SANDY POND BEACH

MANAGEMENT PLAN

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MANAGEMENT PLANNING TEAM

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A COOPERATIVE PARTNERSHIP BETWEEN
THE NYS DEPARTMENT OF ENVIRONMENTAL CONSERVATION
AND
THE NATURE CONSERVANCY

PREFACE

The narrow portion of sand spit now known as Sandy Pond Beach shelters North Sandy Pond from Lake Ontario in the Town of Sandy Creek, Oswego County, New York (figure 1: SLEOC map). The property comprises 2 parcels of sandy beach and dune immediately south of the channel that connects North Sandy Pond to Lake Ontario. The property has been purchased by The Nature Conservancy, and is to be managed by NYS Department of Environmental Conservation, Region 7, Division of Lands and Forests (DEC), with assistance from The Conservancy. The Nature Conservancy is a private conservation organization whose mission is to preserve the plants, animals, and natural communities that represent the diversity Of life by protecting the lands and waters needed for survival. Sandy Pond Beach represents the largest remaining undeveloped freshwater dune resource in New York, a high priority resource for protection by The Conservancy. This eastern Lake Ontario dune resource has also been identified as one of New York State's highest priorities for protection in the Draft New York State Open Space Plan (1994). The Conservancy has enlisted DEC partnership for management of the property in recognition of its high value for public beach recreation. This document will outline a management plan designed to protect the ecological system, together with its rare and significant elements, while providing for compatible public recreation. The plan has been developed to address both rules and regulations, and specific management activities to be carried out on these properties for a 10 year period, with a review and update due in 5 years.

This plan was prepared with the benefit of public input from its inception. Interested parties were invited to provide input into the planning process at an informational meeting held on December 13, 1994 in the Town of Sandy Creek. Over 100 people responded. At the meeting, the group separated into three smaller focus groups. Each group, with the help of a meeting facilitator, compiled a list of issues that needed to be addressed in the management plan. The lists were gathered and issues prioritized by the individual votes of each participant. Additional comments were received by both telephone and mail at the offices of the Department and The Nature Conservancy.

Further opportunities for public review of this document will be available in both formal (i.e., public hearings as required by the State Environmental Quality Review Act) and informal settings (i.e., at least 1 additional public information meetings). In addition, public participation will again be sought at such time as this plan is updated.

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need for society to adapt its activities to protect critical ecological processes. It is, therefore, necessary to develop a thorough knowledge of existing natural resources and the ecosystem processes which maintain and/or deplete them. Through such knowledge it is possible to formulate management proposals which accommodate public needs and desires while minimizing disruption of natural processes. Section III provides a preliminary inventory and assessment of the geography, geology, vegetation, wildlife, fisheries, wetlands, rare plants, animals and significant natural communities, and recreational opportunities of Sandy Pond Beach.

As previously noted, successful implementation of the ecosystem management philosophy requires not only knowledge of past public attitudes and policies toward the resource but current and anticipated future desires and patterns of resource use as well. Section III also attempts to describe and quantify, to the limits of our existing knowledge, the specific public resource demands presently placed upon the Sandy Pond Beach property, while Section IV provides a vision for the future based upon comments received during a public scoping session held in December, 1994. Section V provides a concise statement of the over-arching management goals for the property embodied by our vision statement.

Both the Department of Environmental Conservation and The Nature Conservancy recognize that our management practices need to be flexible in order that they may adapt to changes in social values, environmental conditions, available resource information, and knowledge. At the same time, it is recognized that our planning and management decision-making authority is bounded by agency policy and established law. Section III contains a summary of applicable State laws, rules, regulations and Department policies governing the administration and management of State lands.

In section VI we derive management objectives from our goals to use in evaluating alternative approaches to management. Our preferred alternative conservation strategy is presented in section VII in the form of a specific action plan, while section VIII sets forth our anticipated budgetary requirements.

The spit has changed and moved dramatically over the years. In the 1700s, French fur traders, moving along the lakeshore in search of a safe harbor, called the Sandy Pond dune barrier "*la famine.*" They could find no access to shelter and food on the mainland, just treacherous sandbars fronted by high, impassable dunes (Marie Parsons, pers. comm.). Later, at least one fishing shack once stood in the area, on one of the private parcels surrounded by the Conservancy property. As recently as 50 years ago, high forested dunes supporting a cottage existed where now wind-swept sand and low dunes lie (Bob Wells, pers. comm.).

The two parcels that constitute the property now occupy most of the northern mile of the South Spit. Before 1958 much of the property was north of the channel (Fig. 1: from p 71, Johnston 1989). New channels formed in 1958 and 1973, making the northern third of the property an island. Only since the former channel closed in 1977 has this property been intact to the south of the channel. Since that time new foredunes have developed on the lake side of the old channel sites to provide shelter for development of dense shrubby wetlands on the pond side, and broad sandy flats have alternately accreted and eroded around the channel itself.

In this century, Sandy Pond Beach has been called "The Point" or "The Boaters' Beach" by local residents. Although this has always been private property, casual public beach recreation has been a long-standing custom greatly valued by permanent and seasonal residents, as well as day-visitors. Some users expressed gratitude for the tolerance of the property owners, others had no idea who owned the land, while others abused the land with apparent unconcern for the fact that it was private property. The recent dramatic changes in topography have contributed to confusion by property owners and beach users alike about the ownership status of particular parcels. When property owners attempted to undertake management of their dune parcels, they found sustained control over abuse of the lands difficult to achieve.

It was in this context that the Groman family and the Ehle and Harnett families offered their two properties for sale. Having received a commitment from NYS Department of Environmental Conservation to manage the property with their assistance, The Nature Conservancy negotiated purchase for both properties in the summer of 1994, and closed on the purchases in December, 1994.

II. RESOURCE INFORMATION

Geographical and Geological Information

In 1989, NYS Department of State released *New York's Eastern Lake Ontario Sand Dunes: Resources, Problems, and Management Guidelines* (Johnston 1989). The following discussion draws heavily from that document and citations found therein.

The 17 mile long formation of freshwater dunes of which Sandy Pond Beach is a part originated after the retreat of the last glacier. As the glacier receded some 10,000 to 12,000 years ago, enormous volumes of meltwater created glacial Lake Iroquois, which extended far to the east and south of the current Lake Ontario shoreline. The entire Sandy Pond area was underwater at the time. Geologists recognize four distinct lake level stages following that. The third one, about 5000 years ago, is called the dune stage. Lake levels are believed to have been about thirty feet lower than today. This estimate is based on the existence of dunes 70 feet high, such as those south of the Sandy Pond Beach property, that could only have formed behind expansive beaches associated with much lower lake levels.

During the first five thousand years after the recession of the glacier, the eastern shore of Lake Ontario underwent considerable stream erosion. Also, the eastern shore was raised as it rebounded from the weight of the glacier more rapidly than the western region. The erosion provided a sand supply that was made available for dune formation by the differential tilting of the basin. The dune barrier present today was formed during this period. Subsequently, water levels rose again, and the tilt rate subsided. The southern shore eroded and the sands were carried eastward.

Although there is lack of agreement on the long term trend of sand supply to this dune barrier, two things are clear: 1) conditions no longer exist for the maintenance of high dunes - at least half of the high dunes at Sandy Pond have been reworked into low dunes since the time of the French traders; and 2) gravel deposits are becoming more prevalent in the southern portions of the dune barrier, while sand is accreting on the rocky beach north of the dune barrier in Jefferson County. There is some concern that sources of sand to replenish the dunes will diminish, exposing currently protected bays and wetlands to the erosive power of Lake Ontario.

Dune Form and function

Coastal dunes form in the presence of three elements: sand supply, waves and winds to move the sand upshore, and vegetation to inhibit the velocity of winds. On the eastern shore of Lake Ontario, sand supplies remain sufficient at this time for the initiation of foredunes in the area of Sandy Pond Beach. Prevailing northwest, west, and southwest winds of sufficient velocity (12 mph or more) move sand upshore until it meets a barrier. The predominant barrier is colonizing vegetation, especially American beachgrass. These and other characteristic plants act in the same way as snowfencing: wind velocity drops below the threshold 12 mph, and the sand burden drops. Over time, a dune accumulates and, in the absence of high lake levels and erosive storm waves, is stabilized. In this way, a dune barrier is positioned in equilibrium with the lake, frequently eroded during high water and high energy events, only to rebuild during periods of lower water and calmer weather. The toe, or lakeward beginning of the foredune, in any given year will correspond to the highest reach of storm waves over the past year or two.

