from the Hancock County coastal community of Gouldsboro to Brunswick in Cumberland County. This area covers greater than 60 percent of the Maine coast and includes 29.2 percent of the coastal population.

By December of 1975, intentions are to gain management approval for the Washington County, Cumberland County, and York County coastal areas. The final two areas of the coastal zone, the Penobscot and Kennebec coastal river areas, are expected to be completed by June, 1976.

Despite the added administrative burden and complexity of applying for program management approval on a segmented basis, doing so helps mitigate this state's major coastal problems in as rapid a fashion as possible. Three major problems were outlined in the first year application. They were:

1. The lack of an objective, workable resource data base;

2. The absence of public consensus on policy for guiding land and water management and enforcement activities;

3. An overburdened state and local regulatory and enforcement network.

As part of Maine's program development efforts experience indicated that there is a lack of coordination between state agencies administering resource management programs as well as between the various levels of government. The absence of good channels for daily communication as well as the absence of comprehensive state policies has fragmented the approach to land use planning and regulation, depriving its individual decisions of any ultimate purpose and making it unnecessarily confusing to the general public. Although the structure and tools now exist to effectuate better government coordination and communication, the willingness to effectively utilize the recently streamlined state government organization has in the past been lacking, principally because of the lack of funds and personnel.

Secondly, efforts to date to achieve sensible patterns of resource use have relied almost completely on regulation. The absence of concomitant efforts in the areas of education, direct or indirect financial reimbursement to landowners for lost land value, technical assistance to landowners, an adequate program of tax incentive, and a directed land acquisition program has led to public misunderstanding of the content, basis and rationale for regulations; resentment of the constraints imposed by regulations; and widely held attitude that the state is trying to get something, e.g., open space, for nothing. These sentiments reflect on the fundamental character of state government which appears to increasing numbers of people to have assumed a self-serving bias "in the public interest" to the negligence of genuine service to the individual citizen.

Thirdly, the process of land use control concerning issues of more than local importance is too centralized and removed from the people. The remoteness has fostered misunderstanding, hostility, and lack of public involvement.

The implementation of the Maine coastal zone management program is organized to deal directly with these issues, at least for coastal areas. If successful, the approach outlined could be extended to include inland areas as well. At present no new additions are felt to be needed in Maine's environmental legislation. Instead, the coastal planning program is viewed as an opportunity to improve the way in which already existing laws and organizations work. The heart of the coastal zone management program will be an improved regional capability to service Maine's land use regulatory network so that it operates more effectively. The broad outlines of this revamped system are outlined below.

The State's Interest

The evolution of the Maine regulatory system has not been wholly illogical in having regulation precede planning. The most realistic method of moving towards a well-planned system of state land use regulation may be to begin with a regulatory system that concentrates on a few goals that are generally perceived as important, and to then gradually expand the system by adding more comprehensive planning elements. If the burdens of regulation are not to exceed its benefits, state efforts must concentrate on major land use considerations.

There are essentially two different categories of land uses which can affect the

- Small scale development located directly adjacent to the shore

- Major land use decisions of significant size having substantial state or regional impact, irregardless of its proximity to coastal waters

The State Site Location of Development law and the Mandatory Shoreline Zoning Act provide mechanisms for articulating the state's interest in these concerns. The land and water capability analysis now underway as part of the program development phase of coastal management in Maine will provide valuable, previously unavailable reference for the administration of these laws. In addition, the recently enacted Register of Critical Areas provides the state with an additional opportunity to protect unique and significant natural, historic or scientific resource areas which may be removed from the immediate shoreland area, but nevertheless are a part of the coastal environment. The specific provisions of this legislation as well as other relevant state legislation affecting the coastal zone are outlined in an accompanying attachment (Appendix 1).

The selection of the proper agency to exercise the state's role in land use regulation must be guided by the need to involve a wide variety of interests. The task of balancing the range of goals and policies that must go into land use decisions requires the management agency to be responsive to executive policy and not biased toward an existing functional state agency program. Although the centralization of power to the Governor is resisted in Maine as much as it is in other states, the comprehensive nature of land use decisions requires considerable input from the executive level. Executive participation in the Maine coastal management program is a form of indirect control that relies more on the chief executive's coordinating responsibilities than formal coercive authority. If overall planning coordination is under the jurisdiction of an operating agency, sister agencies will often not recognize its authority and role. Moreover, the interagency bickering that accompanies an interdisciplinary program such as coastal zone management can be minimized if the program is under the policy directive of the state's chief executive.

The State Planning Office is located within the Governor's office and is charged with the responsibility of coordinating state agencies in the preparation of a state comprehensive plan. At the state level, the Maine coastal management program, a first step in the development of an effective statewide land use management system, will focus on:

1. The development of a State Planning Office program in cooperation with the Governor's Cabinet Committee on Land Use to coordinate state policy, to review regional plans, and to articulate the state's interest in such plans.

2. The development of a State Planning Office program in cooperation with the Commission on Maine's Future to incorporate statewide policy concerns into the development of regional plans, particularly such issues as energy facilities siting, fisheries development, tourism, and major ports development.

3. Continuing the coordination relationship with federal agencies that has been established under the auspices of the New England River Basins Commission to assist in completing the regional land use plans.

4. The initiation within the Governor's office in cooperation with a state interagency committee of a capability to monitor and assess the impacts of existing and proposed uses of Maine's offshore areas, existing water quality information and characteristics and to assist in setting state policy for such areas.

5. The formulation in cooperation with the Department of Conservation (Bureau of Public Lands and the Land Use Regulation Commission) of management programs and regulations for Maine's coastal islands.

The identification of areas and activities of state concern as well as appropriate management responsibilities is part of the coastal management program development phase now underway. Once identified by the state, these areas and guidelines for their use would be incorporated as part of the regional plans to be prepared by the regional planning commissions. The regional land use plan then serves as the principal management device used to measure the adequacy and appropriateness of state and local regulatory activities. In this manner the state need not suffer from the administrative overburden and political infeasibility of creating such plans and running all the regulatory machinery. The state is thus able to effectively coordinate the development of regional land use policies as an expression of a comprehensive statewide policy.

The Regional Role

Coastal land can be used to achieve many goals. Some ongoing mechanism for balancing these various goals must be established to see which uses of land will provide the greatest overall benefit. In some cases the state Legislature has clearly indicated its desire to protect certain critical resource areas such as wetlands, irrespective of all other possible goals. The administration of such policies for wetlands involves a minimum of balancing between pros and cons for various uses. The most beneficial use of existing agricultural land is not, however, as easily determined. The establishment of a planning process at the regional level, incorporating critical resource areas of overriding state importance and other state policy considerations, can best perform this balancing function and is thus a pivotal part of the proposed Maine coastal management program. The absence of planning to guide land use control decisions has been partially responsible for the growing public dissatisfaction with what appears arbitrary and fragmented.

The process of preparing a regional plan as an active management tool to assist and guide the regulatory efforts of local as well as state government could engender wide public participation by greatly increasing public accessibility to the land use decision-making process. Preparing and updating regional plans will also place the regional planning commission in an active coordinating role, capable of responding to individual requests for information and assistance on policies, purposes and procedures of various government activities.

The service function of land use control has not been strongly emphasized. The enlargement of the role of regional planning agencies to provide such services would be

1. The preparation of a preliminary regional land use plan incorporating local goals and objectives, regional priorities and expressed state interests.

2. The organization of technical planning teams composed of regional representatives of state and federal agencies to provide advice to local officials and to assist applicants in the preparation of development applications.

3. The review of local regulatory efforts for consistency with regional plans and to determine the extent of regional and state interests involved.

4. Providing technical and financial assistance for regional service to local units of government in shoreland zoning, subdivision regulation and other code enforcement activities.

5. The establishment in cooperation with the Attorney General's office and the District Attorney's offices of an improved legal assistance and enforcement effort for land use concerns.

The technical requirements for the suitable preparation of a comprehensive land use plan in Maine are unavailable in the majority of Maine towns. It is unreasonable to expect this to change considering the continuing gap in municipal revenues. Local planning can consist primarily of a concise statement of goals and objectives, and general community policy with respect to land use. The responsibility for comprehensive, complete resource and development planning should rest largely at the regional level. The regional plan should reflect local goals and objectives, and serve as a guide and for assistance in making local regulatory efforts. It should also contain state land use policies and considerations for areas of state concern. The regional agencies could in effect provide a voice in articulating the state's interest. In its role as representative of the state interest it could, in some cases, be capable of holding local units of government accountable to the regional plan.

Local Prerogatives

To avoid the common failing of most state land use regulatory systems, the continuing need for local participation is an integral part of the Maine management program. Again, most state regulatory efforts have been set up solely to prohibit development that otherwise occur. The service aspects of land use control has been largely neglected. The expression of state policy in relation to local government should come into play only as a final arbiter for land use decisions and indirectly through regional planning agencies.

At present local government land use planning and regulation is administered through a system that has become inefficient, unwieldy, and largely uninformed. Part of the problem stems from the lack of checks and balances, particularly the fragmentation of responsibility for administering zoning and subdivision regulations and the policies and actions of local planning boards. Local efforts can be made more effective if the responsibility for preparing and for reviewing local regulatory actions in light of a regional plan is vested in the state's regional planning commissions.

Such an arrangement could greatly strengthen the dialogue between local officials and the technical staff of the regional commissions. Moreover, it would place the responsibility for regulatory policy decisions with local officials at the same time requiring

them to be informed by the appropriate regional technical experts. Under this arrangement local officials retain the authority to adopt and amend development ordinances, but would first submit them to the regional commission for comment. The regional commission could hold hearings and make special findings and recommendations on any issues involving an exercise of local discretion. Local officials can be requested to justify its decision by stating its findings and conclusions on the record. The potential for error and abuse prevalent now is reduced as local discretion comes under more active review and comment by the regional planning agencies. Although the separation of policy-making from policy enforcement may be undesirable, it only becomes so if the policy-making arm is not vigorously involved in the review of regulatory activities. The preparation of regional plans, in accordance with state guidelines containing policies for areas and activities of state interest and providing gubernatorial policies and priorities, will enhance the quality of local regulatory decisions by broadening the perspective from which they are made.

Although conventional zoning still serves some useful purposes, land use problems can best be resolved through a flexible, dynamic system of land use control that better reflects the way the development process works. Zoning is a tool devised for use in essentially urban areas and may not necessarily apply to all areas of Maine. It must be recognized that land use planning and development control problems in rural and urban areas are often different enough in nature and degree to justify different treatment. It is part of the state planning function to delineate those areas which are urban or are under heavy development pressure, and to require proper zoning in such areas. The coupling of state and local land use enforcement powers with state and local participation in regional planning may be the most appropriate way to achieve state land use objectives.

Summary

Legislative measures for land use regulation in Maine's coastal areas already exist. As a result of the coastal zone management program, the state's land use management and regulation efforts will be systematized into an identifiable network that integrates the many levels and entities of government involved.

In addition to what already exists, the following measures will be taken and in place at the time the state makes its formal submission for program approval:

1. The establishment, by Executive Order, of the Governor's Cabinet Committee on Land Use to coordinate state land use policy and to take appropriate measures to incorporate the natural resource analysis for coastal areas.

2. The adoption by the Bureau of Environmental Protection, the Shoreland Zoning Policy Task Force, the Land Use Regulation Commission, and the Critical Areas Registry Board of policy statements incorporating the coastal zone management natural and policy resource analyses as a basis for regulatory decisions made by these organizations.

3. The adoption by the mid-coastal regional planning commissions of policy statements supporting the state coastal zone management program and stating a willingness to expand their land use management service and

As a result of program approval the following measures will be initiated:

1. Department of Environmental Protection staff members in each mid-coastal region to advise on Site Location Law applications, coordinate land use permit requirements and to work with code enforcement officers.

2. The employment of several staff persons at the regional level to coordinate technical assistance teams to work with regional advisory committees and local planning officials in the development of local and regional plans.

3. Legal and administrative assistance, coordinated at the regional level, in interpreting and enforcing land use regulatory measures, particularly shoreland zoning and mandatory subdivision review applications.

4. The initiation of state level programs to (a) strengthen the connection between the land use management program and coastal water quality impacts and existing classifications; (b) provide staff assistance to the Cabinet Committee on Land Use and the Commission on Maine's Future; (c) assist the coastal island management and regulation efforts of the Department of Conservation.

The long range goals of coastal zone management can be achieved through:

1. Some amendments to the Critical Areas Registry Act;

2. The regional development of a land use planning process;

3. Improvement of the mechanism for public policy development at the regional level and the integration of such policies with those developed at the state level through the Commission on Maine's Future;

4. The coastal zone management system extended statewide as a comprehensive land use policy plan.

As a final note, it is particularly important in Maine that this difficult transition from what was essentially government non-involvement in land use planning and control be handled delicately as the process is viewed with skepticism by a generally conservative populace.

The solution proposed for the problems we face does not promise to be an easy one to implement; however, the situation demands attention and the alternative courses of action which may be more palatable in the short term will be far less inviting in the final analysis.

Minutes from the NSRPB Public Meeting on Coastal Zone Management

A second public meeting concerning the NSRPB/N.Y.S. Office of Planning Services contract was held on Tuesday, June 10, 1975 at 7:30 p.m. in the Medical Examiner's Conference Room, Suffolk County Office Building, Hauppauge, N.Y. Dr. Lee Koppelman presided.

Dr. Koppelman regretfully announced that Adm. Stephan had a heart attack, and, therefore, will not be attending the CPC meetings in the near future.

Dr. Koppelman again stressed that upon completion of the CZM Plan and approval of the Plan by the Secretary of the Dept. of Commerce, no Federal actions can be implemented which are not in accordance with the CZM Plan. Therefore, a CZM Plan can be a very powerful tool despite the low Federal funding allocated for the development of CZM Plans.

The output of the CPC will, also, serve as an input in the 208 program. The goals and objectives developed by the CPC will serve as a check on the 208 and insure that nothing has been overlooked.

On Goal I of the handout distributed at the first meeting, it was suggested that the natural process of erosion be accepted, but that development which accelerates the natural rate of erosion be limited.

It was pointed out that the restriction of off-road vehicles in the shoreline area would have difficulty standing up in court. The word, regulate, was supported as a substitute for restrict.

