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)

  Jeffrey Warren

1. Name: __________________________________________________________

2. Address: _________________________________________________________
   104 Vernon Court, Lansdale, PA  19446

3. Telephone:  Area Code (  ) (215) 565-5801

B. PROPOSED ACTIVITY

1. Brief description of activity:

   Install fill materials to reclaim land lost due to erosion since 1972 and stabilize the shoreline with rip rap to prevent future erosion.

____________________________________________________________________

2. Purpose of activity:

   The purpose of this project is to reconstruct and stabilize the existing shoreline that has eroded since 1972 when the man-made canal was initially permitted and dug. At that time, the canal shoreline coincided with the parcel boundary line.

____________________________________________________________________

3. Location of activity:

   Jefferson County  Town of Alexandria  45521 Densmore Bay Road
   City, Town, or Village  Street or Site Description

4. Type of federal permit/license required:  USACE

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:

   NYS DOS, NYSDEC

____________________________________________________________________
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? (see policies in local 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."

Andrew Garlock
Applicant/Agent's Name:

Address: PO Box 707, Alexandria Bay, NY 13607

Telephone: Area Code (315) 3486-4941

Applicant/Agent's Signature: 05/16/2022

F. SUBMISSION REQUIREMENTS

1. The applicant or agent shall submit the following documents to the New York State Department of State, Office of Coastal, Local Government and Community Sustainability, Attn: Consistency Review Unit, 1 Commerce Plaza, 99 Washington Avenue - Suite 1010, 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.
05/16/2022

Owner: Jeffrey Warren
Applicant/Architect: Andrew Garlock, Drew Architecture
Applicant Mailing Address: PO Box 707, Alexandria Bay, NY 13607
Project Location: 45521 Densmore Bay Road, Wellesley Island, NY 13640
Tax Parcel ID: 6.12-1-35.6

Warren Cottage - Shoreline Reconstruction
Re: NYS Coastal Management Policies & LWRP – Effects & Consistency

To whom it may concern,

We have composed this letter as a formal, written response to the NYS Coastal Management Policies that will be affected by the proposed shoreline reconstruction project located at 45521 Densmore Bay Road, Wellesley Island, NY 13640. Below, we have outlined each of the policies affected by the proposed project, along with the effects and consistency.

**NYS Coastal Management Policies – Effects and Consistency**

**Policy 2**

- Facilitate the siting of water dependent uses and facilities on or adjacent to coastal waters.
  - Effects – There will be no impact to this policy, as the reconstructed shoreline will be used as it is now. No facility is being proposed.
  - Consistency – Proposed project is consistent with this policy.

**Policy 15**

- Mining, excavation or dredging in coastal waters shall not significantly interfere with the natural coastal processes which supply beach materials to land adjacent to such waters and shall be undertaken in a manner which will not cause an increase in erosion of such land.
  - Effects – The shoreline will not be dredged or excavated.
  - Consistency – The proposed shoreline is consistent with this policy.

**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.
  - Effects - There will be no impact to this policy, as the use of the shoreline will not be altered.
  - Consistency - Proposed project is consistent with this policy.
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.
  - Effects - There will be no impact to this policy as no structure or facility is being proposed.
  - Consistency - Proposed project is consistent with this policy.

Policy 35

- Dredging and filling in coastal waters and disposal of dredged material will be undertaken in a manner that meets existing State dredging permit requirements, and protects significant fish and wildlife habitats, scenic resources, natural protective features, important agricultural lands, and wetlands.
  - Effects – The shoreline will be filled in accordance with existing state permit requirements, and protect significant fish and wildlife habitats, scenic resources, natural protective features, important agricultural lands, and wetlands.
  - Consistency – The proposed fill and shoreline reconstruction is consistent with this policy.

Please feel free to contact me directly should you have any questions. Thank you for your time.

