



SECTION 3: WATERFRONT REVITALIZATION PROGRAM POLICIES

3.1 INTRODUCTION

Pursuant to the Waterfront Revitalization of Coastal Areas and Inland Waterways Act, the Village of Union Springs LWRP policies presented in this section reflect existing State laws and authorities, and consider the economic, environmental, and cultural characteristics of the Union Springs waterfront. These policies balance economic development and conservation to permit beneficial use of and to prevent adverse effects on local waterfront resources. The Village of Union Springs LWRP policies will be incorporated into the evaluation of all proposed actions within the WRA. These policies are also the basis for State consistency determinations for activities affecting the Village of Union Springs WRA. These policies are organized under four general categories as outlined below. The icon included with each category is utilized in Section 4- Proposed Land and Water Uses and Proposed Projects as a way to link each proposed project back to the Program Policies.

DEVELOPED WATERFRONT POLICIES

- Policy 1 Foster a pattern of development in the waterfront area that enhances community character, preserves open space, makes efficient use of infrastructure, makes beneficial use of a waterfront location, and minimizes adverse effects of development.**
- Policy 2 Preserve historic resources of the waterfront area.**
- Policy 3 Enhance visual quality and protect scenic resources in the waterfront area.**

NATURAL WATERFRONT POLICIES

- Policy 4 Minimize loss of life, structures, and natural resources from flooding and erosion.**
- Policy 5 Protect and improve water quality and supply in the waterfront area.**
- Policy 6 Protect and restore the quality and function of the ecosystems within the waterfront area.**
- Policy 7 Protect and improve air quality in the waterfront area.**
- Policy 8 Minimize environmental degradation in the waterfront area from solid waste and hazardous substances and wastes.**

PUBLIC WATERFRONT POLICIES

- Policy 9 Provide for public access to, and recreational use of, waterfront waters, public lands, and public resources of the waterfront area.**

WORKING WATERFRONT AREA POLICIES

- Policy 10 Protect water-dependent uses and promote siting of new water-dependent uses in suitable locations.**
- Policy 11 Promote sustainable use of living lacustrine or riverine resources in the waterfront area.**
- Policy 12 Protect agricultural lands in the waterfront area.**
- Policy 13 Promote efficient use and appropriate siting and design of energy production and storage and mineral extraction facilities, and associated infrastructure, to maximize efficiency and minimize potential or known harmful environmental impacts.**

3.2 DEVELOPED WATERFRONT POLICIES



Policy 1 Foster a pattern of development in the waterfront area that enhances community character, preserves open space, makes efficient use of infrastructure, makes beneficial use of a waterfront location, and minimizes adverse effects of development.

The collection of natural, recreational, commercial, ecological, cultural, and aesthetic resources in the community, or landscape, defines its character; and the distribution of developed and open land establishes a pattern of human use that reflects an historic choice between economic development and preservation of waterfront resources. Development, public investment, and regulatory decisions should preserve open space and natural resources and sustain the historic waterfront communities as centers of activity.

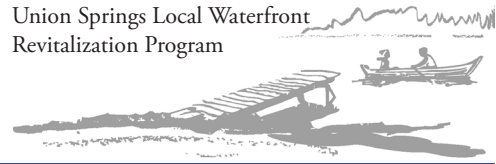
This policy is intended to foster a development pattern that provides for the beneficial use of waterfront resources. The primary components of the desired development pattern are:

- Strengthening the Village of Union Springs community as a center of lakeshore activity;
- Encouraging expansion of existing water-dependent uses;
- Enhancing stable residential areas; and
- Preserving open space.

The Village of Union Springs' economy is predominately oriented toward tourism and recreation; and its waterfront is generally well developed, providing a multitude of residential properties. NYS Route 90, part of the Cayuga Lake Scenic Byway, runs north and south along the eastern boundary of the WRA and through the center of the Historic Business District, but does not provide direct access to the lakeshore. There is a mix of uses along the lakeshore such as public access and commercial development however; residential single-family development, both year-round and seasonal, is still the predominant use along the lakeshore. There are several opportunities within the village, particularly in downtown, to establish and expand retail and service industries to support the local residents and the seasonal transient population (summer tourists).

Policy 1.1 Concentrate new development and redevelopment in or adjacent to traditional waterfront communities.

Downtown Union Springs is the central node of commercial development within the community. Together, the downtown and Frontenac Park area function as a social, civic, and entertainment center of the community. This area has the potential to support a strong tourism economy. Uses in this area range from the village's municipal center and general commercial services that meet the needs of the community, to small tourism specialty shops and restaurants that cater to the influx of visitors; as well as the center for recreational activity between the public boat launch, marina, and Frontenac Park. The Village of Union Springs has not experienced redevelopment of the existing commercial buildings in downtown. Infrastructure, building, and streetscape improvements in the downtown area will help define and establish the community as a year-round commercial node. Concentrating development in the downtown area would serve local residents and those in neighboring communities while helping to expand the local tourism season beyond the summer months.



The following shall apply in the WRA to ensure that new development strengthens and maintains the traditional character of the Village of Union Springs Historic Business District and lakefront area:

- Maintain traditional waterfront communities and ensure that development within these communities supports and is compatible with the character of the community;
- Focus public investment, actions, and assistance in waterfront redevelopment areas to reclaim unused waterfront land and brownfields for new purposes; and
- Locate new development where infrastructure is adequate or can be upgraded to accommodate new development.

Policy 1.2 Ensure that development or uses take appropriate advantage of their waterfront location.

All new water-enhanced uses and developments shall relate to the unique qualities associated with a shoreline location, and consideration shall be given to whether a proposed use is appropriate for a specific shoreline location. Water-dependent uses are those uses that literally depend on the water for their operation as opposed to being just enhanced by a waterfront location. The land and water immediately adjacent to the shoreline should be retained wherever possible for water-dependent uses and activities.

Consider the following criteria when determining if a water-enhanced use is appropriate along the shoreline, and it does not compete with any existing or proposed water-dependent use:

- The use would be sited and operated so that it does not interfere with or displace water-dependent uses;
- The use reflects the unique qualities of a waterfront location through appropriate design and orientation;
- The use would be sited in a manner which would not preclude future expansion of a water-dependent use;
- The use would complement existing or proposed water-dependent uses and serve to draw more visitors to the waterfront, thus supporting expanded water-dependent uses;
- The use provides or maintains public views of the water; and
- The use provides or utilizes existing connections to Frontenac Park, waterfront trails, and downtown Union Springs where possible.

In addition to the criteria above, the village will allow the development of other uses that derive benefit from a waterfront location, such as residential uses, in appropriate locations; and avoid the development of uses on the waterfront which cannot by their nature derive economic benefit from a waterfront location. The intent of this policy is to:

- Reserve the immediate waterfront for water-dependent uses and activities;
- Accommodate water-enhanced uses where they are compatible with surrounding development, do not displace or interfere with water-dependent uses, and reflect the unique qualities of a waterfront location through appropriate design and orientation;
- Allow other uses that derive benefit from a waterfront location, such as residential uses, in appropriate locations; and
- Avoid uses on the waterfront which cannot by their nature derive economic benefit from a waterfront location.

Policy 1.3 Protect stable residential areas.

The Village of Union Springs recognizes that some of the homes in residential areas in the WRA are in need of rehabilitation and protection from deterioration ranging from fairly minor routine maintenance items to full-

scale renovation. Of particular importance to the aesthetic quality of the community is the maintenance of historical homes, both those that have been listed on the National Register of Historic Places and those that may still qualify for listing.

The village is also interested in maintaining the existing housing stock for its residents so as to not out-price properties for long-term residents and families that might desire to move to the community. The intent of this policy is to:

- Maintain stable residential areas and allow for continued compatible residential and supporting development in or adjacent to such areas.

Policy 1.4 Maintain and enhance natural areas, recreation, open space, and agricultural lands.

The waterfront area includes several unique environmentally sensitive features along the shoreline and in natural areas such as a significant area of wetlands on McDonald Point, Frontenac Island, and the dams of North Pond and South Pond. These features, which should be protected, include wetlands, wildlife habitats, steep slopes, ponds, streams, and the lake itself. The village, state, and all involved agencies will work together to:

- Avoid the loss of economic, environmental, and aesthetic values associated with these areas;
- Avoid expansion of infrastructure and services which would promote conversion of these areas to other uses;
- Maintain and enhance natural, recreational, and open spaces;
- Encourage the continuation of agricultural uses on existing agricultural lands; and
- Encourage the development and expansion of agri-tourism businesses and activities.

