



JOINT APPLICATION FORM

For Permits for activities affecting streams, waterways, waterbodies, wetlands, coastal areas, sources of water, and endangered and threatened species.

You must separately apply for and obtain Permits from each involved agency before starting work. Please read all instructions.

1. Applications To:
>NYS Department of Environmental Conservation
Check all permits that apply: Stream Disturbance, Dams and Impoundment Structures, Tidal Wetlands, Water Withdrawal, etc.
>US Army Corps of Engineers
Check all permits that apply: Section 404 Clean Water Act, Section 10 Rivers and Harbors Act
>NYS Office of General Services
Check all permits that apply: State Owned Lands Under Water, Utility Easement, Docks, Moorings or Platforms
>NYS Department of State
Check if this applies: Coastal Consistency Concurrence

2. Name of Applicant
Taxpayer ID (if applicant is NOT an individual)
Mailing Address
Post Office / City State Zip
Telephone Email
Applicant Must be (check all that apply): Owner Operator Lessee

3. Name of Property Owner (if different than Applicant)
Mailing Address
Post Office / City State Zip
Telephone Email

For Agency Use Only Agency Application Number:

4. Name of Contact / Agent

Mailing Address _____ Post Office / City _____ State _____ Zip _____

Telephone _____ Email _____

5. Project / Facility Name _____ Property Tax Map Section / Block / Lot Number: _____

Project Street Address, if applicable _____ Post Office / City _____ State _____ Zip _____

_____ NY _____

Provide directions and distances to roads, intersections, bridges and bodies of water

Town Village City County _____ Stream/Waterbody Name _____

Project Location Coordinates: Enter Latitude and Longitude in degrees, minutes, seconds:

Latitude: _____° _____' _____" Longitude: _____° _____' _____"

6. Project Description: Provide the following information about your project. Continue each response and provide any additional information on other pages. **Attach plans on separate pages.**

a. Purpose of the proposed project:

b. Description of current site conditions:

c. Proposed site changes:

d. Type of structures and fill materials to be installed, and quantity of materials to be used (e.g., square feet of coverage, cubic yards of fill material, structures below ordinary/mean high water, etc.):

e. Area of excavation or dredging, volume of material to be removed, location of dredged material placement:

f. Is tree cutting or clearing proposed? Yes If Yes, explain below. No

Timing of the proposed cutting or clearing (month/year): _____

Number of trees to be cut: _____ Acreage of trees to be cleared: _____

g. Work methods and type of equipment to be used:

h. Describe the planned sequence of activities:

i. Pollution control methods and other actions proposed to mitigate environmental impacts:

j. Erosion and silt control methods that will be used to prevent water quality impacts:

k. Alternatives considered to avoid regulated areas. If no feasible alternatives exist, explain how the project will minimize impacts:

l. Proposed use: Private Public Commercial

m. Proposed Start Date: Estimated Completion Date:

n. Has work begun on project? Yes If Yes, explain below. No

o. Will project occupy Federal, State, or Municipal Land? Yes If Yes, explain below. No

p. List any previous DEC, USACE, OGS or DOS Permit / Application numbers for activities at this location:

q. Will this project require additional Federal, State, or Local authorizations, including zoning changes?

Yes If Yes, list below. No

7. Signatures.

Applicant and Owner (If different) must sign the application.

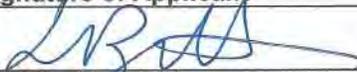
Append additional pages of this Signature section if there are multiple Applicants, Owners or Contact/Agents.

I hereby affirm that information provided on this form and all attachments submitted herewith is true to the best of my knowledge and belief.

Permission to Inspect - I hereby consent to Agency inspection of the project site and adjacent property areas. Agency staff may enter the property without notice between 7:00 am and 7:00 pm, Monday - Friday. Inspection may occur without the owner, applicant or agent present. If the property is posted with "keep out" signs or fenced with an unlocked gate, Agency staff may still enter the property. Agency staff may take measurements, analyze site physical characteristics, take soil and vegetation samples, sketch and photograph the site. I understand that failure to give this consent may result in denial of the permit(s) sought by this application.

False statements made herein are punishable as a Class A misdemeanor pursuant to Section 210.45 of the NYS Penal Law. Further, the applicant accepts full responsibility for all damage, direct or indirect, of whatever nature, and by whomever suffered, arising out of the project described herein and agrees to indemnify and save harmless the State from suits, actions, damages and costs of every name and description resulting from said project. In addition, Federal Law, 18 U.S.C., Section 1001 provides for a fine of not more than \$10,000 or imprisonment for not more than 5 years, or both where an applicant knowingly and willingly falsifies, conceals, or covers up a material fact; or knowingly makes or uses a false, fictitious or fraudulent statement.

Signature of Applicant



Date

6/29/2020

Applicant Must be (check all that apply): Owner Operator Lessee

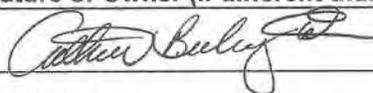
Printed Name

John Papponetti, PE

Title

Commissioner of Public Works

Signature of Owner (if different than Applicant)



Date

6/23/2020

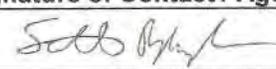
Printed Name

Arthur Briley

Title

Park Operations Manager 1

Signature of Contact / Agent



Date

6/22/2020

Printed Name

Scott Rybarczyk

Title

Sr. Environmental Engineer

For Agency Use Only

DETERMINATION OF NO PERMIT REQUIRED

Agency Application Number

(Agency Name) has determined that No Permit is required from this Agency for the project described in this application.

Agency Representative:

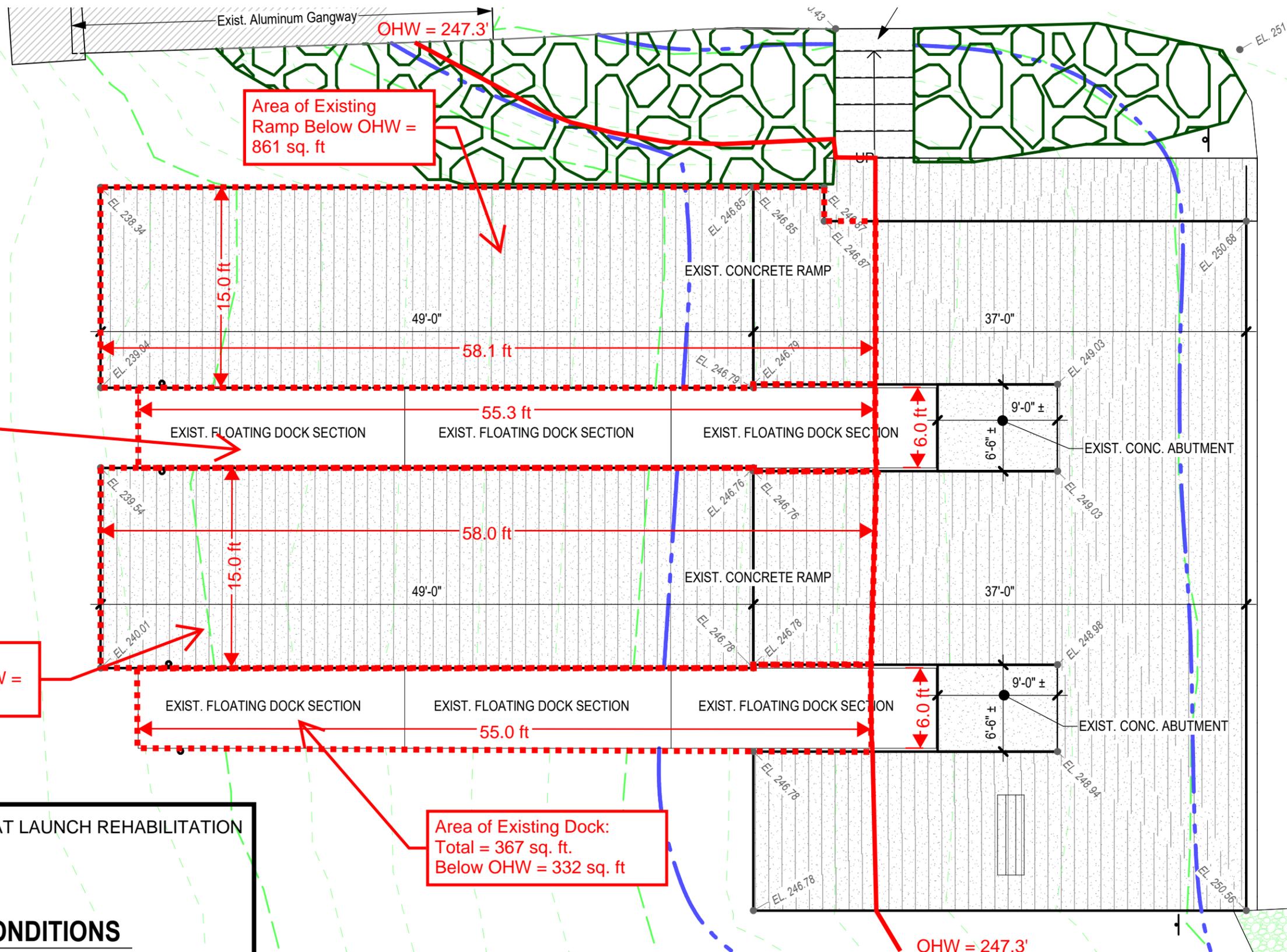
Printed Name

Title

Signature

Date

OAK ORCHARD CREEK



Area of Existing Ramp Below OHW = 861 sq. ft

Area of Existing Dock: Total = 367 sq. ft. Below OHW = 338 sq. ft

Area of Existing Ramp Below OHW = 868 sq. ft

Area of Existing Dock: Total = 367 sq. ft. Below OHW = 332 sq. ft

REDI #27 - POINT BREEZE BOAT LAUNCH REHABILITATION
 DATE: 8/20/2020
 LBR 2020-00300

1 **EXISTING CONDITIONS**
 SCALE: 1/8" = 1'-0"

Area of Excavation
Below OHW =
2,800 sq. ft

Volume of Excavation
Below OHW =
155 CY
(no excavation in
floating dock areas)

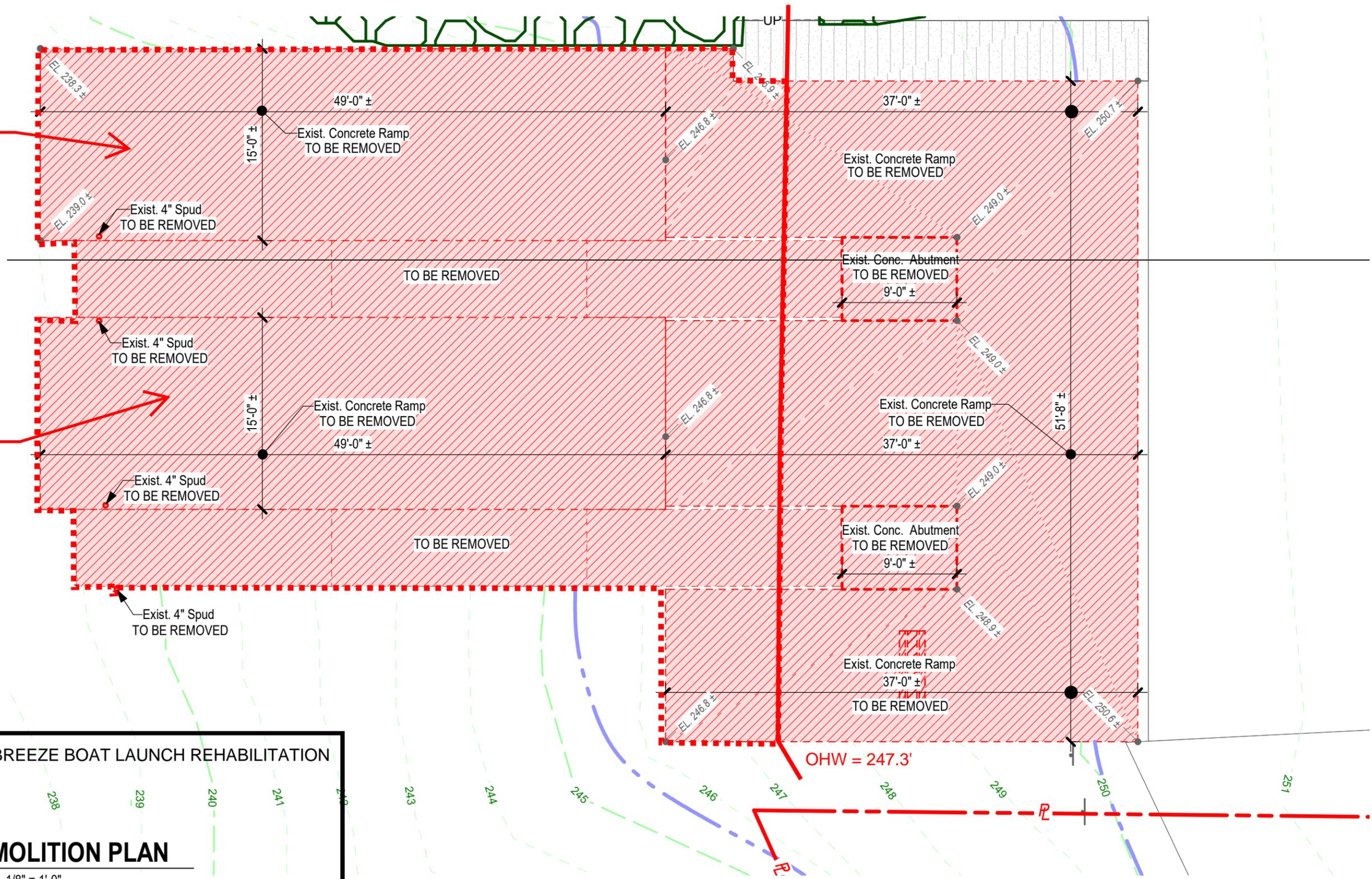
OHW = 247.3'