Best Regards,

Andrew Garlock, NCARB, AIA
Drew Architecture
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
- Excavation and Fill in Navigable Waters
- Docks, Moorings or Platforms
- Dams and Impoundment Structures
- 401 Water Quality Certification
- Freshwater Wetlands
- Coastal Erosion Management
- Tidal Wetlands
- Wild, Scenic and Recreational Rivers
- Water Withdrawal
- Long Island Well
- Incidental Take of Endangered / Threatened Species

Check here to confirm you sent this form to NYSDEC.

>US Army Corps of Engineers

Check all permits that apply:
- Section 404 Clean Water Act
- Section 10 Rivers and Harbors Act

Is the project Federally funded? Yes ☑ No

If yes, name of Federal Agency:

General Permit Type(s), if known:

Preconstruction Notification: Yes ☐ No

Check here to confirm you sent this form to USACE.

>NYS Office of General Services

Check all permits that apply:
- State Owned Lands Under Water
- Utility Easement (pipelines, conduits, cables, etc.)
- Docks, Moorings or Platforms

Check here to confirm you sent this form to NYSOGS.

>NYS Department of State

Check if this applies: Coastal Consistency Concurrence

Check here to confirm you sent this form to NYSDOS.

2. Name of Applicant

Jeffrey Warren

Mailing Address
104 Vernon Court

Post Office / City
State
Zip

Telephone 215-565-5801 Email jeffwarren@warrenpsi.com

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

Andrew Garlock

Mailing Address

PO Box 707

Post Office / City

Alexandria Bay

State

NY

Zip

13607

Telephone 315-486-4941

Email agarlock@drewarch.com

5. Project / Facility Name

Warren Cottage - Shoreline Reconstruction

Property Tax Map Section / Block / Lot Number:

6.12-1-35.6

Project Street Address, if applicable

45521 Densmore Bay Road

Post Office / City

Wellesley Island

State

NY

Zip

13640

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

See attached directions.

☑ Town ☐ Village ☐ City

County

Jefferson

Stream/Waterbody Name

St. Lawrence River

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

Latitude: 44° 19' 33.9"

Longitude: 75° 56' 34.39"

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:

The purpose of this project is to reconstruct and stabilize the existing shoreline that has eroded since 1972 when the man-made canal was initially permitted and dug. At that time, the canal shoreline coincided with the parcel boundary line.

b. Description of current site conditions:

The existing shoreline is primarily silty clay.

c. Proposed site changes:

Install fill while reconstructing and stabilizing the shoreline. See site plan for more information.

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.):

Fill materials shall comprise of a gravel base with rip rap stone along the shoreline. The ground cover above the OHW shall consist of 4-6" of topsoil with native grasses. Estimated quantity of fill below the OHW mark of 247" = 900 cubic feet.

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

No excavation or dredging required.

f. Is tree cutting or clearing proposed? ☐ Yes ☑ No

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

Number of trees to be cut: N/A

Acreage of trees to be cleared: N/A
g. Work methods and type of equipment to be used:
Work will be completed from land with heavy equipment and tools. The work shall be completed during low water in the late fall of the year when the area of fill work is anticipated to be completely dry.

h. Describe the planned sequence of activities:
Upon low water in fall, prepare site for fill. Install fill materials and compact. Stabilize shoreline with rip rap. Stabilize topsoil with seed and mulch.

i. Pollution control methods and other actions proposed to mitigate environmental impacts:
All work will be done in accordance with all local, state, and federal laws and regulations pertaining to this work. Contractor will perform work with special caution and care as to prevent any possible pollution of the water or shoreline.

j. Erosion and silt control methods that will be used to prevent water quality impacts:
A silt fence/boom will be installed at the shoreline to prevent any possible debris or erosion from entering the waterway.

k. Alternatives considered to avoid regulated areas. If no feasible alternatives exist, explain how the project will minimize impacts:
Due to the nature of the existing soil, the shoreline will continue to erode if it is not stabilized. There are not any other alternatives at this time.