Policy 1.5 Minimize adverse impacts of new development and redevelopment.

To enhance community character and maintain and improve the quality of the natural and man-made environments of the community, potential adverse impacts on existing development, the natural environment, and the economy must be addressed and mitigated. Site plan review regulations, stormwater management controls, waterfront consistency review, and the State Environmental Quality Review (SEQR) processes seek to minimize adverse environmental impacts. These regulatory processes shall be strictly and consistently administered and enforced so as to ensure the future protection of the integrity of the community. All potential projects in the Village of Union Springs Waterfront Revitalization Area will be reviewed for consistency with the policies of this LWRP.

Further, future development will be encouraged where adequate public infrastructure exists or can be provided. The local program will make every effort to coordinate and synchronize existing permit procedures and regulatory programs with the state in these areas, as long as the integrity of the regulations' objectives is not jeopardized. All development should take place in such a way that community character, environmental quality, open space, and natural resources are preserved, and water-dependent uses are not displaced. The intent of this policy is to:

- Minimize any known or potential adverse land use, environmental, cultural, or economic impacts that would result from proposed development; and
- Minimize the potential for adverse impacts of types of development which individually may not result in a significant adverse environmental impact, but when taken together could lead to or induce subsequent significant adverse impacts.



Policy 2 Preserve historic resources of the waterfront area.

Archaeological sites and historic structures are tangible links to the past development of a community providing a connection to past generations and events. This policy recognizes the importance of preserving and enhancing Union Springs' historic and cultural resources.

The intent of this policy is to preserve the historic and archaeological resources of the waterfront area. Concern extends not only to the specific site or resource but to the area adjacent to and around specific sites or resources. The quality of adjacent areas is often critical to maintaining the quality and value of the resource. Effective preservation of historic resources must also include active efforts, when appropriate, to restore or revitalize. While the LWRP addresses all such resources within the waterfront area, it actively promotes preservation of historic, archaeological, and cultural resources that have a waterfront relationship. This policy is applicable to the historic resources identified in Section 2.

Policy 2.1 Maximize preservation and retention of historic resources.

Development of any site with historic significance shall be in a manner that preserves any historic resources remaining on that site. Identified historic resources will be preserved, protected, and enhanced through the following:

- Preserve the historic character of the resource by protecting historic materials and features or by making repairs using appropriate materials;
- Provide for compatible use of the historic resource, while limiting and minimizing alterations to the resource;
- Minimize the loss of historic resources or historic character when it is not possible to completely preserve the resource;
- Relocate historic structures only when the resource cannot be preserved in place;
- Allow demolition only where alternatives for retention are not feasible;
- Avoid potential adverse impacts of development on nearby historic resources;
- Protect historic resources that are listed or eligible for listing on the National Register of Historic Places; and
- Promote the designation of historic landmarks that reflect the Cayuga Lake area's cultural, social, economic, and/or architectural history.

Policy 2.2 Protect and preserve archaeological resources.

The intent of this policy is to prohibit the appropriation of any object of archaeological or paleontological interest situated on or under lands owned by New York State, except as provided for in Education Law, § 233. If impacts are anticipated on a significant archaeological resource, potential adverse impacts should be minimized by:

- Redesigning the project;
- Reducing direct impacts on the resource; and/or
- Documenting and recovering, where possible, data and artifacts prior to construction.

Policy 2.3 Protect and enhance resources that are significant to the waterfront culture.

There are no known shipwrecks in the WRA, however; if any are discovered, every effort shall be made to preserve and protect the resource and the character of this historic lacustrine and riverine community by:

- Protecting historic shipwrecks; and

- Preventing unauthorized collection of artifacts from shipwrecks.

In the event that such a shipwreck is discovered, the village will conduct further research to determine if a Historic Shipwreck Protection Law would be relevant and prudent.

Policy 3 Enhance visual quality and protect scenic resources throughout the waterfront area.

Visual quality is a major contributor to the character of the waterfront area, and the primary basis for the public's appreciation. In addition to the scenic natural resources, the variety of cultural elements in the landscape and the interplay of the built and natural environments are of particular importance to visual quality. The intent of this policy is to protect and enhance the visual quality and protect scenic resources in the Village of Union Springs waterfront area and promote them as important attractions. This policy is applicable to the scenic resources identified in Section 2.

It is important to maintain the scenic qualities of the waterfront and pastoral landscape within the WRA along NYS Route 90 since this route is part of the Cayuga Lake Scenic Byway. Future uses shall preserve the integrity and quality of this scenic byway to the fullest extent possible.

In addition to the scenic natural resources, the variety of cultural elements in the landscape and the interplay of the built and natural environments are of particular importance to visual quality. There are several areas and properties with great scenic potential, and these properties need to be improved. Locations in this category include: Frontenac Park, North Pond, and Springport Cove. Improvements or adjacent development should be undertaken in a manner that preserves and/or improves views of the lake. The Village of Union Springs will protect and improve visual quality and scenic vistas by considering the following standards and guidelines during review of proposed projects in the WRA:

- Enhance existing scenic characteristics by minimizing introduction of discordant features;
- Restore deteriorated and remove degraded visual elements, and screen activities and views which detract from visual quality;
- Preserve existing vegetation and establish new vegetation to enhance scenic quality; but allow for the selective clearing of vegetation in localized areas to provide or enhance public views, if there is no risk of increasing erosion or runoff;
- Group or orient structures to preserve open space and provide visual organization;
- Improve the visual quality associated with urban areas and historic maritime areas;
- Anticipate and prevent impairment of dynamic landscape elements that contribute to ephemeral scenic qualities;
- Recognize water-dependent uses that are an important additions to the visual interest of the waterfront;
- Protect scenic values associated with public lands, including public trust lands and waters, and natural resources;
- Prevent impairment of scenic components that contribute to scenic quality appreciated by tourists;
- Use appropriate siting, scales, orientation, forms, and materials to ensure that structures are compatible with and add interest to existing scenic elements;
- Respect natural drainage ways, contours and landforms; and
- Encourage natural buffers between land uses, developed areas, and public roadways, including the use of conservation easements and similar devices to preserve and protect visually prominent features.



3.3 NATURAL WATERFRONT POLICIES



Policy 4 Minimize loss of life, structures, and natural resources from flooding and erosion.

In response to existing or perceived erosion and flood hazards, many landowners have constructed erosion protection structures. Erosion protection structures often contribute to erosion both on and off the site due to poor design and siting and lack of downdrift remediation. Increased erosion, aesthetic impairments, loss of public recreational resources, loss of habitats, and water quality degradation can result from erosion protection structures. The cumulative impact of these structures can be large. Before a permit is granted to allow construction of erosion protection structures, the purpose, function, impact, and alternatives to a structure need to be carefully evaluated to determine that the structures are necessary and to avoid adverse impacts.

Although some sections of the shoreline have been heavily fortified, significant stretches of the waterfront remain in a natural state. The natural shoreline has an inherent natural, social, and economic value that should be respected to ensure continuing benefits to the State and the region. Consequently, those portions of the shoreline that are not fortified should generally remain in a natural condition to respond to lacustrine and riverine processes. Development and redevelopment in hazard areas needs to be managed to reduce exposure to hazards. Hardening of the shoreline is to be avoided except when alternative means, such as soft engineering alternatives, are not effective. Beach nourishment or re-vegetation are preferred approaches to control erosion because of fewer environmental impacts than hard structures. Hard structures may be more practical to protect principal structures or developed centers with extensive public investment. Historic major weather events should be considered when projects involving substantial investments of public expenditures are designed. This policy seeks to protect life, structures, and natural resources from flooding and erosion hazards throughout the waterfront area. The policy reflects State flooding and erosion regulations and provides measures for reduction of hazards and protection of resources.

Policy 4.1 Minimize losses of human life and structures from flooding and erosion hazards.

According to the 2007 FEMA DFIRM database, there is a total of 46.45 acres of land located in the 100 year floodplain; which equates to 10% of the total land in the WRA, but directly impacts 60% of the parcels in the WRA. As to be expected in a lakefront community, most of the land areas located in a FEMA floodplain in the WRA are located along the lakeshore, along major stream outlets, in each of the marinas, and existing wetlands and ponds. The Village of Union Springs adopted a Floodplain Management Law in 2007. In accordance with those laws, standards directed at protecting life and properties utilizing various management measures related to flood damage prevention are presented below in order of priority:

- Avoid development other than water-dependent uses in waterfront hazard areas;
- Locate or move development and structures as far away from hazards as practical;
- Use vegetative non-structural measures which have a reasonable probability of managing flooding and erosion, based on shoreline/bank characteristics including exposure, geometry, and sediment composition;
- Enhance existing natural protective features and processes, and use non-structural measures which have a reasonable probability of managing erosion; and
- Use hard structural erosion protection measures for control of erosion only where the above measures are not sufficient to protect the principal use, or the use is water-dependent or reinforces the role of a maritime center or a waterfront redevelopment area.

