



MANAGING THE NEW YORK COASTAL ZONE

by Dr. Paul Marr, Associate Professor
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New York State has 2600 miles of marine and Great Lakes coastline, but the increasing tempo of development along this coastal zone threatens severe short and long-term dislocations.

Increasing interest in coastal affairs is reflected in a number of New York State government actions in early April as this article goes to press. Two coastal management bills are before the legislature; an amended bill introduced by Perry B. Duryea Jr. (A 8505-A) setting up a temporary state commission for coastal zone planning and management, and a new bill introduced by Senator Bernard C. Smith (S 8393) directing the establishment of a state commission for coastal zone planning and management that has detailed and far-reaching powers. In addition, the State Office of Planning Services is preparing a proposal for possible submission to the Department of Commerce for initial funding of a statewide coastal management plan.

This activity has been stimulated by several pressures. Public access for recreation along the coast has been severely limited and important natural habitats have been converted to com-

mercial uses. At the same time, commercial expansion is considered an essential element in reducing regional unemployment. Everywhere water quality and the condition of sport and commercial fishing are significant issues.

These and other emerging coastal problems have caught the attention of the public, conservationists, commercial groups, and government from the local to the federal level. There is a growing feeling that the conflicts that have developed in the past will worsen as the demand for coastal resources continues.

Sea Grant Activities

New York Sea Grant began its coastal zone management activities in the summer of 1972 while the federal Coastal Zone Management Act was still being debated. (It was passed later in the year.) This initial work — an assessment of regional planning and state government coastal problems, resulted in a conference entitled, "Managing Our Coastal Zone" in February, 1973. The keynote address by Speaker of the Assembly, Perry B. Duryea Jr., asked members of the conference to provide the legislature with suggestions for possible management programs. The Conference proceedings were subsequently used in preparing the original bill introduced by Mr.

Duryea (mentioned above) (Assembly Bill 8085) in May, 1973 to establish a temporary state commission for coastal zone management and planning. Sea Grant research and Advisory Service personnel have since worked with members of the legislative staff, Office of Planning Services, the Department of Environmental Conservation and with regional planning commissions and the public on a wide variety of tasks concerning coastal resource management. (See article on page 2.)

Research

Coastal zone management research is developing into a major component of the New York Sea Grant Program. At Albany three faculty members, Professors Paul Marr, Joseph Heikoff, and Richard Nunez are examining: 1) problems in the legal and geographic definitions of the coastal zone, 2) the content of New York laws pertaining to the establishment of a coastal zone program, 3) planning methods for allocating land uses in the coastal zone and 4) the effectiveness of research information and administrative documents on local coastal planning decisions.

At the SUNY at Buffalo campus, Professor Robert Ford is seeking to

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"... it is impossible for New York to plan the management of its coastal zone in bits and pieces. We are part of an entity, a natural system which goes beyond our state borders. Planning for the coastal zone must recognize the interests and desires of the smallest segments, but in a larger framework of regional, state federal and international understanding and cooperation."

Dr. Donald Squires, Program Director
New York State Sea Grant Program
Managing Our Coastal Zone Conference, February, 1973

POWER NEED PROMPTS JOINT PLANNING

By Dale Baker, Regional Marine Specialist
Sea Grant Advisory Service, SUNY at Oswego

The need for new energy sources has served as the impetus for cooperative coastal land use planning among the Rochester Gas and Electric Corporation and other concerned groups in New York.

Last summer, when RG&E obtained options on coastal lands in the Township of Sterling in Cayuga County, Sea Grant Advisory Service staff assisted in gathering together representatives from the Department of Parks and Recreation, the Department of Environmental Conservation, St. Lawrence Eastern Ontario Commission, Office of Planning Services, County Planners for Oswego and Cayuga Counties, the Town Supervisor for Sterling, representatives from environmental groups and Sea Grant researchers to draw up a multiple land use plan for the proposed site. In addition, some 300 citizens provided input through a survey drawn up by an independent research organization.