l. Proposed use: ☑️ Private ☐ Public ☐ Commercial

m. Proposed Start Date: Fall 2022 Estimated Completion Date: Fall 2022

n. Has work begun on project? ☐ Yes ☑️ No

o. Will project occupy Federal, State, or Municipal Land? ☐ Yes ☑️ If Yes, explain below. ☑️ No
The land/shoreline being filled/reconstructed was once above the OHM. All proposed work is within the parcel boundaries.

p. List any previous DEC, USACE, OGS or DOS Permit / Application numbers for activities at this location:
USACE Permit in 1972, See attached permit.

q. Will this project require additional Federal, State, or Local authorizations, including zoning changes?
☑️ Yes If Yes, list below. ☐ No
NYSDEC, NYSDOS, USACE
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.

<table>
<thead>
<tr>
<th>Signature of Applicant</th>
<th>Date</th>
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<tbody>
<tr>
<td>[Signature]</td>
<td>5/16/22</td>
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</table>

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

<table>
<thead>
<tr>
<th>Printed Name</th>
<th>Title</th>
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<tbody>
<tr>
<td>Jeffrey Warren</td>
<td>Owner</td>
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</table>

<table>
<thead>
<tr>
<th>Signature of Owner (if different than Applicant)</th>
<th>Date</th>
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<td>[Signature]</td>
<td>05/16/2022</td>
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<tbody>
<tr>
<td>Andrew Garlock</td>
<td>Architect</td>
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</table>

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.

<table>
<thead>
<tr>
<th>Agency Representative:</th>
<th>Title</th>
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<tr>
<td>Printed Name</td>
<td>Signature</td>
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Date
# 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

<table>
<thead>
<tr>
<th>Name of Action or Project:</th>
<th>Shoreline Reconstruction Project</th>
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<tbody>
<tr>
<td>Project Location (describe, and attach a location map):</td>
<td>45521 Densmore Bay Road, Wellesley Island, NY 13640</td>
</tr>
<tr>
<td>Brief Description of Proposed Action:</td>
<td>Reconstruct and stabilize existing shoreline that has been lost due to flooding and erosion since 1972. (Existing canal was permitted and constructed at that time.)</td>
</tr>
</tbody>
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<table>
<thead>
<tr>
<th>Name of Applicant or Sponsor:</th>
<th>Andrew Garlock (Architect)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Telephone:</td>
<td>315-486-4941</td>
</tr>
<tr>
<td>E-Mail:</td>
<td><a href="mailto:agarlock@drewarch.com">agarlock@drewarch.com</a></td>
</tr>
<tr>
<td>Address:</td>
<td>PO Box 707</td>
</tr>
<tr>
<td>City/PO:</td>
<td>Alexandria Bay</td>
</tr>
<tr>
<td>State:</td>
<td>NY</td>
</tr>
<tr>
<td>Zip Code:</td>
<td>13607</td>
</tr>
</tbody>
</table>

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.
   - YES ☑
   - NO ☐

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: DEC, DOS, Army Corp of Engineers
   - YES ☑
   - NO ☐

3. **a. Total acreage of the site of the proposed action?**
   - 0.026 acres
   **b. Total acreage to be physically disturbed?**
   - 0.026 acres
   **c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?**
   - 0.5 acres

4. **Check all land uses that occur on, are adjoining or near the proposed action:**
   - ☐ Urban
   - ☑ Rural (non-agriculture)
   - ☐ Industrial
   - ☐ Commercial
   - ☐ Residential (suburban)
   - ☐ Forest
   - ☐ Agriculture
   - ☐ Aquatic
   - ☐ Other(Specify): 
   - ☐ Parkland

---

Page 1 of 3
5. Is the proposed action,
   a. A permitted use under the zoning regulations?  
      | NO | YES | N/A |
      |    | ☑   |     |
   b. Consistent with the adopted comprehensive plan? | ☑ |     |   |

6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?  
   | NO | YES |
   |    | ☑   |

7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?  
   If Yes, identify: ________________________________  
   | NO | YES |
   |    | ☑   |

