

Town of Huron Local Waterfront Revitalization Program

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ACKNOWLEDGEMENTS

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The Town of Huron Local Waterfront Revitalization Program was funded in part by the New York State Department of State under Title 11 of the Environmental Protection Fund.

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GLOSSARY

CEHA	NYS Coastal Erosion Hazard Area
CMP	NYS Coastal Management Program
DEC	NYS Department of Environmental Conservation
DOS	NYS Department of State
ECL	NYS Environmental Conservation Law
EPA	U.S. Environmental Protection Agency
EPF	Environmental Protection Fund Local Waterfront Revitalization Program (grants)
FEMA	U.S. Federal Emergency Management Agency
FIRM	Flood Insurance Rate Map
WRA	Waterfront Revitalization Area
LWRP	Local Waterfront Revitalization Program
NDZ	Vessel Waste No Discharge Zone
NFIP	National Flood Insurance Program
NYCRR	New York Code of Rules and Regulations
NYS	New York State
OGS	NYS Office of General Services
OPRHP	NYS Office of Parks, Recreation and Historic Preservation
SCFWH	NYS Significant Coastal Fish and Wildlife Habitat
SEQR	State Environmental Quality Review
SPDES	State Pollution Discharge Elimination System
TMDL	Total Maximum Daily Load
USACE	U.S. Army Corps of Engineers
WCWSA	Wayne County Water and Sewer Authority
WMA	Wildlife Management Area
WRA	Huron's Waterfront Revitalization Area

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INTRODUCTION

The Local Waterfront Revitalization Program (LWRP) is an extension of the New York State's Coastal Management Program² (CMP) that reflects and addresses local issues and opportunities within the designated local Waterfront Revitalization Area (WRA). An LWRP includes a detailed description of the condition of the WRA, policies to guide development within WRA, proposed regulations supporting land and water uses within WRA, proposed projects that will protect and enhance the uses within WRA and opportunities for public and private investment in the area.

This Huron LWRP was created to reflect current local conditions and shoreline characteristics and be consistent with the Town's Master Plan. The Town of Huron considers the waterfront to be its most important natural and cultural resource. The surface waters within WRA provide ample opportunity for boating, fishing, and other passive recreational activities, as well as a setting for waterfront residential neighborhoods of seasonal and year-round homes. Great Sodus Bay (or Sodus Bay) is a large inlet of Lake Ontario which provides a wide variety of the water-dependent activities for residents and tourists and safe harbor to those needing a retreat from the lake's waters. Port Bay, located in the eastern portion of the Town, and East Bay, in the central portion of the Town, offer recreational boating and waterfront access.

The Town of Huron is located on the southern shore of Lake Ontario, in the northern portion of Wayne County, New York. The Town encompasses 39.5 square miles of land generally rural in character. It is situated west of the Town of Wolcott, and east of the Town of Sodus and north of the Town of Rose. The Town's shoreline along Lake Ontario stretches for approximately 6.5 miles. Within the Western New York region, Huron is situated approximately 35 miles east of the Rochester metropolitan area and 40 miles west of Syracuse.

This LWRP expands the inland side of the coastal area of the state to include land acquired recently for preservation by The Nature Conservancy. Section II includes an inventory and analysis of existing conditions and resources in the waterfront area. The policies contained in Section III of this LWRP support the inventory and are focused on waterfront revitalization, making beneficial use of waterfront lands, enhancing tourism and protecting community character and important natural and cultural resources. The policies are further supported by land and water use and implementation proposals outlined in Sections IV and V. The sum of the information contained in the LWRP comprises a program that guides the revitalization of the Huron waterfront.

² http://www.dos.ny.gov/opd/programs/pdfs/NY_CMP.pdf

SECTION I - WATERFRONT REVITALIZATION AREA BOUNDARY

1.1. Huron Waterfront Revitalization Area

The boundary of the Town of Huron Waterfront Revitalization Area (WRA), the study area of the Town of Huron LWRP, expands the landside coastal boundary by incorporating recently acquired land for preservation located south and west of Shaker Tract Road. The waterside of the coastal boundary is not modified by the boundary of the Huron WRA. The land and water areas within the Town of Huron LWRP are described below and illustrated in [Map 1B](#).

Landside Boundary of Huron WRA

Beginning at a point, approximately 750 feet north of Mary Drive, where the Town's municipal boundary intersects the shoreline of Sodus Bay, the boundary of the Town of Huron Waterfront Revitalization Area (Huron WRA) proceeds south along the Town of Huron boundary with the Town of Sodus, to a point approximately 1,630 feet north of the intersection of the town boundary with the centerline of Ridge Road (CR 143);

1. then, turns east, crosses Third Creek, and continues to a point 100 feet east of the centerline of Third Creek;
2. then, proceeds northwesterly, easterly and northerly along a path parallel to and 100 feet east of the centerline of Third Creek for a distance of approximately 4230 feet;
3. then, turns east and continues along the centerline of a private road located in the southern portion of the parcel owned by the Nature Conservancy (tax parcel #72117-00-091717);
4. then, proceeds easterly along said private road to the intersection with the centerline of Shaker Tract Road;
5. then, turns southerly and continues along the centerline of Shaker Tract Road to its intersection with the centerline of Ridge Road (CR 143);
6. then, turns northeasterly and continues along the centerline of Ridge Road (CR 143) to its intersection with the western side of the Sodus Access Trail and the western boundary of the NYSDEC's Lake Shore Marshes WMA (Sodus Bay Unit);
7. then, turns southerly and follows the western boundary of the NYSDEC's Lake Shore Marshes WMA (Sodus Bay Unit) to the intersection with the centerline of Ridge Road East (NYS Route 104);
8. then, proceeds easterly along the centerline of Ridge Road East (NYS Route 104) to the intersection with the boundary of the southern tip of the Lake Shore Marshes Significant Coastal Fish and Wildlife Habitat (SCFWH);
9. then, continues southeasterly and northeasterly along the boundary of the southern tip of the Lake Shore Marsh SCFWH to the intersection with the centerline of Ridge Road East (NYS Route 104) and the southern boundary of the Lake Shore Marshes WMA (Sodus Bay Unit);

10. then, proceeds northwesterly, easterly and northerly along the boundary of the Lake Shore Marshes WMA (Sodus Bay Unit) to the intersection with the centerline of Lake Bluff Road (CR 254);
11. then, continues northwesterly along the centerline of Lake Bluff Road (CR 154) to a point where the boundary of the Lake Shore Marshes WMA (Sodus Bay Unit) turns west, approximately 2527 feet north of the intersection of the centerlines of Ridge Road East (NYS Route 104) and Lake Bluff Road (CR 254);
12. then, continues easterly and northerly along the eastern boundary of the Lake Shore Marshes WMA (Sodus Bay Unit) to the intersection with the centerline of Ridge Road (CR 143), approximately 1140 feet east of the Sodus Bay bridge and 820 feet west of the intersection of Ridge Road (CR 143) with Resort Road;
13. then, proceeds southeasterly along the centerline of Ridge Road (CR 143) to the intersection with the centerline of Lake Bluff Road (where CR 254 becomes CR 154);
14. then, continues northwesterly along the centerline of Lake Bluff Road (CR 154) to the intersection with the centerline of Lummisville Road (CR 155);
15. then, turns west and proceeds along the centerline of Lummisville Road (CR 155) to its intersection with the eastern side of Sloop Landing Road;
16. then, turns north along the eastern side of Sloop Landing Road to the intersection with the centerline of Lake Bluff Road (CR 154);
17. then, turns easterly and proceeds along the centerline of Lake Bluff Road (CR 154) to its intersection with the centerline of Garner Road;
18. then, northerly along the centerline of Garner Road to the intersection with the southern boundary of Chimney Bluffs State Park land;
19. then, turns east and proceeds in a straight line across a field to the intersection with the western boundary of the Lake Shore Marshes WMA (East Bay Unit);
20. then, continues south, east, south, and east along the boundary of Lake Shore Marshes WMA (East Bay Unit) to the intersection with the centerline of East Bay Road;
21. then, turns northerly and continues along the centerline of East Bay Road to the boundary of NYS Lake Shore Marshes WMA (East bay Unit);
22. then, turns east, southerly, easterly and northerly following the boundary of the Lake Shore Marshes WMA (East Bay Unit) and the boundary of the Lake Shore Marshes SCFWH to the intersection with Slaght Road;
23. then, proceeds along Slaght Road and the boundary of the Lake Shore Marshes WMA (East Bay Unit);
24. then, continues northwesterly, southeasterly, northeasterly, southeasterly and easterly along the boundary of the Lake Shore Marshes (East Bay Unit) and the Lake Shore Marshes SCFWH, west and south of Mudge Creek, to the intersection with the eastern side of North Huron Road, approximately 70 feet north of the intersection of Slaght Road and North Huron Road (CR 156)
25. then, turns northerly and continues along the eastern side of North Huron Road (CR 156) to the intersection with the southern side of Wright Road;

26. then, turns easterly and proceeds along the southern side of Wright Road, past the intersection with Maple View Heights and Dutch Street;
27. then, continues easterly to the intersection with the western boundary of the Port Bay Unit of Lake Shore Marshes WMA;
28. then, continues to follow the boundary of the Lake Shore Marshes WMA (Port Bay Unit) and the Lake Shore Marshes SCFWH past the intersection with Clapper Road, to the intersection with the western side of West Port Bay Road (CR 160);
29. then, turns southeasterly and continues along the western side of West Port Bay Road (CR 160) to the intersection with the boundary of the towns of Huron and Wolcott;
30. then, proceeds northerly along the Town of Huron eastern boundary with the Town of Wolcott to the intersection with the Lake Ontario shoreline;
31. then, continues westerly along the Lake Ontario shoreline, (along the barrier beach that separates Port Bay from Lake Ontario, the barrier beach that encloses East Bay, and along the northern edge of Crescent Beach) to a point on the north side of Crescent Beach at the intersection of the municipal boundaries of the Town of Huron and the Town of Sodus with the Lake Ontario shoreline;
32. then, continues southerly along the municipal boundary to the intersection with the southern side of Crescent Beach and the Sodus Bay shoreline;
33. then, continues easterly, southerly, westerly and northerly along the Sodus Bay shoreline to the point of beginning, the intersection of the Town of Huron municipal boundary with the Sodus Bay shoreline approximately 750 feet north of Mary Drive.

The landside boundary includes the entirety of Newark Island, LeRoy Island and Eagle Island.

Waterside Boundary of Huron WRA

The waterside of the New York State coastal boundary is not modified by the Huron WRA.

Pursuant to Part 46a of the NYS Navigation Law and Section 922 of Article 42 of the Executive Law, the waterside area of Huron WRA includes a 1500'-wide strip along the town's Sodus Bay shoreline, the navigable portions of Mudge Creek, the entirety of East Bay, and that portion of Port Bay that is located within the corporate limits of the Town of Huron. The waterside area and boundary of Huron WRA are illustrated in [Map 1B](#).

Pursuant to the same statutes, the Town prepared a Harbor Management Plan (HMP) to address the level of competing surface water uses within the 1500'-wide strip of water along the town's Sodus Bay shoreline. [Map 1C](#) illustrates the boundary of the Huron HMP presented in Section IV of the LWRP.

SECTION II - INVENTORY AND ANALYSIS OF EXISTING CONDITIONS

2.1. Summary of Issues and Opportunities in the Waterfront Revitalization Area

Land areas within the Town of Huron Waterfront Revitalization Area (WRA) include residential neighborhoods, protected natural areas and several waterfront businesses. The Huron Local Waterfront Revitalization Program (LWRP) is intended to support and enhance each of these uses and to maintain an appropriate balance among them.

Most of the land located directly along the bays and along a portion of the Lake Ontario waterfront is developed with seasonal cottages and year-round residences. These residences contribute a significant percentage of the Town's population and tax base. Residential property owners and transient renters enjoy boating, fishing, nature observation and views of the waterfront. Nearly all of the waterfront residences have individual docks for private boats. The LWRP advances the Town's efforts to protect and enhance these residential neighborhoods.

Large areas along the waterfront and upland are protected natural areas. These include large portions of the NYS Lake Shore Marshes Wildlife Management Area³, Chimney Bluffs State Park, and a preserve owned and managed by The Nature Conservancy. These areas are open to the public for passive recreation uses such as nature observation and hiking. In addition, the Lake Shores Marshes Wildlife Management Areas (WMA) accommodates fishing, hunting, and small boats such as canoes and kayaks. Some upland areas also include agricultural lands and wooded areas. The LWRP promotes the protection of the Town's natural resources and the enhancement and diversification of recreational uses within the waterfront.

Certain areas along the waterfront are occupied by water-dependent and water-enhanced businesses such as private marinas and restaurants. The marinas and waterside restaurants are among the few locations that allow visitors to view and be near the water. Commercial marinas give access to the bays for boating, fishing, and other activities to anyone interested in boating. The revenue generated from these businesses and their customers contribute to the local economy and provide revenue to local governments in the form of sales and property taxes. Many people are introduced to Huron's waterfront by using the services of these businesses, and sometimes, because they enjoyed the water-related activities and scenic views of the bays, they subsequently purchase property along the waterfront. The LWRP supports the reinvestment in and revitalization of the underutilized existing commercial areas.

Objectives of the LWRP

The key priorities of the Town with regard to its waterfront are to:

- Protect and improve the water quality of the bays.
- Manage or reduce the impact of aquatic weeds on recreational boating.

³ <http://www.dec.ny.gov/outdoor/24441.html>

- Protect and enhance the scenic value of the waterfront.
- Maintain or enhance the current quality of life in waterfront residential neighborhoods, which is characterized by generally quiet settings with views and access to water.
- Support and enhance water-dependent businesses in suitable areas in order to increase tourism-based economic development.
- Maintain, increase, and enhance access to the waterfront at the existing public sites owned by government entities, and at privately owned areas, through public/private partnerships.

These objectives will be achieved through the projects proposed in Section IV and the current and proposed local regulations described in Section V of this LWRP.

2.2. Regional Setting, Historic Context and Community Characteristics

Location

The Town of Huron is located in Wayne County⁴, New York, as shown in [Map 2-Regional Setting](#). Its western border is approximately 35 miles east of the city of Rochester; its eastern border is approximately 40 miles west of the City of Syracuse. Huron covers approximately 21,800 acres of land, and is bordered on the east by the Town of Wolcott, on the south by the Town of Rose, and on the west by the Town of Sodus.

The Huron WRA encompasses 10,347 acres of landside, based on GIS data. Three embayment areas punctuate the 6.5 miles of Lake Ontario shoreline that forms the northern border of the Town of Huron. Sodus Bay borders the western boundary of Huron. East Bay is part of the northern side of the town and covers approximately 160 acres.

Port Bay extends into the town from the northeast corner and 48% of it is part of the Town of Huron; the remainder is within the Town of Wolcott. East Bay extends into Huron from the north, and its portion within the town's limits encompasses approximately 160 acres of water surface.

Outside of the three bays, the Huron waterfront borders directly on Lake Ontario.

Government

The Town of Huron is governed by four elected Town Board members and an elected Supervisor, who also serves on the Wayne County Board of Supervisors. Town Departments include the Town Clerk; Highway; Assessor; Building, Zoning and Code Enforcement; Historian; and Animal Control.

2.3. Overview of Planning Efforts and Interested Organizations

Local Plans

The *Town of Huron Master Plan*⁵ was updated by the town in 2012. The updated comprehensive Master Plan includes goals and recommendations addressing waterfront land uses, public access to the

⁴ <http://www.co.wayne.ny.us/>

⁵ <http://townofhuron.org/content/Generic/View/25>

waterfront, and the protection of water quality, historic resources, and scenic views that have been incorporated into the LWRP. Excerpts from this plan are included in Appendix E.

Regional Plans

The *Sodus Bay Waterfront Initiative*⁶ was prepared by the SUNY ESF Council for Community Design Research for the Towns of Sodus and Huron and the Village of Sodus Point in December, 2001. This document includes a vision statement and goals relating to stewardship of natural resources, management of land and water activities, public access to the waterfront and management of land use.

The *Regional Dredging Management Plan*⁷ for Lake Ontario was first produced in 2000 through a collaborative effort involving the Towns of Greece, Town of Sand Creek, Village of Sodus Point, City of Oswego, and Monroe, Oswego and Wayne Counties. The update to this plan, completed before 2015, is currently under review and involves the collaboration of Niagara, Orleans, Oswego, Monroe, and Wayne Counties. The initial planning effort was undertaken to address problems with shoaling and sedimentation that occurs in the embayment areas along Lake Ontario and within each municipality. The original version of the plan describes each embayment, boater improvements within each, and details the dredging requirements for each.

The *Great Sodus Embayment Resource Preservation and Watershed Enhancement Plan*⁸ - was prepared for the Wayne County Soil & Water Conservation District in 2007. The extensive scientific documentation in the Plan confirms that, although Sodus Bay is an exceptional aquatic resource that provides a variety of water-based recreational opportunities, the declining water quality of the Bay threatens its ability to support a healthy aquatic habitat as well as recreational opportunities. The Plan notes that the natural process of eutrophication in Sodus Bay has been accelerated by land use development and other human activities and that the symptoms of eutrophication, including algae blooms and the dense growth of invasive aquatic weeds, impair uses and endangers the Bay's ecology. The Plan documents both internal and external sources of eutrophication and evaluates alternative measures to address them. It also presents several options for the control of aquatic weeds.

The *Wayne County Embayment Watershed Preservation and Enhancement Plan*⁹ (2005) -assesses the ecological conditions of East Bay, Port Bay, and Blind Sodus Bay in Wayne County. The objectives of the project were to evaluate water quality issues, to develop technically sound management and restoration recommendations. The Plan presents realistically achievable management and restoration measures for the three bays and their respective watersheds. The recommendations include conservation, protection, mitigation and restoration measures that address the interaction of watershed influences and water quality. In 2011, Wayne County prepared the Total Maximum Daily Load (TMDL) for Phosphorus in Port Bay, a report assessing the TMDLs for all pollutants violating or causing violation of applicable water quality standards for Port Bay. Excerpts of the TDML¹⁰ report are included in Appendix E.

The *Great Sodus Bay Harbor Management Plan*¹¹ was developed in 2008 by the communities with access to the water of Great Sodus Bay and the Wayne County Planning Department, with funding from the NYS Department of State. This plan includes an inventory and analysis of the water-uses within the

⁶ <http://web.co.wayne.ny.us/wayne-county-planning-department/>

⁷ <http://web.co.wayne.ny.us/wayne-county-planning-department/>

⁸ <http://saveoursodus.com/>

⁹ <http://www.co.wayne.ny.us/Departments/planningdept/Projects.htm>

¹⁰ http://www.dec.ny.gov/docs/water_pdf/tmdlptbayfinal11.pdf

¹¹ <http://www.co.wayne.ny.us/Departments/planningdept/Projects.htm>

entire Great Sodus Bay, the results and interpretation of water-use surveys conducted in 2004 and 2005, and a series of recommendations meant to guide local efforts to improve the management of the water-uses within the bay. Relevant results and analyses of the surveys and the recommendations of the plan are integrated in Section II, IV, and V of the LWRP. Relevant maps and graphics from the Great Sodus Bay Harbor Management Plan are included in Appendix E.

The *Village of Sodus Point Local Waterfront Revitalization Plan*¹² was originally approved by the NYS Department of State in 2008 and subsequently amended in 2012 to incorporate a harbor management plan for a portion of Sodus Bay and reflect the recommendations of the Sodus Bay Waterfront Initiative.

The *Wayne County 2000 Tourism Master Plan*¹³ was developed by the Wayne County Office of Tourism to provide strategies for encouraging greater levels of tourism in Wayne County.

The *Wayne County Recreationways Master Plan*¹⁴ (prepared in 2001 and updated in 2012) was prepared to set forth strategies for improving recreational opportunities within the communities of Wayne County. The Plan recommends a trailhead to be developed along Route 104 just south of the WRA and the hamlet of Resort.

The *Sanitary Sewer Feasibility Study for the Wayne County Four Bays Area*¹⁵ was completed by the Wayne County Water & Sewer Authority in 2007 to determine the feasibility and cost of extending public sanitary sewers to the areas adjoining Sodus Bay, East Bay, Port Bay and Blind Sodus Bay and to identify potential future service areas.

The *Wayne County Agriculture and Farmland Protection Plan*¹⁶ (AFPP) documents the significance of agriculture to the local and regional economy, as Wayne County is the fifth-ranked agricultural county in New York State, with 938 farms covering 168,000 acres (45% of the county's land area) and generating a gross-farm income of \$168 million in 2007. Also, it notes that Wayne County consistently ranks among the top-three apple producing counties in the nation, with approximately 140 apple farms on 17,800 acres. This plan was adopted by the Wayne County Agriculture Development Board in 1997 and updated in 2011.

The *Finger Lakes Region Strategic Plan*¹⁷, was completed in 2011 by the Finger Lakes Regional Economic Development Council (FLREDC) to guide the economic revitalization of the region. The plan encourages municipalities to enhance their local appeal and quality of life and to attract new businesses and the associated workforce, and provides a number of strategies to increase the number of visitors to the area:

- invest in the development, promotion, and preservation of cultural, artistic, and historic assets;
- develop, network, and promote the region's growing wine, culinary, agricultural, and food micro-enterprises;

¹² <http://www.soduspoint.info/local-waterfront-revitalization-program>

¹³ <http://www.waynecountytourism.com/>

¹⁴ <http://web.co.wayne.ny.us/wp-content/uploads/Planning/Master%20Plan/WC-Parks-and-Recreationways-Plan.pdf>

¹⁵ <http://townofhuron.org/content/Generic/View/27>

¹⁶ <http://www.wedcny.com/Ag.html>

¹⁷ <http://sustainable-fingerlakes.org/wp-content/uploads/2013/01/FLRSP-Final-Plan.pdf>

- strengthen and support the development of the Finger Lakes' diverse water resources and recreational tourism opportunities, allowing greater access and promoting year-round use.

Organizations Interested in Local Waterfront Resources and Planning

Save Our Sodus¹⁸ (SOS) is a non-profit group that is dedicated to improving, protecting, and preserving the water quality of Sodus Bay and the Sodus Bay watershed. Its over 600 members include local residents, vacationers, property owners, businesses, farmers, boaters, fisherman, sports people and many others who recognize the importance of preserving the bay's natural beauty and usability.

Great Sodus Bay Association¹⁹ (GSBA) acts as a Chamber of Commerce and Merchant Association, and addresses the opportunities and expectations of the Sodus Bay community and its residents.

Wayne County Water Quality Coordinating Committee²⁰ is an informal public committee dealing with water quality issues. In Wayne County, the Water Quality Coordinating Committee and the Soil & Water Conservation District coordinate testing of private groundwater wells for total coliform, e-coli bacteria, and a standardized plate count of bacteria.

Lake Bluff Cottagers' Association is a homeowners' association dealing with shoreline stabilization and other issues along Sodus Bay and Lake Ontario.

Wayne County East Bay Improvement Association²¹ is a nonprofit organization founded in 2009 to protect the environmental, recreational and scenic quality of East Bay.

Port Bay Improvement Association²² is a nonprofit organization responsible for overseeing and funding, with members' dues, contributions, and donations; the dredging of the channel connecting the bay with Lake Ontario

Eagle Island Homeowners Association protects the interests of all property owners of Eagle Island and handles issues related to neighborhood functions and waterfront access to Sodus Bay.

Shaker Heights Property Owners Association protects the interests of all property owners of Shaker Heights Tract and finds solutions for their mutual concerns.

Crescent Beach Property Owners Association is the homeowners' association for the Crescent Beach area and deals with shoreline erosion problems and other issues of concern to its members.

Sodus Bay Improvement Association is a membership organization that manages weed harvesting in Sodus Bay in cooperation with the Wayne County Soil & Water Conservation District.

Wayne County Soil & Water Conservation District²³ (SWCD) offers education and technical assistance to manage and conserve soils, water and natural resources of Wayne County;

¹⁸ <http://www.saveoursodus.com/about-save-our-sodus/>

¹⁹ <http://greatsodusbay.org/>

²⁰ <http://www.agriculture.ny.gov/SoilWater/cwqcc/index.html>

²¹ <http://eastbayny.org/>

²² <http://portbayny.org/new/>

²³ <http://www.waynecountynysoilandwater.org/>

2.4. Demographics and Economic Considerations

Population and Household Characteristics

Based on statistics from the 2010 Census²⁴, the total population of the Town of Huron in 2010 was 2,118. This represents a decline of 82 residents since the 2000 Census.

A total of 394 Town residents (18.6%) were age 65 or older, and 430 (20.3%) were younger than 18. The median age of Huron residents in 2010 was 46.4 years, which is 12% higher than the median for Wayne County of 41.6 years.

Income and Employment

Of the 1744 Huron residents over 16 years old, 903 were employed at the time of the 2010 Census. Approximately 31.5% of employed residents worked in management, business, science, or arts occupations, 24% worked in production, transportation, or material moving occupations, while 18.1% worked in sales and office occupations.

Through most of Huron's history, the economic base of the Town has been agriculture and agricultural processing. Although most of the land area in Huron is devoted to agriculture, only 144 (9.5%) of the labor force was employed in agriculture or forestry at the time of the 2000 Census. A total of 192 (12.6%) were employed in manufacturing and 221 (14.5%) in educational, health or social services.

Most of Huron's year-round residents are employed in businesses outside of the Town. According to the 2000 Census, only 204 (19.8%) of the 1,030 employed Huron residents worked in the Town. A total of 518 (50.3%) worked elsewhere in Wayne County and 308 (29.9%) worked outside of Wayne County. More than one-half (50.6%) of the Town's employed residents spent more than 30 minutes each way commuting to their place of employment.

Housing

At the time of the 2010 Census there were a total of 1,617 housing units²⁵ in the Town, of which 855 were occupied year-round. Of the occupied units, 702 (82%) were owner-occupied and 153 were renter occupied. A total of 85 housing units were vacant. A total of 677 housing units were classified as seasonal, comprising 42% of all housing units in the Town.

Tourism

The main tourist areas within the Huron WRA are Sodus Bay, Chimney Bluffs State Park, Lake Shore Marshes State WMA, and Port Bay, which provide visitors with activities such as boating, fishing, birding, hunting, hiking and bicycling. Fishing tournaments draw thousands of visitors to the area annually. The Wayne County Office of Tourism²⁶ promotes tourism in the Town of Huron.

The Town's agricultural landscapes contribute to the rural and scenic quality of the WRA.

Sodus Bay is the largest bay on the south shore of Lake Ontario and is Wayne County's most popular spot for boating and fishing. Its shoreline is in the towns of Sodus and Huron and the village of Sodus Point. The Bay hosts three islands, including two that are accessible only by boat. Public access to the

²⁴ <http://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?src=bkmk>

²⁵ <http://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?src=bkmk>

²⁶ <http://www.waynecountytourism.com/>

Bay is provided at Harriman Park on Route 14 and at the Sodus Point Beach Park, both in the Village of Sodus Point. Fishing tournaments draw thousands of visitors to the area annually.

The proximity of the Seaway Trail to the Huron's WRA increases the number of visitors to the area. The Seaway Trail is a 518 mile scenic driving route that follows the shores of Lake Erie, the Niagara River, Lake Ontario, and the St. Lawrence River, and overlaps with Ridge Road in the Town.

Another tourist attraction that impacts the number of visitors in the Town of Huron is the Montezuma Audubon Center (MAC) located the Town of Savannah along NYS Route 89, approximately 8 ½ miles southeast of Huron. This Center is a state-owned facility nationally recognized for its information on birds and wildlife habitat and attracts visitors from around the world to the area.

Accommodations for tourists include Oak Park Inn, Bonnie Castle Bed & Breakfast, the Lake Bluff Campground and seasonal rentals along the Bays and Lake Ontario.

The Wayne County Office of Tourism²⁷ promotes tourism in the Town of Huron.

2.5. Land Use

The land area within Huron WRA consists of approximately 10,020 acres, based on the available GIS data. Land uses within the Huron WRA consist of residential uses, parkland, agricultural uses and a few scattered commercial businesses, as depicted on [Map 3](#), [Map 4](#) and [Map 5](#). Within Huron, land use is regulated by the Zoning Law²⁸, the Land Development Regulations²⁹ and Public Works Requirements, and the Building Law³⁰.

The Land Development Regulations and Public Works Requirements were adopted in 2005 to replace the Subdivision Regulations adopted in 1969. These regulations apply to all developments requiring subdivision plat or site plan approval, and all improvements to be offered for dedication within the Town of Huron. No tract may be subdivided, and no land requiring site plan approval under Town Zoning Law section 44.0 may be developed or changed in use, unless final approval is granted under these regulations (and any other applicable laws and regulations are complied with). Further, no improvements may be accepted by the Town without compliance with these regulations.

The Building Law was originally adopted in 1985, and last amended in 2011 in order to implement the New York State Uniform Fire Prevention and Building Code and other standards in the Town. The law requires a building permit for new construction, followed by inspections by the Building Inspector and then a certificate of occupancy, and also prescribes for enforcement.

The following table summarizes the use of parcels within the Waterfront Revitalization Area. Parcel sizes are based on calculations from the GIS parcel mapping.

²⁷ <http://www.waynecountytourism.com/>

²⁸ <http://townofhuron.org/content/Laws/View/41>

²⁹ <http://townofhuron.org/content/Laws/View/53>

³⁰ <http://townofhuron.org/content/Laws/View/44>

	# Parcels	Acres (Calculated)	Percent of Total WRA
Residential			
Year-round	493	1,188	15.4
Seasonal	532	211	2.7
Manufactured Home	25	68	0.9
Agricultural	18	1,060	13.7
Conservation/ Recreation	12	4,583	59.4
Business	NA	NA	NA
Utilities	13	87	1.1
Vacant	2	5	0.1
	364	514	6.7
Total		7,717	

Much of the land located directly along Sodus Bay, East Bay, and Port Bay has been developed with residences. Privately owned residential land in relatively large lots encompasses 592 acres within the WRA. Privately-owned vacant land comprises 1,050 acres. Large residential lots occupy 660 acres. Some of the land coded as residential or vacant is utilized for agriculture.

Conservation and recreation land uses are comprised primarily of the State-owned park and wildlife management areas within the town. These areas cover approximately 3,750, or 16% of the town. Much of these areas include freshwater wetlands and embayment areas in addition to dry land.

Land use trends in recent years in the Town of Huron are characterized by low to moderate growth in residential and small-scale commercial development.

A potential issue related to residential development in the future may be the redevelopment of the existing residential properties along certain parts of the lake shore areas as the traditionally seasonal nature of the lakeshore communities begin to evolve into year-round communities. Moreover many of the existing homes are relatively old and undersized. This combined with rising land values has resulted in redevelopment of such properties in similar communities in other areas of New York and elsewhere in the country. Often the newer homes are much larger than the existing and cover larger percentages of the lot. They can both substantially alter the historic character of the community as well as block historic viewsheds.

Another potential issue is the need to manage future new residential development in a manner that protects the agricultural resources of the community. There may be a need to provide for adequate buffer areas between residential development and agricultural operations.

Agriculture and Farming

Approximately 1,060 acres within the WRA are agricultural parcels, comprising 13.7% of the total land area. [Wayne County Agricultural District 1 Map](#) illustrates the agricultural districts, as defined under article 25-AA of the Agricultural and Markets Law. Agricultural uses include mostly crop farming and orchards. The definition of agricultural lands is included in Section III. As mentioned at the beginning of Section II of the LWRP, Wayne County developed an Agricultural and Farmland Protection Plan³¹ to

³¹<http://www.co.wayne.ny.us/Departments/EDP/Agpdfs/2011%20Wayne%20Ag%20&%20Farm%20Plan%20Final%20No%20Maps.pdf>

provide recommendations for the preservation of both the business of farming and farmland in the county.

2.6. Land Ownership

The Waterfront Revitalization Area includes a total of 4,129 acres of State-owned park and conservation land. These include portions of the Lake Shore Marshes WMA³², managed by the Department of Environmental Conservation (DEC) Region 8, at East Bay (1,283 acres), southeast of Port Bay (1,343 acres), and south of Sodus Bay (706 acres), as well as Chimney Bluffs State Park (662 acres) managed by OPRHP³³, which abuts Lake Ontario east of Sodus Bay. State-owned land encompasses 52% of the WRA's land area. A total of 546 acres south of Sodus Bay are owned and protected by The Nature Conservancy. The sand and gravel barrier beaches at the mouths of East Bay and Port Bay are part of the Lake Shore Marshes WMA.



The Town of Huron owns a 0.4-acre parcel along the Lake Ontario shoreline at the north terminus of North Huron Road. As depicted in the figure above, this land has eroded to the point that there is little land area left. The locations of public and conservation lands are depicted in [Map 7](#).

The Wayne County Sewer & Water Authority³⁴ owns two parcels of land within the eastern side of Huron WRA that are used for water distribution facilities. The remainder of the WRA is privately owned.

2.7. Underutilized Sites and Structures

Outside of the Wildlife Management Areas (WMA) and State Park, most of the waterfront is developed with single-family residences and seasonal cottages. Many of the existing seasonal cottages are small and relatively old. In some areas, particularly those served by public water, seasonal cottages are being

³² http://www.dec.ny.gov/docs/wildlife_pdf/wmalkshoremashloc.pdf -Area of Lake Shore Marshes, West map

³³ <http://nysparks.com/parks/43/details.aspx>

³⁴ <http://wcwsa.org/>

replaced with larger year-round dwellings. The following areas, while not underutilized, contribute to wildlife habitat and ecological functions but may have the potential for additional recreational or other use:

Along Sodus Bay

- Bay bridge – east and west ends
- Hog Island at LeRoy Island bridge
- Lake Shore Marshes Wildlife Management Area
- Crescent Beach

Along East Bay/ Lake Ontario

- Chimney Bluffs State Park
- Lake Shore Marshes Wildlife Management Area

Along Port Bay

- Lake Shore Marshes Wildlife Management Area

2.8. Zoning

In 1973, the Town of Huron adopted its first zoning law as authorized by NYS Town Law §264. The zoning law regulates and restricts the use of lands within the town, the height, number of stories and size of buildings and other structures, the percentage of occupancy of lots and parcels of land that may be occupied, and the density of development.

The Town of Huron Zoning Law³⁵ establishes specific zoning districts and sets forth specific uses permitted in each district, as well as dimensional and other standards. The Zoning Law has been amended and updated on a number of occasions since its original adoption.

The Town of Huron Zoning Law divides the Town of Huron into eight (8) zoning districts. Zoning within WRA includes three residential categories (R1A-Rural Residence District, R15000-Medium Density Residential and RES-Resort), one Agriculture District (A5A), one Land Conservation District (LC), and a potential Planned Development Districts (PD).

Existing zoning districts within the WRA are depicted in [Map 6](#). Uses within each district are further broken down into uses permitted by right and uses permitted upon the granting of a Special Permit from the Board of Appeals, as provided by Section 43.0 of the Zoning Law, or with Site Plan Approval by the Planning Board as provided for in Section 44.0. The Schedule of Regulations set forth in Section 42.0 list the uses permitted in each district and is included in Appendix B.

The A5A-Agriculture District permits a wide range of land uses, including agriculture, residences, manufactured home parks, industry, junkyards, quarries and sand and gravel pits. This district covers 75% of the entire Town of Huron and 28% of the waterfront area.

The RES-Resort District is designed to accommodate both the commercial and the non-commercial water- and land-based residential and recreational activities associated with a resort area. In addition to seasonal and year-round dwellings, the RES district permits: hotels, motels, tourist homes and boarding homes; restaurants, bars and taverns; small-to medium scale retail sales establishments; golf courses; camping and campground; and marinas and marine services, including boat storage. This district

³⁵ <http://townofhuron.org/content/Laws/View/41:field=documents;/content/Documents/File/38.pdf>

encompasses a total of 25% of the Waterfront Area, including much of the shoreline of Sodus Bay, East Bay and Port Bay as well as much of the Lake Ontario shoreline east of Chimney Bluff State Park.

The R1A-Rural Residence District permits residential and agricultural uses, and also land uses traditionally considered relatively compatible with residential such as churches, parks, playgrounds, schools, nursery schools, golf courses and home offices. In addition the zoning district permits a variety of other land uses including retail & wholesale commercial; professional offices; medical & dental clinics; campgrounds; clubhouses; child & adult care facilities; circuses, fairs & carnivals; and boat storage.

This District comprises approximately 10% of the WRA, including:

- approximately 298 acres east of Sodus Bay, bounded by Lummisville Road on the north and Lake Bluff Road on the east.
- Approximately 108 acres west of East Bay, along Chimney Heights Blvd., Carolina Ave. and the west side of Hampton Ave. south of East Bay Road
- Approximately 452 acres along the east and west sides of West Port Bay Road, south of Port Bay.

The R-15,000 - Medium Density Residential district permits residential development, limited agriculture (no animal husbandry) and uses traditionally considered compatible with residential such as churches, parks, playgrounds, golf courses and home offices. Approximately 4% of the Waterfront Area, consisting of approximately 208 acres on the west side of Sodus Bay, is within the R-15,000 zoning district.

The LC-Land Conservation District includes approximately 3,614 acres within the Waterfront Area land owned by the State of New York within Chimney Bluff State Park and the Lake Shore Marshes Wildlife Management Areas. Although the State is exempt from local zoning regulations, future owners would be limited to using the land "...for public use, including lands left in a natural state, landscaped areas, ball fields, and other areas set aside for recreational uses."

The Town of Huron Zoning Law provides for the establishment of Planned Development Districts (PD) within the town. The Planned Development District is a floating zone that can be applied by the Town Board to land of 50 acres or more where diverse uses are brought together on a single parcel of land as part of a unified plan of development. Land and buildings may be used for any purpose to the extent permitted elsewhere in the Zoning Law, subject to whatever requirements may be imposed. The [Zoning Districts - Map 6](#) does not show any areas designated as Planned Development Districts because the Town Board has not yet designated any.

The Town's HB - Highway Business zoning district and M-Industry Zoning District, which permit more intensive business and industrial uses, are located outside of the Waterfront area.

2.9. Water Uses

Water dependent uses are businesses that are located directly on the waterfront and depend on water access for their business, such as marinas, charter fishing operations and boat launching facilities. Water-enhanced uses in the Town of Huron include shops, restaurants, and open space areas. [Map 8](#) depicts the location of the water-dependent and water-enhanced uses within the WRA.

Boat Launches

The Huron WRA contains four (4) public boat launches, all operated by the NYS Department of Environmental Conservation. Two of the public boat launches are located on the west side of Port Bay. One is located at the northern tip of the bay adjoining the outlet to Lake Ontario and the other is located near the southern end of Port Bay. Both have concrete boat ramps. The public boat launch at the southern end of Port Bay is actually located just inside the Town of Wolcott, but the entire access road is located within the Town of Huron.

The other two public boat launches are located near East Bay. One is located at the northern terminus of North Huron Road a short distance east of East Bay and provides a car-top boat launch for launching boats directly into Lake Ontario. The other boat launch, comprised of a gravel ramp, is located along Slaght Road where it crosses Mudge Creek. Both of these sites provide public access for fishing as well. A couple of sites used informally for launching boats are located within the Huron WRA. One site is located along the western shore of Sodus Bay, approximately 3/5 mile south of Ridge Road within the Lake Shore Marshes WMA³⁶. Access to this site is from Ridge Road immediately west of the Bay Bridge. The other site is located at the eastern end of Bridger Lane where the road terminates at the Port Bay shoreline.

Marinas and Boater Services

Sodus Bay

Although much of the boating activity in Sodus Bay is oriented around Sodus Point, nearly one-half of the seasonal and more than one-half of the transient boat slips are supplied by marinas along the east shore of Sodus Bay within the Huron WRA. Based on the findings of the water-use surveys conducted in 2004-2005, the 522 seasonal boat slips and 173 transient slips at facilities in the Town of Huron represented 43% of all the seasonal slips and 56% of all the transient slips along Sodus Bay. Excerpts of the documents including the results of the surveys and NOAA's nautical maps for Sodus Point and Port Bay are included in Appendix E of the LWRP.

The following private boat marinas are located within the Huron WRA. These marinas provide dockage, boat launching, and various additional boater services.



Fowler's Marina³⁷ is located near the southern tip of LeRoy Island. The focus of the marina is on boat sales and marine repair service. In addition, the marina sells fuel (gasoline only) and offers pump out services, transient boater dockage, and winter boat storage. The marina does not offer a boat launching ramp.

³⁶ <http://www.dec.ny.gov/outdoor/24441.html>

³⁷ <http://www.waterwayguide.com/marina/fowlers-marine-sales-and-service>

Fowler's Marina aerial view



Source: NYS DOS Geographic Information Gateway

Connelly's Cove³⁸ offers limited dockage that supports the restaurant, but no other boater services.

Connelly's Cove



³⁸ <http://www.waterwayguide.com/marina/connellys-cove-restaurant-and-marina>

Aerial view of Connelly's Cove Restaurant & Marina



Source: NYS DOS Geographic Information Gateway

Skipper's Landing and Restaurant³⁹ is located along the eastern shore of Sodus Bay opposite Eagle Island. The dock contains 19 slips. The marina is essentially provided to support the restaurant by providing direct boater access. Although electrical service is provided to the slips, no other boater services or amenities are provided.

Aerial view of Skipper's Landing and Restaurant



Source: NYS DOS Geographic Information Gateway

³⁹ <http://www.waterwayguide.com/marina/skippers-landing-restaurant-and-marina>

Le Roy Island Bait and Rentals (Island Cove Marina) is located along LeRoy Island Road on the eastern shore of Sodus Bay opposite LeRoy Island.

Aerial view of Le Roy Island Bait and Rentals



Source: NYS DOS Geographic Information Gateway

Island View Marina is located on the eastern shore of Sodus Bay opposite Eagle Island. Services are limited to providing 86 slips for dockage and the outdoor storage of boats and trailers. The Marina contains no buildings. The facility was formerly used as overflow boat dockage from the Fowler's Marina. Island View Marina has 85 slips for boats up to 50 feet and depths of 7-8 feet and 2.82 acres for winter storage.

Island View Marina



Aerial view of Island View Marina south of Connelly’s Cove Marina



Source: NYS DOS Geographic Information Gateway

Oak Park Resort Marina⁴⁰, located on the eastern shore of Sodus Bay near its southern end, offers a wide array of boater services including fuel (gasoline and diesel), electrical hookups, pump out service, restrooms and shower facilities, laundry facilities, and transient boater dockage, in addition to its 90 boat slips. The marina also contains a small inn for lodging, the Waypoint restaurant, a swimming pool, picnic area, playground, and basketball and shuffleboard courts. It also has a boat launch.

Restaurant at Oak Park Resort Marina



⁴⁰ <http://www.oakparkresortmarina.com/>

Aerial view of the Oak Park Resort Marina



Source: NYS DOS Geographic Information Gateway

Bay Bridge Sport Shop⁴¹ is located along Old Ridge Road, offers seasonal and transient boat slips, boat rentals, and purchase of bait and other boater supplies.

Bay Bridge Sport Shop



⁴¹ <http://www.baybridgesportshop.com/>

Davenport and Son Boat Livery and Marina⁴² is located along Resort Road on the eastern shore of Sodus Bay near the east end of the Bay Bridge. Apart from dockage the only other service the Marina offers is electrical hookups for boaters.

Davenport and Son Boat Livery and Marina (1)



Davenport and Son Boat Livery and Marina (2)



⁴² <http://www.waterwayguide.com/marina/davenport-boat-livery-and-marina>

Aerial view of Davenport and Son Boat Livery and Marina



Source: NYS DOS Geographic Information Gateway

Eight on-water locations along Sodus Bay offer various boater services, including the purchase of gas and diesel, pump-outs, public toilets, marine repairs, and ship’s stores. In addition, there are four locations with bait and tackle shops and four locations with boat rentals⁴³. The level of support services within the entire Sodus Bay is considered to be very good when compared with other water bodies in central and western New York. The level of marine-related services is indicative of the popularity of the port with fishermen and recreational boaters.

The following table lists the marinas and other water dependent businesses within the Huron WRA, along with their location and the number of seasonal and transient slips provided.

Name	Location	Seasonal Slips	Transient Slips
Bay Bridge Sport Shop	Old Ridge Rd.	60	3
Connelly's Cove	Lake Bluff Rd.		30
Island Cove Marina and Leroy Island Bait Shop and Rentals	Leroy Island Rd.	Under construction	
Davenports Boat Livery & Marina	Resort Rd.	30	10
Fowlers Marina	LeRoy Island Rd.	100	
Island View Marina	Lake Bluff Rd.	80	34
Oak Park Marina	Catchpole Shore Rd.	232	
Skipper's Landing	Lake Bluff Rd.	20	20
Totals – Sodus Bay, Town of Huron		522	97
Total – Sodus Bay (based on 2005 inventory)		1,208	173

⁴³ <http://saveoursodus.com/>

The table below lists the services and amenities available at each of the water-dependent businesses along Sodus Bay within the Huron WRA. A service that is currently lacking along Sodus Bay is dry rack storage for vessels.

Name	Gas	Diesel	Pump-out	Toilet	Public Ramp	Private Ramp	Marine Repairs	Ship's Store	Bait & Tackle	Boat Rental	Public Restaurant
Bay Bridge Sport Shop	X	X			1				X	X	
Connelly's Cove				X							X
Island Cove Marina and Leroy Island Bait Shop and Rentals									X	X	
Davenports Boat Livery & Marina	X			X					X	X	
Fowlers Marina	X		X	X	1		X	X			
Island View Marina											
Oak Park Marina	X		X	X				X			X
Skipper's Landing				X							X

There are no commercial marinas or boater services along East Bay.

Bayfront Bar & Grill, Marina and Gas Station is the only marina located on the western shore of Port Bay, in the Town of Huron. This marina provides approximately twelve slips for dockage, a concrete ramp boat launch, and fuel (gasoline) sales.

Former Pier One restaurant



Former Pier One boat launch



The only **boater services business** identified in the Port Bay area is Toadz Bait, which sells tackle, bait and other fishing supplies from a small shop at 8333 West Port Bay Road.

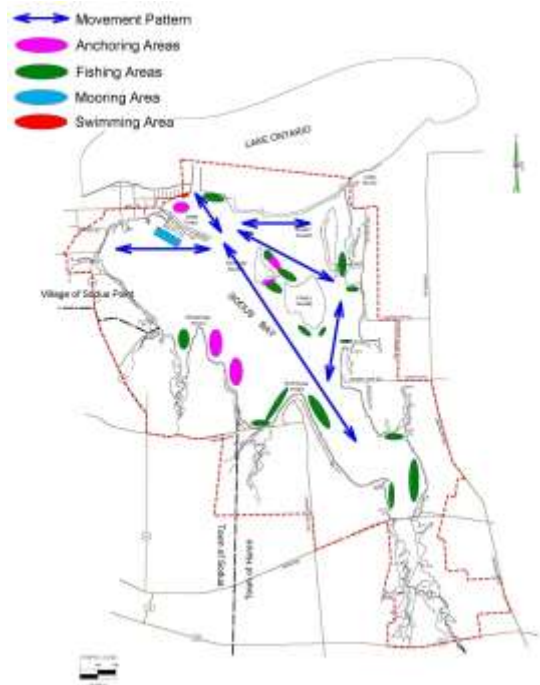
Boating

Sodus Bay

The following data is also based on results of the surveys conducted in 2004 and 2005. In the study area for surveys, docks were defined as structures extending out over the water with the ability to be used for the berthing of vessels; no distinction was made for the shape or configuration of the dock.

The vessel count excluded very small boats, such as canoes, kayaks and windsurfers, as these are often stored in enclosed spaces, garages or sheds and an accurate count could not be obtained. Jet skis, however, were included as vessels as were small fishing and row boats if located in the water or on the shoreline.

As illustrated in the map, and in Appendix E, the primary vessel movement pathways converge at a point located just east of the eastern terminus of Sand Point, west of the Huron Town boundary and outside of the Huron WRA. Here, vessels of widely varying speeds encounter each other with cross traffic coming into the primary north-south movement from three different directions.



A designated “no-wake” zone with a 5 mile per hour (mph) speed limit is located north and west of this location.

