

Appendix F: Coastal Zone Management Program Consistency

NEW YORK STATE DEPARTMENT OF STATE
COASTAL MANAGEMENT PROGRAM

Consistency Assessment Form

A. INSTRUCTIONS (Please print or type all answers)

1. State agencies shall complete this CAF for proposed actions which are subject to Part 600 of Title 19 of the NYCRR. This assessment is intended to supplement other information used by a state agency in making a determination of significance pursuant to the State Environmental Quality Review Act (see 6 NYCRR, Part 617). If it is determined that a proposed action will not have a significant effect on the environment, this assessment is intended to assist a state agency in complying with the certification requirements of 19 NYCRR Section 600.4.
2. If any question in Section C on this form is answered "yes", then the proposed action may affect the achievement of the coastal policies contained in Article 42 of the Executive Law. Thus, the action should be analyzed in more detail and, if necessary, modified prior to either (a) making a certification of consistency pursuant to 19 NYCRR Part 600 or, (b) making the findings required under SEQR, 6 NYCRR, Section 617.11, if the action is one for which an environmental impact statement is being prepared. If an action cannot be certified as consistent with the coastal policies, it shall not be undertaken.
3. Before answering the questions in Section C, the preparer of this form should review the coastal policies contained in 19 NYCRR Section 600.5. A proposed action should be evaluated as to its significant beneficial and adverse effects upon the coastal area.

B. DESCRIPTION OF PROPOSED ACTION

1. Type of state agency action (check appropriate response):
 - (a) Directly undertaken (e.g. capital construction, planning activity, agency regulation, land transaction) ☒
 - (b) Financial assistance (e.g., grant, loan, subsidy) ☐
 - (c) Permit, license, certification ☐
2. Describe the nature and extent of action: The action is the adoption and implementation of a Master Plan for Robert G. Wehle State Park.
3. Location of action:

<u>Jefferson</u>	<u>Town of Henderson</u>	<u>5502 Military Road</u>
County	City, Town or Village	Street or Site Description
4. If an application for the proposed action has been filed with the state agency, the following information shall be provided:
 - (a) Name of applicant: Office of Parks, Recreation and Historic Preservation
 - (b) Mailing address: Agency Building #1, Empire State Plaza, Albany, NY 12238
 - (c) Telephone Number: Area Code (518) 474-0409
 - (d) State agency application number: _____
5. Will the action be directly undertaken, require funding, or approval by a federal agency?
Yes ☐ No ☒ If yes, which federal agency? _____

C. COASTAL ASSESSMENT (Check either "YES" or "NO" for each of the following questions.)

1. Will the proposed activity be located in, or contiguous to, or have a significant effect upon any of the resource areas identified on the coastal area map:

	YES	NO
(a) Significant fish or wildlife habitats?	☐	☒
(b) Scenic resources of statewide significance:	☐	☒
(c) Important agricultural lands?	☐	☒
2. Will the proposed activity have a significant effect upon:

Robert G. Wehle State Park Master Plan: Appendix

- | | | | |
|-----|--|-------------------------------------|-------------------------------------|
| (a) | Commercial or recreational use of fish and wildlife resources? | ☐ | ☒ |
| (b) | Scenic quality of the coastal environment? | ☒ | ☐ |
| (c) | Development of future, or existing water dependent uses? | ☐ | ☒ |
| (d) | Operation of the State's major ports? | ☐ | ☒ |
| (e) | Land and water uses within the State's small harbors? | ☐ | ☒ |
| (f) | Existing or potential public recreation opportunities? | ☒ | ☐ |
| (g) | Structures, sites or districts of historic, archeological or cultural significance to the State or nation? | ☒ | ☐ |
3. Will the proposed activity involve or result in any of the following:
- | | | | |
|-----|---|--------------------------|-------------------------------------|
| (a) | Physical alteration of two (2) acres or more of land along the shoreline, land under water or coastal waters? | ☐ | ☒ |
| (b) | Physical alteration of five (5) acres or more of land located elsewhere in the coastal area? | ☐ | ☒ |
| (c) | Expansion of existing public services of infrastructure in undeveloped or low density areas of the coastal area? | ☐ | ☒ |
| (d) | Energy facility not subject to Article VII or VIII of the Public Service Law? | ☐ | ☒ |
| (e) | Mining, excavation, filling or dredging in coastal waters? | ☐ | ☒ |
| (f) | Reduction of existing or potential public access to or along the shore? | ☐ | ☒ |
| (g) | Sale or change in use of state-owned lands located on the shoreline or under water? | ☐ | ☒ |
| (h) | Development within a designated flood or erosion hazard area? | ☐ | ☒ |
| (i) | Development on a beach, dune, barrier island or other natural feature that provides protection against flooding or erosion? | ☐ | ☒ |
4. Will the proposed action be located in or have a significant effect upon an area included in an approved Local Waterfront Revitalization Program?
- | | | |
|--|--------------------------|-------------------------------------|
| | ☐ | ☒ |
|--|--------------------------|-------------------------------------|

D. SUBMISSION REQUIREMENTS

If any question in Section C is answered "Yes", AND either of the following two conditions is met:

Section B.1(a) or B.1(b) is checked; or
 Section B.1(c) is checked AND B.5 is answered "Yes",

THEN one copy of the Completed Coastal Assessment Form shall be submitted to:

New York State Department of State
 Division of Coastal Resources
 41 State Street, 8th Floor
 Albany, New York 12231

If assistance or further information is needed to complete this form, please call the Department of State at (518) 474-6000.