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 | YES |
   | ☑ |     |

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 | YES |
   |     | ☑   |

10. Will the proposed action connect to an existing public/private water supply?  
    If No, describe method for providing potable water: ________________________________  
    | NO | YES |
    | ☑ |     |

11. Will the proposed action connect to existing wastewater utilities?  
    If No, describe method for providing wastewater treatment: ________________________________  
    | NO | YES |
    | ☑ |     |

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?  
    | NO | YES |
    | ☑ |     |

   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?  
   | YES |

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?  
   | NO | YES |
   |     | ☑   |

The shoreline to be reconstructed is located along the St. Lawrence River. The total area of fill/disturbance beyond the OHW mark = 418 SF. The total volume of fill proposed beyond the OHW mark = 900 cubic feet.
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:

- ☑ Shoreline
- ☐ Forest
- ☐ Agricultural/grasslands
- ☐ Early mid-successional
- ☐ Wetland
- ☐ 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?

- Bald Eagle

16. Is the project site located in the 100-year flood plan?

17. Will the proposed action create storm water discharge, either from point or non-point sources?

- Yes

  a. Will storm water discharges flow to adjacent properties?

  - Yes

  b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?

  - Yes

If Yes, briefly describe:

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)?

- Yes

If Yes, explain the purpose and size of the impoundment:

19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?

- Yes

If Yes, describe:

20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?

- Yes

If Yes, describe:

I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE

Applicant/sponsor/name: Andrew Garlock

Signature: ___________________________ Title: Architect

Date: 05/16/2022
### 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.

<table>
<thead>
<tr>
<th>Part 1 / Question 7  [Critical Environmental Area]</th>
<th>No</th>
</tr>
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<tbody>
<tr>
<td>Part 1 / Question 12a  [National or State Register of Historic Places or State Eligible Sites]</td>
<td>No</td>
</tr>
<tr>
<td>Part 1 / Question 12b  [Archeological Sites]</td>
<td>No</td>
</tr>
<tr>
<td>Part 1 / Question 13a  [Wetlands or Other Regulated Waterbodies]</td>
<td>Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.</td>
</tr>
<tr>
<td>Part 1 / Question 15  [Threatened or Endangered Animal]</td>
<td>Yes</td>
</tr>
<tr>
<td>Part 1 / Question 15  [Threatened or Endangered Animal - Name]</td>
<td>Bald Eagle</td>
</tr>
<tr>
<td>Part 1 / Question 16  [100 Year Flood Plain]</td>
<td>Digital mapping data are not available or are incomplete. Refer to EAF Workbook.</td>
</tr>
<tr>
<td>Part 1 / Question 20  [Remediation Site]</td>
<td>No</td>
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To whom it may concern,

We have composed this letter as a formal, written response to the comments received from NYS DEC and NYS DOS regarding the Shoreline Reconstruction Project located at 45521 Densmore Bay Road, Wellesley Island, NY 13640. We received comments via email from the NYS DEC on May 24th, 2022 and from NYS DOS on May 25th, 2022. In the letter below, we have identified the comments received from each of these agencies and have provided our formal response to each comment. Our responses are bulleted below each comment in red, italic text.

NYS DEC Comments and Responses

1. Is the area where the fill (not the rip rap but the fill behind it) currently open water because the canal permitted by USACE in 1972 eroded the shoreline?
   a. Yes, 28 yards of gravel fill is proposed behind the rip rap to fill in land that has been lost due to erosion since the canal was dug in 1972. This land would not have eroded if the canal had not been installed.

2. The USACE permit from 1972 (and any DEC permit that may have existed then) has no bearing on our current jurisdiction as we do not consider what was previously permitted (especially what was previously permitted 50 years ago) in our jurisdictional determination. Therefore, the top of the bank as it is today (or 50 feet back from the edge of the water if the slope is gentle) is our jurisdiction line. The fill in the area they are proposing to reclaim is likely jurisdictional for us.
   a. Ok, thank you for this clarification. Based on this, I would estimate the top of the existing and proposed bank at an approx. elevation of 250’.