There was a question as to whether the opening of additional inlets would be regarded as desirable by the CPC. Although the addition of an inlet would increase the flushing action of the bays, it would also change the salinity of the bays and, thereby, affect the clam industry of the bays. It was stated that the increased flushing of the bays also cuts down on the setting of clam larvae. A suggestion was made that if vessels are to be required to have holding tanks, then adequate onshore treatment and disposal of vessel wastes should also be required. There is no sense in having holding tanks on board if marinas simply pump out vessel wastes into creeks and bays.

It was felt that the section on preserving and protecting historic areas was insufficient. Modification of this section reflect the comments made by members of the CPC.

Goal III and Goal VIII have been combined. A goal stating the necessity of developing a legal and administrative mechanism for the implementation of the coastal area plan was added to the end of the list of goals and objectives.

Comments and suggestions for the amendment of the initial list of goals and objectives have been incorporated into the revised list of goals and objectives that are attached to these minutes.

Further suggestions and modifications of the attached list of goals and objectives are welcomed.

The next meeting will beheld on Tuesday, July 1, 1975 at 7:30 p.m. in the 12th floor Planning Dept. Conference Room, H. Lee Dennison Building, Hauppauge, N.Y. (The south entrance to the building will be unlocked.)

The agenda for the July 1 meeting will be as follows:

1. Discussion of any further refinement of the goals and objectives.

2. Ratification of goals and objectives (however, they can be reopened at any time).

3. Determination of the definition of the coastal area.

Goals and Objectives for Coastal Area Management

Goal I To forestall the acceleration of shoreline destruction and erosion.

Obj. A Minimize the damage by future shoreline development.

Control development on those lands contained in the Intermediate Regional Tidal Flood Plain by use of flood plain zoning, land use management concepts and other regulatory tools.

Prohibit construction on primary dune lines and seaward side of secondary dunes.

Prohibit construction of dwellings in those shoreline areas which are backed by eroding bluffs through the adoption of bluff hazard zoning.

Obj. B Establish erosion prevention policies that are harmonious with the dynamic nature of the shoreline area.

Emphasize dune stabilization and beach nourishment techniques that are compatible with the natural processes as the primary means of minimizing storm breaching of the south shore barrier islands.

Prohibit dredging of sand for beach nourishment from the outer winter bar and from areas shoreward of the outer winter bar.

Prohibit the construction of groins and other shore protection devices either by government or private persons unless it can be demonstrated that such structures will not adversely affect adjacent property.

Stabilize existing south shore inlets through the implementation of Federal projects for sand bypassing systems.

Regulate off-road vehicles in the shoreline area.

Goal II To preserve and protect water resources.

Obj. A Dispose of wastewater without appreciably diminishing the quality and quantity of groundwaters and fresh surface waters and the quality of marine waters.

Encourage continuance of experimental research of wastewater disposal as is done at Wantagh Sewage Treatment Plant, the advanced wastewater treatment plant at Hauppauge, BTTAC at Brookhaven Lab, etc.

Consider advances in wastewater treatment technology such as renovation of wastewater through land disposal by spray irrigation, and the merits of different water management schemes, such as a dual water supply system, a non-aqueous waste disposal system and treatment of water supply at the well-head, in the design of new water supply systems.

Require adequate treatment for all sewage plant effluents discharged to estuarine or any other confined waters, in order to maintain acceptable marine water quality.

Continue the present program of installing sewage collection, treatment and disposal systems in densely populated areas for handling domestic and industrial wastewater pending the development of satisfactory alternatives.

Continue ocean disposal of wastewaters subject to treatment producing an effluent with acceptable quality for ocean discharge. However, it must be recognized that this system lowers groundwater levels. When water supplies can be successfully augmented by recharging treated wastewater of sufficient quality, ocean disposal of wastewater should be phased out.

Design storm water systems so as to reduce contaminant flows into the marine environment and to replenish groundwater acquifers.

Establish no discharge zones for selected marine water areas which now have excellent water quality for fishing and recreational purposes.

Require source pretreatment of toxic and hard-to-treat industrial wastes if such substances would be incompatible with effective and economical treatment in municipal treatment plants.

Require holding tanks on vessels for vessel wastes, and require adequate onshore facilities for the treatment and disposal of vessel wastes.

Goal III To maximize the public benefit while minimizing the environmental damage from the development of the natural resources of the coastal area.

Obj. A Minimize alteration of natural landforms and native vegetation.

Obj. B Maintain living natural resources of high biologic productivity and importance, and preserve and protect their habitat.

Undertake research/management programs to determine appropriate harvest yields for maximum sustained yields of shellfish and finfish.

Consider the net effects on hard clam resources and other marine life when determining the acceptability of: a. upgrading the treatment process of those sewage plants which presently discharge their effluents into shellfish producing waters; b. expanding existing sewage treatment plants or constructing new sewage treatment plants which discharge effluents into shellfish producing waters; and c. constructing sewage outfall pipes which traverse shellfish beds.

Encourage New York State, pertinent local governments and private agencies to acquire at the earliest practical date a fee simple or lesser property interest in as much of the remaining privately held wetlands as possible, with a view toward preserving them in perpetuity. Grant tax and other incentives to individual wetland owners who assure preservation and

enhancement of their properties, as initiated by Nassau County in 1974.

Take measures for the rapid containment and clean up of oil spills.

Endorse national regulation and management of migrating species.

Obj. C Encourage research to increase knowledge base necessary for understanding the environmental effects of development.

Obj. D Identify, preserve and protect distinct geologic formations.

Obj. E Identify, preserve and protect areas of scenic beauty.

Goal IV To identify, preserve, protect and restore areas of historic and cultural significance.

Obj. A Establish historic districts.

Obj. B Obtain funds for technical aid needed for designating areas and structures as historic landmarks in the National Register of Historic Landmarks.

Obj. C Encourage public acquisition of historic and cultural structures and areas.

Goal V To enable the public to enjoy the amenities that the coastal zone has to offer.

Obj. A Promote visual and physical access to the coastal zone.

Improve visual access through regulation and easement acquisition for maximum visual enjoyment of the shoreline and coastal waters by the general public.

Discourage the location of parking facilities on the valuable shoreline edge.

Improve access to selected recreational facilities in accordance with optimum capacity of facilities through improved mass transportation.

Require that all new electric generating sites located along the shoreline provide public access to the water for recreational purposes.

Increase access for fishermen to fishing grounds through use of existing groins, breakwaters and jetties under public ownership or regulation.

Obj. B Provide for a diversity of public recreational experiences in the coastal zone.

Identify those recreation activities that are water enhanced such as camping, picnicking, horseback riding, and those activities that are water dependent such as, shellfishing, finfishing, scuba diving, bathing, waterfowl hunting, birdwatching, etc.

Satisfy some of the future recreational development on lands already in public ownership through more efficient use of existing public lands and facilities.

Acquire additional land for both active and passive recreation.

Encourage municipalities to open underutilized parks and beaches to all during week days in accordance with optimum recreational capacity of resources.

Goal VI To provide for compatible, water dependent and water enhanced uses in the coastal area.

Obj. A Identify those activities which are water dependent such as, aquatic culture, outdoor recreation, marinas, ferry terminals, and those activities which are water enhanced such as, residential development, duck farming, sand and gravel mining.

Obj. B Direct non-water related growth inland.

Obj. C Review zoning ordinances and recommend amendments to ordinances so that only compatible water dependent and water enhanced uses are encouraged in the coastal zone.

Goal VII To preserve, protect and develop regional infrastructure sites necessary for and related to the coastal zone.

Obj. A Review siting criteria necessary for infrastructure locations and then use this information to identify sites which would be appropriate for regional infrastructure.

Consider possibility of establishing a land bank for the preservation of potential regional infrastructure sites.

Obj. B Determine which dredging projects are essential and in the best interests of the public, and design and implement such projects in a manner which is not environmentally counter-productive.

Obj. C Satisfy demand for electric power on Long Island in environmentally acceptable ways including possible use of wind power, solar power, tidal power, etc.

Obj. D Consolidate port facilities for petroleum in order to reduce vessel trips, oil spillage, dredging, highway congestion around ports, shorefront land consumption by storage tanks and fuel cost to the consumer.

Goal VIII To restore and enhance, wherever possible, degraded natural or developed portions of the coastal zone.

Obj. A Rehabilitate coastal areas that have been mined for sand and gravel.

Obj. B Improve degraded wetlands and create new wetlands.

Obj. C Upgrade urban waterfronts.

Goal IX To develop legal and administrative mechanism necessary for implementation of coastal plan.

Obj. A Identify areas of public interest in the coastal area, and adopt legislation that identifies these areas that should be under public ownership.

Obj. B Develop intergovernmental cooperation and necessary regulations for coastal zone management.

Minutes of the NSRPB Public Meeting on Coastal Zone Management

A third public meeting concerning the NSRPB/NYS Office of Planning Services contract was held on Tuesday, July 1, 1975 at 7:30 p.m. in the 12th floor Planning Dept. Conference Room, H. Lee Dennison Building, Hauppauge, N.Y. Dr. Lee Koppelman presided.

A question was raised concerning what level of government and what agency would eventually administer the regulation of shoreline development as determined by the CZM Plan. Dr. Koppelman stated that that point would be addressed later on under management alternatives. His own feelings on the matter of government regulatory control are that New York State has had a poor record in enforcing their own laws, and the home rule of local governments has been responsible for many of the abuses that have occurred in the management of the coastal zone. Development controls in the CZ are absolutely necessary, according to Dr. Koppelman, but it has not been decided which level or levels of government will have regulatory power under this CZM program.

Islip Town Shellfish Management Commission recommended that Goal I, Objective B, paragraph 2, also prohibit the dredging of sand for beach nourishment from the bay side of the barrier beach. The recommendation was approved by the CPC and incorporated within paragraph 2.

The prohibition clause in Goal I, Objective B, paragraph 2 was amended to include the exemption of existing navigable channels and environmentally acceptable bulkheads that have collapsed.

It was noted that Goal I, Objective B, paragraph 3 makes no mention of the prohibition of the reconstruction of environmentally unacceptable groins that are deteriorating. Therefore, the word reconstruction has been added to that paragraph.

A suggestion was made that the word stabilize be amended to control. The gentleman who recommended that south shore inlets be controlled rather than just stabilized, stated that he will bring to the next meeting the plan that has been developed for controlling the flow of water through south shore inlets.

Mr. Matthew Klein was unable to attend the meeting but did contact the MRC to suggest that perhaps somewhere in Goal I, Objective B floating breakwaters should be utilized for controlling beach erosion.

A second objective was added to Goal II, and it states that the growth in the Nassau-Suffolk area should be controlled in conjunction with the carrying capacity of the water supplies on Long Island.

Changes to paragraphs 3, 4 and 5 of Objective B, Goal II are shown in the revised edition of the goals and objectives that are attached to these minutes.

Mr. Dennis Puleston submitted to the MRC a letter containing two suggestions for improving the list of goals and objectives. His first comment was incorporated into Goal III as Objective F. It was felt that Objective A of Goal VIII sufficiently addresses the subject of Mr. Puleston's second comment - the improvement of wildlife breeding and feeding areas and the creation of new ones.

Ms. Carlie Larson had discussed Goal IV with Ms. Barbara Van Liew, and they felt it was too narrow in scope. It was pointed out that many areas and structures on Long Island may not qualify for listing on the National Register of Historic Landmarks but should definitely be preserved. Ms. Larson will ask Ms. Van Liew to assist her in reworking Goal IV.

Ms. Larson felt that insecticide and pesticide control should also be included somewhere within the goals and objectives. Copies of the revision of Goal IV and the inclusion of a goal for insecticide and pesticide control will either be sent to the CPC membership shortly before the next meeting or distributed at the next meeting.

Objective D was added to Goal VIII and Objectives C and D were added on to Goal IX.

It was suggested that all local governments be sent a copy of the goals and objectives that are being developed by the Citizens Participation Committee (CPC). Dr Koppelman agreed but felt we should wait until the CPC has finalized its goals and objectives.

Ms. Swick and Ms. Morrison illustrated and explained the various methods for delineating the coastal zone area. If drainage basins that empty into the coastal waters are to be considered as the criteria for the definition of the coastal zone, then almost all of Long Island could be considered within the coastal zone except for a few areas that have internal drainage basins.

Three separate sheets of the U.S.G.S Sea Cliff quadrangle map were used to illustrate environmental, aesthetic and jurisdictional concerns that could possibly serve as coastal zone boundaries. The 100 year flood line, the watershed divide and areas of critical concern were shown on the environmental features map; areas of critical concern, 500' boundary and major road or railroad were shown on the aesthetic features map; and public lands were shown on the jurisidictional area map.

Areas of critical concern for all of Long Island were also shown in color on U.S.G.S. quadrangle sheets. These maps will be on display for public view in the 12th floor Planning Dept. Conference Room from 9:00 to 4:30 any weekday except Monday.

The next monthly meeting of the CPC will be Tuesday, August 5, 1975 at 7:30 p.m. in the 12th floor Planning Dept. Conference Room, H. Lee Dennison Office Building,Hauppauge, N. Y. Please use the north entrance.

The CPC, at the next meeting, will delve more deeply into the question of what constitutes the coastal area. Any additional refinements to the goals and objectives are welcomed.

Being that the hour was late the meeting adjourned at 11:15 p.m.

Goals and Objectives for Coastal Area Management

Goal I To forestall the acceleration of shoreline destruction and erosion.

Obj. A Minimize the damage by future shoreline development.

1. Control development on those lands contained in the Intermediate Regional Tidal Flood Plain by use of flood plain zoning, land use management concepts and other regulatory tools.

2. Prohibit construction on primary dune lines and seaward side of secondary dunes.

3. Prohibit construction of dwellings in those shoreline areas which are backed by eroding bluffs through the adoption of bluff hazard zoning.

Obj. B Establish erosion prevention policies that are harmonious with the dynamic nature of the shoreline area.

1. Emphasize dune stabilization and beach nourishment techniques that are compatible with the natural processes as the primary means of minimizing storm breaching of the south shore barrier islands.

2. Prohibit dredging of sand for beach nourishment from the outer winter bar, from areas shoreward of the outer winter bar, and from the bay side of the barrier beaches except in established navigable channels and in those areas where environmentally acceptable bulkheads have collapsed.

3. Prohibit the construction or reconstruction of groins and other shore protection devices either by government or private persons unless it can be demonstrated that such structures will not adversely affect adjacent property.