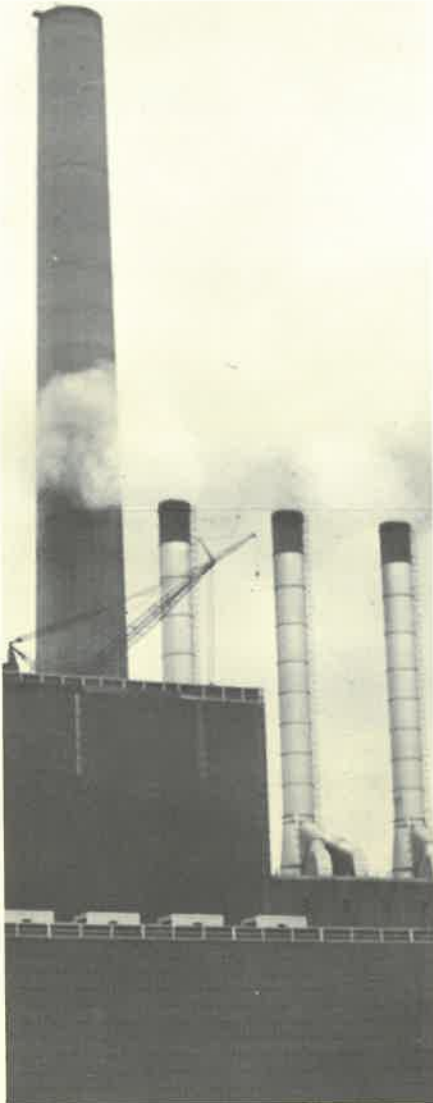
During a period of about four months, a plan evolved which was

geared toward serving recreational interests and community needs, as well as accomodating two fossil fuel power plants.

The proposed plan includes provisions for an employee recreation area, picnic grounds, playfields and beach areas on Lake Ontario, a community center, plus hiking and ski touring trails. Overall, the plan is designed to sustain and enhance the ecological pattern and natural resource potential of the site.

The total land area of the "Sterling Site," 2800 acres, is comprised of wetlands, forested land, agricultural land and approximately one mile of coastline.

In accordance with New York procedures, the land-use plan has been submitted to the New York State Public Service Commission for review. Following their review the plan will be presented for public hearing. It is anticipated that a final decision will be made on the plan sometime this year.



(New York coastal zone . . . cont. from page 1)

answer the following questions; 1) what agency will administer the coastal zoning power, 2) what role will research information play in policy decisions and 3) how can private interests best be taken into account in the general scheme of a coastal zone management plan. Professor Ford's study will focus on the Buffalo and Rochester areas.

The practical problems of coastal economic development are being studied at the SUNY campus at Fredonia. Professors Norman Starler, Warren Fisher and Ann Fisher are

evaluating the relationship of the environment and economic decay of the Lake Erie shoreline to the income, employment and property values of the area.

Two studies are underway at SUNY at Stony Brook. Professor W. Keith Kavenagh of the Institute of Colonial Studies has reviewed the basis of land ownership and land use patterns of the coastal zone of Long Island since the Colonial period. He is presently investigating the historical and legal background of wetlands management on Long Island. In addition, Professor

Andrew Colver, also of SUNY at Stony Brook, has identified factors causing public involvement in coastal zone issues through public opinion surveys. He has looked at the effect of citizens involvement in coastal issues on the formation of local government coastal policies.

Sea Grant is presently beginning to prepare its 1974-75 program and coastal zone management will take an increasingly important role. "Coastlines" will carry more detailed information on activities and research findings as it becomes available.



ENERGY UPDATE

By William Walters, Regional Marine Specialist
Sea Grant Advisory Service, SUNY at Stony Brook

Fuel has become more available and has alleviated most industry problems. It appears that supplies will be adequate for needs of priority users and to a lesser extent, recreational users, this summer. Diesel fuel is in fair to good supply. Some local problems continue with gasoline.