3. Additions needed for the overhead plan on the survey map drawn by Drew Architecture: Please add the length of the shoreline where the rip rap is going, the width of the proposed rip rap, and the dimensions of the area where the fill is going behind the rip rap. Please also add a reference measurement from the interior edge of the fill to some fixed point, like the property line.
   a. Revised site plan with dimensions provided.
4. Additions needed for the cross-section: We need to know the height and width of the rip rap, not just the maximum slope. We will also need justification/rational for the significant extension of the rip rap into the water. I would also include a measurement from the top of the rip rap to the top of the bank.
   
   a. A cross section has been provided. We are installing the gravel fill to reclaim soil that has been lost due to erosion. We are installing the rip rap to prevent the existing soil and proposed gravel fill from future erosion and flooding.

5. The second overhead plan drawing that was included is blurry and consequently, illegible. Is that the plan drawing from the '70's? If possible, please send a better copy so we can read the drawing.
   
   a. The original 1972 site plan has been provided. The overlay plan that we provided has also been optimized as much as possible to reduce blurriness. The purpose of the overlay plan provided is to show that the end of the canal proposed and dug in 1972 coincides with the property line and where we are proposing to reconstruct the shoreline.

New York State Department of State Comments and Responses

1. Overall, Is the 33cy of fill below Ordinary High Water inclusive of the riprap or only the fill placed landward of the riprap. If the 33cy does not include the riprap please provide the total volume of fill that would be discharged below the plane of Ordinary High Water.
   
   a. Yes, the 33 cubic yards includes all of the proposed fill beyond the OHW mark. (Makeup of the fill is 28 yards of gravel fill and 5 yards of riprap fill).

Please feel free to contact me directly should you have any questions. Thank you for your time.

Best Regards,

Andrew Garlock, NCARB, AIA
Drew Architecture
PARCEL 6.12-1-35.6 TO BE ASSEMBLED W/ PARCEL 6.12-1-31.2 EXISTING SHORELINE
PROPOSED SHORELINE AT PROPERTY LINE

STONE HATCH REPRESENTS PROPOSED RIPRAP FROM SHORELINE UP TO ELEVATION 249'
(TOTAL SURFACE AREA OF RIPRAP W/ SLOPE = 224 SF)
(TOTAL PLAN AREA OF RIPRAP = 178 SF)

SAND HATCH REPRESENTS AREA TO BE FILLED W/ COMPACTED GRAVEL FILL, TOTAL ESTIMATED VOLUME OF FILL REQUIRED = 150 YARDS, TOTAL ESTIMATED VOLUME OF FILL BEYOND HIGH WATER MARK = 33 YARDS
(TOTAL PLAN AREA OF FILL = 1,372 SF)

NOTE: THE ORDINARY HIGH WATER MARK IS AT ELEVATION 247.02'
EXISTING CANAL (PERMITTED AND EXCAVATED IN 1972)

PROPOSED FILL SHALL BLEND INTO EXISTING GRADES AT THE PROPERTY LINE (+/-ELEVATION 250'). ENSURE POSITIVE SITE DRAINAGE FOR SITE AND ADJACENT PARCEL.

EXISTING GRADE BOTTOM OF BANK/RIPRAP - ELEV 246'
PROPOSED GRAVEL FILL, SEE PLAN

18" OF GRADATION A-4 RIPRAP FILL OVER NON-WOVEN FILTER FABRIC, MAX 1.5/1 SLOPE

BOTTOM EDGE OF RIP RAP SHALL COINCIDE WITH THE PROPERTY LINE
OHWM - ELEV 247.02'
HIGHEST FLOODWATER - ELEV 248.5'
TOP OF BANK/RIPRAP - ELEV 246'