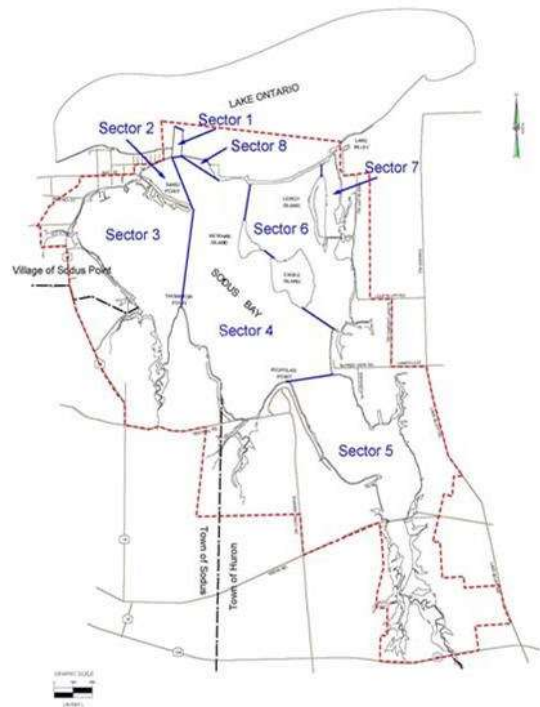
The most heavily used anchoring area on Sodus Bay is a shallow area with a sand bottom located just south and west of the Channel entering from the Lake, near the Village of Sodus Point outside of the Huron WRA. Over 100 vessels have been observed anchored in this small area on peak weekend afternoons.

Within the Huron WRA, the anchoring areas near Newark Island are in deeper water and are utilized by larger vessels for protected anchorage. These areas are frequently utilized for overnight stays by transient vessels.

Several of the most popular fishing areas within Sodus Bay are located within the Huron WRA, as shown in the map, and Appendix E. Fishing occurs in other areas as well, but these generally shallow, near shore zones were almost always occupied by generally small fishing vessels. Sodus Bay is also occasionally used for sail boat racing organized by the Sodus Bay Yacht Club, based in the Village of Sodus Point. When in the Bay, the course is usually established in the area well south of Sand Point to Thornton Point, in waters outside of the Huron WRA. In this area, the racing does not interfere with any primary traffic movements. However, as is common with sail racing, the actual event course is established on the day of the race based upon weather conditions, and some races intended to run on the Lake may be moved into the Bay, and vice-versa, depending upon the wind conditions forecast. On at least one occasion, a sail race course was observed to be set up so boats had to traverse east almost to Newark Island. Routes established farther east may traverse a primary fairway for Sodus Bay vessel movements.

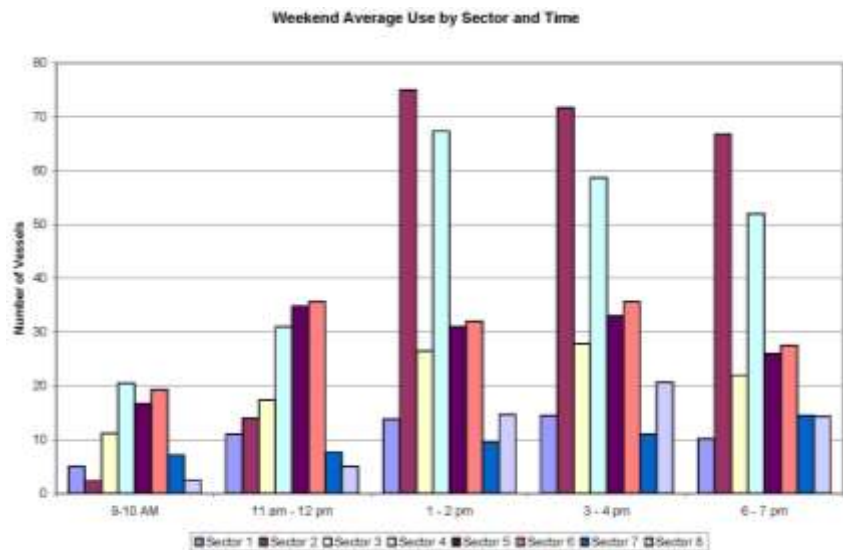
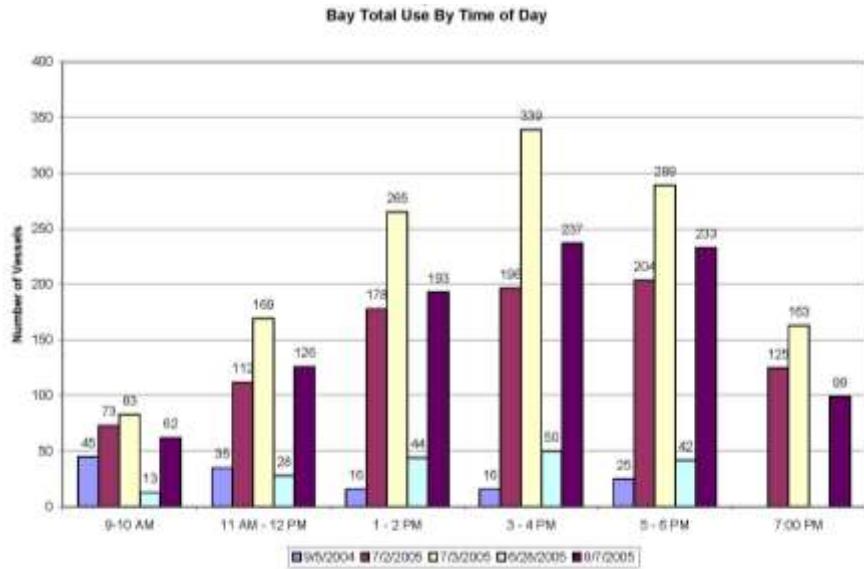
During the summers of 2004 and 2005, direct boating traffic surveys were conducted in eight sectors of Sodus Bay, as illustrated in the map, and Appendix E. The sectors were divided as follows:

- Sector 1: The Channel connecting the Bay to Lake Ontario.
- Sector 2: Area bounded by a line from the east end of Sand Point to the inland terminus of the Channel west jetty.
- Sector 3: Area bounded by a line from the east end of Sand Point to Thornton Point.
- Sector 4: Central portion of the Bay west of the Islands and north of Nicholas Point.
- Sector 5: Southern section of the Bay from Nicholas Point to the Bay Bridge.
- Sector 6: Area bounded by Newark and Eagle Islands on the west, Crescent Beach on the north and LeRoy Island on the east.
- Sector 7: Narrow area between LeRoy Island and the mainland to the east, north of the LeRoy Island Road bridge.



- Sector 8: Area bounded by a line from the inland terminus of the Channel east jetty and the southeastern terminus of Charles Point.

Of the sectors illustrated above, sectors 4, 5, 6 and 7 are either partially or completely within the boundaries of the Town of Huron WRA. As illustrated in the graphics below, the afternoon boat traffic within Sector 4 is nearly as high as the heaviest usage located in Sector 2, north of Sand Point and adjoining the Village of Sodus Point.



Based on a comparison of vessel counts and standards for the amount of water surface area required for various vessel use activities, the total vessel usage was well within the capacity of the Bay during weekdays, even on a hot summer day. On weekends, vessel usage in most of the Bay area was generally within capacity under both average and peak weekend use, with two exceptions.

On weekends, boat traffic in the Channel to Lake Ontario (Sector 1) exceeded the theoretical capacity for some hours. However, since the vessels generally move through the channel in only two directions,

in or out of the Bay, and generally segregate by traveling on the right in each direction, the Channel does not experience delays or significant congestion that might affect safety.

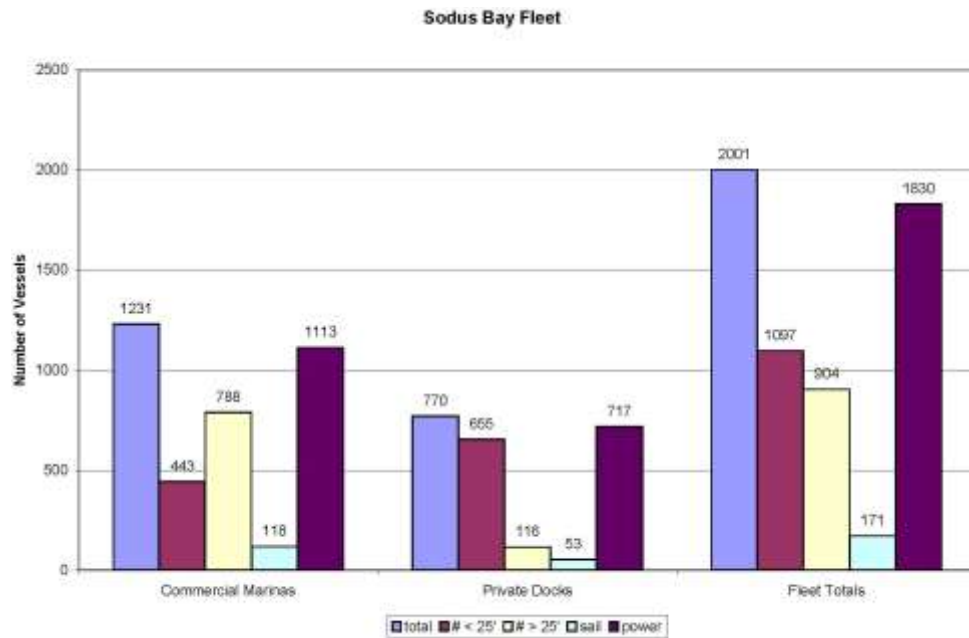
In the narrow area between LeRoy Island and the mainland to the east, vessel usage exceeded capacity throughout the day on weekends except for during the earliest morning measurement period. This is due to the fact that this area is small and narrow combined with the relatively high traffic utilizing it at relatively high speeds.

Based on the inventory of docking and vessels conducted in the summer of 2004 and 2005, there are 512 individual residences along Sodus Bay in the Town of Huron, with 504 docks. This residential base provides berthing for 486 vessels, including 37 on individual moorings. A total of 42 boathouses of various forms were found and 17 locations had swim platforms located in the water. Residences along Sodus Bay in the Town of Huron WRA comprise a majority (67%) of the total along Sodus Bay.

Location	Homes	Docks	Vessels	Boathouses	Moorings	Swim Platforms
Town of Huron	512	504	486	42	37	17
Sodus Bay Totals	765	749	761	71	53	22

Based on the inventory of docking and vessels conducted in the summer of 2004 and 2005, there are approximately 522 seasonal and 97 transient slips at commercial docking facilities along Sodus Bay within the Town of Huron WRA.

The Sodus Bay fleet make-up is based upon the observation that approximately 85% of vessels berthed at private docks are small and that most are power boats except those moored off the shoreline. This was combined with direct observations of the fleet make-up at each of the commercial marinas to arrive at an overall resident fleet make-up. It is noted that for purposes of this inventory, jet skis are considered small power vessels.



The Sodus Bay resident fleet make-up is also illustrated in the following table, with a break down by size, type of power and whether based in a commercial marina or privately docked.

Housed At	total	< 25'	> 25'	sail	power
Commercial Marinas	1231	443	788	118	1113
Private Docks	770	655	116	53	717
Fleet Totals	2001	1097	904	171	1830

As noted, the Sodus Bay resident vessel fleet is almost evenly divided between large and small vessels and is primarily made up of power boats. This is not unexpected given the ability to access Lake Ontario from the Sodus Bay.

East Bay and Mudge Creek

As East Bay is relatively small and shallow, the types of boats commonly used are smaller than those on Sodus Bay. Among respondents to a survey of landowners who reside or own property along East Bay, 76% utilize motor boats under 20 feet in length, 12% utilize motor boats 20 or more feet in length, 20% utilize sailboats and 60% utilize canoes or kayaks.

Mudge Creek is a local favorite kayak and canoe route that is rich with local flora and fauna. It is a small creek that runs low at times and is best used by small boats. The creek is located in northern Huron and is a tributary to East Bay. Access to the creek is via car-top launch on Bay Road near the turn to Chimney Bluffs or via a New York State ramp on Slaughter Road. There are no commercial boat slips on East Bay. A review of 2009 aerial photographs counted 36 permanent docks along East Bay. Most of the remaining 57 parcels located directly on East Bay likely have temporary docks that are installed during the boating season.

Port Bay

Among respondents to a survey of landowners who reside or own property along Port Bay, 54% utilize motor boats under 20 feet in length, 49% utilize motor boats 20 or more feet in length, 3% utilize sailboats and 38% utilize canoes or kayaks.

The number of commercial boat slips on Port Bay was estimated at 42 in the Regional Dredging Management Plan. This plan was completed in 2000 by communities located along the western shore of Lake Ontario. The draft update to the Regional Dredging Management Plan⁴⁴ shows a total of 382 boat slips located in the entire Port Bay, in 2013. A review of aerial photographs from 2009 counted 157 permanent docks within the Huron WRA. As there are 157 parcels located directly on Port Bay, several parcels have more than one dock. Others likely have temporary docks that are installed during the boating season.

Charter Boat Services

Several charter boat services operate within the Town of Huron WRA. Those based on Le Roy Island include:

- Blackjaw Bandit Sportsfishing
- Predator Charters
- Ridgerunner Charters
- Silver Hook Charters.

These businesses and others cater to the sports fishing market drawn annually to Lake Ontario.

⁴⁴ <http://web.co.wayne.ny.us/wayne-county-planning-department/planning-projects/>

Swimming and Diving

There are no formal swimming areas in the eastern part of Sodus Bay, within the Huron WRA; the only marked and guarded swimming area in Sodus Bay is at the Wayne County Park in the Village of Sodus Point. Most of the swimming off anchored boats occurs near the sand bar north of Sand Point and west of Charles Point, within the jurisdiction of the Town of Sodus or the Village of Sodus Point.

Other areas utilized for swimming are located along the shoreline near docks and privately owned swim platforms. These areas are within 100 feet of the shore and, therefore, within the no-wake zone established under State Law. The New York State Boater's Guide indicates that in New York State, vessel speed is generally limited to 5 mph when within 100 feet of the shore, a dock, pier, raft, float, or anchored boat. When no speed limit is posted, vessels must always be operated in such a fashion so as not to endanger others. A vessel must be able to stop within a distance appropriate to the prevailing conditions. A vessel operator is responsible for any damage caused by the vessel's wake. Under no circumstances should a vessel approach within 100 feet of any craft or object displaying flag that indicates the presence of divers in the water⁴⁵. Given the adequate open areas available in the bays, conflicts between boaters and swimmers near the shoreline have not been reported as significant.

There are no designated diving areas within any of the three bays within Huron WRA, and there does not appear to be any demand for such areas.

Fishing

All of the waters within the Huron WRA are utilized heavily for fishing. This section addresses fishing activities from boats, including access points and on-water locations. Access to fishing from points along the shore are described below in Public Access and Recreation portion of Section II.

According to the NYS Department of Environmental Conservation (DEC), fish species in Sodus Bay include Longnose Gar, Bowfin, Northern Pike, Chain Pickerel, Channel Catfish, Brown Bullhead, White Perch, Rock Bass, Pumpkinseed, Bluegill, Smallmouth Bass, Largemouth Bass, Black Crappie, Walleye, Yellow Perch. Fingerling walleye are stocked biannually⁴⁶. Public fishing access is provided at the Bay Bridge on Ridge Road at the extreme south end of Sodus Bay. This bridge was reconstructed over the fall/winter/spring of 2004–2005 and now has a protected pedestrian walkway on its north side that is utilized for fishing. Limited parking is available for such use along the roadway shoulders at both ends of the bridge.

Another public access point is provided at the Leroy Island Bridge in the northeast portion of the Bay, which has a small NYS DEC parking area on the adjacent Hog Island. This Hog Island location, as well as nearby areas along Lake Bluff Road, are heavily utilized for winter ice fishing access.

Public access for launching small boats is also provided in the NYS DEC Lake Shore Marshes Wildlife Management Area located south and just west of the Bay Bridge. This is a very large wetland/upland complex extending south to Route 104. It has a significant area of shallow open water associated with Sodus Creek and the wetland complex that surrounds it. An unimproved dirt access drive connects to the south frontage of Ridge Road just west of the Bay Bridge. At the end of the dirt drive is a small, unimproved parking area and a short trail leading to the Creek shoreline. This can presently be utilized for the car top launch of canoes and kayaks. With its unimproved status, and the lack of signage indicating a possible access point, this area is lightly utilized at present.

⁴⁵<http://www.nxtbook.com/nxtbooks/nysparks/boatersguide2015/#/40>

⁴⁶<http://www.dec.ny.gov/outdoor/88424.html>

According to the NYS DEC, fish species in Port Bay include Bowfin, Northern Pike, Channel Catfish, Brown Bullhead, Rock Bass, Pumpkinseed, Bluegill, Smallmouth Bass, Largemouth Bass, Black Crappie, Walleye, and Yellow Perch⁴⁷.

The NYS DEC operates a concrete ramp with parking for 28 cars/trailers at the south end of the bay on West Port Bay Road. Although the access point on West Port Bay Road is located in the Town of Wolcott, the access road to it is in the Town of Huron. In addition, the NYS DEC operates a concrete ramp with parking for 35 cars/trailers at the north end of the bay at the end of West Port Bay Road.

The NYS Freshwater Fishing Regulation Guide indicates that it is illegal to fish for, or possess fish that are officially listed by DEC as endangered (such as silver chub, bluebreast darter, deepwater sculpin, gilt darter, pugnose shiner, round whitefish, shortnose sturgeon, Atlantic sturgeon and spoonhead sculpin) or threatened (such as eastern sand darter, lake chubsucker, lake sturgeon, longear sunfish, mooneye, gravel chub, banded sunfish, longhead darter, swamp darter, spotted darter and mud sunfish)⁴⁸.

Winter Uses

Winter use of the bays is a growing and seasonally important element. The period of winter use varies from year to year in response to weather conditions, but generally extends three months from late December through the end of March. Current winter use is dominated by ice fishing in Sodus Bay. The ice fishing is supported by the growing use of all-terrain vehicles (ATV's) and snowmobiles. With use of these vehicles, the ice fishermen are able to bring more equipment onto the ice, including portable shelters, extending the time they can spend during a single visit.

Other current and potential future winter uses include cross-country skiing, snowmobiling (without fishing), ice skating, ice sailing, ice motorcycle racing, and snowshoeing.

A survey of winter usage, conducted during 2004-2005 season, included observations regarding where access to the ice is gained, the number of vehicles present and the locations where they are parked, as well as the support facilities present at all access points and parking areas such as restrooms and trash receptacles. The survey consisted of direct counts of the number of fishermen, vehicles on the ice, support structures (ice shelters) and other users over the entire Bay.

The following table contains the counts taken, listed by location of occurrence.

Location	Fishermen	Vehicles ATV/ Snowmobile	Shelters
Northwest – south of Sand Spit and east of Harriman Park to Thornton Point and Newark Island	112	17	30
Central - Saw Mill Cove to Thornton Point and Eagle Island	76	11	28
South – to Nicholas Point from Bay Bridge	37	5	12
East - from Lake Bluff Rd. to Eagle Island	89	11	17
North from LeRoy Island Bridge	23	2	6
West from LeRoy Island To Newark Island	29	4	4
Totals	366	50	97

⁴⁷ <http://www.dec.ny.gov/outdoor/88435.html>

⁴⁸ http://www.dec.ny.gov/docs/fish_marine_pdf/fishguide13regs.pdf

The surveyed winter uses are well distributed over the entire surface of Sodus Bay with the exception of the area north of Sand Point where the ice was not smooth and stable, thought to be due to wave action and resulting forces from Lake Ontario. Only ice fishing, and vehicle and individual movements in support of ice fishing, were observed on the ice during the weekend survey. Primary access points to the ice were observed at several locations, generally where direct access could be obtained from public spaces or rights-of-way and where at least some parking is available.

The following table lists the primary access points within the Huron WRA and details the number of vehicles, and the number of those vehicles with trailers, observed within formal parking lots and along roadways. Only the parking lots located in the Village of Sodus Point have portable restrooms and garbage receptacles available.

Location	Vehicles	# w. Trailer
Red Mill Road at Saw Mill Cove	81	15
Speigel Drive Right-of-Way	not counted	not counted
Bay Bridge Marina	18	3
Davenport's Parking Lot	not counted	not counted
Lake Bluff Road	22	5
Skipper's Landing Parking Lot	14	3
Connelly's Cove Parking Lot	24	
Eagle Island Parking Lot	8	
Hog Island on LeRoy Island Road	11	4
LeRoy Island on Road	7	2
Total in Parking Lots	139	12
Total on Roads	98	26
Total	237	38

Additional access points to Sodus Bay are located in the Village of Sodus Point, outside the Huron WRA. During field observation at both the Saw Mill Cove and Hog Island access points, small parking lots were filled and additional vehicles were parked on the roadways. Approximately 18 of the 81 vehicles at Saw Mill Cove and 5 of the 11 vehicles at Hog Island were parked within the designated parking areas. In addition, the parking areas at these locations are not designed to handle vehicles with trailers, a growing trend for winter use. In terms of support facilities for winter use along Sodus Bay, the Bay Bridge Sport shop was open and could accept some trash. However, none of the other areas within the Huron WRA utilized for winter access of the bay provided restrooms or other support services.

Water-use Issues in Sodus Bay

Based on the surveys conducted in 2004-2005 for the water uses within Sodus Bay, the following conclusions were reached:

- Currently, no vessel congestion or significant conflict problems are occurring on weekdays
- Currently, bay-wide access to the water for boat launches and fishing is adequate to meet weekday use demand even during peak summer weekday periods.
- Summer weekend, during under-peak conditions, congestion is evident in the narrow portion of the Bay between LeRoy Island and the mainland shoreline.
- Further growth in traffic may result in some areas reaching capacity.

- There is an obvious conflict point for vessel traffic located just east of Sand Point. At this location vessels of varying speeds intersect cross-traffic from several directions in a relatively small area.
- Present bay-wide launch capacity and support parking are inadequate to meet the demand during under peak conditions.
- Winter use of Sodus Bay is popular. A survey conducted in 2005 observed that over 350 fishermen utilized the ice on an afternoon with sunny skies, light wind and temperatures in the upper 20s. Adequate parking and support services for winter use are available at two locations in the Village of Sodus Point. Other access points, especially at Saw Mill Cove and the Lake Bluff Road/LeRoy Island areas, are inadequate to meet the peak parking demands and offer no services to support the winter use. In some areas, individuals utilize private property to gain access to the ice.

Hospitality Industry

Water-enhanced businesses are those that are located along the waterfront and enhanced by their waterfront location. These include lodging as well as several restaurants located along Sodus Bay.

- Waypoint Inn and Restaurant
- Bonnie Castle Bed and Breakfast
- Connelly's Cove Restaurant
- The "R" Bar
- Skipper's Landing

In addition, several of the marinas also operate complementary water-enhanced businesses, primarily restaurants, in conjunction with their water dependent uses.

2.10. Underwater Land Ownership

Public Trust Doctrine

The Public Trust Doctrine provides that title to tidal and freshwaters, the lands beneath, as well as the living resources inhabiting these waters within a State is a title held by the State in trust for the benefit of the public, and establishes the right of the public to use and enjoy these trust waters, lands and resources for a variety of wide recognized public uses⁴⁹.

In New York State, the public trust doctrine has been used as a mechanism to guarantee the public's right to use the shoreline, as a tool in determining the public's right to use the water, and as a limitation on the state's ability to convey underwater lands.⁵⁰

The foreshore and underwater lands of the coast are used for recreation, boating, fishing, swimming, and visual enjoyment. The use of trust lands by the public generates billions of dollars for the State economy. These areas provide habitat and breeding areas that should be protected for the public's health and enjoyment and for their economic potential. Private actions that interfere with these

⁴⁹ *Putting the Public trust Doctrine to Work: The Application of the Public trust Doctrine to the Management of Lands, Waters and Living Resources of the Coastal States*; prepared by David C. Slade, and published in 1990.

⁵⁰ http://www.governmentlaw.org/files/ALJST_use_of_public_trust.pdf

activities sometimes diminish the public's use and enjoyment of these commercially and recreationally productive areas.

Historically, State underwater land grants were issued for the express purpose of either commerce or beneficial enjoyment. Grants issued for commerce were given to shorefront businesses for more restricted activities and were usually written with conditions. If the conditions were not followed, the State could bring an action to declare the grant void and thereby recover ownership, per Section 78 of the Public Lands Law. Beneficial enjoyment grants were given to shorefront property owners without restriction and provided more complete title to the underwater lands. In either case, the grantee was given full ownership rights to the bottom lands. Grants for commerce were issued in the early part of the 1800's and then the issuance of grants for beneficial enjoyment became more commonplace. Around 1890, the State began to restrict the grants issued for beneficial enjoyment.

Existing State grants, easements and leases to upland owners for use of public trust lands do not necessarily extinguish the public's rights to use these resources. Remaining public rights depend on the specific grant, easement, or lease and in some cases require judicial interpretations. The courts have held that where some types of grants have been made by the State without any express reservation of the public rights, the public trust and accompanying public rights are extinguished, although the State may still regulate such lands under its police power and may authorize local governments to do so as well. The courts have also held that some grants may be invalid if the grant is not in the public interest.

In 1992, the legislature codified in part the public trust in underwater lands. The legislature found that regulation of projects and structures, which are proposed to be constructed in or over State-owned underwater lands, was necessary to responsibly manage the State's proprietary interests in trust lands and to restrict alienation into private ownership of public trust lands owned by the State. The intent of the act was also to ensure that waterfront owner's reasonable exercise of riparian rights and access to navigable waters did not adversely affect the public's rights. The legislature stated that use of trust lands is to be consistent with the public interest in reasonable use and responsible management of waterways for the purposes of navigation, commerce, fishing, bathing, recreation, environmental and aesthetic protection, and access to the navigable waters and lands underwater of the State.

Title to the bed of numerous bodies of water is held in trust for the people of the State of New York under the jurisdiction and administration of the Office of General Services⁵¹. Structures, including fill, located in, on, or above state-owned lands under water are regulated under the Public Lands Law and may require authorization from the State⁵².

Before considering any development activity or land purchases in the waterfront area, prospective developers and owners should confirm the ownership of the adjacent underwater lands with the New York State Office of General Services (OGS) office in Albany. OGS maintains a series of "Water Grant Index maps" that identify lands within State ownership as well as grants, easements and leases previously issued by the State to various public and private areas. OGS also investigates encroachments on littoral rights (the right of an upland owner to access the navigable waters of the lake) and make sure there is no interference with navigable channels.

The OGS reviews NYSDEC and Army Corps of Engineers (USACE) comments for proposed projects that affect State-owned bottom lands to ensure that the benefits of the public will not be deprived and that the environment will not be adversely impacted. Under Section 404 of the Clean Water Act, the USACE

⁵¹ <http://codes.findlaw.com/ny/public-lands-law/> - Public Lands, Article 2: Office of General Services

⁵² <http://www.ogs.ny.gov/BU/RE/LM/EGLP.asp>

regulates physical disturbance below the ordinary high water mark when adjacent wetlands are absent and to the limits of the adjacent wetlands when those are present⁵³.

Grants and Leases

The Office of General Services (OGS) is the agency responsible for issuing grants⁵⁴, leases and easements for placement of structures on and over State-owned underwater lands⁵⁵ within Huron WRA. Docks along some creek corridors, where bottom lands are privately owned, are regulated by the Town and the NYSDEC. However, docks are not commonly constructed in these areas.

The construction of any commercial dock or any private, non-commercial dock along the lake shore that exceeds 4,000 square feet in area (including the perimeter area) would require the granting of an interest (a grant or easement) from the OGS. Non-commercial structures less than 4,000 square feet in size (as measured from the outermost perimeter and including the surface area of the water contained within), less than 15 feet in height and having a capacity of five or fewer boats, do not need an interest but would still require the acquisition of permits from DEC (Article 15 of the Environmental Conservation Law) and the U.S. Army Corps of Engineers (Clean Water Act).

Lands within the Town of Huron WRA below the mean low water elevation of 243.3 feet (IGLD-85)⁵⁶ are held in public trust by the New York State. Ownership and jurisdiction of Lake Ontario and all submerged lands, including the subsurface lying under the lake within the territorial limits of New York State, is held by the State of New York, unless ownership has been granted to any other person or entity.

The beds of the Great Lakes are authorized for private ownership only for special purposes. The boundary between the submerged lands held by the State in trust for the public and the privately owned adjacent upland is delineated by the low water mark.



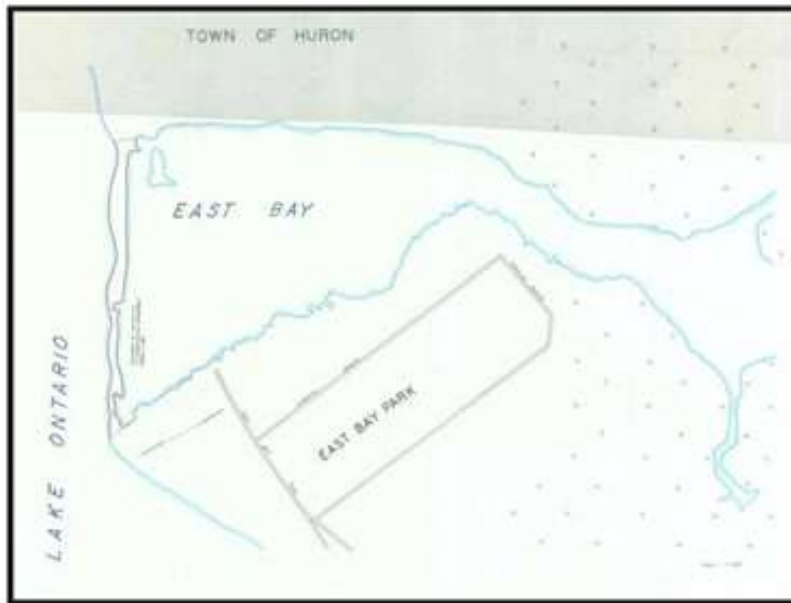
Sodus Bay Underwater Lands Map [Source: NYS OGS]

⁵³ http://www.usace.army.mil/Portals/2/docs/civilworks/RGLS/rgl05-05.pdf?sm_au=ivVrSjsjnvDQP2Vj - Ordinary High Water Mark Identification

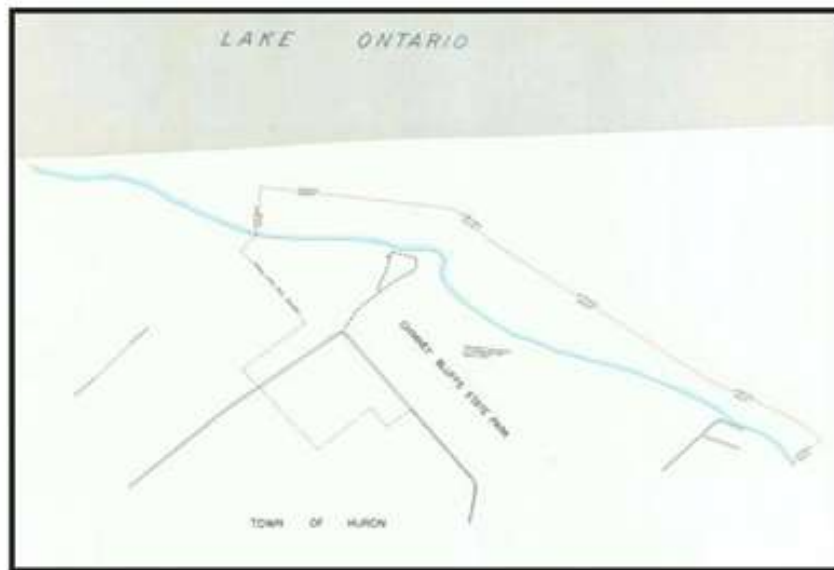
⁵⁴ <http://codes.findlaw.com/ny/public-lands-law/pbl-sect-75.html> - N.Y. PBL. LAW § 75: Grants of land under water

⁵⁵ <http://www.ogs.ny.gov/aboutOgs/regulations/statutes/chapter2.html>

⁵⁶ The mean low water elevation in Lake Ontario is recognized as 243.3 feet, International Great Lakes Datum 1985.



East Bay Underwater Lands Map (Source: NYS OGS)



Lake Ontario Underwater Lands Map (Source: NYS OGS)

According to the records of the New York State Office of General Services⁵⁷ (OGS) there are two easements within Huron WRA, both located in the southeastern side of Sodus Bay. One easement is located on the southeastern side of Eagle Island, and it was granted in 1989 to a private owner for a period of 25 years. The second easement is located midway between the LeRoy Island and the main land, under LeRoy Road bridge, and it was granted to Wayne County in 2008. Also according to the OGS records, the jurisdiction of the underwater lands shown on these maps was transferred from OGS to DEC.

⁵⁷ <http://ogs.ny.gov/BU/RE/LM/EGLP.asp>

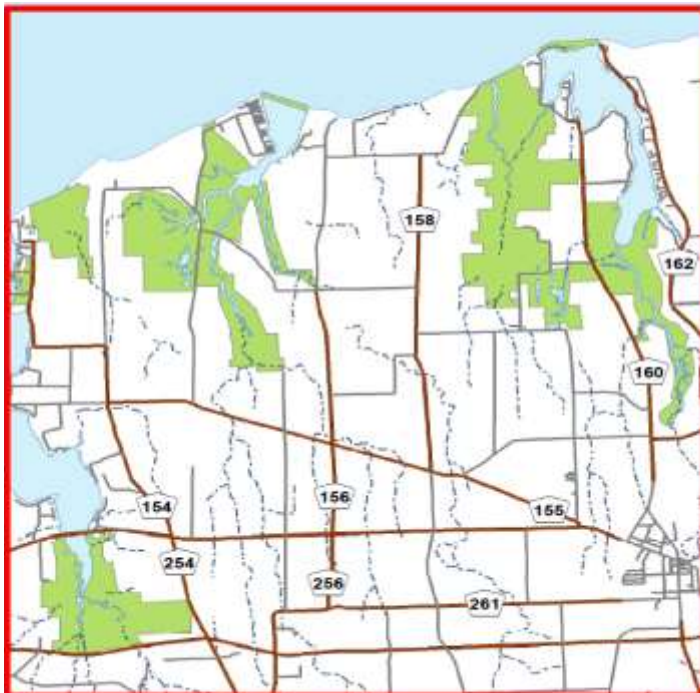
2.11. Public Access and Recreation

Parks

Chimney Bluffs State Park is located along the Lake Ontario shoreline between Sodus and East Bays. The park contains limited amenities which include trails for hiking, cross-country skiing, and snowmobiling, limited picnic facilities, restroom facilities and parking lots. The park also provides access to Lake Ontario for fishing. Improvements to the park were made more than a decade ago. A master plan for Chimney Bluffs State Park⁵⁸ has not been developed and improvements to the park are not scheduled. Discussions with the regional NYS OPRHP headquarters revealed that it is highly unlikely that any improvements will be made to Chimney Bluffs State Park within the foreseeable future. No other public parks are located within Huron's WRA.

Lakeshore Marshes Wildlife Management Area

The Lake Shores Marshes WMA⁵⁹ is a large wetland/upland complex that includes more than 6,000 acres of wetlands in several different locations. These areas offer residents and visitors a chance to experience the region's unique combination of lake, bay and marsh environments⁶⁰. These areas are open to the public for hunting, nature observation, birding and hiking.



Several management units of the Lake Shore Marshes WMA are located within the Town of Huron, shown in green on the map. The sand bars separating East Bay and Port Bay waters from Lake Ontario are part of the Lake Shore Marshes WMA, managed by DEC Region 8.

Access to the South Sodus Bay Unit, located south and west of the Bay Bridge, is provided through a dirt road off Ridge Road, just west of the Bay Bridge. At the end of the dirt road is a small parking area from which a short trail is leading to the Creek's shoreline. This area can presently be utilized for car-top launch of canoes and kayaks. With its unimproved status, and the lack of signage indicating a possible access point, this area is lightly utilized at present.

⁵⁸ http://www.nxtbook.com/nxtbooks/nysparks/ny_campingguide2014/

⁵⁹ <http://www.spatialwebhost.com/slimflex/index.html#>

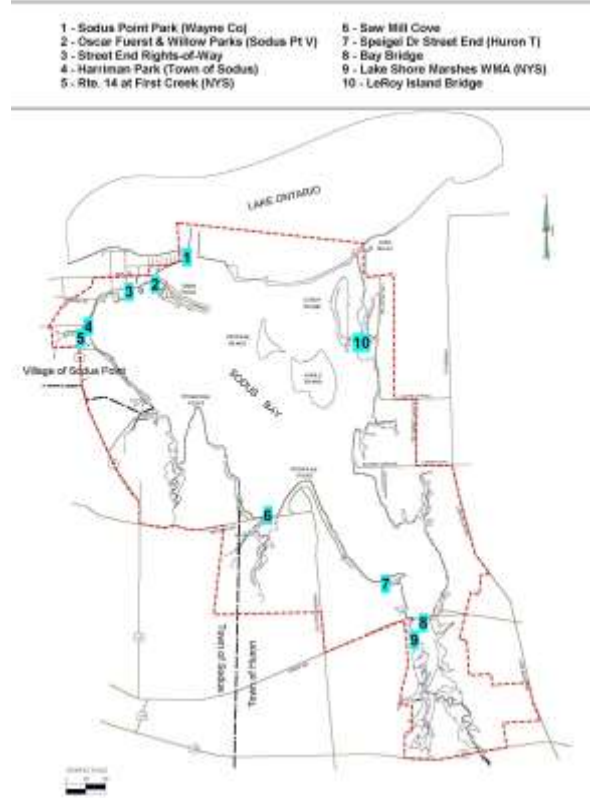
⁶⁰ <http://web.co.wayne.ny.us/wayne-county-planning-department/planning-projects/> - Wayne County Recreationways Master Plan, 2012,

Fishing Access Sites

In addition to the fishing access sites within the Lake Shore Marshes WMA, public fishing access to Sodus Bay is provided at the Bay Bridge on Ridge Road, located at the extreme south end of Sodus Bay, and at the Leroy Island Bridge in the northeast portion of Sodus Bay.

When the Bay Bridge on Ridge Road Bridge was reconstructed over the fall/winter/spring of 2004 and 2005, a protected pedestrian walkway was installed on its north side that is now utilized for fishing. Limited parking is available along the roadway shoulders at both ends of the bridge. Additional parking is available at the Bay Bridge Bait Shop on the west end of the bridge, but is generally restricted to customers of the bait shop and associated marina/boat launch.

The public fishing access site at the Leroy Island Bridge features a small NYS DEC parking area on the adjacent Hog Island. This Hog Island location, as well as nearby areas along Lake Bluff Road, are heavily utilized for winter ice fishing access⁶¹. Such use is further described in a later section.



Private Camps and Retreats

Lake Bluff Campground, the only campground within the Huron WRA, is privately owned and open to the public. Lake Bluff Campground provides water, sewage and electric hookups for campers. The campground is set up primarily to accommodate RVs and pull-behind camping trailers. The camping facility also contains a miniature golf course, recreation hall, swimming pool, fishing bond, and small retail store for use by guests.

Informal Public Waterfront Access

Sodus Bay

In addition to the publicly accessible areas that provide access to the shoreline of Sodus Bay and are regularly utilized for that purpose, informal access points include those at Saw Mill Cove and Spiegel Drive. These are used to the extent feasible within the confines of the space and access available. All public water access points are indicated on the adjacent figure, and in Appendix E.

Saw Mill Cove is located east of Thornton Point and west of Nicholas Point and Shaker Heights, where Third Creek enters the Bay. Red Mill Road separates the Bay waters from a large wetland to the south. Although this area is not officially designated for Bay access, a small parking area is maintained on the south side of the road with unmarked space available for approximately 15 vehicles. The site is utilized in the spring, summer and fall for shoreline fishing access and, to a much more limited extent, car top launching of canoes and kayaks. In the winter, the site provides access for ice fishing with both

⁶¹ http://www.dec.ny.gov/docs/fish_marine_pdf/fishguide13regs.pdf - NYS Freshwater Fishing Regulation Guide

pedestrian and ATV/snowmobile access to the Bay ice cover. Informal trail access to the wetland area to the south and Third Creek is available through lands maintained by The Nature Conservancy.

No support facilities for Bay use, such as restrooms or trash receptacles, are provided. While recognized as an important access point to the Bay in the 2001 Sodus Point Waterfront Initiative, no conceptual designs for improvements related to Bay access or use were developed. Instead, it was noted that there is limited right-of-way available for public improvements at this location.

Another informal access point is located at the end of Spiegel Drive in the Town of Huron. The Spiegel Drive right-of-way is unimproved and provides no support facilities. A limited area is available for parking and the opening to the Bay shoreline is large enough for both pedestrian and snowmobile/ATV access.

Hiking, Snowmobile, and Biking Trails

Hiking trails⁶² within the Huron WRA are located within Chimney Bluffs State Park, within the NYS DEC's Lake Shore Marshes WMA, and informally within lands owned by The Nature Conservancy. At Chimney Bluffs State Park, the New York State Office of Parks, Recreation and Historic Preservation (OPRHP) has constructed hiking trails, restroom facilities and a picnic area in the park to allow visitors to experience spectacular views of Lake Ontario and the park's bluffs⁶³. Appendix C of the LWRP includes additional information on Chimney Bluffs State Park.



Located at the end of Dutch Street within the Lakeshore Marshes State WMA, a trail of five miles crosses the site of the former Whistlewood Girl Scout Camp. The trail is maintained by the Town of Huron with the aid of Trail Works, Inc., a not for profit organization founded in 1997. The members of this organization are a group of dedicated trail users interested in coordinating the development and

⁶² <http://www.spatialwebhost.com/slimflex/index.html? sm au =iVV5SVPSDNFRH0VN#>

⁶³ <http://web.co.wayne.ny.us/wayne-county-planning-department/planning-projects/> - Wayne County Recreationways Plan 2012

maintenance of high-quality, year-round, multi-use trails, and educating the public about trails and their location in New York. Trail Works plans a variety of events to reach out to local communities, to introduce them to outdoor recreation and to develop the appreciation for the need for trails and access to nature areas.

Chimney Bluffs State Park Trails Lake Shore Marshes Wildlife Management Area



Other trails on DEC land can be accessed from a small parking area on Route 104 just west of the Town of Wolcott. These are also suitable for snowshoeing and cross country skiing.

The Nature Conservancy land along Third Creek, south of Sodus Bay



In addition, the land recently acquired by The Nature Conservancy along Third Creek, south of Sodus Bay, is open for hiking, snowshoeing and cross country skiing.

Snowmobile Trails are identified each winter., The Snowmobile Trail Map⁶⁴below depicts the trails alignment from 2011-2012 when designated snowmobile trail were located along Lake Bluff Road and

⁶⁴ <http://www.waynecountytourism.com/snowmobile-information>

East Bay Road, and within portions of the Lake Shore Marshes Wildlife Management Area southwest of East Bay. Snowmobile trails are largely on private property and are maintained by local snowmobile clubs.



Bicycle routes, as depicted in the Bicycle Route Map⁶⁵, Wayne County Tourism promotes bicycle touring within the Waterfront Area in Huron. A copy of the brochure is included in Appendix C.



2.12. Scenic Resources

The scenic views of the lake, bays, and bluffs contribute greatly to the waterfront area’s attraction to visitors and value to residents. Responders to the 2004-2005 public survey noted views of sunsets from the eastern shores of Sodus Bay, East Bay and Port Bay as well as views of Chimney Bluffs, Lake Bluff and other geological formations along the waterfront; the Sodus Point Lighthouse, and Crescent Beach.

⁶⁵ <http://www.waynecountytourism.com/hiking-biking>

Sodus Bay

Saw Mill Cove is a location where the road right-of-way for Shaker Tract runs along the Bay shoreline. A small parking area is available on the south side of the road. Views from the northern shoulder of the road look north up the Bay with the Village, sand and gravel barrier beach of Crescent Beach and Charles Point and the wooded Newark and Eagle Islands visible across the expanse of water surface. From the south side of the road, a portion of the large wetland complex located along Third Creek is visible.

View toward the north from Shaker Tract Road View of wetlands south of Shaker Tract Road



Shaker Heights is a developed area on a prominent ridge culminating in Nicholas Point on the Bay. Shaker Tract Road runs along the top of the ridge line and offers intermittent views of the southern portion of the Bay between the developed lots and home sites. There are no formal parking or sitting areas along the ridge. This road fronts entirely on private property and there has been no demand or opportunity to provide public parking or sitting areas along its frontage.

View from the stub end of Spiegel Drive toward the north



View toward the north from Shaker Tract Road of the Sodus Point Lighthouse and Charles Point



The **Bay Bridge** crosses the extreme southern end of the Bay at Ridge Road. Small parking areas are available at both ends of the bridge and a protected pedestrian way is located along the northern side of the bridge. Views from the bridge are expansive to both the south and north. To the south, Sodus Creek is visible between extensive flats occupied by wetlands and bordered by woods. Views to the north include the southern portion of Bay surface water to approximately Willigs Point and the several marinas in this area.

View toward the south from the Bay Bridge



View toward the north from the Bay Bridge



View toward the northwest from the east side of the Bay Bridge



Lake Bluff Road - Between Ridge Road and Lummisville Road, a section of Lake Bluff Road offers elevated views of the southern portion of the Bay with Shaker Heights in the background. Further north, this road travels along the Bay shoreline east of Eagle Island with open views from the western shoulder in many areas. Views from this area include the water areas between Eagle Island and the mainland, the open water to the south, and the Crescent Beach barrier beach as seen through a narrow gap.

View toward the west from Lake Bluff Road/ Anchor's Way



Hog Island and the LeRoy Island Bridge – From the small parking area at Hog Island, pedestrians can access the bridge to LeRoy Island and adjacent shoreline areas. Views from here include the open water area separating LeRoy Island from the mainland, the open water areas of the Bay to the south, and the large wetland area located both north and south of Hog Island.

View toward the north from LeRoy Island Bridge View toward the south from LeRoy Island Bridge



**View toward the southwest from Lake Bluff Road
(south of western side of LeRoy Island Bridge)**



Lake Ontario/ East Bay/ Port Bay

Other scenic views within the Huron waterfront are depicted on the following pages:

View of Lake Ontario from the terminus of East Bay Road



A small park west of East Bay



Lake Shore Marshes at East Bay



Lake Shore Marshes at Port Bay



Views of Lake Ontario and Port Bay from the northern terminus of Port Bay Road



2.13. Water Quality and Water Levels

The Town of Huron shoreline includes a portion of Lake Ontario as well as all or part of three important bays along Lake Ontario: Sodus Bay, East Bay and Port Bay.

Discharges of sewage from boats can contain harmful levels of pathogens and chemicals, which have a negative impact on water quality, pose a risk to people’s health and impair marine life. In 2011, the New York State portion of Lake Ontario was designated as a Vessel Waste No Discharge Zone⁶⁶ (NDZ). An NDZ is an area where boats are completely banned from discharging sewage into the water. Within the Lake

⁶⁶ <http://www.dec.ny.gov/chemical/73875.html>

Ontario NDZ boaters must dispose of their sewage at one of the 37 pump-out stations currently available in the region.

Water Quality Classifications and Priority Waterbodies List

The assessment of water quality in Sodus Bay, East Bay and Port Bay is based on several sources:

- NYS DEC stream classifications
- NYS DEC Priority Waterbodies List (PWL)
- CSLAP
- Several studies conducted during the past several years.

Fish consumption in Lake Ontario is known to be stressed by existing priority organics and pesticides. Fish consumption is restricted as a result of a health advisory for Lake Ontario that extends to tributaries up to the first impassable barrier, an area which includes the three Bays.

NYS Waterbody Classification

Waterbodies in New York State are identified by an index number for each segment and a letter classification that denotes their best uses⁶⁷. Class A waters are designated as a source of water supply for drinking, culinary or food processing purposes, primary and secondary contact recreation (swimming etc.), and fishing. The highest use assigned to Class B waters is contact recreation. The highest use assigned to Class C waters is fisheries and non-contact recreation. All waters designated as Class A, B or C should also be suitable for fish, shellfish, and wildlife propagation and survival. Those waterbodies that are suitable for trout habitat include a (T) following the letter classification.

Lake Ontario is designated as Class A along the entire Town of Huron shoreline. The following table summarizes the NYSDEC catalog number and stream classification for the other waterbodies within the Huron WRA⁶⁸.