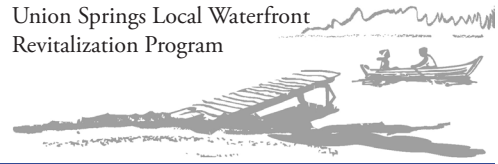
Erosion occurs along many of the tributaries within the community due to improper stream corridor and infrastructure management. The result is increased sedimentation resulting in delta formations at their outlets in the lake. Stream banks without adequate native vegetation and stormwater runoff entering the streams add high levels of sedimentation to the waters that ultimately enter Cayuga Lake. Riparian buffers should be maintained or improved as determined by soil and water conservation specialists to reduce runoff and sedimentation from entering tributaries from adjacent lands. The buffers will help filter sediments and pollutants by surface trapping and root interception in subsurface flow, reducing peak runoff rates by slowing water movement to the stream and increasing evapotranspiration, and stabilizing the creek banks. Standards directed at protecting life and property, using various management measures related to erosion damage prevention are presented below in order of priority: Mitigate the impacts of erosion control structures.

- Use vegetative, non-structural measures to manage erosion where shoreline characteristics allow;
- Enhance existing natural protective features by the use of non-structural measures that are likely to manage erosion;
- Mitigate the impacts of erosion control structures;
- Manage development in floodplains outside of waterfront hazard areas so as to avoid adverse environmental effects, to minimize the need for structural flood protection measures, and to meet Federal flood insurance program standards; and
- Use hard structure erosion protection measures only when avoidance is not appropriate because the structure is water-dependent; construction of a hard structure is the only practical design consideration; the hard structure is limited to the minimum necessary; and adequate mitigation is provided to insure there is no adverse impact on adjacent properties.

Policy 4.2 Preserve and restore natural protective features.

Natural flooding and erosion protective features in Union Springs are wetlands and natural vegetation along the shoreline. The largest area of state-regulated wetlands in the WRA is located north of Frontenac Park in the vicinity of North Pond (see Map 16 in Section 2). The U.S. Fish & Wildlife Service also regulates an area of wetlands in the WRA that overlaps with the area mentioned above. These areas provide critical habitats for wildlife and are prominent natural protective features in the community. The intent of this policy is to:

- Prevent development in natural protective features;
- Maximize the protective capabilities of natural protective features by:
 - ~ Avoiding alteration or interference with shorelines/banks in their natural condition;
 - ~ Enhancing existing natural protective features;
 - ~ Restoring damaged natural features; and
 - ~ Managing activities to minimize interference with, limit damage to, or reverse damage which has diminished the protective capacities of the natural shoreline/bank.
- Minimize interference with natural waterway processes by:
 - ~ Providing for natural supply and movement of unconsolidated materials;
 - ~ Minimizing intrusion of structures into waterway and interference with waterway processes; and
 - ~ Mitigating any unavoidable intrusion or interference



- Using vegetative approaches to stabilize natural shoreline features; and
- Providing signage or other interpretive materials to increase public awareness of natural features.

Policy 4.3 Protect public lands and public trust lands and use of these lands when undertaking all erosion or flood control projects.

The intent of this policy is to:

- Retain ownership of public trust lands which have become upland areas due to fill or accretion resulting from erosion control projects;
- Avoid losses or likely losses of public trust lands or use of these lands, including public access along the shore, which can be reasonably attributed to or anticipated to result from erosion protection structures; and
- Mitigate unavoidable impacts on adjacent property, natural waterfront processes, natural resources, and on public trust lands and their use.

Policy 4.4 Manage navigation infrastructure to limit adverse impacts on lacustrine or riverine processes.

The intent of this policy is to:

- Manage navigation channels to limit adverse impacts on natural processes by designing channel construction and maintenance to protect and enhance natural protective features and prevent destabilization of adjacent areas; and make beneficial use of suitable dredged material; and
- Manage stabilized inlets to limit adverse impacts on natural processes.

Policy 4.5 Ensure that expenditure of public funds for flooding and erosion control projects results in a public benefit.

Give priority in expenditure of public funds to actions which:

- Protect public health and safety;
- Mitigate flooding and erosion problems caused by previous human intervention;
- Protect areas of intensive development; and
- Protect substantial public investment in land, infrastructure, and facilities.

Expenditure of public funds is limited to those circumstances where public benefits exceed public cost; and prohibited for the exclusive purpose of protecting private development, except where actions are undertaken by an erosion protection district.

Policy 4.6 Consider historic floods and erosion caused by major weather events when siting and designing projects involving substantial public expenditures.

Policy 5 Protect and improve water quality and supply in the waterfront area.

The purpose of this policy is to protect the quality and quantity of water in the waterfront area. Quality considerations include both point source and non-point source pollution management. The primary quantity consideration is the maintenance of an adequate supply of potable water in the region. Water quality protection and improvement in the region must be accomplished by the combination of managing new and

remediating existing sources of pollution. In some areas with existing water quality impairments, more aggressive remediation measures will be needed.

Policy 5.1 Prohibit direct or indirect discharges which would cause or contribute to contravention of water quality standards.

Discharges from point sources of pollution into the water resources of the Village of Union Springs will be reduced by avoiding land and water uses that would:

- Exceed applicable effluent limitations;
- Cause or contribute to contravention of water quality classification and use standards;
- Materially adversely affect receiving water quality; or
- Violate the NYS DEC vessel waste discharge regulations in Cayuga Lake.

The effective treatment of sanitary sewage discharges will be enhanced by:

- Maintaining efficient operation of sewage treatment facility;
- Providing secondary treatment of sanitary sewage, if necessary;
- Improving nitrogen and phosphorous removal capacity;
- Incorporating treatment beyond secondary for new wastewater treatment facilities;
- Reducing demand on treatment facilities by encouraging alternative environmentally friendly disposal systems per approval of the Cayuga County Health Department;
- Reducing loading of toxic materials;
- Reducing or eliminating combined sewer overflows; and
- Managing on-site disposal systems.

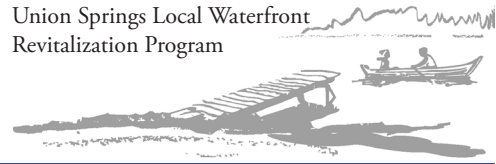
Policy 5.2 Manage land use activities and use best management practices to minimize non-point pollution of waterfront areas.

The village will implement Stormwater Management Regulations. Additionally, the Village will work with the Cayuga County Water Quality Management Agency to promote their Manure Management Guidelines on farms within the WRA; and will encourage all farms on which manure is applied to cropland to develop and implement a Comprehensive Nutrient Management Plan (CNMP) with the assistance of an Agricultural Environmental Management (AEM) certified CNMP planner in order to adequately inventory current activities, assess environmental concerns, determine conservation objectives and establish best management practices (BMPs) consistent with available resources.

Policy 5.3 Protect and enhance the quality of waterfront area waters.

The waters of Cayuga Lake, including the tributaries flowing into it, are extremely important to the economy and quality of life for residents and tourists in the Village of Union Springs. In order to protect the quality of the waterfront waters in the WRA, it is the intent of this policy to:

- Protect water quality based on physical factors (Ph, dissolved oxygen, dissolved solids, nutrients, odor, color, and turbidity), health factors (pathogens, chemical contaminants, and toxicity), and aesthetic factors (oils, floatables, refuse, and suspended solids);



- Minimize disturbance of streams, including their beds and banks, in order to prevent erosion of soil, increased turbidity, and irregular variation in velocity, temperature, and level of water; and
- Protect quality of the waterways from adverse impacts associated with excavation, fill, dredging, and disposal of dredged material.

The control of invasive species, as identified in Section 2, also plays a critical role in protecting the water quality in Cayuga Lake and the streams in the watershed. The Cayuga County Legislature adopted A Local Law To Prevent The Spread of Aquatic Invasive Species In Cayuga County which is enforced by the county along all public water bodies including along Cayuga Lake within the WRA. To help control invasive species in the WRA the village will:

- Assist private marinas with installing Aquatic Invasive Species Disposal Stations (weed boxes); and
- Educate boaters on the provisions of the county's local law and see that they are enforced, even during fishing tournaments (when it is more likely that the spread of invasive aquatic vegetation could occur).