4. Stabilize existing south shore inlets through the implementation of Federal projects for sand bypassing systems.

5. Regulate off-road vehicles in the shoreline area.

Goal II To preserve and protect water resources.

Obj. A Control of growth in Nassau and Suffolk Counties as determined by the carrying capacity of the water supplies on Long Island.

Obj. B Dispose of wastewater without appreciably diminishing the quality and quantity of groundwaters and fresh surface waters and the quality of marine waters.

1. Encourage continuance of experimental research of wastewater disposal as is done at Wantagh Sewage Treatment Plant, the advanced wastewater treatment plant at Hauppauge, B.T.P.A.C. (Brookhaven Town Project Advisory Committee Upland Recharge Project) at Brookhaven Lab., etc.

2. Consider advances in wastewater treatment technology such as renovation of wastewater through land disposal by spray irrigation, and the merits of different water management schemes, such as a dual water supply system, a non-aqueous waste disposal system and treatment of water supply at the well-head, in the design of new water supply systems.

3. Require adequate treatment for all sewage plant effluents discharged to either ocean, sound, estuarine or any other confined waters, in order to maintain acceptable marine water quality.

4. Pending the development of satisfactory alternatives, continue the present program of installing sewage collection, treatment and disposal systems in existing densely populated areas for handling domestic and industrial wastewater.

5. Ocean disposal of properly treated wastewater should be phased out when water supplies can be successfully augmented by recharging treated wastewater of sufficient quality.

6. Design storm water systems so as to reduce contaminant flows into the marine environment and to replenish groundwater acquifers.

7. Establish no discharge zones for selected marine water areas which now have excellent water quality for fishing and recreational purposes.

8. Require source pretreatment of toxic and hard-to-treat industrial wastes if such substances would be incompatible with effective and economical treatment in municipal treatment plants.

9. Require holding tanks on vessels for vessel wastes, and require adequate onshore facilities for the treatment and disposal of vessel wastes.

Goal III To maximize the public benefit while minimizing the environmental damage from the development of the coastal area.

Obj. A Minimize alteration of natural landforms and native vegetation.

Obj. B Maintain living natural resources of high biologic productivity and importance, and preserve and protect their habitat.

1. Undertake research/management programs to determine appropriate harvest yields for maximum sustained yields of shellfish and finfish.

2. Consider the net effects on hard clam resources and other marine life when determining the acceptability of: a. upgrading the treatment process of those sewage plants which presently discharge their effluents into shellfish producing waters; b. expanding existing sewage treatment plants or constructing new sewage treatment plants which discharge effluents into shellfish producing waters; and c. constructing sewage outfall pipes which traverse shellfish beds.

3. Encourage New York State, pertinent local governments and private agencies to acquire at the earliest practical date a fee simple or lesser property interest in as much of the remaining privately held wetlands as possible, with a view toward preserving them in perpetuity. Grant tax and other incentives to individual wetland owners who assure preservation and enhancement of their properties, as initiated by Nassau County in 1974.

4. Take measures for the rapid containment and clean up of oil spills in environmentally acceptable ways.

5. Endorse national regulation and management of migrating species.

Obj. C Encourage research to increase knowledge base necessary for understanding the environmental effects of development.

Obj. D Identify, preserve and protect distinct geologic formations.

Obj. E Identify, preserve and protect areas of scenic beauty.

Obj. F Identify, preserve and protect important wildlife populations (fauna and flora) and their habitats, with special emphasis on rare and endangered species.

Goal IV To identify, preserve, protect and restore areas of historic and cultural significance.

Obj. A Establish historic districts.

Obj. B Obtain funds for technical aid needed for designating areas and structures as historic landmarks in the National Register of Historic Landmarks.

Obj. C Encourage public acquisition of historic and cultural structures and areas.

Goal V To enable the public to enjoy the amenities that the coastal zone has to offer.

Obj. A Promote visual and physical access to the coastal zone.

1. Improve visual access through regulation and easement acquisition for maximum visual enjoyment of the shoreline and coastal waters by the general public.

2. Discourage the location of vehicle parking facilities on the valuable shoreline edge.

3. Improve access to selected recreational facilities in accordance with optimum capacity of facilities through improved mass transportation.

4. Require that electric generating sites located along the shoreline provide public access to the water for suitable recreational purposes.

5. Increase access for fishermen to fishing grounds through use of existing groins, breakwaters and jetties under public ownership or regulation.

Obj. B Provide for a diversity of public recreational experiences in the coastal zone.

1. Identify those environmentally compatible recreational activities that are water dependent and/or water enhanced.

2. Satisfy some of the future recreational development on lands already in public ownership through more efficient use of existing public lands and facilities.

3. Acquire additional land for both active and passive recreation.

4. Encourage municipalities to open underutilized parks and beaches to all during week days in accordance with optimum recreational capacity of resources.

Goal VI To provide for compatible, water dependent and water enhanced uses in the coastal area.

Obj. A Identify those activities which are water dependent and/or water enhanced.

Obj. B Direct non-water dependent and non-water enhanced growth inland.

Obj. C Review zoning ordinances and recommend amendments to ordinances so that only compatible water dependent and water enhanced uses are encouraged in the coastal zone.

Goal VII To preserve, protect and develop regional infrastructure sites necessary for and related to the coastal zone.

Obj. A Review siting criteria necessary for infrastructure locations and then use this information to indentify sites which would be appropriate for regional infrastructure.

Obj. B Consider possibility of establishing a land bank for the preservation of potential regional infrastructure sites.

Obj. C Determine which dredging projects are essential and in the best interests of the public, and design and implement such projects in a manner which is not environmentally counter-productive.

Obj. D Satisfy demand for electric power on Long Island in environmentally acceptable ways including possible use of wind power, solar power, tidal power, etc.

Obj. E Consolidate port facilities for petroleum in order to reduce vessel trips, oil spillage, dredging, highway congestion around ports, shorefront land consumption by storage tanks and fuel cost to the consumer.

Goal VIII To restore and enhance, wherever possible, degraded natural, wildlife or developed portions of the coastal zone.

Obj. A Improve degraded wetlands and estuarine areas, and create new wetlands.

Obj. B Rehabilitate coastal areas that have been mined for sand and gravel.

Obj. C Upgrade urban waterfronts.

Obj. D Rescue wildlife harmed by oil spills or other environmental hazards.

Goal IX To develop legal and administrative mechanisms necessary for implementation of coastal plan.

Obj. A Identify areas of public interest in the coastal area, and adopt legislation that identifies these areas that should be under public ownership.

Obj. B Develop intergovernmental cooperation and necessary regulations for coastal zone management.

Obj. C Develop a comprehensive educational program to further knowledge of and interest in the problems of the coastal zone and their management.

Obj. D Foster intergovernmental coordination to eliminate regulatory duplication of coastal zone management.

Minutes of the NSRPB Public Meeting on Coastal Zone Management

A fourth public meeting concerning the NSRPB NYS Office of Planning Services contract was held on Tuesday, August 5, 1975 at 7:30 p.m. in the 12th floor Planning Dept. Conference Room, H. Lee Dennison Building, Hauppauge, N.Y. Dr. Lee Koppelman presided.

The Goals and Objectives for Coastal Zone Management were briefly discussed and the amended sections are contained in Attachment A of these minutes.

Paragraphs 6 and 7 of Objective B, Goal III were added and all of Goal IV was revised by Ms. Carlie Larson. These revisions and additions by Ms. Larson were approved by the CPC.

Mr. Jim Bagg of the Council on Environmental Quality sent to the CPC a memorandum addressing several issues. In addition to dune stabilization and beach nourishment techniques contained in Goal 1, Objective B(1), Mr. Bagg felt that wetland building should be considered as a viable method for controlling erosion and preventing breeching. Since wetlands exist at very low elevations, the CPC decided that wetland building should not be considered as a primary means of minimizing storm breeching.

Mr. Bagg asked what policies should be followed if a breech does occur. Should the breaks be allowed to close naturally or should they be closed artifically and natural processes accelerated using dune and wetland building and beach nourishment techniques? It was felt that the policies to be followed would have to be determined through water quality and salinity conditions by site specific locations.

The rewording of Goal III, Objective B(1) by Mr. Bagg adds clarity to that paragraph and is incorporated in the revised Goals and Objectives.

A motion was made by Ms. Elizabeth Long Burr of Lloyd Harbor to delete paragraph 4 of Objective B, Goal V. Ms. Burr questioned who would determine the optimum recreational capacity of parks and beaches, and how would one make this determination. Dr. Koppelman assured Ms. Burr that Suffolk County would not define the optimum recreational capacity of town and village parks and beaches unless specifically requested to do so by local municipalities. The optimum capacity of a recreational facility depends upon such criteria as the environmental sensitivity of the area, road access and parking facilities, sanitary facilities, etc. In order to make paragraph 4 more attractive to local municipalities, Mr. Kunz, Assistant Director of the Suffolk County Planning Department, suggested that non-residents could be charged a users fee which would serve as an additional source of revenue for local municipalities in maintaining underutilized recreational facilities. A vote on the motion made by Ms. Burr resulted in a tie. Dr. Koppelman suggested that further discussion of paragraph 4 be postponed to a future meeting.

Several persons felt that paragraphs 1-5 of Goal I, Objective B were still insufficient. Mr. Parthe and any other interested individuals were asked by Dr. Koppelman to rework this section.

In order for the CPC to recommend changes in the government control mechanisms for the coastal zone, Mr. Kunz believed it would be beneficial to briefly

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outline the existing areas of zoning and subdivision review by Nassau and Suffolk Counties in the coastal zone. The Suffolk County Planning Commission reviews zoning changes and proposed subdivisions when they lie within one mile of a nuclear power plant or airport, or within a distance of five hundred feet from:

(1) the boundary of any village or town; or
(2) the boundary of any existing or proposed county, state or federal park or other recreation area; or
(3) the right-of-way of any existing or proposed county or state parkway, thruway, expressway, road or highway; or
(4) the existing or proposed right-of-way of any stream, or drainage channel owned by the county or for which the county has established channel lines; or
(5) the existing or proposed boundary of any other county, state or federally-owned land; or
(6) the Atlantic Ocean, Long Island Sound, any bay in Suffolk County or estuary of any of the foregoing bodies of water.

Suffolk County Planning Commission has conclusive review only on proposed subdivision and zoning changes that lie within 500 feet of a town or village boundary. In all other cases, the Suffolk County Planning Commission's review is advisory. Local planning boards, with a majority plus one vote, can override the Suffolk County Planning Commission advisory review.

The Suffolk County shoreline review provision has been in operation for 3 years. New York State Department of Environmental Conservation is the permit agency when a proposed subdivision is located in a tidal wetland area.

Nassau County has conclusive subdivision review in all unincorporated areas, but only advisory review in all of Nassau County for zoning changes that lie within a distance of 500 feet from:

(1) the boundary of any village or town; or
(2) the boundary of any existing or proposed county, state or federal park or other recreation area; or
(3) the right-of-way of any existing or proposed county or state parkway, thruway, expressway, road or highway; or
(4) the existing or proposed right-of-way of any stream, or drainage channel owned by the county or for which the county has established channel lines; or
(5) the existing or proposed boundary of any other county, state or federally-owned land.

In a court decision five years ago, Nassau County lost the conclusive review power for zoning changes that lie within a distance of 500 feet from the boundary of any village or town. Nassau County does not have review of zoning changes occuring within the shoreline area or near airports or power plants.

Dr. Koppelman explained that while it was logical to include some sections of the country in the National Flood Insurance Program, the barrier beach islands should not be included in this program. He feels that the government shouldn't subsidize people who knowingly build in a natural hazard zone. If certain areas shouldn't be built upon, Dr. Koppelman feels legislation must be implemented to limit construction in these areas.

Ms. Carol Swick of the NSRPB illustrated several methods of delineating the coastal zone boundary through use of USGS quad maps. The 10' contour line and/or 1000' from the 10' contour line, as was shown on several quad sheets, takes in all of the barrier beach islands and a large portion of Long Island's south shore. The 100 year flood line was also superimposed on the maps. A method for the inclusion of fresh water wetlands adjacent to the Peconic River was illustrated by including land 1000' out from the center line or shoreline of the river.

Mr. Kevin Kearney submitted a detailed proposal for the delineation of the coastal zone. His proposal is Attachment B of the minutes.

Dr. Koppelman stated that he would like local government representatives to relay to their village and town governments the methods discussed for delineating the coastal zone and report back at the next meeting ready to discuss how their municipality views the boundaries of the coastal zone. The implementation of a coastal zone plan hinges on a good definition of the coastal zone.

The next monthly meeting of the CPC will be held Tuesday, September 2, 1975 at 7:30 p.m. in the 12th floor Planning Department Conference Room, H. Lee Dennison Office Building, Hauppauge, New York. Please use the north entrance.

ATTACHMENT "A"

Goals and Objectives for Coastal Area Management

Goal I To forestall the acceleration of shoreline destruction resulting from alteration and unnatural erosion.

Obj. A Control future shoreline development to minimize damage from development in critical areas, such as flood plains, dunes, bluffs.

1. Control development on those lands contained in the Intermediate Regional Tidal Flood Plain by use of flood plain zoning, land use management concepts and other regulatory tools.

2. Prohibit construction on primary dune lines and seaward side of secondary dunes.

3. Prohibit construction of dwellings in those shoreline areas which are backed by eroding bluffs through the adoption of bluff hazard zoning.

Obj. B Establish erosion prevention policies that are harmonious with the dynamic nature of the shoreline area.

1. Emphasize dune stabilization and beach nourishment techniques that are compatible with the natural processes as the primary means of minimizing storm breaching of the south shore barrier islands.

2. Prohibit dredging of sand for beach nourishment from the outer winter bar, from areas shoreward of the outer winter bar, and from the bay side of the barrier beaches except in established navigable channels and in those areas where environmentally acceptable bulkheads have collapsed.

3. Prohibit the construction or reconstruction of groins and other shore protection devices either by government or private persons unless it can be demonstrated that such structures will not adversely affect adjacent property.

4. Stabilize existing south shore inlets through the implementation of Federal projects for sand bypassing systems.

5. Regulate off-road vehicles in the shoreline area.

Goal II To preserve and protect water resources.