The process is complicated by a great many other factors, including the condition of the barrier and shape of current dunes, regulation of lake levels, storm patterns, width of the beach, and slope of the beach and nearshore sandbars. A fuller description of this process can be found in Johnston (1989).

While white sandy beaches are greatly prized for recreation, the beach/dune resource at Sandy Pond Beach also has an ecological function of great value to the human community. Such a resource is frequently referred to as a barrier (see figure 3) because it shelters leeward features from the high energy storm waves, in this case, of Lake Ontario. The still waters of North Pond and the quiet upland shores on its east side result from the protection afforded by the dune resource. The protected anchorage supported by several marinas, the warm water fishery of the pond, and wetlands supporting waterfowl and rare species all depend on the existence of the dune barrier. Because of the dunes, the eastern shore of Lake Ontario features the most extensive array of ponds, embayments, streams, and wetlands on the entire shoreline.

Vegetation

Sandy Pond Beach supports an intact freshwater dune community, with American beachgrass (*Ammophila breviligulata*) and eastern cottonwood (*Populus deltoides*) trapping sand at the upper limit of storm waves. These plants grow up through accreting sand and send networks of roots throughout the mass to hold the accreted sand in place as dunes. These foredunes shelter the interior dunes beyond,

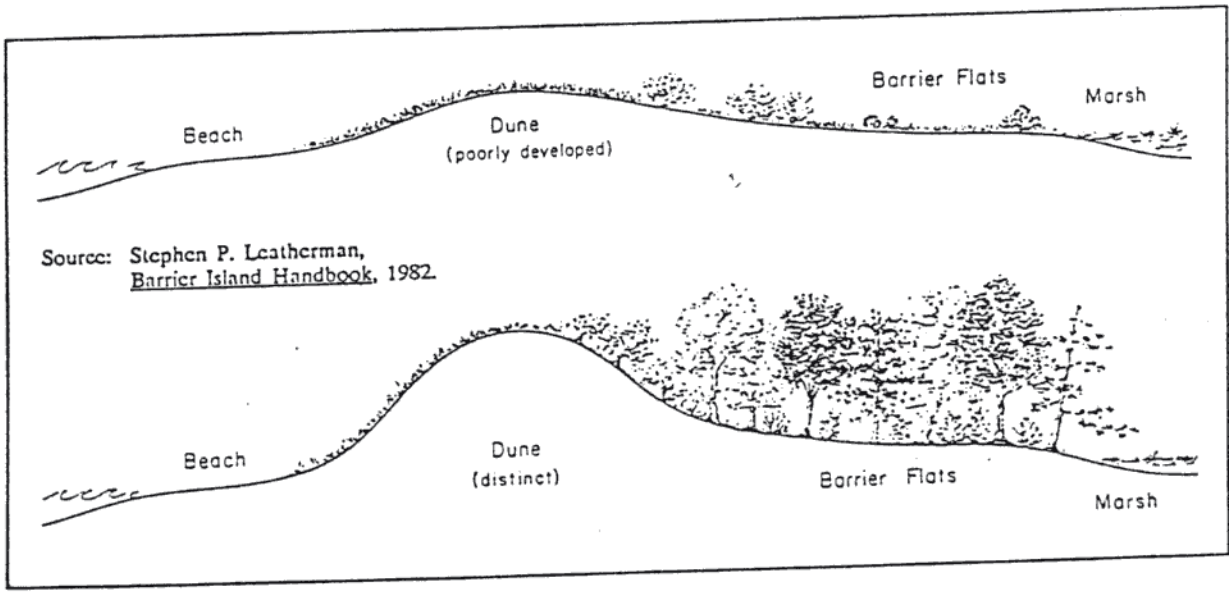


Figure 3. Typical Dune Barrier Cross Section

and contribute shade and organic litter to create growing conditions favorable to a greater variety of plants.

The interior dunes are characterized by a patchy arrangement of poison ivy (*Toxicodendron radicans*), wild grape (*Vitis riparia*), and red raspberry clones (*Rubus ideaus*), alternating with declining stands of beachgrass and taller cottonwoods. A variety of wildflowers such as goldenrods (*Solidago* spp.) and bouncing bet (*Saponaria officinalis*) colonize drier areas, while graminoids such as Canada bluegrass (*Poa compressa*) and Baltic rush (*Juncus balticus* ssp. *litoralis*) flourish in moister areas.

On the pond side of the dunes, vegetation varies from the brushy interior dune vegetation described above in undisturbed, dry areas, to sparse beachgrass-dominated stretches where visitor traffic is intense, to wet swales dominated by low willow shrubs (*Salix* spp.) which visitors find inhospitable (vegetation description after Bonanno 1992). Purple loosestrife (*Lythrum salicaria*) has invaded the shrubby wetlands to some extent, and the shore on the pond side features several clones of giant reed (*Phragmites australis*), which have expanded rapidly in recent years.

Surface Water Resources

North Pond has a shoreline of roughly 11.4 miles and contains approximately 2,750 acres of open water area. The pond has a maximum north-south length of about 3.4 miles and a maximum east-west width of about 1.5 miles. The pond is connected to Lake Ontario by a shallow, constantly shifting inlet flanked on both sides by barrier spits that separate the pond from the lake. Principal tributaries to North Pond are Skinner, Lindsey, Mud, Blind and Little Sandy creeks. Of these several tributaries, Little Sandy Creek drains the largest area before emptying into North Pond.

The state water quality classification for North Pond is "B", while its tributaries are classified as "C" near their connections with North Pond. Lake Ontario is classified as "A". The "best uses" of class "B" waters include: "primary contact recreation and any other uses except as a source of water supply for drinking, culinary or food processing purposes". "Best uses" of waters classified as "C" include: "suitable for fishing and all other uses except as a source of water supply for drinking, culinary or food processing purposes".

Offshore of the Sandy Pond Beach properties, the bottom of Lake Ontario is sandy and slopes gently to a 12 foot depth about 1500 feet offshore. North Pond is predominantly shallow with depths of 10-12 feet over most areas. Near shore and in the several coves, depths are usually only 2-4 feet with rock outcrops in several

locations. Maximum depth is approximately 12 feet. The bottom is composed of fine grained muds except near the barrier spits and the inlet where a sand interface occurs.

Fisheries Resources

North Pond provides important habitat for both pond and lake-based fisheries. The dense beds of submerged aquatic vegetation, relatively good water quality, sandy substrates and tributaries create favorable conditions for spawning and nursery use by many species. Several independent studies of the North Pond fisheries resource have found the overall abundance of fish in the pond to be among the highest of any location in eastern Lake Ontario. Previous studies have documented at least 20 warmwater species in the area including gizzard shad, brown bullhead, white perch, yellow perch, largemouth bass, pumpkinseed, bluegill, rock bass and northern pike. North pond is a major concentration area for yellow perch in Lake Ontario; the population overwinters and spawns from late April to July in the pond. Concentrations of white sucker, smallmouth bass, alewife and various salmonid species occur in North Pond prior to and after spawning runs in the major tributaries. The abundance and diversity of fisheries resources in the pond provides important opportunities for recreational fishing.

In the early to mid-1980's, DEC's Division of Fish and Wildlife carried out a program to determine the feasibility of restoring Atlantic salmon to Lake Ontario. Little Sandy Creek and Lindsey Creek are among the three lake tributaries that have been stocked with Atlantic salmon in an effort to establish a viable spawning stock. Because of competition with other species, however, these efforts have so far been unsuccessful. Currently, an experimental stocking of pond fingerling walleye is contemplated in North Pond.

Wildlife Resources

As noted above, the Sandy Pond Beach area serves as a major concentration area for a variety of fish species, and has been classified by the Department of State as a Significant Coastal Fish and Wildlife Habitat. A habitat is considered significant if it serves one or more of the following functions: 1) is essential to the survival of a large portion of a particular fish or wildlife population; 2) support populations of species that are endangered, threatened or of special concern; 3) supports populations having significant commercial, recreational or educational value; and 4) exemplifies a habitat type that is not commonly found in the state or in a coastal region. Also, the significance of certain habitats increases to the extent they could not be replaced if destroyed.