Name of Waterbody	NYSDEC Water Index	Classification	Notes
Port Bay and Outlet	Ont. 80 and P89	B	Tributaries of Port Bay are Class C
Wolcott Creek	Ont. 80-P 89-1 portion	C	Enters Port Bay from south, 2.3 miles from Lake Ontario shore
Beaver Creek and East Bay	Ont. 82 as described and P93	B	Mouth to Tributary 1, 1.0 miles from shoreline. Tributary 1 to source of Beaver Creek is Class C
Mudge Creek	Ont. 82-2, as described, including P94	C	Mudge Creek enters East Bay 1.3 miles northwest of North Huron. An upstream portion of Mudge Creek is Class C (T).
Un-named Tributary of Lake Ontario (Root Swamp)	Ont. 83 and Tribs	C	Enters Lake Ontario through Root Swamp
Sodus Bay	Ont. 84 P96	B	Body of Water adjacent to the Towns of Huron and Sodus. Tributaries are generally Class C.
Sodus Creek	Ont. 84 P-96-4 as described	C & C(T)	Enters south end of Sodus Bay

⁶⁷ <http://www.dec.ny.gov/chemical/23853.html>

⁶⁸ <http://www.waynecountynysoilandwater.org/wp-content/uploads/2015-Wayne-County-Water-Quality-Strategy.pdf>

Pursuant to the Federal Clean Water Act, which requires states to periodically assess and report on the quality of waters in their state, the NYSDEC Division of Water periodically publishes the “Waterbody Inventory/Priority Waterbodies List,” which is used as a base resource for NYSDEC Division of Water program management. The information in this list is based on monitoring and drawn from other programs and sources that characterize general water quality, the degree to which water uses are supported, and progress toward the identification of quality problems and improvements. The list includes an assessment of water quality for waterbodies under six categories, which include:

- Waters with No Known Impacts – waterbody segments where monitoring data and information indicate no use restrictions or other water quality impacts or issues.
- Threatened Waterbody Segments – waterbody segments for which uses are not restricted and no water quality problems exist, but where specific land use or other changes in the surrounding watershed are known or strongly suspected of threatening water quality; or waterbodies where the support of a specific and/or distinctive use makes the waterbody susceptible to water quality threats.
- Waters with Minor Impacts – waterbody segments where less severe water quality impacts are apparent, but uses are still considered fully supported (these waters correspond with waters that are listed as having “stressed” uses).
- Waterbodies with Impacts Needing Verification – these are segments that are thought to have water quality problems or impacts, but where there is insufficient or indefinite documentation. These segments require additional monitoring to determine whether uses should be restricted.
- Impaired Segments – these are waterbodies with well documented water quality problems that result in precluded or impaired uses.
- Unassessed Waterbodies – waterbody segments where there is insufficient water quality information available to assess the support of designated uses.

“Impaired segments,” “Waters with Minor Impacts” and “Threatened Waterbodies” segments are the focus of remedial/corrective and resource protection activities by the NYSDEC⁶⁹. Under Section 303(d) of the Federal Clean Water Act states must consider the development of a Total Maximum Daily Load (TMDL) or other strategy to reduce the input of the specific pollutant(s) that restrict waterbody uses, in order to restore and protect such uses.

The following Water Quality Assessment table outlines the use impairments, types of pollutants and sources for each listed waterbody located within the Huron WRA.

Water Body	Impaired Use	Severity	Type of Pollutant	Causes/Source	Category
Sodus Bay	Public Bathing	Stressed	algal/weed growth; priority organics (pcbs, dioxin; pesticides (mirex); problem species (Eurasian milfoil)	habitat modification; contaminated sediment, agriculture	Minor Impacts
	Fish Consumption	Stressed			
	Recreation	Stressed			
East Bay	Fish Consumption	Stressed	priority organics, pesticides	contamination of lake sediments	Minor Impacts

⁶⁹ http://www.dec.ny.gov/docs/water_pdf/pwllont07.pdf

Water Body	Impaired Use	Severity	Type of Pollutant	Causes/Source	Category
Mudge Creek	Aquatic Life	Stressed	Possibly nutrient	possibly agriculture (chicken manure)	Impaired Segment
	Aesthetics	Threatened			
Port Bay	Public Bathing	Stressed	algal/weed growth, nutrients (phosphorus); pathogens, d.o./oxygen demand, priority organics, pesticides	agriculture; on-site/septic systems, other source (migratory fish species), contaminated sediment	Impaired Segment
	Fish Consumption	Stressed			
	Recreation	Impaired			

Sodus Bay

Sodus Bay is listed by the New York State Department of Environmental Conservation (NYSDEC) as a Class B, stressed, priority waterbody. The best usage of Class B waters are primary and secondary contact recreation and fishing. Class B waters should also be suitable for fish propagation and survival. Recreational uses in Sodus Bay are thought to experience minor impacts/threats due to invasive and other aquatic weed growth. Fish consumption is also restricted as a result of a health advisory for Lake Ontario that extends to tributaries up to the first impassable barrier.

Sodus Bay has been sampled as part of the NYSDEC Citizen Statewide Lake Assessment Program (CSLAP) beginning in 1988 through 1991 and again from 2001 continuing through the present. An Interpretive Summary report of the findings of this sampling was published in 2006. These data indicate that the bay is culturally eutrophic, often experiencing algal blooms, extensive macrophytic weed growth, and anoxic conditions in its deeper waters. Based upon the water quality measurements made to date, the Bay waters have been classified as “stressed” with respect to use impairments for bathing, aesthetics and boating. A stressed water body is defined as one in which degradation is occasionally evident and the intended uses are intermittently or marginally restricted. Clearly, the macrophytic weed growth and algal blooms intermittently impact swimming, boating use and aesthetics. In addition, the anoxic condition that develops in the deep waters of the Bay during some summer periods affect fish propagation and survival. An analysis of water quality trends in the Bay over the past decade indicates that this condition is stable, not improving or getting worse.

In addition to the collection of water quality sampling data, the CSLAP program also evaluates public perception of the bay and its uses. This assessment indicates recreational suitability of the bay to be generally favorable ("excellent" to "slightly impacted") although the bay itself is most often described as "not quite crystal clear." The recreational assessment is mostly consistent with bay conditions but slightly lower than for other similar lakes/bays. The relatively lower perception of the bay is likely related to the assessments of aquatic plant growth, which have noted that aquatic plants regularly grow to the surface. Since 1990 when aquatic plants were dominated by native species, invasive exotic plants (i.e., Eurasian water milfoil) have been found in the lake, and have increased in density and coverage since their introduction. Perhaps not coincidentally, "excessive weed growth" has been more frequently cited as impacting water quality and recreational uses⁷⁰.

⁷⁰ http://www.dec.ny.gov/docs/water_pdf/pwllont07.pdf

Port Bay

Public bathing and recreational uses in Port Bay are thought to be impaired by elevated nutrient loadings and resulting algal blooms as well as excessive aquatic weed growth. The nutrient loads are thought to be the result of urban/stormwater runoff, residential development, agricultural activities and other nonpoint sources in the watershed. Fish consumption is also restricted as a result of a health advisory for Lake Ontario that extends to tributaries up to the first impassable barrier.

Agricultural activity including manure spreading from poultry farms and other operations, in the basin is one suspected source of nutrient loadings. Nutrient loadings from the Wolcott Waste Water Treatment Plant are also a suspected source. Failing and/or inadequate onsite septic systems, as well as other sanitary discharges, from shoreline residences are possible sources of nutrients and pathogens⁷¹.

Port Bay was sampled as part of the NYSDEC Citizen Statewide Lake Assessment Program (CSLAP) in 1990, 1991, and 2009. At that time, sampling supported the assessment that the uses are impaired in the bay. In 2011, Port Bay was listed on the Lake Ontario Basin Impaired/Polluted Waters List (WI/PWL ID 0302-0012). Based on this listing, a TMDL for phosphorus was developed for the bay to address the impairment. The TMDL target is a numeric endpoint specified to represent the level of acceptable water quality that is to be achieved by implementing the TMDL. The water quality of the bay is influenced by runoff events from the drainage basin, point source discharges, and loading from nearby residential septic systems. In response to precipitation, nutrients, such as phosphorus – naturally found in New York soils – drain into the bay from the surrounding drainage basin by way of streams, overland flow, and subsurface flow. Nutrients are then deposited and stored in the bay bottom sediments. Phosphorus is often the limiting nutrient in temperate lakes and ponds and can be thought of as a fertilizer; a primary food for plants, including algae⁷². Excerpts from the report on the Total Maximum Daily Load (TMDL) for Phosphorus in Port Bay are included in Appendix E.

Currently, the towns of Huron and Wolcott are working together to develop a public sewer system⁷³ for homes located around Port Bay, to eliminate the phosphorus leaked from septic systems into Port Bay. The further implementation of the plan also calls for the collection of additional monitoring data to determine the effectiveness of nutrient reduction management practices. Port Bay was delisted in 2012.

Lake Ontario

The Final New York State 2014 Section 303(d) List of Impaired/TMDL Waters⁷⁴ suggests that the suspected impairments are confirmed and that the Lake Ontario waters along the Wayne County shoreline require the development of a Total Maximum Daily Load (TDML) or other strategy to attain water quality standards.

East Bay

As a Class B waterbody, East Bay is suitable for contact recreation and fishing. However, fish consumption is considered stressed due to contaminated lake sediments. East Bay is also affected by the prevalence of invasive, exotic macrophytes, namely Eurasian water milfoil (*Myriophyllum spicatum*). However, in 2014, USEPA requested that Sodus Bay (0302-0020) and East Bay (0302-0011) be added to the Section 303(d) List.

⁷¹ <http://www.waynecountynysoilandwater.org/>

⁷² http://www.dec.ny.gov/docs/water_pdf/tmdlptbayfinal11.pdf

⁷³ http://townofhuron.org/content/Generic/View/27?_sm_au_=-iVV5SVPSDNFRH0VN

⁷⁴ http://www.dec.ny.gov/docs/water_pdf/303dlistfinal2014.pdf

Aquatic Weeds and Algal Blooms

The proliferation of aquatic weeds is increasingly detrimental to recreational boating in Sodus Bay, East Bay and Port Bay. Mechanical harvesting and programs to combat invasive species have not reduced the impact of weeds on boating and quality of life for waterfront residences. Abundant aquatic weeds could be seen in the picture depicting the waterfront at Sodus Avenue, during the summer of 2012.

Macrophytes, or as they are more commonly termed, “aquatic weeds” are an integral component in the functioning of any freshwater lentic ecosystem. Macrophytes occur in three general forms: Submerged, floating, or emergent. Submerged macrophytes are what most people commonly refer to as “aquatic weeds” and are the forms of macrophytes that exhibit dense, prolific growth throughout the expansive shallow water areas of each of the three Bays.

Aquatic weeds seen from properties on Sodus Avenue

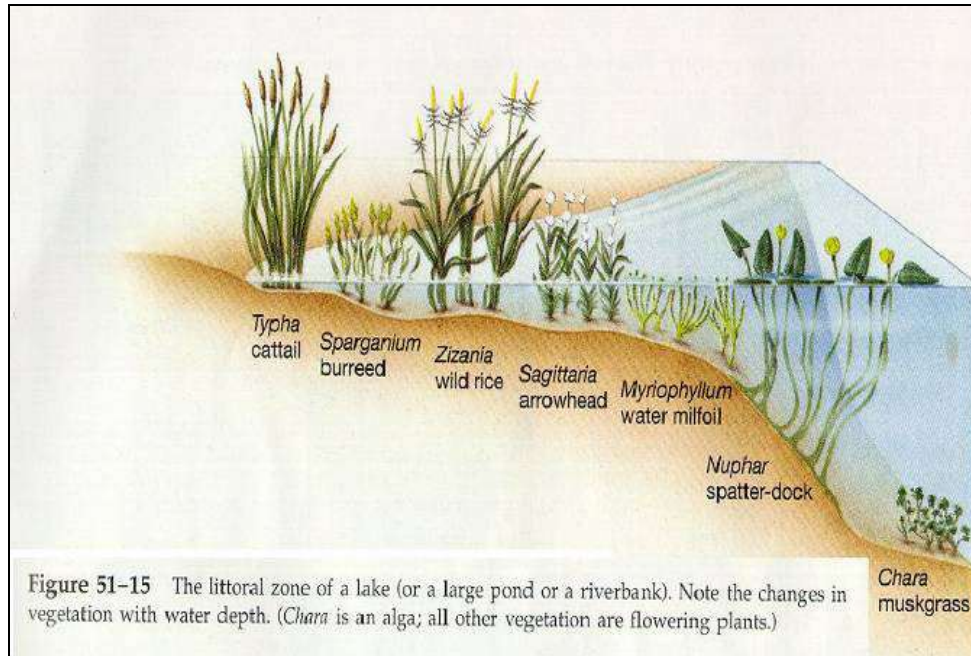


In freshwater ecosystems, macrophytes provide crucial habitat for the feeding, breeding, and hiding of littoral (near shore) fish and for pelagic (open water) fish feeding in shallow waters. In addition to essential fish habitat, macrophytes provide habitat for numerous other animals including waterfowl, songbirds, amphibians, reptiles, and mammals. When present in abundance macrophytes have been shown to be important regulators of dissolved oxygen concentrations and factor heavily in the cycling of nutrients (Kalff 2002).

Although macrophytes are essential to a properly functioning ecosystem, problems arise when the community structure and overall abundance of submerged plants make dramatic shifts. Changes in community structure, most notably through the introduction of exotic invasive plants species, drastically changes the overall functioning of that littoral zone ecosystem. In Sodus Bay, East Bay and Port Bay, the establishment of non-native species, specifically, Eurasian water milfoil (*Myriophyllum spicatum*), Curly leaf pondweed (*Potamogeton crispus*), and more recently water chestnut (*Trapa natans*) has drastically changed the community composition and therefore the overall macrophyte abundance. These aggressive growing, non-native species have no natural inhibitions as to the density of their growth. They are not appropriate food sources for waterfowl, they can grow earlier and faster than any surrounding weeds, and they have an ample supply of nutrients with ever expanding littoral zone.

Through competitive advantage, invasive species often crowd out other beneficial native macrophytes thereby creating dense monocultures wherever appropriate resources (sediments, nutrients, and light) are adequately available. While there are a large number of different plant species within each of the Bays, the total plant biomass, the amount of plant matter contained within the Bays, is largely accounted for by only a few of those species.

Littoral Distribution of Macrophytes



Based on the findings of numerous studies, excessive nutrient loading, for the most part phosphorus, is considered the primary cause of excessive aquatic weed growth within the Bays. Other factors include an expansive littoral (shallow water) zone, high nutrient concentrations, and prevalence of invasive weed species.

The cutting of forests and transitioning of land to agriculture has increased stormwater runoff volume and velocity as well as the amount of sediment carried into the Bays through erosion. Associated with these sediments are ample nutrients such as nitrogen and phosphorus, as well as higher water temperatures. The increased sediment and nutrient load to each bay has been cumulating over a few hundreds of years and has finally reached the point where there is excessive nutrient rich sediments and excessive nutrient concentrations that have both expanded the littoral zone of each Bay and provided the fuel for excessive plant and algal growth.

Large areas of shallow water provide ample light and appropriate sediment composition necessary to support weed growth. Very little weed growth occurs beyond this littoral zone due to reduced light availability and increased water pressure. The extent of these relatively shallow portions of each Bay has expanded over time due to increased sedimentation.

As documented throughout the Great Sodus Embayment Resource Preservation and Watershed Enhancement Plan, the challenges involved with addressing the Bay's expanding aquatic weed problem in the Bays are complex. In addition to controlling internal and external phosphorus loading and managing the influx of other sources of nonpoint source pollution, the control of invasive weed growth will require the concerted and integrated implementation of mechanical, chemical and homeowner based weed management techniques.

Algal Blooms

There were reports of outbreaks of blue-green green algae during 2011 in areas of Sodus Bay. Studies conducted in August 2011 of samples taken from the Bonnie Castle area found high toxin content. The test results of the samples reported levels exceeding that generally considered safe for recreational contact and well above the level considered safe for drinking water. While the toxin content value found in 2012 was well below the levels reported from the blooms occurring in 2011, it remains a serious recurring problem. Results of Sodus Bay Blue-green Algae Samples Collected on June 11, 2013 showed minimal blue-green algae toxicity (<0.1). Results of Sodus Bay Blue-green Algae Samples collected on July 2, 2014 showed similar low levels⁷⁵.

Blue-green algae, technically known as cyanobacteria, are microscopic organisms that are naturally present in lakes and streams. Some blue-green algae produce toxins that could pose a health risk to people and animals when they are exposed to them in large enough quantities. Health effects could occur when surface scums or water containing high levels of blue-green algal toxins are swallowed, through contact with the skin or when airborne droplets containing toxins are inhaled while swimming, bathing or showering. Consuming water containing high levels of blue-green algal toxins has been associated with effects on the liver and on the nervous system in laboratory animals, pets, livestock and people. Livestock and pet deaths have occurred when animals consumed very large amounts of accumulated algal scum from along shorelines. Direct contact or breathing airborne droplets containing high levels of blue-green algal toxins during swimming or showering can cause irritation of the skin, eyes, nose and throat and inflammation in the respiratory tract.

Recreational contact, such as swimming, and household contact, such as bathing or showering, with water not visibly affected by a blue-green algae bloom is not expected to cause health effects. However, some individuals could be especially sensitive to even low levels of algal toxins and might experience mild symptoms such as skin, eye or throat irritation or allergic reactions.

Stormwater Runoff and Nonpoint Discharges

Nonpoint-source pollution includes run-off from impervious surfaces such as roads and other generalized areas including farms, fields, and sloped waterfront areas. Sources of nonpoint source pollution include nutrients from agricultural land and fertilized lawns, failing or poorly functioning septic systems, and sediment from eroded streambanks and roadside ditches. Stormwater run-off into the Bays, and into the streams that flow into the Bays, affect the water quality of the Bays. Sodus Bay is primarily fed by Sodus Creek; East Bay is primarily fed by Mudge Creek and Port Bay is primarily fed by Wolcott Creek and also Beaver Creek. Root Swamp and Brush Marsh are fed by un-named tributaries.

Phosphorus has been determined to be the key limiting nutrient for Sodus Bay. Studies have shown that the primary source of phosphorus is the input received from its tributaries. Of the tributaries, the east branch of Sodus Creek (Glenmark Creek) has been found to be the major contributor. During the dryer months when runoff and stream flow is minimal, the release of phosphorus from bay sediments during anoxic conditions can be the dominant source of nutrients. Other suspected sources of nutrients include failed or inadequate septic systems. Although contamination by illegal discharge of sewage from boats is a possible source of nutrients, it has not been determined that boating use is a significant contributor of pollution to the Bay.

In its natural state Port Bay was well vegetated from the upland forests through a transition zone of emergent vegetation all the way to the bay's shore. In addition to providing habitat for wildlife, the

⁷⁵ <http://saveoursodus.com/state-of-the-bay-reports/>

natural vegetation would attenuate sediment and nutrient loads before they entered the bay. With increased settlement of this area much of that buffer vegetation was converted to manicured lawns right up the water's edge. With the change in the vegetation of shoreline areas to lawns, the amount of sediment and nutrients entering the Bays has increased. The planting of low growing buffer vegetation as an alternative to grass lawns would help to reduce shoreline erosion, increase sediment and nutrient capture, and restore wildlife habitat while still offering good views of the water from residents' homes. This would also benefit the fisheries of Port Bay as it would provide the proper littoral habitat for the many juvenile and young-of-year classes of fish that depend on this zone for protection from predators and for the abundant invertebrate food sources that thrive in this zone.

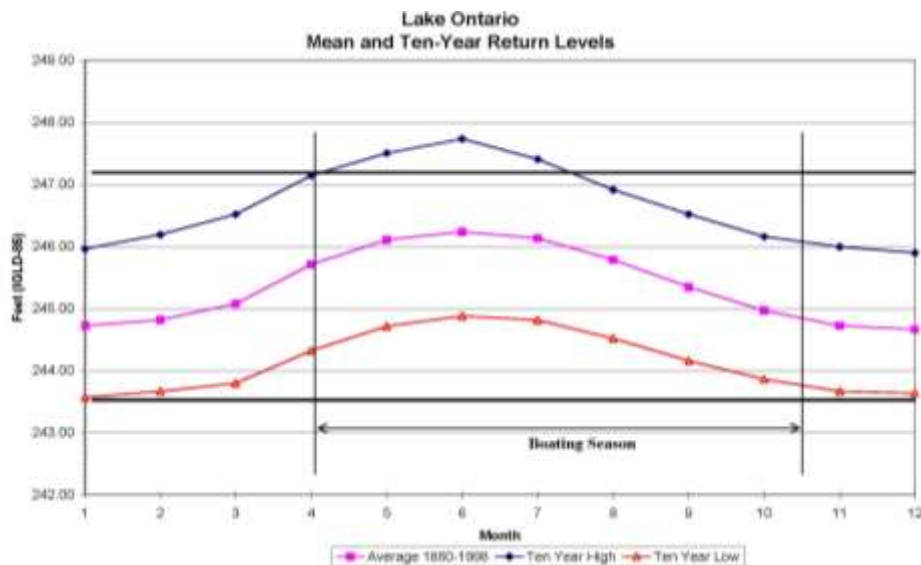
The predominant agricultural land use of the uplands adjacent to the bays is that of orchard land, a nutrient contributor to the bay's water. These orchard lands are located on various upland sites throughout the watershed and are often very close to tributaries. Controlling the nutrient load derived from these sites will likely provide a significant improvement in the water quality of receiving tributaries and Sodus Bay, Port Bay and East Bay.

Surface and Groundwater Supplies

Public water service is provided in a portion of the Huron Waterfront Revitalization area by the Wayne County Water and Sewer Authority (WCWSA), which is also responsible for operating maintaining the water supply and distribution infrastructure. Outside of the WRA, residents and businesses rely on groundwater supplied by individual on-site wells.

Lake Ontario Water Levels

An analysis of the historic water level variations recorded on Lake Ontario between 1860 and 1998 documents the impact of the water level fluctuations on water depths in the Bays. The analysis was based on monthly average water level data from the Oswego, NY gauge. Based upon this 139 year record, three levels were calculated for each month of the year; the average and the extreme lows and highs, with a return period of approximately ten years, are illustrated below and in Appendix E of the LWRP.



The average peak high and low levels have a probability of approximately 10% of occurring or being exceeded, on either the high or low end, for that month in any one year.

The management of the outflow from Lake Ontario also affects lake levels and generally decreases the natural range of fluctuation. Policies regarding outflows are established by the International Joint Commission⁷⁶ and revised policies are currently under consideration. *Scientific studies reveal that the Commission's 1956 Orders of Approval and regulation of the flows through the power project following Plan 1958D with deviations, have harmed ecosystem health primarily by substantially degrading 26,000 hectares (64,000 acres) of shoreline wetlands*⁷⁷. Consequently, the Commission is considering water levels that would balance upstream and downstream uses and minimize possible damage to shoreline protection structures while reversing some of the harm done in the last 60 years to the shoreline wetlands. However, an increase in the range of fluctuations in the lake water levels and heavy seasonal precipitations might produce floods in certain parts of the Huron WRA. To increase awareness about possible flooding that could occur for a larger range of water levels and during extreme weather events, the Town of Huron and Wayne County are proposing to conduct a flood resiliency study to research different scenarios that might burden those properties located close to the shoreline.

Navigation, Water Depths, Dredging and Vessels Discharge

Water depths for boating use are determined by the difference in elevation between the bottom of the waterbody and its surface. The elevation of water surface and the bottom of the waterbody are generally measured and displayed relative to a fixed plane or datum. The datum used for the Great Lakes is the mean sea level as measured at Rimouski, Quebec, termed the International Great Lakes Datum 1985 (IGLD-85).

The water depth needs for recreational boating activities will vary with the type of use and the size of vessel. Assuming that the nominal recreational boating season runs from approximately mid-April through the end of October in western New York, the minimum water level during the boating season is expected to occur during the fall months of September and October.

Recommendations regarding design depths for boating activities based upon safe vessel operation have been summarized in a 1994 American Society of Civil Engineers' guidebook to a fixed plane or datum. The datum used for the Great Lakes is the mean sea level as measured at Rimouski, Quebec, termed the International Great Lakes Datum 1985 (IGLD-85).

In general, power boats up to approximately 25 feet in length will draw approximately 18 to 24 inches of water. Larger power boats (up to 42 feet in length, which is the maximum expected, with some exceptions, to utilize Sodus Bay for docking) will draw from 30 to 36 inches of water. The minimum safety clearance - the depth below the bottom of the deepest draft vessel - as recommended by the USACE is 2 feet for soft bottoms (sand and mud) and 3 feet for hard bottoms.

In addition, props should be more than 12 inches from the bottom in order to protect water quality. Depending on the engine power of the boat, the depth of the water and the type of bottom sediments present, turbulence from motor props will cause a re-suspension of bottom sediments when water depths are less than 30 inches or when the prop is within 12 inches of the bottom. This can result in increased turbidity and the re-suspension of pollutant-laden sediments. In addition, rooted aquatic vegetation will not develop in heavily used boat channels if props are within 12 inches of the bottom.

⁷⁶ <http://www.ijc.org/en/>

⁷⁷ http://www.ijc.org/files/tinymce/uploaded/LOSLR/IJC_LOSR_EN_Web.pdf

Safe and environmentally sound recreational boating requires a minimum water depth of 3 feet for power vessels up to approximately 25 feet in length and a minimum of 4 feet for larger recreational power boats. Fixed keel sailboats, on the other hand, will require a minimum of approximately 8.0 feet for sailing and 6.5 feet for sailboat docking and mooring. Vessels launched via trailer on a daily basis are assumed to be no longer than 25 feet; larger vessels are generally launched via hoist on a seasonal basis and stored in water during the boating season.

In light of the above minimum recommended depths, the expected seasonal and long term water level variations, and based upon annual average and extreme (ten year return period) water levels, the minimum bottom elevations for various use activities should be as presented in the following table.

Type of Vessel/Facility	Minimum Water Depth (feet)	Required Bottom Elevation (Annual Average Water Level Basis)	Required Bottom Elevation (Ten Year Extreme Water Level Basis)
Power Boats up to 25 ft and Launch Facilities	3.0	241.9 (IGLD-85)	240.8 (IGLD-85)
Larger Power Boats	4.0	240.9 (IGLD-85)	239.8 (IGLD-85)
Fixed Keel Sailboat Docking	6.5	238.4 (IGLD-85)	237.4 (IGLD-85)
Fixed Keel Sailboat Use	8.0	236.9 (IGLD-85)	235.9 (IGLD-85)

Navigation depths are also affected by the water surface elevation. In Sodus Bay, Port Bay and East Bay, the water surface levels vary directly with that of Lake Ontario and are subject to short term, seasonal and long-term variations. The average depth is 243.3 feet above sea level and the base flood elevation is 251 feet above sea level.

Short term changes in water surface levels of 0.5 to 1.0 feet, over a period of hours or day, result from meteorological changes in winds and barometric pressure which can physically tilt the surface of the lake. Seasonal precipitation and temperature changes generally lead to the highest water levels in June and the lowest in December, with a variation of approximately 1.5 feet. Finally, the lake water level varies over a long term (10-20 years), due to persistent drought or over average precipitation conditions across the entire Great Lakes basin. The magnitude of the variation due to long-term impacts can be 4 to 6 feet. Because of their magnitude and the persistence of the variations, the seasonal and long term fluctuations are the most important in terms of vessel use and the consequent need for dredging.

Sodus Bay

The Sodus Bay Channel provides access to Sodus Bay from Lake Ontario. Maintenance of this navigation channel is critical to the functioning of the Bay as a port. Although constructed originally by the USACE as a Federal navigation project, the ACOE no longer maintains navigation channels regularly unless they are used for commercial shipping purposes. Thus, the only channels in the vicinity of Sodus Bay that are regularly maintained by the Corps of Engineers at present are the Genesee River in Monroe County and the Oswego River in Oswego County. All other Federal navigation projects, including the Sodus Bay Channel, are only dredged when a problem with water depth occurs or is imminent and where sufficient political pressure can be brought to find funding for the maintenance. Based on the Regional Dredging Management Plan, Sodus Bay is suitable for hydraulic or mechanical dredging or a combination of both. Combining both types of dredging would allow for the beneficial use of the sands in the outer portions of the channel through discharge to adjacent littoral areas or beaches while providing for more efficient mechanical dredging and open lake disposal of the silt/clay and organic sediments found in the inner

harbors. The Sodus Bay Channel was last dredged in 2004. The material previously dredged from the channel by the Corps of Engineers was disposed of at open lake sites located off shore from the bay.



As documented by the Regional Dredging Management Plan⁷⁸, proper functioning of this Channel requires regular maintenance dredging approximately once every five years. More frequent dredging of the Channel may be required if larger vessels, such as research or tour boats, begin to access the Bay. The Regional Dredging Management Plan estimates that 15,000 cubic yards would be removed every five years.

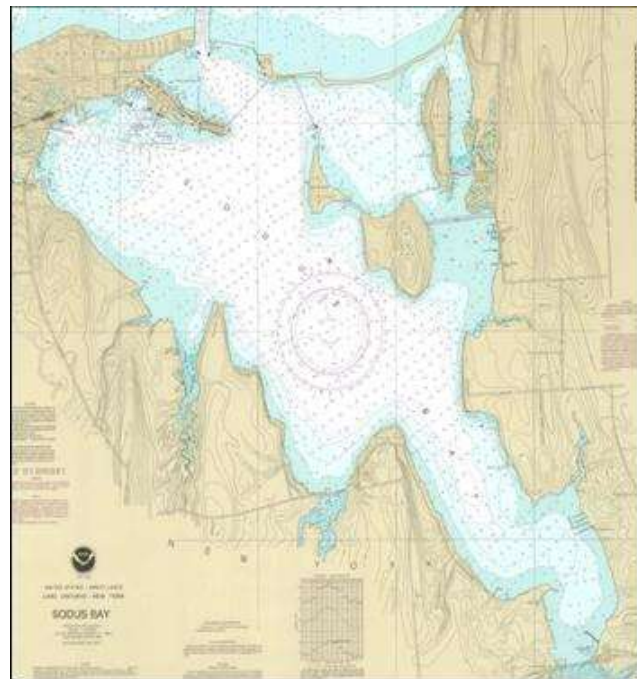
The bottom elevation contours of Sodus Bay, relative to IGLD-85, are illustrated here; a larger map is included in Appendix E.

A deep basin runs down the center of Sodus Bay in a northwest to southeast direction from the Channel connecting the bay with Lake Ontario, to a location opposite Willigs Point, approximately four thousand feet north of the Bay Bridge. Assuming a low water elevation of 243.3 feet (IGLD-85) for Lake Ontario, this basin has a depth in excess of 20 feet throughout with

a maximum depth in excess of forty feet. Shallower water occurs along the entire periphery of the Bay, including in the large area between Eagle and LeRoy Islands and the eastern shoreline of the Bay.

A comparison of the bottom elevations recommended for various uses with actual bottom elevations in Sodus Bay leads to the following conclusions:

- The deep central basin of Sodus Bay and the dredged Channel to Lake Ontario are well suited for use by all vessels.
- It is imperative that the Channel be maintained through regular dredging to provide access to the Bay for all resident vessels, for visitors and for vessels seeking a harbor of refuge. No funding mechanism is in place to assure this occurs.
- In terms of water depths, the area south of Sand Point (near the Village of Sodus Point and outside the Huron WRA) has the most potential for the economic expansion of Sodus Bay as a port serving the recreational and commercial fleet of the Great Lakes.



⁷⁸ <http://web.co.wayne.ny.us/wayne-county-planning-department/planning-projects/>

Along the southern and eastern Bay shorelines, several properties with active or former commercial marinas, such as the site of the former Gilligan's restaurant near the Bay Bridge, have sufficient inland space to support commercial marine operations. However, the water depths leading to these sites and those close to the shoreline docking area are not suitable for such operations without extensive initial and regular maintenance dredging. Without such dredging, these areas will not be able to operate successfully, even if only small power boats are housed in them, during periods of low Lake Ontario water levels.

The Wayne County Water Quality Coordinating Committee is currently preparing new, more detailed bathymetric mapping for Sodus Bay. The most recent soundings and charts provided by the National Oceanic and Atmospheric Administration (NOAA) is included.

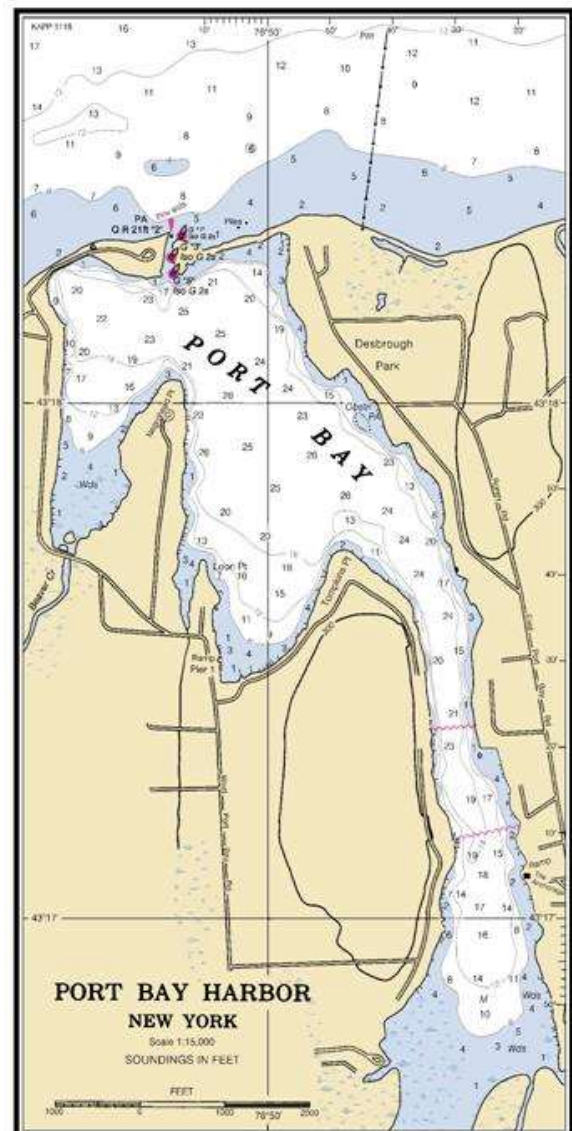
East Bay

East Bay is the shallowest of the three embayment areas within Huron, with depths of less than ten feet. East Bay is connected to Lake Ontario intermittently, by a small inlet. The Wayne County East Bay Association, a private association funded by voluntary dues paid by property owners, clears the channel each May and refills it in September. The dredged materials are stored next to the channel during the summer months, and placed back in the channel at the end of the boating season. According to the Regional Dredging Management Study completed in 2000, the channel is 10-20 feet wide and 20-60 feet long with a depth of four feet. Approximately 1,500 cubic feet of material are removed annually. There are two public boat launches along East Bay, both maintained by NYS Department of Environmental Conservation. One is located on the west side of North Huron Road near the channel at Lake Ontario and the other is located on Slaughter Road.

Port Bay

The water depth of Port Bay at various locations is depicted in the Port Bay Harbor figure. The main navigation channel to Lake Ontario cuts through the sand and gravel barrier beach separating the bay from the lake. The barrier beach is part of the Lakeshore Marshes Management Area under the jurisdiction and management of the DEC Region 8.

In 1995, with the intent of improving the environmental quality of those natural resources and to reduce state expenses, legislation established the Adopt A Natural Resource Stewardship Program



(Section 9-0113, ECL⁷⁹) This program authorizes DEC to foster public participation to complete work that helps preserve, maintain, and enhance natural resources at minimum cost to the state. The Port Bay Improvement Association (PBIA), an organization supported by voluntary dues payments by property owners and businesses, manages periodic dredging to maintain the channel in cooperation with DEC. In 2008, as part of the Adopt a Natural Resource Stewardship Program, the PBIA entered into a 20-year agreement with DEC to be allowed to continue to annually dredge the Port Bay navigation channel. Under this agreement, DEC Region 8 revises the dredging plan, issues the State permits, and contacts the Army Corps of Engineers to obtain the federal permits that allow the Association to do the dredging.

For the past several years, the dredging has been done by a construction firm contracted by the PBIA using earth-moving equipment. Approximately 1,500 cubic yards of dredged materials (mostly coarse sand and gravel sediments with some larger stones) are removed each year; the suitable material is then redistributed along the east side shoreline, replenishing it. The PBIA continues to investigate ways to protect from erosion the portions of the barrier beach adjacent to the channel and support future dredging operations executed from the shore.

2.14. Natural Resources

Topography

The Town of Huron is situated within the Erie-Ontario lowlands physiographic region. Wayne County is in the northern segment of this region that extends from the Lake Ontario shoreline to the Montezuma marsh.

Topography in the Town of Huron is dominated by north-south-oriented glacial drumlins separated by low-lying areas occupied by swamps, wetlands, and bays. The drumlins generally rise up to an elevation of about 400 feet above sea level. The elevation of the shoreline within the Town of Huron is approximately 250 feet above sea level. Narrow spits of land are found across most of the openings of Sodus Bay, East Bay and Port Bay. Topography and elevations are depicted in [Map 9](#) and [Map 10](#).

The most significant physiographic feature along the coastline is Chimney Bluffs. Chimney Bluffs is the result of erosion of a drumlin on the shoreline of Lake Ontario and includes a series of eroded cliffs, pinnacles, and spires. The shoreline bluffs offer dramatic scenery and are the primary feature of Chimney Bluffs State Park.

A narrow beach, consisting of various grades of sand and stone, is found along most of the coastline. Adjacent to the beach are bluffs, low-lying residential or agricultural areas, or coastal swamps, notably Root Swamp and Brush Marsh. Away from the shoreline, low-lying areas are cut by streams and drainage ways.

Soils

The Waterfront Revitalization Area of the Town of Huron lies within two broad soil associations as defined in the Soil Survey of Wayne County, prepared by the USDA Soil Conservation Service. These are the Williamson-Elnora-Collamer Soil Association, which includes Sodus Bay and surroundings, and the Sodus-Williamson Soil Association, which includes the East Bay and Port Bay area.

The Soil Characteristics are detailed in the next table.

⁷⁹ <http://www.dec.ny.gov/regulations/2568.html>

Soil Type	Permeability (in/hr)	Flooding Frequency	Depth to Water Table	Depth to Bedrock	Suitability for building (Limitations)	NYS Soil Group
Williamson Ira	0.6 – 2.0	None	1.5 to 2.0	> 60	Severe	3,4,5
	0.6 – 2.0	None	1.5 to 2.0	> 60	Moderate to Severe	4 & 6
Sodus	0.6 – 2.0	None	2.0 to 3.0	> 60	Generally Moderate	4,6,7
Colonie & Dunkirk	6.0 – 20 or 0.6 to 2.0	None	> 6.0	> 60	Severe	8
Dunkirk	0.6 – 2.0	None	> 6.0	> 60	Moderate to Severe	2,5,6
Collamer	0.6 – 2.0	None	1.5 to 2.0	> 60	Severe	3

The Williamson-Elnora-Collamer Soil Association generally consists of deep, moderately well- drained, medium textured and coarse textured soils on lake plains. Water movement through Williamson and Collamer soils is generally moderate, and both soils may have a perched or high water table in the spring and during wetter periods. Water movement is moderately rapid through Elnora soils. Along the lakeshore, this unit is well suited to growing crops, especially fruits, vegetables and orchard crops. The primary limitations for community development in the Williamson-Elnora-Collamer Association soil includes temporary seasonal wetness, slow water movement through the fragipan or the substratum, and a severe erosion hazard in more sloping areas.

The Sodus-Williamson Soil Association is found on glacial till plains and lake plain fringe areas. This Association generally consists of deep, well-drained and moderately well-drained soils which are moderately coarse or medium textured. Both Sodus and Williamson soils have a dense fragipan in the lower part of the sub-soil that restricts water movement and results in a perched water table for brief periods in the spring. This unit is mainly used for crops, especially fruits and orchard crops along the lake. Areas containing minor soil types, which are wetter or steeper, are wooded or used for pasture. The primary limitations for community development in the Sodus- Williamson Association include temporary seasonal wetness, slow water movement through the fragipan, slope (in certain areas), gravel fragments and susceptibility to erosion. Analysis of soil mapping reveals that Williamson silt loam (Wn) is by far the predominant soil type found throughout the Waterfront Revitalization area of the Town of Huron. This soil is generally found on level areas with slopes varying between 2 percent and 12 percent and is moderately well drained.

Ira gravelly fine sandy loam (Ir) and Sodus gravelly fine sandy loam (Sd) are commonly associated with drumlin features in the area, with Ira soils primarily located on the nearly level drumlin tops and Sodus soils along the side slopes. Soils classified as “Steep” (SSE) are also indicated along drumlin side slopes. Ira soils are moderately well drained and are most commonly associated with slopes of 3 to 8 percent in the study area. Sodus soils are indicated to be well-drained and range anywhere from 3 to 25 percent slope in the study area, depending upon the location and steepness of the drumlin.

Colonie and Dunkirk Soils (CTE) are common along stream cuts of tributaries to the larger bays and marshes in the study area. These well-drained soils are associated with slopes varying between 15 and 45 percent. Other common soil types indicated in the area include Beaches (Be) and Fresh Water Marsh (Fw).

Dunkirk silt loam (Dk) and Collamer silt loam (Cr) are also present in the Waterfront Revitalization area but occur less frequently than soil types listed above. Dunkirk soils are more common around Beaver

Creek and in the areas surrounding Brush Marsh and Root Swamp. Collamer soils are found especially south of Sodus Bay, around East Bay and south of Brush Marsh. Selected soil characteristics for the predominant soil types are presented in the Table below.

Unique Natural Features

Sodus Bay has several unique and/or distinguishing features. A barrier beach that is approximately 7,500 foot long, known as Crescent Beach, separates Sodus Bay from Lake Ontario. Over most of its length, the barrier beach is less than five feet above the lake's mean high water elevation and its width rarely exceeds 50 – 75 feet. It is developed in a single row of residential lots with frontage on both the Lake and Bay shorelines. The far western end of the barrier beach, located in the Town of Sodus, is an elevated promontory named Charles Point. The point where Crescent Beach attaches to the mainland is very steep and narrow. As there is no roadway access to Crescent Beach, residents and visitors must utilize boats to access individual docks.

Three large islands are part of the Town of Huron and located within Sodus Bay: LeRoy, Eagle and Newark Islands. LeRoy Island can be accessed via a small bridge leading to the island from Lake Bluff Road on the eastern shoreline of the Bay. Both Eagle and Newark Islands can only be accessed only via boat and contain no internal roadways for vehicles. These three islands, especially the two with water access only, provide unique settings for seasonal cottages/homes similar to those found in the Thousand Islands area of the St. Lawrence River and not found anywhere else on the US Lake Ontario Shoreline.

Finally, the Lake Ontario waterfront includes unique eroding high bluff shorelines. The most extensive and unique of these features are found at the Chimney Bluffs State Park, located less than three miles east of the Sodus Bay outlet Channel. This State Park, and its associated undeveloped shoreline, adds to the appeal of Huron's waterfront as a recreational resource.

Streams and Flooding

Streams and watersheds in the Huron WRA are depicted in [Map 11](#). All of the surface water in the Huron WRA drains into one of the three bays or directly into Lake Ontario.

Several flood hazard areas are located within the Huron WRA, according to the Flood Insurance Rate Map for the Town of Huron. Sodus Bay, East Bay, Port Bay, Root Swamp and Brush Marsh are all included in the 100 year floodplain. Creeks and wetland areas feeding into these waterbodies and Beaver Creek are also designated as flood hazard areas, as illustrated on [Map 12](#). In addition, the entire Lake Ontario shoreline is within a 100-year floodplain area, with the exception of the lake frontage along Chimney Bluffs State Park.

The flood hazard area elevation, as indicated in the FEMA Flood Insurance Rate Maps, is 250 feet above sea level along Sodus Bay, East Bay and Port Bay and 251 feet above sea level along the Lake Ontario shoreline outside of the Bays.

Erosion and Natural Protection Features

Much of the Town of Huron's Lake Ontario shoreline is subject to erosion resulting from high lake levels, wind-generated wave action, ice and rain. Each of the bays is protected by a low sandy spit which stretches across much of the opening. These spits are subject to erosion forces and shifting sands. Bluff areas along the shoreline are also subject to erosion.

Coastal erosion hazard areas are indicated along the Town of Huron shoreline on Coastal Erosion Hazard Area (CEHA) maps prepared by NYSDEC in 1988, and depicted in [Map 13](#). Areas along the shoreline

considered structural hazard areas are shown. Generally, mapping shows the structural hazard area as a relatively narrow band along the shore, except within Chimney Bluffs State Park. Crescent Beach along Sodus Bay is categorized as a Natural Protective Feature and is also outside of the structural hazard area. The mapping indicates an erosion rate between one and two feet per year along most of the coastline and four to five feet per year at Chimney Bluffs. Actions that are proposed within a CEHA are subject to review and approval by the NYSDEC in accordance with Article 34 of the New York State Environmental Conservation Law. The Town of Huron is one of the 42 communities that has been certified by the DEC commissioner to assume the responsibility and authority to implement and administer the coastal erosion management program within its jurisdiction, pursuant to Article 34 of the New York State Environmental Conservation Law, the Coastal Erosion Hazard Areas Act⁸⁰. The local Building Department⁸¹ should be contacted to determine if an activity requires a Coastal Erosion Management Permit.

Erosion and shoreline protection issues have been given increasing emphasis as climate changes occur and sea levels rise. According to the Northeast Climate Impacts Assessment conducted in 2007 by the Union of Concerned Scientists, as seas rise:

- Beaches and bluffs will suffer increased erosion, while the risk of severe flooding and storm damage will increase.
- Low-lying areas will be inundated, with potential for saltwater to infiltrate into surface waters and aquifers.
- Sewage and septic systems, as well as transportation infrastructure, are at risk from flooding and erosion.

Shoreline Protection

Individual landowners have installed protective features to protect property from erosion along the shores of Lake Ontario as well as along the bays.

Wetlands

The Huron WRA includes several areas of wetlands, as shown on [Map 12](#). State-designated wetlands and their classification are presented in the State Designated Wetlands table.

Wetland ID	Class	Wetland ID	Class
Wetland RO-26	2	Wetland NW-2	3
Wetland SP-5	2	Wetland NW-3	3
Wetland RO-28	2	Wetland WO-1	3
Wetland SP-1, Root Swamp	1	Wetland NW-4	3
Wetland RO-29, South of Sodus Bay	1	Wetland NW-5	
Associated with Beaver Creek	1		
Wetland SP-2, South of East Bay	1	Wetland NW-6	2
Wetland RO-3	3	Wetland NW-7	2
NW-1, Brush Marsh	2	Wetland NW-8, South of Port Bay	1
Wetland SP-3	3		

⁸⁰ <http://www.dec.ny.gov/lands/86552.html> - Certified CEHA Communities

⁸¹ <http://townofhuron.org/content/PermitsFormsLicenses> - Building Permit

Federally designated wetlands generally align with the State-designated wetlands within WRA, as illustrated on [Map 12](#). Most of the wetlands in the Federal system are classified as Freshwater Emergent or Freshwater Forested/Shrub wetlands.

Habitats

Based upon the information provided in the Significant Coastal Fish & Wildlife Habitat Rating Forms, no State-listed endangered, threatened or special concern species reside in the State designated Sodus Bay, East Bay or Port Bay Significant Coastal Fish and Wildlife Habitat (SCFWH) areas. Three species of Special Concern, including the Black Tern, the Least Bittern, and the Sedge Wren, are possible but not confirmed residents of the Lake Shore Marshes.

Federally listed endangered and threatened species indicated for Wayne County on the U.S. Fish and Wildlife Service (USFWS) website included the following:

- Bog Turtle: preferred habitat is sedge dominated wet meadow or open calcareous bogs.
- Bald Eagle: favored habitat is large trees or structures near aquatic areas.
- Eastern prairie fringed orchid: found in wet prairie habitat. This species is listed as a “historic” record and as “possibly extirpated” in New York State.
- Indiana Bat: known to winter in caves/mines within six counties in New York State and roosts under tree bark at other times of the year.

Review of the Natural Heritage Program databases and other information available through the NYSDEC Division of Fish, Wildlife and Marine Resources indicated no records of endangered, threatened or species of special concern within the Huron WRA. There is one plant that is noted in the State’s records, the Wafer Ash, but the last known finding of this plant was in 1934. There are two State designated SCFWH found in this area.

The Town of Huron’s WRA includes four SCFWHs designated by the NYS Department of State as part of New York State’s Coastal Management Program (CMP). These four SCFWH areas include: the Lake Shore Marshes, Sodus Bay, East Bay, and Port Bay. The table below summarizes the SCFWH Rating Form for each of these areas. Appendix D of the LWRP includes the formal description of each of the State designated habitats within Huron.