Obj. A Control of growth in Nassau and Suffolk Counties as determined by the carrying capacity of the water supplies on Long Island.

Obj. B Dispose of wastewater without appreciably diminishing the quality and quantity of groundwaters and fresh surface waters and the quality of marine waters.

1. Encourage continuance of experimental research of wastewater disposal as is done at Wantagh Sewage Treatment Plant, the advanced wastewater treatment plant at Hauppauge, B.T.P.A.C. (Brookhaven Town Project Advisory Committee Upland Recharge Project) at Brookhaven Lab., etc.

2. Consider advances in wastewater treatment technology such as renovation of wastewater through land disposal by spray irrigation, and the merits of different water management schemes, such as a dual water supply system, a non-aqueous waste disposal system and treatment of water supply at the well-head, in the design of new water supply systems.

3. Require adequate treatment for all sewage plant effluents discharged to either ocean, sound, estuarine or any other confined waters, in order to maintain acceptable marine water quality.

4. Pending the development of satisfactory alternatives, continue the present program of installing sewage collection, treatment and disposal systems in existing densely populated areas for handling domestic and industrial wastewater.

5. Ocean disposal of properly treated wastewater should be phased out when water supplies can be successfully augmented by recharging treated wastewater of sufficient quality.

6. Design storm water systems so as to reduce contaminant flows into the marine environment and to replenish groundwater acquifers.

7. Establish discharge standards for selected marine water areas which now have excellent water quality for fishing and recreational purposes.

8. Require source pretreatment of toxic and hard-to-treat industrial wastes if such substances would be incompatible with effective and economical treatment in municipal treatment plants.

9. Require holding tanks on vessels for vessel wastes, and require adequate onshore facilities for the treatment and disposal of vessel wastes.

Goal III To maximize the public benefit while minimizing the environmental damage from the development of the coastal area.

Obj. A Minimize alteration of natural landforms and native vegetation.

Obj. B Maintain living natural resources of high biologic productivity and importance, and preserve and protect their habitat.

1. Undertake research/management programs to determine appropriate harvest quotas to maintain maximum sustained yields of shellfish and finfish.

2. Consider the net effects on hard clam resources and other marine life when determining the acceptability of: a. upgrading the treatment process of those sewage plants which presently discharge their effluents into shellfish producing waters; b. expanding existing sewage treatment plants or constructing new sewage treatment plants which discharge effluents into shellfish producing waters; and c. constructing sewage outfall pipes which traverse shellfish beds.

3. Encourage New York State, pertinent local governments and private agencies to acquire at the earliest practical date a fee simple or lesser property interest in as much of the remaining privately held wetlands as possible, with a view toward preserving them in perpetuity. Grant tax and other incentives to individual wetland owners who assure preservation and enhancement of their properties, as initiated by Nassau County in 1974.

environmentally acceptable ways.

5. Endorse national regulation and management of migrating species.

6. Encourage and develop alternatives to the use of chemical and broad-spectrum pesticides in agriculture and for vector control. Support integrated approach to mosquito control with emphasis on biological controls.

7. Fund research on the effects of mosquito control on the salt marshes and estuaries, including immediate and cumulative effects of insecticides and evaluation of the effects of ditch systems.

Obj. C Encourage research to increase knowledge base necessary for understanding the environmental effects of development.

Obj. D Identify, preserve and protect distinct geologic formations and distinct geomorphic features.

Obj. E Identify, preserve and protect areas of scenic beauty.

Obj. F Identify, preserve and protect important wildlife populations (fauna and flora and their habitats, with special emphasis on rare and endangered species.

Obj. G To give due consideration to the orderly ecological and social development of the coastal zone.

Goal IV. To identify, preserve, protect and restore areas of historic and cultural significance, and identify and protect from destruction and abuse significant archeological sites and features.

Obj. A Establish historic districts and historic highway corridors.

Obj. B Obtain funds for technical aid needed for identifying and documenting areas and structures according to the guidelines established by the State of New York Historic Resources Survey Manual.

Obj. C Encourage public acquisition of historic and cultural structures and areas.

Obj. D Recommend adequate mitigation measures (e.g., preserving the resources intact underground, fencing the resource area, or having the resources professionally excavated) where development would adversely affect significant archeological resources.

Goal V To enable the public to enjoy the amenities that the coastal zone has to offer.

Obj. A Promote visual and physical access to the coastal zone.

1. Improve visual access through regulation and easement acquisition for maximum visual enjoyment of the shoreline and coastal waters by the general public.

2. Discourage the location of vehicle parking facilities on the valuable shoreline edge.

3. Improve access to selected recreational facilities in accordance with optimum capacity of facilities through improved mass transportation.

4. Require that electric generating sites located along the shoreline provide public access to the water for suitable recreational purposes.

5. Increase access for fishermen to fishing grounds through use of existing groins, breakwaters and jetties under public ownership or regulation.

Obj. B Provide for a diversity of public recreational experiences in the coastal zone.

1. Identify those environmentally compatible recreational activities that are water dependent and/or water enhanced.

2. Satisfy some of the future recreational development on lands already in public ownership through more efficient use of existing public lands and facilities.

3. Acquire additional land for both active and passive recreation.

4. Encourage municipalities to open underutilized parks and beaches to all during week days in accordance with optimum recreational capacity of resources.

Goal VI To provide for compatible, water dependent and water enhanced uses in the coastal area.

Obj. A Identify those activities which are water dependent and/or water enhanced.

Obj. B Direct non-water dependent and non-water enhanced growth inland.

Obj. C Review zoning ordinances and recommend amendments to ordinances so that only compatible water dependent and water enhanced uses are encouraged in the coastal zone.

Goal VII To preserve, protect and develop regional infrastructure sites necessary for and related to the coastal zone.

Obj. A Review siting criteria necessary for infrastructure locations and then use this information to indentify sites which would be appropriate for regional infrastructure.

Obj. B Consider possibility of establishing a land bank for the preservation of potential regional infrastructure sites.

Obj. C Determine which dredging projects are essential and in the best interests of the public, and design and implement such projects in a manner which is not environmentally counter-productive.

Obj. D Satisfy demand for electric power on Long Island in environmentally acceptable ways including possible use of wind power, solar power, tidal power, etc.

Obj. E Consolidate port facilities for petroleum in order to reduce vessel trips, oil spillage, dredging, highway congestion around ports, shorefront land consumption by storage tanks and fuel cost to the consumer.

Goal VIII To restore and enhance, wherever possible, degraded natural, wildlife or developed portions of the coastal zone.

Obj. A Improve degraded wetlands and estuarine areas, and create new wetlands.

Obj. B Rehabilitate coastal areas that have been mined for sand and gravel.

Obj. C Upgrade urban waterfronts.

Obj. D Rescue wildlife harmed by oil spills or other environmental hazards.

Goal IX To develop legal and administrative mechanisms necessary for implementation of coastal plan.

Obj. A Identify areas of public interest in the coastal area, and adopt legislation that identifies these areas that should be under public ownership.

Obj. B Develop intergovernmental cooperation and necessary regulations for coastal zone management.

Obj. C Develop a comprehensive educational program to further knowledge of and interest in the problems of the coastal zone and their management.

Obj. D Foster intergovernmental coordination to eliminate regulatory duplication of coastal zone management.

ATTACHMENT "B"

Enclosed is a potential definition of the Nassau, Suffolk Coastal Zone. Hopefully the Citizens Participation Committee can utilize this most likely incomplete viewpoint as a basis for discussion.

The major philosophy that has been developed views the protection of the coastal zone area to some extent related to the bulk of the Island. The coastal zone might be defined without consideration to this relationship or we could define the coastal zone as the entire Island. Defining coastal zone is not unrealistic, but if we later wish to closely regulate this resource it would become difficult to impose the same criteria to inland and marine areas.

an entire ISLAND

The second philosophy divides the Island into separate unique sectors. This division potentially permits the closer molding of future controls for a more sensitive regulation of this natural resource.

I encourage the Citizens Participation Committee to criticize and refine this proposal. The limits of defined areas are perhaps not administratively compatible to existing governmental jurisdictions, this is negotiable, but not to the extent of interfering with natural boundry conditions. Thank you for your consideration.

Respectfully submitted,

Kevin Kearney

Kevin Kearney

PROPOSAL: COASTAL ZONE DEFINITION

I. The establishment of two major zones for the comprehensive protection of Long Island's coastal resources.

Zone A--Directly marine water related, such areas that are greatly influenced by marine activity.

Zone B--Marine associated, areas which have an influence to marine quality although generally considered upland areas.

II. Division of Long Island into geological and water budget sectors, to establish definitions for coastal zone protection responsive to the unique properties of each individual sector.

Suggested sectors:

A) North shore
B) South shore
C) North fork
D) South fork
E) River basins
F) Off shore islands
G) Sand islands
H) Marine water bodies
I) Special areas.

Definitions:

A) North Shore:

Great Neck Estates east along the Long Island Sound to Centerville south to the Long Island Expressway's most western point east to Riverhead, excluding natural fresh surface water imput points.

Protect as Zone A all points inland 1000' of the mean high water mark. Protect also any surface water body partially included within this 1000' area to the most inland reaches of that water body and 200' beyond its shoreline.

Protect as Zone B all points within the defined area not covered by Zone A within above defined area.

B) South Shore:

Inwood east to Shinnecock Canal north from the Bays (Great South, South Oyster, Moriches, and Shinnecock) to the western most point of the Long Island Expressway east to Riverhead, excluding natural fresh surface water imput points.

Protect as Zone A all points inland 1000' of the mean high water mark. Protect also any surface water body partially included within this 1000' area to the most inland reaches of that water body and 200' beyond its shoreline.

Protect as Zone B all points within the defined area not covered by Zone A within above defined area.

C) North Fork:

Centerville east to Orient Point, Long Island Sound south to Peconic/Gardiners Bay.

Protect as Zone A all points within above definition from the mean high water mark.

D) South Fork:

Shinnecock Canal east to Montauk Point, Atlantic Ocean north to Peconic/Gardiners Bay excluding natural fresh surface water imput points.

Choice I:

Protect as Zone A all points inland 1000' beyond the mean high water mark.

Protect as Zone B all points not covered as Zone A within above defined area.

Choice II:

Protect as Zone A all points below X elevation to the mean high water mark.

Protect as Zone B all points not covered as Zone A within above defined area.

E) River Basins:

Protect as Zone A all points of natural fresh surface water discharge in Nassau and Suffolk Counties 1000' inland beyond established point of tidal influence.

Protect as Zone B all points upstream of the uppermost limit of Zone A to 1000' beyond the furthest point of connected surface water seepage.

F) Off Shore Islands:

Protect as Zone A all land bodies surrounded by marine water attached or unattached to the main Island (Long Island) by a strip of land no greater in width than 2000', including all federal or state within the jurisdictional boundries of Nassau and Suffolk Counties, exclusive of all islands defined as Sand Islands.

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COASTAL ZONE
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G) Sand Islands:

Protect as Zone A all land bodies surrounded by marine water of a non-permanent, transported composition (further positive identification needed) not connected to Long Island or other off shore islands in the jurisdiction of Nassau and Suffolk by natural means.

H) Marine Water Bodies:

Choice I:

All marine/brackish water bodies adjoining or surrounding areas protected or defined as off shore island, Sand Islands or otherwise defined as Zone A, extending from the mean high water mark outward/offshore to the jurisdictional limits of Nassau and Suffolk Counties.

Choice II:

Protect as marine Zone A 1000' offshore extending from the mean high water mark. Protect also all partially enclosed marine water bodies where land points are within 2000' of each other.

Protect as marine Zone B all marine waters from the offshore limit of marine Zone A to the jurisdictional limits of Nassau and Suffolk Counties.

I) Special Areas:

Protect as Zone A points selected on individual merit not protected by any of the previous sectors: examples, inland vistas of coastal areas, underground river between Lake Ronkonkoma and Long Island Sound, inland marine historical sites.

Minutes of the NSRPB Public Meeting on Coastal Zone Management

A fifth public meeting concerning the NSRPB N.Y.S. Office of Planning Services contract was held on Tuesday, September 2, 1975 at 7:30 p.m. in the 12th floor Planning Dept. Conference Room, H. Lee Dennison Office Building, Hauppauge, N.Y. Mr. Arthur Kunz, the Assistant Director of the Suffolk County Planning Dept., presided.

The first order of business scheduled for this meeting was a discussion of the definition of the Coastal Zone. Dr. Fred Wolff of Hofstra University distributed a memo, which is labeled Attachment A, that briefly outlines the L. I. Coastal Zone according to distances, depths and elevations. The 30 foot depth contour was chosen by Dr. Wolff because this is generally the outer limit for the occurrence of coastal zone bottom processes.

Although the use of established lines such as the 100 year flood line, contour lines and roads for the delineation of the coastal zone are somewhat arbitrary, they are usually well defined and easy to apply on a regional basis. The 100 year flood line, however, is not as well defined as contour lines.

A question was raised as to whether a biological definition was considered in the delineation of the coastal zone. Mr. Kunz noted that a biological definition of the coastal zone is difficult to defend in court (as demonstrated in the Southampton Town case). In addition, a biological definition would require extensive work and would not be easily applicable to a regional area. However, an established line, such as a contour or distance, is easy to define, defend, and pass into law.

The Town of Islip, on a local basis, has defined the boundaries of management areas for wetlands and watercourses according to property lines based on biological factors. A map defining management areas has held up fairly well in court. It was noted that it is important to define in detail the boundaries of the coastal zone so that property owners know whether they are within the coastal zone and, therefore, subject to regulation.

Mr. Kevin Kearney suggested that the L. I. Coastal Zone be defined in terms of a primary and secondary zone. The primary zone would contain all land up to a certain contour and/or fixed distance while the secondary zone would include the remaining land areas that affect the water resources of the coastal zone.

There was a general agreement among the CPC to divide the coastal zone into a primary and secondary zone. Map sheets will be drawn for the next meeting utilizing the 10' contour line and/or 1000' from the 10' contour line for all of Long Island.

Ms. Carol Swick of NSRPB again illustrated several methods for delineating the coastal zone on several U.S.G.S. quad sheet maps. In addition to using the 10' contour line and/or 1000' from the 10' contour line for coastline areas, Mr. Bagg of the C.E.Q. asked the members of the CPC to consider incorporating into the definition of the coastal zone the biologically defined boundaries of the fresh water wetlands as stated in the N.Y.S. Fresh Water Wetlands Act. He

suggested that all land that is a certain agreed upon distance from fresh water wetlands and streams draining into coastal water be included in the definition of the L. I. Coastal Zone.

