

**G/FLRPC FALL 2007 REGIONAL ROUNDTABLE:
TAKING ADVANTAGE OF OUR REGION'S WATERFRONT!**

**EBENEZER WATTS CONFERENCE CENTER
ROCHESTER, NEW YORK**

**FRIDAY, OCTOBER 19, 2007
9:00AM TO NOON**

DEFINE THE ISSUES:

Dredging

- Genesee River at Corn Hill
 - Difficult to operate vessels and generate business related to navigation.
 - Corn Hill Landing has significant synergistic potential, blending a variety of businesses.
 - How can WE make this happen?
- Port of Rochester. Army Corps of Engineers authorization process acts as a major impediment...limiting their ability to dredge based on commercial tonnage, as opposed to volume of recreational business—which is not considered.

Access

- Water dependent activities require access...access includes navigational access (dredging).
- Other public access...pedestrian trail systems in the Irondequoit Bay area. Development of systems has occurred and is ongoing.
- Fishing access at Oak Orchard River/Point Breeze. Private ownership of prime fishing area preventing public use of the resource (which is world-renowned). At present, a compromise has been reached, but it is temporary (\$7500/year lease agreement over 3 years). Local governments are reluctant to pursue eminent domain for access.
- Waterfront access is a commitment of the City of Rochester...potential corridors of historic utilities, brownfields, etc. It is difficult to gain access around these facilities and arrange agreements, particularly considering security concerns (hydropower...etc).
- Canandaigua Lake enjoys good waterfront access. The problem is that it is difficult for customers to access business from the lake, considering the lack of transient boat access. This is likely to become an even greater concern over time.

Development

- New waterfront development...the best sites have likely already been developed...the remaining sites are likely to have significant challenges to development.
- Don't just look ahead, look back at why specific sites have failed; how can we learn from historic uses of specific sites and the challenges therein...often this is an important consideration.
- The City of Canandaigua has invested considerable resources in its waterfront to date and takes its future development very seriously.

- Carrying capacity of our waterways...how much 'development' can they withstand and support before environmental degradation begins to occur.
- How do municipalities allow and accommodate appropriate development without harming the integrity of the natural resource?
- Potential for "keyhole" shoreline development...how is it managed appropriately so that there is a balance between owners and users of the resource?

Planning and Management

- Money...many municipalities have *plans* for development along waterfront(s), but financial resources are difficult to come by.
- Absence of harbor management plan and structure.
- Lakefront development can also choke out easy/noticeable access, particularly access by visitors (coming from Main Street, for example). How to accommodate/attract visitors to the waterfront from other popular local resources (i.e. Main Street in Canandaigua)?
- Private investment in waterfronts...tear-down of legacy cottages/erection of larger structures in their place on the waterfront. This is occurring at an alarming rate in some places. There is a change on how the public can relate to the waterfront, visibly and physically...threat to viewsheds/bucolic character due to the high-demand of these places. How can this be managed appropriately?
 - These problems can be solved through planning and zoning processes. Are municipalities willing to take on that challenge? Comprehensive planning...visioning process...public dialogue...addressing various potential future uses of the land.
 - Comprehensive planning and regulation needs to be consistent, well-conceived, and properly enforced.
- Even when using appropriate planning tools, differences are likely to remain between competing interests. It is nonetheless important to encourage public dialogue and participation.
- 'Vineyard Living' replacing 'Golf Course Living' in terms of housing demand...are the many Finger Lakes communities prepared for a surge in development? Communities need to take a hard look at development trends and visual impacts associated with development.
- Is there inter-municipal planning occurring in our region? The type of cooperation and coordination that is necessary to protect shared resources (visual, aesthetic, natural, etc.).
- Establishment of state or county wide best management practices would be appreciated among local governments for guidance.
- Inter-municipal cooperation is not a local government priority. Most lakefront property owners are seasonal owners.
- Docking and Mooring Laws? These are used in some high-use areas in the Finger Lakes. They allow consistent implementation and management.
- It is a big challenge to implement effective coastal management on a town-by-town basis.
- Inter-municipal cooperation often emerges out of local frustration or crisis situations...when local managers realize that they can't do it alone. Cooperation usually emerges out of enlightenment due to a local issue/crisis.

Recreation

- The revenues generated from fishing are calculated at or around \$4 million in Orleans County, plus associated multipliers.

- 1,035 boats moored on Honeoye Lake in-season...which is a significant number for a lake of its size. What is the lake's carrying capacity? How could this be determined and then managed in the future...?