	Lake Shore Marshes	Sodus Bay	East Bay	Port Bay
Ecosystem Rarity	64	20	12	16
Species Vulnerability	16	0	0	0
Human Use	9	18	4	9
Population Level	9	9	0	9
Replaceability	1.2-Irreplaceable	1.2-Irreplaceable	1.2-Irreplaceable	1.2-Irreplaceable
Significance Value (overall)	118	56	19	41

Lake Shore Marshes

The NYS Lakeshore Marshes Wildlife Management Area consists of ten relatively discreet units each encompassing a sizeable coastal wetland area. Eight of the ten units are located primarily within the Town of Huron, including South Sodus Bay (225 acres), Hog Island (50 acres), Root Swamp (160 acres), East Bay (730 acres), Brush Marsh (80 acres), Beaver Creek (350 acres), Cottrell Marsh (75 acres) and Port Bay (430 acres). The various units are generally dominated by emergent wetland vegetation but areas of shrub-scrub and forested wetland also occur. The importance of the Lake Shore Marshes

Wildlife Management Area is that it encompasses some of the largest, undeveloped coastal wetlands in the Great Lakes Plain region. The relatively large size, ecological diversity and lack of human disturbance in its units are important contributors to the fish and wildlife values of the area.

Lake Shore Marshes is known to be a very productive nesting area for waterfowl and other marsh birds, including blue heron, green-backed heron, American bittern, mallard, wood duck, sora, common moorhen, black tern, common snipe, marsh wren, common yellowthroat, red-winged blackbird, and swamp sparrow. Least bittern and sedge wren have also been observed but breeding has not been confirmed. Waterfowl also use the area for feeding and resting during spring and fall migrations. Other wildlife species supported by the Lake Shore Marshes include muskrat, beaver, raccoon, mink, wood-cock, ring-necked pheasant, deer, gray squirrel, snapping turtle, painted turtle, northern water snake, bullfrog and northern leopard frog. Lake Shore Marshes is a productive fish spawning and nursery area, supporting concentrations of various warm water species including northern pike, brown bullhead, rock bass, blue gill, pumpkinseed, white crappie, and largemouth bass.

Sodus Bay

Sodus Bay, one of the largest sheltered bays on Lake Ontario with extensive littoral areas, is considered to have outstanding habitat values for resident and Lake Ontario based fisheries resources. The dense beds of aquatic vegetation, high water quality, sandy substrates, and freshwater tributaries create highly favorable conditions for spawning and nursery use. In addition to the species listed above for Lake Shore Marshes, Sodus Bay is a major spawning and nursery area for yellow perch. Concentrations of white sucker, smallmouth bass and various salmonid species occur in Sodus Bay prior to and after spawning runs in the major tributaries.

East Bay

East Bay is one of the least disturbed of several large, sheltered coastal bay ecosystems on Lake Ontario. As human disturbance of the bay has not been severe, it provides high quality habitat for many fish and wildlife species. The dense beds of aquatic vegetation, high quality water, sandy substrates and freshwater tributaries create highly favorable conditions for spawning and nursery use. East Bay supports many of the same warm-water fish species listed for the other Significant Fish and Wildlife Habitats in the area. Wetland areas, within and bordering East Bay, contributes significantly to the productive fisheries. In addition, concentrations of various waterfowl species, as well as loons, grebes, gulls, and terns, may occur in East Bay during spring and fall migrations.

Port Bay

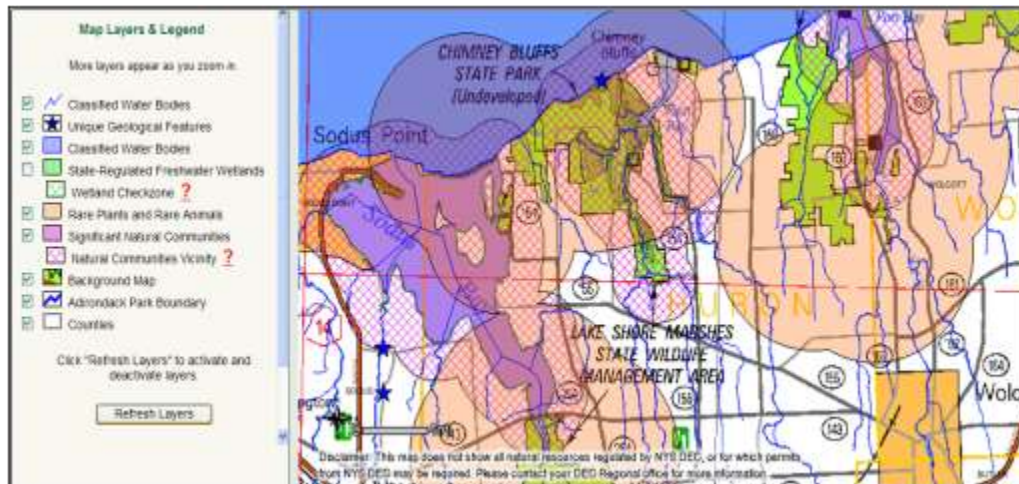
Port Bay is a large, shallow, sheltered bay on Lake Ontario. Although human activities have resulted in considerable habitat disturbance, information prepared by NYSDOS reports that the Bay still serves as a very productive area for many fish and wildlife species. The dense beds of aquatic vegetation, high water quality, sandy substrates, and freshwater tributaries create highly favorable conditions for spawning and nursery use.

In addition to the species listed above for Lake Shore Marshes, white perch and yellow perch are found in Port Bay and the Bay is a major concentration area for yellow perch in Lake Ontario. Concentrations of white sucker, smallmouth bass and various salmonid species occur in Port Bay prior to and after spawning runs in Wolcott Creek.

Natural Heritage Program

Additional information on Information on protected species and their habitat is available on the DEC's website through the Environmental Resource Mapper⁸² and the Nature Explorer⁵¹ web applications, which maintain information compiled through the Natural Heritage Program of the Department of Environmental Conservation (DEC), a database on documented occurrences of protected species in New York.

As illustrated, the Environmental Resource Mapper highlights areas of concern around documented locations of protected species but does not give the specific location or the identity of the species. The species and locations reported by New York Nature Explorer to be located within the Town of Huron are not a definitive statement about the presence or absence of all plants and animals, including rare or state-listed species, and of all significant natural communities. Not all of New York State has been surveyed, and the information reported by New York Nature Explorer⁸³ is not a substitute for on-site surveys that may be warranted or required.



Environmental Hazards and Constraints

There are no known hazardous waste sites within the Waterfront Revitalization area of the Town of Huron. Except for a brief period when the eastern shore of Sodus Bay was a significant shipping port, the waterfront has not been used for industrial or intensive commercial uses. It has historically been used for recreation, residential and conservation uses.

2.15. Climate Change and Extreme Weather Events

In 2007, an act of the NYS Legislature created the New York State Sea Level Rise Task Force, chaired by the NYSDEC Commissioner. While the geographic scope of the task force report included the five boroughs of New York City and the counties of Westchester, Nassau and Suffolk⁸⁴ some of the report's findings, as replicated below, are relevant to these coastal areas:

⁸² <http://www.dec.ny.gov/irmsmaps/ERM/viewer.htm>

⁸³ <http://www.dec.ny.gov/natureexplorer/app/location/town>

⁸⁴ <http://www.dec.ny.gov/energy/75794.html>

- Natural shoreline features, such as wetlands, aquatic vegetation, dunes and barrier beaches, currently provide large-scale services, such as flood protection, storm buffering, fisheries habitat, recreational facilities and water filtration, at almost no cost. These services would be prohibitively expensive to replicate with human-built systems. New York is losing tidal marshes at a rapid pace and with them the natural infrastructure that protects the shore from floods, wave attack and erosion.
- Current investment and land-use planning practices by both New York State and local governments are encouraging development in areas at high risk of coastal flooding and erosion.
- Over the long term, cumulative environmental and economic costs associated with structural protection measures, such as seawalls, dikes, and beach nourishment, may be more expensive and less effective than non-structural measures, such as elevation of at-risk structures and planned relocation away from the coastal shoreline, especially in less urbanized areas. Solutions for urban areas, however, may require a mixed approach of structural and non-structural solutions.
- Existing maps of New York State's coast that identify communities, habitats and infrastructure at greatest risk of flooding and erosion are inaccurate, out of date, not detailed enough for planning and regulatory purposes and fail to incorporate historic and projected sea level rise.
- There are low-cost, high-benefit actions that can be taken now to reduce vulnerability along New York State's coastline.

In 2009, Governor Paterson issued the Executive Order 24⁸⁵ to formally establish a State goal of reducing the greenhouse gases emissions 80 percent below 1990 levels by 2050, and named the Climate Action Council (CAC) to determine how to meet the goal. The Council was also tasked with developing a plan to increase New York's resiliency to a rapidly changing climate. In 2010, the CAC released an Interim Report that had been prepared with assistance from the New York State Energy Research and Development Authority (NYSERDA), the Department of Environmental Conservation (DEC), and other CAC member-agency staff, the Center for Climate Strategies (CCS) and other stakeholders. A New York State greenhouse gas emissions inventory and forecast was also prepared.

In 2011, the ClimAID Integrated Assessment for Effective Climate Change Adaptation in New York State was completed. The ClimAID⁸⁶ assessment provides information on climate change impacts and adaptation for eight sectors in New York State: water resources, coastal zones, ecosystems, agriculture, energy, transportation, telecommunications, and public health. Observed climate trends and future climate projections were developed for seven regions across the state. The geographic regions are grouped together based on a variety of factors, including type of climate and ecosystems, watersheds, and dominant types of agricultural and economic activities. The Town of Huron is included in Region 1, Western New York and the Great Lakes Plain. Within each of the sectors, climate risks, vulnerabilities, and adaptation strategies are identified. Integrating themes across all of the sectors are equity and environmental justice and economics. The ClimAID report was updated in 2014 to include new information generated by higher spatial resolution and more diverse climate model types.

In September 2014, the New York State Governor signed the Community Risk and Resiliency Act. This statute requires certain state programs responsible for permitting, facility siting and funding to take into

⁸⁵ <http://www.dec.ny.gov/energy/80930.html>

⁸⁶ <http://www.nyserderda.ny.gov/Publications/Research-and-Development/Environmental/EMEP-Publications/Response-to-Climate-Change-in-New-York.aspx>

account the likelihood and possible impacts of storm surges, sea-level rise or flooding. 2.16. Cultural and Historic Resources

Historic Context

Before the area that is now the Town of Huron was settled by Europeans, the Cayuga tribe of the Iroquois Six Nations utilized the land for hunting and fishing. The area was forested with beech, birch, hickory, chestnut, elm, maple and oak, with some soft woods on the lower lands.

In the 1783 Treaty of Hartford, which resolved conflicting claims of ownership by Massachusetts and New York, Massachusetts retained the rights to all land west of a “Pre-Emption Line” that would be delineated between the Pennsylvania border and Lake Ontario. This line was initially located three miles west of Sodus Bay. In 1788, Massachusetts sold about 6 million acres to Oliver Phelps and Nathaniel Gorham. After Phelps and Gorham transferred 1.25 million acres to Robert Morris, Morris sold this land to an association led by Sir William Pultney, who had the Pre-Emption line re-surveyed to end at Sodus Bay.

The eastern part of Wayne County was included in the 1.5 million acre Military Tract, which resulted from New York State’s settlement of Indian claims to land east of the Preemption Line⁸⁷ (also spelled Pre-Emption). In 1795, Capt. Charles Williamson, the founder of Sodus Point, obtained a patent from the Pultney estate for land in eastern Wayne County, including the present Town of Huron. The patent did not include any lands under the waters of Lake Ontario or Sodus Bay. These lands remained in the jurisdiction of the State.

In 1826, the Town of Huron separated from the Town of Wolcott along with the Towns of Butler and Rose. Originally called Port Bay, the Town was renamed the Town of Huron in 1834 in honor of the Huron Indian tribe⁸⁸.

Sodus Bay

Early industry along Sodus Bay was driven by the presence of water. Commercial fishing, ice harvesting, boat building and repair, and the import and export of goods by ship made the Bay a busy Great Lakes port. In the surrounding areas land was cleared for farming with sawmills and grist mills established on many of the entering streams. The open waters of the Bay allowed easy transport of lumber and grain.

The first settlement along the Sodus Bay waterfront was located at the southern end of the Bay, in an area that became known as Glasgow “Floating Bridge” and is now known as Resort. Port Glasgow or Sloop Landing was an important shipping port during the early 1800s. One of the main products shipped from this Port was the lumber that was cleared from the dense forest in the area and processed at the saw mills that were established along the rivers. The Erie Canal, and subsequently the railroads, supplanted Lake Ontario as the primary shipping route between the East Coast and the Midwestern United States.

The first roads in Huron connected Glasgow to the Savannah salt works (by 1808), to the Village of Wolcott (by 1810) and to the Village of Clyde. The first bridge across the southern part of Sodus Bay was constructed in the early 1820s. Ferry service was established at this site in 1837. The existing Bay Bridge that carries Ridge Road across Sodus Bay was constructed in 2005, replacing a bridge that was constructed in 1919.

⁸⁷ http://en.wikipedia.org/wiki/Preemption_Line

⁸⁸ <http://townofhuron.org/content/History>

As a key port on the US-Canadian border, Sodus Bay played an important role in the War of 1812. When British ships anchored in the Bay and began to ransack the village for supplies, the Village of Sodus Point was nearly burned to the ground. Residents rallied to the defense and two Sodus Point men lost their lives in the ensuing skirmish. Another attack occurred on June 19, 1813.

In 1872, the first railroad and coal trestle was built connecting Sodus Bay to the coal mines in Pennsylvania. From then to 1967, millions of tons of coal were transported through the Sodus Point Coal Trestle. To accommodate the ships, the Bay and the Channel to Lake Ontario were regularly dredged. With the closing of the coal trestle and a nearby brewery/malt house, the economy of the area became more dependent upon recreational boating, fishing, vacation homes and tourism.

Following the demise of the shipping industry, the scenic and relatively cool climate of the Sodus Bay waterfront attracted the developers of summer resorts. By 1895, there were two hotels in Port Glasgow (Resort), two in Lake Bluff, and one on LeRoy Island. Bonnicastle also had several cottages and tourist accommodations. During the late 1800s and early 1900s, steamships provided passenger services on the bay with docks at Lake Bluff, Bonnicastle, Resort and all of the islands.

Between 1826 and 1837, a colony of the United Society of Believers in Christ's Second Coming (Shakers), occupied 1,300 acres in the Towns of Huron and Sodus at the south end of Sodus Bay. The Shaker community at Sodus Bay engaged in craft production and agriculture and functioned as a communal society. When the proposed Canal threatened their land, the Shakers sold their holdings and relocated the community to Groveland, NY. A portion of the former Shaker community is listed in the National Register of Historic Properties and is currently occupied by Cracker Box Palace at Alasa Farms, an animal sanctuary located in the Town of Sodus. Ann Lee Drive in the Town of Huron is named after the founder of the Shakers.

East Bay

About 1809 Elihu Spencer settled along the creek in the area now known as North Huron and established the Town's first grist mill and a saw mill. By 1895, several mills were operating along Mudge Creek just south of the head of East Bay and the community of North Huron, as it was known, had 75 residents.

Port Bay

The shores of Port Bay were initially developed with summer cottages during the late 1800s and early 1900s. Notable resorts and hotels included Russell's Island Resort, the Desborough Park Hotel and the Loon Point Hotel. The Loon Point Hotel was destroyed by fire in 1948.

Photo of Loon Point Hotel

(from the Port Bay Improvement Association newsletter, March 2005)



Historic Structures

The Town of Huron Historian and the Wayne County Historian list three historic buildings of note within Huron. None of these are listed on the State or National Registers of Historic Places.

Dayton Mills Schoolhouse – This former District No. 6 one-room school house was built after the Civil War, circa 1871. It is located at the corner of Huron Road and Slaughter Road, south of East Bay and at the corner of the designated Waterfront Revitalization study area.



The other historic buildings in the Town of Huron are located outside of the Waterfront Area.



Huron Grange - The Huron Grange was organized in 1874 and the building erected in 1884. It is located on North Huron Road, between Ridge and Lummisville Roads. It is the home of the first Juvenile Grange in New York State.



Old Town Hall – The Old Town Hall is also located on North Huron Road, between Ridge and Lummisville Roads. The building dates to circa 1849 and contains many original furnishings including kerosene lamps. Town business was conducted in the Old Town Hall until 1979, when another Town Hall was built.

Although not in the Town of Huron, Alasa Farms is a significant historic property immediately adjacent to the Town boundary, south of Sodus Bay (in the Town of Sodus). Alasa Farms contains the remnants of the historic Shaker Community, who settled on a 1,331 acre site within the Town of Sodus and the Town of Huron between 1826 and 1838. The Shakers (United Society of Believers in Christ's Second Coming) were an egalitarian society who established themselves as a hardworking, self-sufficient, honest and celibate people. The Shakers moved to Groveland in Livingston County in 1839 due to the threat of a north-south canal, proposed between Galen and Sodus Bay, which would be routed through their property. Shaker dwellings from the time period still exist at Alasa Farms.

Historic Underwater Sites or Structures

The Great Lakes are historic shipping routes and the site of many shipwrecks. The locations of known shipwrecks along the 518-mile coastal region of the St. Lawrence River, Lake Ontario, Niagara River and Lake Erie in New York and Pennsylvania were documented in a project sponsored the NY Sea Grant "2007 Shipwrecks of the Great Lakes Seaway Trail Project." No historic ship wrecks have been reported to be present in Sodus Bay or within the adjacent near shore areas of Lake Ontario. However, as depicted in the map below, several known shipwrecks are located in the waters of Lake Ontario adjoining



the Town of Huron east of Sodus Bay.

Archaeological Resources

According to the NYS Parks, Recreation and Historic Preservation website, archeologically sensitive areas are found at the south end of Sodus Bay, within Chimney Bluffs State Park, and on the Town's eastern border south of Port Bay (See [Map 14](#)). An additional area of archeological sensitivity is found in the southeast corner of the Town near the Village of Wolcott; however, this portion of the Town is not included within the Waterfront Revitalization area.

The population of native peoples in the Great Lakes area is estimated to have been between 60,000 and 117,000 in the 16th century, when Europeans began their search for a passage to the Orient through the Great Lakes. The native people occupied widely scattered villages and grew corn, squash, beans and tobacco. They moved once or twice in a generation, when the resources in an area became exhausted⁸⁹.

2.17. Infrastructure and Public Services

Public Water Supply

The Town of Huron has created several Water Districts to provide public water service to residents. Property owners within each district are assessed a benefit fee which funds the cost of maintaining the facilities within the district as well as to pay down bonds that were used to finance construction. The water districts obtain their water supply from the Wayne County Water and Sewer Authority⁹⁰ (WCWSA), which is also responsible for operating and maintaining the water supply and distribution infrastructure.

Sodus Bay

A 12-inch diameter water main is located the full length of Ridge Road which transects the WRA near the southern end of Sodus Bay. An 8-inch water main located along Shaker Tract Road, which skirts the western boundary of the WRA, provides water service to properties along the east and west shoreline of the southern end of Sodus Bay, including Bayshore Road, Ann Lee Drive and Spiegel Drive and Shaker Tract Road.

An extension of the water distribution system along Ridge Road and up Lake Bluff Road to the Bayshore Road area was constructed in 2012. These new water mains serve properties on LeRoy Island and the eastern shoreline of Sodus Bay.

A private water supply system is owned and operated by the residents of Eagle Island. The supply is derived from the Bay via an intake located on the north side of the Island. The water is treated at the intake and distributed to the Island residents via a private piping system.

Port Bay

A water main along West Port Bay Road from the Huron-Wolcott town line north to Lake Ontario, installed in late 2011, serves properties along the western shore of Port Bay and along Leone Drive and Woodtract, Maple, Tomkins Point, Graves and Point and Roads.

⁸⁹ <https://www.epa.gov/greatlakes/lake-ontario>

⁹⁰ <http://wcwsa.org/>

Remainder of WRA

Most of the land area in the Town of Huron WRA The remainder of developed properties within the Huron's WRA must rely on private on-site wells to supply their water needs.

Wastewater Management

There are no existing wastewater collection systems or public sanitary sewer service within the Huron WRA. The entire Town is without sanitary sewer service except for a small, residential subdivision located on Hope Circle off of Clapper Road in the southwest quadrant of the Town. The wastewater from this subdivision is conveyed to the Village of Wolcott for treatment and disposal. With the exception of this small area, all of the developed properties within the Town of Huron utilize private, on-site septic systems for their sewage disposal.

A public sewer system has been proposed to serve properties along Port Bay in the Towns of Huron and Wolcott. The Wayne County Water & Sewer Authority is currently working with the Towns of Huron and Wolcott to identify and obtain financial assistance for the extension of sewers along Port Bay.

Septic systems must be designed and installed in accordance with NYS regulations. In addition, the Town of Huron has a local law that requires periodic inspection of septic systems.

Providing water sanitary sewage collection and treatment has been identified as a priority for the Sodus Bay and Port Bay shoreline. Shoreline areas are difficult to service with individual wells and septic systems due to both the low-lying, wet nature of the locations and the density of the shoreline development. This is especially true for the Crescent Beach area of the Town, which is built on sandy soils that are just above the mean high water line of Lake Ontario.

Stormwater Management

Stormwater runoff from construction activities that disturb more than one acre of land must obtain a SPDES General Permit from the NYS Department of Environmental Conservation. The Town Planning Board addresses stormwater management as part of the site plan review of certain development projects.

Solid Waste Management

Solid waste⁹¹ is collected and disposed of by private waste haulers under contract with individual property owners. Wayne County requires solid waste haulers to obtain a license. Residents and businesses within Wayne County are required to separate recyclables. The term "solid waste" means any garbage, refuse, sludge from a waste treatment plant, water supply treatment plant, or air pollution control facility and other discarded material, including solid, liquid, semisolid, or contained gaseous material resulting from industrial, commercial, mining, and agricultural operations, and from community activities, but does not include solid or dissolved material in domestic sewage, or solid or dissolved materials in irrigation return flows or industrial discharges which are point sources subject to permits under section 1342 of title 33, or source, special nuclear, or byproduct material as defined by the Atomic Energy Act of 1954, as amended⁹² Environmental Hazards and Constraints

⁹¹ <http://www.dos.ny.gov/info/nycrr.html> - Solid wastes definition in NY ECL-27-0701 and 6 NYCRR 360-1.2.

⁹² <http://www.nyenvlaw.com/wp-content/uploads/2015/05/Chapter-6-Solid-Waste-Regulation.pdf> - Solid Waste Regulations, by Knauf Shaw LLP

There are no known hazardous waste sites within the Huron WRA. Except for a brief period when the eastern shore of Sodus Bay was a significant shipping port, the waterfront has not been used for industrial or intensive commercial uses. It has historically been used for recreation, residential and conservation uses. Hazardous wastes are those materials defined under ECL-27-0901 and NYCRR 371. Substances hazardous to the environment are defined under NY ECL-37-01001. Toxic pollutants are defined under ECL-17-0105.

Transportation System

Highway access to the Huron Waterfront Revitalization area is provided nearly exclusively by a network of two-lane secondary County and Town roadways. Several of these roadways connect to NYS Route 104 which skirts the southern boundary of the Waterfront Revitalization area in the vicinity of Sodus Bay. NYS Route 104 runs in an east-west direction parallel to the Ontario shoreline and connects Huron to the Rochester metropolitan area approximately 40 miles to the west. The segment of Route 104 that passes through the Town of Huron is comprised of two lanes, but the highway widens to four lanes a few miles west of the Town of Huron.

Nearly all of the other roads that pass through or provide access to the Waterfront Revitalization area are secondary Town and County roadways, some of which simply terminate at the Lake shore.

The Wayne Area Transportation Service (WATS), a subsidiary of the Rochester Genesee Regional Transportation Authority (RGRTA) provides public bus service in Wayne County during weekdays. Bus routes are configured to form large loops with the routes linking the most significant population centers within Wayne County. WATS buses travel clockwise and counter clockwise around the loops.

The northern leg of each loop follows Ridge Road (a/k/a County Road 143) traverses the Huron WRA at the southern tip of Sodus Bay. Although the buses have specified stops, passengers may flag buses anywhere along the bus routes. WATS also provides demand- responsive bus service weekdays throughout Wayne County including the Huron WRA for senior citizens and persons with disabilities. Demand-responsive service must be scheduled in advance. Bus fare for the fixed-route service is \$1.00 for adults and \$0.50 for seniors and children each way. Bus fare for the demand-responsive service is \$1.50 each way.

Utilities

Other utility services available in the waterfront area include electric, telephone and natural gas. Cable and satellite television and internet service is also provided by private carriers.

Emergency Services

Fire protection and EMS service are provided by the North Rose and Wolcott Fire Departments.

SECTION III - WATERFRONT REVITALIZATION POLICIES

Introduction

The Town of Huron Local Waterfront Revitalization Program (LWRP) policies presented in this section place the policies of the New York State Coastal Management Program (CMP) within the economic, environmental, and cultural characteristics of Huron's waterfront (Huron WRA). They represent a balance between economic development and preservation that will permit beneficial use of and prevent adverse effects on the local waterfront which is part of the State's coastal resources. The LWRP policies and sub-policies presented in this chapter, and collectively referred to as "policies", represent the enforceable policies of the New York State Coastal Management Program for the waterfront area subject to this LWRP. The policies are comprehensive and reflect the community's concerns; and they will be enforced through use of State laws and authorities, and local laws and regulations. The policies are the basis for Federal and State consistency determinations for activities affecting the waterfront area. While the policies are enforceable as a matter of state and local law however, for reviews conducted under the federal Coastal Zone Management Act, the explanatory text for each policy is for explanatory purposes only. Definitions of some of the terms used in the policies appear at the end of the chapter.

The policies are organized under four headings: developed waterfront policies; natural waterfront policies; public waterfront policies; and working waterfront policies. The word "waterfront" refers to the study area of this LWRP, the area within the Town of Huron that is part of the State's coastal area.

Developed Waterfront Policies

Policy 1 Foster a pattern of development in the waterfront area that enhances community character, preserves open space, makes efficient use of infrastructure, makes beneficial use of a waterfront location and minimizes adverse effects of development.

- 1.1** Concentrate development and redevelopment in the currently developed areas.
- 1.2** Ensure that waterfront development and land uses take appropriate advantage of their unique waterfront location
- 1.3** Protect stable residential areas
- 1.4** Maintain and enhance natural areas, recreational land, open space, and agricultural lands.
- 1.5** Minimize adverse impacts of new development and redevelopment

Explanation of Policy 1

This policy is intended to foster a pattern of development that will enhance existing waterfront residential neighborhoods and waterfront businesses while protecting existing natural areas, agricultural

lands and rural residences. This policy also encourages appropriate infrastructure improvements that will enhance existing residential neighborhoods and support the expansion of commercial or tourism related water-dependent and water-enhanced uses along the waterfront in appropriate locations. Such infrastructure development will also help to protect water quality, and avoid impacts on existing local agricultural lands and natural resources.

These neighborhoods accommodate a significant percentage of the Town's population, contribute significantly to the Town's property tax base, and are essential to the overall character community and economic functioning of the area. Many of the residences are occupied by transient visitors. Residential property owners, renters and transient visitors enjoy boating, fishing, nature observation and views of the waterfront from these homes and cottages and associated private docks. The protection and enhancement of these residential neighborhoods is a Town priority.

Large areas along the waterfront are protected natural areas, including the New York State Lake Marshes Wildlife Management Area, Chimney Bluffs State Park and a nature preserved owned by The Nature Conservancy. These areas are open to the public for passive recreation use such as nature observation and hiking. In addition, the Lake Shores Marshes WMA accommodates fishing, hunting and small boats such as canoes and kayaks.

Landward areas within the WRA are in agricultural use. Agriculture and related businesses are a vital component of the regional economy and the farmland within the WRA contributes to the scenic beauty of the countryside.

Certain areas along the waterfront are occupied by water-dependent and water-enhanced businesses such as marinas and restaurants. The revenue generated from these businesses and their customers contributes to the local economy and provides revenue to local government in the form of sales and property taxes. Commercial marinas allow boat owners to utilize the bays for boating, fishing, and other activities. In addition, the marinas and waterside restaurants are among the few locations that allow visitors to view and be near the water. Many people are introduced to Huron's waterfront by frequenting these businesses.

Several of the existing commercial areas within the WRA are underutilized and present opportunities for additional tourist-oriented and water-dependent commercial development or redevelopment. Along Sodus Bay, these include the areas east and west of the Bay Bridge, Hog Island/LeRoy Island Bridge and the sites of existing marinas and waterfront restaurants.

The following principles will support the objective of enhancing existing developed areas and encourage new development while protecting and enhancing existing natural resources within the Huron WRA:

- Ensure that future private and public actions are compatible with the character of existing seasonal and year-round residential neighborhoods.
- Protect existing upland agricultural and rural residential uses and local character.
- Focus public investment and assistance in suitable waterfront redevelopment areas.
- Locate new development where infrastructure (such as sewer lines, water lines, roads etc.) is adequate or can be sustainably upgraded to support new and compatible development without affecting current agricultural lands and uses.
- Estimate in advance the cost for building and maintaining new infrastructure as well as its possible impact on the town's economics and future land uses.

- Strengthen the economic viability of Huron by encouraging additional tourist-related water-dependent and water-related development in suitable areas of the waterfront.
- Provide support and/or incentives to existing businesses to help them realize sustainable development opportunities dependent on waterfront location.
- Increase and improve public access to water and open spaces.
- Preserve and enhance the waterfront's scenic resources and open space.
- Maintain and improve water quality and the ecological integrity of the bays.

In addition, the following planning principles will guide the revitalization of the Huron WRA:

- scale development to be appropriate to the setting, including the site's infrastructure availability and capacity;
- design development to highlight community identity and existing resources, such as local history and important natural and man-made features;
- design the waterfront as a focus for activity that draws people to the area;
- provide and improve linkages between the waterfront and upland portions of the community, and use appropriate directional signage;
- develop a regional network of linkages and destinations in partnership with neighboring communities;
- balance community and regional needs and market demands when making development choices, to avoid duplication;
- recognize environmental constraints, such as shoreline erosion, that are risk factors for development and apply development review regulations and environmental review procedures to achieve sustainable development;
- devise ways to blend environmental preservation into site design to minimize the impact of the development on the existing or future natural resources; and
- recognize the physical constraints of certain man-made features that possess important cultural and historic value and apply existing environmental review procedures to protect these features or minimize the impact of new development on them.

Explanation of Policy 1.1

The following guidelines will implement this policy:

- Encourage new development that enhances the existing seasonal and year-round residential neighborhoods and revitalize underutilized areas suitable for water-dependent tourism-oriented businesses.
- Support the investment of public and private capital in drinking water and sewer infrastructure that would enhance residential neighborhoods and support the expansion of commercial or tourism related water-dependent and water-enhanced uses within the WRA. The extension of water infrastructure will eliminate the need for on-site water supply. By replacing individual septic systems, public sewer infrastructure would help to protect water quality by reducing inputs of nutrients from inadequate septic systems into the Lake and its Bays. The extent and capacity of the water and sewer infrastructure will be limited to the

needs of the existing residential and business areas of Huron, and it will not encourage new development that could impact existing local agricultural lands and natural resources.

Explanation of Policy 1.2

The following guidelines will implement this policy:

- Encourage water-dependent uses, as a priority over other uses, where they relate to the unique character and resources of the waterfront area and are appropriate for the location. Water-dependent uses are defined as activities that require a location in, on, over or adjacent to a water body because such activity requires direct access to that water body, and which involves as an integral part of such activity the use of the water.
- Encourage water-enhanced uses where they are compatible with surrounding development and are designed to make beneficial use of their location along the shoreline without displacing or interfering with water-dependent uses or threatening the ecological integrity of the bays or of Lake Ontario.
- Support private development projects that include public access provisions through site design, easements, or other means.
- Encourage water-dependent uses and water-enhanced uses that are sited and designed to:
 - attract people to or near the waterfront and provide opportunities for access;
 - provide public views to or from the water;
 - link the waterfront to adjoining business districts and landmarks;
 - minimize consumption of waterfront land; and
 - not cause significant adverse impacts to community character and surrounding land and water resources.
- Discourage waterfront uses that could:
 - result in unnecessary and avoidable loss of significant waterfront resources;
 - ignore the waterfront setting as indicated by design or orientation; and
 - have no economic benefit linked to its waterfront location.
- In the planning and review of future waterfront development, recognize the unique qualities of the waterfront by:
 - using building and site design to make beneficial use of the waterfront/shoreline location and associated waterfront resources;
 - limiting development to areas with minimal or no environmental constraints and minimizing the conversion of agricultural lands to non-agricultural uses;
 - incorporating features into waterfront designs that increase visual and physical access to the water;
 - attracting people to the waterfront by focusing on recreational uses and development of new public spaces;
 - reinforcing community identity by highlighting local history and important natural and man-made features;
 - ensuring that design and siting of uses and structures complements the surrounding community and landscape, particularly the central business district;
 - using indigenous plants as components of landscape design to improve habitat and water quality, and to lessen water demands; and

- using appropriate signage and other amenities to promote tourist activities and ensure better wayfinding along the waterfront.

Explanation of Policy 1.3

The following guidelines will implement this policy:

- Ensure that new development located in or adjacent to existing residential areas is compatible with existing neighborhood character.
- Retain existing informal public access points that are significant to a residential area.
- Foster opportunities to provide new public access points for the community.
- Avoid new non-residential uses in stable residential areas when the use, its size and scale would significantly impair neighborhood character.
- Ensure that new construction, redevelopment, and screening, such as fences and landscaping, do not reduce or eliminate vistas that connect people to the waterfront or views that add to the local character.
- Limit commercial development in residential areas to small-scale businesses such as bed-and-breakfast inns or home-based businesses, subject to suitable site design standards.

Explanation of Policy 1.4

The following guidelines will implement this policy:

- Continue to support the preservation of the Chimney Bluffs State Park, Lake Shore Marshes Wildlife Management Area, coastal bay ecosystems and the State designated Significant Coastal Fish and Wildlife Habitats (SCFWH) within Huron: East Bay, Port Bay, Lake Shore Marshes, and Sodus Bay. These areas provide scenic and recreational benefits while supporting habitats for fish and wildlife, providing flood control benefits, filtering runoff and recharging ground water as well as economic, environmental, and aesthetic values associated with its open space, recreation, and natural areas.
- Ensure that the location, scale, and uses of new development will not deteriorate water quality, fragment or impair existing habitats, alter natural protective features, or impact the natural processes of erosion and accretion at that location. Any such alterations could increase erosion rates at that location or somewhere else along the shore and increase risk to flooding and damage by coastal storms.
- Support the continued use of high quality farmland for agricultural production. The efficient use of the agricultural lands within Huron and its waterfront are essential to the local economy.

Explanation of Policy 1.5

The following strategies will minimize the potential adverse land use, environmental and economic impacts that could result from proposed development:

- Enforce all local regulations, including zoning, stormwater management, coastal erosion control, property maintenance, docks and moorings etc.
- Locate future development in areas that can be most efficiently served by public infrastructure and in such a way that community character, environmental quality, open space and natural resources are preserved and water-dependent uses are not displaced.

- Identify, evaluate, and mitigate potential adverse impacts of development proposals on existing development, physical environments, and local economy.
- Establish and enforce land use regulations and site design standards for parking, landscaping, outdoor lighting and buffering of adjacent residential properties. Such design standards should include:
 - Design guidelines that can ensure that the development is done in a manner that architecturally fits with the current styles of the town;
 - Strict definition of the types of retail or service establishments that would be allowed.
 - Standards for landscape plantings within the public right-of-way, including spacing, types and sizes of trees and shrubs;
 - Standards for outdoor lighting that include requirements high-cut-off fixtures to eliminate glare, the casting of excess light into the atmosphere and prevention of light trespass onto adjoining properties.

Policy 2 Preserve historic resources of the waterfront area.

2.1 Maximize preservation and retention of historic resources

2.2 Protect and preserve archaeological resources.

2.3 Protect and enhance resources that are significant to the coastal culture.

Explanation of Policy 2

The intent of this policy is to preserve the historical and archaeological resources of the waterfront area, which provide tangible links to the past development of the community and connect to past generations and events. They are intended to protect the historic character and encourage the restoration of buildings that have historic significance to the Town of Huron.

Huron’s history is closely tied to its waterfront. Historic and archeological resources along the waterfront are related to Native American communities, the early use of Sodus Bay for shipping, the steamboat era and the development of summer resorts, and the former Shaker Colony in land adjoining the Huron WRA. The Town’s Native American sites, farmsteads and outbuildings, resorts, shipwrecks, former hotels and waterfront homes are important components of the Town’s distinctive identity and heritage.

Although the Town of Huron has no structures or districts listed on the State or National Registers of Historic Places, the Town of Huron Historian and the Wayne County Historian have identified one building of note at the edge of the WRA – the Dayton Mills Schoolhouse on Slaght Road.

The New York State Office of Parks, Recreation, and Historic Preservation (OPRHP) has identified certain areas of Huron’s waterfront, including the areas at the southern end of Sodus Bay and around Chimney Bluffs, as areas of archeological sensitivity. NY State Environmental Quality Review (SEQR) requires any public agency that is undertaking or approving an action that may affect sensitive archeological resources to consult with the State Historic Preservation Officer (SHPO) to determine whether significant archeological resources are present at the site and to identify measures that are necessary to

preserve or avoid damage to these resources. All practicable means shall be used to preserve significant archeological resources.

Explanation of policy 2.1

An environmental review process has to be undertaken to thoroughly evaluate the potential impacts of proposed new development or redevelopment on historic resources within the WRA. In addition, the Town will promote the following strategies:

- Utilize all practical means to preserve identified resources and mitigate or avoid potential adverse impacts.
- Apply the following process to protect historic materials and features:
 - evaluate the physical condition of important materials and features;
 - stabilize materials and features to prevent further deterioration;
 - protect important materials and features from inadvertent or deliberate removal or damage; and
 - ensure the protection of historic elements through a program of non-intrusive maintenance of important materials and features.
- Repair historic materials and features using recognized preservation methods when physical condition warrants such repair.
- Foster uses that maximize retention of the historic character of a resource and minimize alterations so as to preserve and retain the character of the structure.
 - Alterations should not obscure, destroy or radically change character defining spaces, materials, features or finishes in order to reduce adverse impacts to the resource.
 - Alterations may include selective removal of features that are not historic elements of the resource and its setting and that detract from the overall historic character of the resource.
 - Minimize potential negative impacts on the historic character of the resource due to necessary updates to systems in order to meet health and safety code requirements or to conserve energy.
 - In constructing new additions, use appropriate design and construction to minimize adverse impacts to historic character and allow for the visual compatibility of the new and old sections of structure.
- Minimize the loss of historic resources or the historic character of the area when it is not possible to completely preserve the resource.
- Historic structures should be relocated only when the resources cannot be preserved in place.
- Demolition of a resource should only be allowed where alternatives for retention are not feasible.
- Avoid potential adverse impacts of development and redevelopment on adjacent or nearby historic resources.
 - Ensure that development is compatible with the historic character of the affected resource.

- Design new development to a size, scale, proportion, mass and with a spatial relationship that is compatible with the historic resource.
- Design new development using materials, features, forms, details, textures and colors compatible with similar features of the historic resource.
- Limit adverse cumulative impacts on historic resources.
 - Minimize the potential adverse cumulative impact on an historic resource, which is a member of a group of related resources that may be adversely impacted by the loss or diminution of any one of the members of the group.
 - Minimize the potential cumulative impacts of a series of otherwise minor interventions on an historic resource.
 - Minimize potential cumulative impacts from development adjacent to the historic resource.
- Relocate historic structures only when the resources cannot be preserved in their original location; allow demolition of historic structures only where alternatives for retention are not feasible.

Explanation of Policy 2.2

The potential impacts to archaeological resources in the WRA are evaluated through the environmental review process. Also, where archeological resources are located, minimize potential adverse impacts by redesigning projects and reducing direct impacts on the resource where feasible, or by recovering artifacts prior to construction and thoroughly documenting the site. The following procedures should be followed to protect archeological resources:

- When an action is proposed on an archaeological site, fossil bed, or in an area identified for potential archaeological investigation, conduct a cultural resource investigation. This investigation includes a site survey to determine the presence or absence of cultural resources in the area impacted by the project.
- If cultural resources are discovered as a result of the initial survey, conduct a detailed evaluation to determine the resource's archaeological significance. If the project would impact a significant archaeological resource, minimize potential adverse impacts by:
 - redesigning the project
 - reducing direct impacts on the resource, and
 - recovering data prior to construction
- Any object of archaeological or paleontological interest located on or under lands owned by the State of New York may not be disturbed or appropriated for private use.
- With respect to activities that involve excavation, public agencies and utilities should contact the New York State Office of Parks, Recreation and Historic Preservation to determine appropriate protective measures for archaeological resources.

Explanation of Policy 2.3

There are no identified shipwrecks within Huron WRA. However, if any historic shipwrecks might be discovered the Town will protect them and prevent the unauthorized collection of artifacts from them.

Policy 3 Enhance visual quality and protect scenic resources throughout the waterfront area.

3.1 Protect, preserve, and improve visual quality throughout the waterfront area.

Explanation of Policy 3

The intent of this policy is to protect and enhance visual quality and protect recognized scenic resources of the waterfront area.

Huron does not have formally recognized scenic resources. However, a number of elements combine to create Huron's unique visual character. They include the views to and from the Chimney Bluffs, Sodus Point Lighthouse, the bays and Lake Ontario, the views to and from the streams and marshes of the Wildlife Management Areas, and the open expanses of farmland.

Explanation of Policy 3.1

The following guidelines will implement this policy:

- Site structures and limit height to preserve views.
- Prohibit the introduction of features that are discordant with the scenic elements of the Town.
- Preserve and enhance significant scenic vistas and views of water-dependent areas.
- Enforce local implementation of Section 302: Exterior Property Areas of the Property Maintenance Code of New York State⁹³, to assist in upgrading roadside views and scenic areas. Section 302 of this law is included in Appendix B.
- Restore deteriorated and remove degraded visual elements, and screen activities and views which detract from visual quality.
- Apply design guidelines to ensure that new structures are built with the proper scale, siting, forms, colors and materials, and that they are compatible with and add interest to the existing scenic elements.
- Maintain or add vegetation, except to preserve views at street ends or along right-of-ways.

⁹³ http://publiccodes.cyberregs.com/st/ny/st/b1300v10/st_ny_st_b1300v10_3_sec002.htm - 2010 Property Maintenance Code of New York State, Chapter 3, SECTION 302 EXTERIOR PROPERTY AREAS

Natural Waterfront Policies

- Policy 4** **Minimize loss of life, structures, and natural resources from flooding and erosion.**
- 4.1** **Minimize losses of human life and structures from flooding and erosion hazard.**
 - 4.2** **Preserve and restore natural protective features.**
 - 4.3** **Protect public lands and public trust lands and use of these lands when undertaking all erosion or flood control projects.**
 - 4.4** **Manage navigation infrastructure to limit adverse impacts on coastal processes.**
 - 4.5** **Ensure that expenditure of public funds for flooding and erosion control projects results in a public benefit.**

Explanation of Policy 4

This policy seeks to protect life, structures, and natural resources from flooding and erosion hazards throughout Huron's waterfront. The policy reflects state flooding and erosion regulations and describes appropriate measures for the reduction of hazards and the protection of resources.

The Flood Insurance Rate Map for the Town of Huron identifies Sodus Bay, East Bay, Port Bay, Root Swamp and Brush Marsh, as 100-year floodplain areas. In addition, as illustrated on [Map 10](#), the entire Lake Ontario shoreline is within a 100-year floodplain area, with the exception of the lake frontage along Chimney Bluffs State Park. The implementation of this policy is supported by the provisions of Town of Huron Coastal Erosion Hazard Area Law⁹⁴.

Much of the Town of Huron lakeshore is subject to erosion resulting from high lake levels, wind-generated wave action, ice and rain. Each of the bays is protected by a low sandy spit which stretches across much of the opening. These spits are subject to erosion forces and shifting sands. Bluff areas along the shoreline are also subject to erosion. Coastal Erosion Hazard Areas are indicated along the Town of Huron shoreline on mapping prepared by NYSDEC in 1988. Any building in the designated structural hazard area will require coordination with NYSDEC to determine if a coastal erosion permit is necessary.

In response to existing or perceived erosion and flood hazards, many landowners have constructed erosion protection structures. While some erosion control structures are necessary to protect development, there are many erosion control structures located along the shore that are not necessary for erosion protection or may cause erosion. Erosion protection structures often contribute to erosion both on and off the site due to poor design and siting and lack of down drift remediation. Increased erosion, aesthetic impairments, loss of public recreational resources, loss of habitats, and water quality degradation can result from erosion protection structures. The cumulative impact of these structures can be large. Before a permit is granted to allow construction of erosion protection structures, the purpose, function, impact, and alternatives to a structure need to be carefully evaluated to determine that the structures are necessary and to avoid adverse impacts.

Although some sections of the shoreline have been heavily fortified, significant stretches of the waterfront remain in a natural state. The natural shoreline has an inherent natural, social, and economic value that should be respected to ensure continuing benefits to the State and the region.

⁹⁴ <http://townofhuron.org/content/Laws/View/46> - Huron Coastal Erosion Hazard Area Law

Consequently, those portions of the shoreline that are not fortified should generally remain in a natural condition to respond to coastal processes. Hardened portions of the shoreline should be returned to their natural condition where feasible. Development and redevelopment in hazard areas needs to be managed in ways that reduce exposure to coastal hazards. Hardening of the shoreline is to be avoided except when alternative means, such as soft engineering alternatives, are not effective. Beach nourishment, vegetation, offshore bar building, or inlet sand bypassing are preferred approaches to control erosion because of fewer environmental impacts than hard structures. Hard structures may be more practical to protect principal structures or areas of extensive public investment.

Barrier landforms that protect significant public investment or natural resources should be maintained. Soft structural protection methods are to be used in harmony with natural coastal processes. Barrier beach landforms should be maintained by using clean, compatible dredged material, when feasible, for beach nourishment, offshore bar building, or marsh creation projects.

To enhance the public understanding and forbearance of natural coastal processes and their importance in protecting the ecological integrity of an area, install interpretive materials in key locations of the waterfront.

Explanation of Policy 4.1

To implement this policy, use the following management measures, which are presented in order of priority:

- Avoid development other than water-dependent uses in coastal hazard areas;
- Avoid locating public infrastructure near hazards and protective features.
- Avoid new structures or reconstructing structures damaged by 50% or more of their value in areas that are exposed to hazards unless:
 - The structure requires a use on the waterfront
 - The new development would be located in an area of substantial public investment
 - The new structure is necessary for shoreline development that concentrates water-dependent uses and would not impair natural resources
- Locate or move development and structures as far away from hazards as practical; prohibit development in natural protective feature areas (bluffs, sand and gravel barriers, on shoreline, and wetlands); maximize distance from Coastal Erosion Hazard Areas; ensure sufficient lot depth to allow relocation of structures and maintenance of setbacks over a 30-year period;
- Use vegetative non-structural measures which have a reasonable probability of managing flooding and erosion based on shoreline characteristics including exposure, geometry, and sediment composition;
- Enhance existing natural protective features and processes, and use non-structural measures which have a reasonable probability of managing erosion;
- Use hard structural erosion protection measures for control of erosion only where the above measures are not sufficient to protect the principal use, or the use is water-dependent or reinforces the role of a maritime center or a waterfront redevelopment area; and
- Mitigate the impacts of erosion control structures. Manage development in floodplains outside of coastal hazard areas so as to avoid adverse environmental effects, to minimize

the need for structural flood protection measures, and to meet Federal flood insurance program standards.

Explanation of Policy 4.2

Natural protective features include beaches, dunes, shoals, bars, spits, barrier islands, bluffs, and wetlands, including associated natural vegetation. To solve erosion issues, identify and use the following most appropriate strategies:

- Preserve, enhance and restore existing natural protective features by the use of non-structural measures that are appropriate to manage erosion problems. Natural protective features include beaches, dunes, shoals, bars, spits, barrier islands, bluffs, and wetlands; and associated natural vegetation.
- Prevent development in natural protective features, as specifically described below and in the 6 NYCRR Part 505.8 Restrictions on regulated activities within natural protective feature areas, and reflected in the Town of Huron Coastal Erosion Hazard Area Law included in Appendix B:

(a) Nearshore areas.

The following restrictions and requirements apply to regulated activities in nearshore areas:

- (1) Excavating, grading, mining or dredging which diminishes the erosion protection afforded by nearshore areas is prohibited. However, coastal erosion management permits for dredging may be issued for constructing or maintaining navigation channels, bypassing sand around natural and man-made obstructions, or artificial beach nourishment.
- (2) All development is prohibited in nearshore areas unless specifically allowed by this subdivision.
- (3) The normal maintenance of structures may be undertaken without a coastal erosion management permit.
- (4) Clean sand, or gravel of an equivalent or slightly larger grain size, is the only material which may be deposited within nearshore areas. Any deposition will require a coastal erosion management permit.
- (5) A coastal erosion management permit is required for new construction, modification or restoration of docks, piers, wharves, groins, jetties, seawalls, bulkheads, breakwaters, revetments and artificial beach nourishment. Docks, piers, wharves or structures built on floats, columns, open timber, piles or similar open-work supports having a top surface area of 200 square feet or less, or docks, piers, wharves or other structures built on floats and removed in the fall of each year, are expected from this permit requirement.

