

Town of Huntington Department of Maritime Services

Local Waterfront Revitalization Program (LWRP)

Consistency Assessment Form

(This form is to be completed only for those actions that lie within the Town's LWRP area.)

An applicant, seeking a permit, license, waiver, certification or similar type of approval from any Agency or Department of the Town of Huntington for a non-excluded action which is subject to a Town of Huntington Local Waterfront Revitalization Program (LWRP) must complete this form and submit it to the Agency along with the application for the action. This form is intended to assist the Town in determining if the proposed action is consistent with the policies and purposes of the Town's LWRP as required under Chapter 134 (Consistency Review Law) of the Town Code. Note: The Agency from which you are seeking approval will assist you in determining if your proposed action is located in an area subject to an LWRP consistency review. For further assistance please call the Town Department of Maritime Services at (631) 351-3192.

A. Applicant

1. Name: _____
2. Address: _____

3. Telephone: () _____ Fax: () _____

B. Proposed Action

1. Brief Description of Action: _____

2. Purpose of Action: _____

3. Location of Action (street address or Tax Map #): _____

C. Local Waterfront Assessment: Check either "YES" or "NO" to each of the following questions.

Note: The numbers(s) in parentheses after each question refers to the number of the LWRP policy(s) that the question pertains to. A copy of the thirteen LWRP policies and sub-policies should be provided to the applicant along with this form.

- | <u>1. Will the proposed action <i>result</i> in any of the following:</u> | <u>YES</u> | <u>NO</u> |
|--|------------|-----------|
| a. Large physical change to a site which will require the preparation of an environmental impact statement? (3,4,5,7,9)..... | ___ | ___ |
| b. Physical alteration of more than two acres of land along the shoreline, land under water, or a combination of both? (4,5,6,9,10)..... | ___ | ___ |
| c. Revitalization/redevelopment of a deteriorated or underutilized waterfront site? (1)..... | ___ | ___ |
| d. Reduction of existing or potential public access to or along coastal waters? (9)..... | ___ | ___ |
| e. Adverse effect upon the commercial or recreational use of coastal fish resources? (11)..... | ___ | ___ |
| f. Siting of a facility essential to the generation or transmission of energy? (13)..... | ___ | ___ |
| g. Mining, excavation, filling or dredging in coastal waters? (5,13)..... | ___ | ___ |
| h. Discharge of toxic/hazardous substances or other pollutants into coastal waters? (4,5,6)..... | ___ | ___ |
| i. Draining of stormwater runoff or wastewater into coastal waters? (5) | ___ | ___ |
| j. Transport, storage, treatment, or disposal of solid wastes or hazardous materials? (5,8)..... | ___ | ___ |
| k. Adverse effect upon land or water uses within the Town's harbors? (10)..... | ___ | ___ |
|
<u>2. Will the proposed action <i>affect or be located, in, on or adjacent</i> to any of the following:</u> | | |
| a. State or locally designated freshwater or tidal wetland? (6)..... | ___ | ___ |
| b. Federally designated flood and/or state designated erosion hazard area? (4)..... | ___ | ___ |
| c. State designated significant coastal fish and/or wildlife habitat? (6)..... | ___ | ___ |
| d. State designated or locally identified significant scenic resource/area (3) | ___ | ___ |
| e. State designated important agricultural lands? (12)..... | ___ | ___ |
| f. Beach, dune or barrier island? (4)..... | ___ | ___ |
| g. State County or local park? (9)..... | ___ | ___ |
| h. Historic resource listed on the National or State Register of Historic Places? (2)..... | ___ | ___ |
|
<u>3. Will the proposed action <i>require</i> any of the following:</u> | | |
| a. Waterfront site? (9,10)..... | ___ | ___ |

- b. Provision of new public services or infrastructure in undeveloped sections of the LWRP area? (1)..... — —
- c. Construction or reconstruction of a flood or erosion control structure? (4)..... — —
- d. State water quality permit or certification? (5)..... — —
- e. State air quality permit or certification? (7)..... — —

D. Additional Steps

1. If all of the questions in Section C are answered “NO” , your action or project most likely *is consistent* with the LWRP policies and sub-policies, although it will still be reviewed by the Town for LWRP consistency.
2. If any of the questions in Section C are answered “YES”, your action or project most likely *is not consistent* with the policies and purposes of the LWRP, and you are advised to consult the Town’ LWRP document and its policies/sub-policies to determine if your action is, or is not consistent (see “Note” below). In the space provided below, or on a separate sheet(s) you must provide the following assessment for each question in Section C that was answered with “YES”:
 - (a.) Identify, by policy or sub-policy number, which LWRP policies or sub-policies are affected by your project/action (policies and sub-policies numbers next to questions answered with “YES”).
 - (b.) Briefly describe and assess the effects of your project/action upon each policy or sub-policy identified in (a.) above.
 - (c.) State how the activity is consistent with (meets the requirements of) each policy or sub-policy identified in (a.) above.

Note: You may go back and modify your project/action and your application so that it is consistent with all of the LWRP policies/sub-policies. No approvals or permits will be granted/issued by the Town for projects or actions that are not consistent with the policies and purposes of the Town’s LWRP.

E. Alternate Assessment:

The Director of Maritime Services may deem a project/action to be consistent with LWRP policies and purposes and allow the issuance of a permit/approval, even if the action is not consistent with all of the individual LWRP policies and sub-policies, provided that:

- (1.) No reasonable alternative exists which would permit the action to be undertaken in a manner which will not substantially hinder the achievement of such LWRP policies and purposes.
- (2.) The action would be undertaken in a manner which would minimize all adverse effects on such LWRP policies and purposes to the maximum extent practicable.
- (3.) The action advances one or more LWRP policies and purposes
- (4.) The action will result in overriding Town, Regional or Statewide public benefit.

Note: It is the responsibility of the applicant to provide a written request to the Director of Maritime Services for a consistency determination based on the above requirements, along with an explanation/verification of how the requirements have been met.

F. Submission Requirements

A copy of this Consistency Assessment Form (CAF) must be completed and submitted to the Town Department or Agency from which you are seeking an approval or permit. Your approval or permit will not be granted/issued until your project/action is determined to be consistent with the policies and purposes of the Town’s LWRP.

G. Verification:

I certify that the information provided above is true and factual to the best of my knowledge:

Applicant/Sponsor Name: _____ Title: _____

Signature: _____ Date: _____