Commercial Fishing

Most diesel powered vessels are having little difficulty obtaining fuel. Problems are being encountered by some baymen and lobstermen burning gasoline. Fishermen are eligible for 100% of their current requirements for their commercial fishing activities. If you are an independent bayman, you may have to establish a regular source of supply. This will become necessary if you cannot obtain fuel at randomly selected stations or marinas. If you encounter difficulty as the season approaches and wish to have your allocation assigned to a regular supplier, call the Stony Brook Sea Grant office for information.



Recommendations for Fishermen

1. Whenever possible, establish a regular source of supply and a

strong relationship with your dealer. He is the best solution for most of your problems.

2. Keep accurate fuel consumption records. If you need to file for an allocation, good data will be required by the federal officials.
3. Plan ahead — it can take several weeks for processing of appropriate federal documents. You will need 1972 and 1973 fuel consumption data to file — save time and prepare this in advance.

Commercial Fishing Fuel Suppliers

There are special procedures available if you have difficulty obtaining fuel for your priority users. If you have problems, call the Stony Brook Sea Grant Office for information.

Recreational Users, (Marinas, etc.)

The recent increase in fuel availability should improve the recrea-

tional industry allocations. It is anticipated that there will be adequate fuel for marine recreation.

Marinas and related businesses will receive an allocation based on their past consumption records. The specific level of supply will vary between suppliers and will probably fluctuate during the season. We have received reports of several firms being limited to eighty and ninety percent of former deliveries.



I WANT MORE

Further details to help solve several coastal problems are available. Each month we try to list several publications of possible interest to you; check off those you would like and return to the Sea Grant Advisory Office nearest to you. Addresses are listed on the back page.

- M5 Community Action For National Flood Insurance Coverage 37 pp.
- M6 Atlantic Outer Continental Shelf Oil and Gas Resources: Background and Policy Issues. 28 pp.
- M7 NOAA Products and Services Pertaining to the New York Bight. 38 pp.
- M8 Protection of New York's Waters — Questions and Answers (Issuance of Stream Protection Permits) flyer.

There is a charge for the following publications. Make checks payable to "Cornell University."

- J14 Monitoring the Seashore (A Guide for Measuring Beach Erosion) 14 pp. 25¢
 - J15 Proceedings from a Conference on Power Plant Siting. 57 pp. 50¢
 - J16 Land Management in the Lake Ontario Basin. 39 pp. \$2.00
- Available by June 1, 1974:
- J17 Proceedings from the New York Marina Management Conference. \$2.00

a special "Coastlines" in depth report

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Permits for Altering Marine Environments

by Peter Sanko, Regional Marine Specialist
Sea Grant Advisory Service, SUNY at Stony Brook

With the passage into law of the Tidal Wetlands Act in June, 1973, considerable public and official attention has been focused upon enforcing and interpreting this and other laws which regulate activities in wetlands and navigable waters. Depending upon the nature and location of the proposed activity, one or more state and federal permits, in addition to local town permits, may be required.

Tidal Wetlands Moratorium Permits

Until the completion of the State Wetlands Inventory and adoption of Land-Use Regulations for Tidal Wetlands, the New York State Department of Environmental Conservation requires any person proposing any alterations to property including or bordering on a tidal waterway or salt marsh must obtain a Moratorium Permit. Any alterations up to 300 feet shoreward of such waterways or marshes may also require permits.

This means, in effect, that any person planning such activities as, but not necessarily limited to, dredging, filling, the placing of rip-rap, construction and maintenance of bulkheads, piers, docks, revetments, seawalls, groins, or other structures on land under tidal waters, within 300 feet landward from the mean high tide line, a wetland or from the bulkhead of a former wetland, must apply for a wetlands moratorium permit.