(b) Beaches.

The following restrictions and requirements apply to regulated activities on beaches:

- (1) Excavating, grading or mining which diminishes the erosion protection afforded by beaches is prohibited.
- (2) All development is prohibited on beaches unless specifically allowed by this subdivision.

- (3) The normal maintenance of structures may be undertaken without a coastal erosion management permit.
- (4) The restoration of existing structures that are damaged or destroyed by events not related to coastal flooding and erosion may be undertaken without a coastal erosion management permit.
- (5) Nonmajor additions to existing structures may be allowed on beaches pursuant to a coastal erosion management permit.
- (6) The following restrictions apply to the use of motor vehicles on beaches:
 - (i) motor vehicles must operate seaward of the upper debris lines at all times. On those beaches where no debris line exists, motor vehicles must operate seaward of the toe of the primary dune; and
 - (ii) motor vehicles must not travel on vegetation.
- (7) A coastal erosion management permit for deposition of material on beaches will be issued only for expansion or stabilization of beaches; clean sand, or gravel of an equivalent or slightly larger grain size, must be used.
- (8) Beach grooming or clean-up operations do not require a coastal erosion management permit.
- (9) A coastal erosion management permit is required for new construction, modification or restoration of docks, piers, wharves, boardwalks, groins, jetties, seawalls, bulkheads, breakwaters, revetments, and artificial beach nourishment. Docks, piers, wharves or structures built on floats, columns, open timber, piles or similar open-work supports having a top surface area of 200 square feet or less, or docks, piers, wharves or other structures built on floats and removed in the fall of each year, are excepted from this permit requirement.
- (10) Active bird nesting and breeding areas must not be disturbed unless such disturbance is pursuant to a specific wildlife management activity approved in writing by DEC.

(c) Bluffs.

The following restrictions and requirements apply to regulate activities on bluffs. Bluff means any bank or cliff with a precipitous or steeply sloped face adjoining a beach or a body of water. The seaward limit of a bluff is the landward limit of its seaward natural protective feature. Where no beach is present the seaward limit of a bluff is mean low water. The landward limit is 25 feet landward of the bluff's receding edge, or in those cases where there is no discernible line of active erosion to identify the receding edge, 25 feet landward of the point of inflection on the top of the bluff. The point of inflection is that point along the top of the bluff where the trend of the land slope changes to begin its descent to the shoreline⁹⁵.

- (1) Excavating, grading or mining of bluffs is prohibited, except where:

⁹⁵[https://govt.westlaw.com/nycrr/Document/I4ebddafbcd1711dda432a117e6e0f345?viewType=FullText&originalionContext=documenttoc&transitionType=CategoryPageItem&contextData=\(sc.Default\)](https://govt.westlaw.com/nycrr/Document/I4ebddafbcd1711dda432a117e6e0f345?viewType=FullText&originalionContext=documenttoc&transitionType=CategoryPageItem&contextData=(sc.Default)) - 6 CRR-NY 505.2, Coastal Erosion Management

- (i) the minor alteration of a bluff is done in accordance with conditions stated in a coastal erosion management permit issued for the construction of an erosion protection structure; or
 - (ii) a bluff cut is made in a direction perpendicular to the shoreline to provide shoreline access. The ramp slope of bluff cuts must not be steeper than 1:6 and the side slopes must not be steeper than 1:3, if not terraced or otherwise structurally stabilized. Side slopes and other disturbed nonroadway areas must be stabilized with vegetation or other approved physical means, and completed roadways must be stabilized and drainage provided for, all in accordance with terms and conditions of a coastal erosion management permit.
- (2) Vehicular traffic is prohibited on bluffs.
 - (3) All development is prohibited on bluffs unless specifically allowed by this subdivision.
 - (4) The normal maintenance of structures may be undertaken without a coastal erosion management permit.
 - (5) The restoration of existing structures that are damaged or destroyed by events not related to coastal flooding and erosion may be undertaken without a coastal erosion management permit.
 - (6) Nonmajor additions to existing structures may be allowed on bluffs pursuant to a coastal erosion management permit.
 - (7) A coastal erosion management permit is required for new construction, modification or restoration of erosion protection structures, walkways or stairways. Elevated walkways or stairways constructed solely for pedestrian use and built by or for an individual property owner for the limited purpose of providing noncommercial access to the beach are excepted from this permit requirement.
 - (8) Active bird nesting and breeding areas must not be disturbed unless such disturbance is pursuant to a specific wildlife management activity approved in writing by the department.
 - (9) Any grading, excavating, or other soil disturbance conducted on a bluff must not direct surface water runoff over a bluff face.
- (d) Primary dunes.

The following restrictions and requirements apply to regulated activities on primary dunes. Primary dune means the most seaward major dune where there are two or more parallel dune lines within a coastal area. Where there is only one dune present, it is the primary dune. Occasionally one or more relatively small dune forms exist seaward of the primary dune. For the purposes of this Part, such forms will be considered to be part of the primary dune. The seaward limit of a primary dune is the landward limit of its fronting beach. The landward limit of a primary dune is 25 feet landward of its landward toe⁹⁶.

⁹⁶[https://govt.westlaw.com/nycrr/Document/I4ebddafbcd1711dda432a117e6e0f345?viewType=FullText&originat ionContext=documenttoc&transitionType=CategoryPageItem&contextData=\(sc.Default\)- 6 CRR-NY 505.2, Coastal Erosion Management](https://govt.westlaw.com/nycrr/Document/I4ebddafbcd1711dda432a117e6e0f345?viewType=FullText&originat ionContext=documenttoc&transitionType=CategoryPageItem&contextData=(sc.Default)- 6 CRR-NY 505.2, Coastal Erosion Management)

- (1) Excavating, grading or mining of primary dunes is prohibited.
- (2) Vehicular traffic is prohibited on primary dunes, except in those areas designated by the department for dune crossing.
- (3) Nonmajor additions to existing structures are allowed on primary dunes pursuant to a coastal erosion management permit and subject to permit conditions concerning the location, design and potential impacts of the structure on the primary dune.
- (4) Foot traffic which causes sufficient damage to primary dunes to diminish the erosion protection afforded by them is prohibited. Pedestrian passage across primary dunes must utilize elevated walkways and stairways, or other specially designed dune-crossing structures approved by the department.
- (5) All development is prohibited on primary dunes unless specifically allowed by this subdivision.
- (6) The normal maintenance of structures may be undertaken without a coastal erosion management permit.
- (7) The restoration of existing structures that are damaged or destroyed by events not related to coastal flooding and erosion may be undertaken without a coastal erosion management permit.
- (8) A coastal erosion management permit is required for new construction, modification or restoration of stone revetments or other erosion-protection structures compatible with primary dunes. Such erosion-protection structures will only be allowed at the seaward toe of primary dunes and must not interfere with the exchange of sand between primary dunes and their fronting beaches.
- (9) A coastal erosion management permit is required for new construction, modification or restoration of elevated walkways or stairways. Elevated walkways or stairways constructed solely for pedestrian use and built by or for an individual property owner for the limited purpose of providing noncommercial access to the beach are excepted from this permit requirement.
- (10) Clean sand obtained from excavation, dredging or beach grading may be deposited on a primary dune, or on an area formerly a primary dune, to increase its size or restore it. Such deposition must be vegetatively stabilized using native species tolerant to water spray and sand burial, e.g., American beach grass. Such deposition requires a coastal erosion management permit.
- (11) Vegetative planting and sand fencing, to stabilize or entrap sand in order to maintain or increase the height and width of dunes, does not require a coastal erosion management permit. Vegetative plantings must be of native species tolerant to salt spray and sand burial, e.g., American beach grass.
- (12) Active bird nesting and breeding areas must not be disturbed unless such disturbance is pursuant to a specific wildlife management activity approved in writing by DEC.

(e) Secondary dunes.

The following restrictions and requirements apply to regulated activities in areas identified on coastal erosion hazard area maps as secondary dunes:

- (1) Secondary dunes must not be excavated, graded or mined such that the erosion protection afforded by them is diminished.
 - (2) Clean sand obtained from excavation, dredging, or beach grading may be deposited on a secondary dune, or an area formerly a secondary dune, to increase its size or restore it. Such deposition must be vegetatively stabilized using native species tolerant to salt spray and sand burial, e.g., American beach grass. Such deposition requires a coastal erosion management permit.
 - (3) The normal maintenance of structures may be undertaken without a coastal erosion management permit.
 - (4) The construction, modification, or restoration of a structure, or major addition to an existing structure, requires a coastal erosion management permit. Permit requirements include:
 - (i) a new structure, or the restoration of or major addition to an existing structure, must be built on adequately anchored pilings such that at least three feet of open space exists between the lowest, horizontal structural members, e.g., floor joists, and the surface of the secondary dune; and
 - (ii) the space below the lowest horizontal structural members must be left open and free of obstructions.
 - (5) Exceptions.
 - (i) The provision contained in paragraph (4) of this subdivision that requires obtaining a coastal erosion management permit for the construction, modification, or restoration of a structure or major addition to an existing structure, does not apply to elevated walkways or stairways constructed solely for pedestrian use and built by or for an individual property owner for the limited purpose of providing noncommercial access to the beach.
 - (ii) The restoration of existing structures that are damaged or destroyed by events not related to coastal flooding and erosion may be undertaken without a coastal erosion management permit.
 - (6) Nonmajor additions to existing structures are allowed on secondary dunes pursuant to a coastal erosion management permit.
 - (7) Vegetative planting and sand fencing, to stabilize or entrap sand to maintain or increase the height and width of dunes, does not require a coastal erosion management permit. Vegetative plantings must be of native species tolerant to salt spray and sand burial, such as American beach grass.
- Maximize the protective capabilities of natural protective features by:
 - avoiding alteration or interference with shorelines in a natural condition
 - enhancing existing natural protective features
 - restoring impaired natural protective features
 - using practical vegetative approaches to stabilize natural shoreline features
 - managing activities to minimize interference with, limit damage to, or reverse damage which has diminished the protective capacities of the natural shoreline

- providing relevant signage or other educational or interpretive material to increase public awareness of the importance of natural protective features
- Minimize interference with natural coastal processes by:
 - providing for natural supply and movement of unconsolidated materials and for water and wind transport
 - avoiding intrusion of structures into coastal waters and interference with coastal processes.
 - mitigating any unavoidable intrusion or interference. Limited interference with coastal processes may be allowed where the principal purpose of the structure is necessary to:
 - simulate natural processes where existing structures have altered the coast, or
 - provide necessary public benefits for flooding and erosion protection, or
 - provide for the efficient operation of water-dependent uses

Explanation of Policy 4.3

Apply the following strategies to protect and improve access to the Huron WRA's public waterfront:

- Retain ownership of public trust lands which have become upland areas due to fill or accretion resulting from erosion control projects.
- Avoid losses or likely losses of public trust lands or use of these lands, including public access along the shore, which can be reasonably attributed to or anticipated to result from erosion protection structures.
- Mitigate unavoidable impacts on adjacent property, natural coastal processes and natural resources, and on public trust lands and their use.

Explanation of Policy 4.4

- Manage navigation infrastructure to limit adverse impacts on coastal processes:
 - Use dredging setbacks from established channel edges
 - Locate channels away from erodible features
 - Prevent adverse alteration of basin hydrology
 - Include by-passing methods to maintain navigability and reduce frequency of dredging.
- Use clean dredged material as beach nourishment whenever the grain size of the dredged material is the same size or slightly larger than the grain size of the potential recipient beach.
- Manage stabilized inlets to limit adverse impacts on coastal processes.
 - Include sand bypassing at all engineered or stabilized inlets which interrupt littoral processes.
 - Manage deltas to simulate natural processes.
 - Avoid extending jetties when it will increase disruption of coastal processes.

Explanation of Policy 4.5

Give priority in expenditure of public funds to actions which: protect public health and safety; mitigate flooding and erosion problems caused by previous human intervention; protect areas of intensive development; and protect substantial public investment in land, infrastructure, and facilities.

Limit expenditure of public funds to those circumstances where public benefits exceed public cost. Prohibit expenditure of public funds for the exclusive purpose of protecting private development, except where actions are undertaken by an erosion protection district.

Policy 5 **Protect and improve water quality and supply in the waterfront area.**

- 5.1** **Prohibit direct or indirect discharges which would cause or contribute to contravention of water quality standards.**
- 5.2** **Manage land use activities and use best management practices to minimize nonpoint pollution of waterfront areas.**
- 5.3** **Protect and enhance the quality of waterfront waters.**
- 5.4** **Limit the potential for adverse impacts of watershed development on water quality and quantity.**
- 5.5** **Protect and restore the quality and quantity of potable water.**

Explanation of Policy 5

The presence of pollutants in a waterbody impacts the water's ability to deliver ecological, recreational, educational, and economic services. The purpose of this policy is to protect the quality and quantity of water in the waterfront area of the Town of Huron.

Huron's waterfront is particularly affected by nonpoint source pollution in the form of nutrients, sediment, and bacterial contamination from agricultural fields, fertilized lawns, roadside ditches, septic systems, construction sites and eroded stream banks and other sources. Maintaining the water quality of Sodus Bay, East Bay, and Port Bay, as well as Lake Ontario and groundwater supplies, are of great concern to local residents, visitors and property owners because their health and wealth depends on the quality of water they use for drinking and for recreational activities. Consideration must be given to providing and maintaining an adequate supply of safe drinking, recreational, and natural habitat resources in the region.

Existing laws and programs that help to minimize nonpoint source pollution include:

- Huron Septic Law⁹⁷, which requires periodic inspections of individual septic systems to ensure that they are designed and installed according to specified standards;
- educational and technical assistance coordinated by the Wayne County Soil & Water Conservation District, which addresses agricultural runoff as well as stormwater management from residences and other developed areas; and
- mechanical harvesting of aquatic weeds that removes large quantities of nutrients that are stored in the plant biomass.

The issue of water quality in Sodus Bay, East Bay and Port Bay continues to be a matter of great concern. Reports of outbreaks of toxic blue-green algae⁹⁸ in Sodus Bay are becoming a recurring problem. The

⁹⁷ <http://townofhuron.org/content/Laws/View/66> - Huron Septic Law

⁹⁸ <http://www.health.ny.gov/environmental/water/drinking/bluegreenalgae.pdf>

algae make unsafe any contact with the water, and minimize the range of recreational activities in the bay.

Water quality protection and improvement is very important for the cultural and economic future of the town, and involves a combination of managing new and remediating existing sources of pollution. In some areas with existing water quality impairments, more aggressive remediation measures will be needed. The Town of Huron continues to work with surrounding municipalities, Wayne County, State and Federal agencies and not-for-profit entities to maintain and improve water quality.

Explanation of Policy 5.1

Point source pollution is discharged through a pipe or some other discrete source from municipal water-treatment plants, factories, confined animal feedlots, or combined sewers. There are currently no point source discharges into waterbodies within the Huron WRA.

All of the developed properties within the waterfront area of the Town of Huron utilize private on-site septic systems for their sewage disposal. Potential future wastewater collection within the Huron WRA will transport sanitary waste to existing treatment facilities outside the Town that have available treatment capacity.

Explanation of Policy 5.2

Polluted runoff from the land is called nonpoint source pollution. Best management practices (BMPs) are individual practices that are designed and used to prevent or reduce pollution generated at and/or delivered from a source to a waterbody. The best management practices are subjective and the appropriateness of certain practices varies with site characteristics, design standards, operational conditions, and maintenance programs.

- Encourage best management practices (BMPs) to control the delivery of nonpoint source pollutants to water bodies in the following three ways:
 - source reduction by minimizing pollutants available in the first place, which could be achieved by :
 - reducing the use of substances/materials that have the potential to increase the number of pollutants, such as road de-icing substances, plant nutrients/fertilizers, insecticides, and herbicides;
 - monitoring outdoor or uncontained storage of possible pollutants, such as industrial waste, agricultural waste, flammable substances etc.;
 - controlling erosion to reduce sediments in runoff, by maintaining and restoring the vegetation along the shore and balancing scenic views with erosion control measures such as planting groups of more than four trees along the shore;
 - monitoring private on-site septic systems and avoiding septic system failure;
 - minimizing agricultural runoff;
 - fencing the areas where livestock could be;
 - controlling development and build-up areas;
 - planning and managing construction sites where activities cause erosion and sedimentation;
 - preventing changes to stream flows, groundwater recharge, and runoff patterns after development;
 - conserving stream corridors and wetlands;
 - prohibiting discharges of litter or refuse into the water;

- implementing pollution prevention and education programs.
- slow down and decrease the transport of pollutants by reducing the quantity and speed of water transported and by retaining pollutants, which could be achieved by:
 - using vegetative buffers to retain and filter the sediments and nutrients from stormwater runoff from agricultural lands
 - using vegetative buffers to retain and filter stormwater runoff from roads
 - decreasing build-up surface, such as parking areas and horizontal development
- remediate or intercept the pollutants before or after they are delivered to the water resource by:
 - creating a volunteer program to remove floatables and litter from surface waters
 - using mechanical, chemical or biological methods of removal
 - repairing any failed on-site septic systems
- Implement the measures recommended in the Embayment Enhancement Plans prepared for Sodus Bay⁹⁹, East Bay and Port Bay:
 - To reduce stormwater runoff from roofs and paved areas, install rain barrels, vegetated buffer strips and conduct periodic cleaning of streets and parking areas.
 - To reduce nutrient runoff from lawns, conduct soil tests to determine the optimum composition of fertilizer and utilize fertilizers with no or low phosphorus.
 - To reduce fecal coliform transport during rain events, which can result in health hazards, encourage homeowner cleanup of pet waste.
 - To reduce the amount of nutrients carried in eroded sediments, install low growing shrubs and grasses to intercept pollutants and stabilize shoreline.
 - Continue to monitor septic systems and identify and repair malfunctioning systems.

Explanation of Policy 5.3

The scenic views and protected waters of the bays make them prime areas for development. The adverse effects of shoreline alteration caused by shorefront homes and docking, the chemicals and sewage from boats and the polluted runoff from failed on-site sewer systems and agricultural inland areas degrade the water quality of the bays, especially those with poor tidal flushing. Loss of habitat and degradation of water quality all point to the need to wisely manage and guide the development around the bays and the uses of the inland.

- Monitor and protect water quality based on an evaluation of physical factors (pH, dissolved oxygen, dissolved solids, nutrients, odor, color and turbidity), health factors (pathogens, chemical contaminants, and toxicity), and aesthetic factors (oils, floatables, refuse, and suspended solids).
- Minimize disturbance of streams including their bed and banks in order to prevent erosion of soil, increased turbidity, and irregular variation in velocity, temperature, and level of water.

⁹⁹ http://www.waynecountynysoilandwater.org/wp-content/uploads/Great_Sodus_-_Embayment_Resource_report.pdf

- Limit potential adverse impacts on water quality due to excavation or placement of fill using avoidance and minimization methods including reduction in scope of work and use of clean fill.
- In order to remove plant biomass and the nitrogen and phosphorus stored in it, continue to remove aquatic weeds through mechanical harvesting.

Explanation of Policy 5.4

A watershed is a geographic area in which all water running off the land drains to a waterbody. Nonpoint source problems can originate anywhere in a watershed. Protecting water quality using a watershed perspective involves identifying and monitoring a number of smaller sources of pollution that cumulatively have a measurable, negative impact on receiving waters. To minimize the cumulative effect of pollution, water quality is best protected by managing land use practices in the watershed. As watershed boundaries do not typically follow municipal boundaries, municipalities and local organizations within a watershed must often come together from across municipal boundaries to design creative management solutions.

Existing programs and regulations that address development impacts include:

- Town of Huron Zoning Law¹⁰⁰, which includes provisions for site plan review of multi-family and non-residential development proposals.
- State Environmental Quality Review Act (SEQRA)¹⁰¹, which requires consideration of potential environmental impacts prior to funding or approving a development project that requires municipal board approval.
- NYS Stormwater Management¹⁰² provisions that require a general permit and adherence to standards for any construction project that would disturb more than one acre of land.

Measures to support water quality:

- Utilize site plan review and stormwater management regulations¹⁰³ to ensure that the design of new development or redevelopment in the watershed incorporates:
 - protection of areas that provide important water quality benefits,
 - maintenance of natural characteristics of drainage systems, and
 - protection of areas that are particularly susceptible to erosion and sediment loss.
- Apply the following guidelines in the review of development projects and in the construction of public facilities:
 - Maintain 25' vegetative buffer adjacent to creeks and DEC-designated wetlands and a setback of 100' for impervious surfaces. Maintain natural vegetated strip along the Bay's shore.
 - Design, locate and construct impervious surfaces to minimize the amount and velocity of runoff entering wetlands, streams or Bay. Incorporate a high ratio of vegetated areas, grass lined swales and retention basins in the design of new development.

¹⁰⁰ <http://townofhuron.org/content/Laws/View/41> - Huron Zoning Law

¹⁰¹ <http://www.dec.ny.gov/permits/357.html> - DEC Introduction to State Environmental Quality Review Act (SEQRA)

¹⁰² <http://www.dec.ny.gov/chemical/43150.html> - DEC Stormwater Permits -

¹⁰³ <http://townofhuron.org/content/Laws/View/53:field=documents;/content/Documents/File/49.pdf> - Land Development Regulations and Public Works Requirements

- In new development designs, preserve natural features, minimize grading, conform to natural topography, and retain vegetation.
- Protect and incorporate natural drainage patterns.
- Avoid stripping vegetative cover more than 30 days prior to commencement of construction. Utilize best practices for sedimentation controls.
- Stabilize and vegetate disturbed soils. During construction, minimize and mitigate erosion with measures such as temporary vegetation, retention ponds, recharge basins, berms, silt traps, and mulching.
- Never divert stormwater to another property during construction or after development.
- For waterfront sites, contain stormwater on-site to prevent direct discharge of runoff into coastal waters.
- Minimize use of chemical cleaning agents to service machinery, equipment or boats; Dispose of chemicals in an environmentally safe manner.
- Design boat ramps, street ends, and parking areas to prevent direct runoff into waterbodies.
- Minimize the use of road salt and alternative chemicals on local streets/roads, provided safe road conditions can be maintained on such streets/roads.
- Establish educational programs:
 - For employees of waterside businesses in the use of cleaning practices which avoid soil or water contamination.
 - For residents on the potential for pollution from fertilizer and pesticide applications to lawns and gardens.

Explanation of Policy 5.5

Public water service is provided in a portion of the Huron Waterfront Revitalization Area by the Wayne County Water and Sewer Authority (WCWSA), which is also responsible for operating maintaining the water supply and distribution infrastructure. The sources for public water supply are located outside the Huron WRA, although Lake Ontario is used as a source by some of the suppliers.

Properties outside of existing water districts utilize groundwater from individual wells. Groundwater is vulnerable to pollution resulted from human use, storage, handling, and disposal of contaminants including unlined landfills, underground fuel storage tanks, and septic systems, because surface contamination can infiltrate directly into it. Proper management of human activities can prevent groundwater contamination.

Wetlands provide critical habitat for many kinds of plants and animals, contribute to the aesthetic beauty of the landscape, and provide many recreational and educational opportunities. Some wetlands act as seasonal groundwater recharge areas, which stabilize stream flow rates and the drinking water supplies of a community reliant on groundwater. They also control eroded sediment by slowing down the flow of water and allowing the sediment particles, which often have other pollutants attached to them, to settle out of the water. The dense vegetation in wetlands filter out excess nutrients dissolved in the water.

- Protect surface and groundwater against contamination from pathogens and excessive nutrient loading by:
 - keeping septic effluent separated from groundwater;
 - providing adequate treatment of septic effluent;

- continuing to inspect individual wastewater disposal systems in the waterfront area on a regular basis. Poorly functioning septic systems can result in nutrient loading and contamination of potable groundwater surface waters. Factors to include in assessing septic system performance include water table elevation, soil porosity, and system design. Septic system capacity can be controlled by reducing unnecessary organic loads (e.g., by avoiding use of garbage disposals).
 - supporting programs to remediate existing substandard individual wastewater disposal systems;
 - encouraging evaluation and implementation of alternative or innovative on-site sanitary waste systems to remediate on-site systems that currently do not adequately treat or separate effluent;
 - minimize disturbance of streams, including their beds and banks, in order to prevent erosion of soil, increased turbidity, and irregular variation in velocity, temperature, and level of water; and
 - minimize disturbance of wetlands regulated by DEC or the US Army Corps of Engineers.
- Limit land uses that are likely to reduce surface and groundwater quality classifications as potable water supplies. Limit cumulative impacts of development on groundwater recharge areas to ensure replenishment of potable groundwater supplies. Prevent depletion of existing potable water supplies through conservation or restrictions on water supply use and withdrawals and by allowing for recharge of potable aquifers.

Policy 6 Protect and restore the quality and function of the ecosystems in the waterfront area.

6.1 Protect and restore ecological quality throughout the waterfront area.

6.2 Protect and restore Significant Coastal Fish and Wildlife Habitats

6.3 Protect and restore freshwater wetlands in the waterfront area.

6.4 Protect vulnerable fish, wildlife, and plant species, and rare ecological communities.

6.5 Protect natural resources and associated values in identified regionally important natural areas in the waterfront area.

Explanation of Policy 6

A waterfront ecosystem consists of physical components, biological components, and their interaction. Its physical components include environmental factors such as water, soils, geology, energy and contaminants. The biological components include the plants, animals and other living things on and adjacent to the shore. Certain natural resources that are important for their contribution to the quality and biological diversity of the ecosystem have been specifically identified by the State for protection. These natural resources include regulated freshwater wetlands; designated Significant Coastal Fish and Wildlife Habitats; and rare, threatened, and endangered species.

In addition to specifically identified discrete natural resources, the quality of the ecosystem also depends on more common, broadly distributed natural resources, such as the extent of forest cover, the population of overwintering song birds, or the benthic communities. These more common natural resources collectively affect the quality and biological diversity of the ecosystem.

Explanation of Policy 6.1

Establish a process to coordinate open space planning and long-term protection of significant ecological areas.

Reduce adverse impacts of existing development when practical. Identify areas that are unsuitable for development and/or highly sensitive to development impacts, and/or provide scenic views of the water or have high value and accessibility for public use.

Identify significant and valued natural areas for preservation and potential development for public access; consider the conservation value, educational potential of each identified site, development costs, and possible acquisition strategies of those not yet in public ownership.

Explanation of Policy 6.2

Sodus Bay, East Bay, Port Bay and the Lake Shore Marshes are the designated Significant Coastal Fish and Wildlife Habitats (SCFWH) within Huron's waterfront revitalization area. The location and description of each habitat is included in Appendix D. These areas are designated and mapped by the NYS Department of State following recommendations by the NYS Department of Environmental Conservation¹⁰⁴. Lake Shore Marshes encompasses some of the largest undeveloped coastal wetlands in the Great Lakes Plain ecological region of New York. The natural habitats in these areas are critical to the maintenance or re- establishment of species of fish and wildlife in the coastal area and must be protected for the habitat values they provide and to avoid permanent adverse changes to the coastal ecosystem.

- Protect Huron's designated significant coastal fish and wildlife habitats from uses or activities which would destroy habitat values or significantly impair the viability of the designated habitat beyond its tolerance range which is the ecological range of conditions that supports the species population or has the potential to support a restored population where practical.
- Avoid activities that would adversely affect fish and wildlife species, including:
 - Any activity that would degrade water quality, such as increases in temperature or turbidity, alteration of water depths or increase or decrease of inflows;
 - Discharges of untreated storm water runoff containing sediments or chemical pollutants (fertilizers, herbicides, insecticides);
 - Habitat disturbances, especially during fish spawning and nursery periods (March-July for most warm water species; September-November for most salmonid and waterfowl breeding seasons (April-July for most species);
 - Elimination of wetland habitats (including submerged aquatic beds) from dredging or filling;
 - Construction and maintenance of shoreline structures, such as docks, piers and bulkheads;
 - Removing vegetation bordering the Bays, which serve as cover for wildlife, perch and nesting sites, and buffer zones;
 - Barriers to fish migration between the Bays, Lake Ontario and tributary streams; and
 - Substantial physical alteration of outlet or barrier beaches.

¹⁰⁴ <http://www.dos.ny.gov/communitieswaterfronts/consistency/scfwhabitats.html>

- Wherever practical, enhance or restore designated habitats so as to foster their continued existence as natural systems:
 - reconstruct lost physical conditions to maximize habitat values;
 - adjust adversely altered chemical characteristics to emulate natural conditions; and
 - manipulate biological characteristics to emulate natural conditions through re-introduction of indigenous flora and fauna.

Explanation of policy 6.3

The following guidelines will implement this policy:

- Prevent net loss of wetlands by avoiding fill or excavation of wetlands.
- Minimize adverse impacts resulting from unavoidable fill, excavation or other activities.
- Mitigate for unavoidable adverse impacts.
- Provide and maintain adequate vegetative buffers between wetlands and adjacent or nearby uses and activities to protect wetland values. Restore freshwater wetlands wherever practical to foster their continued existence as natural systems.

Explanation of Policy 6.4

Sensitive species are those species at risk due to loss or degradation of their habitat. Rare ecological communities could be high-quality wetlands, forests, grasslands, ponds, streams, and other types of habitats. To protect vulnerable species and ecological communities, use the following management measures:

- Avoid significant adverse changes to the quality of waterfront ecosystem(s) as indicated by physical loss, degradation, or functional loss of ecological components.
- Maintain values associated with natural ecological communities.
- Retain and add indigenous plants.
- Avoid fragmentation of natural ecological communities and maintain corridors between ecological communities.
- Maintain structural and functional relationships between natural ecological communities to provide for self-sustaining systems.
- Avoid permanent adverse change to ecological processes.
- Limit the impact of new development on ecological quality.
 - Use the State Environmental Quality Review Act process to avoid or mitigate impacts of new development and reduce or eliminate adverse impacts associated with existing development.
 - Ensure that all Town regulations relating to land development remain up to date and contain the language necessary to protect ecological resources from negative development impacts.

Explanation of Policy 6.5

Protect natural resources within the Chimney Bluffs State Park and the Lake Shore Marshes Wildlife Management Areas.

Policy 7 **Protect and improve air quality in the waterfront area.**

7.1 **Control or abate existing and prevent new air pollution.**

7.2 **Limit discharges of atmospheric radioactive materials to a level that is as low as practicable.**

7.3 **Limit sources of atmospheric deposition of pollutants to the waterfront, particularly from nitrogen sources.**

Explanation of Policy 7

This policy provides for protection of the Town of Huron waterfront area from air pollution generated within or from outside the waterfront area that adversely affects air quality.

Explanation of policy 7.1

Limit pollution resulting from new or existing stationary air contamination sources consistent with applicable standards, plans, and requirements, and

- Request that sources from outside the Town also limit pollution that affects the Town.
- Encourage official fleets and private vehicles to achieve maximum efficiency and put out minimal emissions.
- Recycle or salvage air contaminants using best available air cleaning technologies.
- Limit pollution resulting from vehicular or vessel movement or operation.
- Restrict potentially injurious emissions.
- Limit discharges of atmospheric radioactive material to a level that is as low as practicable.
- Capture and recycle chlorofluorocarbon compounds during service and repair of air-conditioning and refrigeration units to the greatest extent possible.

Explanation of Policy 7.3

This policy is intended to foster activities that have a minimal impact on air quality. Both human and natural processes can lead to air pollution. Human, or anthropogenic, sources of air pollution include the combustion of fossil fuels for power generation and transportation and the release of chemical byproducts from industrial and agricultural processes. Airborne pollution that falls to the ground in precipitation, in dust, or simply due to gravity is called “atmospheric deposition” or “air deposition.”

Atmospheric deposition can be deposited directly onto the surface of the water or be carried to water bodies through run off. Atmospheric deposition of nitrogen may be a contributor to the eutrophication of the bays within Huron. Addressing water quality impacts from atmospheric deposition of toxics and nitrogen is an increasingly important challenge.

- Policy 8** **Minimize environmental degradation in the waterfront area from solid waste and hazardous substances and wastes.**
- 8.1** **Manage solid wastes to protect public health and control pollution.**
 - 8.2** **Manage hazardous wastes to protect public health and control pollution**
 - 8.3** **Protect the environment from degradation due to toxic pollutants and substances hazardous to the environment and public health.**
 - 8.4** **Prevent and remediate discharge of petroleum products.**
 - 8.5** **Transport solid waste and hazardous substances and waste in a manner which protects the safety, well-being, and general welfare of the public; the environmental resources of the state; and the continued use of transportation facilities.**
 - 8.6** **Site solid and hazardous waste facilities to avoid potential degradation of waterfront resources.**

Explanation of Policy 8

The intent of this policy is to protect people’s health from sources of contamination and their negative cumulative effects, and to protect natural waterfront resources from degradation, through proper control and management of solid waste¹⁰⁵ and hazardous substances and wastes¹⁰⁶.

As noted in Section II of this LWRP, there are no active landfills in the Town of Huron waterfront area. Solid waste disposal is collected by private companies under contract with individual landowners. Wayne County requires the source separation of recyclable materials.

The Town of Huron Littering Ordinance prohibits the use of land for dumping of rubbish or garbage brought thereto from lands of other persons, as well as the deposit of any garbage in waters, streams or ponds in the Town¹⁰⁷. There are no local laws that address pesticide use or the disposal of household hazardous waste. The Town works with agencies such as the Wayne County Soil & Water Conservation District to provide education to homeowners about proper use and disposal of chemicals.

Explanation of Policy 8.1

- Ensure that solid waste disposal is adequately addressed prior to granting local approval for major development or activities that will generate solid wastes.
- Promote methods of effectively managing solid wastes in accordance with the following State solid waste management priorities for reducing, reusing and disposing of such waste:
 - Reduce the amount of solid waste generated.
 - Reuse material for the purpose for which it was originally intended or recycle material that cannot be reused.
 - Use land burial or other approved methods to dispose of solid waste that is not being reused or recycled.

¹⁰⁵ <http://www.dos.ny.gov/info/nycrr.html> - Title 6, Chapter IV, Part 360, s360-1.2 Definitions

¹⁰⁶ <http://www.epa.gov/osw/hazard/dsw/index.htm> - Solid Waste definition for RCRA Subtitle C Hazardous Waste

¹⁰⁷ <http://townofhuron.org/content/Laws/View/54:field=documents;/content/Documents/File/123.pdf>

- Prevent the discharge of solid wastes into the environment by using proper handling, management, and transportation practices.
- Support resource recovery markets by utilizing materials and products manufactured with recovered materials and recovering materials for use in manufacturing materials and products.
- Operate solid waste management facilities to prevent or reduce water pollution, air pollution, noise pollution, obnoxious odors, litter, pest infestation, and other conditions harmful to the public health.

Explanation of Policy 8.2

Manage hazardous waste in accordance with the following guidelines:

- Eliminate or reduce generation of hazardous wastes to the maximum extent practical.
- Recover, reuse, or recycle remaining hazardous wastes to the maximum extent practical.
- Use detoxification, treatment, or destruction technologies to dispose of hazardous wastes, which cannot be reduced, recovered, reused, or recycled.
- Phase out land disposal of industrial wastes.

Ensure the maximum safety of the public from hazards associated with hazardous wastes through the proper management and handling of industrial waste treatment, storage, and disposal.

Explanation of Policy 8.3

- Prevent release of toxic pollutants or substances hazardous to the environment that would have a harmful effect on fish and wildlife resources, taking appropriate action to correct all unauthorized releases of substances hazardous to the environment.
- Protect public health, public and private property, and fish and wildlife from unnecessary and inappropriate use of pesticides.
- A pesticide is any substance or mixture of substances intended for preventing, destroying, repelling, or mitigating any pest. The term pesticide applies to insecticides, herbicides, fungicides, and various other substances used to control pests, such as insects, mice and other animals, unwanted plants (weeds), fungi, micro-organisms such as bacteria and viruses, and prions. Under United States law, a pesticide is also any substance or mixture of substances intended for use as a plant regulator, defoliant, or desiccant. The safety of a pesticide depends on how the product is used. When not managed with care pesticide use could result in water pollution, habitat destruction, reduction in nitrogen fixation, and pollinators decline. Take appropriate actions to correct all unregulated releases of substances hazardous to the environment.

Explanation of Policy 8.4

- Minimize adverse impacts from potential oil spills by appropriate siting of petroleum off-loading facilities.
- Demonstrate that an adequate plan for prevention and control of petroleum discharges is in place at any major petroleum-related facility.
- Prevent discharges of petroleum products by following methods approved for handling and storage of petroleum products and using approved design and maintenance principles for storage facilities.

- Clean up and remove any petroleum discharge¹⁰⁸.
- Give first priority to minimizing environmental damage:
 - Respond quickly to contain petroleum spills.
 - Contain discharges immediately after discovery.
- Recover and recycle petroleum discharges using the best available practices.

Explanation of Policy 8.5

Transfer and transport solid waste in a manner which protects the safety, well-being, and general welfare of the public and the environmental resources of the state, and does not hinder the continued use of all transportation corridors and highways and transportation facilities.

Explanation of Policy 8.6

The Huron WRA is intended to be attractive for residential neighborhoods, tourism, natural resource protection and agriculture. It also includes a concentration of population that is not present in the inland area of the Town. For these reasons, the siting of hazardous waste facilities within the WRA shall be avoided.

- Find alternatives to siting hazardous waste facilities within the Huron WRA.
- Limit solid waste facilities to temporary storage and transfer facilities that are designed to avoid any contamination of water, air and land resources within the Huron WRA.

Public Coastal Policies

Policy 9 Provide for public access to, and recreational use of, waterfront waters and public lands and public resources of the waterfront area

- 9.1 Promote appropriate and adequate physical public access and recreation opportunities throughout the waterfront area.
- 9.2 Provide public visual access from public lands to waterfront lands and waters or open space at all sites where physically practical.
- 9.3 Preserve public interest in and use of lands and waters held in public trust by the state and other local and regional government levels.
- 9.4 Assure public access to public trust lands and navigable waters.

Explanation of Policy 9

Improving public access and recreational use of public resources in the waterfront area is of high importance to the residents of and visitors to Huron. This policy supports increasing and improving

¹⁰⁸ <http://www.dec.ny.gov/regulations/2634.html> - The New York State Water Quality Accident Contingency Plan and Handbook and the New York State Water Quality Accident Contingency Plan and Handbook include guidelines and procedures for clean-up and removal activities.

public access to the waterfront in ways that avoid damaging resources, protect the character of residential neighborhoods and provide for safe access.

Existing public access points are described in Section II of the LWRP. In particular, public access at the following points along Sodus Bay could be improved or enhanced:

- Chimney Bluffs State Park
- Lake Shores Marshes Wildlife Management Area – hiking trails, boating and fishing access points
- Fishing access points along Leroy Island Bridge and Bay Bridge

General public access improvements:

- Provide access and recreation that is compatible with natural resource values:
 - Consider intensity of activity, level of likely disturbance (from most to least disruptive: motorized activities; active non-motorized activities; passive activities; avoidance of the area), sensitivity of the natural resource and ecological benefits associated with avoidance of the area
 - Limit public access and recreational activities where uncontrolled public use would lead to impairment of natural resources
 - Establish seasonal limitations
 - Provide stewardship
 - Physically limit access to areas whose principal values are based on lack of human disturbance
 - Provide educational, interpretive, research and passive uses of natural resources through appropriate design and control of public access and recreation
 - Provide public access for fish and wildlife resource related activities
 - Utilize methods and structures which maintain and protect open space areas associated with natural resources

Explanation of Policy 9.1

Public access and recreation facilities attract tourists, which in turn help to enhance the economic vitality of the Town, which in most cases improves the quality of life for residents.

- Provide a level of public access and types of recreational uses that address:
 - proximity to population;
 - public demand;
 - type and sensitivity of natural resources affected;
 - purpose of public institutions that may exist on the site;
 - accessibility;
 - needs of special groups such as the elderly and persons with disabilities;
 - potential for adverse impacts on adjacent land uses
- Provide convenient, well-defined public access to and along the waterfront for water-related recreation, in all seasons.
- Protect and maintain existing public access and water-related recreation facilities
 - Enforce existing public access easements and obtain additional public access to the waterfront.

- Prevent physical deterioration of facilities due to lack of maintenance or overuse
- Prevent on-site or adjacent development projects or activities from directly or indirectly impairing physical public access and recreation or adversely affecting its quality
- Protect and maintain the infrastructure supporting public access and recreational facilities
- Provide additional physical public access and recreation facilities at public sites throughout the coastal area.
 - Promote acquisition of additional public park lands to meet existing public access and recreation needs
 - Provide for public access and recreation facilities on non-park public waterfront lands as a secondary use
 - Provide for public access at streets terminating at the shoreline
 - Provide access and recreation facilities to all members of the public whenever access or recreation is directly or indirectly supported through federal or State projects or funding
 - Ensure that public access and recreational opportunities on waterfront public lands are preserved when ownership of public land is transferred
- Establish “greenways” and “blueways” through a network of physical linkages and recreational opportunities.
- Provide incentives to private developers to incorporate public access and/or water-related recreation facilities, such as setting aside land for a trail easement to gain waterfront access.
- Continually seek opportunities to create additional access points, watercraft launches, and public amenities that will increase and enhance the usage and quality of the waterfront.
- Provide access for persons with disabilities to all public facilities where feasible.
- Restrict public access and recreation only where needed to ensure public safety or protect natural resources.

Explanation of Policy 9.2

Views of the Lake Ontario and the Bays should be expanded, as much as possible and without impacting the integrity of the ecosystem, to increase the scenic aspect of the waterfront for residents and tourists. The following standards should be applied with respect to increasing visual access to the waters and lands of the waterfront.

- Avoid loss of existing visual access (views)
 - Limit physical blockage of waterfront views due to scale, design location or type of new or redeveloped structures.
 - Protect views from streets and other public areas
 - Protect views of open space associated with natural resources
- Minimize adverse impact on visual access
 - Protect view corridors to the waterfront in locations where new structures would block views from inland public vantage points.
 - Apply design and siting principles to preserve or retain views and minimize obstruction of views
 - Where site conditions, including vegetative cover or natural protective features, block views, visual access requirements may be reduced

- Vegetative or structural screening of industrial or commercial sites may be allowed if the resulting overall visual quality outweighs the loss of visual access.
- Provide compensatory mitigation for loss of visual access
 - If a new development blocks views from inland vantage points, provide visual access from vantage points on the development site.
 - If access cannot be provided on-site, provide for additional and comparable visual access at nearby locations
- Increase visual access to the coast whenever practical
 - Provide pull-offs along public roads at appropriate locations
 - Provide interpretive exhibits at appropriate locations
 - Provide visual access to areas of high visual quality, including community waterfronts, water-dependent uses, agriculture, natural resources, and panoramas of the lake and bays

Explanation of Policy 9.3

Public trust lands are publicly owned lands held in trust for water-related public needs. Under the Public Trust Doctrine, the State has the duty to protect the public's right to navigate on, conduct commerce over, and fish in navigable waters. Also, under the same doctrine, the public has the right to use the navigable waters of the state for bathing, swimming, boating, and general water-related recreational purposes, and facilities for the promotion and accommodation of Public Trust uses are necessary and incidental or ancillary to Public Trust uses are permitted. The Public Trust is sufficiently flexible to encompass changing public needs, and include the preservation of the lands in their natural state for scientific study, as open space and as wildlife habitat. Uses that do not accommodate, promote, foster or enhance the statewide public's need for essential maritime services or the public's enjoyment of the state's waterways are not appropriate uses for public trust lands.

- Limit grants, leases, easements, permits or lesser interest in underwater lands in order to protect the public interest in these lands.
- Determine ownership, riverside interest, or other legal right prior to approving private use of public trust lands under water.
- Reserve such interests or attach such conditions to preserve the public interest in use of underwater lands and waterways that will be adequate to preserve public access, recreation opportunities, and other public trust purposes.
- Limit the transfer of interest in public trust lands.
- Limit grants in fee of underwater lands to exceptional circumstances.
- Retain adequate public interest in the transfer of interest in underwater lands.
- Limit private uses, structures or facilities on underwater lands.
- Avoid substantial loss of public interest in public trust lands.
- Resume and re-establish public trust interests in existing grants.

Explanation of Policy 9.4

The following guidelines should be applied with respect to assure public access to public trust lands and navigable waters:

- Ensure that public interest in access below mean high water and to navigable waters is maintained.
- Provide free and substantially unobstructed passage along public trust shorelands.
- Limit interference with passage along the shoreline to the minimum extent necessary to gain access from the upland to the water.
- Where public access is substantially impeded on public trust lands, provide passage around interferences through adjacent upland easements or other mitigation.
- Require that all publicly owned land allow for perpendicular access to trust lands whenever compatible with the principal use of the public land.
- Provide access to, and reasonable recreational use of, navigable waters and public trust lands under water.
- Provide for free and unobstructed public use of all navigable waters below the line of mean high water for navigation, recreation, and other public trust purposes, including the incidental rights of public anchoring.
- Allow obstructions to public access when necessary for the operation of water-dependent uses and their facilities.
- Ensure that piers, docks and catwalks do not interfere with use of public trust lands. Alternatives to long piers or docks include the use of dinghies to reach moored boats and mooring in nearby marinas, but not dredging to accommodate boat draft.

Working Waterfront Policies

- Policy 10** **Protect existing water-dependent uses and promote siting of new water-dependent uses in suitable locations.**
- 10.1** **Protect existing water-dependent uses**
 - 10.2** **Promote maritime centers as the most suitable locations for water-dependent uses.**
 - 10.3** **Allow for development of new water-dependent uses outside of maritime centers.**
 - 10.4** **Improve the economic viability of water-dependent uses by allowing for non-water-dependent accessory and multiple uses, particularly water-enhanced uses and lacustrine support services.**
 - 10.5** **Minimize adverse impacts of new and expanding water-dependent uses, provide for their safe operation, and maintain regionally important uses.**
 - 10.6** **Provide sufficient infrastructure for water-dependent uses.**
 - 10.7** **Promote efficient harbor operation**

Explanation of Policy 10

The intent of this policy is to protect existing water-dependent commercial and recreational uses and to promote the siting of additional water-dependent uses consistent with the reasonably expected demand for such uses. It is also the intent of this policy to foster orderly water use management to address the problems of conflict, congestion, and competition for space in the use of surface waters and underwater lands.

Water-dependent uses in the Town include, but are not limited to, recreational boat access, storage, and servicing (e.g. marinas, docking, mooring areas, boat launches). Water enhanced uses include commercial establishments, restaurants, and some recreation areas.

The Town's zoning and docks and mooring regulations can be applied to accommodate water-dependent uses in appropriate locations and to protect the natural environment, local community character and scenic resources. In reviewing proposals for the development of waterfront parcels, the Town will weigh public access and the interests of water-dependent recreation and water-dependent commercial uses against the interests of neighboring residences and environmental concerns. Existing water-dependent uses should be given preferential consideration for their waterfront locations. New water-dependent uses should be sited and designed to minimize impacts on existing residential areas and the quality of the environment. Whenever practicable, new development should stabilize and enhance scenic views, water quality, habitat and public access.

- Site uses such as marinas in areas that contain concentrations of water-dependent commercial, industrial, or recreational uses and essential support facilities. Discourage water-dependent uses in the more rural or undeveloped areas of the Town unless: there is a lack of suitable sites within nearby developed areas and there is a demonstrated demand for the use; the use has unique requirements that necessitate a particular site; or the use is of a small scale, has the principal purpose of providing access to a waterway and is consistent with the character of the area.
- Minimize adverse impacts. Site new water-dependent uses where:
 - Need for dredging is minimized
 - Adequate waterside and landside access and upland space for parking and other facilities is adequate
 - Necessary infrastructure exists or is easily accessible, including shoreline stabilization structures, roads, water supply, sewage disposal, vessel waste pump-out and waste disposal facilities
 - Water quality classifications are compatible
- Ensure that new or expanding marinas:
 - Incorporate marine services and boat repair
 - Do not displace or impair the operation of water-dependent transportation, industry or commerce
 - Do not encroach upon navigation channels or channel buffer areas
 - Incorporate public access to the shore such as access from the upland, boat ramps, and transient boat mooring
 - Limit discharge of sewage by providing pump out facilities, unless the State's Clean Vessel Act plan indicates that adequate pump-out facilities exist.
 - Avoid or minimize adverse impacts on natural resources and existing neighborhoods and communities

Explanation of Policy 10.1

Water-dependent uses are activities that require a location in, on, over, or adjacent to a waterway because the activity requires direct access to the waterway (i.e., marinas, boat launches, and docking facilities) or the use of water (i.e. swimming, boating, fishing, or an industry which uses massive quantities of water for production or cooling purposes). Existing water-dependent uses within the Town are fully described in the Inventory and Analysis. Actions that will displace or adversely impact existing water-dependent uses should be avoided.