Mr. Pulvermacher of the Marine Contractors Association stated that he feels it is impossible to come up with a definition of the coastal zone that can be defended in court. The delineation of the coastal zone can be defended in court according to Dr. Tanenbaum of NSRPB, however, the regulations developed by the state for the coastal zone may be subject to question.

Messrs. Parthe and Sanko submitted to the CPC their revision of Goal I. Their revision, which is attachment B, makes Goal I a process oriented goal that establishes a method for achieving a goal. Previously, Goal I, as with all the other Goals, was product oriented rather than process oriented. Many felt that the revised Goal I didn't take a stand and was merely an evaluation process arriving at no conclusive results. But Mr. Sanko pointed out that the original Goal I was too rigid and didn't allow for changing patterns of usage and technical innovations. It was decided that the NSRPB staff would try to integrate the two versions of Goal I. Attachment C contains the integrated Goal I and is considered by the NSRPB to fairly reflect the points raised by Messrs. Parthe and Sanko. In addition, Obj. C of Goal VII was amended and Goal X added.

It was agreed upon that the next monthly meeting of the CPC will be held Tuesday, October 7, 1975 at 7:30 p.m. in the 12th floor Planning Dept. Conference Room, H. Lee Dennison Office Building, Hauppauge, New York.

The meeting adjourned at 10:30 p.m.

To: Members of Coastal Zone Management C.A.C.

From: Dr. Fred Wolff - Geology Department, Hofstra University

Re: Definition of the L.I. Coastal Zone (for a glossary)

Because of the many diverse coastal environments associated with L.I., a division of nearly all of the island based on sectors (as suggested by Mr. K. Kearney) is quite appropriate. Each sector can then be subdivided into specific geographic areas or natural environments that can then be described by a list of relevant features.

The major problem is that the definition, for the sake of accuracy and completeness, becomes a plan (i.e.: lengthy). I propose a more concise but also less complete glossary description, relying on distances, depths, and elevations. However - as Mr. Kearney, because of the uniqueness of the L.I. coasts, I also need subdivisions.

Definition:

A. On the south shore of L.I. - offshore from the 30 foot depth contour and within a one mile (1.6 km.) radius of any impinging surface or subsurface stationary man-made structures, onshore, across all embayments and barrier islands, to a line 1500 feet (500 meters) north of the present mainland coastline (or the 10 foot mainland contour, or 1000 feet (.3 km.) north of the 100 year flood-line).

B. On the north shore of L.I. and along the coast of Peconic Bay - offshore from the Connecticut-New York state boundary (surface and subsurface) onshore to the 20 foot contour elevation and, where coastal cliffs occur, to a line 450 feet (150 meters) landward of the eroded edge of these cliffs.

C. Beneath the surface of L.I. - to the depth of the fresh-saltwater interface where salinity values reach 26 (?) %.

September 2, 1975

Report by the Erosion Control Subcommittee for the Citizens Participation Committee which is advising the NSRPB on Goals and Objectives for Coastal Zone Management.

For your consideration and comment a revised Goal I is hereby submitted.

Goal I To establish soil management policies for the shoreline area.

Obj. A Establish a classification system for the shoreline area.

1. Determine the susceptibility to erosion.

2. Inventory the existing shore protection structures and methods.

3. Inventory the adjacent upland and under water land for the state of development, usage, and physical characteristics.

Obj. B Identify and assess existing shore protection structures and methods.

1. Evaluate the design and operational characteristics of known structures and methods.

2. Evaluate for location, volume, and depth the impact from dredging.

3. Encourage research in areas for which the present knowledge base is inadequate.

Obj. C Establish criteria for the application of shore protection structures and methods.

1. Evaluate existing structures on the adjacent shoreline.

2. Evaluate the requirement by development and usage for shoreline stability.

3. Evaluate potential storm control benefits.

Obj. D Establish criteria for siting structures in the shoreline area.

1. Evaluate the requirements of commercial and recreational vessels for channels and dockage facilities.

2. Evaluate the requirements of non-vessel shoreline dependent commercial activities, e.g. aquaculture.

3. Evaluate the requirements for recreational activities.

4. Evaluate the requirements for residential housing.

5. Encourage research on ways to minimize any adverse impacts from structures in the shoreline area.

Obj. E Zone the shoreline, upland, and under water land.

1. Classify according to permitted types of structures, methods, and usage.

2. Recognize sensitive areas, e.g. dunes, bluffs, and flood plains.

3. Establish locations and methods for dredge spoil disposal.

4. Allow for changing patterns of usage and technological innovation.

5. Recognize the requirement for repair, maintenance, reconstruction, or replacement in kind of existing shoreline structures.

Respectfully submitted,

Peter T. Sanko
Sea Grant Advisory Service

Edward G. Parthe
Marine Contractors Association

ATTACHMENT "C"

Goals and Objectives for Coastal Area Management

Goal I To forestall the acceleration of shoreline destruction resulting from alteration and unnatural erosion.

Obj. A Control future shoreline development to minimize damage from development in critical areas, such as flood plains, dunes, bluffs.

1. Control development on those lands contained in the Intermediate Regional Tidal Flood Plain by use of flood plain zoning, land use management concepts and other regulatory tools.

2. Prohibit construction on primary dune lines and seaward side of secondary dunes.

3. Prohibit construction of dwellings in those shoreline areas which are backed by eroding bluffs through the adoption of bluff hazard zoning.

4. Allow for changing patterns of usage and technological innovation.

Obj. B Establish erosion prevention policies that are harmonious with the dynamic nature of the shoreline area.

1. Emphasize dune stabilization and beach nourishment techniques that are compatible with the natural processes as the primary means of minimizing storm breaching of the south shore barrier islands.

2. Prohibit dredging of sand for beach nourishment from the outer winter bar, from areas shoreward of the outer winter bar, and from the bay side of the barrier beaches except in established navigable channels or where required for repair, maintenance, reconstruction or replacement in kinds of existing shoreline structures.

3. Prohibit the construction or reconstruction of groins and other shore protection devices either by government or private persons unless it can be demonstrated that such structures will not adversely affect adjacent property.

4. Stabilize existing south shore inlets through the implementation of Federal projects for sand bypassing systems.

5. Regulate off-road vehicles in the shoreline area.

Goal II To preserve and protect water resources.

Obj. A Control of growth in Nassau and Suffolk Counties as determined by the carrying capacity of the water supplies on Long Island.

Obj. B Dispose of wastewater without appreciably diminishing the quality and quantity of groundwaters and fresh surface waters and the quality of marine waters.

1. Encourage continuance of experimental research of wastewater disposal as is done at Wantagh Sewage Treatment Plant, the advanced wastewater treatment plant at Hauppauge, B.T.P.A.C. (Brookhaven Town Project Advisory Committee Upland Recharge Project) at Brookhaven Lab., etc.

2. Consider advances in wastewater treatment technology such as renovation of wastewater through land disposal by spray irrigation, and the merits of different water management schemes, such as a dual water supply system, a non-aqueous waste disposal system and treatment of water supply at the well-head, in the design of new water supply systems.

3. Require adequate treatment for all sewage plant effluents discharged to either ocean, sound, estuarine or any other confined waters, in order to maintain acceptable marine water quality.

4. Pending the development of satisfactory alternatives, continue the present program of installing sewage collection, treatment and disposal systems in existing densely populated areas for handling domestic and industrial wastewater.

5. Ocean disposal of properly treated wastewater should be phased out when water supplies can be successfully augmented by recharging treated waste water of sufficient quality.

6. Design storm water systems so as to reduce contaminant flows into the marine environment and to replenish groundwater acquifers.

7. Establish discharge standards for selected marine water areas which now have excellent water quality for fishing and recreational purposes.

8. Require source pretreatment of toxic and hard-to-treat industrial waste if such substances would be incompatible with effective and economical treatment in municipal treatment plants.

9. Require holding tanks on vessels for vessel wastes, and require adequate onshore facilities for the treatment and disposal of vessel wastes.

Goal III To maximize the public benefit while minimizing the environmental damage from the development of the coastal area.

Obj. A Minimize alteration of natural landforms and native vegetation.

Obj. B Maintain living natural resources of high biologic productivity and importance, and preserve and protect their habitat.

1. Undertake research/management programs to determine appropriate harvest quotas to maintain maximum sustained yields of shellfish and finfish.

2. Consider the net effects on hard clam resources and other marine life when determining the acceptability of: a. upgrading the treatment process of those sewage plants which presently discharge their effluents into shellfish producing waters; b. expanding existing sewage treatment plants or constructing new sewage treatment plants which discharge effluents into shellfish producing waters; and c. constructing sewage outfall pipes which traverse shellfish beds.

3. Encourage New York State, pertinent local governments and private agencies to acquire at the earliest practical date a fee simple or lesser property interest in as much of the remaining privately held wetlands as possible, with a view toward preserving them in perpetuity. Grant tax and other incentives to individual wetland owners who assure preservation and enhancement of their properties, as initiated by Nassau County in 1974.

4. Take measures for the rapid containment and clean up of oil spills in environmentally acceptable ways.

5. Endorse national regulation and management of migrating species.

6. Encourage and develop alternatives to the use of chemical and broad-spectrum pesticides in agriculture and for vector control. Support integrated approach to mosquito control with emphasis on biological controls.

7. Fund research on the effects of mosquito control on the salt marshes and estuaries, including immediate and cumulative effects of insecticides and evaluation of the effects of ditch systems.

Obj. C Encourage research to increase knowledge base necessary for understanding the environmental effects of development.

Obj. D Identify, preserve and protect distinct geologic formations and distinct geomorphic features.

Obj. E Identify, preserve and protect areas of scenic beauty.

Obj. F Identify, preserve and protect important wildlife populations (fauna and flo and their habitats, with special emphasis on rare and endangered species.

Obj. G To give due consideration to the orderly ecological and social development of the coastal zone.

Goal IV. To identify, preserve, protect and restore areas of historic and cultural significance, and identify and protect from destruction and abuse significant archeological sites and features.

Obj. A Establish historic districts and historic highway corridors.

Obj. B Obtain funds for technical aid needed for identifying and documenting areas and structures according to the guidelines established by the State of New York Historic Resources Survey Manual.

Obj. C Encourage public acquisition of historic and cultural structures and areas.

Obj. D Recommend adequate mitigation measures (e.g., preserving the resources intact underground, fencing the resource area, or having the resources professionally excavated) where development would adversely affect significant archeological resources.

Goal V To enable the public to enjoy the amenities that the coastal zone has to offer.

Obj. A Promote visual and physical access to the coastal zone.

1. Improve visual access through regulation and easement acquisition for maximum visual enjoyment of the shoreline and coastal waters by the general public.

2. Discourage the location of vehicle parking facilities on the valuable shoreline edge.

3. Improve access to selected recreational facilities in accordance with optimum capacity of facilities through improved mass transportation.

4. Require that electric generating sites located along the shoreline provide public access to the water for suitable recreational purposes.

5. Increase access for fishermen to fishing grounds through use of existing groins, breakwaters and jetties under public ownership or regulation.

Obj. B Provide for a diversity of public recreational experiences in the coastal zone.

1. Identify those environmentally compatible recreational activities that are water dependent and/or water enhanced.

2. Satisfy some of the future recreational development on lands already in public ownership through more efficient use of existing public lands and facilities.

3. Acquire additional land for both active and passive recreation.

4. Encourage municipalities to open underutilized parks and beaches to all during week days in accordance with optimum recreational capacity of resources.

Goal VI To provide for compatible, water dependent and water enhanced uses in the coastal area.

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Obj. B Direct non-water dependent and non-water enhanced growth inland.

Obj. C Review zoning ordinances and recommend amendments to ordinances so that onl compatible water dependent and water enhanced uses are encouraged in the coastal zone.

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Obj. A Review siting criteria necessary for infrastructure locations and then use this information to indentify sites which would be appropriate for regional infrastructure.

Obj. B Consider possibility of establishing a land bank for the preservation of potential regional infrastructure sites.

Obj. C Determine which dredging projects and which environmentally acceptable spoil disposal sites are essential and in the best interests of the public, and design and implement such projects in a manner which is not environmentally counter-productive.

Obj. D Satisfy demand for electric power on Long Island in environmentally acceptable ways including possible use of wind power, solar power, tidal power, etc.

Obj. E Consolidate port facilities for petroleum in order to reduce vessel trips, oil spillage, dredging, highway congestion around ports, shorefront land consumption by storage tanks and fuel cost to the consumer.

Goal VIII To restore and enhance, wherever possible, degraded natural, wildlife or developed portions of the coastal zone.

Obj. A Improve degraded wetlands and estuarine areas, and create new wetlands.

Obj. B Rehabilitate coastal areas that have been mined for sand and gravel.

Obj. C Upgrade urban waterfronts.

Obj. D Rescue wildlife harmed by oil spills or other environmental hazards.

Goal IX To develop legal and administrative mechanisms necessary for implementation of coastal plan.

Obj. A Identify areas of public interest in the coastal area, and adopt legislation that identifies these areas that should be under public ownership.

Obj. B Develop intergovernmental cooperation and necessary regulations for coastal zone management.

Obj. C Develop a comprehensive educational program to further knowledge of and interest in the problems of the coastal zone and their management.

Obj. D Foster intergovernmental coordination to eliminate regulatory duplication of coastal zone management.

Goal X Encourage research to increase knowledge and understanding of natural shoreline processes.

Minutes of the NSRPB Public Meeting on Coastal Zone Management

A sixth public meeting concerning the NSRPB N.Y.S. Office of Planning Services contract was held on Tuesday, October 7, 1975 at 7:30 p.m. in the 12th floor Planning Department Conference Room, H. Lee Dennison Office Building, Hauppauge, New York. Dr. Koppelman presided.

A letter addressed to Dr. Koppelman from the Town of Huntington and the Incorporated Villages of Lloyd Harbor, Huntington Bay, Northport, and Asharoken expressed concern over the priorities of the tasks addressed in the Coastal Zone Management Contract between N.Y.S. and NSRPB. The Supervisor and Mayors of the above mentioned Town and Villages felt that the legal and administrative mechanisms necessary for implementation of a regional Coastal Zone Management Plan are of utmost importance and have not yet been discussed and are not scheduled to be discussed until the very end of the planning phase. The governmental officials of Huntington doubt that a truly viable and acceptable plan can be developed without first deciding upon the mechanism for the implementation.