Policy 5.4 Limit the potential for adverse impacts of watershed development on water quality and quantity.

In order to protect the quality and quantity of water in the WRA, it is the intent of this policy to:

- Ensure that watershed development protects areas that provide important water quality benefits, maintains natural characteristics of drainage systems, and protects areas that are particularly susceptible to erosion and sediment loss; and
- Limit the impacts of individual development projects to prevent cumulative water quality impacts upon the watershed which would result in a failure to meet water quality standards.

Policy 5.5 Protect and conserve the quality and quantity of potable water.

While the village does not use Cayuga Lake for a source of drinking water, other municipalities around the lake do, so protection of the lake water as a source of potable water and not just for recreation is as important as protecting the underground springs that are used for potable water in the village. The intent of this policy is to:

- Prevent the contamination of potable waters by limiting discharges of pollutants and limiting land uses which are likely to contribute to contravention of surface and groundwater quality classifications for potable water supplies;
- Prevent the depletion of existing potable water supplies and limiting the cumulative impacts of development on groundwater quality and recharge areas; and
- Encourage the development and installation of manmade wetlands and natural drainage systems (e.g. bio-swales, rain gardens, etc.) in environmentally sensitive areas that will filter surface water runoff to help protect potable water resources.

Policy 6 Protect and restore the quality and function of ecosystems within the waterfront area.

This policy recognizes and provides for the protection, restoration, and enhancement of natural resources within the natural areas of the region and the Village of Union Springs. The ecosystem consists of physical (non-living) components, biological (living) components, and their interactions. Its physical components include abiotic factors such as water, soils, geology, nutrients, and contaminants. The biological components include the plants, animals, and other living things in and around the shore. Cayuga Lake (including surrounding supporting lands) contains the following general characteristics:

- Is essential to the survival of locally significant fish and wildlife populations;
- Helps to support local populations of rare, threatened, or endangered species;
- Helps support local fish and game species that have a significant recreational value; and
- Is impossible to replace.

The intent of this policy is to:

- Disapprove of activities and development that would destroy or impair important habitats through physical alteration, disturbance or pollution, or indirectly result in the loss of important natural habitat;
- Encourage development proposals that include the repair or establishment of new natural habitat areas;
- Work with the NYS DEC to rehabilitate any streams or portions of streams that may be identified as impaired for fish life;
- Require that all development, project, and activity proposals comply with NYS SEQRA requirements; and approve only those that will result in the least amount of potential adverse impacts on natural areas with the preference for infill and reuse development over “green-field” development; and
- As required by US FWS and NYS DEC, schedule construction and necessary intrusion into natural areas at appropriate times of the year to avoid vulnerable periods in the life cycles of threatened and endangered species (e.g. the Northern Longeared Bat and Bald Eagles).

Policy 6.1 Protect and restore ecological quality.

The following guidelines shall be considered when approving development projects in an effort to maintain the values associated with natural ecological communities; and protect and restore the ecological quality of the natural resources found in the WRA.

- Avoid significant adverse changes to the quality of the ecosystem as indicated by physical loss, degradation, or functional loss of ecological components by:
 - ~ Avoiding fragmentation of natural ecological communities;
 - ~ Maintaining corridors between ecological communities;
 - ~ Maintaining structural and functional relationships between natural ecological communities to provide for self-sustaining systems;
 - ~ Retaining and adding indigenous plants;
 - ~ Avoiding permanent adverse change to ecological processes;
 - ~ Reducing adverse impacts of existing development when practical; and
 - ~ Mitigating impacts of new development including reducing or eliminating adverse impacts associated with existing development.

Policy 6.2 Protect and restore freshwater wetlands.

There are several significant freshwater wetland areas in the Village of Union Springs WRA as indicated on Map 17 in Section 2. These lake margin freshwater wetland areas function as waterfowl habitat, nutrient transformation and sediment control areas, and fish spawning areas. Wetlands often stabilize stream and river banks and they can act as a conveyance area during flood events. The ecological function of sensitive wetland areas can be significantly impaired by development. In the WRA, wetlands exist primarily along the waterfront in areas that have already experienced some development; and which are prime locations for future development.

Development actions that would negatively impact wetlands should be avoided. In such cases where impairment of these resources cannot be avoided, the negative impacts must be minimized through appropriate mitigation measures. The following actions, in compliance with the statutory and regulatory requirements of the State's wetland laws, should be applied to projects potentially impacting wetland areas within the WRA:

- Comply with statutory and regulatory requirements of the State's wetland laws.
- Use the following management measures, which are presented in order of priority:
 - ~ Prevent the net loss of vegetated wetlands by avoiding fill or excavation;
 - ~ Minimize adverse impacts resulting from unavoidable fill, excavation, or other activities; and
 - ~ Provide for compensatory mitigation for unavoidable adverse impacts.
- Restore freshwater wetlands wherever practical to foster their continued existence as natural systems
- Provide and maintain adequate buffers between wetlands and adjacent or nearby uses and activities to protect wetland quality and values;
- Avoid the placement of fill in vegetated wetlands;
- Design projects to result in the least amount of potential adverse impact on wetlands;
- Choose alternative actions or methods that would lessen potential impact;
- Mitigating the unavoidable adverse impacts resulting from activities by replacement of lost wetland areas or other appropriate means; and
- Protect wooded areas that surround the wetland to preserve the natural filtering capabilities of vegetation.

Policy 6.3 Protect vulnerable fish, wildlife, and plant species, and rare ecological communities.

The ecological communities found throughout the WRA are both vast and diverse. The fish and wildlife habitats located in the community are significant for the local heritage and tourist-based economy. All rare species found in the WRA shall be protected and documented to the fullest extent practical.

Policy 6.4 Protect natural resources and associated values in identified regionally important natural areas.

It is the intent of this policy to:

- Protect natural resources comprising a regionally important natural area;
- Focus State actions on protection, restoration, and management of natural resources;
- Protect and enhance activities associated with sustainable human use or appreciation of natural resources;
- Provide for achievement of a net increase in wetlands when practical opportunities exist to create new or restore former wetlands; and
- Adhere to management plans prepared for regionally important natural areas.

Policy 7 Protect and improve air quality in the waterfront area.

This policy provides for protection of the waterfront area from air pollution generated within the waterfront area or from outside the waterfront area which adversely affects air quality.

Policy 7.1 Control or abate existing and prevent new air pollution.

There are no known existing critical air pollution concerns in the village or in the WRA. This policy seeks to:

- Limit pollution resulting from new or existing stationary air contamination sources consistent with applicable standards, plans, and requirements;
- Recycle or salvage air contaminants using best available air cleaning technologies;
- Limit pollution resulting from vehicle or vessel movement or operation;
- Limit actions which directly or indirectly change transportation uses or operation resulting in increased pollution;
- Restrict emissions or air contaminants to the outdoor atmosphere which are potentially injurious or unreasonably interfere with enjoyment of life or property; and
- Limit new facility or stationary source emissions of acid deposition precursors consistent with achieving final control target levels for wet sulfur deposition in sensitive receptor areas, and meeting New Source Performance Standards for the emissions of oxides of nitrogen.

Policy 7.2 Limit discharges of atmospheric radioactive material to a level that is as low as practicable.

There are no sources of radioactive material, nuclear power plants, or research facilities that use radionuclides in the WRA.

Policy 7.3 Limit sources of atmospheric deposition of pollutants to the waterway, particularly from nitrogen sources.

There are no major energy generation plants or other point sources of air pollution in the WRA.

Policy 8 Minimize environmental degradation in the waterfront area from solid waste and hazardous substances and wastes.

The intent of this policy is to protect people from sources of contamination and to protect waterfront resources in the Village of Union Springs from degradation through proper control and management of wastes and hazardous materials. In addition, this policy is intended to promote the expeditious remediation and reclamation of hazardous waste sites to permit redevelopment. Attention is also required to identify and address sources of soil and water contamination resulting from landfill and hazardous waste sites and in-place sediment contamination.

Policy 8.1 Manage solid waste to protect public health and control pollution.

