



**Department of  
Environmental  
Conservation**

# **Lake Ontario Permitting**

## **NYS Sea Grant – Monroe County**

**August 30, 2019**

**Parkview Lodge, Webster Park - Monroe County**

# DEC Lake Ontario Permitting Options

- General Permit 0-19-003
- Individual Permit
- Emergency Authorization

# General Permit 0-19-003

- Repair and in-kind replacement of erosion protection structures in the same footprint. **Minor deviations may be allowed** if Department determines it to be necessary for stability of structure. Increase in structure height is permissible subject to Department approval. Replacement structures must be adequately sized and designed to current standards.
- **New sloped rock revetments ( $\leq 100'$ ) along bluffs or non-CEHA areas that are necessary for the protection of existing and functional dwellings. Slope and height limits apply.**
- Repair or reconstruction of existing public roads, bridges, utilities and other public infrastructure.
- **Emergency repair of functional concrete or steel vertical breakwalls along bluffs and non-CEHA areas by installation of sheet piling immediately adjacent to lakeward vertical face.**

## General Permit 0-19-003 (Continued)

- Minor grading back of scarped bluffs to a stable slope. Project must include approved vegetation plan. Toe stone for stabilization may be allowed in specific circumstances.
- Repair or reconstruction of docks, catwalks and floats that were functional on April 1, 2017.
- Stabilization of existing functional storm-damaged dwellings, decks and walkways with temporary bracing and pilings.
- Repair or reconstruction of elevated walk ways or stairways necessary for water access. The stairs and landings shall be a maximum of 4 feet in width and constructed a minimum of 18 inches above grade over the dune/bluff face.
- **Removal of channel blockages on Lake Ontario tributaries.**
- Removal of debris by use of motorized equipment.



# General Permit Application

Submit the following:

- Completed GP-0-19-003 Application
- Submit current photos (historic photos helpful in some cases)
- Project Plans (site plan and cross section)
- **If project meets General Permit criteria**, no need to send application to USACE or NYSDOS

# Individual Permit

## When are they required?

Most new erosion protection structures including:

- Rip Rap/Revetments
- Stepped Block Walls
- Fill within regulated wetlands
- Structures with CEHA

## What is required?

Joint Application

Environmental Assessment Form

Photos

Project Plans

Copies are submitted by the applicant to:

- NYSDEC
- NYSDOS
- USACE



# Emergency Authorization

- Issued in accordance with 6 NYCRR Part 621.12 (UPA)
- Must be immediate threat to life, health, general welfare, property, or natural resources.
- Department can only authorize the minimum work necessary to overcome the emergency
- Authorization valid for 30 days.
- What is needed?

# Article 15 Protection of Waters Permit

All Protection of Waters Permit applications must meet the following standards:

- the proposal is reasonable and necessary;
- the proposal will not endanger the health, safety or welfare of the people of the State of New York; and
- the proposal will not cause unreasonable, uncontrolled or unnecessary damage to the natural resources of the State, including soil, forests, water, fish, shellfish, crustaceans and aquatic and land-related environment.





# Article 24 Wetlands and Part 182 Endangered/Threatened Species Permitting

- Avoid and minimize impacts
- Evaluate alternatives
- Demonstrate this is the only practicable alternative
- Mitigate unavoidable impacts