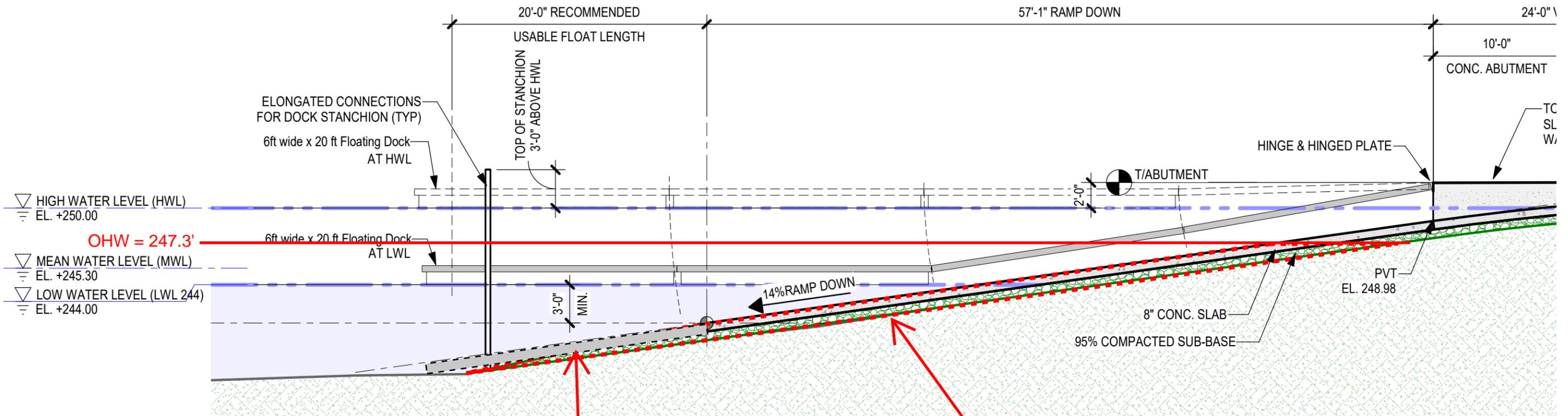
OHW = 247.3'

REDI #27 - POINT BREEZE BOAT LAUNCH REHABILITATION
DATE: 6/5/2020
LBR 2020-00300



1 **DEMOLITION PLAN**
SCALE: 1/8" = 1'-0"





2 LONGITUDINAL SECTION (OPTION 2 - LWL 244)
SCALE: 1/8" = 1'-0"

REDI #27 - POINT BREEZE BOAT LAUNCH REHABILITATION
DATE: 9/21/2020
LBR 2020-00300

Extend Boat Ramp so that it is even with the end of the proposed dock. No stone fill at the end of the ramp.

Area of Concrete Ramp Section Below OHW = 82 sq. ft
Width of Each Ramp = 15ft
Number of Ramps = 2

Volume of Fill from Concrete Ramps = $58 \times 15 \times 2 / 27$ or 91 CY

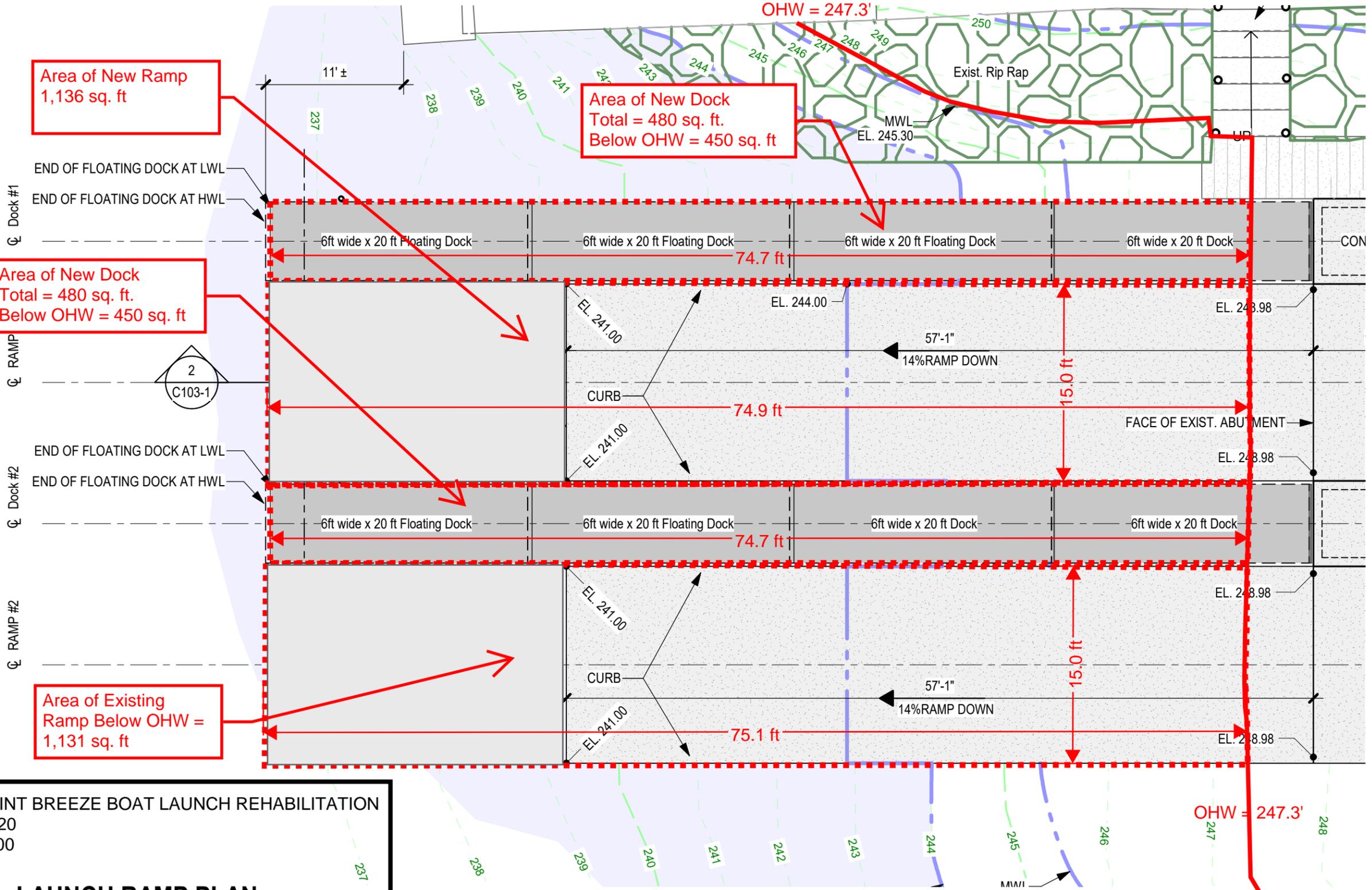
OAK ORCHARD CREEK

Area of New Ramp
1,136 sq. ft

Area of New Dock
Total = 480 sq. ft.
Below OHW = 450 sq. ft

Area of New Dock
Total = 480 sq. ft.
Below OHW = 450 sq. ft

Area of Existing
Ramp Below OHW =
1,131 sq. ft



REDI #27 - POINT BREEZE BOAT LAUNCH REHABILITATION
DATE: 9/21/2020
LBR 2020-00300



1

LAUNCH RAMP PLAN
SCALE: 1/8" = 1'-0"
(OPTION 2 - LWL 244)



By signing this permission form for submission with an application for a permit(s) to the Department of Environmental Conservation ("DEC"), the signer consents to inspection by DEC staff of the project site or facility for which a permit is sought and, to the extent necessary, areas adjacent to the project site or facility. This consent allows DEC staff to enter upon and pass through such property in order to inspect the project site or facility, without prior notice, between the hours of 7:00 a.m. and 7:00 p.m., Monday through Friday. If DEC staff should wish to conduct an inspection at any other times, DEC staff will so notify the applicant and will obtain a separate consent for such an inspection.