Dr. Koppelman felt that the content of this letter focused on the core of management techniques for a Coastal Zone Plan, and he explained why the NSRPB has not addressed legal and administrative mechanisms.

Congress enacted the Coastal Zone Management Act in 1972 to encourage the states to exercise their full authority over the land and waters in the coastal zone. Money has been allocated from the Federal Government to State Governments for the development and management of CZM Plans. Suffolk County attempted to obtain money to work on CZM planning, but contracts from the Federal Government are executed only on the State level. N.Y.S. issued a token contract of $10,000 to Suffolk County addressing specific tasks.

Although N.Y.S. has issued token contracts to specific regional planning boards, N.Y.S. still has the responsibility and final authority in developing a CZM Plan. States must examine and opt for any one or a combination of the following techniques for control of land and water uses within the coastal zones:

1. State establishment of criteria and standards for local implementation, subject to administrative review and enforcement of compliance;

2. Direct state land and water use planning and regulation; or

3. State administrative review for consistency with its own management program of all development plans, projects, or land and water regulations, including exceptions and variances thereto, proposed by any state or local authority or private developer, with power to approve or disapprove after public notice and an opportunity for hearings.

Dr. Koppelman suggested that Sen. Smith, who has demonstrated his concern for CZM, be invited to the next meeting to discuss management mechanisms associated with CZM legislation enacted in Albany.

Mr. Peter Sanko of the Sea Grant Advisory Service distributed a proposal by Drs. Schubel and Weyl, Marine Sciences Research Center, SUNY at Stony Brook, entitled Disposal of Dredged Spoil in Central Long Island Sound: A Management Plan. A copy of this proposal is on file with the NSRPB.

A possible delineation of the coastal zone, using the 10' contour and the 1000' setback line from the coastline, was illustrated for all of Long Island on U.S.G.S. quad sheet maps. Stream corridors were also indicated by including land 1000' from a stream's bank in the coastal zone. Long Island bays, the N.Y. portion of the Long Island Sound and the U.S. territorial limit of the Atlantic Ocean would all be included in the Long Island Coastal Zone. Suggestions by CPC members for the inclusion of other geo-physical or biological features for determination of coastal zone are welcomed.

Mr. Wayne W. Wilkin, Mayor of Huntington Bay, presented a map of the Village of Huntington Bay with the 10' contour line superimposed upon it illustrating the portion of that Village which is contained in the Federal Flood Insurance Program. The 10' contour line, which includes all of the wetlands of Huntington Bay, takes in only a small portion of the Village. However, as Mayor Wilkin noted, a 1000' setback from the shoreline includes approximately 90% of the Village. Mayor Wilken was quick to note that villages would be very reluctant to give up control over so large a portion of their villages to N.Y.S. based on an arbitrary 1000' setback line. Control mechanisms for the implementation of a N.Y.S. Coastal Zone Plan will be of primary concern to local governments especially if the boundary of the coastal zone is to include a large portion of the territory which local government now control. It was noted that the use of 1000' setback line as the boundary of the coastal zone lacks sensitivity since it does not specifically take into account natural features.

The Goals and Objectives for CZM were once again revised and refined. A memorandum (Attachment A) from Jim Bagg, Carol Swick and Ron Verbarg suggested further additions and revisions to the G. & O. The latest revision of the G. & O., incorporating the memo and comments from those at the meeting, is enclosed as Attachment B.

The next meeting of the CPC will be held Tuesday, November 18, 1975 at 7:30 p.m. in the 12th floor Planning Department Conference Room, H. Lee Dennison Office Building, Hauppauge, New York.

The meeting adjourned at midnight.

MEMORANDUM RV-012-75

DATE: October 7, 1975

TO: Dr. Lee Koppelman

FROM: Jim Bagg, Carol Swick, Ron Verbarg

RE: CZ GOALS & OBJECTIVES

The following additions and revisions to the Goals and Objectives for CZM are submitted for your consideration:

Goal I

rev. Obj. A Control future shoreline development to minimize damage from development in critical areas such as flood plains, dunes, bluffs, wetlands.

rev. 2. Regulate construction on primary dune lines and seaward side of secondary dunes to prevent erosion or destruction of natural vegetation.

rev. 3. Regulate construction of dwellings in those shoreline areas which are backed by eroding bluffs through the adoption of bluff hazard zoning to prevent excessive erosion and property damage.

add 4. Prohibit development of wetland areas.

rev. 5. Regulations should allow for changing patters of usage and technological innovation.

Obj. B

rev. 1. Emphasize dune stabilization, beach nourishment and wetland building techniques that are compatible with the natural processes as the primary means of minimizing storm breaching of the south shore barrier islands.

add. 3. Recognizing the fact that sand has become a scarce resource in near-shore areas because of ecological restraints in shallow water dredging, as well as man's interference with the natural shoreline equilibrium, efforts are needed to develop the required technology for economical transfer of sand from deep water to the shore.

add. 6. Institute erosion control methods along stream corridors to prevent excessive erosion and sedimentation.

Goal II

Obj. B

rev. 6. Design storm water systems so as to reduce contaminant flows into the aquatic and marine environment and to replenish groundwater aquifers.

rev. 7. Establish discharge standards for selected marine and aquatic water areas which now have excellent water quality for fishing and recreational purposes.

Goal III

rev. Obj. B Maintain living natural resources of high biologic productivity and importance, and in addition to preserving and protecting their habitats, promote establishment of new habitats.

Goal V

Obj. B

add. 5. Establish criteria to determine the optimal capacity for recreational facilities in order to prevent the degradation of recreational areas through overutilization.

Goal VIII

add Obj. E Encourage the planting of natural vegetation in disturbed areas.

Goal IX

add Obj. E. Implement program for returning government revenues accrued from recreational activities such as marine gas taxes, boat and fishing licenses, etc., to the region of origin for improvement of recreational opportunities.

COASTAL ZONE INFORMATION CENTER
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ATTACHMENT "B"

Goals and Objectives for Coastal Area Management

rev. Goal I To forestall the acceleration of shoreline destruction resulting from alteration and erosion.

rev. Obj. A Control future shoreline development to minimize damage from development in critical areas, such as flood plains, dunes, bluffs, fresh and marine wetlands.

1. Control development on those lands contained in the Intermediate Regional Tidal Flood Plain by use of flood plain zoning, land use management concepts and other regulatory tools.

rev. 2. Regulate construction on primary dune lines and seaward side of secondary dunes including intervening swale to prevent erosion or destruction of natural vegetation.

rev. 3. Regulate construction of structures in those shoreline areas which are backed by bluffs through the adoption of bluff hazard zoning to prevent excessive erosion and property damage.

add 4. Prohibit development on or in fresh and marine wetlands.

rev. 5. Regulations should allow for changing patterns of usage and technological innovation in areas that are not prohibited for development.

Obj. B Establish erosion prevention policies that are harmonious with the dynamic nature of the shoreline area.

rev. 1. Encourage the use of non-structural processes as a primary means of stabilizing dunes, nourishing beaches and building wetlands.

2. Prohibit dredging of sand for beach nourishment from the outer winter bar, from areas shoreward of the outer winter bar, and from the bay side of the barrier beaches except in established navigable channels or where required for repair, maintenance, reconstruction or replacement in kinds of existing shoreline structures.

add 3. Develop the required technology for the economical transfer of sand from deep water to the shore.

rev. 4. Prohibit the construction of groins and other shore protection devices by government unless it can be demonstrated that such structures will not adversely affect adjacent properties.

5. Stabilize existing south shore inlets through the implementation of Federal projects for sand bypassing systems.

add 6. Establish control methods along stream corridors and bluffs to prevent excessive erosion and excessive sedimentation.

7. Regulate off-road vehicles in the shoreline area.

Goal II To preserve and protect water resources.

Obj. A Control of growth in Nassau and Suffolk Counties as determined by the carrying capacity of the water supplies on Long Island.

Obj. B Dispose of wastewater without appreciably diminishing the quality and quantity of groundwaters and fresh surface waters and the quality of marine waters.

rev. 1. Encourage continuance of experimental research of wastewater treatment and disposal.

rev. 2. Implement where feasible wastewater treatment technology and water management schemes.

3. Require adequate treatment for all sewage plant effluents discharged to either ocean, sound, estuarine or any other confined waters, in order to maintain acceptable marine water quality.

4. Phase out ocean disposal of properly treated wastewater when water supplies can be successfully augmented by recharging treated waste water of sufficient quality.

rev. 5. Design storm water systems so as to reduce contaminants in the storm flows from entering into the fresh and saline environments to meet acceptable standards.

rev. 6. Design storm water systems that will allow replenishment of groundwater aquifers.

rev. 7. Establish discharge standards for selected fresh and saline water areas which now have excellent water quality for fishing and recreational purposes.

8. Require source pretreatment of toxic and hard-to-treat industrial waste if such substances would be incompatible with effective and economical treatment in municipal treatment plants.

rev. 9. Require holding tanks or other acceptable devices on vessels for sanitary wastes, and require adequate onshore facilities for the treatment and disposal of vessel wastes.

Goal III To maximize the public benefit while minimizing the environmental damage from the development of the coastal area.

Obj. A Minimize alteration of natural landforms and native vegetation.

rev. Obj. B Maintain living natural resources of high biologic productivity and importance, and preserve, protect, and establish their habitats.

1. Undertake research/management programs to determine appropriate harvest quotas to maintain maximum sustained yields of shellfish and finfish.

rev. 2. Consider the net effects on hard clam resources and other marine life when determining the acceptability of: a. upgrading the treatment process of those sewage plants which presently discharge their effluents into shellfish producing waters; b. expanding existing sewage treatment plants or constructing new sewage treatment plants which discharge effluents into shellfish producing waters; c. constructing sewage outfall pipes which traverse shellfish beds; and d. dredging of shellfish beds.

3. Encourage New York State, pertinent local governments and private agencies to acquire at the earliest practical date a fee simple or lesser property interest in as much of the remaining privately held wetlands as possible, with a veiw toward preserving them in perpetuity. Grant tax and other incentives to individual wetland owners who assure preservation and enhancement of their properties, as initiated by Nassau County in 1974.

4. Take measures for the rapid containment and clean up of oil spills in environmentally acceptable ways.

5. Endorse national regulation and management of migrating species.

6. Encourage and develop alternatives to the use of chemical and broad-spectrum pesticides in agriculture and for vector control. Support integrated approach to mosquito control with emphasis on biological controls.

7. Fund research on the effects of mosquito control on the salt marshes and estuaries, including immediate and cumulative effects of insecticides and evaluation of the effects of ditch systems.

Obj. C Encourage research to increase knowledge base necessary for understanding the environmental effects of development.

Obj. D Identify, preserve and protect distinct geologic formations and distinct geomorphic features.

Obj. E Identify, preserve and protect areas of scenic beauty.

Obj. F Identify, preserve and protect important wildlife populations (fauna and flora) and their habitats, with special emphasis on rare and endangered species.

rev. Obj. G To give due consideration to the orderly economic and social development of the coastal zone.

Goal IV To identify, preserve, protect and restore areas of historic and cultural significance, and identify and protect from destruction and abuse significant archeological sites and features.

Obj. A Establish historic districts and historic highway corridors.

Obj. B Obtain funds for technical aid needed for identifying and documenting areas and structures according to the guidelines established by the State of New York Historic Resources Survey Manual.

Obj. C Encourage public acquisition of historic and cultural structures and areas.

Obj. D Recommend adequate mitigation measures (e.g., preserving the resources intact underground, fencing the resource area, or having the resources professionally excavated) where development would adversely affect significant archeological resources.

Goal V To enable the public to enjoy the amenities that the coastal zone has to offer.

Obj. A Promote visual and physical access to the coastal zone.

1. Improve visual access through regulation and easement acquisition for maximum visual enjoyment of the shoreline and coastal waters by the general public.

2. Discourage the location of vehicle parking facilities on the valuable shoreline edge.

3. Improve access to selected recreational facilities in accordance with optimum capacity of facilities through improved mass transportation.

4. Require that electric generating sites located along the shoreline provide public access to the water for suitable recreational purposes.

5. Increase access for fishermen to fishing grounds through use of existing groins, breakwaters and jetties under public ownership or regulation.

Obj. B Provide for a diversity of public recreational experiences in the coastal zone.

1. Identify those environmentally compatible recreational activities that are water dependent and/or water enchanced.

2. Satisfy some of the future recreational development on lands already in public ownership through more efficient use of existing public lands and facilities.

3. Acquire additional land for both active and passive recreation.

4. Encourage municipalities to open underutilized parks and beaches to all during week days in accordance with optimum recreational capacity of resources.

add 5. Establish criteria for the optimal use of recreational facilities in order to prevent the degradation of recreational areas through overutilization.

Goal VI To provide for compatible, water dependent and water enhanced uses in the coastal area.

Obj. A Identify those activities which are water dependent and/or water enhanced.

Obj. B Direct non-water dependent and non-water enhanced growth inland.

Obj. C Review zoning ordinances and recommend amendments to ordinances so that only compatible water dependent and water enhanced uses are encouraged in the coastal zone.

Goal VII To preserve, protect and develop regional infrastructure sites necessary for and related to the coastal zone.

Obj. A Review siting criteria necessary for infrastructure locations and then use this information to identify sites which would be appropriate for regional infrastructure.

Obj. B Consider possibility of establishing a land bank for the preservation of potential regional infrastructure sites.

Obj. C Determine which dredging projects and which environmentally acceptable spoil disposal sites are essential and in the best interests of the public and design and implement such projects in a manner which is not environmentally counter-productive.

Obj. D Satisfy demand for electric power on Long Island in environmentally acceptable ways including possible use of wind power, solar power, tidal power, etc.

Obj. E Consolidate port facilities for petroleum in order to reduce vessel trips, oil spillage, dredging, highway congestion around ports, shorefront land consumption by storage tanks and fuel cost to the consumer.

Goal VIII To restore and enhance, wherever possible, degraded natural, wildlife or developed portions of the coastal zone.

Obj. A Improve degraded wetlands and estuarine areas, and create new wetlands.