# Article 34 Coastal Erosion Management Permit

## **Purpose and intent is to:**

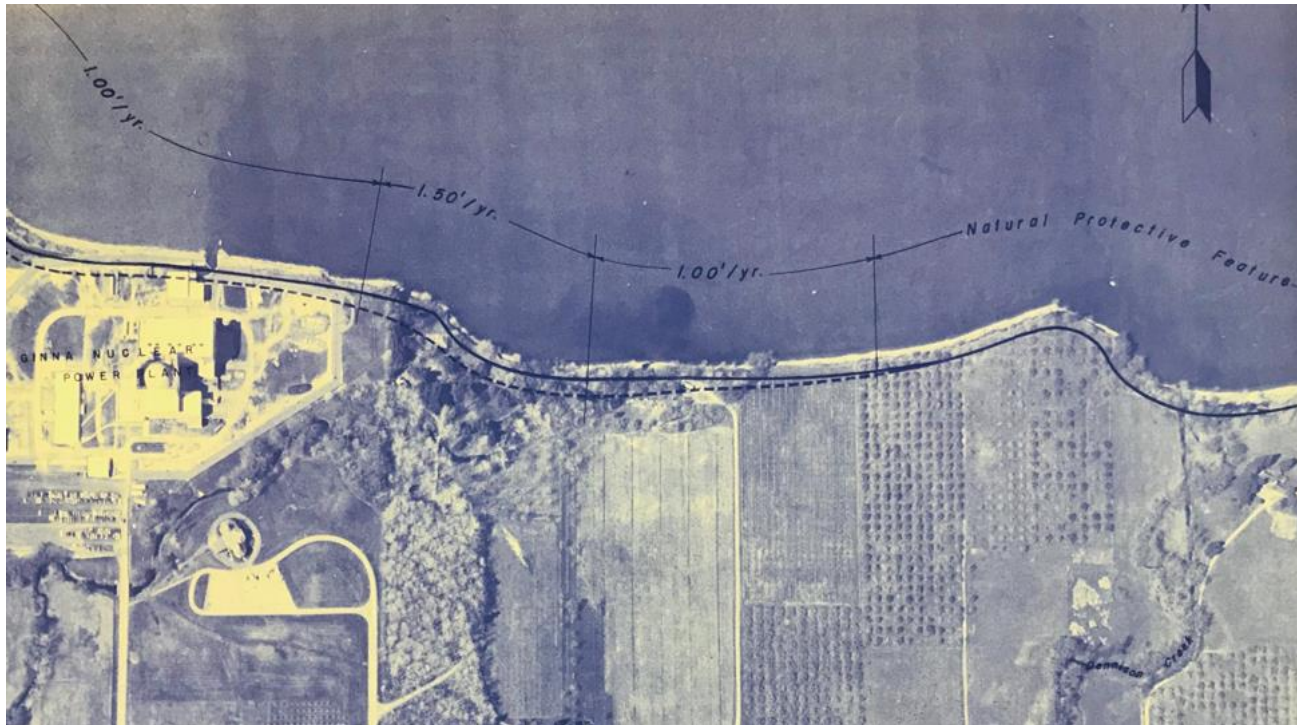
- Promote and preserve the natural protective features
- Limit development

## **A permit can only be issued provided that the proposed regulated activity:**

- Is reasonable and necessary
- Considers alternatives to the proposed activity
- Will not likely cause a measurable increase in erosion
- Prevents or minimizes adverse effects to natural protective features, existing erosion protection structures, and natural resources