Inspections may take place as part of the application review prior to a decision to grant or deny the permit(s) sought. By signing this consent form, the signer agrees that this consent remains in effect as long as the application is pending, and is effective regardless of whether the signer, applicant or an agent is present at the time of the inspection. In the event that the project site or facility is posted with any form of "posted" or "keep out" notices, or fenced in with an unlocked gate, this permission authorizes DEC staff to disregard such notices or unlocked gates at the time of inspection.

The signer further agrees that during an inspection, DEC staff may, among other things, take measurements, may analyze physical characteristics of the site including, but not limited to, soils and vegetation (taking samples for analysis), and may make drawings and take photographs.

Failure to grant consent for an inspection is grounds for, and may result in, denial of the permit(s) sought by the application.

Permission is granted for inspection of property located at the following address(es):

14352 Ontario St., Kent NY 14477 (Point Breeze Boat Launch)

By signing this form, I affirm under penalty of perjury that I am authorized to give consent to entry by DEC staff as described above. I understand that false statements made herein are punishable as a Class A misdemeanor pursuant to Section 210.45 of the Penal Law.*

John M. Papponetti, PE
Commissioner of Public Works
Print Name and Title

[Handwritten Signature]
Signature

6/29/2020
Date

- *The signer of this form must be an individual or authorized representative of a legal entity that:
- owns fee title and is in possession of the property identified above;
- maintains possessory interest in the property through a lease, rental agreement or other legally binding agreement; or
- is provided permission to act on behalf of an individual or legal entity possessing fee title or other possessory interest in the property for the purpose of consenting to inspection of such property.

DESIGN NARRATIVE FOR LRB-2020-00300

Project Description

The proposed project is located at the Point Breeze Boat Launch in Carlton, NY at the end of Ontario Street on the east shores of Oak Orchard Creek. The existing boat launch at this location has 2 boat launching ramps, 2 abutments, and 2 floating docks that allow access to Lake Ontario through Oak Orchard Creek. At high water levels, the abutments are submerged in water and the guideposts are too short making the floating docks inaccessible to the users of these boat ramps. This flooded condition is shown in Figure 1.



Figure 1: Point Breeze Boat Launch During Flooding Event of June 2019

The proposed project consists of removing and replacing the existing floating docks, concrete ramp, and abutments. The approach roadway will be regraded, and the concrete ramps and floating docks will be replaced with facilities that meet the minimum standards provided in *Design Guidelines for Recreational Boating Facilities, Third Edition (Sept 2011)*. These proposed changes will allow for the dock to be operation during both low-water level and high-water level conditions. Excavation and fill will be required to construct these new ramps, docks and abutments. Excavation done in Oak Orchard Creek will be done behind a turbidity curtain to ensure minimal sediment enters the creek. Project photos, aerials, and plans can be found in the attachments and appendices to this application.

Based on initial discussions with the US Army Corps, it is likely that this project will be permitted through the Letter of Permission (LOP) Procedures, Category #1. The information provided here meets the requirements of the LOP Procedures guidance from September 13, 2013. Approvals from the NYS DEC and NYSDOS will also be required. No records of past permit approvals for this site have been found.



Project Alternatives

Three alternatives were investigated as part of the design process:

- No Action
- Option #1 (Design for a low-water level of 242' and a high-water level of 252')
- Option #2 (Design for a low-water level of 244' and a high-water level of 252')

The no action alternative looks at what impacts occur if the existing boat launch is not replaced. There is still impact to the Waters of the United States (WOUS) as this boat launch was not previously permitted. In addition, the existing boat launch cannot be used during high water conditions as shown in Figure 1.

Based on historic data and recent water elevations, the preferred design (Option #1) would be able to function for a proposed low-water elevation of 242' and a high-water elevation of 252'. This would allow the docks to function under the most likely water elevations seen at this location.

If required, Option #2 could also be selected for this site. It is not the preferred alternative as it would prevent use of the docks if the low-water elevation is less than 244'. It does have less impact on the WOUS and would be a significant upgrade over the existing condition.

The impacts of each of these alternatives is presented in design plans following this design narrative. A summary of these impacts is also provided in the Table below.

Alternative	Impact to Stream Channel (LF)	Impact to WOUS (SF)	Excavation (CY)	Fill (CY)
No Action (Existing Conditions)	54	2800	155	155
Option #1	43	3100	155	132
Option #2	43	2500	155	103

Compensatory Mitigation

Both alternatives presented (Option #1 and Option #2) fill less than 0.10 acres of WOUS. Therefore, no compensatory mitigation is required.

SEQR

Orleans County has determined that this action is an Unlisted action under SEQR. The coordinated review documents and part 1 of the short environmental assessment form are attached.

Floodplain Impact

Digital information is unavailable for the project area. Historical floodplain mapping indicated that the project area is in Zone A1, special flood hazard areas inundated by 100-year floods, with flood elevations referenced to the North American Vertical Datum of 1929 (NAVD 29). Construction of either of the proposed alternatives will have no impact on floodplain elevations upstream or downstream of the boat launch as the fill of the proposed alternatives is less than the existing condition.



Historic Properties

The Project was submitted to the NY State Historic Preservation Office (SHPO) for review. As of submission, no response has been received, but we will forward any correspondence from SHPO as soon as it is received.

Endangered Species

A query to the US Fish and Wildlife Service Information, Planning and Conservation System (IPAC) was completed and a list of threatened and endangered species at the site was generated. The letter from IPAC showing that no endangered or threatened species are present at this site is attached in Appendix B.

Coastal Consistency Review

This project has been submitted to the Town of Carleton for their review under their local LWRP. As soon as this review is completed, documentation will be sent to the NYS DOS for final approval. The Federal Consistency Assessment Form has been include in Appendix B.

Name and Address of Adjacent Property Owners

Property and parking lot to the North of the Boat Launch belongs to NYS Parks. They also own the boat launch and are included in this application.

Property to the Northwest of the boat launch is owned by Kevin and Elizabeth Pilon; 4466 Hulberton Road; Holley, NY 14470.

South of the boat launch is a restaurant belonging to the Ladies of the North, LLC. The address is 14352 Ontario Street; Kent, NY 14352.



June 11, 2020

**SUBJECT: SEQR COORDINATED REVIEW
NOTICE OF LEAD AGENCY
ORLEANS COUNTY
REDI PROJECT: #27 POINT BREEZE BOAT LAUNCH, TOWN OF CARLTON**

Dear Involved and Interested Agencies:

Enclosed, please find the Notice of Request for Lead Agency Designation on behalf of Orleans County and Part 1 of the Environmental Assessment Form (EAF) regarding the Point Breeze Boat Launch project in the Town of Carlton. This project involves the redevelopment of the existing boat launch at Point Breeze. The existing boat ramp will be removed and replaced with a new ramp to address problems with flooding, improve accessibility and support public health and safety. The project is an Unlisted action, but Orleans County is conducting a Coordinated Review under SEQR. The project location map is included in this mailing for your reference.

