

SECTION 7

**CONSULTATION WITH AFFECTED
FEDERAL STATE, REGIONAL AND LOCAL AGENCIES**

7.1 CONSULTATION WITH AFFECTED AGENCIES PRIOR TO AND PART OF THE LWRP

There were few prior formal communications with Federal and State agencies on overall coastal issues due to the lack of awareness of the shoreline as a cohesive entity for planning and resource protection. There were numerous interactions between the Town and various agencies on project specific issues (e.g., U.S. Army Corps of Engineers – Outer Harbor, access to the East Federal Pier navigation problems on Eighteen Mile Creek; NYSDOT – relocation of NYS Route 18 over Eighteen Mile Creek; NYSDEC – wetland designation of Eighteen Mile Creek NYSOPRHP – grant application for Town Marina). These activities were consolidated under the LWRP and specific agencies. Their involvement and potential assistance was identified and pursued as part of the process.

The consultation process was initiated by the Newfane Waterfront Advisory Committee (NWAC) which developed a three-phase process:

1. Identified key Federal and State agencies were invited to participate in NWAC and/or LWRP public meeting.
2. Federal, State and regional agencies with interests in the coastal area were consulted with to establish an on-going relationship to fully explore/evaluate coastal problems and formulate practical and/or regulatory solutions.
3. LWRP documents (particularly Tasks 4 and 5) were disseminated to key agencies involved in projects/actions for review, comment and support or coordination.

This process created a dialogue on crucial waterfront issues that provided opportunities for conflict resolution, a means of resource coordination between agencies to solve identified problems and a way of incorporating this early in planning and LWRP efforts prior to implementation expenditures or impacts. The results of this consultation, as documented herein, has been the commitment of both efforts and resources by certain agencies as part of the LWRP that have significantly advanced coastal goals and projects that help enhance and fulfill local and state revitalization objectives.

7.2 FEDERAL AGENCY INTERACTION

The Federal Government has invested heavily in the lakefront community of Olcott through harbor breakwater construction, marine development, community revitalization and other projects. The Town has sought to maintain their active participation and support throughout the entire LWRP process. Primary interaction between the Town and Federal government has occurred in the following areas:

- A. U.S. Army Corps of Engineers (USCOE): The issues involved with the Corps has been in the following areas:
 1. Maintenance/dredging and removal of harbor obstructions (channel island and old bridge abutments) of the Olcott Harbor access channel.

2. Construction of the Outer Harbor Project (Plan 10) to expand marine recreation opportunities. This project has been under consideration since 1972 and has been recently endorsed as part of the LWRP.
- B. U.S. Department of Housing and Urban Development (HUD): Grant assistance (UDAG) for the proposed Olcott Ontario Street Development (motel, restaurant, retail facilities) and coordination of remaining Small Cities Assistance program for commercial renovation of Main Street (Olcott) and waterfront parking facilities.

7.3 INTERACTIONS WITH NEW YORK STATE AGENCIES

In recent years the process of planning for new marine and related developments has expanded the range of communications with New York State government agencies. Involvement of the LWRP has led to expansion of the Town's consultations with some state agencies and the development of new relationships with others as follows:

- A. NYS Department of State (NYSDOS): Most of the Town's consultations with DOS have been focused on the development and review of the LWRP. Access issues, however, have been very important requiring the cooperation of DOS and other state agencies. NYSDOS also has expressed a continuing interest in the protection and use of coastal agricultural lands.
- B. New York State Office of Parks, Recreation and Historic Preservation: Funding assistance for expansion of the Town Marina (land and water conservation fund) for boat launch and mooring facilities and the Outer Harbor Project.
- C. The Town of Newfane has held numerous discussions and meetings with the New York State Department of Environmental Conservation (NYSDEC) to resolve wetland use and other environmental issues including:
1. Continuation of the fish stocking program.
 2. Assistance in securing access to the East Federal Pier and resolving the route location problem to the pier.

7.4 IMPORTANT REGIONAL AND LOCAL AGENCY/DEPARTMENTAL INTERACTIONS

Having established mutual interests, benefits and financial obligations in revitalizing the harbor and promoting the outer breakwalls, the Town sought the support of Niagara County governments for participation and/or endorsement of coastal activities. Since the initiation of the LWRP, the Town has periodically consulted with the county and local communities concerning the following issues:

1. Inclusion of the proposed "Super Marina" at Olcott into current County Economic Development plans. The legislature has reinstated and identified Olcott as most likely due to:

- A. Extensive Federal planning for the marina is already completed and would not have to be redone.
 - B. Congressional, state and agency support for Plan 10 (Outer Harbor Project) has been achieved and represents a consensus of action.
 - C. The marina would enhance the quality of life for new developing business which is the focal point of the County study.
2. County/Town cooperative efforts to develop and expand recreation opportunities at Krull Park.
- A. Fishing access, beach enhancement.
 - B. The upgrading of the existing park band shell and the expansion of ball diamonds (the lighting of others).
 - C. Renovation of the old Hotel Pier
3. A Regional Committee has been created to press for implementation of Super Marina/Plan 10 Harbor at Olcott. Members of the County and towns through the auspices of Lockport-Eastern Niagara Chamber of Commerce have endorsed the project and written their support for the passage of the Congressional Omnibus Water Projects Bill (HR-6). This bill includes funding for the USCOE Outer Harbor Project (Plan 10) and represents the most viable effort for a County "Super Marina."
4. The adjacent Towns of Wilson, Somerset and Lockport, along with other nearby communities have been asked to attend NWAC public meetings and have communicated support for coastal plans and activities.

7.5 REVIEW OF DRAFT LWRP BY STATE, FEDERAL, AND LOCAL AGENCIES

The draft LWRP (with Draft EIS) was reviewed and approved by the Town Board and forwarded to the NYS Department of State. The Department of State then initiated a 60-day review of the Draft LWRP/DEIS pursuant to the Waterfront Revitalization of Coastal Areas and Inland Waterways Act and the State Environmental Quality Review Act. Copies of the Draft LWRP and DEIS were distributed by the Department of State to all potentially affected State and Federal agencies, Niagara County, and adjacent waterfront municipalities. Comments received on the Draft LWRP/DEIS were reviewed by the Department of State and the Town, and resultant changes were made to the LWRP, which are detailed in the Final Environmental Impact Statement.