# Coastal Erosion Hazard Areas



Natural Protective Feature Areas

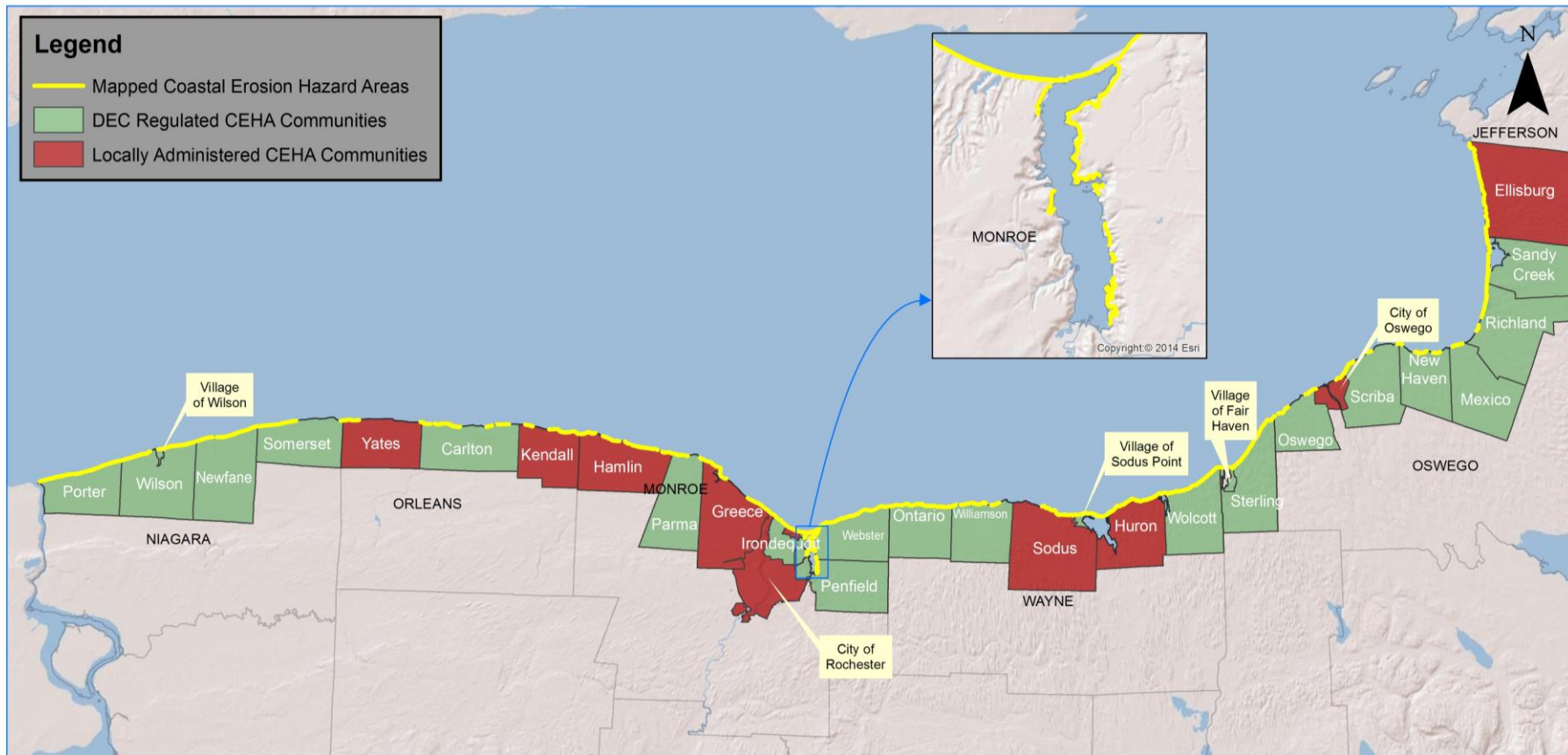
Structural Hazard Areas

All Coastal Erosion Hazard Area maps can be downloaded at <http://on.ny.gov/2aVYuOA>



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# Lake Ontario Coastal Erosion Hazard Areas



## Project Information to Include:

- Descriptions of how you meet permit issuance standards
  - Is the project reasonable and necessary?
  - Have you considered reasonable alternatives?
  - Will your project cause a measurable increase in erosion at the proposed site or at other locations?
- Aerial photos (Google Maps or Bing Maps)
- Location map
- Stamped and signed survey
- Recent photos of project site