Obj. B Rehabilitate coastal areas that have been mined for sand and gravel.

Obj. C Upgrade urban waterfronts.

Obj. D Rescue wildlife harmed by oil spills or other environmental hazards.

add Obj. E Encourage the planting of suitable vegetation in spoil or other disturbed areas.

Goal IX To develop legal and administrative mechanisms necessary for implementation of coastal plan.

Obj. A Identify areas of public interest in the coastal area, and adopt legislation that identifies these areas that should be under public ownership.

Obj. B Develop intergovernmental cooperation and necessary regulations for coastal zone management.

Obj. C Develop a comprehensive educational program to further knowledge of and interest in the problems of the coastal zone and their management.

Obj. D Foster intergovernmental coordination to eliminate regulatory duplication of coastal zone management.

Goal X Encourage research to increase knowledge and understanding of natural shoreline processes.

Minutes of the NSRPB Public Meeting on Coastal Zone Management

A seventh public meeting concerning the NSRPB N.Y.S. Office of Planning Services contract was held on Tuesday, November 18, 1975 at 7:30 p.m. in the 12th Floor Planning Department Conference Room, H. Lee Dennison Office Building, Hauppauge, New York. Dr. Tanenbaum, Planning Coordinator for the NSRPB, presided.

Under the contract with N.Y.S. the Marine Resources Council (MRC) of the NSRPB must be consulted in formulating goals and objectives for the Nassau-Suffolk coastal zone area. The MRC has been involved with matters relating to the coastal zone for many years, and the expertise of the members will serve as a valuable input in reviewing the goals and objectives already developed by the CPC. For several hours during its regular meeting on November 17, 1975, the MRC reviewed the CPC goals and objectives and generated a list of suggested revisions to the goals and objectives. The revised list of goals and objectives, Attachment A, incorporates the MRC revisions within them.

The CPC Sub-Committee on Erosion Control and the Nassau Recreation Park and Conservation Association submitted a list of additions and revisions for Goal I and for Goals IV & V, respectively. The suggestions were discussed at length and the resulting output is also contained in Attachment A.

Formulation of a single set of goals and objectives agreeable to all diverse interests has become in some cases a deadlocked matter. Although much compromising has been done by all interest groups, a single set of goals and objectives agreeable to all has not always been attainable. Therefore, a majority and minority view will be forwarded to N.Y.S. O.P.S. on controversial issues within the goals and objectives.

Dr. Tanenbaum distributed forms that are to be completed by local officials for the determination of existing coastal zone management programs and controls in those towns, cities and incorporated villages that border a body of water. The contract with N.Y.S. specifies that a list of local municipal plans, programs and controls be generated regarding regulation of the coastal zone areas within Nassau-Suffolk. Dr. Tanenbaum feels that the completion of the chart will show N.Y.S. the competence and awareness of local government in regulating the coastal zone areas.

The present NSRPB contract with N.Y.S. terminates at the end of December 1975. N.Y.S. hopes to complete a CZM Plan for Nassau and Suffolk by the middle of next year, and then hold public hearings on the plan. By the beginning of the 1977 calendar year, the State hopes to be able to implement its plan and thereby apply for 306 funding (administrative grants). Under Section 306(h) of the Coastal Zone Management Act, a management program for the State may be developed and adopted in geographical segments. At this time the Nassau-Suffolk region is the only area in N.Y.S. capable of meeting the above time schedule.

Dr. Tanenbaum noted that states can implement a management plan using any one or a combination of the following general techniques for control of land and water uses within the coastal zone as stated in Section 306 of the CZM Act:

1. State establishment of criteria and standards for local implementation, subject to administrative review and enforcement of compliance;

2. Direct state land and water use planning and regulation; or

3. State administrative review for consistency with its own management program of all development plans, projects, or land and water regulations, including exceptions and variances thereto, proposed by any state or local authority or private developer, with power to approve or disapprove after public notice and an opportunity for hearings.

Dr. Tanenbaum invited comments from the CPC on the above mentioned options.

Mayor Wilkin of Huntington Bay felt that all of the above options were unsatisfactory. The State, acting in a review capacity, would add an unnecessary layer of bureaucracy that would lose sight of local aesthetic and cultural considerations. An approach acceptable to Mayor Wilkin for CZM would be to have the State draft broad guidelines, and then have the County in conjunction with local governments draw up detailed CZM Plans specific to the area. County review would remain at its present advisory capacity. Mayor Wilkin noted that although many local governments are responsible for the decadence that has occurred along shoreline areas, home rule is the most responsive form of government for satisfying the needs and desires of the local inhabitants. Regardless of the institutional arrangement that is finally implemented for CZM, Mayor Wilkin cautioned that confidence and understanding must be built over time.

Being strongly opposed to moving coastal zone regulatory power to State level, Dr. Wenig of the Department of Environmental Protection of the Town of Huntington suggested that the State financially assist local governments in managing coastal areas. Dr. Wenig also suggested that in helping local governments manage the coastal zone, perhaps the State should consider mandating that towns establish environmental protection agencies. Environmental protection could be implemented more quickly on a local level rather than the State level.

Mr. Kearney stated that local regulation of the coastal zone is nothing more than a fragmented approach to a regional problem. He felt that the environmental management of coastal area by local governments was unacceptable.

Mr. Heidelberger, Senator Smith's legislative aid, indicated he would relay the thinking of the CPC to the Senator. He further stated that Senator Smith is incorporating the wisdom and expertise of local groups into his next CZM bill and that it will not look similar to the bill the Senator proposed 2 years ago. Dr. Tanenbaum extended an invitation to Senator Smith, via Mr. Heidelberger, to attend the next CPC meeting.

Due to a conflict in schedules between Dr Koppelman and Senator Smith, the next CPC meeting will not be held until Tuesday, December 16, 1975, at 7:30 p.m. in the 12th Floor Planning Department Conference Room, H. Lee Dennison Office Building, Hauppauge, New York.

The meeting adjourned at 11:00 p.m.

ATTACHMENT "A"

Goals and Objectives for Coastal Area Management

Goal I

ECS rev. Goal I To forestall shoreline destruction resulting from alteration and erosion.

Obj. A Control future shoreline development to minimize damage from development in critical areas, such as flood plains, dunes, bluffs, fresh and marine wetlands.

1. Control development on those lands contained in the Intermediate Regional Tidal Flood Plain by use of flood plain zoning, land use management concepts and other regulatory tools.

2. Regulate construction on primary dune lines and seaward side of secondary dunes including intervening swale to prevent erosion or destruction of natural vegetation.

3. Regulate construction of structures in those shoreline areas which are backed by bluffs through the adoption of bluff hazard zoning to prevent excessive erosion and property damage.

ECS rev. 4. Control development on or in fresh and marine marshes as identified in the N.Y.S. Fresh and Tidal Wetlands Acts.

5. Regulations should allow for changing patterns of usage and technological innovation in areas that are not prohibited for development.

MRC add. 6. Restore shoreline areas, wherever possible, to their natural state where development in these areas is destroyed by the occurrence of severe storms.

ECS rev. Obj. B Establish erosion prevention policies that are compatible with dominant coastal processes.

ECS rev. 1. Encourage the use of non-structural methods as a primary means of stabilizing dunes, nourishing beaches and building wetlands.

ECS rev. 2. Regulate dredging of sand for beach nourishment from the outer winter bar, from areas shoreward of the outer winter bar, and from the bay side of the barrier beaches.

ECS rev. 3. Encourage development of the required technology for the economical transfer of sand from deep water to the shore.

MRC rev. 4. Prohibit the construction of groins and other shore protection devices unless it can be demonstrated that such structures will not adversely affect adjacent properties.

CPC rev. 5. Encourage institution of sand bypassing systems where interruption of littoral drift is contributing to the erosion of adjacent areas.

6. Establish control methods along stream corridors and bluffs to prevent excessive erosion and excessive sedimentation.

ECS add. 7. Classify shoreline sectors with attendant guidelines for the purpose of defining the type of protection measures which are compatible with shoreline areas.

MRC rev. 8. Regulate off-road vehicles in the shoreline area, and eliminate their use in natural areas where it can be shown that they are responsible for environmental degradation.

Goal II To preserve and protect water resources.

MRC rev. Obj. A Manage growth in Nassau and Suffolk Counties

Obj. B Dispose of wastewater without appreciably diminishing the quality and quantity of groundwaters and fresh surface waters and the quality of marine waters.

1. Encourage continuance of experimental research of wastewater treatment and disposal.

2. Implement where feasible wastewater treatment technology and water management schemes.

3. Require adequate treatment for all sewage plant effluents discharged to either ocean, sound, estuarine or any other confined waters, in order to maintain acceptable marine water quality.

4. Phase out ocean disposal of properly treated wastewater when water supplies can be successfully augmented by recharging treated waste water of sufficient quality.

MRC rev. 5. Design storm water systems to meet acceptable water quality standards so as to reduce contaminants entering fresh and saline environments.

MRC rev. 6. Design storm water systems that will allow replenishment of groundwater aquifers with water of acceptable quality.

MRC rev. 7. Review and upgrade, if feasible, discharge standards for selected fresh and saline water areas which now have excellent water quality for fishing and recreational purposes.

MRC rev. 8. Require source pretreatment of toxic and hard-to-treat industrial waste if such substances would be incompatible with effective and economical treatment in treatment plants.

MRC rev. 9. Enforce the law with respect to holding tanks or other acceptable devices on vessels for sanitary wastes, and require adequate onshore facilities for the treatment and disposal of such wastes.

MRC add. 10. Phase out ocean disposal of treatment plant sludges.

Goal III To Maximize the public benefit while minimizing the environmental damage from the development of the coastal area.

Obj. A Minimize alteration of natural landforms and native vegetation.

Obj. B Maintain living natural resources of high biologic productivity and importance, and preserve, protect, and establish their habitats.

1. Undertake research/management programs to determine appropriate harvest quotas to maintain maximum sustained yields of shellfish and finfish.

2. Consider the net effects on hard clam resources and other marine life when determining the acceptability of: a. upgrading the treatment process of those sewage plants which presently discharge their effluents into shellfish producing waters; b. expanding existing sewage treatment plants or constructing new sewage treatment plants which discharge effluents into shellfish producing waters; c. constructing sewage outfall pipes which traverse shellfish beds; and d. dredging of shellfish beds.

3. Encourage New York State, pertinent local governments and private agencies to acquire at the earliest practical date a fee simple or lesser property interest in as much of the remaining privately held wetlands as possible, with a view toward preserving them in perpetuity. Grant tax and other incentives to individual wetland owners who assure preservation and enhancement of their properties, as initiated by Nassau County in 1974.

MRC rev. 4. Strengthen local capability for the rapid containment and clean up of oil spills in conjunction with the United States Coast Guard.

MRC rev. 5. Encourage the design and implementation of more efficient methods and equipment for the transport and transfer of oil.

6. Endorse national regulation and management of migrating species.

7. Encourage and develop alternatives to the use of chemical and broad-spectrum pesticides in agriculture and for vector control. Support integrated approach to mosquito control with emphasis on biological controls.

MRC rev. 8. Fund research on the effects of mosquito control on both salt marshes and estuaries and their natural resources, including immediate and cumulative effects of insecticides and evaluation of the effects of ditch systems.

Obj. C Encourage research to increase knowledge base necessary for understanding the environmental effects of development.

	Obj. D	Identify, preserve and protect distinct geologic formations and distinct geomorphic features.
	Obj. E	Identify, preserve and protect areas of scenic beauty.
	Obj. F	Identify, preserve and protect important wildlife populations (fauna and flora) and their habitats, with special emphasis on rare and endangered species.
	Obj. G	Give due consideration to the orderly economic and social development of the coastal zone.
CPC rev.	Goal IV	To identify, preserve, protect and restore areas of historic and cultural significance.
NRPCA rev.	Obj. A	Designate historical and cultural districts and historical highway and trailway corridors.
NRPCA rev.	Obj. B	Solicit awards of technical and financial assistance required for classifying, categorizing, and documenting areas and structures according to the guidelines established by the State of New York Historic Resources Survey Manual.
NRPCA rev.	Obj. C	Stimulate public acquisition of historical and cultural structures and areas, and quasi-public acquisition, and private protection of such areas.
NRPCA rev.	Obj. D	Develop a procedure to allow preservation of significant archaeological resources including adequate compensatory measures for use by any property owners engaged in property improvement and development where it would adversely affect archaeological remains.
NRPCA rev.	Goal V	To formulate means by which the public can better enjoy the amenities that the coastal zone has to offer in a manner compatible with its environmental integrity.
	Obj. A	Promote visual and physical access to the coastal zone.
NRPCA rev.		1. Delineate areas for visual access through regulation and easement acquisition for maximum visual enjoyment of the shoreline and coastal waters.
NRPCA rev.		2. Designate areas where the location of vehicle parking facilities should be encouraged or discouraged.
NRPCA rev.		3. Specify selected recreational facilities where access can be improved in accordance with optimum capacity of those facilities through improved mass transportation.
NRPCA rev.		4. Provide specifications and regulations that require electric generating sites located along the shoreline to provide public access to the water for suitable recreational purposes.
NRC rev.		5. Increase access for fishermen to fishing grounds.

	Obj. B	Encourage a diversity of public recreational experiences in the coastal zone.
NRPCA rev.	1.	Specify how future recreational needs can be met through more efficient use of existing public properties and facilities.
NRPCA rev.	2.	Identify additional lands to be acquired in fee simple or other means for both active and passive recreation.
	3.	Encourage municipalities to open underutilized parks and beaches to all during week days in accordance with optimum recreational capacity of resources.
NRPCA (additional view)		To provide managerial and operational guidelines that would encourage municipalities to accommodate more usage of under-utilized parks and beaches during slack periods in accordance with optimum recreational operating capacity and resource-carrying capacity.
Mayor Wilkin (additional view)		Assist those municipalities who wish to optimize the utilization of their parks and beaches in keeping with a realistic potential for recreational capacity.
	4.	Establish criteria for the optimal use of recreational facilities in order to prevent the degradation of recreational areas through overutilization.
	Goal VI	To provide for compatible, water dependent and water enhanced uses in the coastal area.
	Obj. A	Identify those activities which are water dependent and/or water enhanced.
	Obj. B	Direct non-water dependent and non-water enhanced growth inland.
	Obj. C	Review zoning ordinances and recommend amendments to ordinances so that only compatible water dependent and water enhanced uses are encouraged in the coastal zone.
	Goal VII	To preserve, protect and develop regional infrastructure sites necessary for and related to the coastal zone.
MRC rev.	Obj. A	Anticipate the future needs for regional infrastructure sites, review siting criteria for locating infrastructure, and identify sites which are appropriate for the needs.
	Obj. B	Consider possibility of establishing a land bank for the preservation of potential regional infrastructure sites.
	Obj. C	Determine which dredging projects and which environmentally acceptable spoil disposal sites are essential and in the best interests of the public and design and implement such projects in a manner which is not environmentally counter-productive.