OVERALL SITE PLAN
SCALE: 1/16" = 1'-0"
This map is an overlay of the 1972 permitted site plan with the existing tax map of the project site and surrounding areas. As shown by the map, the canal was permitted and excavated to this line in 1972. Since that time, the shoreline has eroded due to flooding and runoff. See site plan for profile of existing shoreline and proposed shoreline reconstruction.
George W. Rowley  
14 Ridge Road West  
Rochester, New York 14615  

Dear Sir:  

In accordance with your letter dated 28 February 1968 there is inclosed a Department of the Army permit to dredge for a small boat marina. The proposed dredging is located in Densmore Bay of St. Lawrence River at Bixby Point on the southerly shore of Wellesley Island, Town of Alexandria, Jefferson County, New York.  

Please note condition (1) of the permit which requires that this office be informed of the commencement and completion of the authorized work. Forms for this purpose are inclosed.  

Revised plans must be submitted to this office if material changes in the location or plans of the work are necessary because of unforeseen or altered conditions, or otherwise. These revised plans must receive the approval required by law before the dredging is started.  

Also the Federal Water Pollution Control Administration has recommended that the proposed dredging be performed in a manner that will minimize any increase in the turbidity of the adjacent waters of Densmore Bay. In addition, the Federal Water Pollution Control Administration indicated that the material dredged from the marshy area should be spoiled in an upland area sufficiently removed from the shoreline so as to prevent pollutitional material from leaching into adjacent waters of the St. Lawrence River.  

Please acknowledge receipt of the permit.  

Sincerely yours,  

A. L. Wright  
Colonel, Corps of Engineers  
District Engineer  

4 Incls  
1. Permit  
2. Form 8  
3. Form 9  
4. C.G. Notice BUY AND HOLD U. S. SAVINGS BONDS
Vicinity Map
Part of T.S. Lake Survey
Chart No. 116
Scale: 119,000
Wellesley Island

Densmore Bay

Property of Geo. W. Rowley
(20 Acres)

Proposed Harbor and Entrance Channel to be dredged to a level at 239.6 feet (IGLD 1955). Dredged material to be placed on upland property of the applicant, above high water.

Soundings are in feet and are referred to low water datum elevation 242.6 feet above low water level at Father Point, Quebec, International Great Lakes Datum, 1955.

ST. LAWRENCE RIVER

Typical Section thru Proposed Channel
Scale: 1"=20'

Proposed dredging for A Harbor and Entrance Channel
in Densmore Bay, St. Lawrence River, at Wellesley Island, Town of Alexandria, Jefferson County, New York.

Application By:
George W. Rowley
28 February 1963
DEPARTMENT OF THE ARMY

NOTE.—It is to be understood that this instrument does not give any property rights either in real estate or material, or any exclusive privileges; and that it does not authorize any injury to private property or invasion of private rights, or any infringement of Federal, State, or local laws or regulations, nor does it obviate the necessity of obtaining State consent to the work authorized. (See Cummings v. Chicago, 188 U.S. 410.)

PERMIT

NCBCO-S

George W. Rowley
14 Ridge Road West
Rochester, New York 14615

Dear Sir:

Referring to written request dated 28 February 1968, addressed to the District Engineer, Buffalo District, Corps of Engineers, Buffalo, New York 14207

I have to inform you that, upon the recommendation of the Chief of Engineers, and under the provisions of Section 10 of the Act of Congress approved March 3, 1899, entitled "An act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes," you are hereby authorized by the Secretary of the Army to dredge an area for a small boat marina and an entrance channel thereto to a depth of 3.0 feet below low water datum elevation 242.6 feet above mean water level at Father Point, Quebec, International Great Lakes Datum 1955. The dredged material is to be placed on upland property above high water

in St. Lawrence River (Densmore Bay) (Here to be named the river, harbor, or waterway concerned.)

at Bixby Point on the southerly shore of Wellesley Island, Town of Alexandria, (Here to be named the nearest well-known locality—preferably a town or city—and the distance in miles and tenths from some definite point in the same, stating whether above or below or giving direction by points of compass.) Jefferson County, New York, northerly of Seven Isles

in accordance with the plans shown on the drawing attached hereto marked: "Proposed (Or drawings; give file number or other definite identification marks.) Dredging for a harbor and entrance channel in Densmore Bay, St. Lawrence River, at Wellesley Island, Town of Alexandria, Jefferson County, New York. Application by: George W. Rowley 28 February 1968"

subject to the following conditions:
(a) That the work shall be subject to the supervision and approval of the District Engineer, Corps of Engineers, in charge of the locality, who may temporarily suspend the work at any time, if in his judgment the interests of navigation so require.