As a potential Involved or Interested Agency, please notify us by close of business on July 13, 2020 if your agency objects to the Orleans County Legislature acting as Lead Agency or if you have any specific comments or concerns regarding the project.

Please mail, telephone, or e-mail any concerns, comments or requests for additional information, or if you have an objection to Orleans County acting as Lead Agency to:

Robert Klavoon, P.E.
Wendel Companies
375 Essjay Road, Suite 200
Williamsville, New York 14220
(716) 688-0766
rklavoon@wendelcompanies.com

Sincerely,

A handwritten signature in blue ink that reads 'Robert D. Klavoon'.

Robert D. Klavoon, P.E.

Enclosure

NOTICE
SEQR: REQUEST FOR LEAD AGENCY DESIGNATION
ORLEANS COUNTY LEGISLATURE

This notice is filed pursuant to Part 617 6NYCRR, Article 8 of the Environmental Conservation Law (SEQR).

Address of Lead Agency: Orleans County Legislature
14016 State Route 31
Albion, NY 14411

Action: REDI PROJECT #27: Point Breeze Boat Launch
Town of Carlton, Orleans County, NY

Description of Action: Orleans County plans to address problems with flooding and inaccessibility at the existing Point Breeze Boat Launch in the Town of Carlton by rehabilitating the ramp. The existing boat ramp is subject to flooding. Installing a new ramp will increase the resiliency of the facility and protect public health and safety, improve public infrastructure and promote the regional economy.

Identified Potential Involved Agencies:

- DASNY
- NYS Department of Environmental Conservation
- NYS Department of State
- NYS Office of General Services
- NYS Office of Parks, Recreation, & Historic Preservation
- NYS Department of State
- Town of Carlton
- US Army Corps of Engineers

Identified Potential Interested Agencies:

- NYS Natural Heritage Program
- US Fish and Wildlife Service
- NOAA/National Marine Fisheries Service

SEQR Classification: Unlisted Action (does not meet thresholds of Type I Action)

As a potential Involved or Interested Agency, please notify John Papponetti at Orleans County by close of business on July 13, 2020 if your agency objects to the Orleans County Legislature acting as Lead Agency. You can contact John Papponetti, P.E., Commissioner of Public Works for Orleans County by e-mail at John.Papponetti@orleanscountyny.gov or by phone at 585-589-6145. If you have any specific comments or concerns regarding the project, or require additional information, please contact Mr. Robert Klavoon, PE Project Manager, by e-mail at rklavoon@wendelcompanies.com or by phone (716) 688-0766.

By Order Of: Lynne Johnson, Chairman
Orleans County Legislature
14016 Route 31 West, Ste 201
Albion, NY 14411

Enclosure(s): EAF Part 1
Exhibit #1: Location Map
Exhibit #2: Engineering Report

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

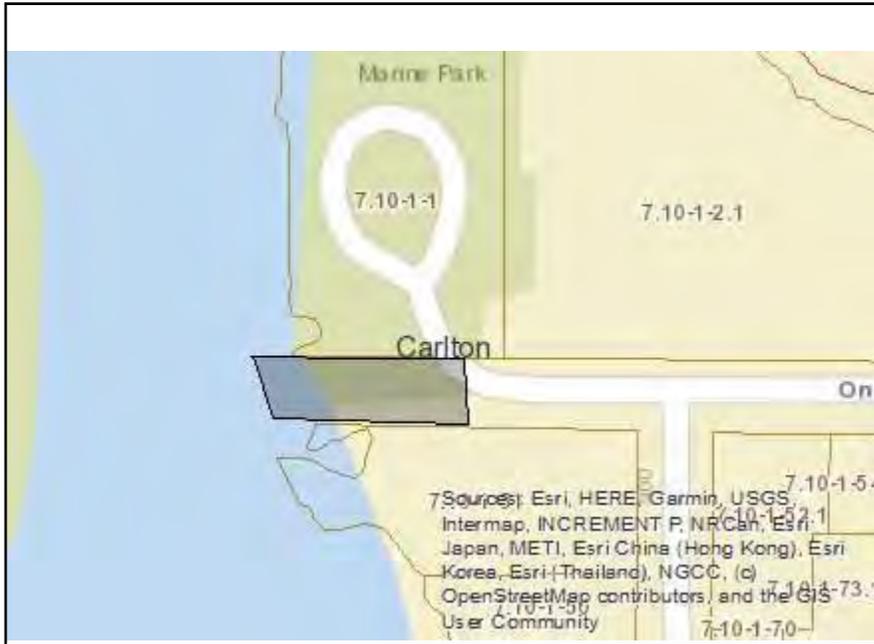
Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information			
Name of Action or Project:			
Project Location (describe, and attach a location map):			
Brief Description of Proposed Action:			
Name of Applicant or Sponsor:		Telephone:	
		E-Mail:	
Address:			
City/PO:		State:	Zip Code:
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:			YES <input type="checkbox"/>
3. a. Total acreage of the site of the proposed action? _____ acres			
b. Total acreage to be physically disturbed? _____ acres			
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres			
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. Urban Rural (non-agriculture) Industrial Commercial Residential (suburban)			
<input type="checkbox"/> Forest Agriculture Aquatic Other(Specify):			
<input type="checkbox"/> Parkland			

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO <input type="checkbox"/>	YES <input type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO <input type="checkbox"/>	YES <input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation services available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	NO <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	YES <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____ _____	NO <input type="checkbox"/>	YES <input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ _____	NO <input type="checkbox"/>	YES <input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ _____	NO <input type="checkbox"/>	YES <input type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	NO <input type="checkbox"/> <input type="checkbox"/>	YES <input type="checkbox"/> <input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____	NO <input type="checkbox"/> <input type="checkbox"/>	YES <input type="checkbox"/> <input type="checkbox"/>	

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest Agricultural/grasslands Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____ _____	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment: _____ _____	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor/name: _____ Date: _____ Signature: <u>Robert D. Clavin</u> Title: _____		



Disclaimer: The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources in order to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations.



Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	No
Part 1 / Question 12b [Archeological Sites]	Yes
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
Part 1 / Question 15 [Threatened or Endangered Animal]	Yes
Part 1 / Question 15 [Threatened or Endangered Animal - Name]	Northern Sunfish
Part 1 / Question 16 [100 Year Flood Plain]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
Part 1 / Question 20 [Remediation Site]	No



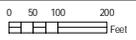
Point Breeze Boat Launch

Kent, NY 14477



LEGEND

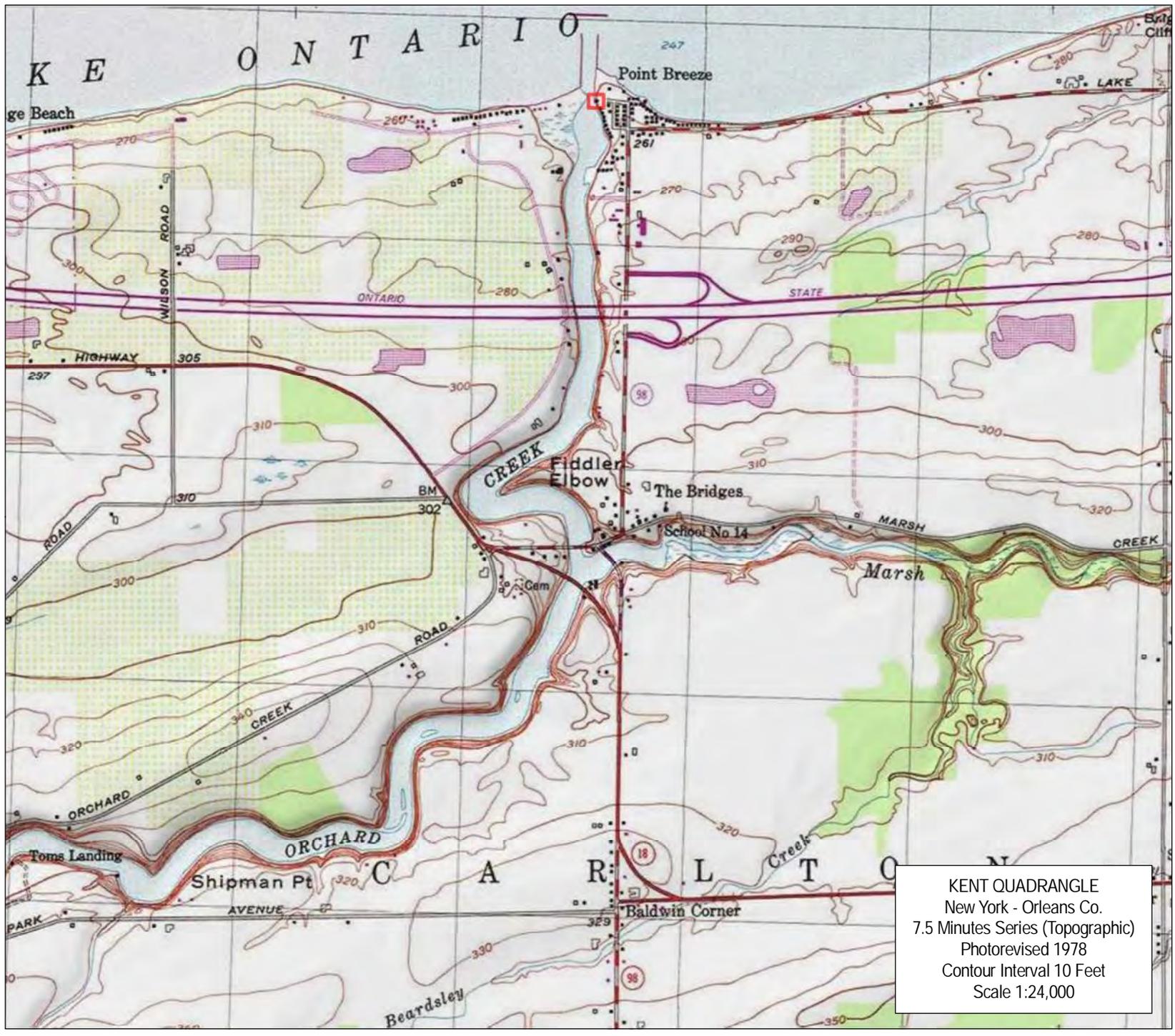
Project Location



Wendel WD Architecture, Engineering, Surveying & Landscape Architecture, P.C. shall assume no liability for 1. Any errors, omissions, or inaccuracies in the information provided regardless of how caused or; 2. Any decision or action taken or not taken by the reader in reliance upon any information or data furnished hereunder.
Data Sources: NYS Office of Information Technology Services, GIS Program Office

Aerial Imagery: ESRI, Landsat, NOAA, USDA, USGS, FEMA, etc.

Appendix A: Maps and Photos



Point Breeze Boat Launch

USGS Map
Kent, NY 14477



LEGEND

Project Location



KENT QUADRANGLE
New York - Orleans Co.
7.5 Minutes Series (Topographic)
Photorevised 1978
Contour Interval 10 Feet
Scale 1:24,000



Wendel WD Architecture, Engineering, Surveying & Landscape Architecture, P.C. shall assume no liability for 1. Any errors, omissions, or inaccuracies in the information provided regardless of how caused or; 2. Any decision or action taken or not taken by the reader in reliance upon any information or data furnished hereunder. Data Sources: NYS Office of Information Technology Services, GIS Program Office



Point Breeze Boat Launch

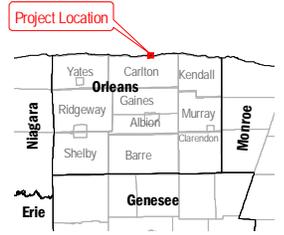
Aerial Map
Kent, NY 14477



LEGEND

Project Location

0 50 100 200
Feet



Wendel WD Architecture, Engineering, Surveying & Landscape Architecture, P.C. shall assume no liability for 1. Any errors, omissions, or inaccuracies in the information provided regardless of how caused or; 2. Any decision or action taken or not taken by the reader in reliance upon any information or data furnished hereunder.
Data Sources: NYS Office of Information Technology Services, GIS Program Office

Aerial Imagery: Google Earth, 2019



REDI Point Breeze Boat Launch

Photo Key Map

Proj. No. 245017

Date 6/19/2020

Ref. Dwg.

No.