The dune barrier has particular value for migrating songbirds (The Nature Conservancy, in prep.), migrating raptors (G. Smith, pers. comm.), common nesting songbirds, migrating and nesting shorebirds, and a variety of waterbirds. Experienced birders have identified areas of particular value as follows:

1. Damp sand flats immediately adjacent to the channel are especially valuable to spring and fall migrating shorebirds. These species nest in the arctic and winter in Central and South America. The eastern Lake Ontario dune barrier is an important stopover between James Bay and Delaware Bay during fall migration, which extends from July through November. The sand flats are also important to Spotted Sandpiper (*Actitis macularia*) as breeding areas, and to Caspian and Common Terns (*Sterna caspia, S. hirundo*, resp.) as areas to rest, feed, and rear their young.

2. The shrubby wetlands are a rich resource for migrating songbirds. Particularly in the spring, migrants find a rich source of high protein insect food and good cover in the low willow shrubs. Appendix I provides a list of 29 species observed on the site during the spring migration in 1993-1994 (Agard et al., in prep). Twenty-six species of brush and forest-nesting birds have been reported nesting in similar undisturbed interior dunes on the eastern shore of Lake Ontario (Bonanno and Smith 1991).

The dunes are also known to support white-tailed deer, coyote, red fox, striped skunk, cottontail rabbit, and a variety of small rodents. The uncommon prairie deer mouse (*Peromyscus maniculatus bairdii*) has been reported from the Sandy Pond dunes (Gordon 1986). Snapping turtles lay their eggs in dune sand.

Wetlands

The wetlands located on the Sandy Pond Beach properties provide fish and wildlife habitat, absorb water pollutants, buffer storm and wave energy, and provide other ecologically important functions. Article 24 of the Environmental Conservation Law protects wetlands over 12.4 acres in size and smaller wetlands of unusual local importance. One state regulated wetland (EL-4, 22.3 acres, class II) occurs on the property, as well as a second smaller one. Both wetlands are characterized by low

scrub shrub vegetation located on the pond side of the spit in areas formerly occupied by the last two channels, as mentioned above. Class II wetlands provide important wetland benefits, the loss of which is acceptable only in very limited circumstances.

Rare Plants, Animals and Significant Natural Communities

The Nature Conservancy's Heritage network specializes in conducting inventories of rare plants, rare animals, and rare or exemplary ecological communities, in order to identify the most sensitive resources of an area. The New York Natural Heritage Program (Heritage) is supported by the NYS Department of Environmental Conservation, The Nature Conservancy, and a variety of grant and contract monies, and is one of 50 such state programs nationwide. A description of the Heritage method, together with an explanation of Heritage rating methods and codes is provided in Appendix II. Definitions of New York State and federal legal status codes are provided there as well.

Both the Significant Habitat and Natural Heritage Program files were reviewed with respect to the Sandy Pond Beach property. The listing below summarizes the results of that review:

Significant Natural Communities
Great lakes Dunes G3G4/S1S2

Significant Habitats
Warm Water Fish Concentration
Waterfowl Concentration Area

Rare Animals and Plants

Species	Heritage Rank	NY Status	US Status
Chlidonias niger (Black Tern)	G4/S2	SC	C2
Sterna hirundo (Common tern)	G5/S3	T	C2NL
Charadrius melodus (Piping Plover)*	G3/S2	E	LELT
Salix cordata (dune willow)	G5/S1	T	--

*(This species extirpated)

In addition, a number of Exploitably Vulnerable plant species occur on the property, as well as a variety of protected birds. The removal of plants or other natural materials from State lands is prohibited by statute. Violations of section 9-1503 of the Environmental Conservation Law (ECL) will result in fines of up to $25 per plant illegally taken.

Recreational Opportunities

Sandy Pond Beach has long been popular for casual beach recreation. Public access has been by boat, on foot up the beach from the south, and by truck or ORV. The Ontario Dune Coalition documented recreational use of much of the dune barrier in 1988, 89, and 90. During 1988 and 89, data were recorded specifically for the undeveloped mile of spit immediately south of the channel at Sandy Pond, most of which now comprises Sandy Pond Beach. Observers walked the resource on random dates between Memorial Day and Labor Day, counting visitors and their boats. Data are summarized as people/mile/hour, a relative measure that allows comparison of use intensity among various portions of the barrier. When considered over an entire summer season, assuming 11 hours/day, 15 weeks, an average of one observation/mile/hour becomes the equivalent of over 1000 one hour visits per season. The following table compares use on this property to beach/dune use on adjacent cottage beaches, a state park, and Deer Creek Wildlife Management Area (Bonanno 1988, Schrader 1989, and unpubl. data).

Table 1. Recreational use of eastern Lake Ontario beach/dune areas in 1988-89, daylight hours, Memorial Day to Labor Day. Data are means for both years (people), and for 1988 only (boats). Means are weighted to account for different use patterns between weekdays and weekend/holiday days.

Resource Area	People/mile/hour	Boats/mile/hour
Southwick Beach State Park, south of Concession Stand	358	0
Sandy Pond Beach	59	26
Sandy Pond South Spit Cottage Area	12	>1
Deer Creek WMA	34	1

The data for Southwick Beach State Park include the guarded swimming beach south of the concession stand, together with adjacent undeveloped beach and dunes, a 0.25 mile stretch of barrier. Clearly, even with no practical access except by boat, Sandy Pond Beach received far less use than the intensively used state park, but over five times as much activity as the adjacent cottage development on the spit, and considerably more than the undeveloped state beach at Deer Creek. Boats in this study were those beached or anchored in shallow water near shore. The boat data illustrate sharply how valued boat access has been at Sandy Pond Beach.

In addition to boat-accessed beach and water-based day use, Sandy Pond Beach provides opportunities for hiking, nature study, and bird observation. Limited waterfowl hunting is available from the pond side shoreline. The spit is narrow, and not amenable to camping or use by vehicles of any kind. There are no facilities on the property, and the intent is to maintain the property in an undeveloped, natural condition. Southwick Beach and Selkirk Shores State Parks provide developed beach and water-based recreational opportunities within a few miles to the north and south of Sandy Pond Beach.

III. RESOURCE DEMANDS & MANAGEMENT CONSTRAINTS

Resource Management Authority and Constraints

The Sandy Pond Beach Management Plan has been developed in accordance with the Environmental Conservation Law, New York Code of Rules and Regulations, and applicable policies and procedures for the administration of State lands as promulgated by the Department of Environmental Conservation under the authority granted in appropriate sections of the ECL.

The following is a list of applicable State laws, rules, regulations and Department policies governing the administration and management of State lands.

Environmental Conservation Law (ECL)

Article 8	State Environmental Quality Review Act
Article 9	Lands and Forests
Article 11	Fish and Wildlife
Article 15	Water Resources
Article 23	Mineral Resources
Article 24	Wetlands
Article 33	Pesticides
Article 34	Coastal Erosion Hazard Areas
Article 51	Implementation of Environmental Quality Bond Act of 1972
Article 52	Implementation of Environmental Quality Bond Act of 1986
Article 71	Enforcement

New York Code of Rules and Regulations (NYCRR)

Title 6

Chapter I	Fish and Wildlife
Chapter II	Lands and Forests
Chapter III	Air Resources
Chapter IV	Quality Services
Chapter V	Resource Management Services
Chapter VI	Coastal Erosion Management Regulations
Chapter VII(A)	Implementation of EQBA of 1972
Chapter X	Division of Water Resources

Parks, Recreation, and Historic Preservation Law

Article 14

Chapter 354 Cultural and Historic Resources

Department Policies

Public Use	State Forest Master Plan
Temporary Revocable Permits	Inventory
Motor Vehicle Use	Acquisition
Unit Management Planning	Fish Species Management
Pesticides	Habitat Management
Prescribed Burning	Wild Species Management

Public Resource Demands

Demands placed upon the coastal barrier system are myriad and increasing continuously. What follows is an attempt to describe and quantify, to the limits of present knowledge, the specific resource demands impacting the Sandy Pond Beach property.

Public Use and Recreation

Sandy Pond Beach lies in the context of a regionally important recreation area. The shores of both North and South Sandy Ponds are ringed with residences, the majority of them seasonal. Sandy Pond supports several marinas, which cater to seasonal and permanent residents and day-users. Sport fishing is important to the local economy. Examination of mailing addresses of Town of Sandy Creek property owners west of NY Route 3 reveal that people come from considerable distances to enjoy Sandy Pond. Significant constituencies reside in the Syracuse, Rochester, and Binghamton metropolitan areas, as well as extended family members scattered throughout the northeast and southeast. Many of them have made it clear that access to Sandy Pond Beach is integral to their enjoyment of their pond area property.