Obj. D Satisfy demand for electric power on Long Island in environmentally acceptable ways including possible use of wind power, solar power, tidal power, etc.

Obj. E Consolidate port facilities for petroleum in order to reduce vessel trips, oil spillage, dredging, highway congestion around ports, shorefront land consumption by storage tanks and fuel cost to the consumer.

Goal VIII To restore and enhance, wherever possible, degraded natural wildlife or developed portions of the coastal zone.

Obj. A Improve degraded wetlands and estuarine areas, and create new wetlands.

Obj. B Rehabilitate coastal areas that have been mined for sand and gravel.

Obj. C Upgrade urban waterfronts.

Obj. D Rescue wildlife harmed by oil spills or other environmental hazards.

MRC rev. Obj. E Require the planting of suitable vegetation in spoil or other disturbed areas for stabilization and restoration of marsh habitats.

Goal IX To develop legal and administrative mechanisms necessary for implementation of coastal plan.

Obj. A Foster intergovernmental coordination to eliminate regulatory duplication of coastal zone management.

Obj. B Develop a comprehensive educational program to further knowledge of and interest in the problems of the coastal zone and their management.

Obj. C Develop intergovernmental cooperation and necessary regulations for coastal zone management.

Obj. D Identify areas of public interest in the coastal area, and adopt legislation that identifies these areas that should be under public ownership.

MRC rev. Goal X Encourage research and education to increase knowledge and understanding of natural shoreline processes.

MRC - Marine Resources Council
ECS - Erosion Control Sub-Committee
CPC - Citizens Participation Committee
NRPCA - Nassau Recreation Park and Conservation Committee

NASSAU COUNTY PLANNING COMMISSION

RALPH G. CASO
County Executive

HERBERT LIBERT
Director

BENJAMIN FRANK
Chairman

DEC 17 1975

December 9, 1975

Mr. Lee E. Koppelman, Executive Director
Nassau-Suffolk Regional Planning Board
Veterans Memorial Highway
Hauppauge, N. Y. 11787

Dear Lee:

The staff of the Nassau County Planning Commission has reviewed the Goals and Objectives for Coastal Area Management, dated December 15, 1975, prepared by the Citizens Advisory Committee, and we offer the following:

Goal I	*Change "forestall" to prevent*
Obj.A-5	*This statement is awkward.*
Goal II	
Obj.A	*Should read: Manage and direct growth in Nassau and Suffolk Counties*
Obj.B-1	*Change "continuance"to continuation*
Obj.B-7	*Change "selected" to all*
Goal III	
Obj.B-3	*Delete: "as initiated by Nassau County in 1974"*
Obj.B-7	*Move second sentence to No.8 and restructure No.8 so as not to be contradictory.*
Obj.G	*Change to read: Use available adminstrative and technological tools to insure the orderly economic and social development of the coastal zone.*
Goal V	
Obj.A-3	*Delete the word "selected"*
Obj.B-3	*While the Citizens Advisory Committee may wish to recommend that underutilized parks and beaches be open to all, this statement*

ONE OLD COUNTRY ROAD — CARLE PLACE, N. Y. 11514 — 516 - 535-2244

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COASTAL ZONE

is contrary to current town and village policy in Nassau County. In view of this, we do not believe that we can place our stamp of approval on such an objective.

Goal IX
Obj.D This is an awkward sentence. How does one adopt legislation to identify areas? This needs rewriting.

We have also reviewed the maps. I do not believe that all of Nassau County should be included in the secondary zone. Instead, it is suggested that a second zone be established, possibly an additional 1,000 feet beyond the primary zone. We also suggest that the final boundaries be adaptable for inclusion on local zoning maps. Consideration should also be given to utilizing identifying features, rather than a uniform 1,000 feet, which would result in amoebic-like boundary lines that may require a Board of Appeals to determine whether a person is in or out of the zone.

The following of blocks, streets, property lines, etc., would eliminate this problem.

Generally, we are concerned with any transfer of power from local government to state or regional agencies. The goals and objectives as presented should be considered in the context of the historic role of local government in the State of New York.

We would appreciate your making these comments a part of the record that is forwarded to Albany.

Sincerely yours,

HERBERT LIBERT
Planning Director

HL/fp

APPENDIX D

Glossary

Area of Archaelogical Significance

Area which contains material remains including fossil relics, artifacts and monuments of past life having scientific and educational merit.

Area of Cultural Significance

Area with historic, archaeological or geologic significance which provides for present day cultural events.

Area of Geological Significance

Area which contains geologic features which have scientific and educational merit.

Area of Historical Significance

A unique historic area, including authentic structural and built environments recognized by the National Register of Historic Places of the National Park Service, the National Trust for Historic Preservation, or by credible local authorities.

An area or building which provides a tangible reminder of history and tradition which can make an educational and aesthetic contribution to society.

Bluff

A high steep bank or cliff overlooking a lowland or body of water. The bluff form is attributed to the combined natural forces of wind, wave and tide, surface and subsurface movement of water, and to a lesser extent alteration by man.

Broad Spectrum Pesticides

Chemicals used to kill a wide range of pests which also have the potential to harm or kill non-target species which are of ecological benefit.

Coastal Area

The coastal waters and adjacent shorelands influenced by each other including transitional and intertidal areas, salt marshes, salt meadows, hydrologic systems related to coastal waters, and all terrestrial areas which have direct and immediate impact upon coastal waters and environments. The coastal area extends seaward to the outer limit of the U.S. territorial sea and extends inland from the shoreland to the extent necessary to control land uses which may have a direct and significant impact upon coastal waters.

Compatible

Policies and development are compatible if they imply usage of land which is consistent with the capability of the environment to sustain various activities without unacceptable environmental impact.

Damage (Environmental)

Adverse effects to the environment or natural systems resulting from direct and indirect disturbances of geomorphic features, terrestrial, aquatic or marine vegetation, ecosystem inhabitants or alteration of surface and subsurface hydrology.

Development

To make site or area available for use by alteration. Development may include creating access to the site, clearing, providing utilities and other services, parking facilities, drainage systems, methods of sewage disposal, building, planting and creating site circulation systems, landforms and other items necessary for planned use. Dredging new areas or areas which have returned to a natural state would be considered development. Development would also include significant alteration of natural resources in preparation for development.

Dune

A low mound, ridge, bank or hill of loose windblown material (sand in our area) either bare or covered with vegetation, capable of moving from place to place but always retaining its own characteristic shape.

Easement

Traditional easement - the right of public to cross or use private property subject to certain conditions.

Conservation and/or scenic easement - the granting of a tax abatement to a property owner who agrees to limit the alteration or development of a particular parcel. The parcel must have unique scenic or conservation values as determined by a plan or policy.

Erosion

The wearing away of land by the action of natural forces.

Excessive Erosion

An erosional rate of soils and substratum which is in excess of that caused by natural forces.

Freshwater Wetlands

Lands and waters which contain any or all of the following: lands and submerged lands commonly called marshes, swamps, sloughs, bogs and flats supporting aquatic or semi-aquatic vegetation.

Geomorphic

Pertaining to landform and surface features.

Habitat

An environment which biologically and physically supports the species living within.

High Biologic Productivity

Productivity is measured as a rate and is generally expressed in milligrams or grams of carbon produced per square meter per day.

Productivity can be observed in terms of standing crop or biomass produced per hectare (2 1/2 acres). Productivity decreases from primary producers to herbivores and again from herbivores to carnivores and should be measured and compared for the appropriate trophic level.

Historic Highway Corridor

Linear historic district along an historic transportation route.

Intermediate Regional Project Tidal Flood Plain

The 100 year flood plain as delineated by the Department of the Interior, U.S. Geological Survey on the Map of Flood Prone Areas (1" = 2000' scale).

Land Bank

Process whereby a municipality purchases land in anticipation of future public use. Inventory of land held by a municipality in anticipation of increased future demand for public facilities.

Littoral Transport

The movement of sedimentary material in the shore zone by waves and currents. Includes movement parallel and perpendicular to the shore.

Marine Wetlands (shall mean and include the following):

Those areas which border on or lie beneath tidal waters, such as, but not limited to, banks, bogs, salt marsh, swamps, meadows, flats or other low lands subject to tidal action, including those areas now or formerly connected to tidal waters; provided, however, that areas formerly connected to tidal waters shall not include former tidal wetlands which prior to the effective date of the Tidal Wetlands Act have been irreparably lost or despoiled as a result of dredging, dumping, filling, excavating, polluting and like activities and are no longer in their natural state.

All banks, bogs, meadows, flats and tidal marsh subject to such tides, and upon which grow or may grow some or any of the following: salt hay (Spartina patens and Distichlis spicata), black grass (Juncus Gerardi), saltworts (Salicornia sp.), sea lavender (Limonium carolinianum), tall cordgrass (Spartina pectinata and Spartina cynosuroides), hightide bush (Iva frutescens), Cattails (Typha angustifolia and Typha latifolia), groundsel (Baccharis Halmilifolia) marsh mallow (Hybiscus palustris); and the intertidal zone including low marsh cordgrass (Spartina alterniflora).

Non-Structural

A method of stabilizing dunes and beaches by planting suitable vegetation or otherwise retaining windblown sand.

Non-structural solutions to coastal damage would include regulatory measures and incentives which obviate the need for structural solutions. Non-structural solutions include but are not limited to the following: tax incentives, land use controls, flood plain zoning, conservation or scenic easements, purchase of development rights, and setbacks.

Optimum Recreational Capacity

The level of use of a recreational resource which does not conflict with the values that serve as the basis for establishing the recreation facility.

Outer Winter Bar

Various elongated offshore ridges, mounds or banks of gravel and sand totally submerged by high tide and formed from winter wave action.

Recharge

The replenishment of aquifers, substratum and soil pores by natural or manmade landforms and structures which trap or slow down stormwater runoff to allow percolation; the distribution of treated or untreated sewage onto soil surfaces or into substratum; the forced injection of water, including treated or untreated sewage, into an aquifer.

Regional Infrastructure

Permanent supportive installations of regional importance or use for developed areas including sewage treatment facilities, oil supply and storage areas, energy facilities, docks, recreational facilities and transportation facilities.

Shoreline

All lands submerged and exposed by spring tides.

Swale

A manmade or natural depression which drains upland areas. On Long Island a swale is a landform which results from erosion and channel formation in glacial deposits by stormwater runoff.

Trailway Corridor

Linear cultural or historic district or natural area with trail access.

Water-dependent Activities

Water-dependent activities include commercial and recreational fishing, resorts, power plants, oil terminals, barge shipping, ship building, boat yards, marinas, ferry terminals, seaplane bases, and outdoor recreation sites which include beaches, boat launching sites, yacht clubs, municipal docks and fishing piers.

Water-enhanced Activities

Water-enhanced activities include residential use, duck farming, tank farms, marine sales, restaurants, recreational clubs, resorts, sand and gravel mining, and sewage treatment plants.

APPENDIX E

Citizen Participation Committee Membership

Mr. George Andrek
Nassau County Planning Comm.

Mr. Barry Andres
Dept. of Environmental Control
Town of Islip

Mr. James Bagg
Suffolk County Council on
Environmental Quality

Mr. Joseph Baier
Suffolk County Dept. of
Environmental Control

Mr. Charles R. Barnett
U.S. Dept. of Agriculture
Soil Conservation Service

Ms. Carol Bausch
Suffolk County Leg. Aide

Mr. Lawrence A. Bertholf
Long Island Farm Bureau

Hon. I. William Bianchi, Jr.

Ms. Marie Bouchard

Mr. C. A. Burns
U.S. Army Eng. Dist., N.Y.

Ms. Elizabeth Long Burr
Village of Lloyd Harbor

Hon. Karen Burstein

Phyllis H. Cahn, Ph.D.
Graduate Dept. of Marine Science
C. W. Post

Mrs. Ann Carl
Regional Marine Resources Council

Dr. A. Coolidge Churchill
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Adelphi University

Mr. Robert D. Cusumano
Nassau County Health Dept.

Dr. Dick Cutler
L. I. Environmental Council

Ms. Ethel Davis
Suffolk County Village Officials Assn.

Ms. René Eastin
Geology Dept - Southampton College

Ms. Adelaide Flateau
League of Women Voters

Mr. Caesar F. Frugola
Town of Hempstead Planning Dept.

Mr. Edwin S. Furman
Southampton Baymen's Association

Ms. Aurora Gareiss
Udalls Cove Preservation Comm.

Mr. Mario Giammoni
Village of Northport

Mr. Charles Guilloz

Dr. Malcolm E. Hair
Department of Environmental Control
Town of Islip

Mrs. G. T. Hall

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Marine Environmental
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Ms. Anne Howe

Mr. Ralph D. Howell, Vice Chmn.
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Mr. Stephen M. Jones
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Mr. Kevin Kearney
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Mr. Ben Kemper
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Mr. Barry J. Klaassen
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Mrs. Doris Koedding
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Mrs. Carlyn Larson
Suffolk County Council on
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Mr. H. T. Letson
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Mr. Vincent Mauceri
c/o B. B. & S. Creosote Lumber Co.

Mr. Robert McCambridge

Dr. C. L. McCormick
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Mr. Peter McKinnon
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Ms. Anne N. Miller
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Nassau Recreation Park and
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Mr. Peter J. Murphy

Mr. David Newton
Suffolk County Extension Association

Ms. Catherine Nichols

Harold Nilsen

Hon. Angelo Orazio

Mr. Edward G. Parthe
Marine Contractors Association

Mr. Richard Penn
Environmental Council of Glen Cove

Mr. Wm. D. Pulvermacher
Marine Contractors Association

Mr. David Relyea
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Mr. Eugene R. Romano

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