Effective management of solid waste in the WRA should follow the established State priorities for reducing, reusing, and disposing of such waste. The village should plan for proper and effective solid waste disposal prior to undertaking major development or activities generating solid wastes. The discharge of solid wastes into the environment shall be prevented by using proper handling, management, and transportation practices; and solid waste shall be managed by:

- Reducing the amount of solid waste generated;
- Reusing or recycling materials;
- Using land burial or other approved methods to dispose of solid waste that is not reused or recycled; and
- Operating solid waste management facilities in ways that prevent or reduce water, air, and noise pollution and other conditions harmful to the public health.



Policy 8.2 Manage hazardous wastes to protect public health and control pollution.

Hazardous wastes shall be managed in accordance with the following priorities:

- Eliminate or reduce generation of hazardous wastes to the maximum extent practical;
- Recover, reuse, or recycle remaining hazardous wastes to the maximum extent practical;
- Use detoxification, treatment, or destruction technologies to dispose of hazardous wastes that cannot be reduced, recovered, reused, or recycled;
- Use land disposal as a last resort;
- Phase out land disposal of industrial hazardous wastes;
- Ensure maximum public safety through proper management of industrial hazardous waste treatment, storage, and disposal; and
- Remediate inactive hazardous waste disposal sites.

Policy 8.3 Protect the environment from degradation due to toxic pollutants and substances hazardous to the environment and public health.

Toxic pollutants and substances shall be managed in accordance with the following:

- Prevent release of toxic pollutants or substances hazardous to the environment that would have a deleterious effect on fish and wildlife resources; Prevent environmental degradation due to persistent toxic pollutants by:
 - ~ limiting discharge of bioaccumulative substances;
 - ~ avoiding resuspension of toxic pollutants and hazardous substances and wastes; and
 - ~ avoiding reentry of bioaccumulative substances into the food chain from existing sources.
- Prevent and control environmental pollution due to radioactive materials;
- Protect public health, public and private property, and fish and wildlife from inappropriate use of pesticides, from direct discharge of untreated waste material into a creek, pond or the lake, and from petroleum product spills/leaks into and adjacent to a creek, pond or the lake; and
- Take appropriate action to correct all unregulated releases of substances hazardous to the environment.

Policy 8.4 Prevent and remediate the discharge of petroleum products.

The intent of this policy is to:

- Have adequate plans for prevention and control of petroleum discharges in place at any major petroleum-related facility;
- Prevent discharges of petroleum products by following approved handling and storage, and facility design and maintenance principles; and
- Clean-up and remove any petroleum discharge, giving first priority to minimizing environmental damage.

Policy 8.5 Transport solid waste and hazardous substances and waste in a manner which protects the safety, well-being, and general welfare of the public; the environmental resources of the State; and the continued use of transportation facilities.

Policy 8.6 Site solid and hazardous waste facilities to avoid potential degradation of waterfront resources.

3.4 PUBLIC WATERFRONT POLICIES



Policy 9 Provide for public access to, and recreational use of, waterfront waters, public lands, and public resources of the waterfront area.

Along much of the Cayuga Lake shoreline in the WRA, physical and visual access to waterfront lands and the water itself is limited. While there is approximately nine miles of shoreline along Cayuga Lake in the WRA, public access is limited to Frontenac Park which has approximately 1,700 feet (0.3 mi) of publicly accessible shoreline. The remainder of the lands along the shoreline are in private ownership for residential or commercial use.

Limitations on reaching or viewing the waterfront are further heightened by a general lack of opportunity for diverse forms of recreation at those sites that do provide access. Often access and recreational opportunities that are available are limited to local residents. Existing development has made much of the waterfront inaccessible and new development has diminished remaining opportunities to provide meaningful public access. In addition to loss of opportunities for physical access to the water, visual access has also been lost due to the loss of vantage points or outright blockage of views resulting from development. In some areas, access along public trust lands of the shore has been impeded by long docks, docks with structures on the end of them, and shoreline fortification has led to physical loss of access.

Given the lack of adequate public access and recreation, this policy incorporates measures to provide and increase public access throughout the waterfront area. The need to maintain and improve existing public access and facilities is among these measures, and is necessary to ensure that use of existing access sites and facilities is optimized in order to accommodate existing demand. Another measure is to capitalize on all available opportunities to provide additional visual and physical public access along with appropriate opportunities for recreation.

Policy 9.1 Promote appropriate and adequate physical public access and recreation throughout the waterfront area.

Improving public access to the lakefront is very important to the Village of Union Springs. Public access and recreation facilities can attract tourists, improve the quality of life for residents, and generate revenues. Access and recreational activities must avoid adverse impacts on natural resources. The following factors shall be considered in determining the potential for adverse environmental effects:

- The level of disturbance associated with the activity; and
- Any potential impacts on sensitive natural resources.

Access shall be limited where it is determined that uncontrolled public use of a recreational facility or public access site could impair natural resources. The following standards should be considered when analyzing recreation and public access projects along waterfront areas; and in making future decisions regarding appropriate public access and expanding recreation opportunities:

- Provide access for fish and wildlife related activities, so long as the level of access would not result in significant negative impacts on fish and wildlife populations;
- Use methods and structures for access which maintain and protect natural resources;

- Impose seasonal limitations on public access where necessary to avoid adverse environmental impacts;
- Provide convenient, well-defined, physical public access to and along the shoreline for water-related recreation;
- Provide a level and type of public access and recreational use that takes into account proximity to population centers, public demand, natural resource sensitivity, accessibility, compatibility with on-site and adjacent land uses, and needs of special groups;
- Protect and maintain existing public access and water-related recreation;
- Provide additional physical public access and recreation facilities at public sites;
- Where appropriate, promote private commercial access through water-dependent and water enhanced uses as opposed to residential development;
- Promote the acquisition of additional public park lands to meet existing and projected needs;
- Provide physical access linkages throughout the waterfront;
- Provide pedestrian and bicycle trails and improved access between downtown and the residential areas in the community;
- Include physical public access and/or water-related recreation facilities as part of development whenever development or activities are likely to limit the public's use and enjoyment of public waterfront lands and waters;
- Restrict public access and water-related recreation on public lands only where incompatible with public safety and protection of natural resources; and
- Ensure access for the general public at locations where State or Federal funds are used to acquire, develop, or improve parkland.

Policy 9.2 Provide public visual access from public lands to waterfront lands and waters or open space at all sites where physically practical.

It is important to provide aesthetically inviting physical connections from Frontenac Park, North Pond, and South Pond to the Historic Business district that will attract visitors to local businesses and to the waterfront itself. The intent of this policy is to:

- Increase visual access wherever practical, i.e. by creating and/or improving roadway pull offs and other means;
- Protect view corridors provided by streets or natural resources;
- Limit physical blockage of existing visual access by constructing improvements and buildings at an appropriate scale and location;
- Mitigate the loss of visual access by providing for on-site visual access or additional and comparable visual access off-site;
- Minimize adverse impact on visual access by promoting vegetative or other screening of uses that detract from the visual quality of the waterfront; and
- Provide interpretive exhibits at appropriate locations to enhance the enjoyment of scenic views.

Policy 9.3 Preserve the public interest in and use of lands and waters held in public trust by the State, and other public entities.

The intent of this policy is to:

- Limit grants, easements, permits, or lesser interests in lands underwater to those instances where they are consistent with the public interest in the use of public trust lands;

- Determine ownership, riparian interest, or other legal right prior to approving private use of public trust lands under water;
- Limit grants, including conversion grants, in fee of underwater lands to exceptional circumstances;
- Reserve such interests or attach such conditions to preserve the public interest in use of underwater lands and waterways which will be adequate to preserve public access, recreation opportunities, and other public trust purposes; and
- Evaluate opportunities to re-establish public trust interests in existing grants which are not used in accordance with the terms of the grant, or are in violation of the terms of the lease, or where there are significant limitations on public benefits resulting from the public trust doctrine.

Policy 9.4 Assure public access to public trust lands and navigable waters.

The intent of this policy is to:

- Ensure that the public interest in access below mean high water and to navigable waters is maintained;
- Allow obstructions to public access when necessary for the operation of water-dependent uses and their facilities;
- Permit interference with public access for riparian non-water-dependent uses in order to gain the minimum necessary reasonable access to navigable waters;
- Use the following factors in determining the minimum access necessary: the range of tidal fluctuation; the size and nature of the water body; the uses of the adjacent waters by the public; the traditional means of access used by surrounding similar uses; and whether alternative means to gain access are available.
- Mitigate substantial interference or obstruction of public use of public trust lands and navigable waters.

3.5 WORKING WATERFRONT AREA POLICIES



Policy 10 Protect water-dependent uses and promote siting of new water-dependent uses in suitable locations.