Property owners and all interested parties were invited to provide input to this management plan on December 13, 1994. Over 100 people responded. At the meeting, the group separated into three focus groups. Each group assembled on newsprint a list of issues/questions that need to be addressed in the management plan. The lists were gathered and issues prioritized by the individual votes of each participant.

Between meeting participants and those who wrote or called, nearly 600 votes or comments were received. The two highest concern priorities identified by respondents were public access (44% of the votes) and protection for the dunes and wildlife habitats (21%). A summary of public comments was mailed to all respondents, and is provided here as Appendix III.

Rare, Threatened, and Endangered Species

The Nature Conservancy's expressed interest in the property is the preservation and restoration of the globally rare Great Lakes Dune community, and its associated rare plant population (i.e., dune willow), as well as the dynamic natural sand accretion and erosion cycle that maintains it; and the maintenance of regionally important habitats for migrating landbirds, shorebirds, and raptors, resting and feeding terns and other waterbirds, and breeding birds. The people of New York State have similarly recognized the importance of biological diversity and have expressed their collective desire for the stewardship of our biotic resources in sections 11-0535[1]-[2], 11-0536[2],[4] (endangered and threatened species of fish and wildlife), and section 9-1503 (protected native plants) of the Environmental Conservation Law.

The scientific literature has documented the severe negative impact of human and vehicular traffic on dune vegetation (*e.g.*, Bonanno 1992, Boorman and Fuller 1977, Bowles and Maun 1982, Brodhead and Godfrey 1977, Carlson and Godfrey 1989, Hosier and Eaton 1980, Hylgaard and Liddle 1981, McAtee and Drawe 1981 and 1982, Nickerson and Thibodeau 1983, Slatter 1978). That the single most effective dune restoration technique is to eliminate human traffic has been demonstrated at Indiana Dunes National Lakeshore and at Crane Reservation in Massachusetts, among other places.

Similarly, activities of beach users and especially dogs, restrict the usefullness of feeding and resting habitat by shorebirds, terns, and gulls (Burger 1981 and 1986, Flemming *et al.*, 1988, Furness 1973, Laskowski *et al.*, 1993, Pfister and Harrington 1992, Primack 1980, Senner and Howe 1984). The ever changing damp sand flats immediately adjacent to the channel have been identified as the most important habitat for these sensitive bird uses.

Piping Plover (*Charadrius melodus*) is especially intolerant of human beach users. This species nested historically at Sandy Pond Beach, but hasn't been seen there in over ten years. With intensive management, Piping Plover can breed successfully on beaches used for recreation (*e.g.*, Crane Reservation), but the likelihood of a natural nesting attempt at Sandy Pond Beach is judged to be low. No special management for this species is judged advisable at this time.

IV. VISION FOR THE FUTURE

Central to the planning process is the need to identify and assess conservation strategies to protect the long-term integrity and traditional uses of the barrier system in general, and the Sandy Pond Beach property in particular. But what constitutes long-term integrity and traditional uses, and what do the people who live in and use the barrier system want it to look like for their children and grandchildren? The joint DEC - TNC planning team, with information provided by the public, undertook the development of the following vision statement and goals:

> "We envision the Sandy Pond Beach properties remaining open for public use throughout the 21st century and beyond. While we see a unequivocal need to set aside some lands in restricted areas to protect critical habitats for flora and fauna, we also conceive many possibilities for the provision of much needed and convenient recreational opportunities. Protection and restoration of the dunes and breeding and migratory bird habitat are key components of this plan. Non-degradation of these features shall be the primary emphasis in management of the property."

V. RESOURCE MANAGEMENT GOALS

Sandy Pond Beach was acquired by The Nature Conservancy for its important ecological rarity, with respect for its recreational and economic value to the people of Sandy Creek, Oswego County, and the State of New York. The management goal for Sandy Pond Beach is to preserve and protect both the ecological and cultural values of the dune resource, specifically:

1) To protect and restore the dunes and dune formation processes,

2) To protect feeding, resting, and nesting habitats for a wide variety of migrating and breeding birds,

3) To provide compatible public access.

VI. RESOURCE MANAGEMENT OBJECTIVES

General

Our shared vision for the future and the over-arching management goals embodied in that vision provide the overall direction and framework for the management of Sandy Pond Beach. The following objectives have been derived from the management goals, and provide the basis for evaluating alternative management actions proposed to achieve the goals of management. Each objective has been aligned with the management goal it best supports.

GOAL 1: ***To protect and restore the dunes and dune formation processes.***

Objectives:

a. Execute purchase of the property by DEC as soon as funds become available.

b. Provide for access to the beach on the lakeshore from the pondshore in a manner which provides for the protection of the dunes between.

c. Restrict access where necessary to protect the dunes.

d. Undertake actions to initiate sand accretion where foredunes are compromised.

e. Provide for the stabilization of accreting sand on foredunes.

f. Revegetate exposed secondary dunes and discourage trampling.

g. Monitor progress of dune stabilization/protection efforts.

GOAL 2: ***To protect feeding, resting, and nesting habitats for a wide variety of migrating and breeding birds.***

Objectives:

a. Restrict access where necessary to protect breeding and migratory bird habitat.

b. Maintain and improve habitat for shorebirds, terns, and migrant landbirds.

c. Manage the wildlife resource for both consumptive and non-consumptive use in accordance with proven and accepted conservation practices and legal constraints.

d. Control invasive non-native plant species.

e. Monitor problem species and problem ecosystems.

f. Employ a regional perspective in considering biological diversity. Consider interrelationships with the entire coastal barrier system in planning and managing.

GOAL 3: To provide compatible public access.

Objectives:

a. Establish and mark property boundaries and develop working agreement with neighbors regarding trespass and restricted areas.

b. Accommodate and provide for the broadest spectrum of public uses compatible with existing natural resources consistent with established law, and the twin goals of protecting and restoring the dunes, and breeding and migratory bird habitat.

c. Selectively acquire in-holdings and additional fee title or easement interests in contiguous properties from willing sellers, when they become available for sale.

d. Develop interpretive materials to foster visitor cooperation and appreciation.

e. Define and explain limitations on visitor activities and post the information in a positive way.

f. Provide a combination of positive on-site seasonal staff presence, volunteers, and law enforcement personnel to elicit cooperation with established rules, regulations, and laws.

VII. RESOURCE MANAGEMENT ACTIONS

Action Plan

The management objectives for the Sandy Pond Beach properties will be accomplished through the implementation of a wide array of specific management actions. If a proposed management action will affect an adjoining landowner, whether public or private, notification and coordination of activities will be required. Specific management actions are listed below, alongside both the management objective they seek to achieve and the goal that achievement of the combined objectives is intended to satisfy. Also specified is the agency responsible for carrying out the action, and a schedule of activity, though factors such as budget constraints, staffing, resource protection problems, etc., may necessitate deviations from the schedule.