Image 1: Standing in Parking Lot Looking South



Image 2: Standing in Roadway Approach Facing North



Image 3: Standing in Roadway Approach Facing West



Image 4: Standing on Edge of Ramp Facing North



Image 5: Standing on Edge of Ramp Facing Northwest



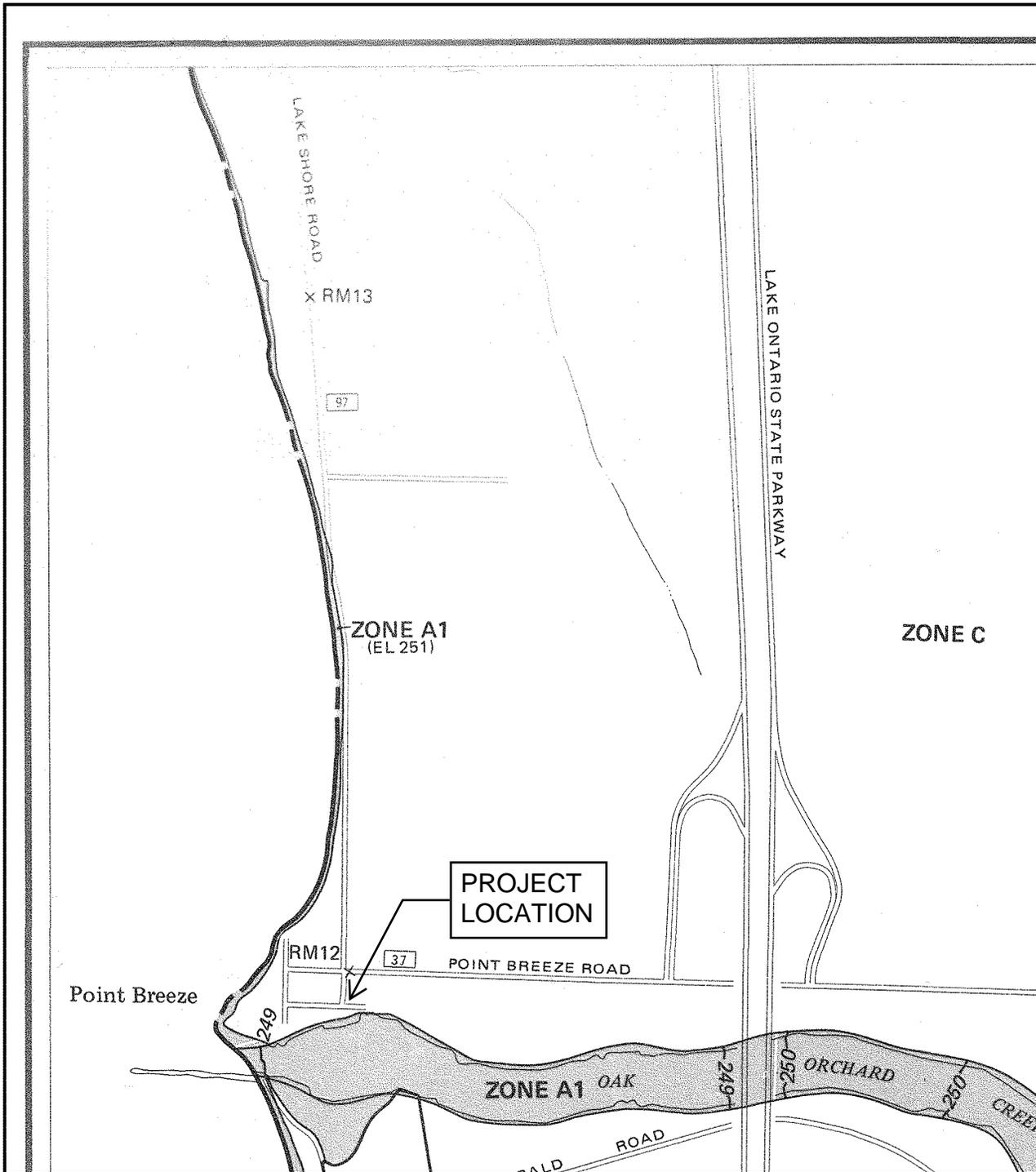
Image 6: Standing on North side of Ramp Facing South, build platform to access ramp during high water levels



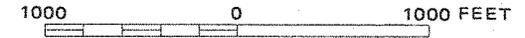
Image 7: Standing on Ramp Facing South



Image 8: Google Image in Road Approach Facing West (Imagery date 6/2019)



APPROXIMATE SCALE



NATIONAL FLOOD INSURANCE PROGRAM

FLOOD INSURANCE RATE MAP

TOWN OF
CARLTON, NEW YORK
 ORLEANS COUNTY

COMMUNITY-PANEL NUMBER
360642 0010 B

PAGE 10 OF 15

(SEE MAP INDEX FOR PAGES NOT PRINTED)

EFFECTIVE
 NOVEMBER 1, 1978



U.S. DEPARTMENT OF HOUSING
 AND URBAN DEVELOPMENT
 FEDERAL INSURANCE ADMINISTRATION

This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at www.msc.fema.gov

Appendix B:
Agency
Correspondance



United States Department of the Interior



FISH AND WILDLIFE SERVICE
New York Ecological Services Field Office
3817 Luker Road
Cortland, NY 13045-9385

Phone: (607) 753-9334 Fax: (607) 753-9699

<http://www.fws.gov/northeast/nyfo/es/section7.htm>

In Reply Refer To:

June 08, 2020

Consultation Code: 05E1NY00-2020-SLI-3206

Event Code: 05E1NY00-2020-E-09648

Project Name: Point Breeze Boat Launch

Subject: List of threatened and endangered species that may occur in your proposed project location, and/or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (ESA) of 1973, as amended (16 U.S.C. 1531 *et seq.*). This list can also be used to determine whether listed species may be present for projects without federal agency involvement. New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list.

Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the ESA, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC site at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list. If listed, proposed, or candidate species were identified as potentially occurring in the project area, coordination with our office is encouraged. Information on the steps involved with assessing potential impacts from projects can be found at: <http://www.fws.gov/northeast/nyfo/es/section7.htm>

Please be aware that bald and golden eagles are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 *et seq.*), and projects affecting these species may require development of an eagle conservation plan (<http://www.fws.gov/windenergy/>)

[eagle_guidance.html](#)). Additionally, wind energy projects should follow the Services wind energy guidelines (<http://www.fws.gov/windenergy/>) for minimizing impacts to migratory birds and bats.

Guidance for minimizing impacts to migratory birds for projects including communications towers (e.g., cellular, digital television, radio, and emergency broadcast) can be found at: <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/towers.htm>; <http://www.towerkill.com>; and <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/comtow.html>.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the ESA. Please include the Consultation Tracking Number in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

- Official Species List

Official Species List

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

New York Ecological Services Field Office

3817 Luker Road

Cortland, NY 13045-9385

(607) 753-9334

Project Summary

Consultation Code: 05E1NY00-2020-SLI-3206

Event Code: 05E1NY00-2020-E-09648

Project Name: Point Breeze Boat Launch

Project Type: RECREATION CONSTRUCTION / MAINTENANCE

Project Description: Rehabilitating the existing boat launch to be in operation during different ranges of water elevations (low and high).

Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/place/43.3711741611532N78.19155641400901W>



Counties: Orleans, NY

Endangered Species Act Species

There is a total of 0 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

-
1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

Critical habitats

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

NEW YORK STATE DEPARTMENT OF STATE
COASTAL MANAGEMENT PROGRAM

Federal Consistency Assessment Form

An applicant, seeking a permit, license, waiver, certification or similar type of approval from a federal agency which is subject to the New York State Coastal Management Program (CMP), shall complete this assessment form for any proposed activity that will occur within and/or directly affect the State's Coastal Area. This form is intended to assist an applicant in certifying that the proposed activity is consistent with New York State's CMP as required by U.S. Department of Commerce regulations (15 CFR 930.57). It should be completed at the time when the federal application is prepared. The Department of State will use the completed form and accompanying information in its review of the applicant's certification of consistency.

A. **APPLICANT** (please print)

1. Name: _____
2. Address: _____
3. Telephone: Area Code () _____

B. **PROPOSED ACTIVITY:**

1. Brief description of activity:

2. Purpose of activity:

3. Location of activity:

County	City, Town, or Village	Street or Site Description
--------	------------------------	----------------------------

4. Type of federal permit/license required: _____

5. Federal application number, if known: _____

6. If a state permit/license was issued or is required for the proposed activity, identify the state agency and provide the application or permit number, if known:

C. **COASTAL ASSESSMENT** Check either "YES" or "NO" for each of these questions. The numbers following each question refer to the policies described in the CMP document (see footnote on page 2) which may be affected by the proposed activity.