The intent of this policy is to protect existing water-dependent commercial and recreational uses; and to promote future siting of water-dependent uses at suitable locations. It is also the intent of this policy to enhance the economic viability of existing and future water-dependent uses by ensuring that adequate infrastructure is in place for water-dependent uses and their efficient operation.

The land along the waterfront in the village is primarily occupied by housing, commercial marinas, and Frontenac Park. There are however, some undeveloped natural areas. Future water-dependent and water-enhanced uses that utilize or redevelop existing buildings and developments along the waterfront will be given priority over development proposals for undeveloped areas along the waterfront. However, development proposals that provide public access along the waterfront while still protecting critical natural features in undeveloped areas are preferred over large scale development proposals.

The existing commercial marinas, in addition to the public boat launch at Frontenac Park, provide facilities and access to the lake for residents and visitors alike. The continued enhancement and protection of these water-dependent uses is critical to the tourist economy in the village. In addition to the boat launch and marinas, Frontenac Park has continued to experience an increase in use during the summer months by



residents and tourists. It is the village's intent to upgrade both the public boat launch and facilities provided at the park to meet the continued needs of the community. The village seeks to, where possible, add and enhance: land and amenities to Frontenac Park; public access to Frontenac Island; and public waterfront access in the form of recreational trails, birding, and interpretive areas.

The village will encourage development proposals that include provisions for community/shared access to the waterfront instead of sole private access only. For example, a subdivision proposal that prohibited the installation of individual docks for each waterfront parcel, but included a shared boat launch, beach area, trails, etc. for the use of the property owners within the proposed development would be preferred over a development proposal that included a new boat dock for each landowner and limited access to the waterfront. Additionally, project proposals that include provisions for open public access (whether through a fee or permit for seasonal use, or not) at one or more points along the waterfront will be strongly encouraged and highly favored by the village.

Policy 10.1 Protect existing water-dependent uses.

Avoid actions which would displace, adversely impact, or interfere with existing water-dependent uses. Conversely, actions that protect and enhance marina and public access facilities shall be encouraged. Some portions of the shoreline areas in the village are not appropriate for development because of their natural characteristics. In the locations, however, where development and/or redevelopment are appropriate, it shall occur in a sustainable manner so as to not to impact the adjacent natural character of the shoreline. Water-dependent uses shall be sited and designed to:

- Avoid actions which would displace, adversely impact, or interfere with existing water-dependent uses;
- Attract people to or near the waterfront and provide opportunities for access;
- Provide public views on, to, or from the water;
- Link the waterfront to the Historic Business District;
- Avoid significant adverse impacts to community character and surrounding land and water uses;
- Avoid any degradation of water quality;
- Avoid loss, fragmentation and impairment of natural habitats and wetlands; and
- Avoid the alteration of protective features and changes to natural processes that would increase shoreline flooding and erosion.

Policy 10.2 Promote maritime centers as the most suitable locations for water-dependent uses.

There are no maritime centers in the WRA.

Policy 10.3 Allow for development of new water-dependent uses outside of maritime centers.

The intent of this policy is to ensure that public actions enable the local traditional centers for water-dependent uses to continue to function as centers for water-dependent uses. The policy shall protect and enhance the economic, physical, cultural, and environmental attributes which support each water-dependent use. The policy shall be applied in a manner to minimize any adverse impacts of new and expanding public and commercial water-dependent uses by ensuring that these uses are sited in locations where:

- The need for dredging is minimized;
- Waterside and landside access, as well as upland space for parking and other facilities, is adequate;

- The necessary infrastructure exists or is easily accessible, including adequate shoreline stabilization structures, roads, water supply and sewage disposal facilities, and vessel waste pump-out and waste disposal facilities;
- Water quality classifications are compatible with the uses; and
- Adjacent land uses are not significantly impacted by noise or visual impacts

Policy 10.4 Improve the economic viability of water-dependent uses by allowing for non-water-dependent accessory and multiple uses, particularly water-enhanced and maritime support services.

Water-dependent uses are often supported or complemented by non-water dependent uses. Non-water-dependent accessory or mixed-use development will be encouraged if:

- Accessory uses are functionally related and contribute to sustaining the existing water-dependent use;
- Mixed uses support an existing water-dependent use and prove to enhance the economic return of the water-dependent use without significantly impacting natural resources;
- New non water-dependent uses do not interfere with the principal water-dependent use of the site or its continuity; and
- New non water-dependent uses are not located within areas established as significant natural resources, such as wetlands and fish or wildlife habitats.

Policy 10.5 Minimize adverse impacts of new and expanding water-dependent uses, provide for their safe operation, and maintain regionally important uses.

Site new and expand existing marinas, yacht clubs, boat yards, and other boating facilities where there is:

- Adequate upland for support facilities and services;
- Sufficient waterside and landside access;
- Appropriate nearshore depth to minimize dredging;
- Suitable water quality classification;
- Minimization of effects on wetlands or fish spawning grounds; and
- Adequate water circulation.

Policy 10.6 Provide sufficient infrastructure for water-dependent uses.

The intent of this policy is to:

- Protect and maintain existing public and private navigation lanes and channels at depths consistent with the needs of water-dependent uses;
- Provide new or expanded navigation lanes, channels, and basins when necessary to support water-dependent uses;
- Use suitable dredged material for beach nourishment, dune reconstruction, or other beneficial uses;
- Avoid placement of dredged material in waterways when opportunities for beneficial reuse of the material exist;
- Allow placement of suitable dredged material in nearshore locations to advance maritime center related functions, provided it is adequately contained and avoids negative impacts on vegetated wetlands and significant fish and wildlife habitats and species;
- Avoid shore and water surface uses which would impede navigation;



- Give priority to existing commercial navigation in determining rights to navigable waters;
- Provide for services and facilities to facilitate commercial, industrial, and recreational navigation;
- Foster water transport for cargo and people; and
- Maintain stabilized inlets.

Policy 10.7 Promote efficient harbor operation.

Lack of effective water use management contributes to congestion and competition for space on surface waters or underwater lands near shoreline. As a result, natural resources can be degraded and communities are not able to take advantage of tourism and economic growth opportunities. Guidelines for achieving this policy include the following:

- Limit congestion of harbor (near shore) surface waters;
- Limit conflict among uses in near shore surface waters and underwater lands;
- Foster navigational safety;
- Minimize obstructions in the waterway to reduce potential hazards to navigation;
- Prohibit any increase or additional use of the waterway if such an increase or addition poses a public safety hazard, which cannot be mitigated; and
- Prohibit intrusions or encroachments upon navigation channels and other identified vessel use areas.

Policy 11 Promote sustainable use of living lacustrine or riverine resources in the waterfront area.

Living lacustrine resources play an important role in the social and economic well-being of the people of waterfront communities. Commercial and recreational uses of living lacustrine resources constitute an important contribution to the economy of the region and the State. Recreational and sport fishing has a particularly large impact on the local economy in the Village of Union Springs. There are several fishing tournaments that are hosted in the community each year, including the Bassmaster Elite Series professional anglers fishing tournament (hosted at Frontenac Park in 2014, 2016 and 2019).

Continued use of living resources depends on maintaining long-term health and abundance of fishery resources and their habitats, and on ensuring that the resources are sustained in usable abundance and diversity for future generations. This requires active management of fisheries, protection and conservation of habitat, restoration of habitats in areas where they have been degraded, and maintenance of water quality at a level that will foster occurrence and abundance of living lacustrine and riverine resources. Allocation and use of the available resources must:

- Be consistent with the restoration and maintenance of healthy stocks and habitats;
- Maximize the benefits of resource use so as to provide valuable recreational experiences and viable business opportunities for commercial and recreational fisheries; and
- Prohibit discharge of sewage from boats in designated Vessel Waste No Discharge Zone, and provide pump-out facilities when expanding local marinas.

Policy 11.1 Ensure the long-term maintenance and health of living lacustrine or riverine resources.

The intent of this policy is to:

- Ensure that commercial and recreational uses of living lacustrine resources are managed in a manner that:
 - ~ Results in sustained usable abundance and diversity of the lacustrine resource;
 - ~ Does not interfere with population and habitat maintenance and restoration efforts;
 - ~ Uses best available scientific information in managing the resources; and
 - ~ Minimizes waste and reduces discard mortality of lacustrine fishery resources.
- Ensure that the management of the State's transboundary and migratory species is consistent with interstate, State-Federal, and inter-jurisdictional management plans.
- Protect, manage, and restore sustainable populations of indigenous fish, wildlife species, and other living lacustrine resources.
- Foster occurrence and abundance of lacustrine resources by: protecting spawning grounds, habitats, and water quality; and enhancing and restoring fish habitat.