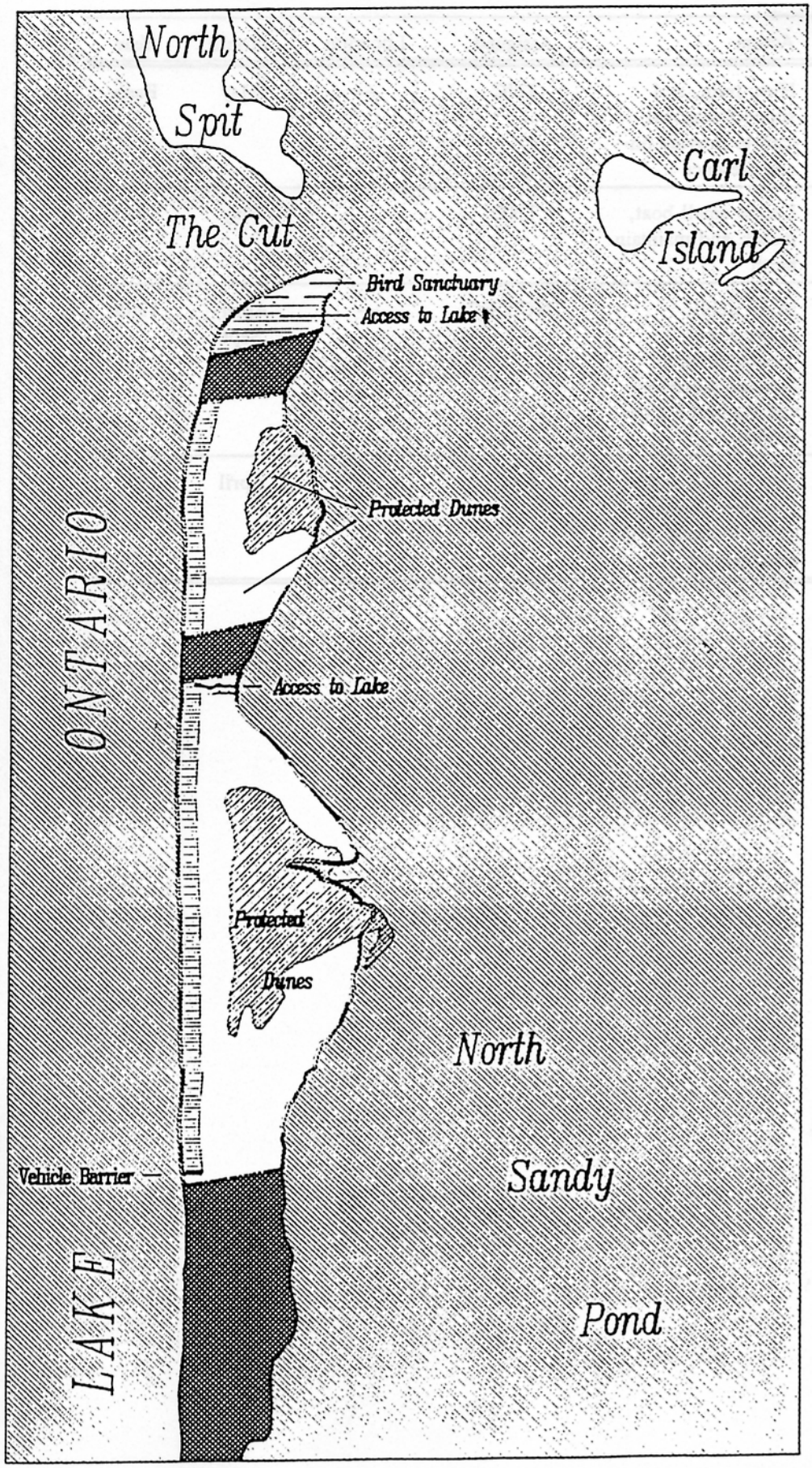
Goal	Objective	Action	Assigned	Location	Month	Year
1	a	Complete Department purchase of properties as soon as funds become available.	DEC	All	---	---
	b	Construct one sturdy, elevated walkover by which visitors may pass from the pond shore and the beach.	TNC/DEC	See Map "A"	May	1995
	c	Install string fencing along toes of dunes	DEC	See Map "A"	May	1995
		Install restricted area signs behind string fencing	DEC	See Map "A"	May	1995
	d	Install sand fencing along compromised areas of foredunes	DEC	See Map "A"	Sept.	1995
	e	Plant American beachgrass behind sandfencing	TNC/DEC	See Map "A"	Oct.	1995
	f	Plant shrubs to revegetate exposed secondary dunes	TNC/DEC	See Map "A"	Oct.	19951

Goal	Objective	Action	Assigned	Location	Month	Year
1	g	Establish permanent photo-points to monitor progress of stabilization efforts	TNC	See Map "A"	June	1995
2	a	Install string fencing along restricted area	TNC/DEC	See Map "A"	May	1995
		Install informational and restricted area signs behind string fencing	DEC	See Map "A"	May	1995
	d	Initiate removal of purple loosestrife from wetlands	TNC/DEC	See Map "A"	---	Each
		Remove phragmites from pond shore once visitor traffic patterns are changed	TNC/DEC	See Map "A"	---	Each
	f	Establish bird monitoring protocols	TNC	---	Sept	1995
3	a	Identify and mark boundaries	DEC	See Map "A"	May	1995
		Meet with adjoining landowners	TNC/DEC	---	April	1995
	c	Selectively acquire additional fee title or easement interests in contiguous properties from willing sellers	TNC/DEC	---	---	As available
	d	Construct and place signs and other interpretive materials to gain public cooperation and appreciation of ecological values	TNC/DEC	See Map "A"	May	1995
	e	Install interpretive signs along walkover/restricted areas/etc.	TNC/DEC	See Map "A"	June	1995

Goal	Objective	Action	Assigned	Location	Month	Year
3	f	Hire, train, and support seasonal staff to provide on-site presence	TNC	---	May	Each
		Locate small boat, motor, and maintain berth	TNC	---	May	1995
		Make public information presentations to increase awareness and support for the project	TNC/DEC	---	April-Sept	1995
		Develop and foster volunteer support group to assist with management	TNC	---	April	1995

SANDY POND BEACH

NATURAL AREA



LEGEND

- Private Property NO TRESPASSING
- Public Use Areas
- Regulated Wetlands
- TNC Property
- Restricted Area Boundary
- Walkover to Lake
- Vehicle Barrier
- Open Water

N
W E
S

Scale : 1" = 1000 feet

The Nature Conservancy

July 1995

Special Rules and Regulations

The term "carrying capacity" is used by resource managers to refer to the level of use or extent of modification that a particular environment can bear without experiencing unacceptable degradation. Concerns over the capacity of the natural resources of the Sandy Pond Beach properties to accommodate public use without being damaged to the extent that important natural values are lost are reflected in public comments and embodied in our vision and goals. Our objectives recognize that some sections of the properties are more sensitive to human disturbance than others (i.e., the sand dunes, wetlands and overwash flats), and some sections (i.e., the beaches) have a greater capacity than others to accommodate use.

Dune Protection

The shoreline of North Pond is protected by the coastal barrier, of which the Sandy Pond Beach properties are a part, from the high energy wind and waves generated in Lake Ontario. As a result, North Pond provides a relatively sheltered environment for boating activities. Several residential areas on the North Pond shoreline, including areas on the pond side of the Sandy Pond Beach properties, however, fall within coastal flood hazard areas and are subject to periodic flooding (but not to damaging wave action). On the other hand, the Sandy Pond Beach properties are subject to continuing erosion and potential flood hazard and, as such, are classified as a Coastal Erosion Hazard Area.

Barrier erosion and long-term movement of portions of the barrier is a natural phenomenon that contributes to the continued growth and existence of the barrier. Erosion of sand dune formations and possible breaching of the barrier during severe storms, however, could have significant negative impacts on the natural values currently provided by the barrier system. The Sandy Pond Beach properties are sensitive to human disturbances that can hasten and exacerbate the effects of natural forces. In fact, most of the damage taking place on the properties today is not caused by storms and other natural processes, but by people. The sand dunes are particularly vulnerable to human disturbance. Walking over dunes to get to beach areas and climbing on the dunes have damaged fragile stabilizing vegetation and accelerated erosion of the dunes and loss of the natural protective functions that the dunes provide. It may take years for stabilizing plants to become established on the dunes. When dune vegetation is damaged or removed, wind-induced erosion can prevent its regrowth, enlarge the damaged area and result in dune "blowouts". In addition to the destabilization impacts caused by people walking through or climbing over the sand dunes, the use of all-terrain vehicles (ATV's) is one of the most damaging human activities in the dune system, causing impacts that may persist for years. The Sandy Pond Beach properties have been particularly damaged by trespassing ATV's over the years. Winter snowmobile traffic also contributes to dune destabilization by destroying vegetation.

Just as the dunes on Sandy Pond Beach must be protected from the potentially destructive forces of wind and waves they must also at times be protected from those among us who wish to use (or rather, misuse) them. Recreational over-use and outright abuse (i.e., vandalism), is a very real problem on State lands in the eastern Lake Ontario coastal barrier system. Protecting the resource and providing for public safety is a primary function of the Department's Forest Ranger staff, and law enforcement must be viewed as an important component in a comprehensive dune protection program. Article 9 of the Environmental Conservation Law authorizes the Department to make necessary rules and regulations to enforce and prohibit improper use of state lands.

Fish and Wildlife Protection

The possible loss of fish and wildlife habitat as a result of human disturbances in the sand dunes and overwash flats are of concern for a number of reasons. First of all, the same resources that provide this habitat, including the wetlands and sand dunes, provide other natural values as well. If these resources are degraded for fish and wildlife habitat, the overall environmental quality of the North Pond area will be affected. Also, the fish and wildlife habitat provides important recreational and scenic values that are important to the existing character and quality of life in the area.

