

City of Peekskill Local Waterfront Revitalization Program

Adopted:
City of Peekskill Common Council, January 26, 2004

Approved:
NYS Secretary of State Randy A. Daniels, July 6, 2004

U.S. Office of Ocean and Coastal Resource Management, January 14, 2005

Concurred:

This Local Waterfront Revitalization Program (LWRP) has been adopted and approved in accordance with provisions of the Waterfront Revitalization of Coastal Areas and Inland Waterways Act (Executive Law, Article 42) and its implementing regulations (6 NYCRR 601). Federal concurrence on the incorporation of this Local Waterfront Revitalization Program into the New York State Coastal Management Program as a routine program change has been obtained in accordance with provisions of the U.S. Coastal Zone Management Act of 1972 (P.L. 92-583), as amended, and its implementing regulations (15 CFR 923).

The preparation of this program was financially aided by a federal grant from the U.S. Department of Commerce, National Oceanic and Atmospheric Administration, Office of Ocean and Coastal Resource Management, under the Coastal Zone Management Act of 1972, as amended. Federal Grant No. NA-82-AA-D-CZ068.

The New York State Coastal Management Program and the preparation of Local Waterfront Revitalization Programs are administered by the New York State Department of State, Division of Coastal Resources, 41 State Street, Albany, New York 12231.



STATE OF NEW YORK
DEPARTMENT OF STATE
41 STATE STREET
ALBANY, NY 12231-0001

GEORGE E. PATAKI
GOVERNOR

RANDY A. DANIELS
SECRETARY OF STATE

October 6, 2004

Honorable John G. Testa
Mayor
City of Peekskill
City Hall, 840 Main Street
Peekskill, NY 10566

Dear Mayor Testa:

I am pleased to inform you that I have approved the City of Peekskill Local Waterfront Revitalization Program (LWRP), pursuant to the Waterfront Revitalization of Coastal Areas and Inland Waterways Act. Everyone who participated in the preparation of this program is to be commended for developing a comprehensive intermunicipal management program that promotes the balanced preservation, enhancement, and utilization of the Town's valuable resources.

I am notifying state agencies that I have approved your LWRP and am advising them that their activities must be undertaken in a manner consistent, to the maximum extent practicable, with the program.

I look forward to working with you as you endeavor to revitalize and protect your waterfront.

Sincerely,

A handwritten signature in black ink, appearing to read "Randy A. Daniels". The signature is stylized with a large, sweeping initial "R" and a long, horizontal flourish extending to the right.

Randy A. Daniels

RAD:mo\gn



UNITED STATES DEPARTMENT OF COMMERCE
 National Oceanic and Atmospheric Administration
 NATIONAL OCEAN SERVICE
 OFFICE OF OCEAN AND COASTAL RESOURCE MANAGEMENT
 Silver Spring, Maryland 20910

JAN 14 2005

DEPARTMENT OF STATE
 COASTAL PROGRAMS

JAN 26 2005

RECEIVED

Mr. George R. Stafford
 Director, Division of Coastal Resources
 New York Department of State
 41 State Street
 Albany, New York 12231

Dear Mr. Stafford:

The Office of Ocean and Coastal Resource Management (OCRM) concurs with your request to incorporate the City of Peekskill Local Waterfront Revitalization Program (LWRP) into the New York State Coastal Management Program (NYSCMP) as a Routine Program Change (RPC). We did not receive any comments on your request. This approval assumes you will make no further changes to the document in addition to the ones submitted.

After analyzing your RPC submission, we have concluded that the submitted enforceable policies for the City of Peekskill LWRP, as listed below, are RPCs and OCRM approves them as enforceable policies of the NYSCMP. The Peekskill LWRP proposes two boundary changes to the NYSCMP coastal boundary to encompass areas that have land and water uses that could have a direct and significant impact on the coastal waters of the State of New York. The proposed boundary changes are minor in scope and represent further detailing of the NYSCMP coastal boundary and are not a substantial change.