Policy 11.2 Provide for commercial and recreational use of lacustrine or riverine resources.

The direct public use of Cayuga Lake for fishing provides recreational experiences and tourism benefits that are currently and will continue to be significant to the Union Springs community in the years ahead. Opportunities for fishing should be promoted at existing public access sites and along the shorelines of the lake in areas that do not infringe on private property/docks. Recreational uses of fish and wildlife resources include not only consumptive uses, such as fishing and hunting, but also such non-consumptive uses as wildlife photography, bird watching, and nature study.

It is important that all areas along the waterfront, and especially projects involving an increase in waterfront access, be developed and/or maintained in a manner that ensures the protection of fish and wildlife resources.

The following standards shall be applied in the Village of Union Springs:

- Maximize the benefits of lacustrine resources use so as to provide a valuable recreational resource experience and viable business opportunities for commercial and recreational fisheries;
- Where fishery conservation and management plans require actions that would result in resource allocation impacts, ensure equitable distribution of impacts among user groups giving priority to existing fisheries in the State;
- Protect the public health and the marketability of lacustrine and fishery resources by maintaining and improving water quality; and
- Promote and expand near shore fishing opportunities.

Policy 11.3 Promote recreational use of lacustrine or riverine resources.

For all public trust and navigable waters in the WRA it is the intent of this policy to:

- Provide opportunities for recreational use of lacustrine resources;
- Provide adequate infrastructure to meet recreational needs, including appropriate fishing piers, dockage, parking, and livery services;
- Promote commercial charter and party boat businesses in lacustrine centers under the following restrictions:



- ~ Commercial charter and party boats shall adhere to local ordinances and not create excessive noise;
- ~ In accordance with NYS DEC regulations, commercial charter and party boats shall not allow their patrons to pollute the lake or lakeshore with garbage or other wastes; and
- ~ Commercial charter fishing boats shall follow the guidelines and restrictions set by the NYS Department of Environmental Conservation with regards to the type and number of fish that can be taken from the lake daily; and along with all other anglers, shall adhere to the NYS DEC Fish Carcass Disposal Law.

Policy 11.4 Promote managed harvesting of shellfish originating from uncertified waters.

Non-native zebra mussels and quagga mussels are the most significant shellfish that can be found in the WRA and possession of these species is prohibited by regulation, currently contained in 6 NYCRR Part 575. Additionally, the NYS DEC regulates individual collection of lacustrine indigenous freshwater shellfish by requiring individuals to obtain a license to sell, import, purchase, transport, or introduce, which are typically obtained by individuals for non-consumptive uses such as education and research.

Policy 11.5 Promote aquaculture.

The intent of this policy is to:

- Encourage aquaculture of economically important species;
- Protect native stocks from potential adverse biological impacts due to aquaculture; and
- Provide leases of State-owned underwater lands for aquaculture only where aquaculture operations would not significantly impair natural resources or water quality.

Policy 12 Protect agricultural lands in the waterfront area.

The intent of this policy is to conserve and protect agricultural land by preventing the conversion of farmland to other uses and protecting existing and potential agricultural production. Agricultural acreage has sharply reduced over a relatively short period of time. This loss has occurred primarily due to residential development which has rapidly transformed the landscape from one dominated by agrarian uses and activities to one dominated by single family residences. Protecting the remaining agricultural land is necessary to ensure preservation of the agricultural economy, farming heritage, open space, and scenic quality.

Policy 12.1 Protect existing agriculture and agricultural lands from conversion to other land uses.

The intent of this policy is to:

- Protect existing agricultural use and production from adverse impacts due to:
 - ~ Public infrastructure and facility development;
 - ~ Creation of other conditions which are likely to lead to conversion of agricultural lands; and
 - ~ Environmental changes which are likely to reduce agricultural productivity or quality, including, but not limited to, quantitative and qualitative changes to groundwater resources.
- Provide sufficient buffer as part of new development when it is located near agricultural land; and
- Retain or incorporate opportunities for continuing agricultural use.

Policy 12.2 Establish and maintain favorable conditions which support existing or promote new agricultural production.

The intent of this policy is to:

- Promote new and maintain existing local services and commercial enterprises necessary to support agricultural operations;
- Provide economic support of existing agriculture by allowing mixed uses which would assist in retention of the agricultural use; and
- Promote activities and market conditions that would likely prevent conversion of farmlands to other land uses.

Policy 12.3 Minimize adverse impacts on agriculture from unavoidable conversion of agricultural land.

The intent of this policy is to:

- Minimize encroachment of commercial, industrial, institutional, or residential development on agricultural lands;
- Retain or incorporate opportunities for continuing agricultural use; and
- Locate and arrange development to maximize protection of the highest quality agricultural land in large contiguous tracts for efficient farming.

Policy 12.4 Preserve scenic and open space values associated with agricultural lands.

The intent of this policy is to:

- Locate and arrange development to maximize protection of agricultural land to protect associated scenic and open space values; and
- Allow farms to operate using appropriate modern techniques and structures with consideration of scenic values.

Policy 13 Promote efficient use and appropriate siting and design of energy production and storage and mineral extraction facilities, and associated infrastructure, to maximize efficiency and minimize potential or known harmful environmental impacts.

The intent of this policy is to promote the efficient use and appropriate siting and design of energy production and storage and mineral extraction facilities, and associated infrastructure, to maximize efficiency and minimize potential or known harmful environmental impacts. In dealing with energy problems, the first order of preference is the conservation of energy. Energy efficiency in transportation and site design, and efficiency in energy generation are the best means for reducing energy demands. Reduced demand for energy reduces the need for construction of new facilities that may have adverse impacts on waterfront resources. In addition to the impacts of construction of new energy generating facilities, the potential impacts of oil and gas extraction and storage and mineral extraction must be considered, particularly the potential adverse impacts of mining activities on groundwater and aquifers. The following standards shall be applied in the Village of Union Springs:

- Apply sustainable design principles to the siting, design, construction, and operation of any energy producing or fuel storage facilities within the waterfront area to achieve maximum use efficiency, minimize pollutant outputs that have the potential to harm natural and cultural resources or/and accelerate climate change, and conserve and utilize in the public interest the air and water resources of the region;
- Reduce the need for construction of new energy producing facilities that could impacts waterfront resources by conserving energy and build efficient energy producing and transmission facilities;



- Avoid oil and gas extraction and storage and mineral extraction that have the potential to affect the water quality or geological structure of aquifers used for drinking water; and
- Avoid oil and gas extraction and storage and mineral extraction that have the potential to affect fisheries, habitats and vulnerable fish and wildlife species.

Policy 13.1 Encourage energy conservation and efficiency of energy production and use to reduce greenhouse gas emissions and climate change.

The conservation of energy should be an important part of prudent future planning. Energy efficiency can be achieved through several means that fall into the jurisdiction of local governments. The intent of this policy is to:

- Plan and construct facilities and related infrastructure using energy efficient design;
- Improve energy generating efficiency through design upgrades of existing facilities;
- Promote and maintain energy efficient modes of transportation, including pedestrian, bicycle, auto, waterborne, and other alternative forms of transportation;
- Promote energy efficient design in new or renovated municipal facilities and private developments;
- Capture heat waste from industrial processes for heating and electric generation; and
- Promote sustainable and renewable processes for heating and electric generation.

To decrease the need for driving around the community, improvements need to be made to the existing sidewalk system that would allow pedestrians to walk comfortably and safely between Frontenac Park, the Historic Business District, other commercial and recreational facilities (trails, marinas, retail and services outside of the Historic Business District), and the schools.

Policy 13.2 Promote alternative energy sources that are self-sustaining, including solar and wind powered energy generation.

The following standards shall be applied in the Village of Union Springs:

- In siting such facilities, avoid interference with waterfront resources, such as migratory birds' flyways and their annual life cycles of breeding, migration, and wintering;
- Avoid land degradation and habitat loss when locating solar facilities and transmission facilities;
- Minimize land impacts from utility-scale solar systems by siting them on brownfields, abandoned mining lands, or existing transportation and transmission corridors;
- Plan ahead for the withdrawal of water necessary for the cooling of solar thermal plants and for the use of the residual water; and
- Dismantle and recycle all the elements of a decommissioned solar thermal plants.

Policy 13.3 Ensure maximum efficiency and minimum adverse environmental impact when siting major energy generating facilities.