The activities of recreationists and their pets on the shoreline, and particularly on the overwash flats, can conflict with shorebirds and other wildlife populations as well as with natural plant communities. Because of the narrowness of the barrier beach in some areas, nesting and migrant shorebirds can not coexist with recreational activities. Due to loss of habitat and disturbance of feeding and breeding activities, the Piping Plover (now considered an endangered species in New York), and the Common Tern (considered a threatened species) no longer nest in the eastern Lake Ontario barrier system. The sand flats on the north and south spits at North Pond provide some of the most valuable shorebird and migratory bird habitat in the eastern Lake Ontario region. Human activities can result in adverse impacts on plant community composition and structure, including the destruction of rare species and the introduction of non-native species such as purple loosestrife and phragmites. Thus the need for a visitor management program to route visitor traffic and concentrate recreational use away from these sensitive ecological areas.

Public Access

Balancing concerns for public access with concerns for natural resource protection is an integral component of this planning process. We began with the realization that balanced use for recreation and wildlife cannot be achieved for all areas and at all times on the Sandy Pond Beach properties, and the most valuable habitat areas would need to be restricted from recreational use, as would the dunes. Therefore, in addition to the existing laws, rules and regulations governing the use of

State lands in New York, it became necessary to establish a small number of rules specific to the Sandy Pond Beach properties and their unique requirements as follows:

1. The properties shall be open to public use beginning one-half hour before sunfise to one-half hour after sunset.

2. Camping is prohibited.

3. Open campfires are prohibited, though self-contained heaters (i.e., Coleman stoves, sterno cans, etc.) are permitted.

4. Use and operation of all motorized, wheeled or tracked vehicles on the dunes and beaches, and in adjacent waters is prohibited. These shall include but not be limited to: A.T.V.'s, automobiles, trucks, snowmobiles, motorcycles, fixed wing aircraft, and helicopters.

5. Trespassing of unauthorized persons into restricted areas is prohibited. Pedestrian cross-over of the dunes is prohibited except at designated walkover structures.

6. Birds, and all other wildlife found upon the spit, shall not be harassed, molested, trapped, hunted, or killed (except in the case of duck hunters in the legal pursuit of their sport and in possession of a valid NYS license).

7. Dogs must be kept on a leash.

8. Glass containers are prohibited.

Temporary Revocable Permits

The Department recognizes that there are occasions when it is in the best interest of the State to grant permission for the use of State lands to individuals or organizations to carry out projects and activities which are appropriate to such land. It is therefore the policy of the Department to issue permits for the use of State lands if, in the opinion of the Department, such use is within applicable legal parameters, is compatible with the existing resource and its management objectives, is of short duration (i.e., under one year) and is otherwise in accordance with stated guidelines and policy.

Authority for the issuance of temporary use permits is provided by Articles 9 and 11 of the Environmental Conservation Law for forest preserve, reforestation areas, and wildlife management areas. The provisions of Article 3 of the Environmental Conservation Law provide the general authority to issue such permits for other lands under the Department's jurisdiction. However, deed restrictions or other legal considerations may prevent or constrain the issuance of such permits.

VII. BUDGET REQUIREMENTS

1. Annual

A. Maintenance

Action	Units	Estimated Cost[1]	Staff Days	
			Professional	Technical
Replace damaged sandfencing along foredunes	As needed	$150.00	0.25	2
Relocate signs/fencing designating restricted area along channel.	500 feet	---	0.25	1
Replace damaged string fencing along restricted areas	As needed	$150.00	0.25	1
Replace/repair sections of walkover requiring such	As needed	---	0.25	5
Maintain boundary lines	As needed	---	0.00	1
Maintain vehicle barrier	As needed	---	0.00	2

B. Administration

Action	Units	Estimated Cost	Staff Days	
			Professional	Technical
Coordination with other agencies	--	--	2	--
Coordination with public user groups	--	--	6	--
Supervision, training, reporting	--	--	5	--
Law enforcement	--	--	20	90

[1]Maintenance costs are projected to rise at an annual rate of 4% over the life of this management plan due to inflation.

2. Periodic

A. Fiscal Year 1995

Project Type	Action	Units	Estimated Cost	Staff Days	
				Professional	Technical
Fish and Wildlife	Install string fencing	1000 feet	$400.00	0.5	4
Maintenance	Survey boundary lines	2.0 mi	$10,000.00	5.0	10
Rehabilitation	Install sand fencing	500 feet	$300.00	1.0	4
	Plant beachgrass	0.5 ac	$4,000.00	0.5	4
	Plant shrubs	0.5 ac	---------	1.0	4
	Install string fencing	10,000 ft	$4,300.00	0.5	6
Capital	Construct dune walk-over	1 structure	$27,000.00	5	20
	Construct entry signs	2 signs	$2,000.00	2	5
	Install interpretive signage on walkover	1 sign	$3,000.00	0.5	1
	Install vehicle barrier	1 barrier	$1,000.00	1	2
	Design, produce, install custom boundary signs	100 signs	$1,000.00	0.5	2
	Develop and procuce informational brochure	1 0 0 0 brochures	$5,000.00	2.5	0
Total 1995	----------	-------	$58,000.00	19.0	60

B. Fiscal Year 1996

Project Type	Action	Units	Estimated Cost	Staff Days	
				Professional	Technical
Fish and Wildlife	Remove purple loosestrife/phragmites	0.5 ac	--------	0.33	2
Rehabilitation	Plant beachgrass	0.5 ac	$4,160.00	0.33	4
	Plant shrubs	0.5 ac	--------	0.33	3
Total 1996	----------	----------	$4,160.00	1.00	9

C. Fiscal Year 1997

Project Type	Action	Units	Estimated Cost	Staff Days	
				Professional	Technical
Fish & Wildlife	Remove purple loosestrife/phragmites	0.5 ac	--------	0.33	2
Rehabilitation	Plant beachgrass	0.5 ac	$4,326.40	0.33	4
	Plant shrubs	0.5 ac	--------	0.33	3
Total 1997	----------	----------	$4,326.40	1.00	9

D. Fiscal Year 1998

Project Type	Action	Units	Estimated Cost	Staff Days	
				Professional	Technical
Fish & Wildlife	Remove purple loosetrife/phragmites	0.5 ac	--------	0.33	2
Rehabilitation	Plant beachgrass	0.5 ac	$4,449.46	0.33	4
	Plant shrubs	0.5 ac	--------	0.33	3
Total 1998	----------	----------	$4,449.46	1.00	9

E. Fiscal Year 1999

Project Type	Action	Units	Estimated Cost	Staff Days	
				Professional	Technical
Fish & Wildlife	Remove purple loosetrife/phragmites	0.5 ac	--------	0.33	2
Rehabilitation	Plant beachgrass	0.5 ac	$4,679.43	0.33	4
Capital	Plant shrubs	0.5 ac	--------	0.33	3
Total 1999	----------	----------	$4,679.43	1.00	9

F. Fiscal Year 2000

Project Type	Action	Units	Estimated Cost	Staff Days	
				Professional	Technical
Fish & Wildlife	Remove purple loosetrife/phragmites	0.5 ac	--------	0.33	2
Maintenance	Mark boundary lines	1.0 miles	$121.67	0	2
	Paint, resign, align, gates & posts	1 barrier	$121.67	0	6
Rehabilitation	Plant beachgrass	0.5 ac	$4,866.61	0.33	4
	Plant shrubs	0.5 ac	--------	0.33	3
Total 2000	----------	----------	$5,109.95	1.00	17

G. Fiscal Year 2001

Project Type	Action	Units	Estimated Cost	Staff Days	
				Professional	Technical
Fish & Wildlife	Remove purple loosestrife/phragmites	0.5 ac	--------	0.33	2
Rehabilitation	Plant beachgrass	0.5 ac	$5,061.28	0.33	4
	Plant shrubs	0.5 ac	--------	0.33	3
Total 2001	----------	----------	$5,061.28	1.00	9

H. Fiscal Year 2002

Project Type	Action	Units	Estimated Cost	Staff Days	
				Professional	Technical
Fish & Wildlife	Remove purple loosestrife/phragmites	0.5 ac	--------	0.33	2
Rehabilitation	Plant beachgrass	0.5 ac	$5,263.73	0.33	4
	Plant shrubs	0.5 ac	--------	0.33	3
Total 2002	----------	----------	$5,263.73	1.00	9