E. REMARKS OR ADDITIONAL INFORMATION

The master plan includes a summary discussion of coastal consistency with in Chapter 7 - Environmental Review. A full discussion of applicable policies is included on the following pages of this Appendix.

Preparer's Name: Kristen Cady Sawyer

(Please print)

Title: Ecosystem-based Management Program Specialist

Agency: Off. of Parks, Recreation & Historic Pres.

Telephone Number: (518) 473-3790

Date: July 15, 2010

Coastal Assessment Form Addendum: Coastal Policy Discussion

New York State coastal policies are organized under major headings. Those policy areas and specific policies applicable to the master plan are listed. Following each applicable policy is a brief discussion on the extent of consistency of the master plan with the policy.

Refer to Chapter 7, Environmental Impacts and Mitigation under Relationship to Other Programs, for an explanation of general applicability of the coastal program to state agency actions, as well as OPRHP's certification of consistency with State coastal policies.

Development Policies

Policy 2 – Facilitate the siting of water dependent uses and facilities on or adjacent to coastal waters.

The master plan does not propose development of any recreational uses that are directly dependent on the water. The park does provide important access to the lake for wildlife/ scenic and aesthetic enjoyments and uses. The plan proposes the development of a new picnic area along the lake shore and will maintain continued visual access to the lake from existing facilities.

Flooding and Erosion Hazards Policies

Policy 12 – Activities or development in the coastal area will be undertaken so as to minimize damage to natural resources and property from flooding and erosion by protecting natural protective features including beaches, dunes, barrier islands and bluffs.

Robert G. Wehle State Park is not located in a Flood Hazard Area as designated on the Flood Insurance Rate Maps (1992). The master plan will be consistent with this policy as it calls for the protection of the park's shoreline bluffs and preservation and enhancement of shoreline vegetation.

Public Access Policies

Policy 19 – Protect, maintain and increase the level and types of access to public water related recreation resources and facilities.

Robert G. Wehle State Park provides significant public access to over three miles of shoreline on Lake Ontario. The master plan is consistent with this policy because existing public shoreline access will be maintained and enhanced.

Recreation Policies

Policy 21 – Water-dependent and water-enhanced recreation will be encouraged and facilitated, and will be given priority over non-water-related uses along the coast.

Robert G. Wehle State Park provides water-enhanced activities along approximately 3 miles of undeveloped Lake Ontario shoreline. Trails, picnic areas, shoreline fishing and scenic views of the lake are all activities that can be enjoyed at the park and will be continued under the master plan.

Historic and Scenic Resources Policies

Policy 23 – Protect, enhance and restore structures, districts, areas or sites that are of significance in the history, architecture, archaeology or culture of the state, its communities or the nation.

OPRHP's Field Services Bureau conducted an interim assessment of structures within the park and determined that the military components of the park, including the firing range, and infrastructure related to the Stony Point firing range such as the watch stations and foundations found in various locations throughout the property are considered historic features that are eligible for State and National Historic designation. The master plan proposes that these significant cultural features be protected and interpreted. Vegetation will be cleared from the firing wall, and berms and the range will continue to be mowed. The watch stations will be further evaluated and protection, repair or reconstruction will be conducted as deemed necessary according to OPRHP historic structures guidelines. Interpretive signage about the park's military history will be developed. Additional archeological surveys may be required prior to any development requiring ground disturbance to insure that potential cultural resources are documented and protected. All of these proposed actions will protect, restore and interpret these important cultural and historic features found at Robert G. Wehle State park.

Policy 25 – Protect, restore or enhance natural and man-made resources which are not identified as being of statewide significance, but which contribute to the overall scenic quality of the coastal area.

Robert G. Wehle State Park is classified by OPRHP as a Scenic Park in recognition of its significant scenic value and its contribution to the overall scenic quality of the Lake Ontario shoreline in this area. The master plan calls for protection of scenic views from both the lake and from the park. No modifications of natural landforms that could impair scenic quality from either the lake or on-shore are proposed. The master plan calls for enhancement of visual access to the shoreline of Lake Ontario at several points along trails. Enhancements to the picnic and viewing areas which are proposed will take into account appropriate setbacks as well as utilization of appropriate materials and designs to minimize impacts.

Water and Air Resources Policies

Policy 37 – Best management practices will be utilized to minimize the non-point discharge of excess nutrients, organics and eroded soils into coastal waters.

Best management practices will include soil erosion control practices and surface drainage control techniques. No activity currently proposed in the master plan would cause excessive disturbance of the ground or application of nutrients/fertilizers. Any work related to the Invasive Species Management Plan for control of Swallowwort and other invasive plant species will ensure that disturbed areas are appropriately restored with native vegetation and that significant ground disturbance utilizes practices that conserves soil cover and minimizes erosion. Trails which are located along the shoreline will be maintained with buffer vegetation which will help control erosion.

Wetlands Policies

Policy 44 – Preserve and protect tidal and freshwater wetlands and preserve the benefits derived from these areas.

No new development is proposed within state or federal wetlands within the park. There are, however, several trails that cross small federal wetland areas. These sections will be further evaluated to determine the best means of managing these areas to minimize impacts to these wetlands (e.g. re-routing around the wetlands or construction of boardwalks).