- | | |
|--|--------|
| 1. Will the proposed activity result in any of the following: | YES/NO |
| a. Large physical change to a site within the coastal area which will require the preparation of an environmental impact statement? (11, 22, 25, 32, 37, 38, 41, 43) | — — |
| b. Physical alteration of more than two acres of land along the shoreline, land under water or coastal waters? (2, 11, 12, 20, 28, 35, 44) | — — |
| c. Revitalization/redevelopment of a deteriorated or underutilized waterfront site? (1) | — — |
| d. Reduction of existing or potential public access to or along coastal waters? (19, 20) | — — |
| e. Adverse effect upon the commercial or recreational use of coastal fish resources? (9,10) | — — |
| f. Siting of a facility essential to the exploration, development and production of energy resources in coastal waters or on the Outer Continental Shelf? (29) | — — |
| g. Siting of a facility essential to the generation or transmission of energy? (27) | — — |
| h. Mining, excavation, or dredging activities, or the placement of dredged or fill material in coastal waters? (15, 35) | — — |
| i. Discharge of toxics, hazardous substances or other pollutants into coastal waters? (8, 15, 35) | — — |
| j. Draining of stormwater runoff or sewer overflows into coastal waters? (33) | — — |
| k. Transport, storage, treatment, or disposal of solid wastes or hazardous materials? (36, 39) | — — |
| l. Adverse effect upon land or water uses within the State's small harbors? (4) | — — |

- | | |
|---|--------|
| 2. Will the proposed activity affect or be located in, on, or adjacent to any of the following: | YES/NO |
| a. State designated freshwater or tidal wetland? (44) | — — |
| b. Federally designated flood and/or state designated erosion hazard area? (11, 12, 17) | — — |
| c. State designated significant fish and/or wildlife habitat? (7) | — — |
| d. State designated significant scenic resource or area? (24) | — — |
| e. State designated important agricultural lands? (26) | — — |
| f. Beach, dune or Barrier Island? (12) | — — |
| g. Major ports of Albany, Buffalo, Ogdensburg, Oswego or New York? (3) | — — |
| h. State, county, or local park? (19, 20) | — — |
| i. Historic resource listed on the National or State Register of Historic Places? (23) | — — |

- | | |
|--|--------|
| 3. Will the proposed activity require any of the following: | YES/NO |
| a. Waterfront site? (2, 21, 22) | — — |
| b. Provision of new public services or infrastructure in undeveloped or sparsely populated sections of the coastal area? (5) | — — |
| c. Construction or reconstruction of a flood or erosion control structure? (13, 14, 16) | — — |
| d. State water quality permit or certification? (30, 38, 40) | — — |
| e. State air quality permit or certification? (41, 43) | — — |

- | | |
|---|-----|
| 4. Will the proposed activity occur within and/or affect an area covered by a State-approved local waterfront revitalization program, or State-approved regional coastal management program?
(see policies in program document*) | — — |
|---|-----|

D. ADDITIONAL STEPS

1. If all of the questions in Section C are answered "NO", then the applicant or agency shall complete Section E and submit the documentation required by Section F.
2. If any of the questions in Section C are answered "YES", then the applicant or agent is advised to consult the CMP, or where appropriate, the local waterfront revitalization program document*. The proposed activity must be analyzed in more detail with respect to the applicable state or local coastal policies. On a separate page(s), the applicant or agent shall: (a) identify, by their policy numbers, which coastal policies are affected by the activity, (b) briefly assess the effects of the activity upon the policy; and, (c) state how the activity is consistent with each policy. Following the completion of this written assessment, the applicant or agency shall complete Section E and submit the documentation required by Section F.

E. CERTIFICATION

The applicant or agent must certify that the proposed activity is consistent with the State's CMP or the approved local waterfront revitalization program, as appropriate. If this certification cannot be made, the proposed activity shall not be undertaken. If this certification can be made, complete this Section.

"The proposed activity complies with New York State's approved Coastal Management Program, or with the applicable approved local waterfront revitalization program, and will be conducted in a manner consistent with such program."

Applicant/Agent's Name: _____

Address: _____

Telephone: Area Code () _____

Applicant/Agent's Signature:  _____ Date: _____

F. SUBMISSION REQUIREMENTS

1. The applicant or agent shall submit the following documents to the **New York State Department of State, Office of Planning and Development, Attn: Consistency Review Unit, One Commerce Plaza-Suite 1010, 99 Washington Avenue, Albany, New York 12231.**
 - a. Copy of original signed form.
 - b. Copy of the completed federal agency application.
 - c. Other available information which would support the certification of consistency.
2. The applicant or agent shall also submit a copy of this completed form along with his/her application to the federal agency.
3. If there are any questions regarding the submission of this form, contact the Department of State at (518) 474-6000.

*These state and local documents are available for inspection at the offices of many federal agencies, Department of environmental Conservation and Department of State regional offices, and the appropriate regional and county planning agencies. Local program documents are also available for inspection at the offices of the appropriate local government.

Attachment to NY State Department of State Coastal Management Program – Federal Consistency Assessment Form

Prepared by Scott Rybarczyk, last edited on June 20th, 2020

The following policies are potentially impacted by the proposed project. Each Policy is given in bold text and then followed by a response for the proposed project.

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

This project will improve boating access to Oak Orchard Creek by allowing the existing boat ramp to be used under higher water elevations. This is a water dependent facility, so the project is justified.

Policy 11: Buildings and other structures will be sited in the coastal areas so as to minimize damage to property and the endangering of human lives caused by flooding and erosion.

The proposed project is within the floodplain, but no buildings will be constructed and changes to the boat ramp are minimal. Therefore, there is no potential damage or endangering of human lives from this project.

Policy 12: Activities or Development in the Coastal Area will be undertaken so as to minimize damage to natural resources and property from flooding and erosion by protecting natural protective features including beaches, dunes, barriers, and bluffs.

The proposed changes to the existing boat ramp will not impact natural protective features.

Policy 17: Non-Structural measures to minimize damage to natural resources and property from flooding and erosion should be used whenever possible.

No applicable. No impact to natural protective features is proposed.

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

The proposed project will increase the use of this site for boating as it will allow for use in high water conditions.

Policy 20: Access to the publicly-owned foreshore and to lands immediately adjacent to the foreshore or the water's edge that are publicly-owned shall be provided and it shall be provided in a manner compatible with adjoining uses.

Access to the foreshore and lands immediately adjacent to the foreshore will remain as present under existing conditions.

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

This site will improve boating access to Oak Orchard Creek.

Policy 22: Development when located adjacent to the shore will provide for water-related recreation whenever such use is compatible with reasonably anticipated demand for such activities, and is compatible with the primary purpose of the development.

Water-related recreation is already one of the primary purposes of this site and that will not change with the construction of the proposed project.

Policy 30: Municipal, Industrial, and Commercial Discharge of pollutants, including but not limited to, toxic and hazardous substances, into coastal waters will conform to State and National water quality standards.

No discharge of pollutants is anticipated with this proposed project.

Policy 38: The quality and quantity of surface water and groundwater supplies, will be conserved and protected, particularly where such waters constitute the primary or sole source of water supply.

A turbidity curtain shall be used during construction to ensure that water quality in Oak Orchard Creek is not impacted by this project.

Policy 40: Effluent discharged from major steam electric generating and industrial facilities into coastal waters will not be unduly injurious to fish and wildlife and shall conform to state water quality standards.

Not applicable