In general, the following are considered to be water-dependent uses:

- Public and private marinas
- Fishing piers
- Swimming beaches
- Yacht clubs
- Boat yards
- Commercial and recreational fishing facilities
- Tour boat and charter boat facilities
- Unloading and aggregate trans-shipment facilities
- Waterborne commerce
- Ferries
- Marine educational or laboratory facilities
- Water-related public and quasi-public utilities
- Navigational aids

Where these uses exist, they should remain. In addition, new water-dependent uses will be preferred in suitable area

Explanation of Policy 10.2

Water-dependent uses have historically concentrated in the three bays. The area that has the most potential to become a better defined maritime center is Sodus Bay. The current boat traffic throughout the Sodus Bay exceeds that of the other bays.

However, there are limited opportunities for new development within the Huron's mainly residential waterfront. Any redevelopment of existing properties, should retain and protect existing water-dependent uses where possible and practical, and should be reserved for water-dependent uses to the extent practical and permissible by law.

Explanation of Policy 10.3

New water-dependent uses may be appropriate outside maritime centers if the use should not be located in a maritime center due to the lack of suitable sites or has unique locations requirements that necessitate its location outside maritime centers or would adversely impact the functioning and character of the maritime center if located within the maritime center or is of a small scale and has a principal purpose of providing access to coastal waters.

Explanation of Policy 10.4

Water-enhanced uses do not require a waterfront location, but their location on the waterfront adds to public enjoyment and use of the waterfront if properly designed and sited. Such uses are usually recreational, cultural, commercial or retail and must be open to the public. Examples include restaurants, hotels, and shops.

- Apply the following siting criteria when considering water-enhanced uses:
 - Use would provide economic incentive to prevent the loss of a water-dependent use
 - Would not interfere with water-dependent use nor preclude future expansion.
 - Makes beneficial use of a shoreline location through siting and design to increase public enjoyment of the waterfront and enhance community character.
- Allow accessory non water-dependent uses that are subordinate and functionally related to the principal water-dependent use and contribute to sustaining the water-dependent use; mixed uses that subsidize the water-dependent use.
- Site and operate uses so as not to interfere with the water-dependent use.
- Do not preclude future expansion of the water-dependent use.

Explanation of Policy 10.5

Site new and expand marinas, boat yards, and other boating facilities where there is adequate upland for support facilities and services; sufficient waterside and landside access, appropriate depth to minimize dredging, suitable water quality classification, minimization of effects on wetlands, shellfish beds, or fish spawning grounds, and adequate water circulation.

Explanation of Policy 10.6

New development in the waterfront area should be directed to locations where infrastructure and public services are adequate, and where environmental conditions are suitable for development.

Protect and maintain existing public and private navigation lanes and channels at depths consistent with the needs of water-dependent uses. Use suitable dredged material for beach nourishment or other beneficial uses.

Avoid shore and water surface uses that impede navigation in established navigational channels and lanes. Provide for services and facilities to facilitate recreational navigation.

Explanation of Policy 10.7

Effective water use management can help to minimize congestion and competition for space on surface waters, protect natural resources and help communities to take advantage of tourism and economic growth opportunities. To improve harbor operations the Town will continue to:

- Establish vessel speed zones and zones for bathing water skiing and other recreational uses away from marinas or commercial boating facilities.
- Site marinas and in-water structures so as not to encroach upon navigation channels and minimize impacts on sensitive resources (wetlands, fish/wildlife habitats).
- Implement recommendations of the Bay-wide Harbor Management Plan for inter-municipal committee review of land use proposals and to create a Harbor Master position.

The Town's existing zoning and docks and moorings laws should be applied to:

- Promote effective water use management, traditional land use planning techniques can be applied to the water surface in the following manner.
- Assure safety, vessel speed zones can be established and zones for bathing, water skiing, and other recreational uses should be located away from marinas or commercial boating facilities.

- Site marinas and in-water structures so as not to encroach upon navigation channels and to minimize potential impacts on sensitive resources such as wetlands and fish/wildlife habitats.
- Prohibit uses which are not water-dependent (i.e. decks and platforms) to locate on or over surface waters.

Support intermunicipal coordination and cooperation by:

- Supporting the Intermunicipal Committee in addressing issues of concern to all municipalities surrounding Sodus Bay.
- Supporting intermunicipal collaboration in the management water activities (i.e., establish Harbor Master position for Sodus Bay).

Policy 11 Promote sustainable use of living lacustrine resources in the waterfront area.

11.1 Ensure the long-term maintenance and health of living lacustrine resources.

11.2 Promote recreational use of marine resources

Explanation of Policy 11

Recreational uses of coastal fish and wildlife resources include consumptive uses such as fishing and hunting and non-consumptive uses such as wildlife photography, bird watching, and nature studies. Sustaining these uses is critical to the community's well-being.

Explanation of Policy 11.1

- Support activities of the NYS Department of Environmental Conservation to manage the fisheries of Sodus Bay, East Bay, Port Bay and Lake Ontario as well as the wildlife habitat in the designated Lake Shores Wildlife Management Areas.
- Ensure that any public or private sector initiatives to supplement existing stocks (e.g., stocking fisheries) or develop new resources (e.g. creating private fee-hunting or fee-fishing facilities) are done in accord with existing State law.
- In reviewing new development proposals, consider potential impacts on fish and wildlife. For large projects, require an ecological study as part of a SEQRA review process to quantify as much as possible the ability of the existing population of fish and wildlife to survive and flourish under current levels of boat traffic and shoreline and nearshore development and to project the potential impact of additional development.
- Increase access to recreational fish and wildlife resources, provided that the increased access does not damage or otherwise impair the habitat.

Explanation of Policy 11.2

Provide adequate infrastructure to meet recreational needs, including appropriate fishing locations, dockage, and parking.

- Policy 12** **Protect agricultural lands in the waterfront area.**
- 12.1** **Protect existing agricultural land resources and farm operations from conversion to other land uses.**
 - 12.2** **Establish and maintain favorable conditions which support existing or promote new coastal agricultural production.**
 - 12.3** **Minimize adverse impacts on agriculture from unavoidable conversion of agricultural land.**

Explanation of Policy 12

The intent of this policy is to conserve and protect agricultural land in the coastal area by preventing the conversion of farmland to other uses and protecting existing and potential agricultural production.

Explanation of Policy 12.1

Support applications by farmers who wish to participate in state and county purchase of development rights (PDR) programs to protect agricultural lands.

Explanation of Policy 12.2

- Review and where needed update Town zoning regulations to provide for direct marketing opportunities, agriculture related tourism and other agriculture-related enterprises to supplement conventional farm operation revenue streams.
- Review and revise where necessary provisions of the zoning ordinance to ensure conformance with Section 305(a) of the Agriculture and Markets Law, which provides farmers and agricultural operations located within State agricultural districts specific protections against local zoning regulation that may be unreasonably restrictive and cause undue interference with legitimate agricultural practice¹⁰⁹s as defined by State law.

Ensure good relations between the farming community and non-farm residents of the town.

- Work with Cornell Cooperative Extension to support public education programs for the nonfarm public that highlight the economic, land use, heritage and local foods benefits of agriculture in the Town of Huron.

Explanation of Policy 12.3

Minimize encroachment of commercial, industrial, institutional, or residential development on agricultural lands.

¹⁰⁹ <http://townofhuron.org/content/Generic/View/12> - Town of Huron Agriculture Policy Statement

- Policy 13** Promote appropriate use, siting, and development of energy and mineral resources and associated infrastructure to maximize efficiency and minimize harmful environmental impacts.
- 13.1** Encourage energy conservation and energy efficiency to reduce greenhouse gas emissions and support similar federal, state, and regional efforts.
 - 13.2** Promote alternative energy sources that are self-sustaining, including solar and wind powered energy generation.
 - 13.3** Ensure maximum transmission efficiency and minimum adverse environmental impact when siting, designing, and constructing major energy generating facilities.
 - 13.4** Minimize adverse environmental and health impacts from fuel storage facilities.
 - 13.5** Minimize adverse impacts associated with mineral extraction.

Explanation of Policy 13

In dealing with the local and regional energy problems, the conservation of energy is a preferred option. Four State- designated Significant Coastal Fish and Wildlife Habitats are located within the Huron WRA. These areas are part of the State’s coastal area and the federal coastal zone. Sustainable design principles will be applied to the siting, design, construction, and operation of any fuel storage facilities within Huron WRA to achieve maximum use efficiency, minimize pollutant outputs that could harm local natural resources or/and accelerate climate change, and conserve and utilize in the public interest the air and water resources of the region.

Explanation of Policy 13.1

- Promote energy efficient modes of transportation.
- Promote and maintain facilities for waterborne cargo and passenger transportation.
- Integrate access to mass transit facilities and, where feasible, provide secure bicycle parking and safe bicycle lanes in new development projects.
- Encourage the development of multi-use trail systems that promote walking, biking and using muscle-powered means of mobility
- Establish site planning guidelines to ensure that new development accommodates alternatives to the use of personal cars where possible.

Require new development to incorporate energy efficient design, including consideration for solar utilization, protection from wind, and landscaping for thermal control. Promote greater energy generating efficiency through design upgrades of existing facilities.

Explanation of Policy 13.2

- Promote the use of alternative forms of energy by businesses, residences, and public facilities.
- Proactively manage the potential for siting wind power generating facilities in various parts of the community, taking into account environmental impacts and aesthetic quality.

Explanation of Policy 13.3

- Site energy generating facilities in a waterfront location only where a clear public benefit is established.
- Site energy generating facilities close to load centers to achieve maximum transmission efficiency.
- Site and construct new energy generating and transmission facilities so they do not adversely affect natural and economic waterfront resources¹¹⁰, including migratory birds.

Explanation of Policy 13.4

- Prohibit the production, storage, or retention of petroleum products in earthen reservoirs where there is a potential hazard for groundwater contamination and to human health and safety.
- Protect natural resources by preparing and complying with an approved oil spill contingency plan.

Explanation of Policy 13.5

Sustainable principles will be applied to the development, exploitation, and operation of mineral extraction sites and supporting infrastructure within Huron WRA to achieve maximum use efficiency, to minimize pollutant outputs that could harm local natural resources or/and accelerate climate change, and to conserve and utilize in the public interest the air and water resources of the region.

Consider the following factors when considering a proposal for a commercial mining operation in the waterfront area:

- compatibility with adjacent uses
- loss of use of the site for other potential uses
- alteration of coastal geological landforms
- impact on designated sole-source aquifers
- adverse impact on natural resources
- degradation of visual quality

Ensure that topsoil and overburden are preserved using appropriate site preparation techniques and subsequent site reclamation plans.

Ensure that sludge from dredging is disposed of in safe and legal manner.

Limit sub-aqueous sand and gravel extraction to activities necessary for navigation or erosion control.

¹¹⁰ <https://www.law.cornell.edu/uscode/text/16/800> - 16U.S. Code §800 Issuance of preliminary permits or licenses

Definitions

Accretion means the gradual and imperceptible accumulation of sand, gravel, or similar material deposited by natural action of water on the shore. This may result from a deposit of such material upon the shore, or by a recession of the water from the shore.

Agricultural lands mean land used for agricultural production or used as part of a farm or having the potential to be used for agricultural production. Agricultural lands include lands in agricultural districts, as created under article 25-AA of the Agricultural and Markets Law; lands comprised of soils classified in soil group 1, 2, 3, or 4 according to the New York State Department of Agriculture and Markets land classification system; or lands used in agricultural production, as defined in Article 25-AA of the Agriculture and Markets Law.

Best management practices means methods, measures, or practices determined to be the most practical and effective in preventing or reducing the amount of pollutants generated by nonpoint sources to a level compatible with water quality standards established pursuant to section 17-0301 of the Environmental Conservation Law. Best management practices include, but are not limited to, structural and non-structural controls, and operation and maintenance procedures. Best management practices can be applied before, during, and after pollution-producing activities to reduce or eliminate the introduction of pollutants into receiving waters.

Boating facility means a business or accessory use that provides docking for boats and encompasses 4,000 square feet or greater of surface waters, as measured by the outermost perimeter of the dock, and is designed to accommodate six (6) or more boats.

Bluff means any bank or cliff with a precipitous or steeply sloped face adjoining a beach or a body of water. The seaward limit of a bluff is the landward limit of its seaward natural protective feature. Where no beach is present the seaward limit of a bluff is mean low water. The landward limit is 25 feet landward of the bluff's receding edge, or in those cases where there is no discernible line of active erosion to identify the receding edge, 25 feet landward of the point of inflection on the top of the bluff. The point of inflection is that point along the top of the bluff where the trend of the land slope changes to begin its descent to the shoreline.¹¹¹

Coastal areas shall mean the Town of Huron WRA, or (a) the state's coastal waters, and (b) the adjacent shorelands, including landlocked waters and subterranean waters, to the extent such coastal waters and adjacent lands are strongly influenced by each other including, but not limited to, islands, wetlands, beaches, dunes, barrier islands, cliffs, bluffs, inter-tidal estuaries and erosion prone areas. The coastal area extends to the limit of the state's jurisdiction on the water side and inland only to encompass those shorelands, the uses of which have a direct and significant impact on the coastal waters (as defined in Article 42 of the Executive Law).

Coastal Hazard Area means any coastal area included within an Erosion Hazard Area designated by the New York State Department of Environmental Conservation pursuant to the Coastal Erosion Hazard Areas Act of 1981 (Article 34 of the Environmental Conservation Law) , and any coastal area included within a V-zone as designated on the Flood Insurance Rate Maps prepared by the Federal Emergency Management Agency pursuant to the National Flood Insurance Act of 1968 (P.L. 90-448) and the Flood Disaster Protection Act of 1973 (P.L.93-234), as amended.

¹¹¹[https://govt.westlaw.com/nycrr/Document/I4ebddafbcd1711dda432a117e6e0f345?viewType=FullText&originationContext=documenttoc&transitionType=CategoryPageItem&contextData=\(sc.Default\)](https://govt.westlaw.com/nycrr/Document/I4ebddafbcd1711dda432a117e6e0f345?viewType=FullText&originationContext=documenttoc&transitionType=CategoryPageItem&contextData=(sc.Default)) - 6 CRR-NY 505.2, Coastal Erosion Management

Development, other than existing development, means any construction or other activity which materially changes the use, intensity of use, or appearance of land or a structure including any activity which may have a direct and significant impact on coastal waters. Development shall not include ordinary repairs or maintenance or interior alterations to existing structures or traditional agricultural practices. The term shall include division of land into lots, parcels, or sites.

Harbor management plan (HMP) shall mean the Huron HMP included in this LWRP, which addresses the problems of congestion and competition for space in the use of surface waters and underwater lands of the state within Sodus Bay, to a distance of fifteen hundred feet from the Town of Huron shoreline.

Hazardous wastes are waste that poses substantial or potential threats to public health or the environment, unwanted by-products of manufacturing processes generally characterized as being flammable, corrosive, reactive, or toxic. In the United States, the treatment, storage, and disposal of hazardous waste is regulated under the Resource Conservation and Recovery Act (RCRA)¹¹². New York State regulates hazardous wastes pursuant to 6 NYCRR 370¹¹³

Historic resources means those structures, landscapes, districts, areas or sites, or underwater structures or artifacts which are listed or designated as follows: any historic resource in a Federal or State park established, solely or in part, in order to protect and preserve the resource; any resource on, nominated to be on, or determined eligible to be on the National or State Register of Historic Places; any cultural resource managed by the State Nature and Historic Preserve Trust or the State Natural Heritage Trust; any archaeological resource which is on the inventories of archaeological sites maintained by the Department of Education or the Office of Parks, Recreation, and Historic Preservation; any resource which is a significant component of a Heritage Area; any locally designated historic or archaeological resources protected by a local law or ordinance.

Lacustrine/Maritime center means a discrete portion or area of a harbor or bay that is developed with, and contains concentrations of water-dependent commercial and industrial uses or essential support facilities. The harbor or bay area is a center for waterborne commerce, recreation, or other water-dependent business activities and, as such, is an important component of the regional transportation system.

Lacustrine/Maritime support services mean industrial, commercial, or retail uses which provide necessary goods and services to water-dependent businesses, thus enabling these businesses to operate in an efficient and economically viable manner.

Natural protective features means an area near the shore, beach, barrier beach bluff, sand bar/spill or wetlands and the vegetation thereon.

Primary dune means the most seaward major dune where there are two or more parallel dune lines within a coastal area. Where there is only one dune present, it is the primary dune. Occasionally one or more relatively small dune forms exist seaward of the primary dune. For the purposes of this Part, such forms will be considered to be part of the primary dune. The seaward limit of a primary dune is the

¹¹² <http://www.epa.gov/osw/hazard/dsw/index.htm> - Definition of Solid Waste for RCRA Subtitle C Hazardous Waste

¹¹³ <https://govt.westlaw.com/nycrr/Document/I4eac9d09cd1711dda432a117e6e0f345?viewType=FullText&originalio%20Context=documenttoc&transitionType=CategoryPageItem&contextData=%28sc.Default%29&bhcp=1> - 6 CRR-NY 370.2 Definitions

landward limit of its fronting beach. The landward limit of a primary dune is 25 feet landward of its landward toe¹¹⁴.

Public trust lands means those lands below navigable waters, with the upper boundary normally being the mean high water line, or otherwise determined by local custom and practice. Public trust lands, waters, and living resources are held in trust by the State or by the trustees of individual towns for the people to use for walking, fishing, commerce, navigation, and other recognized uses of public trust lands.

Significant Coastal Fish and Wildlife Habitats (SCFWH) are discrete areas that are most valued for their wildlife habitat value as they support important fish and wildlife populations and merit special protection pursuant to the Waterfront Revitalization and Coastal Resources Act.

Solid wastes include sludge from air or water pollution control facilities, demolition and construction debris and industrial and commercial wastes¹¹⁵.

State agency means any department, bureau, board, commission, public authority or other agency of the State, including any public benefit corporation, any member of which is appointed by the Governor.

Vulnerable fish and wildlife species means those listed in 6 NYCRR Part 182.5 as Endangered Species, Threatened Species, and Special Concern Species.

Vulnerable plant species means those listed in 6 NYCRR Part 193.3 as Endangered Species, Threatened Species, Exploitable Vulnerable Species, and Rare Species.

Water-dependent use means an activity which can only be conducted on, in, over or adjacent to a waterbody because such activity requires direct access to that water body, and which involves, as an integral part of such activity, the use of the water.

Water-enhanced use means a use or activity which does not require a location adjacent to coastal waters, but whose location on the waterfront adds to the public use and enjoyment of the water's edge. Water-enhanced uses are primarily recreational, cultural, retail, or entertainment uses.

Waterfront area means the waterfront revitalization area or WRA described in Section I of this LWRP and illustrated on [Map 1B](#), which was delineated by the Town of Huron after considering the following factors: (1) evidence of community commitment and initiative; (2) participation in the Local Waterfront Revitalization Program; (3) adequacy of local land and water use regulations; (4) adequacy of infrastructure; (4) opportunities for local and regional economic growth; and (5) opportunities for improved public access, environmental quality, and creation of local activity centers.

¹¹⁴[https://govt.westlaw.com/nycrr/Document/14ebddafbcd1711dda432a117e6e0f345?viewType=FullText&originalionContext=documenttoc&transitionType=CategoryPageItem&contextData=\(sc.Default\)](https://govt.westlaw.com/nycrr/Document/14ebddafbcd1711dda432a117e6e0f345?viewType=FullText&originalionContext=documenttoc&transitionType=CategoryPageItem&contextData=(sc.Default))

¹¹⁵<http://www.gpo.gov/fdsys/pkg/CFR-2012-title40-vol27/xml/CFR-2012-title40-vol27-sec261-2.xml>

SECTION IV - PROPOSED LAND AND WATER USES AND PROJECTS

The intent of this LWRP is to retain the character of existing residential waterfront communities, protect and enhance water quality, support recreational boating and fishing, and promote additional economic development relating to boating, natural resources and wildlife.

4.1. Proposed Land Uses

Future land uses implementing this LWRP will be an extension of the current land uses, as illustrated in [Map 3](#), [Map 4](#) and [Map 5](#). There are no new land uses proposed in this LWRP.

4.2. Proposed Water Uses

The waterside of the Huron WRA incorporates the navigable portions of Mudge Creek, the entire East Bay, the portion of Port Bay within the municipal jurisdiction of Huron, and, pursuant to Section 922 of Article 42 of the Executive Law and the Navigation Law, a 1500'-wide waterside area adjacent to the town's shoreline along Sodus Bay, as illustrated in [Map 1C](#). The water-dependent uses within Huron WRA include boating, fishing, and swimming; their range and intensity is described in detail in Section II of the LWRP. Based on the inventory and analysis presented in Section II for each of the waterside areas within WRA, the most competing water dependent uses occur within Sodus Bay part of WRA. Pursuant to Section 922 of Article 42 of the Executive Law, the Town of Huron prepared a Harbor Management Plan to manage potential conflicting uses in the portion of Sodus Bay within 1500 feet from its shoreline. Pursuant to 19 NYCRR Part 603, the HMP for the Sodus Bay portion of the Huron WRA is included below and contains required information at a level of detail and to the extent commensurate with the local circumstances. References to other parts of the LWRP have been included to complement the content of the Huron Harbor Management Plan for Sodus Bay.

Huron Harbor Management Plan

In 1992, the NYS Executive Law Article 42, Waterfront Revitalization of Coastal Areas and Inland Waterways, was amended to provide local governments with the clear authority to comprehensively manage activities in near shore areas within their LWRP boundary by developing comprehensive harbor management plans (HMPs) and local laws to implement these plans¹¹⁶.

The Huron Harbor Management Plan (HMP) addresses issues associated with the use of surface waters and underwater lands within this section of Sodus Bay within 1500 feet from the Town's shoreline. The Huron HMP for this portion of Sodus Bay considers local and regional needs, the competing needs of recreational boating and fishing, habitat and other natural resource protection, water quality, public access, and recreation, open space and aesthetic values.

¹¹⁶ <http://www.dos.ny.gov/communitieswaterfronts/pdfs/hmpguide.pdf>

Huron HMP Boundary

The Huron HMP covers the waters of Sodus Bay that are within the town's WRA, as showing in [Map 1B](#).

History of Sodus Bay

Until the late 1700's, only Native Americans occupied the land surrounding Great Sodus Bay. They referred to the Bay as "Silvery Waters" and utilized it for fishing and transport.

European settlers discovered the Bay in the mid to late 1700's and started settlements to take advantage of the fishing and the surrounding good upland soils and hardwood forests. In 1794, Charles Williamson founded the Village of Sodus Point.

Early industry in the Bay was based on the presence of water. Commercial fishing, ice harvesting, boat building and repair, and the import and export of goods by ship made the Bay a busy Great Lakes port. In the surrounding areas land was cleared for farming with sawmills and grist mills established on many of the entering streams. The open waters of the Bay made for easy transport of the lumber and grain.

As a key U.S. port at the border with Canada, Sodus Bay played an important role in the War of 1812. The Village of Sodus Point was nearly burned to the ground at one point when British ships anchored in the Bay and began to ransack the village for supplies. Residents rallied to the defense and two Sodus Point men lost their lives in the ensuing skirmish.

In 1872, the first railroad and coal trestle was built connecting Sodus Bay to the coal mines in Pennsylvania. From then to 1967, thousands of tons of coal were transported through the Sodus Point Coal Trestle. To accommodate the ships, the Bay and Channel to Lake Ontario were regularly dredged. The landmark structure, used to load the great ships, was destroyed by fire in the early 1970's.

With the closing of the coal trestle and a brewery/malt house nearby, the economy of the Village of Sodus Point and the surrounding Bay became more dependent upon recreational boating, fishing, vacation homes and tourism. This pattern continues today.

Inventory and Analysis of Existing Conditions within Huron HMP Area

Detailed information on the current conditions within this defined harbor management area illustrated in [Map 1B](#) is provided in Section II of the LWRP. However, for easier reach, a summary of the detailed information included in Section II is provided below.

- **Recreational water-dependent uses** such as marinas, boat launches, recreational fishing, type of vessel activity and mooring areas are presented in detail in part 2.9. *Water Uses* of Section II of the LWRP. Along the southern and eastern Sodus Bay shorelines, several properties with active or former commercial marinas, such as the site of the former Gilligan's restaurant near the Bay Bridge, have sufficient landside space to support commercial marine operations. However, the water depths leading to these sites and those close to the shoreline docking area are not suitable for such operations without extensive initial and regular maintenance dredging.
- **Winter uses** of the Huron's HMP area consists of activities such as ice fishing, skating and snowmobiling. Access for ice fishing in Huron is available at Hog Island/ LeRoy Island bridge; Skippers Landing parking lot; Connelly Cove Parking Lot; Red Mill Road at Saw Mill Cove; Eagle Island parking lot; Lake Bluff Road; and from private properties.
- **Water quality** in Sodus Bay is listed by the NYS Department of Environmental Conservation (NYS DEC) as Class B. The best usage of Class B waters are primary and secondary contact recreation and fishing. Recreational uses in Sodus Bay are impacted/ threatened by invasive and other aquatic weed growth. Fish consumption is also restricted as a result of a health advisory for Lake

Ontario that extends to tributaries up to the first impassable barrier. The bay is culturally eutrophic, often experiencing algal blooms, extensive macrophytic weed growth, and anoxic conditions in its deeper waters.

As documented throughout the Great Sodus Embayment Resource Preservation and Watershed Enhancement Plan, the challenges involved with addressing the Bay's expanding weed problem, controlling internal and external phosphorus loading, and managing the influx of other sources of nonpoint source pollution are complex. Limiting pollutant loads in stormwater runoff flowing into the Bay and managing sedimentation are essential for reducing the eutrophication rate.

Water quality is also impacted by boating activities which could increase water turbidity and re-suspension of pollutant-laden sediments if powerboats are operated in shallow water. More information on water quality is presented in Section II of the LWRP.

- **Stormwater management** within the Huron HMP area is monitored only as part of development reviews. Stormwater runoff from agricultural operations may be managed by landowners with technical and/ or financial assistance from the Wayne County Soil & Water Conservation District.
- **The 100-year flood elevation** along Sodus Bay in the Town is 251 feet above sea level. Changes in the Lake Ontario elevation impact flood hazard vulnerability of properties along the shores of Lake Ontario and the Bays.
- All **wastewater treatment** in the Huron HMP is processed by individual on-site septic systems, in accordance with NYS regulations. In addition, the Town of Huron has a local law that requires periodic inspection of septic systems.
- **Vessel pump-out facilities** enable boaters to empty the sanitary waste from their boat's holding tanks. There are seven pump-out facilities on Sodus Bay, of which two are located at private marinas in the Town of Huron. In 2011, Lake Ontario and its bays were designated as Vessel Waste No Discharge Zone (NDZ), where it is illegal to discharge sewage from boats and boaters are required to use appropriate pump-out facilities, available at many marinas, to dispose of sewage. The federally funded Clean Vessel Assistance Program (CVAP) provides grants to marinas for the installation, renovation, and replacement of pump-out stations for the removal and disposal of recreational boater septic waste. CVAP grants are federally funded through the United States Fish & Wildlife Service and administered by New York State Environmental Facilities Corporation.
- The entire Sodus Bay is a State designated **significant coastal fish and wildlife habitat**. The narrative and accompanying map providing specific information regarding the fish and wildlife resources that depend on this area is included in Appendix D. The principal stream feeding into Sodus Bay is Sodus Creek. A large wetland complex associated with this stream extends south from the Bay at Ridge Road a distance of approximately 1.3 miles, nearly to Route 104 to the south. Smaller, but still significant, wetlands extend upstream from the mouths of the other four feeder streams as well.
- **No current aquaculture areas exist** within Sodus Bay, nor are there any known current plans or proposals for such activities.
- **Underwater lands and their ownership** are described in Section II of the LWRP. The bottom of the bay is owned by New York State.
- No **historic shipwrecks** have been reported to be present in Sodus Bay or within the adjacent near shore areas of Lake Ontario.

- The most **significant natural feature** in the Huron portion of Sodus Bay is a large sand and gravel barrier beach, called Crescent Beach, which separates the Bay from the Lake along most of the Bay's northern boundary. Three islands are located in the north eastern portion of the Bay and appear to be remnants of the north-south oriented ridges located on the southern shore. Two of the islands, Eagle and Newark, are only accessible by boat while a small bridge connects the third island, LeRoy, to the mainland on the eastern shoreline.
- A **maintained navigation channel**, termed the Channel, is located near the northeastern corner of the Bay adjacent to the Village of Sodus Point. Although located outside the Town of Huron, the Channel is essential for navigation to and from Sodus Bay. The Channel is protected on both sides by sheet steel and stone jetties extending over 1,000 feet into the Lake. Navigation on the bay is determined by water depth. The bottom elevation contours of Sodus Bay are documented in Section II and Appendix E. graphics showing the National Oceanic and Atmospheric Administration (NOAA) soundings and charts are also provided in Section II. A deep basin runs down the center of Sodus Bay in a northwest to southeast direction from the Channel to a location approximately four thousand feet north of the Bay Bridge. Shallower water occurs along the entire periphery of the Bay, including in the large area between Eagle and LeRoy Islands and the eastern shoreline of the Bay. The proliferation of aquatic weeds is increasingly detrimental to recreational boating in Sodus Bay. More information regarding navigation and boat traffic on Sodus Bay is presented in Section II of the LWRP.
- **Dredging** is required when and where water depths are insufficient to accommodate vessels navigation on throughout the bay. Water depths vary with the elevation of the Bay water surface which correlated with that of Lake Ontario through the connecting channel between the two. Safe and environmentally sound recreational boating on Sodus Bay requires a minimum water depth of 3 feet for power vessels up to approximately 25 feet in length and a minimum of 4 feet for larger recreational power boats. Fixed keel sailboats require a minimum of approximately 8.0 feet for sailing and 6.5 feet for sailboat docking and mooring. It is assumed that a 25 foot length is the upper limit for vessels launched via trailer on a daily basis with larger vessels generally launched via hoist on a seasonal basis and stored in water for the boating season⁶⁰. The Town of Huron is currently working with other Lake Ontario communities in the development of an updated Regional Dredging Management Plan to address current dredging needs for lake access channels along the Lake Ontario shoreline.
- The general **visual setting of Sodus Bay** is that of a large lakeshore embayment with extensive shoreline development but relatively undeveloped woods and agricultural areas set back from the shoreline. Five major scenic view areas have been identified in Huron:
 - Saw Mill Cove - An area located where the road right-of-way for Red Mill Road runs along the Bay shoreline. A small parking area is available on the south side of the road. Views from the northern shoulder of the road look north up the Bay with the Village, barrier beach of Crescent Beach and Charles Point and the wooded Newark and Eagle Islands visible across the expanse of water surface. From the south side of the road, a portion of the large wetland complex located along Third Creek is visible.
 - Shaker Heights - A developed area on a prominent ridge culminating in Nicholas Point on the Bay. Shaker Tract Road runs along the top of the ridge line and offers intermittent views of the southern portion of the Bay between the developed lots and home sites. Parking or sitting areas are not available along the ridge. This road fronts entirely on private property and there has been no demand or opportunity to provide public parking or sitting areas along its frontage.

- Bay Bridge - The Bay Bridge crosses the extreme southern end of the Bay at Ridge Road. Small parking areas are available at both ends of the bridge and a protected pedestrian way is located along the northern side of the bridge. Views from the bridge are expansive to both the south and north. To the south, Sodus Creek is visible between extensive flats occupied by wetlands bordered by woods. Views to the north include the southern portion of Bay surface water to approximately Willigs Point and the several marinas in this area.
 - Lake Bluff Road - Between Ridge Road and Lummisville Road, a section of this road offers elevated views of the southern portion of the Bay with Shaker Heights in the background. Further north, this road travels along the Bay shoreline east of Eagle Island with open views from the western shoulder in many areas. Views from this area include the water areas between Eagle Island and the mainland, the open water to the south, and the Crescent Beach barrier beach as seen through a narrow gap.
 - Hog Island and the LeRoy Island Bridge - A small parking area on Hog Island, from where pedestrians can access the LeRoy Island bridge and adjacent shoreline areas. Views from here include the open water area separating LeRoy Island from the mainland, the open water areas of the Bay to the south, and the large wetland area located both north and south of Hog Island.
- For **public safety**, there is a recommendation that a position of a **harbormaster** be created to oversee the use of the entire Sodus Bay. Currently, law enforcement on the water is provided by the Wayne County Sheriff's Department.
 - **Existing land uses and zoning** of the land adjacent to the bay are described in detail in Section II of the LWRP.
 - **Public access to the bay** and its waters is limited to private marinas and restaurants.
 - **Potable water** within the HMP area is supplied by the Wayne County Water & Sewer Authority. A private water supply system serves the seasonal residents of Eagle Island.
 - **Public water service** is available to properties along Ridge Road, Lake Bluff Road, Bayshore Road, Ann Lee Drive, Spiegel Drive, Shaker Tract Road and LeRoy Island, as illustrated in [Map 15](#). Wayne County Water and Sewer Authority manages the public water service, which is supplied by numerous sources. No public sewer services are provided to properties along Sodus Bay. Future sewer service would be processed outside of the Huron HMP.

Regulatory Framework

In general, the authority for the regulation of structures and uses above the mean high water line in New York State is granted to the local municipalities. This is enacted locally by zoning and subdivision ordinances.

In general, municipal regulations within harbors and near shore areas have been limited to regulating vessel speed, anchoring, and mooring. Under NYS Navigation Law, specific municipalities are authorized to regulate structures such as docks, and boathouses, and shoreline structures. Pursuant to Section 46-a(2) of Article 4 of the NYS Navigation Law, the Town of Huron is authorized to adopt, amend, and enforce local laws, rules and regulations not inconsistent with the laws of this state or the United States, with respect to the restriction and regulation of the manner of construction and location of boathouses, moorings and docks in any waters within or bounding the respective municipality to a distance of fifteen hundred feet from the shoreline. Based on this authorization, as well as the Municipal Home Rule Law

and the Town Law, the Town of Huron adopted the local **Dock and Mooring Law**¹¹⁷, included in Appendix B of the LWRP.

Section § 45 of the NYS Navigation Law establishes a “no wake” zone within the Sodus Bay Channel connecting the bay with the lake, and in the waters immediately east of the Village of Sodus Point (outside of Huron’s Sodus Bay Harbor Management Area). Pursuant to this section:

...no vessel shall be operated within that area of the Sodus Bay Channel and Sodus Bay ... in a manner or at a speed that causes a wake that unreasonably interferes with or endangers a dock, pier, raft, float, anchored or moored vessel or swimmer but in no event at a speed exceeding five miles per hour.

For the purpose of advising users of the existence of the speed zone within Sodus Bay, the Wayne County Sheriff is responsible for placing buoy markers to delineate its limits. The content of Section § 45-aaaa of the NYS Navigation Law is included in the Appendix B of the LWRP.

Regulation of vessels in the waters within the Town of Huron may be enacted by Wayne County pursuant to Section 46-a of Article 4 of the NYS Navigation Law, included in Appendix B, which states that:

- *The board of supervisors or other legislative governing body of a county, or, should no action on the matter be taken by such board or body, the governing body of a city or incorporated village, by a three-quarters vote of its members, may establish a vessel regulation zone and within the limitations prescribed by this chapter, adopt regulations for the use of a lake or part of a lake or other body of water within the county, or in case of a city or incorporated village of the part of said waters adjacent thereto, if it shall deem that such establishment of a zone will promote the safety of the people and be for the best interests of the county, city or incorporated village.*

State regulatory authority rests principally with the New York State Department of Environmental Conservation. This authority is in addition to, and is not replaced by, any municipal regulation of docks, moorings and similar structures. The following are the articles of the Environmental Conservation Law (ECL) administered by DEC

- Article 15 Title 5, Protection of Waters¹¹⁸, - for permits regarding projects involving: disturbance of the bed or banks of a protected stream or other watercourse¹¹⁹; construction, reconstruction or repair of dams and other impoundment structures¹²⁰; construction, reconstruction or expansion of docking and mooring facilities¹²¹; excavation or placement of fill in navigable waters and their adjacent and contiguous wetlands¹²²; water quality certification for placing fill or undertaking activities resulting in a discharge to waters of the united states¹²³. To obtain or

¹¹⁷ <http://townofhuron.org/content/Laws/View/49>

¹¹⁸ <http://www.dec.ny.gov/regs/4438.html>

¹¹⁹ <http://www.dec.ny.gov/permits/6554.html> - Disturbance of the Bed or Banks of a Protected Stream or other Watercourse

¹²⁰ <http://www.dec.ny.gov/permits/6552.html> - Construction, Reconstruction or Repair of Dams and other Impoundment Structures

¹²¹ <http://www.dec.ny.gov/permits/6550.html> - Construction, Reconstruction or Expansion of Docking and Mooring Facilities

¹²² <http://www.dec.ny.gov/permits/6548.html> - Excavation or Placement of Fill in Navigable Waters and Their Adjacent and Contiguous Wetlands

¹²³ <http://www.dec.ny.gov/permits/6546.html> - Water Quality Certification for Placing Fill or Undertaking Activities Resulting in a Discharge to Waters of the United States

renew a DEC permit, to report environmental or natural resource problems, to find the best places to hunt, fish and enjoy the outdoors, to reach any DEC program for any reason -- your first point of contact is DEC Region 8 office¹²⁴.

- Article 24¹²⁵, Freshwater Wetlands - for permits regarding activities that are proposed within the mapped State-Regulated wetland areas or within a 100-foot wide adjacent area. The mapped wetland areas are shown in [Map 10](#). Permit issuance standards are contained in the NYS DEC regulations found at 6 NYCRR Part 663¹²⁶.
- Article 34¹²⁷ of the Environmental Conservation Law, Coastal Erosion Hazard Areas - for permits required for activities proposed to occur within a State-designated and mapped Coastal Erosion Hazard Area. Within the HMP area, this only includes the Crescent Beach area. Local municipalities have the option of assuming the regulatory program under Article 34.

To undertake and exercise its regulatory authority with regard to activities subject to regulation under Article 34¹²⁸ of the Environmental Conservation Law¹²⁹, the Town of Huron adopted, and later amended, a local Coastal Erosion Hazard Area Law¹³⁰, also included in the Appendix B of the LWRP.

In addition to direct permit authority, the NYS DEC also consults with the NYS Department of State (DOS), the NYS Office of Parks, Recreation and Historic Preservation (NYS OPRHP) and the NYS Office of General Services (OGS) as part of its review of permit applications. Under some permit procedures, specific consent must be obtained from one or more of these agencies in order for the NYS DEC to issue a permit or, in the case of DOS, the DEC must ensure that its permits or other actions in the coastal area of the State are consistent with the policies of the New York State Coastal Management Program.

The NYS Office of General Services (OGS) represents the State of New York in administering lands under navigable waters pursuant to the Public Lands Law, the Navigation Law and in participation with interagency administration of the Education Law as it relates to the Abandoned Shipwrecks Act. OGS should be consulted to determine the State's interest in any action involving the placement of structures or having a potential significant impact to the bed of Lake Ontario or the bays. The Town should consult OGS regarding the dredging of the navigation channels connecting the bays with Lake Ontario, and in the placement of docks and other structures in the water. OGS should also be consulted about the application of Section 334 of the State Real Property Law, which states that “in case the lands sought to be shown upon the subdivision map are contiguous to the navigable waters of the state and have frontage on such waters, such map shall show the extension of the littoral property line or lines of such lots, plots, blocks, sites or units from the intersection of said line or lines with the high water mark into said navigable waters of the state. Such map shall show sufficient data to define the location of the riparian/littoral area associated with such lots, plots, blocks, sites or units¹³¹.”

Federal authority rests with the U.S. Army Corps of Engineers (USACE) under Section 10 of the Rivers and Harbors Act¹³² of 1899 and under Section 404 of the Clean Water Act. Under Section 10, a permit is

¹²⁴ <http://www.dec.ny.gov/about/558.html> - DEC Region 8 Permit Administrator

¹²⁵ <http://www.dec.ny.gov/permits/6058.html> - Freshwater Wetlands Permits

¹²⁶ <http://www.dec.ny.gov/regs/4613.html> - Part 663: Freshwater Wetlands Permit Requirements

¹²⁷ <http://www.dec.ny.gov/permits/6064.html> ; <http://www.dec.ny.gov/regs/4470.html>

¹²⁸ <http://www.dec.ny.gov/permits/6064.html> - Coastal Erosion Management Permit Program

¹²⁹ <http://www.dec.ny.gov/regs/4470.html> - Part 505: Coastal Erosion Management

¹³⁰ <http://townofhuron.org/content/Laws/View/46>

¹³¹ <http://public.leginfo.state.ny.us/lawsrch.cgi?NVLWO> - Laws of New York, Real Property Law (RPP)

¹³² http://el.erdc.usace.army.mil/emrrp/emris/emrshelp5/rivers_and_harbors_acts_legal_matters.htm

required for any structure or work (including any dredge or fill) that takes place in, under, or over navigable water, or any wetland adjacent to navigable waters. Under this regulation, a permit is required from the USACE to place any dock, mooring, boat ramp or any other structure within or over the water of the Bay and its tributaries.

Under Section 404¹³³, a permit is required for activities which involve a discharge of dredged or fill material into a water of the United States including wetlands. Discharge activities which will drain or flood wetlands or significantly disturb the soils of a wetland also require a permit under this section. Some Federal permits also require concurrence or consent from New York State agencies. In particular, Federal permits in the coastal zone require a concurrence from the DOS that the project is consistent with New York coastal management policies and Federal Section 404 permits require the issuance of a Water Quality Certification by the DEC. The USACE has issued blanket permits, termed Nationwide Permits, for certain minor activities. Some of these have been supplemented and/or modified by its Buffalo District Office, which has jurisdiction over Sodus Bay for regulatory purposes. These modified versions are called Regional Permits¹³⁴.

Surface Water Uses and Issues

The bay shoreline is shallow with extensive beds of submersed, floating, and emergent aquatic vegetation that covers 37 percent of the bay's surface area. The nuisance invasive submergents eurasian watermilfoil, curly leaf pondweed, and water chestnut have been found in the bay. Several mechanical harvesters are operated annually by the Wayne County Soil and Water Conservation District to control the vegetation¹³⁵.

The surface water uses for the portion of Sodus Bay within the Huron WRA are presented in part 2.9. *Water Uses*, Section II of the LWRP. *Part 2.1 Summary of Issues and Opportunities in the Waterfront Revitalization Area* describes issues of Huron's waterfront area that should be addressed and the goals of the LWRP.

Proposed Projects within HMP Area

The projects proposed to be developed in the Huron HMP area, to expand or improve water-dependent uses or to protect the quality of Sodus Bay waters, are described in part 4.3 *Proposed Projects* of Section IV of the LWRP.

4.3. Proposed Projects

A. Land Uses and Zoning

- **Identify the best location for the land uses proposed in the 2012 Huron Master Plan and draft regulations.**

The 2012 Huron Master Plan recommends several changes to the Town of Huron zoning district boundaries and regulations that are intended to preserve the existing balance of residential, business and conservation uses within the WRA. The following modifications to the zoning

¹³³ <http://www.dec.ny.gov/permits/81010.html>

¹³⁴ <http://www.usace.army.mil/Missions/CivilWorks/RegulatoryProgramandPermits/NationwidePermits.aspx>

¹³⁵ <http://www.dec.ny.gov/outdoor/88424.html>

regulations require additional study and drafting of specific language prior to being accepted by the local residents and adopted by the Huron Town Board.

- Create two new zoning district classifications – Resort Residential and Resort Business - to replace the existing Resort classification which accommodates both residential and business uses. An excerpt from Master Plan is included in Appendix E.
- Add Bed and Breakfast Inn to the list of uses permitted with a Special Use Permit in the Resort Residential and Resort Business districts.
- In the Resort Residential district, revise land use regulations regarding lot coverage, yard setback requirements, and building bulk (height, size, etc) in order to maintain the existing small scale character of the homes and preserve views of the water.
- In the Resort Residential district, in order to mitigate the visual impacts of newer and larger homes, yard setback requirements should be tied to building height, with additional setbacks required for taller buildings and buildings with larger footprints.
- In the Resort Business district, incorporate provisions that address lot coverage, yard setback requirements and building bulk (height, size, etc.) to ensure that future such development is in scale with the surrounding areas, and potential adverse impacts on adjacent residential areas are minimized.
- Revise the A5A - Agriculture Zoning District regulations to remove land uses such as manufactured home parks, industry, junkyards, quarries and sand and gravel pits, and permit these uses under the existing M-Industry district and a new manufactured housing zoning district.

Project 1 **Conduct a detailed study to determine the economic impact of existing land use regulations, identify amendments needed to implement the recommendations of the 2012 Huron Master Plan and this LWRP, and propose detailed implementation strategies. Review the proposed local law amendments for consistency with the LWRP policies, draft and adopt the local law amendments consistent with the LWSRP policies.**

Estimated cost: \$24,000

Potential funding sources and permitting: Empire State Development/
Strategic Planning and Feasibility
Studies ¹³⁶; NYS Department of
State, Town Budget

Responsible entities: Town of Huron

¹³⁶ <http://www.esd.ny.gov/BusinessPrograms.html> - ESD financing and technical assistance programs

➤ **Locate and develop a public recreation area near the east end of Bay Bridge**

A town park, or a public recreation area developed as part of a private waterfront development, is recommended for the Resort area near the east end of the Bay Bridge. The public recreation area should include transient docking and areas where the public can walk along the water, fish, and view the waterfront and may include a public boat launch.

Project 2 **Conduct a feasibility study to determine an appropriate site, facilities, design, and construction and maintenance costs of a public recreation area within Resort area, near the east end of the Bay bridge.**

Estimated cost: \$22,000

Potential funding sources: NYS Department of State; Town Budget; Environmental Facilities Corporation¹³⁷; private developer

Responsible entities: Town of Huron; Wayne County; private landowners and developer(s)

Project 3 **Design and develop a public park or recreation area in the Resort area near the east end of the Bay Bridge.**

Estimated cost: To be determined based on findings of feasibility study

Potential funding sources: NYS Department of State, Town Budget; private developer

Responsible entities: Town of Huron; Wayne County; private landowners and developer(s)



B. Water Quality Preservation and Improvement

➤ **Improve management of aquatic weeds**

Despite an extensive program of weed harvesting, aquatic weeds continue to interfere with the enjoyment of Sodus, East and Port Bays by boaters and waterfront residents. Many comments to the public survey suggested consideration of chemical treatment methods. Others suggested that the harvesting effort needs to be more extensive or better managed.

¹³⁷ <http://www.efc.ny.gov/Default.aspx?tabid=131> - Clean Vessel Assistance Program

Project 4 Obtain funding to continue and eventually expand the mechanical weed harvesting in Sodus, East and/or Port Bays.

Estimated cost: Varies based on extent of area served

Potential funding sources: NYS Department of State; Partnerships for Regional Invasive Species Management; NYS Department of Environmental Conservation Office of Invasive Species Coordination¹³⁸; Aquatic Weed Harvesting District; Wayne County; Town of Huron

Responsible entities: Wayne County Soil & Water Conservation District; Town of Huron

Project 5 Conduct a study to evaluate alternatives to mechanical harvesting to control nuisance weeds in Sodus, East, and/or Port Bays, such as lining the bay with alum or using chemical weed controllers. The study should include a cost-benefit analysis of alternative methods and identify funding sources for implementation.

Estimated cost: To be determined

Potential funding sources: NYS Department of State; Partnerships for Regional Invasive Species Management; NYS Department of Environmental Conservation; Town of Huron; Wayne County; New York State; research foundations

Responsible entities: Wayne County Soil & Water Conservation District; Town of Huron

➤ **Improve the quality of stormwater runoff into the bays from developed land**

Stormwater runoff from developed land, including residential and business properties and roadways, contributes sediment and contaminants that impact water quality in the Bays and Lake Ontario. Runoff of nutrients and sediment also contribute to the aquatic weed growth that interferes with boating in the Bays.

Project 6 Conduct a green infrastructure feasibility study to identify the best town-wide locations for rain gardens and bio-swales to collect and filter runoff, improve groundwater recharge and the quality of surface waters; and develop a program to provide cost sharing and technical assistance to local stakeholders.