Currently, there are no energy generating facilities in the Village of Union Springs, however; the village has been studying the possibility of developing a small solar micro grid that would power the village facilities and possibly serve residents and businesses in the community. It shall be the policy in the Village of Union Springs WRA that any proposed energy generating facility and/or transmission lines shall be sited and constructed in accordance with the following:

- Site major energy generating facilities in a waterfront location only where a clear public benefit is established;
- Site major energy generating facilities close to load centers to achieve maximum transmission efficiency; and
- Site and construct new energy generating and transmission facilities so they do not adversely affect natural and economic waterfront resources.

Policy 13.4 Minimize adverse environmental and health impacts from fuel storage facilities.

There are no regional petroleum reserves facilities in Union Springs. However, there are a number of local fuel storage facilities at marinas along the shoreline, which are adapted for fueling transient boats; and a gas station located in the WRA on NYS Route 90. The intent of this policy is to:

- Avoid locating petroleum reserve facilities within the waterfront area where there is the potential to affect water quality, vulnerable fish and wildlife species, vulnerable plant species, and existing drinking water resources;
- Prohibit the production, storage, or retention of petroleum products in earthen reservoirs is where there is the potential to affect the quality of drinking water resources, endanger vulnerable fish and wildlife species, endanger vulnerable plant species, or deteriorate the quality of surface or ground waters;
- Protect natural resources by preparing and complying with an approved oil spill contingency plan; and
- Facilities that currently offer fuel and petroleum products for sale shall actively work to protect natural resources by complying with an approved oil spill contingency and pollution prevention plan.

Policy 13.5 Minimize adverse impacts associated with mineral extraction.

While historically prevalent, there are currently no commercial sand and/or aggregate mining operations in the WRA. The intent of this policy is to:

- Avoid commercial sand and aggregate mining in the waterfront area, to protect water quality, endanger vulnerable plant species, aquatic life, and habitats; and
- Preserve topsoil and overburden using appropriate site preparation techniques and subsequent site reclamation plans.

3.6 DEFINITIONS

Selected terms used in the policies are defined as follows:

Accretion- The gradual and imperceptible accumulation of sand, gravel, or similar material deposited by natural action of water on the shore. This may result from a deposit of such material upon the shore, or by a recession of the water from the shore.

Agricultural Land- Land used for agricultural production, or used as part of a farm, or having the potential to be used for agricultural production. Agricultural lands include lands comprised of soils classified in soil groups 1, 2, 3, or 4 according to the USDA Land Classification System; or lands used in agricultural production, as defined in Article 25-AA of the New York State Agriculture and Markets Law.

Aquaculture- The farming of aquatic organisms, including fish, mollusks, crustaceans, and aquatic plants. Farming implies some form of intervention in the rearing process to enhance production, such as regular stocking, feeding, protection from predators, etc. Farming also implies ownership of the stock being cultured.



Beach- A zone of unconsolidated material that extends landward from the level of lowest water to the place where there is a marked change in natural or physiographic form (first line of terrestrial vegetation) or to the upper limit reached by the highest storm waves, which is the area subject to alternate erosion and deposition of beach material. The offshore limit of a beach is the mean low water line. A beach consists of both foreshore and backshore zones. Beach elements include dry sand areas, sand dunes, and areas of reasonably graduated slope to the water. Beaches are composed of a variety of materials, including sand, gravel, or pebbles. Areas composed of other materials may function as beaches when they are used for traditional beach activities.

Best Management Practices- Methods, measures, or practices determined to be the most practical and effective in preventing or reducing the amount of pollutants generated by nonpoint sources to a level compatible with water quality standards established pursuant to section 17-0301 of the Environmental Conservation Law. Best management practices include, but are not limited to, structural and non-structural controls, and operation and maintenance procedures. Best management practices can be applied before, during, or after pollution-producing activities to reduce or eliminate the introduction of pollutants into receiving waters.

Boating Facility- A business or accessory use that provides docking for boats and encompasses 4,000 square feet or greater of surface waters, as measured by the outermost perimeter of the dock, and is designed to accommodate six (6) or more boats.

Development, Other Than Existing Development- Any construction or other activity which materially changes the use, intensity of use, or appearance of land or a structure including any activity which may have a direct and significant impact on coastal waters. Development shall not include ordinary repairs or maintenance or interior alterations to existing structures or traditional agricultural practices. The term shall include division of land into lots, parcels, or sites.

Historic Resources- Those structures, landscapes, districts, areas or sites, or underwater structures or artifacts which are listed or designated as follows: any historic resource in a Federal or State park established, solely or in part, in order to protect and preserve the resource; any resource on, nominated to be on, or determined eligible to be on the National or State Register of Historic Places; any cultural resource managed by the State Nature and Historic Preserve Trust or the State Natural Heritage Trust; any archaeological resource which is on the inventories of archaeological sites maintained by the Department of Education or the Office of Parks, Recreation, and Historic Preservation; any resource which is a significant component of a Heritage Area; any locally designated historic or archaeological resources protected by a local law or ordinance.

Lacustrine- Of or relating to lakes; living or growing in or along the edges of lakes; and relating to a system of inland deep-water and wetland habitats associated with lakes and reservoirs and characterized by the absence of trees, shrubs, or emergent vegetation.

Maritime Center- A discrete portion or area of a lacustrine or riverine waterfront that is developed with, and contains concentrations of water-dependent commercial and industrial uses or essential support facilities. The maritime center area is a center for waterborne commerce, recreation, or other water-dependent business activity and, as such, is an important component of the regional economic system. A maritime center is characterized by: sheltered and suitable hydrologic conditions; land- and water-based infrastructure, essential for the operation of water-dependent commercial and industrial uses, extant or easily provided; physical conditions necessary to meet the siting and operational requirements of water-dependent uses; close proximity to central business districts; and limited high value natural resources.

Maritime Support Services- Industrial, commercial, or retail uses which provide necessary goods and services to water-dependent businesses, thus enabling these businesses to operate in an efficient and economically viable manner.

Natural Ecological Community- A variable assemblage of interacting plant and animal populations that share a common environment.

Natural Protective Features- A nearshore area, beach, bluff, primary dune, secondary dune, or wetland, and the vegetation thereon.

Public Trust Lands- Those lands below navigable waters, with the upper boundary normally being the mean high water line, or otherwise determined by local custom and practice. Public trust lands, waters, and living resources are held in trust by the State or by the trustees of individual towns for the people to use for walking, fishing, commerce, navigation, and other recognized uses of public trust lands.

Rare Ecological Communities- Ecological communities which, according to the State Natural Heritage Program, qualify for a Heritage State Rank of S1 or S2; and those which qualify for a Heritage State Rank of S3, S4 or S5 and an Element Occurrence Rank of A.

Traditional Waterfront Communities- Communities which historically have contained concentrations of water-dependent businesses; possess a distinctive character; and serve as a focal points for commercial, recreational, and cultural activities within the region.

Vessel Waste No Discharge Zone (NDZ)- NDZ designations are a key component of a larger strategy for protecting the navigable waters of New York State. It is illegal to discharge sewage from boats in NDZ areas, and boaters are required to use appropriate pump-out facilities, available at many marinas, to dispose of sewage. Designated NDZ areas in the WRA include Cayuga Lake and the New York State Canal System.

Vulnerable Fish and Wildlife Species- Those listed in 6 NYCRR Part 182.5 as Endangered Species, Threatened Species, and Special Concern Species.

Vulnerable Plant Species- Those listed in 6 NYCRR Part 193.3 as Endangered Species, Threatened Species, Exploitable Vulnerable Species, and Rare Species.

Water-Dependent Use- A business or other activity which can only be conducted in, on, over, or adjacent to a water body because such activity requires direct access to that water body, and which involves, as an integral part of such activity, the use of the water.

Water-Enhanced Use- A use or activity which does not require a location adjacent to coastal waters, but whose location on the waterfront adds to the public use and enjoyment of the water's edge. Water-enhanced uses are primarily recreational, cultural, retail, or entertainment uses.

Waterfront Redevelopment Area- The waterfront area which is part of or near a business district and contains blighted or underutilized properties which are adequate in size to accommodate significant redevelopment of regional or statewide benefit. The following factors shall be considered in identification of waterfront redevelopment areas: (1) evidence of community commitment and initiative; (2) participation in the Local Waterfront Revitalization Program; (3) adequacy of local land and water use regulations; (4) adequacy of infrastructure; (4) opportunities for local and regional economic growth; and (5) opportunities for improved public access, environmental quality, and creation of local activity centers.