I. Fiscal Year 2003

Project Type	Action	Units	Estimated Cost	Staff Days	
				Professional	Technical
Fish & Wildlife	Remove purple loosestrife/phragmites	0.5 ac	--------	0.33	2
Rehabilitation	Plant beachgrass	0.5 ac	$5,474.28	0.33	4
	Plant shrubs	0.5 ac	--------	0.33	3
Total 2003	----------	----------	$5,474.28	1.00	9

J. Fiscal Year 2004

Project Type	Action	Units	Estimated Cost	Staff Days	
				Professional	Technical
Fish and Wildlife	Remove purple loosestrife/phragmites	0.5 ac	--------	0.33	2
Rehabilitation	Plant beachgrass	0.5 ac	$5,693.25	0.33	4
	Plant shrubs	0.5 ac	--------	0.33	3
Total 2004	----------	----------	$5,693.25	1.00	9

K. Fiscal Year 2005

Project Type	Action	Units	Estimated Cost	Staff Days	
				Professional	Technical
Fish and Wildlife	Remove purple loosestrife/phragmites	0.5 ac	--------	0.33	2
Rehabilitation	Plant beachgrass	0.5 ac	$5,920.98	0.33	4
	Plant shrubs	0.5 ac	--------	0.33	3
Maintenance	Paint boundary lines	1.0 mi	$148.02	0	2
Maintenance	Paint, resign, align, gates & posts	1 barrier	$148.02	0	6
Total 2005	----------	----------	$6,217.02	1.00	17

III. Summary

Fiscal Year	Annual Expenses	Periodic Expenses	Total Expenses	Staff Days		
				Professional	Technical	Total
1995	$300.00	$58,000.00	$58,300.00	53	162	215
1996	$312.00	$4,160.00	$4,472.00	35	110	145
1997	$324.48	$4,326.40	$4,650.88	35	110	145
1998	$337.45	$4,449.46	$4,786.91	35	110	145
1999	$350.96	$4,679.43	$5,030.39	35	110	145
2000	$365.00	$5,109.95	$5,474.95	35	118	153
2001	$379.60	$5,061.28	$5,440.88	35	110	145
2002	$394.78	$5,263.73	$5,658.51	35	110	145
2003	$410.57	$5,474.28	$5,884.85	35	110	145
2004	$426.99	$5,693.25	$6,120.24	35	110	145
2005	$444.07	$6,217.02	$6,661.09	35	118	153
Total	$4,045.90	$108,434.80	$112,480.70	413	1,278	1,681

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APPENDICES

APPENDIX 1

Seasonal Occurrence of Birds on Sandy Pond Beach

The following list of seasonal occurrence of birds at Sandy Pond is based on the records and memory of Gerry Smith, Smith and Ryan (1978) and review of *The Kingbird*. In addition Marge Rusk reviewed the Region 5 Card File of records and provided input. Bill Purcell also provided input That was of great use. For purposes of this list, Sandy Pond is defined as both spits and associated wetlands as well as the surrounding air and water.

KEY

Spring=March through May
Summer=June through August
Fall=September through November
Winter=December through February
* Indicates species breeds/has bred within Sandy Pond area.
+ Indicates Species is rare/very rare

SPECIES	SPR	SUM	FALL	WIN
Red-throated Loon	X+		X	
Common Loon	X	X+	X	X+
Pied -billed Grebe	X	X*	X	
Horned Grebe	X		X	X
Red-necked Grebe	X+		X	X
Double-crested Cormorant	X	X	X	
American Bittern	X	X*	X	
Least Bittern	X	X*	X+	
Great Blue Heron	X	X	X	X+
Great Egret	X+		X+	
Snowy Egret	X+	X+		
Green Heron	X	X*	X	
Black-crowned Night-Heron	X	X	X	
Glossy Ibis	X+		X+	
Tundra Swan	X		X?	
Snow Goose	X		X	
Brant	X		X	
Canada Goose	X	X*	X	X
Wood Duck	X	X*	X	
Green-winged Teal				
American Black Duck	X	X*	X	X
Mallard	X	X*	X	
Northern Pintail	X	X	X	X+
Blue-winged Teal	X	X*	X	
Northern Shoveler	X		X	
American Wigeon	X	X+	X	
Canvasback	X		X	X
Redhead	X		X	X
Greater Scaup	X		X	X
Lesser Scaup	X	X+	X	

SPECIES	SPR	SUM	FALL	WIN
Common Eider			X+	
King Eider			X+	X+
Harlequin Duck			X+	
Oldsquaw	X		X	X
Black Scoter			X	X+
Surf Scoter	X+		X	X+
White-winged Scoter	X	X	X	X+
Common Goldeneye	X	X+	X	X
Barrow's Goldeneye	X+			
Bufflehead	X		X	X
Hooded Merganser	X		X	X+
Common Merganser	X	X+	X	X
Red-breasted Merganser	X	X+	X	X+
Ruddy Duck	X		X	
Turkey Vulture	X	X*	X	
Osprey	X	X	X	
Bald Eagle	X+	X+	X	X+
Northern Harrier	X	X	X	X+
Sharp-shinned Hawk	X	X+	X	X+
Coopers'Hawk	X	X+	X	X+
Red-shouldered Hawk	X		X	
Broad-winged Hawk	X	X+	X	
Red-tailed Hawk	X	X*	X	X
Rough-legged Hawk	X		X	X
Golden Eagle	X+		X+	
American Kestrel	X	X*	X	X+
Merlin	X	X+	X	
Peregrine Falcon	X+		X	
Gyrfalcon			X+	
Ring-necked Pheasent	X+	X+	X+	X+
Ruffed Grouse	X	X*	X	X
Wild Turkey			X+	
Virginia Rail	X	X*	X+	
Sora	X	X*	X+	
Common Moorhen	X	X*	X	
American Coot	X	X+*	X	X+
Black-bellied Plover	X	X	X	
Lesser Golden-Plover			X	
Semipalmated Plover	X	X	X	
Piping Plover	X+	X+*	X+ PR	
EXTIRPATED				
Killdeer	X	X*	X	X+3
Greater Yellowlegs	X	X	X	
Lesser Yellowlegs	X	X	X	
Solitary Sandpiper	X	X	X	
Willet	X+	X+	X+	
Spotted Sandpiper	X	X*	X	
Upland Sandpiper	X+	X+	X+	
Whimbrel	X+	X+	X+	
Hudsonian Godwit		X+	X	
Marbled Godwit			X+	
Ruddy Turnstone	X	X	X	

SPECIES	SPR	SUM	FALL	WIN
Red Knot	X	X	X	
Sanderling	X	X	X	X+
Semipalmated Sandpiper	X	X	X	
Western Sandpiper	X+	X+	X+	
Least Sandpiper	X	X	X	
White-rumped Sandpiper	X	X	X	
Baird's Sandpiper		X	X	
Pectoral Sandpiper	X	X	X	
Purple Sandpiper	X+		X	
Dunlin	X	X+	X	X+
Stilt Sandpiper		X	X	
Buff-breasted Sandpiper	X+	X+	X+	
Short-billed Dowitcher	X	X	X	
Long-billed Dowitcher			X+	
Common Snipe	X	X	X	
American Woodcock	X+	X*	X+	
Wilson's Phalarope		X+	X+	
Red-necked Phalarope		X	X	
Red Phalarope			X	X+
Pomarine Jaeger			X+	
Parasitic Jaeger			X+	
Long-tailed Jaeger			X+(Dead)	
Laughing Gull			X+	
Franklin's Gull	X+	X+	X+	
Little Gull	X+	X	X	
Common Black-headed Gull		X+	X+	
Bonapartes Gull	X	X	X	X+
Ring-billed Gull	X	X*	X	X
Herring Gull	X	X*	X	X
Iceland Gull	X+		X	X
Glaucous Gull	X+		X	X
Black-legged Kittiwake			X+	X+
Sabine's Gull			X+	
Caspian Tern	X	X	X	
Common Tern	X	X*	X	
Forster's Tern	X+	X+	X	
Black Tern	X	X*	X	
Rock Dove	X	X*	X	X+
Mournibg Dove	X	X*	X	X
Yellow-billed Cuckoo	X	X+*	X+	
Black-billed Cuckoo	X	X+*	X?	
Eastern Screech-Owl	X	X*	X	X
Great Horned Owl	X	X*	X	X
Snowy Owl	X		X	X
Long-eared Owl	X+		X+	
Short-eared Owl	X+		X+	X+
Northern Saw-whet Owl	X+		X+	
Common Nighthawk	X	X	X	
Whip-poor-will	X+		X+	
Chimney Swift	X	X*	X	
Ruby-throated Hummingbird	X	X*	X	
Belted Kingfisher	X	X*	X	X+