(b) That any material dredged in the prosecution of the work herein authorized shall be removed evenly and no large refuse piles, ridges across the bed of the waterway, or deep holes that may have a tendency to cause injury to navigable channels or to the banks of the waterway shall be left. If any pipe, wire, or cable hereby authorized is laid in a trench, the formation of permanent ridges across the bed of the waterway shall be avoided and the back filling shall be so done as not to increase the cost of future dredging for navigation. Any material to be deposited or dumped under this authorization, either in the waterway or on shore above high-water mark, shall be deposited or dumped at the locality shown on the drawing hereto attached, and, if so prescribed therein, within or behind a good and substantial bulkhead or bulkheads, such as will prevent escape of the material in the waterway. If the material is to be deposited in the harbor of New York, or in its adjacent or tributary waters, or in Long Island Sound, a permit therefore must be previously obtained from the Supervisor of New York Harbor, New York City.

(c) That there shall be no unreasonable interference with navigation by the work herein authorized.

(d) That if inspections or any other operations by the United States are necessary in the interest of navigation, all expenses connected therewith shall be borne by the permittee.

(e) That no attempt shall be made by the permittee or the owner to forbid the full and free use by the public of all navigable waters at or adjacent to the work or structure.

(f) That if future operations by the United States require an alteration in the position of the structure or work herein authorized, or if, in the opinion of the Secretary of the Army, it shall cause unreasonable obstruction to the free navigation of said water, the owner will be required upon due notice from the Secretary of the Army, to remove or alter the structural work or obstructions caused thereby without expense to the United States, so as to render navigation reasonably free, easy, and unobstructed; and if, upon the expiration or revocation of this permit, the structure, fill, excavation, or other modification of the watercourse hereby authorized shall not be completed, the owners shall, without expense to the United States, and to such extent and in such time and manner as the Secretary of the Army may require, remove all or any portion of the unfinished structure or fill and restore to its former condition the navigable capacity of the watercourse. No claim shall be made against the United States on account of any such removal or alteration.

(g) That the United States shall in no case be liable for any damage or injury to the structure or work herein authorized which may be caused by or result from future operations undertaken by the Government for the conservation or improvement of navigation, or for other purposes, and no claim or right to compensation shall accrue from any such damage.

(h) That if the display of lights and signals on any work hereby authorized is not otherwise provided for by law, such lights and signals as may be prescribed by the U. S. Coast Guard, shall be installed and maintained by and at the expense of the owner.

(i) That the permittee shall notify the said district engineer at what time the work will be commenced, and as far in advance of the time of commencement as the said district engineer may specify, and shall also notify him promptly, in writing, of the commencement of work, suspension of work, if for a period of more than one week, resumption of work, and its completion.

(j) That if the structure or work herein authorized is not completed on or before thirty-first day of December, 1972, this permit, if not previously revoked or specifically extended, shall cease and be null and void.

(k) That this permit is revocable at the will of the Secretary of the Army.

(l) That the permittee shall comply promptly with any regulations, conditions or instructions affecting the work hereby authorized if and when issued by the Federal Water Pollution Control Administration and/or the State water pollution control agency having jurisdiction to abate or prevent water pollution. Such regulations, conditions or instructions in effect or prescribed by the Federal Water Pollution Control Administration or State agency are hereby made a condition of this permit.

By authority of the Secretary of the Army:

A. L. Wright
Colonel, Corps of Engineers
District Engineer