Estimated cost: \$24,000

Potential funding and permitting sources: NYS Environmental Facilities Corporation / Green Innovation Grant Program¹³⁹; NYS Department of State; NYS Department of

¹³⁸ <http://www.dec.ny.gov/animals/82623.html>

¹³⁹ <http://www.efc.ny.gov/Default.aspx?tabid=461> - Green Innovation Grant Program (GIGP)

Environmental Conservation, Division of Water; NYSERDA; Wayne County Soil & Water Conservation District.

Responsible entities: Wayne County Soil & Water Conservation District; Town of Huron

Project 7 **Develop and distribute educational materials to residents to encourage the installation of rain barrels to reduce the quantity of stormwater runoff and improve the quality of runoff by increasing filtering through lawns and groundcover.**

Estimated cost: \$4,000

Potential funding sources: NYS Department of State; NYS Department of Environmental Conservation, Division of Water; NYSERDA; Wayne County Soil & Water Conservation District, manufacturers and vendors of rain barrels

Responsible entities: Wayne County Soil & Water Conservation District; Town of Huron

Project 8 **Provide financial support to Town and County highway departments to maintain and stabilize stream banks and roadside ditches in order to improve the collection and filtration of stormwater runoff and identify green alternatives to the existing designs.**

Estimated cost: \$80,000

Potential funding sources: NYS Department of State; NYS Department of Transportation, Division of Water; NYS Department of Environmental Conservation; NYS Environmental Facilities Corporation / Green Innovation Grant Program; Wayne County Soil & Water Conservation District

Responsible entities: Wayne County Soil & Water Conservation District; Town of Huron

➤ **Slow down the flow and improve the filtration of stormwater runoff from agricultural land**

Runoff from agricultural land may contribute sediment, pesticides and nutrients to the Bays. The Agricultural Environmental Management (AEM) program, managed by the Wayne County Soil & Water Conservation District, works with farmers to identify and implement practices that reduce the potential for such contaminants to flow into water bodies.

Project 9 **Provide technical assistance and financial incentives to farm operators to reduce the quantity and improve the quality of runoff to Lake Ontario and the Bays from agricultural lands.**

Estimated cost: Varies by project

Potential funding sources: NYS Department of State; NYS Department of Agriculture and Markets¹⁴⁰; NYSERDA; Empire State Development Division for Small Business, NYS Department of Environmental Conservation / Water Quality Improvement Project Program, Division of Water, Wayne County Soil & Water Conservation District,

Responsible entities: Wayne County Soil & Water Conservation District

See also: *Project 6 listed above also improves the filtration of runoff from agricultural lands.*

➤ **Prevent/remove invasive species of plants**

Invasive plant species affect natural habitats and fisheries. Monitoring is needed to better understand the types of species and the extent to which they are proliferating. Public education is needed so that residents, visitors and boaters can recognize those species and take actions to prevent their proliferation. For some species of plants, removal is effective.

Projects 10 **Conduct a field survey to determine the extent of invasive plant species in Sodus Bay and surrounding areas and identify methods of combating their propagation.**

Estimated cost: \$12,000

Potential funding sources: NYS Department of State; Cornell Cooperative Extension Invasive Species Program / Partnerships for Regional Invasive Species Management¹⁴¹; NYS Department of Environmental Conservation; Wayne County Soil & Water Conservation District, local associations and not-for-profit organizations

Responsible entities: Wayne County Soil & Water Conservation District

Projects 11 **Design and install an educational display at Chimney Bluffs Park and other suitable sites to provide information to the public about invasive species and actions that can be taken to address their proliferation.**

Estimated cost: \$2,500

Potential funding sources: NYS Council on the Arts, NYS Department of State; NYS Office of Parks, Recreation, and Historic Preservation, Partnerships for Regional Invasive Species Management; NYS Department of Environmental Conservation; Wayne County Soil & Water Conservation District

Responsible entities: Wayne County Soil & Water Conservation District

¹⁴⁰ <http://www.agriculture.ny.gov/RFPS.html> and <http://www.ams.usda.gov/AMSV1.0/NOPCostSharing>

¹⁴¹ http://www.nyis.info/?action=prism_partners - New York Invasive Species Clearinghouse

Projects 12 Organize volunteer participation in the removal of water chestnut plants by hand harvesting.

Estimated cost: \$2,000 annually

Potential funding sources: NYS Department of State; Partnerships for Regional Invasive Species Management; NYS Department of Environmental Conservation; Wayne County Soil & Water Conservation District; local associations and not for profit organizations

Responsible entities: Wayne County Soil & Water Conservation District

See also: Continue and expand mechanical weed harvesting in Sodus, East and Port Bays.

➤ **Identify leaking septic systems and reduce discharges into the nearby streams or groundwater**

All properties in the Town of Huron are subject to the requirements of the Town’s Septic Law⁷⁴, included in Appendix B of the LWRP, which requires periodic inspection of septic systems to ensure that they are functioning properly. The septic systems in Crescent Beach were exempt for a period of two years prior to January 2012 from compliance with Town septic system regulations; the Town worked with the NYS Department of Health to establish guidelines for viable systems that would be effective as well as feasible to install there. However, guidelines are in place now and the Town’s Septic Law¹⁴² has been updated to require properties on Crescent Beach and other areas in the Town that may be designate to install a holding tank, aerobic system or other alternative septic system to manage septic waste.

Project 13 Conduct periodic studies to assess the effectiveness of the existing septic systems and Huron Septic Law, and recommend and implement improvements.

Estimated cost: \$8,000 for annual assessments

Potential funding sources: NYS Department of State; NYS Department of Environmental Conservation, Division of Water, Wayne County Soil & Water Conservation District

Responsible entities: Wayne County Soil & Water Conservation District

Project 14 Develop educational materials about the proper care and maintenance of private septic systems and the requirements of the Town’s Septic System Law. Distribute information to property owners and renters.

Estimated cost: \$1,500

Potential funding sources: NYS Department of State; Wayne County Soil & Water Conservation District, local associations and not-for-profit organizations

Responsible entities: Wayne County Soil & Water Conservation District

¹⁴² <http://townofhuron.org/content/Laws/View/66> - Huron Septic Law, updated in 2013

➤ **Extend public sewer service to additional areas**

The “Sanitary Sewer Feasibility Study for the Wayne County Four Bay Area,” prepared in 2007 by the MRB Group for the Wayne County Water & Sewer Authority, evaluated the feasibility of providing sanitary sewer service to all properties along Sodus Bay, Port Bay, East Bay and Blind Sodus Bay (outside the Town of Huron.) The study noted that sufficient treatment capacity is available at regional treatment facilities but that transmission mains would be needed to transport collected wastewater to these facilities. It also noted that intermunicipal coordination and planning is needed to fairly allocate the costs of both collection and transmission lines among the potential beneficiaries of the system. A sewer district has been proposed to serve properties along Port Bay in the Towns of Huron and Wolcott. The two towns are currently working together to explore potential financing alternatives. If the proposed district is approved by property owners, it would provide public sewer service to all parcels along the Port Bay shoreline.

Project 15 **Conduct a feasibility study to identify the most feasible properties to incorporate into a new sewer district(s) to serve properties along Sodus Bay, East Bay and Port Bay. The study will identify the roles and responsibilities of various municipal entities, evaluate the environmental and economic benefits, estimate the capital cost of creating such systems/districts as well as ongoing operation and maintenance costs and identify potential funding sources.**

Estimated cost: \$12,000

Potential funding sources: U.S. Department of Agriculture¹⁴³; NYS Department of State/LWRP/Local Government Efficiency¹⁴⁴; Wayne County Water & Sewer Authority

Responsible entities: Wayne County Water & Sewer Authority; Town of Huron

Project 16 **Study feasibility of installing sewer lines to serve properties along Sodus Bay, East Bay and Port Bay; install sewer lines.**

Estimated cost: To be determined based on findings of feasibility study

Potential funding sources: NYS Empire State Development/Infrastructure Investment; NYS Department of State; Wayne County Water & Sewer Authority; benefitting properties

Responsible entities: Wayne County Water & Sewer Authority; Town

➤ **Install additional pump-out station(s) for boats**

Lake Ontario was designated in 2011 as a Vessel Waste No Discharge Zone (NDZ)¹⁴⁵. It is illegal to discharge sewage from boats and boaters are required to use appropriate pump-out facilities to dispose of sewage. On Sodus Bay, three pump-out stations are currently available in Sodus Point (Sodus Bay Yacht Club, Arney’s Marina and Krenzer Marine.) No pump-out stations are

¹⁴³ http://www.usda.gov/wps/portal/usda/usdahome?navid=GRANTS_LOANS - USDA Grants and Loans Programs

¹⁴⁴ <http://www.dos.ny.gov/lg/lge/index.html> - NYS Department of State, Local Government Efficiency Program

¹⁴⁵ <http://www.dec.ny.gov/chemical/73875.html> - NYS waterbodies designated as No Discharge Zones

currently located along Port Bay. Grants administered by the NYS Environmental Facilities Corporation through the Clean Vessel Assistance Program (CVAP) can provide up to 75% of eligible project costs up to \$60,000 for a new or upgraded pump-out boat and up to \$35,000 for a new or upgraded stationary pump-out unit. Marinas, municipalities and not-for-profit organizations are eligible for these grants. Facilities funded by the grant must be available to the general public during the times that the facility is open for business.

Project 17 **Provide cost sharing to marinas along Sodus Bay and Port Bay in the Town of Huron for the preparation of engineering plans and grant applications to encourage the installation of pump-out units.**

Estimated cost: Up to \$2,000 per site

Potential funding sources: NYS Environmental Facilities Corporation; Department of Environmental Conservation; Office of Parks, Recreation and Historic Preservation/Boating Infrastructure Grant Program¹⁴⁶; NYS Department of State

Responsible entities: Town of Huron

C. Waterfront Access and Development

➤ Improve public access to waterfront

There are few places in the Town of Huron, particularly along Sodus Bay, that are accessible to the public where residents or visitors can be near the water. Some of the facilities recommended by respondents to the public survey include bicycle trails, walking trails, and dockage for transient boaters.

Projects 18 **Prepare a trail system master plan for the development of walking trails and bicycle trails that link points of interest along the waterfront. Address safety for pedestrians and bicyclists along Lake Bluff Road and other roadways that access waterfront views, businesses and natural and recreational areas.**

Estimated cost: \$22,000

Potential funding sources: Office of Parks, Recreation and Historic Preservation/Recreational Trails Program; Genesee Transportation Council - UPWP; NYS Department of State;; Wayne County Tourism funds; NYS Environmental Facilities Corporation/ Green Innovation Grant Program

Responsible entities: Town of Huron; Wayne County Tourism

Project 19 **Construct walking and bicycling trails and improve accommodations for bicyclists along existing roadways to improve safety and access to waterfront views, businesses and natural areas.**

Estimated cost: TBD

¹⁴⁶ <http://parks.ny.gov/grants/boating-infrastructure/default.aspx> - NYS OPRHP Boating Infrastructure Grants

Potential funding sources: NYS Department of State (design); Office of Parks, Recreation and Historic Preservation/ Recreational Trails Program¹⁴⁷; NYS Department of Transportation – MAP 21 Transportation Alternatives¹⁴⁸; Wayne County Tourism funds

Responsible entities: Town of Huron

[See also Establish a public recreation area in Resort area at the east end of the Sodus Bay Bridge.]

➤ **Maintain and enhance views of the waterfront.**

Scenic views and the beauty of the waterfront are the most appreciated aspects of the waterfront, according to respondents to the public survey. Views are important from public areas as well as from private properties.

Projects 20 **Designate key scenic viewpoints and corridors and incorporate guidelines into local land use regulations protect views from public and private properties when buildings are constructed or reconstructed.**

Estimated cost: \$4,000

Potential funding sources: Town of Huron; NYS Department of State, EPF LWRP

Responsible entities: Town of Huron

Project 21 **Incorporate design guidelines into the Town’s zoning regulations that limit light trespass in order to protect dark skies**

Estimated cost: \$4,000

Potential funding sources: Town of Huron; NYS Department of State, EPF LWRP

Responsible entities: Town of Huron

➤ **Support existing and encourage new businesses in appropriate locations**

The Town’s existing marinas, bait shops and restaurants contribute to the quality of life for residents and property owners, help to attract and retain visitors, and contribute to the property and sales tax base of the Town. Suitable locations for waterfront businesses are identified in the Town’s recently drafted Master Plan.

The Town’s existing zoning regulations accommodate a variety of businesses uses throughout the waterfront area. Waterfront business operators have particular needs relating to compliance with local, State and federal regulations, as well as maintaining profitability in difficult financial circumstances.

Additional marketing to tourists, as well as residents of Huron and nearby areas, would help to support existing and new businesses.

¹⁴⁷ <http://parks.ny.gov/grants/recreational-trails/default.aspx> - NYS OPRHP Recreational Trails Program

¹⁴⁸ <http://www.fhwa.dot.gov/map21/tap.cfm>

- Project 22** **Identify and publicize the availability of waterfront sites suitable for businesses that provide services to boaters including marinas, bait shops, charter fishing operations in appropriate locations.**
- Estimated cost:** \$2,500
- Potential funding sources:** Town of Huron; NYS Empire State Development/ Strategic Planning and Feasibility Studies; NYS Department of State, EPF LWRP; business associations
- Responsible entities:** Town of Huron; business associations; Wayne County Tourism
-
- Project 23** **Identify potential changes to zoning regulations that encourage waterfront businesses in suitable locations.**
- Estimated cost:** \$4,000
- Potential funding sources:** Town of Huron; NYS Department of State/ LWRP; business associations
- Responsible entities:** Town of Huron; business associations; Wayne County Tourism
-
- Project 24** **Work with the County Tourism Director to encourage visitors to Sodus Bay, Chimney Bluffs and the marinas, restaurants, campground and other businesses in Huron.**
- Estimated cost:** \$4,000
- Potential funding sources:** Wayne County Tourism; NYS Empire State Development/ Strategic Planning and Feasibility Studies; NYS Department of State, EPF LWRP; business associations
- Responsible entities:** Business associations; Wayne County Tourism
-
- Project 25** **Encourage businesses in Huron to develop cooperative marketing materials and programs to attract and retain visitors.**
- Estimated cost:** \$4,000
- Potential funding sources:** Wayne County Tourism; NYS Empire State Development/ Strategic Planning and Feasibility Studies; NYS Department of State, EPF LWRP; business associations
- Responsible entities:** Business associations; Wayne County Tourism

➤ **Develop additional tourist attractions and facilities for residents that utilize the natural resources and beauty of the waterfront**

The natural beauty of Huron’s waterfront, as well as the State facilities that are maintained within the Town (Chimney Bluffs State Park, Lake Bluffs Wildlife Management Area) attract visitors who participate in nature watching, kayaking, bicycling and walking.

Additional walking and bicycling trails are needed, as well as interpretive facilities that enhance the experience of these visitors.

Projects 26 **Develop interpretive facilities that highlight natural features in the area. Collaborate with NYS DEC to develop informational kiosks or signs at Lake Marshes Wildlife Management Area and with NYS Office of Parks, Recreation & Historic Preservation to develop interpretive signage at Chimney Bluffs State Park.**

Estimated cost: Up to \$2,000 per site

Potential funding sources: NYS Department of State; OPRHP Recreational Trails Program; NYS Department of Transportation – MAP 21 Transportation Alternatives; Wayne County Tourism funds

Responsible entities: NYS OPRHP; NYS DEC; Town of Huron

Project 27 **Develop biking and walking trails that link points of interest.**

Estimated cost: \$30,000 for study; construction cost TBD

Potential funding sources: NYS Department of State, NYS OPRHP Recreational Trails Program; NYS Department of Transportation – MAP 21 Transportation Alternatives; Wayne County Tourism funds

Responsible entities: Town of Huron

➤ **Advocate for maintaining lake levels that are high enough to support boating through September, while minimizing potential erosion damage to lakeshore properties.**

Water levels in Lake Ontario have been regulated since 1960, after completion of the St. Lawrence Seaway and Power Project. However, the lake levels vary substantially throughout the season and year-to-year. Variations are caused by natural conditions such as weather patterns and by the outflow controlled by the International Joint Commission (IJC). The new policies proposed in 2014 by IJC for regulating lake levels generated considerable controversy due to concerns by property owners of heightened risk of flooding and erosion and by boaters of lack of depth during late summer and early fall.

Project 28 **Continue to advocate for lake level management policies that protect property owners and businesses as well as support the natural ecosystems that contribute to water quality, fisheries and wildlife habitat.**

Estimated cost: \$2,000 annually

Potential funding sources: Town of Huron; Wayne County

Responsible entities: Town of Huron; Wayne County Board of Supervisors; Save Our Sodus and other private associations

Project 29

Study the area’s resilience to extreme weather events based on IJC projections of the lake levels proposed in 2014, historical extreme weather events, and other available information¹⁴⁹; identify which properties and assets located along the bays within the towns of Huron, Sodus and Wolcott, and the village of Sodus Point are most at risk of flooding; and, identify the mechanisms that should be in place to minimize the risk and the economic burden for property owners.

Estimated cost: \$40,000

Potential funding sources: Town of Huron; Wayne County, Department of State, Department of Environmental Conservation.

Responsible entities: Town of Huron; Wayne County Board of Supervisors; Save Our Sodus and other private local associations and property owners

➤ **Improve access for winter uses of the waterfront**

Winter use – predominantly ice fishing - is a major activity on the Bay and has the potential for further economic and recreational development. However, the current access is inadequate to meet the demand under peak conditions and adequate services are not conveniently provided. A key to enhancing winter use is in providing appropriate winter access locations, with support services, and to discourage the use of other, non-designated access points. It is believed that control of parking is the best way of encouraging participants to utilize designated access points.

On the basis of existing use patterns, Huron would identify, create additional and enhance existing public waterfront access points. The following are the existing public waterfront access sites along Sodus Bay that should be improved:

- Saw Mill Cove (restricted use)
- Lake Bluff Road at an existing restaurant or marina parking lot
- Hog Island (restricted use)

A new launch site has the potential of being developed near Bay Bridge as a public waterfront access area.

Project 30

Identify and develop a plan for improvement and ongoing management of sites publicly used for winter access to Sodus Bay, East Bay and Port Bay; create a map showing designated access points for winter activities. This plan should address:

- **Maintaining a clear path to the ice surface and providing trash receptacles and restroom facilities at the primary access points (existing parking lots at restaurants and/or marinas along Lake Bluff Road.)**

¹⁴⁹ <http://coast.noaa.gov/llv/#/lake/ontario> - Lake Level Viewer, United States Great Lakes

- **Delineating parking at secondary access points (Saw Mill Cove and Hog Island) and enforcement of parking prohibition on the adjacent roadways.**

Estimated cost: \$12,000

Potential funding sources: NYS Department of State; Town of Huron; Wayne County

Responsible entities: Town of Huron; Wayne County Tourism; restaurants and marinas; Wayne County Sheriff’s Department (parking enforcement)

Project 31 Construct improvements and establish a management program for winter access to Sodus Bay, East Bay and Port Bay from various locations in Huron.

Estimated cost: it will be based on the recommendations from project 29

Potential funding sources: NYS Department of State; Town of Huron; private entities

Responsible entities: Town of Huron; Wayne County; local businesses; Wayne County Sheriff’s Department (parking enforcement)

[See also: Develop a public recreation area near Resort, at the east end of the Bay Bridge.]

D. Navigation and Boater Services and Facilities

Sodus Bay, East Bay, Port Bay and Lake Ontario attract boaters who own property, visit seasonally, and visit for short periods of time. High quality of boating experience is important for the maintenance and growth of recreational tourism.

➤ **Maintain channels with periodic dredging**

Channels need to be dredged periodically to enable boats to travel between Lake Ontario and the Bays. A regional study of dredging needs was completed in 2000, a new version was drafted in 2014 to expend and update the previous version. The navigation channels or outlets from East Bay and Port Bay require annual dredging. Currently, the associations for these bays funds and contracts for dredging annually.

Sodus Bay requires dredging approximately every five years to maintain adequate access for navigation; it has not been dredged since 2004. The Channel connecting Sodus Bay to Lake Ontario and its protecting jetties were constructed by the US Army Corps of Engineers, which retained the formal responsibility for maintenance dredging of the Channel. However, funding for routine maintenance dredging has been eliminated for all Great Lakes harbors except for those actively utilized for commercial shipping.

The Regional Dredging Management Plan recommends the creation of a new entity to take on the responsibility for maintenance dredging of Sodus Bay, East Bay, Port Bay and other ports along southern Lake Ontario. Funding would come from a variety of sources, including a proposed add-on fee for boat registrations. Such a program could also provide for maintenance dredging of interior areas such as entrance channels to marinas and boat launches, under separate contract. Implementation of such a plan would require a cooperative effort among

several County governments along the shoreline. Depending upon the implementation model utilized, it may also require new legislation by the State.

Projects 32 Provide cost sharing and technical assistance to continue annual dredging of the East Bay and Port Bay channels

Estimated cost: \$12,000

Potential funding sources: NYS Department of State; Wayne County Tourism, local and regional associations and businesses

Responsible entities: East Bay Homeowners Association; Port Bay Improvement Association; Wayne County Tourism

Project 33 Advocate for funding for the Army Corps of Engineers to assist municipalities to dredge Sodus Bay channel.

Estimated cost: To be determined

Potential funding sources: Town of Huron, Wayne County, USACE

Responsible entities: Town of Huron; Town of Sodus; Village of Sodus Point; Wayne County; Save Our Sodus; businesses

Project 34 In cooperation with Wayne County and neighboring communities and counties, establish and fund a regional consortium to conduct periodic dredging on a cooperative, long-term basis. (See recommendations of Regional Dredging Management Plan.)

Estimated cost: To be determined for each bay based on Regional Dredging Management Plan and other studies

Potential funding sources: NYS Department of State/ EPF LWRP and Local Government Efficiency grants; Wayne County; Town of Huron; Town of Sodus; Village of Sodus Point; local and regional associations and businesses

Responsible entities: Wayne County; Town of Huron; Town of Sodus; Village of Sodus Point; Counties along Lake Ontario

➤ **Remove silt from the area under the bridge to Leroy Island**

Siltation under the bridge to LeRoy Island also affects boating. Removal of this silt will require permit from the NYS Department of Environmental Protection.

Project 35 Conduct a study to determine the feasibility of silt removal under the LeRoy Island Bridge to improve navigation. The study should: balance the needs of boaters with environmental conservation and the preservation of wildlife habitat; identify ways to mitigate any habitat disruption that may accompany silt removal; and result in a plan for silt removal that would meet requirements for all needed permits.

Estimated cost: TBD

Potential funding sources: NYS Department of State LWRP; Wayne County; Town of Huron; private foundations

Responsible entities: Wayne County; Town of Huron

➤ **Establish public docking for transient boaters**

Work with existing waterfront businesses and neighboring municipalities to establish additional public docking, especially along Sodus Bay, for transient boaters.

Project 36 **Provide cost sharing and technical assistance to waterfront business operators to encourage additional public docking, especially along Sodus Bay, for transient boaters.**

Estimated cost: To be determined

Potential funding sources: NYS Department of State LWRP; OPRHP - Boating Infrastructure Grant Program; Wayne County; Town of Huron; private businesses

Responsible entities: Wayne County; Town of Huron; waterfront business operators

➤ **Improve services, resources and facilities for fishermen**

Sodus Bay, East Bay, Port Bay and Lake Ontario support fisheries that provide recreation and business opportunities. The maintenance of quality fisheries is important to property values as well as tourism marketing.

The NYS Department of Environmental Conservation (NYS DEC) administers numerous programs to monitor and manage the fisheries, including inventories of fish populations, management of invasive species, stocking and enforcing regulations. Fishing takes place from boats as well as from shorefront docks. During the winter, ice fishing is a popular activity. Public access points include the LeRoy Island Bridge, the Route 104 Bay Bridge, and Spiegel Drive.

Fishing tournaments attract hundreds of anglers annually for events in Sodus Bay. Participants support local businesses such as marinas, lodging, restaurants, retail stores and boater services. Businesses based in Huron operate charter fishing expeditions in Lake Ontario.

Project 37 **Develop and distribute informational materials to promote fishing tournaments and other events and activities relating to fishing and to support the efforts of the NYS DEC to monitor and manage fisheries.**

Estimated cost: To be determined

Potential funding sources: NYS Department of Environmental Conservation (DEC), NYS Department of State LWRP; Wayne County Tourism; Town of Huron

Responsible entities: Wayne County Tourism; Town of Huron

➤ **Disseminate information to boaters.**

There is an identified need to better inform Sodus Bay boaters on the local navigation rules, the location of the no-wake zone, and the locations and availability of services. This information need will expand as Sodus Bay grows as a destination for visitors.

Several methods have been identified for getting this information out. While printed pamphlets can be utilized and are cheap to produce, the cost and efficiency of distribution is relatively high compared to fixed location displays. On the other hand, fixed signs must be large and prominent to be visually accessible from entry points and can be costly to establish and maintain.

It is recommended that the primary method to be used is signage with a limited use of printed pamphlets. For Sodus Bay, the signs should all have an identical look and format reflecting some sort of “branding” for the Bay as a destination. In addition to one large version of the sign on the west jetty of the channel, near the Coast Guard Station location in the Village of Sodus Point, smaller versions of the signs could be incorporated into kiosks, which could also be utilized to post notices, at marinas, launch ramps and at a public park or dock that may be established in the future. The suggested format is a large, colored map of the Bay. On the map would be a prominent depiction of the no-wake zone as well as locations for services and facilities. The map key could contain space for brief advertising of services, the sale of which may be used to help fund the signs.

In addition to the signage, it is possible to use a low-power FM broadcast (LPFM). Signs announcing the availability of the broadcast could be posted at entries. The broadcast itself would be a looped announcement with Bay information. Licenses to broadcast at a maximum 100 watts are available from the Federal Communications Commission to non-profit educational, public safety and transportation entities. Details on applying for such licensure can be found at the FCC web site at: <http://www.fcc.gov/mb/audio/lpfm/> . Such broadcasts have the potential to reach a 3-5 mile radius.

The signage at the Bay entrance and public launches would announce the frequency and direct visitors to the broadcast. The broadcast could alternate informational announcements with a directory of available services.

For Sodus Bay, it is recommended that the development, distribution, installation and maintenance of informational signage and brochures be delegated to a willing private, voluntary organization under the supervision of the Great Sodus Bay Watershed Intermunicipal Committee or the future Harbor Master. Suggestions for appropriate organizations include the Coast Guard Auxiliary, the local Chamber of Commerce, or citizens groups such as Save Our Sodus (SOS), the Great Sodus Bay Association, or similar entity. Initial and operational funding should be derived from advertising in the form of listings for goods and services that can be placed on the signage and in informational brochures. The intent is to have a uniform look to all signage and brochures with services in the form of a directory keyed to map location. Signage would be placed at the Bay entrance channel, the future public pier and at all public launches. Brochures would be placed in kiosks located at all public launches and at participating marinas and businesses.

If desired in the future, the same entity could also sponsor a low-power FM radio broadcast (termed an LPFM station). Funding would be via donations, most likely from local businesses. Donations may be utilized to fund a portion of the cost for this, possibly in exchange for service information listings for boaters. The cost of establishing such a service can vary substantially depending upon the type and quality of equipment and the cost of constructing an antenna. A

reasonable estimate of initial cost would be approximately \$10,000 with minimal operating expenses primarily associated with space for the broadcast equipment and electric power utilized.

Project 38 **Establish an informational program inform boaters on the local navigation rules for Sodus Bay, the location of the no-wake zone, and the locations and availability of services. The initial program should include printed materials, signs; subsequent initiatives should include a low-power radio broadcast.**

Estimated cost: \$3,000 signage and printed materials; \$10,000 low-power radio station

Potential funding sources: NYS Department of State LWRP; Wayne County Tourism; waterfront businesses; private donations

Responsible entities: Wayne County; Town of Huron; Town of Sodus; Village of Sodus Point; Great Sodus Bay Watershed Intermunicipal Committee

➤ **Establish a harbor master for Sodus Bay in cooperation with the Village of Sodus Point and the Town of Sodus**

The establishment of a designated Harbor Master for Sodus Bay would complement the program to disseminate information to boaters and would advance a coordinated intergovernmental approach to better manage the water activities on the Bay. The paid Harbor Master position would have the responsibility to greet boaters entering the Bay or at the public dock (in the Village of Sodus Point), to provide information and distribute handouts, to manage the future public dock and/or launching facilities and, perhaps, to be the administrative officer¹⁵⁰ for the docking and mooring ordinances of the municipalities, and the NYS Navigation Law. This position is envisioned to be seasonal, May through September, if the administration of the local docking and mooring laws is not part of its responsibilities.

The following duties are anticipated for this position:

- Be a visible presence on the Bay particularly during peak boating times;
- Assist boaters and other visitors;
- Conduct public relations and educational activities;
- Arrange emergency assistance;
- Offer guidance and information about local facilities, attractions, marinas, pump-out facilities, vessel repair, parts and equipment, recreation, restaurants and lodging;
- Provide information about boating rules and regulations, including speed and wake restrictions;
- If not authorized to issue tickets for violations, the Harbor Master will work closely with the Wayne County Sheriff's office, the US Coast Guard, and the NYS DEC enforcement officials to assist in monitoring compliance with boating rules and the enforcement of speed and wake restrictions pursuant to the NYS Navigation Law;
- Assist the participating agencies and jurisdictions in implementing the harbor management plans included in the approved municipal LWRPs

¹⁵⁰ <http://www.parks.ny.gov/recreation/boating/marine-law-enforcement.aspx> - NYS Marine Law Enforcement

- Meet at least twice annually with the Intermunicipal Committee, once in April or May and once in September or October;
- Conduct periodic surveys of boater types, times of peak activity and surface water usage;
- Help coordinate organized events to minimize conflicts among the various users of the Bay; and
- Prepare an annual report in the fall of each year for the Intermunicipal Committee detailing the Harbor Master activities during the boating, the operations at the launch site(s), the observations of Bay use, and identifying any issues regarding Bay use and associated docking and mooring facilities.

The Harbor Master would have the following additional duties relating to managing public boat launches and the future public pier (probably in the Village of Sodus Point):

- In conjunction with the hosting municipality, most likely the Village of Sodus Point, manage the operation of the public pier including allocation of dock space, collection of fees if fees are charged, and the display and dissemination of educational materials.
- Manage the operations at the public launch facilities during the boating season. This is to initially include Harriman Park in the Village of Sodus Point and, if developed, the new proposed launch site in the Town of Huron. The Harbor Master will manage the part time help at the launch site, oversee and be responsible for the financial transactions at the facility, manage and promote the large event permit program and, under the oversight and approval authority of the Intermunicipal Committee and the municipality owning the launch, set rules for use of the launch site and associated park.

Should the municipalities decide to delegate responsibility for administration of the local docking and mooring laws to the Harbor Master, the position would extend to a full-time, twelve month paid position. In that case, the following additional duties should be included as part of the Harbor Master responsibilities:

- Administer the docking and mooring laws for the Village of Sodus Point and the towns of Sodus (upon completion and adoption of a local law) and Huron including initial review of applications, attendance at Zoning and/or Planning Board meetings where dock or mooring applications are being considered, inspection and enforcement and all other duties as specified under each of the local laws or as specified in implementing legislation at the local level.
- Meet monthly with the Intermunicipal Committee and provide a summary report on docking and mooring permits and issues as they arise.
- As future use of the Bay by transient boaters grows, the Harbor Master may also be charged with installation and operation of temporary moorings, including the collection of a nominal usage fee.

Project 39 Establish a Harbor Master position for Sodus Bay

Estimated Cost: An approximate estimate of the cost of a part-time, seasonal Harbor Master position is presented in the following table:

Costs	One Launch Scenario	Two Launch Scenario
Harbor Master Salary	\$10,000	\$10,000
Launch salaries (12 hr. /day weekends plus 8 hr. /day weekdays June, July and August at \$10/hr.)	\$9,120	\$18,240
Vessel operation	\$5,000	\$5,000
Total	\$24,120	\$33,240
Income		
Launch fees (50/day weekends + 15/day weekdays at \$5)	\$12,125	\$24,250
Permits (5 at \$100.)	\$500	\$500
Total	\$12,625	\$24,750
Net	-\$11,495	-\$8,490

As shown in the table, a seasonal Harbor Master position for Sodus Bay would require approximately \$11,500 in annual funding beyond the income reasonably anticipated to be generated by charging a fee at a single launch site. This annual subsidy could drop by several thousand dollars if a second launch is developed and operated. These estimates include operating costs for a vessel for the Harbor Master, but not the initial capital cost for acquisition and fitting of the vessel.

The establishment of a Sodus Bay Harbor Master position will require a cooperative effort by the three municipalities and, perhaps, Wayne County. It is recommended that this position be created within either the Village of Sodus Point or Wayne County government, as part of the public works department, the planning department or the Sheriff’s office. Each municipality would be required to guarantee at least a portion of the operational funding for this position and, in the event that the Harbor Master administers the municipal docking ordinances, to grant such authority to the Harbor Master.

It is proposed that funding for capital startup costs for this position be obtained from external sources and that at least some of the operational costs for this position be met through user fees/contributions. However, the municipalities and the County may need to provide some base level of guaranteed support in the event that user fees do not fully fund the position. In addition, if the position entails administration of the municipal docking and mooring ordinances, some base level of funding from the municipalities will be required.

Potential funding sources: NYS Department of State, EPF LWRP; Wayne County Tourism; waterfront businesses; private donations; public launch fees

Responsible entities: Wayne County; Town of Huron; Town of Sodus; Village of Sodus Point; Great Sodus Bay Watershed Intermunicipal Committee

➤ **Improve Navigational Markings in Sodus Bay**

The two buoys designating the no-wake zone boundary in Sodus Bay are difficult to see and recognize. It is recommended that they be replaced with a continuous string of new buoys, four in all, that will better delineate the bounds visually.

The implementation of the improved navigation markings will require purchase of the new markers by the County, with annual installation being provided by the County Sheriff’s office as is done now. This action involves a small capital expense, estimated at approximately \$4,000. This should be funded through an allocation to the Wayne County Sheriff’s office budget.

Project 40 **Install and maintain additional navigational buoys in Sodus Bay.**

Estimated cost: \$4,000 - installation

Potential funding sources: NYS Department of State LWRP; Wayne County Sheriff

Responsible entities: Wayne County Sheriff; Great Sodus Bay Watershed Intermunicipal Committee

➤ **Improve Regulation of Large Scale Events on Sodus Bay**

The purpose of this action is to reach out to organizers of large scale water events, such as fishing contests, to assure participants are aware of local regulations. A secondary outcome could be the provision of funds to help defray the costs of launch use and law enforcement during these events. Implementation will require authorization by the operators of the public launches on the Bay. This includes Wayne County for the Sodus Point Park launch when open, the Town of Sodus for Harriman Park and Wayne County or the Town of Huron if a new launch is developed at the south end of Sodus Bay. It is recommended that that this activity be included as a responsibility of the Harbor Master and be funded solely by user fees associated with permitting and/or launch fees.

The goal of this action is to make sure that boaters utilizing the Bay for large scale organized events receive educational materials outlining the local navigation rules and common courtesy. To this end, it is recommended that a permit be required for any organized event that results in the use of one or more of the public launches for ten or more boats. These will primarily be fishing tournaments but may also include kayak, small sailboat, Jet Ski, or canoe races/tours as those uses mature on the Bay. It is recommended that this permit have a nominal fee associated with it based upon the number of boats expected. This could be calculated on the basis of 75% of the nominal public fee for using the launch.

With the permit, the organizing entity would receive tags or coupons allowing entrants to utilize the launch and parking area. Along with the tags/coupons, the organizing entity would be required as a condition of the permit to distribute an educational brochure to all entrants. This brochure would show the location of “no wake” zones, remind the user of safe boating practices and offer any other educational information as desired by the Harbor Master and Intermunicipal

Committee. Production of this brochure could be underwritten by the sale of advertisement for services by local businesses in a portion of the brochure.

Project 41 Establish procedures and a fee schedule for the management of large-scale events on Sodus Bay.

Estimated cost: \$4,000

Potential funding sources: NYS Department of State LWRP; Wayne County Sheriff

Responsible entities: Wayne County Tourism; Great Sodus Bay Watershed Intermunicipal Committee

➤ **Replace, repair, and reactivate the Channel Fog Horn in Sodus Bay**

Replace, repair, or reactivate the fog horn that formerly operated at the Channel. When operational, the fog horn provides a navigational aid and adds to the ambiance of the area as a harbor.

Implementation of this action requires a simple application to and approval by the US Coast Guard for a privately maintained navigational marker. As funding becomes available for the replacement or repair, the purchase, installation and maintenance of the fog horn could then be turned over the Harbor Master.

Project 42 Replace, repair or reactivate the Channel Fog Horn.

Estimated cost: To be determined

Potential funding sources: NYS Department of State LWRP; Wayne County

Responsible entities: Great Sodus Bay Watershed Intermunicipal Committee; U.S. Coast Guard (permit); Harbor Master

Note: Before undertaking this project contact D9 Private Aids to Navigation Specialist of the 9th Coastal Guard District, Phone: 216-906-6073.

➤ **Establish Intermunicipal Committee Review Mechanism for land use decisions along Sodus Bay**

The municipalities participating in the Great Sodus Bay Watershed Intermunicipal Committee should modify their intermunicipal agreement to authorize the Committee to advise the municipalities regarding land use decisions proposed along the Sodus Bay shoreline. Such review comments would provide a regional, bay-wide perspective to the local officials and help inform their decision making.

This authorization would require the Intermunicipal Committee to meet at least once a month in order to provide responsive reviews to the municipalities. The municipalities would agree to not issue approvals for actions subject to referral until review comments are received, subject to a thirty day maximum from receipt of the referral. The County Planning Department would coordinate the scheduling of the Intermunicipal Committee meetings, assemble agendas and application materials, prepare minutes and transmit review comments back to the municipalities.

It is recommended that the Intermunicipal Committee be authorized to review any proposal for land use, construction or development that requires site plan approval, subdivision approval, the issuance of a special permit or a waiver or variance from any of the substantive requirements of a local docking and mooring ordinance. All such referrals would follow the procedures currently utilized for referrals to the County Planning Department under Section 239-m of the NYS Town Law. Review comments to the municipalities would be provided within thirty days of receipt of a referral.

Implementation would require the modification of the intermunicipal agreement establishing the Great Sodus Bay Watershed Intermunicipal Committee. This new intermunicipal agreement would have to be adopted by resolution in the three participating municipalities. In addition, the Wayne County Planning Department would have to indicate agreement to coordinate the committee work.

Funding sources that could provide support for this action include:

- General municipal and/or county tax revenues (general fund).
- User fees for launch sites, public pier docking and, as demand grows, transient-use moorings.
- User fee assessed on a per dock basis for commercial and/or residential docks.
- Section 190 Harbor Improvement Districts set up within each municipality.

Project 43 Expand the role of the Great Sodus Bay Intermunicipal Committee to include review of development proposals along Sodus Bay.

Estimated cost: Variable based on number of project reviews

Potential funding sources: Wayne County; user fees; Harbor Improvement District

Responsible entities: Wayne County Planning Department; Great Sodus Bay Watershed Intermunicipal Committee

SECTION V - TECHNIQUES FOR LOCAL IMPLEMENTATION OF THE PROGRAM

5.1. Existing Local Laws and Regulations Necessary to Implement the LWRP

Zoning

The Town of Huron Zoning Law was initially adopted on June 30, 1973 and most recently amended on May 9, 2011. More details on current zoning are presented in Section II of the LWRP. The current zoning supports the implementation of the LWRP policies. No zoning amendments are proposed in conjunction with the adoption of the LWRP and the implementation of its policies. Relevant excerpts of the current law are included in Appendix B. Each of the proposed projects listed in Section IV will be initiated following the Town's assessment of zoning modifications necessary for the implementation of each project and their consistency with the policies of the LWRP, including advancing land use regulations and design standards recommended in the Town's recently adopted Master Plan.

Land Development Regulations and Public Works Requirements Law

The Land Development Regulations and Public Works Requirements Law¹⁵¹ was adopted in 2005 to replace the Subdivision Regulations adopted in 1969. These regulations apply to all developments requiring subdivision plat or site plan approval, and all improvements to be offered for dedication within the Town of Huron. No tract may be subdivided, and no land requiring site plan approval under Town Zoning Law section 44.0 may be developed or changed in use, unless final approval is granted under these regulations (and any other applicable laws and regulations are complied with). Further, no improvements may be accepted by the Town without compliance with these regulations.

Building Law

The Building Law¹⁵² was originally adopted in 1985, and last amended in 2011 in order to implement the New York State Uniform Fire Prevention and Building Code and other standards in the Town. The law requires a building permit for new construction, followed by inspections by the Building Inspector and then a certificate of occupancy, and also prescribes for enforcement.

Septic Law

The Town of Huron Septic Law¹⁵³, adopted in July 1996 and amended most recently in 2013, is designed to both safeguard public health and to better protect ground and surface water quality. The law regulates all septic systems in the Town and is intended to supplement and expand the requirements for septic systems under the State Public Health Law.

¹⁵¹ <http://townofhuron.org/content/Laws/View/53>

¹⁵² <http://townofhuron.org/content/Laws/View/44>

¹⁵³ <http://townofhuron.org/content/Laws/View/66>

Provisions include:

- Periodic inspection of all septic systems serving an existing residence, or commercial or industrial facility. Such inspections shall occur prior to any:
 1. increase in living area or increase in effluent volume;
 2. change in type of use;
 3. change in intensity of a commercial use that increases the number of employees or occupants, or increases the discharge of sewage;
 4. transfer of ownership for systems that have not yet been inspected under the law; or
 5. modification or construction resulting in at least a fifty (50%) percent increase in the interior floor space of a principal structure;
- Existing septic systems must be functional, and at a minimum must provide for separation of solids and grease, and adequate percolation;

Mandatory septic system upgrades are required when

- an existing system has been determined to have failed; or
- there is an increase in living area of a home; or
- there is a change in the intensity of a commercial use that increases the number of employees or occupants, or increases the discharge of sewage; or
- a transfer of ownership.

The law also established timeframes for periodic inspections and an appeal process for variances from the requirements of this law.

The Septic Law was amended in 2011 to provide for alternative systems, such as holding tanks or anaerobic systems, in Crescent Beach and other areas that the Town may designate as suitable for alternative systems. The amendment was enacted following a moratorium on enforcement of the septic law for properties along Crescent Beach that was enacted by the Town Board in September 2009, extended for another year in December 2010, and expired on December 31, 2011. Amendments in 2013 changed provisions related to alternative systems, requiring aerobic systems in the coastal areas and ultra-violet (UV) disinfection on Crescent Beach, and inspection criteria. The text of the existing law is included in Appendix B.

The Septic Law provides adequate protections for water quality and no additional changes to this law are proposed.

Coastal Erosion Hazard Area Law

The Town of Huron Coastal Erosion Hazard Area Law¹⁵⁴ was adopted in 2002. The objective of this local law is to minimize or prevent damage or destruction to structures along the shore as well as the natural protective features and other natural resources of the shoreline of Lake Ontario and its bays. It regulates new construction or placement of structures in order to ensure that they are located a safe distance from areas of active erosion and the impacts of coastal storms. It also regulates construction on natural features such as gravel bars to ensure that their natural protective functions are not compromised. The text of this law is included in Appendix B.

No changes to the Coastal Erosion Hazard Area Law are proposed.

¹⁵⁴ <http://townofhuron.org/content/Laws/View/46>

Docks and Moorings Law

The Town of Huron Dock and Moorings Law¹⁵⁵, adopted in 2005, regulates the placement, construction and use of docks, piers, boathouses, boat hoists, and other structures or moorings in public waterways in the Town to a distance of fifteen hundred (1,500) feet from shore as authorized by the New York State Navigation Law §46-a (2), NYS Municipal Home Rule Law and NYS Town Law. The local regulations provide for uniform setbacks from side yard lines, including lot lines projecting into the waterway, maximum dock and other structure heights, as well as ensuring proper maintenance of piers, docks and other facilities. The existing regulations also prohibit the rental of boat slips in residential areas as well as the construction of boathouses.

The Town of Huron does not see a need to regulate the number of docks or boat slips per parcel nor the length or configuration of docks. The existing zoning regulations are sufficient to limit new residential development along the waterfront of Sodus Bay, East Bay and Port Bay. The length and configuration of private residential docks has not been identified as a problem in the Town of Huron. No changes to the Docks and Moorings Law are proposed. The text of the existing law is included in Appendix B.

5.2. Proposed Local Laws Necessary to Implement the LWRP

Local Waterfront Revitalization Program (LWRP) Consistency Review Law

Actions to be directly undertaken, funded, or permitted by the Town within the local waterfront revitalization area must be consistent with the policies set forth in the Town of Huron LWRP. Through the adoption of a local LWRP Consistency Review Law, the Town can establish the legal framework required for the review of direct and indirect Town actions with the LWRP. The Town's draft LWRP Consistency Review Law is in Appendix A.

5.3. Other Public and Private Actions Necessary to Implement the LWRP

The Town will maintain partnerships with several public and private entities to carry out the projects listed in this LWRP. These include:

- Wayne County Soil & Water Conservation District
 - Aquatic Weed Harvesting
 - Stormwater management education and construction activities
 - Invasive species management
- Wayne County Water & Sewer Authority
 - Plan and implement sewer and water system extensions and improvements
 - Obtain grant and loan funding for sewer and water system improvements
- NYS Office of Parks, Recreation and Historic Preservation
 - Improvements to Chimney Bluffs Park
 - Cooperative marketing to tourists
 - Public education regarding natural resource conservation

¹⁵⁵ <http://townofhuron.org/content/Laws/View/49>

- NYS Department of Environmental Conservation
 - Construction and maintenance of boat launches and recreational areas (Lake Shore Marshes Wildlife Management Area)
 - Fisheries management to support fishing-related tourism
- Save Our Sodus (SOS)
 - Public education and advocacy regarding aquatic weed harvesting, invasive species, stormwater management, lake levels
 - Volunteer efforts to manage invasive plant species
- Port Bay Improvement Association
 - Dredging of Port Bay channel
 - Public education and advocacy regarding aquatic weed harvesting, invasive species, stormwater management
- East Bay Homeowners Association
 - Annual dredging of East Bay channel
 - Public education and advocacy regarding aquatic weed harvesting, invasive species, stormwater management
- Other private associations of homeowners, businesses and other interest groups

5.4. Management Structure for Implementing the LWRP

All State and Federal actions proposed within the Town of Huron waterfront area shall be reviewed in accordance with the guidelines established by the New York State Department of State and included in Appendix F. The review of proposed actions for consistency with the policies and provisions of the Town of Huron LWRP, including site plan and subdivision applications, is undertaken by the Huron Code Officer, in collaboration with the Town Planning Board. Their recommendations will inform the decisions of the Town Board and Zoning Board of Appeals. Any action that is proposed within the Huron WRA and has to be approved, funded, or undertaken by the Town requires completion of a Waterfront Assessment Form and must be reviewed for consistency with the LWRP policies, pursuant to the Local Waterfront Revitalization Program Consistency Review Law, requires completion of a Waterfront Assessment Form. The LWRP Consistency Review Law and Waterfront Assessment Form are included in Appendix A.

5.5. Funding Sources

A. State Funding Sources to Implement the LWRP

The implementation of the proposed actions identified in Section IV could be funded through a combination of public and private sources. These costs could include capital expenditures and maintenance costs. The Town will encourage private investment and make efforts to secure funding through State and Federal programs grants to support implementation of the identified LWRP actions.

Environmental Protection Fund

The Environmental Protection Fund (EPF) is a State program that offers matching grant funds for waterfront planning and development projects, parks and recreation improvements, and historic preservation projects. Funds can be used for planning and design services, for land acquisition and for the construction of project improvements. The Department of State and the Office of Parks, Recreation and Historic Preservation both distribute EPF funding, typically on an annual basis. The EPF criteria for recreation projects favor proposals that would provide additional water-based recreation opportunities or access to water-based sites.

Local Government Efficiency (LGE) Program

The NYS Department of State provides grants to municipalities, school districts and special districts and public authorities for planning and implementation projects that will provide cost savings through consolidation of services. The goal of the program is to encourage these entities to work cooperatively with one another to deliver public services more efficiently and at a lower cost. Projects must demonstrate that the cost to deliver services through cooperative arrangements is less than the cost for such services to be delivered by individual entities. The grant amount may not exceed the amount of cost savings that would result from cooperation. Capital projects that require the cooperation of two or more entities should be considered for LGE funding under the Regional Delivery of Services or Shared Cooperative Services categories.