Water Quality

- Platforms and non-water dependent uses erected along waterways. These structures/uses are becoming a challenge to regulate.
- Lake-wide water quality issues; difficult near-shore issues...it is critical to address these issues for future waterfront development.
- Suburban/urban dwellers living along waterbodies...fertilizing lawns, septic system operation, etc.

Riparian

- Infringement on downstream riparian rights...dams and corridors...impacts on the land upstream that impact downstream owners is seen as a problem.
- Streams...link between streams and development...evident elsewhere.

Infrastructure

- Irondequoit Bay has seen a surge in affluent owners in recent years, impacting legacy owners in a variety of ways. The traditional quiet uses/atmosphere is being transformed by new users (noise from boats, larger buildings and structures, etc.).
- How are these issues associated with infrastructure (presence or lack thereof)...water, sewer, parking, rail...
- Second home ownership/tear-down and creation of larger homes...inadequate infrastructure to accommodate the scale of these structures.
- Justification of costs associated with extending public infrastructure...particularly when the users are seasonal. Local governments can't always afford to extend, even when it's necessary
- Brownfields cleanup...
- Water supply...public ownership of Hemlock/Canadice Lakes...what does the future hold?
- New infrastructure is not cheap...and it also promotes/encourages more development...is this something that communities want? Infrastructure has obvious benefits, but long-term costs and consequences also.

IDENTIFICATION OF POTENTIAL SOLUTIONS:

NYS Department of State, Division of Coastal Resources

Look to Division of Coastal Resources for a wide variety of funding opportunities, resources, and assistance with local issues... www.nyswaterfronts.com or (518) 474-6000 to request a copy of the RFP Applications!!!

APPLICATIONS DUE NOVEMBER 30, 2007.

Workshops/public meetings: Wednesday, October 24th in Cicero Town Hall and Tuesday, October 23rd in Depew...see the website for more details.

Greater emphasis at the state level now more than ever to encourage regional planning, inter-municipal cooperation...

NYS DOS James A. Coon series of guidance documents for municipalities (with regard to local laws).

Q: Do the grants (LWRP) cover operations and maintenance? A: Primarily just capital improvement projects...in some instances, restoration also...but typically not long-term operations and maintenance.

Q: Doesn't the fact that Counties (and Regional Planning Councils!) are not eligible to participate detract from the (LWRP) program...? A: DOS has tried in the past to allow counties to participate to apply for grants.

Regional Blueway Analysis. Continued emphasis on blueway trails and a regional blueway system. Blueway-greenway trails can spur economic development and requires inter-municipal cooperation.

NYS Office of Parks, Recreation and Historic Preservation

Funding opportunities for capital improvements/land acquisition:

1. The Municipal Parks Program;
2. Historic Preservation Grants Program; and,
3. Heritage Areas Program (smallest BUT least competitive).

2007 applications are currently in-hand...award announcements to come hopefully in the fall of 2007. 2008 cycle to begin around April 2008. See website at: www.nysparks.com.

Urban Cultural Heritage Areas program...recent surge in heritage development. Three large heritage areas in NYS (including the Erie Canal). Find more information about the Heritage Area System at: http://nysparks.state.ny.us/heritage/herit_area.asp.

In order to celebrate the NY Heritage Areas Program's 25th Anniversary...partnering with several other organizations... New York Heritage Development Forum to be held Tuesday, November 13th in Troy, NY at Rensselaer Polytechnic Institute. See brochure at: http://nysparks.state.ny.us/heritage/docs/Heritage_Forum.pdf.

OPRHP is in the process of reviewing its EPF granting program in an effort in improving efficiency and opportunities for the entities that need the funding assistance (counties, etc.) OPRHP encourages all to contact with advice on how the program can be improved...

NYS Department of Environmental Conservation, Region 8

Division of Permits: Assists with the inter-municipal planning process and IMPLEMENTATION in addressing local carrying capacity and "whole-lake" issues.

SEQRA is an important consideration/process that can assist with these issues. New York State owns most of the land under the water throughout the Finger Lakes.

LWRP process is an important and valuable partner/process that the DEC embraces. Environmental justice and urban waterfront development...there is a distinct opportunity here.

Involve the DEC **as early as possible** in the planning process to provide input and valuable assistance.

NYS Canals

SUNY Brockport is one of the only state campuses that abuts the Erie Canal. This presents a great opportunity for docking and other waterfront connections...however, ownership issues complicate coordination.

Brownfield Programs

Funding for local governments is available...EPA has \$\$ for assessment and/or cleanup (up to \$200,000). NYS Environmental Restoration Title V Program...this is a significant resource (but what happens when it runs out??)