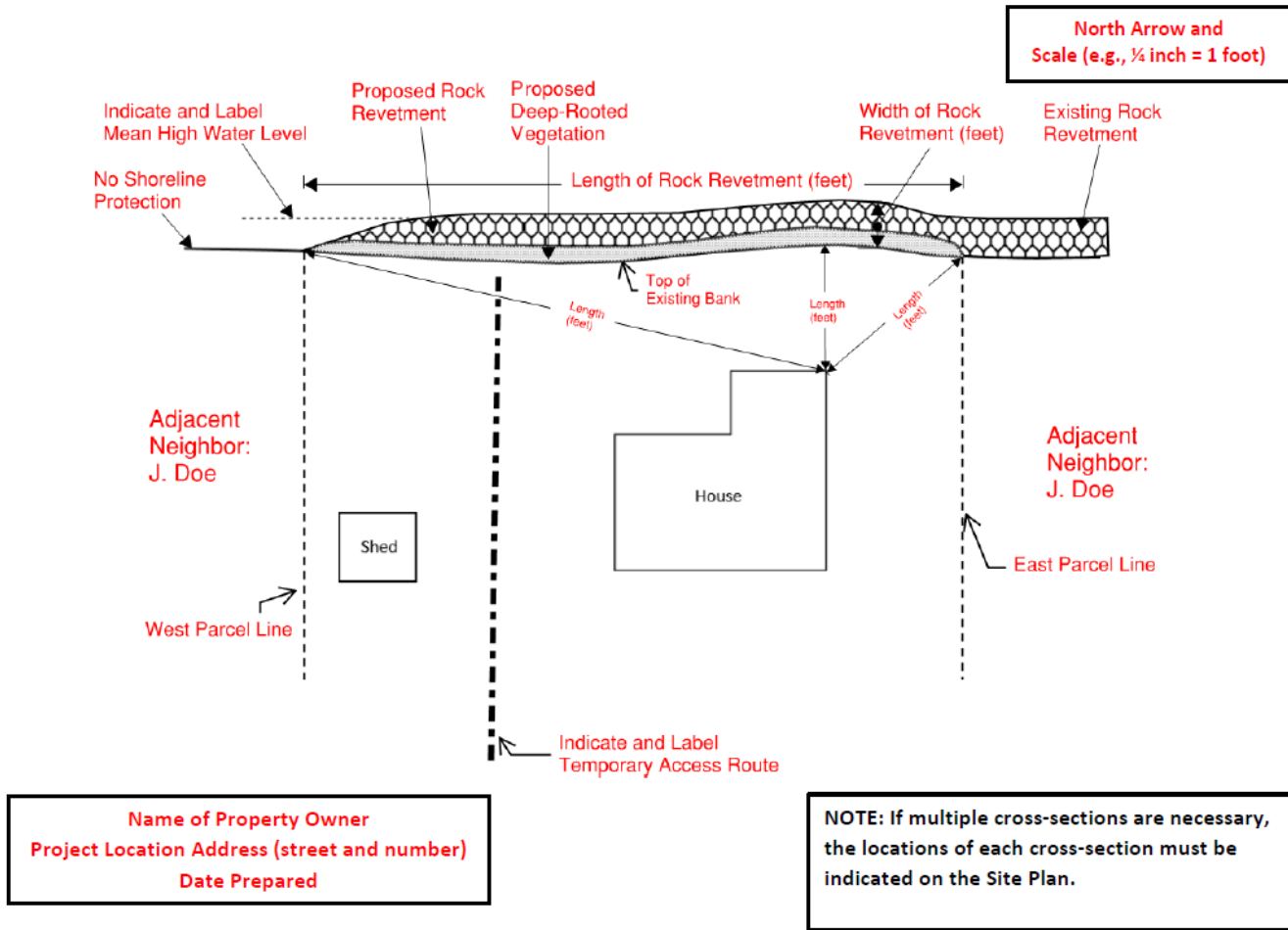


## Project Information to Include (continued):

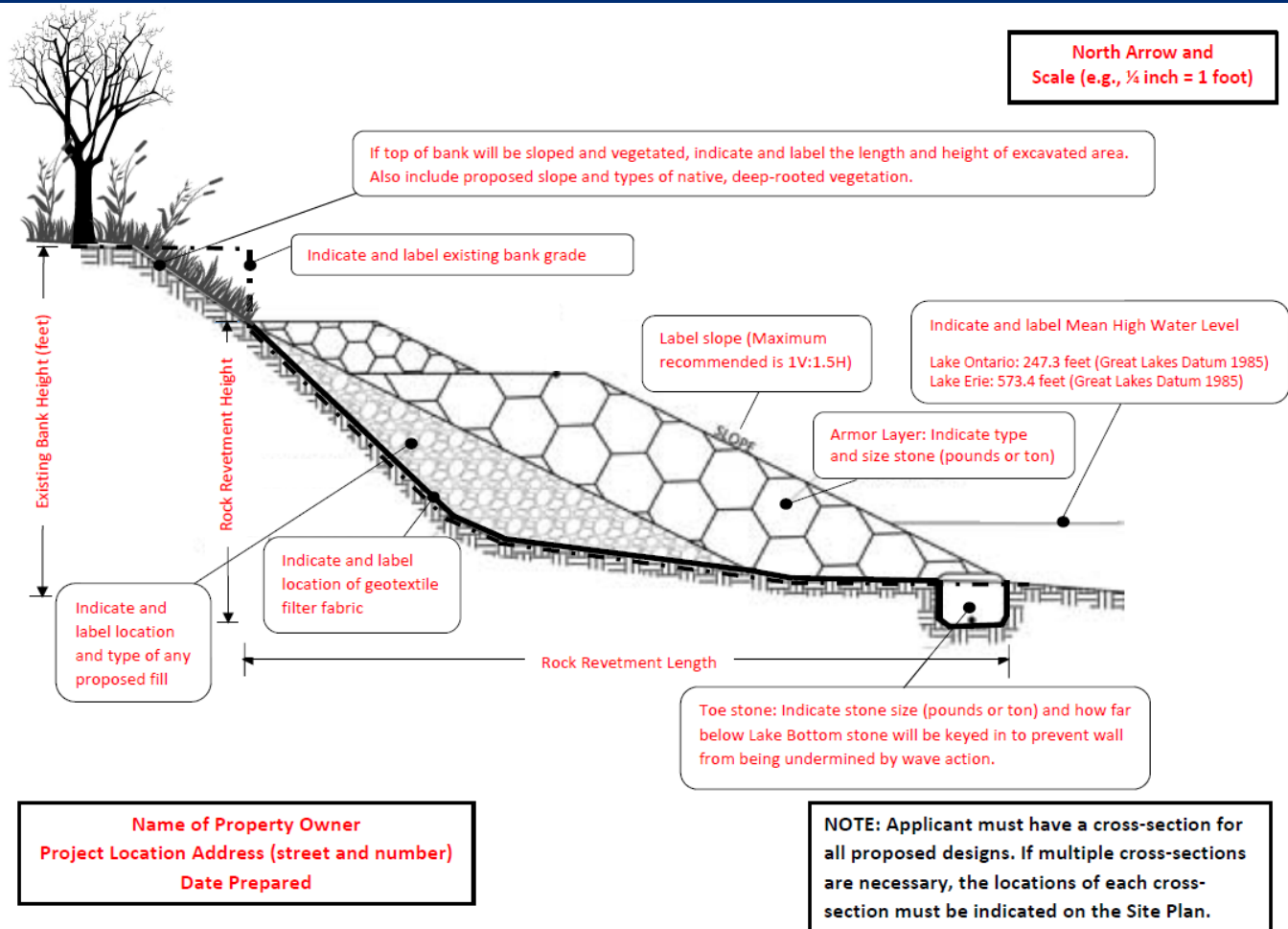
- Project plans (site plan and cross-section plan)
- Description of construction materials, methods, and manner of placement
- Quantity of materials to be used above and below MHWL
- Debris/structure removal prior to work commencement
- Quantity of material to be removed and disposal location
- Long-term maintenance plan



# Sample Site Plan



# Sample Cross-section







Hamlin, NY



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Parma, NY



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Greece, NY



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# Webster, NY



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# Coordination with DEC

- As early as possible to avoid holdups
- Questions on regulated activities
- Technical guidance

## Contacts:

NYSDEC Region 8 Permits

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Questions?