In deciding whether to apply for a permit, the nature and location of the planned activity, not its magnitude, should be the deciding factors. For instance, the placing of sod on a waterfront bank to retard erosion, or the addition of topsoil to a waterfront backyard for landscaping purposes might require a permit, whereas, the act of spreading grass seed alone would not.

The practical effect of requiring the filing of an application for alterations to property adjacent to all tidal waters, has been to relieve applicant of the burden of deciding if his property alteration will affect a wetland or former wetland. This will be determined by the Department of Environmental Conservation after receipt of the application and a physical inspection of the property. If it is determined that a permit is required, the application will be processed according to the procedures set forth in the Tidal Wetlands Act. This is a sometimes lengthy process requiring the filing of a notice of petition in two local newspapers and a public hearing, if deemed



necessary by the Department of Environmental Conservation.

Since considerable penalties could be imposed for violation of this law, it is advisable to obtain a moratorium permit for all alterations for which a permit is required by law, and to inquire with the Department of Environmental Conservation when in doubt as to the necessity for a permit.

Stream Protection Permits

In Nassau and Suffolk Counties, Department of Environmental Conservation issued Stream Protection Permits are required in tidal water locations only for the construction or installation of vessel docking and mooring facilities, and in towns and cities with populations not greater than 175,000. Hempstead, the only town in Nassau or Suffolk County with a population of over 175,000, has its own docks department, and will issue permits for docking and mooring installations.

A stream protection permit can be obtained through the Department of Environmental Conservation by filing a formal application, and is required for any docking or mooring facility no matter how small the vessel. If a bulkhead is constructed solely for the purpose of erosion control, with no intention of using it for boat docking purposes, this permit will not be required. However, if it is possible the bulkhead will be used for vessel docking in the future, it is advisable to obtain a stream protection permit prior to construction.



The granting of a Stream Protection Permit in no way lessens the requirement for a Wetlands Moratorium Permit or those Federal and Local Permits which may be required. (A flyer on Stream Permits, printed by the N.Y.S. Department of Environmental Conservation is available by checking the appropriate space on page 3.)

Water Quality Certificates

Water Quality Certification by the Department of Environmental Conservation is required for any activity in tidal waters or for any alteration to land adjacent to tidal waters which might conceivably affect the quality of those waters. This would apply to all dredging and filling activities, as well as such work as the construction of groins, docks, bulkheads, etc. A Water Quality Certificate will be issued by the Department of Environmental Conservation when they have determined that the proposed alteration will not significantly affect water quality. No special application need be filed for this certificate if one applies for a Wetlands Moratorium Permit and/or Stream Protection Permit. However, if the proposed activity does not require that an application for a Moratorium or Stream Protection Permit be filed, the request for a Water Quality Certificate should be submitted to the Department of Environmental Conservation in letter form, stating in detail the nature and location of the proposed work. Actually, there are very few instances where a Water Quality Certificate would be required without the Moratorium or Stream Protection Permits. Some cases involving discharge into waters might fall into this category.

Permits for Work in Navigable Waters

The U.S. Army Corps of Engineers is the regulatory authority responsible for the issuance of permits and enforcement of Federal laws dealing with work in navigable waters. For all practical purposes, almost any type of work in navigable waters will require a permit from the Army Corps of Engineers. This includes, but is not limited to dredging and filling, construction and maintenance of groins, seawalls, revetments, bulkheads, docks, piers, wharves, and the installation of floats, buoys, outfalls, moorings, etc.

The permit is applied for by filling out the proper application forms and submitting the required drawings, as described in the pamphlet entitled, "Permits for Work in Navigable Waters," published by the Corps of Engineers. The Corps will distribute a public notice describing the proposed work, and will consider all objections received from other government agencies, private organizations and the general public. If deemed necessary, a public hearing will be held prior to the time a final decision is made regarding the granting of a permit.