Revised Enforceable Policies

The following Peekskill LWRP enforceable policies further specify NYSCMP enforceable policies: 1, 2, 5, 7, 12, 14, 17, 19, 20, 21, 22, 24, and 34.

The following Peekskill LWRP enforceable policies are the same as the corresponding NYSCMP enforceable policies, except the "Explanation of Policy" section for each Peekskill LWRP enforceable policy has been revised or further specified: 6, 8, 11, 15, 16, 18, 23, 25, 27, 30, 31, 33, 36, 37, 38, 39, 40, 41, 42, 43, and 44.

These revisions further detail the NYSCMP enforceable policies to be specific to the Peekskill LWRP and do not represent a substantial change.



New Enforceable Policies

The following Peekskill LWRP enforceable policies are new enforceable policies that were not previously in the NYSCMP: 7A, 19A, 19B, 19C, 19D, 27A, and 34A.

These new enforceable policies further detail the NYSCMP enforceable policies to create policies that are specific to the Peekskill LWRP and do not represent a substantial change.

Unchanged Enforceable Policies

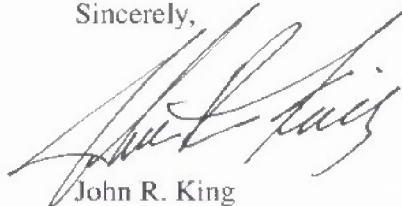
The following Peekskill LWRP enforceable policies are the same as the NYSCMP enforceable policies under 19 NYCRR, Part 600.5: 9, 10, and 13.

Inapplicable Enforceable Policies

The following NYSCMP enforceable policies do not apply and are not a part of the Peekskill LWRP: 3, 4, 26, 29, and 32.

In accordance with the Federal Coastal Management Regulations, 15 C.F.R. § 923.84, Federal Consistency will apply to the enforceable policies contained in the final City of Peekskill LWRP after you publish notice of our approval.

Sincerely,



John R. King
Division Chief

**RESOLUTION OF THE COMMON COUNCIL ADOPTING THE CITY OF
PEEKSKILL LOCAL WATERFRONT REVITALIZATION PROGRAM**

WHEREAS, the City of Peekskill initiated preparation of a Local Waterfront Revitalization Program (LWRP) in cooperation with the New York State Department of State, pursuant to Article 42 of the Executive Law; and

WHEREAS, a Draft Local Waterfront Revitalization program (DLWRP) and related local laws and zoning amendments were prepared by the Planning Commission and submitted to the Common Council;

WHEREAS, a Draft Generic Environmental Impact Statement (DGEIS) was prepared for the Draft Local Waterfront Revitalization Program in accordance with the requirements of Part 617 of the implementing regulations of Article 8 of the Environmental Conservation Law (SEQRA); and

WHEREAS, a DLWRP, including all proposed local laws and zoning amendments, and the DGEIS were circulated by the Department of State to appropriate local, county, state, and federal agencies in accordance with requirements of Executive Law, Article 42 and Part 617 of implementing regulations for Article 8 of the Environmental Conservation Law (SEQRA); and

WHEREAS, the Common Council held two (2) duly advertised Public Hearings on June 25, 2001 and September 24, 2001 in order to receive and consider comments on the DLWRP, DGEIS, and all local laws and zoning amendments; and

WHEREAS, a Final Generic Environmental Impact Statement was prepared, accepted, and properly filed and distributed by the City of Peekskill Common Council on January 13, 2003; and

WHEREAS, on December 22, 2003 the Common Council adopted the City of Peekskill Local Waterfront Revitalization Program State Environmental Quality Review Findings Statement; and

WHEREAS, on January 26, 2004 the Common Council adopted Local Law No. 2 of 2004, the City of Peekskill Local Waterfront Revitalization Program (LWRP) Consistency Law;