Environmental Facilities Corporation - Green Innovation Grant

The Environmental Facilities Corporation (EFC) offers competitive grants municipalities, public authorities, not for profit corporations, for-profit corporations and soil and water conservation districts for projects that improve water quality through the reduction of storm sewer infiltration. Successful projects utilize innovative “green infrastructure” such as permeable pavement, green roofs, riparian buffers, and stormwater harvesting and reuse.

Department of Environmental Conservation Water Quality Improvement Program (WQIP)

The NYS Department of Environmental Conservation (DEC) administers the Water Quality Improvement Program (WQIP), a competitive grant program which allocates funds from the Environmental Protection Fund to projects that reduce polluted runoff, improve water quality and restore habitat in New York's waterbodies¹⁵⁶. Eligible applicants include towns, Municipal Corporations, Soil and Water Conservation Districts and Not for Profit Corporations (in some cases). Applicable project types include Nonagricultural Nonpoint Source Abatement and Control (NPS) and Aquatic Habitat Restoration (AHR). Depending on the type of project, reimbursement is available for up to 85% of the total cost of the project.

Empire State Development

Empire State Development provides a variety of assistance aimed at helping businesses. It offer loans, grants and tax credits, as well as other financing and technical assistance, to support businesses and encourage their growth within New York State. The following ESD programs are available:

- Empire State Development Grant Funds
- Excelsior Jobs Tax Credits
- Market New York
- Business Incubator and Innovation Hot Spot

¹⁵⁶ <http://www.dec.ny.gov/pubs/4774.html> - DEC Water Quality Improvement Project Program

- Economic Development Purposes Fund
- Strategic Planning and Feasibility Studies
- Environmental Investment Program
- Industrial Development Bond Cap

B. Federal Funding Sources to Implement the LWRP

Moving Ahead for Progress in the 21st Century

In 1991, the U.S. Congress passed the Intermodal Surface Transportation Efficiency Act (ISTEA) requiring that bicycle and pedestrian transportation projects be included in metropolitan transportation plans. ISTEA significantly increased funding for such projects. The Transportation Equity Act for the 21st Century (TEA-21) and its successor, the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) enacted in 2005 increased funding for bicycle and pedestrian transportation projects.

In 2012, the U.S. Congress adopted Moving Ahead for Progress in the 21st Century (MAP-21). This program includes funding for transportation enhancements, recreational trails, scenic byways and safe routes to school, as well as HOV lanes, diesel retrofits and truck stop electrification, in one new program, "Transportation Alternatives." Funds may also be available for environmental mitigation and vegetation management.

Most of the funding will be allocated through competitive grants administered through the Metropolitan Planning Organizations, which for Wayne County is the Genesee Transportation Council¹⁵⁷ (GTC.) Most federal funding programs provide up to 80% of the total amount as a grant and require 20% local matching funds. The Transportation Enhancement Program in the past permitted the non-federal match to be in-kind contributions; all other programs require cash match.

Highway Safety Improvement Program

The purpose of the Highway Safety Improvement Program is to identify and correct locations that may constitute a danger to motorists, bicyclists and pedestrians. These funds can be used for trail development, where it is documented that use of the roadways has resulted in a significant number of accidents involving cycling and/or pedestrians.

Surface Transportation Program

This program typically focuses on road construction, reconstruction and repair. However, a permitted use of STP funds is the development of transportation facilities in conjunction with road projects. STP funds can also be used for maps, brochures and public service announcements.

Congestion Mitigation and Air Quality (CMAQ)

This program provides funds for transportation projects that reduce congestion and emissions that affect air quality. Project may include facilities for pedestrians and bicyclists.

National Highway System Funds

NHS funds can be used to develop multi-use trails and shoulder improvements in highway corridors.

¹⁵⁷ www.gtcmpo.org

Recreational Trails Grants

The New York State Office of Parks, Recreation and Historic Preservation periodically administers grants through the Recreational Trails Program. The 2013 round is funded through Federal transportation funds. Applications are expected to be administered through the Consolidated Funding Application (CFA) process. This program provides matching reimbursement grants to communities and not-for-profit organizations to provide and maintain recreational trails for both motorized and non-motorized recreational trail use.

Drinking Water State Revolving Fund

The NYS Environmental Facilities Corporation (EFC) offers subsidized low interest rate financing and limited grants for construction of eligible water system projects to municipalities and public financing authorities in New York State. The program provides a significant financial incentive for public and private water systems to finance needed drinking water infrastructure improvements (e.g. treatment plants, distribution mains, storage facilities). Potential projects must be submitted to EFC for rating and listing on the Intended Use Plan (IUP.)

Projects that protect maintain or improve water quality are eligible. Projects that are ready to proceed are generally funded. Limited funds are available. Suitable projects are those which address problems with the quality of a water supply source, including public sources and private “community” sources such as for a restaurant or manufactured home park.

Community Development Block Grant

NYS Homes and Community Renewal administers the competitive Community Development Block Grant (CDBG) program for non-entitlement communities (towns and villages with population under 50,000 population and counties under 200,000.) Competitive CDBG grants are available for public facilities, community and economic development activities, wastewater and drinking water facilities, housing and public infrastructure projects. In 2013, the grant limit for infrastructure projects is \$750,000. Economic Development grants may be requested for projects involving water, wastewater or other infrastructure to serve projects that create or retain jobs for moderate-income persons (at \$15,000 per job created/retained).

Project beneficiaries must be predominantly persons with low or moderate incomes. Projects must correct or prevent health and safety problems, slums or blight. The most highly rated infrastructure projects will be those that solve serious, documented public health and safety problems, such as private water supplies that are contaminated by bacteria or other substances.

Rural Utilities Service Water and Wastewater Disposal Loan and Grant Program

U.S. Department of Agriculture Rural Development provides loans and grants to water and wastewater facilities and services to low-income communities whose residents face significant health risks with service area populations below 10,000. Loan terms are typically 38-years. The interest rate is indexed to the Median Household Income of the municipality or service area. Eligible water and wastewater projects are those that serve economically disadvantaged populations and solve serious public health problems. Financial assistance should result in reasonable user costs for rural residents.

D. Local Government Funding Sources to Implement the LWRP

Wayne County and Town government will be required to provide matching funds and/or in-kind contributions for all State (50% match) and federal grants (20% match). They can, of course, choose to take on project planning and construction with their own funding, if unsuccessful with State and federal

funding applications. Where possible, partnerships with local businesses or organizations can supplement local government funding.

Aquatic Weed Harvesting District

A portion of the costs of the mechanical harvesting aquatic weeds is financed by aquatic weed improvement districts that were formed by the Town of Huron pursuant to Section 190 of Town Law.

Village, Town and County Parks/Transportation Works Department

Village staff members, along with elected and appointed officials, should build local interest in the designated LWRP projects and develop funding proposals. Staff time will often provide in-kind contributions toward the local matching funds required.

Wayne County Soil & Water Conservation District

The Wayne County Soil & Water Conservation District (SWCD) is expected to continue to implement programs that result in the protection of water quality. These programs, which are funded by a combination of State and local sources, include Agricultural Environmental Management, Stormwater Management, and Agricultural Nonpoint Source Abatement and Control.

Private and Non-Profit Sector Involvement

Building partnerships with members of the local business community and any non-for-profit is critical to long-term successful project development efforts. Leaders of the business community are key volunteers and leaders in the non-profit sector. The leadership of business representatives will strengthen grant applications and sometimes provide a source of matching funds for the local portion of State and federal grants.

E. Funding Sources by Project Type

For specific capital and infrastructure improvements and for the initiation of water quality improvement projects, the following hierarchy of funding sources could be tapped:

- Grant Programs such as those administered by the NYS Department of State (DOS) and the Office of Parks, Recreation and Historic Preservation (OPRHP) under the Environmental Protection Fund. These are generally matching funds granted to preserve, rehabilitate, restore or acquire lands, waters or structures for park, recreation, conservation or preservation purposes.
- One time Congressional appropriations or NYS Assembly/Senate “member items”. These are generally for one-time, high visibility expenditures meeting a community/regional need.
- Bonding directly by local governments, perhaps utilizing a Section 190 Harbor Improvement District for repayment.

To continue the mechanical harvesting of aquatic weeds in Sodus Bay, East Bay and Port Bay, multiple sources of local funding are expected to be required. These sources include:

- Appropriations by Wayne County and municipalities to the Soil & Water Conservation District
- Funds raised by Aquatic Plant Growth Control Districts to fund the mechanical harvesting of aquatic weeds in designated areas. Such districts are authorized by Section 190 of Town Law and have been established for properties along Sodus Bay.

Local funding should be supplemented by State and Federal grants whenever possible.

For the development of recreational and public access facilities, funding may be obtained through the creation of a Harbor Management District, as authorized by Section 190 of Town Law.

For other on-going water quality programs and the maintenance of the Harbor Master or programs, local funding may be raised through:

- General municipal and/or county tax revenues (general fund).
- User fees for launch sites, public pier docking and, as demand grows, transient use moorings.
- User fee assessed on a per dock basis for commercial and/or residential docks.

SECTION VI - STATE AND FEDERAL ACTIONS AND PROGRAMS LIKELY TO AFFECT LWRP IMPLEMENTATION

State and federal actions will affect and be affected by implementation of the LWRP. Under State Law and the federal Coastal Zone Management Act, certain State and federal actions within or affecting the local waterfront area must be consistent, or consistent to the maximum extent practicable, with the enforceable policies and purposes of the LWRP. This consistency requirement makes the LWRP a unique, intergovernmental mechanism for setting policy and making decisions, and helps to prevent detrimental actions from occurring and future options from being needlessly foreclosed. At the same time, the active participation of State and federal agencies is also likely to be necessary to implement specific provisions of the LWRP.

6.1. State Actions and Programs Which Should Be Undertaken in a Manner Consistent With the LWRP

Pursuant to the State Waterfront Revitalization of Coastal Areas and Inland Waterways Act (Executive Law, Article 42), the Secretary of State notifies affected State agencies of those agency actions and programs that are to be undertaken in a manner consistent with approved LWRPs. The following list of State actions and programs is that list. The State Waterfront Revitalization of Coastal Areas and Inland Waterways Act requires that an LWRP identifies those elements of the program that can be implemented by the local government, unaided, and those that can only be implemented with the aid of other levels of government or other agencies. Such statement shall include those permit, license, certification or approval programs; grant, loan subsidy or other funding assistance programs; facilities construction, and planning programs that may affect the achievement of the LWRP.

AGING, OFFICE FOR THE

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

AGRICULTURE AND MARKETS, DEPARTMENT OF

- 1.00 Agricultural Districts Program
- 2.00 Rural Development Program
- 3.00 Conservation Reserve Enhancement Program
- 4.00 Permit and approval programs:
 - 4.01 Custom Slaughters/Processor Permit
 - 4.02 Processing Plant License
 - 4.03 Refrigerated Warehouse and/or Locker Plant License
- 5.00 Farmland Protection Grants from the Environmental Protection Fund

- 6.00 Agricultural nonpoint Source Abatement and Control Grant Program
- 7.00 Farmers Market Grant Program
- 8.00 Community Gardens Capacity Building Grant Program
- 9.00 Management of Invasive Species funding

ALCOHOLIC BEVERAGE CONTROL, DIVISION OF (STATE LIQUOR AUTHORITY)

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

ALCOHOLISM AND SUBSTANCE ABUSE SERVICES, OFFICE OF

- 1.00 Facilities, construction, rehabilitation, expansion, or demolition or the funding of such activities.
- 2.00 Permit and approval programs:
 - 2.01 Certificate of approval (Substance Abuse Services Program)
- 3.00 Permit and approval:
 - 3.01 Letter Approval for Certificate of Need
 - 3.02 Operating Certificate (Alcoholism Facility)
 - 3.03 Operating Certificate (Community Residence)
 - 3.04 Operating Certificate (Outpatient Facility)
 - 3.05 Operating Certificate (Sobering-Up Station)

ARTS, COUNCIL ON THE

- 1.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.
- 2.00 Architecture and environmental arts program.

CHILDREN AND FAMILY SERVICES, OFFICE OF

- 1.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.
- 2.00 Bureau of Housing and Shelter Services/Homeless Housing and Assistance Program.
- 3.00 Permit and approval programs:
 - 3.01 Certificate of Incorporation (Adult Residential Care Facilities)
 - 3.02 Operating Certificate (Children's Services)
 - 3.03 Operating Certificate (Enriched Housing Program)
 - 3.04 Operating Certificate (Home for Adults)
 - 3.05 Operating Certificate (Proprietary Home)
 - 3.06 Operating Certificate (Public Home)
 - 3.07 Operating Certificate (Special Care Home)
 - 3.08 Permit to Operate a Day Care Center

CORRECTIONS AND COMMUNITY SUPERVISION, DEPARTMENT OF

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

DORMITORY AUTHORITY OF THE STATE OF NEW YORK

- 1.00 Financing of higher education and health care facilities.
- 2.00 Planning and design services assistance program.

EDUCATION DEPARTMENT

- 1.00 Facilities construction, rehabilitation, expansion, demolition or the funding of such activities.
- 2.00 Permit and approval programs:
 - 2.01 Certification of Incorporation (Regents Charter)
 - 2.02 Private Business School Registration
 - 2.03 Private School License
 - 2.04 Registered Manufacturer of Drugs and/or Devices
 - 2.05 Registered Pharmacy Certificate
 - 2.06 Registered Wholesale of Drugs and/or Devices
 - 2.07 Registered Wholesaler-Re-packer of Drugs and/or Devices
 - 2.08 Storekeeper's Certificate
- 3.00 Administration of Article 5, Section 233 of the Education Law regarding the removal of archaeological and paleontological objects under the waters of the State.

EMERGENCY MANAGEMENT, OFFICE OF

- hazard identification,
- loss prevention, planning, training, operational response to emergencies,
- technical support, and disaster recovery assistance.

EMPIRE STATE DEVELOPMENT

- 1.00 Preparation or revision of statewide or specific plans to address State economic development needs.
- 2.00 Allocation of the state tax-free bonding reserve.
- 3.00 Loans, grants and tax credits, as well as other financing and technical assistance, to support businesses and encourage their growth within New York State

ENERGY RESEARCH AND DEVELOPMENT AUTHORITY

- 1.00 Issuance of revenue bonds to finance pollution abatement modifications in power-generation facilities and various energy projects.
- 2.00 New Construction Program – provide assistance to incorporate energy-efficiency measures into the design, construction and operation of new and substantially renovated buildings.
- 3.00 Existing Facilities Program – offers incentives to help offset the costs of implementing energy efficiency improvements in existing commercial facilities across New York State.offers incentives for a variety of energy projects
- 4.00 EmPower New York - Offers no-cost energy efficiency services such as insulation, air sealing, energy efficient light bulbs, and replacement of an inefficient refrigerator and freezer to low-income (such as HEAP-eligible) homeowners and renters
- 5.00 Advanced Submetering Program - Supports the conversion of multifamily building systems with a master meter to advanced submeters.
- 6.00 Agricultural Energy Efficiency Program - Offers assistance to eligible farms and on-farm producers in New York State for identifying and implementing electric and natural gas energy efficiency measures
- 7.00 Cleaner, Greener Communities - Encourages communities to develop and scale-up sustainability practices that reduce carbon emissions through projects and methods that increase energy efficiency and renewable energy use.

ENVIRONMENTAL CONSERVATION, DEPARTMENT OF

- 1.00 Acquisition, disposition, lease, grant of easement and other activities related to the management of lands under the jurisdiction of the Department.
- 2.00 Classification of Waters Program; classification of land areas under the Clean Air Act.
- 3.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.
- 4.00 Financial assistance/grant programs:
 - 4.01 Capital projects for limiting air pollution

- 4.02 Cleanup of toxic waste dumps
 - 4.03 Flood control, beach erosion and other water resource projects
 - 4.04 Operating aid to municipal wastewater treatment facilities
 - 4.05 Resource recovery and solid waste management capital projects
 - 4.06 Wastewater treatment facilities
 - 4.07 State Wildlife Grants
- 5.00 Planning, construction, rehabilitation, expansion, demolition, or the funding of such activities and/or projects funded through the Environmental Protection Fund (Environmental Protection Act of 1993) or Clean Water/Clean Air Bond Act of 1996.
- 7.00 Implementation of the Environmental Quality Bond Act of 1972, including:
- (a) Water Quality Improvement Projects
 - (b) Land Preservation and Improvement Projects including Wetland Preservation and Restoration Projects, Unique Area Preservation Projects, Metropolitan Parks Projects, Open Space Preservation Projects and Waterways Projects.
- 8.00 Marine Finfish and Shellfish Programs.
- 10.00 Permit and approval programs:
- Air Resources
- 10.01 Certificate of Approval for Air Pollution Episode Action Plan
 - 10.02 Certificate of Compliance for Tax Relief - Air Pollution Control Facility
 - 10.03 Certificate to Operate: Stationary Combustion Installation; Incinerator; Process, Exhaust or Ventilation System
 - 10.04 Permit for Burial of Radioactive Material
 - 10.05 Permit for Discharge of Radioactive Material to Sanitary Sewer
 - 10.06 Permit for Restricted Burning
 - 10.07 Permit to Construct: a Stationary Combustion Installation; Incinerator; Indirect Source of Air Contamination; Process, Exhaust or Ventilation System
- Construction Management
- 10.08 Approval of Plans and Specifications for Wastewater Treatment Facilities
- Fish and Wildlife
- 10.09 Certificate to Possess and Sell Hatchery Trout in New York State
 - 10.10 Commercial Inland Fisheries Licenses
 - 10.11 Fishing Preserve License
 - 10.12 Fur Breeder's License
 - 10.13 Game Dealer's License
 - 10.14 Licenses to Breed Domestic Game Animals
 - 10.15 License to Possess and Sell Live Game
 - 10.16 Permit to Import, Transport and/or Export under Section 184.1 (11-0511)
 - 10.17 Permit to Raise and Sell Trout
 - 10.18 Private Bass Hatchery Permit
 - 10.19 Shooting Preserve Licenses
 - 10.20 Taxidermy License
 - 10.21 Permit - Article 15, (Protection of Water) - Dredge or Deposit Material in a Waterway
 - 10.22 Permit - Article 15, (Protection of Water) - Stream Bed or Bank Disturbances

- 10.23 Permit - Article 24, (Freshwater Wetlands) Hazardous Substances
- 10.24 Permit to Use Chemicals for the Control or Elimination of Aquatic Insects
- 10.25 Permit to Use Chemicals for the Control or Elimination of Aquatic Vegetation
- 10.26 Permit to Use Chemicals for the Control or Extermination of Undesirable Fish

Lands and Forest

- 10.27 Certificate of Environmental Safety (Liquid Natural Gas and Liquid Petroleum Gas)
- 10.28 Floating Object Permit
- 10.29 Marine Regatta Permit
- 10.30 Navigation Aid Permit

Marine Resources

- 10.32 License of Menhaden Fishing Vessel
- 10.33 License for Non-Resident Food Fishing Vessel
- 10.35 Marine Hatchery and/or Off-Bottom Culture Shellfish Permits
- 10.37 Permit to Use Pond or Trap Net
- 10.39 Shellfish Bed Permit
- 10.40 Shellfish Shipper's Permits

Mineral Resources

- 10.43 Mining Permit
- 10.44 Permit to Plug and Abandon (a non-commercial, oil, gas or solution mining well)
- 10.45 Underground Storage Permit (Gas)
- 10.46 Well Drilling Permit (Oil, Gas, and Solution Salt Mining) Solid Wastes
- 10.47 Permit to Construct and/or Operate a Solid Waste Management Facility
- 10.48 Septic Tank Cleaner and Industrial Waste Collector Permit

Water Resources

- 10.49 Approval of Plans for Wastewater Disposal Systems
 - 10.50 Certificate of Approval of Realty Subdivision Plans
 - 10.51 Certificate of Compliance (Industrial Wastewater Treatment Facility)
 - 10.52 Letters of Certification for Major Onshore Petroleum Facility Oil Spill Prevention and Control Plan
 - 10.53 Permit - Article 36, (Construction in Flood Hazard Areas)
 - 10.54 Permit for State Agency Activities for Development in Coastal Erosion Hazards Areas
 - 10.55 State Pollutant Discharge Elimination System (SPDES) Permit
 - 10.56 Approval - Drainage Improvement District
 - 10.57 Approval - Water (Diversion for) Power
 - 10.58 Approval of Well System and Permit to Operate
 - 10.59 Permit - Article 15, (Protection of Water) - Dam
 - 10.60 Permit - Article 15, Title 15 (Water Supply)
 - 10.61 River Improvement District Approvals
 - 10.62 River Regulatory District Approvals
 - 10.63 Well Drilling Certificate of Registration
 - 10.64 401 Water Quality Certification
- 11.00 Preparation and revision of Air Pollution State Implementation Plan.
 - 12.00 Preparation and revision of Continuous Executive Program Plan.

- 13.00 Preparation and revision of Statewide Environmental Plan.
- 14.00 Protection of Natural and Man-made Beauty Program.
- 15.00 Urban Fisheries Program.
- 16.00 Urban Forestry Program.
- 17.00 Urban Wildlife Program.

ENVIRONMENTAL FACILITIES CORPORATION

- 1.00 Financing program for pollution control facilities for industrial firms and small businesses.
- 2.00 Clean Vessel Assistance Program - provides up to 75% of eligible project costs up to \$60,000 to marinas, municipalities and not-for-profit organizations for installing pumpout boats and up to \$35,000 for installing or upgrading stationary pumpout units or upgrading pumpout boats.
- 3.00 Clean Water State Revolving Fund - provides low-interest rate financing to municipalities to construct water quality protection projects such as sewers and wastewater treatment facilities.
- 4.00 Green Innovation Grant Program - provides funding for eight specific green infrastructure practices
- 5.00 Drinking Water State Revolving Fund - provides a significant financial incentive for public and private water systems to finance needed drinking water infrastructure improvements (e.g. treatment plants, distribution mains, storage facilities, etc.)
- 6.00 Small Business Environmental Assistance Program - provides free, confidential technical assistance to New York's small-business owners to assist them in complying with state and federal air regulations.

FINANCIAL SERVICES, DEPARTMENT OF (the services listed below need to be updated)

- 1.00 Permit and approval programs:
 - 1.01 Authorization Certificate (Bank Branch)
 - 1.02 Authorization Certificate (Bank Change of Location)
 - 1.03 Authorization Certificate (Bank Charter)
 - 1.04 Authorization Certificate (Credit Union Change of Location)
 - 1.05 Authorization Certificate (Credit Union Charter)
 - 1.06 Authorization Certificate (Credit Union Station)
 - 1.07 Authorization Certificate (Foreign Banking Corporation Change of Location)
 - 1.08 Authorization Certificate (Foreign Banking Corporation Public Accommodations Office)
 - 1.09 Authorization Certificate (Investment Company Branch)
 - 1.10 Authorization Certificate (Investment Company Change of Location)
 - 1.11 Authorization Certificate (Investment Company Charter)
 - 1.12 Authorization Certificate (Licensed Lender Change of Location)
 - 1.13 Authorization Certificate (Mutual Trust Company Charter)
 - 1.14 Authorization Certificate (Private Banker Charter)
 - 1.15 Authorization Certificate (Public Accommodation Office - Banks)
 - 1.16 Authorization Certificate (Safe Deposit Company Branch)

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

GENERAL SERVICES, OFFICE OF

- 1.00 Administration of the Public Lands Law for acquisition and disposition of lands, grants of land, grants of easement and issuance of licenses for land underwater, including for residential docks over 5,000 square feet and all commercial docks, issuance of licenses for removal of materials from lands under water, and oil and gas leases for exploration and development.
- 2.00 Administration of Article 4-B, Public Buildings Law, in regard to the protection and management of State historic and cultural properties and State uses of buildings of historic, architectural or cultural significance.
- 3.00 Facilities construction, rehabilitation, expansion, or demolition.
- 4.00 Administration of Article 5, Section 233, sub. 5 of the Education Law on removal of archaeological and paleontological objects under the waters of the State.
- 5.00 Administration of Article 3, Section 32 of the Navigation Law regarding location of structures in or on navigable waters.
- 6.00 Section 334 of the State Real Estate Law regarding subdivision of waterfront properties on navigable waters to include the location of riparian lines.

HEALTH, DEPARTMENT OF

- 1.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.
- 2.00 Permit and approval programs:
 - 2.01 Approval of Completed Works for Public Water Supply Improvements
 - 2.02 Approval of Plans for Public Water Supply Improvements.
 - 2.03 Certificate of Need (Health Related Facility - except Hospitals)
 - 2.04 Certificate of Need (Hospitals)
 - 2.05 Operating Certificate (Diagnostic and Treatment Center)
 - 2.06 Operating Certificate (Health Related Facility)
 - 2.07 Operating Certificate (Hospice)

- 2.08 Operating Certificate (Hospital)
- 2.09 Operating Certificate (Nursing Home)
- 2.10 Permit to Operate a Children's Overnight or Day Camp
- 2.11 Permit to Operate a Migrant Labor Camp
- 2.12 Permit to Operate as a Retail Frozen Dessert Manufacturer
- 2.13 Permit to Operate a Service Food Establishment
- 2.14 Permit to Operate a Temporary Residence/Mass Gathering
- 2.15 Permit to Operate or Maintain a Swimming Pool or Public Bathing Beach
- 2.16 Permit to Operate Sanitary Facilities for Realty Subdivisions
- 2.17 Shared Health Facility Registration Certificate

HOMES AND COMMUNITY RENEWAL, DIVISION OF (and its subsidiaries and affiliates)

- 1.00 Facilities construction, rehabilitation, expansion, or demolition.
- 2.00 Financial assistance/grant programs:
 - 2.01 Federal Housing Assistance Payments Programs (Section 8 Programs)
 - 2.02 Housing Development Fund Programs
 - 2.03 Neighborhood Preservation Companies Program
 - 2.04 Public Housing Programs
 - 2.05 Rural Initiatives Grant Program
 - 2.06 Rural Preservation Companies Program
 - 2.07 Rural Rental Assistance Program
 - 2.08 Special Needs Demonstration Projects
 - 2.09 Urban Initiatives Grant Program
 - 2.10 Urban Renewal Programs
- 3.00 Preparation and implementation of plans to address housing and community renewal needs.
- 4.00 Funding programs for the construction, rehabilitation, or expansion of facilities.
- 5.00 Affordable Housing Corporation

MENTAL HEALTH, OFFICE OF

- 1.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.
- 2.00 Permit and approval programs:
 - 2.01 Operating Certificate (Community Residence)
 - 2.02 Operating Certificate (Family Care Homes)
 - 2.03 Operating Certificate (Inpatient Facility)
 - 2.04 Operating Certificate (Outpatient Facility)

MILITARY AND NAVAL AFFAIRS, DIVISION OF

- 1.00 Preparation and implementation of the State Disaster Preparedness Plan.

NATURAL HERITAGE TRUST

- 1.00 Funding program for natural heritage institutions.

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

- 1.00 Acquisition, disposition, lease, grant of easement or other activities related to the management of land under the jurisdiction of the Office.
- 2.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.
- 3.00 Funding program for recreational boating, safety and enforcement.
- 4.00 Funding program for State and local historic preservation projects.
- 5.00 Land and Water Conservation Fund programs.
- 6.00 Nomination of properties to the Federal and/or State Register of Historic Places.
- 7.00 Permit and approval programs:
 - 7.01 Floating Objects Permit
 - 7.02 Marine Regatta Permit
 - 7.03 Navigation Aide Permit
 - 7.04 Posting of Signs Outside State Parks
- 8.00 Preparation and revision of the Statewide Comprehensive Outdoor Recreation Plan and the Statewide Comprehensive Historic Preservation Plan and other plans for public access, recreation, historic preservation or related purposes.
- 9.00 Recreation services program.
- 10.00 Planning, construction, rehabilitation, expansion, demolition, or the funding of such activities and/or projects funded through the Environmental Protection Fund (Environmental Protection Act of 1993) or Clean Water/Clean Air Bond Act of 1996.

PEOPLE WITH DEVELOPMENTAL DISABILITIES, OFFICE FOR

- 1.00 Facilities construction, rehabilitation, expansion, or demolition, or the funding of such activities.
- 2.00 Permit and approval programs:
 - 2.01 Establishment and Construction Prior Approval
 - 2.02 Operating Certificate Community Residence
 - 2.03 Outpatient Facility Operating Certificate

SCIENCE AND TECHNOLOGY FOUNDATION

- 1.00 Corporation for Innovation Development Program.
- 2.00 Center for Advanced Technology Program.

STATE, DEPARTMENT OF

- 2.00 Coastal Management Program.
 - 2.01 Planning, construction, rehabilitation, expansion, demolition, or the funding of such activities and/or projects funded through the Environmental Protection Fund (Environmental Protection Act of 1993) or Clean Water/Clean Air Bond Act of 1996.

- 3.00 Community Services Block Grant Program.
- 4.00 Permit and approval programs:
 - 4.01 Billiard Room License
 - 4.02 Cemetery Operator
 - 4.03 Uniform Fire Prevention and Building Code
- 5.00 Local Government Efficiency Grant Program - provides technical and financial assistance to help municipalities identify opportunities for cost savings.
- 6.00 Citizens Re-organization and Empowerment Grant - provides financial and technical assistance to local governments for planning and implementation activities necessary for the re-organization of municipal government and government functions.

STATE UNIVERSITY CONSTRUCTION FUND

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

STATE UNIVERSITY OF NEW YORK

- 1.00 Acquisition, disposition, lease, grant of easement and other activities related to the management of land under the jurisdiction of the University.
- 2.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.

TRANSPORTATION, DEPARTMENT OF

- 1.00 Acquisition, disposition, lease, grant of easement and other activities related to the management of land under the jurisdiction of the Department.
- 2.00 Construction, rehabilitation, expansion, or demolition of facilities, including, but not limited to:
 - (a) Highways and parkways
 - (b) Bridges on the State highways system
 - (c) Highway and parkway maintenance facilities
 - (d) Rail facilities
- 3.00 Financial assistance/grant programs:
 - 3.01 Funding programs for construction/reconstruction and reconditioning/preservation of municipal streets and highways (excluding routine maintenance and minor rehabilitation)
 - 3.02 Funding programs for development of the ports of Albany, Buffalo, Oswego, Ogdensburg, and New York
 - 3.03 Funding programs for rehabilitation and replacement of municipal bridges
 - 3.04 Subsidies program for marginal branchlines abandoned by Conrail
 - 3.05 Subsidies program for passenger rail service
 - 3.06 Financial assistance to local governments for transportation enhancement activities.

- 4.00 Permits and approval programs:
 - 4.01 Approval of applications for airport improvements (construction projects)
 - 4.02 Approval of municipal applications for Section 18 Rural and Small Urban Transit Assistance Grants (construction projects)
 - 4.03 Approval of municipal or regional transportation authority applications for funds for design, construction and rehabilitation of omnibus maintenance and storage facilities
 - 4.04 Approval of municipal or regional transportation authority applications for funds for design and construction of rapid transit facilities
 - 4.05 Certificate of Convenience and Necessity to Operate a Railroad
 - 4.06 Highway Work Permits
 - 4.07 License to Operate Major Petroleum Facilities
 - 4.08 Outdoor Advertising Permit (for off-premises advertising signs adjacent to interstate and primary highway)
 - 4.09 Real Property Division Permit for Use of State-Owned Property
- 5.00 Preparation or revision of the Statewide Master Plan for Transportation and sub-area or special plans and studies related to the transportation needs of the State.
- 6.00 Water Operation and Maintenance Program--Activities related to the containment of petroleum spills and development of an emergency oil-spill control network.

YOUTH, DIVISION OF

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

6.2 Federal Activities Affecting Land and Water Uses and Natural Resources in the Coastal Zone of New York State

Note: This LWRP's list of the federal agency activities is identical to the most recent version of the Table 2 list in the New York State Coastal Management Program as approved by the federal Office of Ocean and Coastal Resources Management on March 28, 2006. Please contact the New York State Department of State, Office of Planning and Development, at (518) 474-6000, for any updates to New York State Coastal Management Program Table 2 federal agency activities list that may have occurred post-approval of this LWRP.

This list has been prepared in accordance with the consistency provisions of the federal Coastal Zone Management Act and implementing regulations in 15 CFR Part 930. It is not exhaustive of all activities subject to the consistency provisions of the federal Coastal Zone Management Act, implementing regulations in 15 CFR Part 930, and the New York Coastal Management Program. It includes activities requiring:

1. the submission of consistency determinations by federal agencies;
2. the submission of consistency certifications by entities other than federal agencies; and
3. the submission of necessary data and information to the New York State Department of State, in accordance with 15 CFR Part 930, Subparts C, D, E, F and I, and the New York Coastal Management Program.

I. Activities Undertaken Directly by or on Behalf of Federal Agencies

The following activities, undertaken directly by or on behalf of the identified federal agencies, are subject to the consistency provisions of the Coastal Zone Management Act, its implementing regulations in 15 CFR Part 930, Subpart C, and the New York Coastal Management Program.

Department of Commerce, National Marine Fisheries Service:

- Fisheries Management Plans

Department of Defense, Army Corps of Engineers:

- Proposed authorizations for dredging, channel improvement, breakwaters, other navigational works, erosion control structures, beach replenishment, dams or flood control works, ice management practices and activities, and other projects with the potential to impact coastal lands and waters.
- Land acquisition for spoil disposal or other purposes.
- Selection of open water disposal sites.

Department of Defense, Air Force, Army and Navy:

- Location, design, and acquisition of new or expanded defense installations (active or reserve status, including associated housing, transportation or other facilities).
- Plans, procedures and facilities for handling or storage use zones.
- Establishment of impact, compatibility or restricted use zones.

Department of Energy:

- Prohibition orders.

General Services Administration:

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

Department of Interior, Fish and Wildlife Service:

- Management of National Wildlife refuges and proposed acquisitions.

Department of Interior, National Park Service:

- National Park and Seashore management and proposed acquisitions.

Department of Interior, Minerals Management Service:

- OCS lease sale activities including tract selection, lease sale stipulations, etc.

Department of Transportation, Coast Guard:

- Location and design, construction or enlargement of Coast Guard stations, bases, and lighthouses.
- Location, placement or removal of navigation devices which are not part of the routine operations under the Aids to Navigation Program (ATON).
- Expansion, abandonment, designation or anchorages, lightering areas or shipping lanes and ice management practices and activities.

Department of Transportation, Federal Aviation Administration:

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

Department of Transportation, St. Lawrence Seaway Development Corporation:

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

Department of Transportation, Federal Highway Administration:

- Highway construction

II. Federal Licenses and Permits and Other Forms of Approval or Authorization

The following activities, requiring permits, licenses, or other forms of authorization or approval from Federal agencies, are subject to the consistency provisions of the Coastal Zone Management Act, its implementing regulations in 15 CFR Part 930, Subpart D, and the New York Coastal Management Program.

Department of Defense, Army Corps of Engineers:

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

- Establishment of harbor lines pursuant to Section 11 of the Rivers and Harbors Act of 1899 (33 U.S.C. 404, 405).
- Occupation of seawall, bulkhead, jetty, dike, levee, wharf, pier, or other work built by the U.S. pursuant to Section 14 of the Rivers and Harbors Act of 1899 (33 U.S.C. 408).
- Approval of plans for improvements made at private expense under USACE supervision pursuant to the Rivers and Harbors Act of 1902 (33 U.S.C. 565).
- Disposal of dredged spoils into the waters of the U.S., pursuant to the Clean Water Act, Section 404 (33 U.S.C. 1344).
- All actions for which permits are required pursuant to Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972(33 U.S.C. 1413).
- Construction of artificial islands and fixed structures in Long Island Sound pursuant to Section 4 (f) of the River and Harbors Act of 1912 (33 U.S.C.).

Department of Energy, Federal Energy Regulatory Commission:

- Licenses for non-Federal hydroelectric projects and primary transmission lines under Sections 3 (11), 4 (e) and 15 of the Federal Power Act (16 U.S.C. 796 (11), 797 (11) and 808).
- Orders for interconnection of electric transmission facilities under Section 202 (b) of the Federal Power Act (15 U.S.C. 824 a (b)).
- Certificates for the construction and operation of interstate natural gas pipeline facilities, including both pipelines and terminal facilities under Section 7 (c) of the Natural Gas Act (15 U.S.C. 717 f (c)).
- Permission and approval for the abandonment of natural gas pipeline facilities under Section 7(b) of the Natural Gas Act (15 U.S.C. 717 f (b)).

Department of Energy, Economic Regulatory Commission:

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

Environmental Protection Agency:

- NPDES permits and other permits for Federal installations, discharges in contiguous zones and ocean waters, sludge runoff and aquaculture permits pursuant to Sections 401, 402, 403, 405, and 318 of the Federal Water Pollution Control Act of 1972 (33 U.S.C. 1341, 1342, 1343, and 1328).
- Permits pursuant to the Resources Recovery and Conservation Act of 1976.
- Permits pursuant to the underground injection Control program under Section 1424 of the Safe Water Drinking Water Act (42 U.S.C. 300 h-c).
- Permits pursuant to the Clean Air Act of 1976 (42 U.S.C. 1857).

Department of Interior, Fish and Wildlife Services:

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

Department of Interior, Mineral Management Service:

- Permits to drill, rights of use and easements for construction and maintenance of pipelines, gathering and flow lines and associated structures pursuant to 43 U.S.C. 1334, exploration and development plans, and any other permits or authorizations granted for activities described in detail in OCS exploration, development, and production plans.
- Permits required for pipelines crossing federal lands, including OCS lands, and associated activities pursuant to the OCS Lands Act (43 U.S.C. 1334) and 43 U.S.C. 931 (c) and 20 U.S.C. 185.

Interstate Commerce Commission:

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

Nuclear Regulatory Commission:

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

Department of Transportation:

- Construction or modification of bridges, causeways or pipelines over navigable waters pursuant to 49 U.S.C. 1455.
- Permits for Deepwater Ports pursuant to the Deepwater Ports Act of 1974 (33 U.S.C. 1501).

Department of Transportation, Federal Aviation Administration:

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

III. Federal Financial Assistance to State and Local Governments

The following activities, involving financial assistance from federal agencies to state and local governments, are subject to the consistency provisions of the Coastal Zone Management Act, its implementing regulations in 15CFR Part 930, Subpart F, and the New York Coastal Management Program. When these activities involve financial assistance for entities other than State and local governments, the activities are subject to the consistency provisions of 15 CFR Part 930, Subpart C.

Department of Agriculture

- 10.068 Rural Clean Water Program
- 10.409 Irrigation, Drainage, and Other Soil and Water Conservation Loans
- 10.410 Low to Moderate Income Housing Loans
- 10.411 Rural Housing Site Loans
- 10.413 Recreation Facility Loans
- 10.414 Resource Conservation and Development Loans
- 10.415 Rural Rental Housing Loans

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

Department of Commerce

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

Department of Housing and Urban Development

- 14.112 Mortgage Insurance - Construction or Substantial Rehabilitation of Condominium Projects

- 14. 115 Mortgage Insurance - Development of Sales Type Cooperative Projects
- 14. 117 Mortgage Insurance - Homes
- 14. 124 Mortgage Insurance - Investor Sponsored Cooperative Housing
- 14. 125 Mortgage Insurance - Land Development and New Communities
- 14. 126 Mortgage Insurance - Manages ant Type Cooperative Projects
- 14. 127 Mortgage Insurance - Mobile Home Parks
- 14. 218 Community Development Block Grants/Entitlement Grants
- 14. 219 Community Development Block Grants/Small Cities Program
- 14. 221 Urban Development Action Grants
- 14. 223 Indian Community Development Block Grant Program

Department of the Interior

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

Department of Transportation

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

20.509 Public Transportation for Rural and Small Urban Areas

General Services Administration

39.002 Disposal of Federal Surplus Real Property

Community Services Administration

49.002 Community Action

49.011 Community Economic Development

49.013 State Economic Opportunity Offices

49.017 Rural Development Loan Fund

49.018 Housing and Community Development (Rural Housing)

Small Business Administration

59.012 Small Business Loans

59.013 State and Local Development Company Loans

59.024 Water Pollution Control Loans

59.025 Air Pollution Control Loans

59.031 Small Business Pollution Control Financing Guarantee

Environmental Protection Agency

66.001 Air Pollution Control Program Grants

66.418 Construction Grants for Wastewater Treatment Works

66.426 Water Pollution Control - State and Area-wide Water Quality Management Planning Agency

66.451 Solid and Hazardous Waste Management Program Support Grants

66.452 Solid Waste Management Demonstration Grants

66.600 Environmental Protection Consolidated Grants Program Support

66.800 Comprehensive Environmental Response, Compensation and Liability (Superfund)

Note: Numbers refer to the Catalog of Federal Domestic Assistance Programs, 1980 and its subsequent updates before 2006.

6.3 State and Federal Actions and Programs Necessary to further the LWRP

Part 6.3 provides a more focused and descriptive list of the immediately preceding Parts 6.1 and 6.2 listing under this LWRP Section VI, entitled, “State and Federal Actions and Programs Likely to Affect Implementation.” It is recognized that a State and federal agency’s ability to undertake these listed actions is subject to a variety of factors and considerations; that the consistency provisions of the approved LWRP may not apply; and, that the consistency requirements cannot be used to require a State or federal agency to undertake an action it could not undertake pursuant to other provisions of law. Reference should be made to Section II, Section IV and Section V, which discuss local goals, proposed projects, and local implementation techniques, including State and federal assistance needed to implement the approved LWRP.

I. State Actions and Programs

EMPIRE STATE DEVELOPMENT

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

DEPARTMENT OF ENVIRONMENTAL CONSERVATION

1. Planning, development, construction, major renovation, or expansion of facilities in waterfront, including recreational improvement projects.
2. Review and approval for septic system installation and replacement in areas without sewer within the Huron WRA
3. Advance assistance under the Wastewater Infrastructure Engineering Planning Grant ¹⁵⁸ and a subsequent construction grant subsidy.
4. Implement and administer Article 24 of the State's Environmental Conservation Law within Huron WRA

OFFICE OF GENERAL SERVICES

1. Prior to any development occurring in the water or on the immediate waterfront, OGS should be contacted for a determination of the State’s interest in underwater, or formally underwater, lands and for authorization to use and occupy these lands.
2. In accordance with Section 334 of the NYS Real Property Law, any subdivision of waterfront properties on navigable waters must depict the location of riparian (including littoral) lines out into the navigable waters on the property survey that must be filed with the respective county clerk.

DIVISION OF HOMES AND COMMUNITY RENEWAL

1. Provision of funding under the Rural Preservation Company Program and the Small Cities Community Development Block Grant Program.

¹⁵⁸ <http://www.dec.ny.gov/pubs/grants.html>

2. Approval of funding for Rural Area Revitalization Program projects.

OFFICE OF PARKS, RECREATION AND HISTORIC PRESERVATION

1. Planning, development, construction, major renovation or expansion of recreational facilities or the provision of funding for such facilities.
2. Provision of funding for State and local activities from the Land and Water Conservation Fund.
3. Planning, development, implementation or the provision of funding for recreation services programs.
4. Certification of properties within districts listed on the National Register of Historic Places.
5. Provision of funding for State and local historic preservation activities.
6. Review of Type I actions affecting a property listed on the National Register of Historic Places.
7. Activities under the Urban Cultural Park program.

DEPARTMENT OF STATE

1. Provision of funding for the implementation of an approved LWRP.
2. Provision of funding under the Community Services Block Grant program.

COUNCIL ON THE ARTS

1. Assistance from the Architecture and Environmental Arts program for educational materials.

DEPARTMENT OF TRANSPORTATION

1. Assistance for street repairs through the Consolidated Highway Improvements Program.

II. Federal Actions and Programs

U.S. Army Corps of Engineers, Buffalo District

- Coordination, technical, permitting assistance for LWRP implementation of various projects, as outlined in Section IV

Federal Highway administration

- Provision of funding for transportation improvements, including but not limited to improvements to roads and bridges that increase pedestrian and bicycle access or improve safety.

Small Business Administration

- Funding and technical assistance for local businesses along the waterfront to stimulate economic development.

U.S. Ninth Coast Guard District

- Technical assistance regarding aids to navigation.

SECTION VII - LOCAL COMMITMENT AND CONSULTATION

7.1. Local Commitment

The Town of Huron initiated its efforts to prepare a Local Waterfront Revitalization Program in 2008, when it submitted an application for grant funding from the NYS Department of State through the Environmental Protection Fund Local Waterfront Revitalization Program (EPF LWRP) and was awarded funds to prepare the LWRP. In 2011, a Steering Committee was established to oversee and guide the preparation of the program. The Steering Committee was comprised of representatives from the Town Board and local residents.

This committee met seven times during the planning process (June 23, October 4, October 25, November 15, and December 6 2011, and February 21 and May 24, 2012) for the preparation of the draft LWRP.

To strengthen local commitment for the Town's planning efforts, the Steering Committee held two public information meetings on September 14 and 28, 2011 to provide local citizens an opportunity to comment on significant issues and opportunities in the Town waterfront areas. The first meeting was attended by approximately 27 people and approximately 34 people attended the second public information meeting. The purpose of these meetings was to introduce local residents to the LWRP planning process and to solicit initial comments from the public about their concerns for the waterfront. The information gathered at these meetings was utilized to shape the LWRP policies, as well as the proposed projects and implementation measures outlined in the program.

In addition, an on-line survey was conducted. A total of 390 persons completed the survey. Postcard notices were mailed to all landowners within the proposed waterfront area.

A public informational meeting to review the preliminary draft and recommendations was held at the Huron Town Hall on July 26, 2012. A total of 47 persons attended.

7.2. Consultation

The draft LWRP was reviewed and accepted as ready by the Huron Town Board for its 60 day review period, at a regular Town Board meeting on August 20, 2012, and was forwarded to the New York State Department of State. On April 23, 2014, the Department of State initiated the 60-day review period for the draft LWRP, pursuant to the Waterfront Revitalization of Coastal Areas and Inland Waterways Act and the State Environmental Quality Review Act. Potentially affected State and federal agencies, Wayne County, and the adjacent Towns of Sodus and Wolcott and the Village of Sodus Point were informed of the review period of the draft LWRP amendment. Comments received on the draft LWRP during the 60-day review period were reviewed and addressed by the Town and the Department of State. The LWRP was revised by the Town of Huron and the Department of State to address the comments received from local, regional, state and federal agencies.

A. Local Consultation

Consultation has consisted of maintaining a close relationship among Town entities whose actions and/or functions may be affected by the LWRP. These include the Town Board, the Huron Planning and Zoning Boards; the Code Enforcement Officer and the Highway Superintendent.

The other local governments likely to be affected by the Huron LWRP are the other municipalities surrounding Sodus Bay (Town of Sodus and Village of Sodus Point) and Port Bay (Town of Wolcott.). Four local associations were notified of the initiation of the 60-day review period of the draft LWRP. The Port Bay Association was the only local organization that submitted comments.

B. Regional Consultation

The Wayne County Planning Department and the Town of Sodus worked on some of the original LWRP documentation and have been involved with review of the Draft Local Waterfront Revitalization Plan. Six county departments were notified of the initiation of the 60-day review period of the draft LWRP. The Wayne County Planning Department submitted comments involving the impact of the LWRP on the modifications to the water levels in Lake Ontario proposed in 2014. The towns of Sodus and Wolcott and the village of Sodus Point were also notified about the initiation of the 60-day review of the draft Huron LWRP. None of the adjacent municipalities submitted comments.

C. State Agency Consultation

Consultation with the Department of State has taken place throughout the preparation of the Draft LWRP. Telephone conversations and e-mails have focused on LWRP preparation, methods of implementation, legal and programmatic concerns. Representatives from the Department of Environmental Conservation and the Office of Parks, Recreation and Historic Preservation were also involved. Thirty-four main and regional offices of state agencies were notified about the initiation of the 60-day review period of the draft LWRP. Six of the state agencies submitted comment letters.

D. Federal Consultation

The US Army Corps of Engineers was contacted as the LWRP was evolving. Eleven federal agencies were notified of the initiation of the 60-day review period of the draft LWRP. Two of the federal agencies submitted comment letters.

APPENDIX A - LWRP CONSISTENCY REVIEW LAW AND WATERFRONT ASSESSMENT FORM

APPENDIX B – LOCAL AND STATE LAWS

APPENDIX C – INFORMATION ON PARKS AND TRAILS

APPENDIX D – SIGNIFICANT COASTAL FISH AND WILDLIFE HABITATS

APPENDIX E – EXCERPTS FROM LOCAL AND REGIONAL PLANS

APPENDIX F – NOTIFICATION GUIDELINES