

PUBLIC NOTICE
New York State Department of State
Notice of Program Change
Town of Bethlehem
Local Waterfront Revitalization Program

PURSUANT to 15 CFR 923, the New York State Department of State (DOS) has submitted a program change to the federal Office of Coastal Management (OCM). The change to the New York State Coastal Management Program (CMP) covered by this request is the incorporation of the Town of Bethlehem Local Waterfront Revitalization Program (LWRP) into the State's CMP. The program change is the LWRP as approved by the state. The LWRP includes enforceable policies that will be used for Coastal Zone Management Act review purposes.

A major component of the State's CMP is the provision that local governments be allowed to prepare Local Waterfront Revitalization Programs, which further detail and make geographically specific the State's coastal policies. Each LWRP is reviewed for consistency with the State's CMP and approved if it meets the guidelines established in the State CMP and Article 42 of the NYS Executive Law.

The Town of Bethlehem LWRP was prepared in partnership with the New York State Department of State and serves as a long-term management program for the waterfront resources of the Town. The Town of Bethlehem LWRP expands the State Coastal boundary to plan for, manage and protect waterfront resources more effectively. The proposed Bethlehem Waterfront Revitalization Area along the Hudson River encompasses approximately 6,365 acres (9.9 sq miles) that incorporate larger portions of the Hudson River tributaries, such as the entire Binnen Kill and a significant portion of the Vloman Kill and its FEMA-designated regulatory flood zone, more agricultural lands of the State-certified Albany County Agricultural District #3, palustrine and riverine federal and State-regulated freshwater wetlands located throughout the WRA and along the western bank of the Hudson River; and include more land uses that impact the coastal area and the achievement of coastal policies.

The LWRP provides a detailed inventory and analysis of the Town of Bethlehem Waterfront Revitalization Area (WRA), including natural resources, historic and cultural resources, existing land and water uses, harbor management, and important economic activities, as well as issues and opportunities for future development. The State coastal policies and accompanying explanations are comprehensive and determine the appropriate balance between economic development and preservation that will permit beneficial use of, and prevent adverse effects on, the waterfront resources of the Town. The LWRP also describes the proposed land uses and controls in the Town of Bethlehem to be accommodated in the waterfront revitalization area under the Town of Bethlehem Zoning Law. To implement the policies and purposes of the LWRP, the Town adopted an LWRP Consistency Review Law that establishes a clear management structure to assure that local actions are reviewed for consistency with the provisions of the LWRP.

To advance the waterfront revitalization goals of the Town, the LWRP identifies 25 projects to protect water quality, address nonpoint source pollution, educate residents and visitors about invasive species, improve public access to the waterfront resources, improve coordination with all levels of government and organizations to enhance riverfront development and preservation efforts, promote tourism opportunities and economic revitalization, provide for improved public access to waterfront recreational opportunities and explore open space conservation, and, collectively, help the community become more resilient to climate risks.

The draft LWRP was circulated by the New York State Department of State to potentially affected State, federal, and regional agencies from June 17, 2020 to August 17, 2020. A public notice was published on June 17, 2020 in the New York State Register announcing these review periods. Revisions addressing the comments received during the 60-day review were subsequently made to the LWRP, as necessary. The Town of Bethlehem LWRP was adopted by resolution by the Town of Bethlehem Town Board on March 24, 2021 and approved by the New York State Secretary of State on August 17, 2021 pursuant to the New York State Waterfront Revitalization of Coastal Areas and Inland Waterways Act (NYS Executive Law, Article 42).

The Town of Bethlehem Local Waterfront Revitalization Program and this public notice are available on the NOAA Coastal Zone Management Program Change website under File Number NY-2021-3 at: <https://coast.noaa.gov/czmprogramchange/#/public/home>

The Town of Bethlehem Local Waterfront Revitalization Program and this public notice are also available on the New York State Department of State's website at: <https://dos.ny.gov/location/town-bethlehem-local-waterfront-revitalization-program> and <https://dos.ny.gov/public-notice>

Any comments on this program change to the State's approved Coastal Management Program should be submitted directly to the NOAA Office of Coastal Management on NOAA's Program Change website under File Number NY-2021-3 at: <https://coast.noaa.gov/czmprogramchange/#/public/home>

Written hard copy comments may be submitted to Joelle Gore, Office for Coastal Management, National Oceanic and Atmospheric Administration, 1305 East-West Highway, Silver Spring, MD 20910

Comments will be accepted by OCM for three weeks (21 days) following the date of the publication of this notice on **December 15, 2021**.

Further information on this program change may be obtained from: Barbara Kendall, Office of Planning and Development, NYS Department of State, 99 Washington Ave., Suite 1010, Albany, NY 12231-0001; barbara.kendall@dos.ny.gov.