Brownfields Opportunity Program: This could become a significant planning tool for many municipalities.

Trail Programs

Regional Trails Initiative at the Genesee Transportation Council (**M**etropolitan **P**lanning **O**rganization). More information at: www.gtcmppo.org.

Parks and Trails New York also has annual call for projects. See website at: www.ptny.org.

Federal Transportation Enhancement Program (TEP) administered by OPRHP...offers assistance for trails.

Snowmobile and ATV trail assistance is also offered by OPRHP.

Art Walks on the Water...proposal for pieces of art installed along the entire NYS Canal System.

Public art competitions and grants associated therein can gather considerable interest and public participation that goes far beyond the art itself...generates interest in public common spaces, waterfronts, etc.

Dredging

Hot topic. Federal navigational funding is a problem. NYSDOS has prepared a regional study/needs assessment on the issue. Proposal to fund dredging regionally to support tourism as opposed to support shipping/commerce. Funded by a surcharge to boat registration?

Dredging is a very difficult process to begin with...and now with record low waters on Lake Ontario, it's an even bigger issue...**CONTACT YOUR LOCAL LEGISLATORS** to make sure that they are aware of the importance of the issue!!!!

This is a continuing, ongoing concern that will require continued effort and cooperation in order to bring more attention to the issue. Multi-regional applications may be a viable solution

Dredging/waterfront development has serious economic development implications...agencies and leadership therefore needs to take this much more seriously. Regional inventory of structures/status.

Habitat

Public Fishing Rights (PFR) Program...great program, but it might not provide enough incentive to entice land owners to participate.

Habitat maintenance, biodiversity are important considerations...

Water Quality

New DEC program guidance on erosion control structures on freshwaters...where there have been structures such as vertical breakwalls and revetments (many of which precede the regulatory program and can be very detrimental to the natural environment). These structures will be looked at from an entirely different angle in the future... “softer” solutions.

Ontario County Soil and Water Conservation District: low phosphorus fertilizers, native plant barriers on the lake shore...how to have an environmentally-friendly “lake-scape.” Contact your County Soil and Water Conservation District and Cornell Cooperative Extension re: “Great Lawns, Great Lakes” program...

Water Quantity

All-Hazard Mitigation Planning: shoreline protection. Long-term reduction of hazards upon communities. Opens the door for a series of grant programs such as streambank stabilization, dam inspection/improvement, flood control, drainage, etc. See FEMA website or contact Joe Bovenzi at jbovenzi@gflrpc.org or your county planning office.

National Flood Insurance Program and NFIP premiums; community rating system. Can you lower your community’s NFIP premium?

Public-Private Partnership

Western Erie Canal Management Plan...addressed the question of “what would it take for private investment in our water resources”... Developers want to know what is being planned, what can they really do (considering the regulatory environment)? Profit is an obvious concern...waterfront development is not always the path of least resistance (permits, community opposition, other plans/projects which might detract from their investment, etc.).

Marketing is an important consideration.

Local commitment/local champions of communities are critical along with marketing. Who will “keep the lights on” over time?

Charrettes, community visioning workshops, and fostering a community dialogue so that a community has reached consensus on its collective vision for their water resources.

Harbor Management Plan for Irondequoit Bay is an excellent model document that should be reviewed. For more information, see: www.penfield.org. Will feed the development of a proposed multi-jurisdictional Harbor Management Law. Among other things, it has the potential to limit the amount of docking.

ADVERTISE YOUR PLANS AND OTHER PUBLIC DOCUMENTS; PUT THEM ON YOUR WEBSITES! GET THE WORD OUT! Also legal notices and important documents should be advertised.

ROUNDTABLE WRAP-UP AND POTENTIAL NEXT STEPS...

1. Keep communicating with fellow attendees at today's Regional Roundtable.
2. G/FLRPC will circulate the minutes and provide attendee contact information.
3. **G/FLRPC Fall 2007 Local Government Workshop: Friday, November 16, 2007**
Where: Genesee River Restaurant and Reception Center, Mt. Morris, NY
Sessions of interest: Watershed Planning and Implementation, Understanding the U.S. Army Corps Engineers Regulatory Responsibilities over Wetland and Waterways, Historic Preservation Planning for Municipalities.
For more information:
www.gflrpc.org/ProgramAreas/AdditionalServices/Workshops/Fall2007/Fall2007.htm
4. **Genesee River Basin Conference: Friday, October 26, 2007**
Where: Genesee River Restaurant and Reception Center, Mt. Morris, NY
For more information: <http://www.gflrpc.org/GeneseeRiverConference.htm>