Present Corps' policy is to commence processing applications for permits upon receipt, but to withhold final decision until those local and state authorities involved have either granted or denied permits. It is safe to say that if either the local or state agency denies a permit, so will the Corps of Engineers.

* * *

Due to the complexity of the current permit situation involving public notices and petitions, inspections, hearings and the investigation of objections, the time required to receive a final permit from the Corps of Engineers may run from 9 months to a year or more, depending upon the amount of controversy involved. It is advisable to submit application for all required permits at the same time, well in advance of the projected starting date. In other words, if a marina is planning maintenance dredging for the winter of 1975, applications should be submitted no later than the spring of 1974.

COMMERCIAL FISHERIES 22 MILLION IN 1973

Preliminary figures indicate commercial fishermen in New York landed fish with a dockside value of nearly \$22,000,000 during 1973. The National Marine Fisheries Service estimate indicates New York's 1973 clam harvest fell by nearly one million pounds and 2.3 million dollars landed value from comparable 1972 figures. Oysters appear to continue their resurgence with nearly 1.4 million pounds landed in 1973 for a value of over 3 million dollars. This compares with 1.1 million pounds landed in 1972.

Finfish value of 4.7 million dollars was up nearly 1.5 million from the 3.2 million 1972 value. This is largely a result of increased value per fish landed, net poundage landed being 200 thousand less in 1973 than the 21.7 million 1972 pounds. Major fish species landed by value included scup or porgy (one million dollars), fluke (900 thousand dollars), yellow-tail flounder (700 thousand dollars), and striped bass (600 thousand dollars). The fluke and scup were more than double 1972 values. Approximately 85 percent (nearly 19 million dollars) of the fin and shellfish were landed in Suffolk County.

NMFS MAKING IT EASIER TO OBTAIN FISHERIES INFORMATION

The National Marine Fisheries Service has made it easier for interested persons to obtain information about the complex array of its activities.

A guide to the publications and services provided by the NMFS was printed in the March, 1973 issue of *Marine Fisheries Review*, published monthly by the NMFS. The guide identifies which publications and services are free and those that are for sale, and how each can be obtained.

The listing is intended to acquaint fishermen, fisheries associations, Federal and State agencies, universities and other interested citizens and groups with the various publications and services. It will serve as a useful reference as to the person or office to be contacted for various functions.

Copies of "Publications and Services of NMFS" are available free by writing to: Technical Information Division, Environmental Data Service, NOAA, Washington D.C. 20235.

(NMFS Market Newsletter)

UPDATE

The Aquacultural Engineering Laboratory of the University of Massachusetts at Wareham is now publishing a monthly newsletter on its research activities. The Laboratory, which is associated with the Sea Grant Program at Massachusetts Institute of Technology, is currently involved with research on oysters, clams, quahogs, scallops and lobsters from an engineering systems viewpoint. For further details contact John W. Zahradnik, Principal Scientist.

Nearly 60 marina operators were present at the first statewide marina conference in Syracuse in late March. Their written evaluations indicate high satisfaction with the conference and that persons had learned information useful in improving their business. Speakers from Rhode Island, Cornell University, trade and equipment groups helped make this conference a resounding success. It is likely next

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year a similar conference will be held both upstate and on Long Island. Proceedings of this year's conference will be available approximately June 1.

Persons involved in any phase of the marine retailing industry, including marina operators, boat sales, services and equipment, may wish to explore the possibility of joining the *Marine Retailers Association of Long Island*. This recently formed group hopes to gather together marine merchants in this region to work together on projects of mutual interest, such as coping with the energy problem, developing statistics to show the importance of the Long Island boating industry and working with established environmental programs to improve the waterfront. For more information contact: Jim Kenney, President: Seaford Marine Corp., 3748 Merrick Rd., Seaford, New York 11783.

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COASTLINES, published bi-monthly, is available free of charge on written request to the editor.



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