SPECIES	SPR	SUM	FALL	WIN
Red-headed Woodpecker	X	X+*	X+	
Red-bellied Woodpecker	X	X+*	X	X+
Yellow-bellied Sapsucker	X	X+	X	
Downy Woodpecker	X	X*	X	X
Hairy Woodpecker	X	X*	X	X
Black-backed Woodpecker			X+	
Northern Flicker	X	X*	X	X+
Pileated Woodpecker	X+	X+*	X+	X+
Olive-sided Flycatcher	X+	X+	X+	
Eastern Wood-Pewee	X	X*	X	
Yellow-bellied Flycatcher	X+	X+	X	
Alder Flycatcher	X			
Willow Flycatcher	X	X*		
Least Flycatcher	X	X+*	X+	
EMPIDONAX SP			X	
Say's Pheobe			X+	
Eastern Phoebe	X	X*	X	
Great Crested Flycatcher	X	X*	X	
Eastern Kingbird	X	X*	X	
Horned Lark	X		X	X
Purple Martin	X	X*	X	
Tree Swallow	X	X*	X	
Northern Rough-winged Swallow	X	X*	X	
Bank Swallow	X	X*	X	
Cliff Swallow	X	X	X	
Barn Swallow	X	X*	X	
Blue Jay	X	X*	X	X
American Crow	X	X*	X	
Black-capped Chickadee	X	X*	X	X
Boreal Chickadee			X+	
Tufted Titmouse			X+	X+
Red-breasted Nuthatch	X	X+	X	X
White-breasted Nuthatch	X	X*	X	X
Brown Creeper	X	X+	X	X+
Carolina Wren		X+	X+	X+
House Wren	X	X*	X	
Winter Wren	X		X	
Sedge Wren		X+*		
Marsh Wren	X	X*	X	
Golden-crowned Kinglet	X		X	X
Ruby-crowned Kinglet	X	X+	X	
Blue-Gray Gnatcatcher	X	X*+	X+	
Eastern Bluebird	X	X+	X	X+
Veery	X	X*	X	
Gray-cheeked Thrush	X		X	
Swainson's Thrush	X		X	
Hermit Thrush	X		X	
Wood Thrush	X	X*	X	
American Robin	X	X*	X	X
Gray Catbird	X	X*	X	
Northern Mockingbird	X+	X+	X+	X+
Brown Thrasher	X	X*	X	

SPECIES	SPR	SUM	FALL	WIN
Water Pipit	X		X	
Bohemian Waxwing			X+	X+
Cedar Waxwing	X	X*	X	X
Northern Shrike	X+		X	X
Loggerhead Shrike	X+	X+	X+ PR	
EXTIRPATED				
European Starling	X	X*	X	X
White-eyed Yireo	X+			
Solitary Vireo	X		X	
Yellow-throated Vireo	X	X	X	
Warbling Vireo	X	X*	X	
Philadelphia Vireo	X+	X+	X+	
Red-eyed Vireo	X	X*	X	
Blue-winged Warbler	X	X	X	
Golden-winged Warbler	X	X	X	
Tennessee Warbler	X	X	X	
Orange-crowned Warbler	X+		X+	
Nashville Warbler	X	X	X	
Northern Parula	X	X	X	
Yellow Warbler	X	X*	X	
Chestnut-sided Warbler	X	X	X	
Magnolia Warbler	X	X	X	
Cape May Warbler	X	X	X	
Black-throated Blue Warbler	X	X	X	
Yellow-rumped Warbler	X	X	X	X+
Black-throated Green Warbler	X	X	X	
Blackburnian Warbler	X	X	X	
Yellow-throated Warbler			X+	
Pine Warbler	X		X	
Palm Warbler	X		X	
Bay-breasted Warbler	X	X	X	
Blackpoll Warbler	X	X	X	
Cerulean Warbler	X+		X+	
Black and White Warbler	X	X	X	
American Redstart	X	X*	X	
Prothonotary Warbler	X+		X+	
Ovenbird	X	X*	X	
Northern Waterthrush	X	X	X	
Louisiana Waterthrush	X+	X+		
Kentucky Warbler			X+	
Connecticut Warbler	X+		X+	
Mourning Warbler	X	X	X	
Common Yellowthroat	X	X*	X	
Hooded Warbler	X	X+	X	
Wilson's Warbler	X	X	X	
Canada Warbler	X	X	X	
Yellow-breasted Chat	X+			
Scarlet Tanager	X	X*	X	
Northern Cardinal	X	X*	X	X
Rose-breasted Grosbeak	X	X*	X	
Indigo Bunting	X	X*	X	
Dickcissel			X+	

SPECIES	SPR	SUM	FALL	WIN
Rufous-sided Towhee	X	X	X	
American Tree Sparrow	X		X	X
Chipping Sparrow	X	X*	X	
Clay-colored Sparrow	X+		X+	
Field Sparrow	X	X*	X	
Vesper Sparrow	X		X	
Savannah Sparrow	X		X	
Grasshopper Sparrow	X+		X+	
Henslow's Sparrow	X+		X+	
Sharp-tailed Sparrow	X+			
Fox Sparrow	X		X	
Song Sparrow	X	X*	X	X+
Lincoln's Sparrow	X		X	
Swamp Sparrow	X	X*	X	X+
White-throated Sparrow	X	X+	X	X+
White-crowned Sparrow	X		X	
Dark-eyed Junco	X		X	X
Lapland Longspur			X	X+
Snow Bunting	X		X	X
Red-winged Blackbird	X	X*	X	X+
Eastern Meadowlark	X	X	X	
Rusty Blackbird	X		X	
Common Grackle	X	X*	X	
Brown-headed Cowbird	X	X*	X	
Northern Oriole	X	X*	X	
Pine Grosbeak	X+		X	X
Purple Finch	X	X*	X	X
House Finch	X	X*	X	X
Red Crossbill	X		X	X
White-winged Crossbill	X		X	X
Common Redpoll	X		X	X
Pine Siskin	X		X	X
American Goldfinch	X	X*	X	X
Evening Grosbeak	X		X	X
House Sparrow	X	X*	X	X

APPENDIX 2

The Nature Conservancy's Heritage network specializes in conducting inventories of rare plants, rare animals, and rare or exemplary ecological communities, in order to identify the most sensitive resources of an area. The New York Natural Heritage Program (Heritage) is supported by the NYS Department of Environmental Conservation, The Nature Conservancy, and a variety of grant and contract monies, and is one of 50 such state programs.

Heritage inventory focuses on the identification, documentation, and mapping of all occurrences of rare species and rare or exemplary ecological communities. A "coarse filter/fine filter" approach is used to identify and prioritize the protection of these significant biological resources. Ecological communities represent a "coarse filter." Their identification and documentation can be used to describe whole assemblages of plant and animal species, both common and rare. The preservation of good examples of natural communities assures the protection of most of the species that make up the biological diversity of the state. Rare animals and plants often have narrow or unusual habitat requirements, and may not be protected in the representative communities. Identifying and documenting viable populations of each rare species serves as the "fine filter" for protecting the state's biological diversity. This coarse filter/fine filter approach to natural resource inventory is an efficient means to identify the most sensitive animals and plants of an area.

Heritage statewide inventory begins by creating lists of rare species and all types of ecological communities believed to occur in the state. Lists are based on museum collections, the scientific literature, information from government agencies, input from knowledgeable experts, and data from neighboring states. Each species and community is then ranked based on perceived rarity. Heritage ranks rarity at both global and state levels. The global rank reflects rarity of the species or community across its entire range, while the state rank reflects its rarity within New York State. Both ranks are usually based on the number, abundance, range, and vulnerability of known occurrences, and are revised as new data become available. Infraspecific taxa are also assigned a taxon rank to reflect the infraspecific taxon's rank throughout its range. The

Heritage ranking criteria are enumerated in Table 1 and used throughout this report.

Table 1. Explanation of Heritage ranks and codes.

Each element has a global and state rank determined by the NY Natural Heritage Program. These ranks carry no legal weight.

Global Rank:

G1 = Critically imperiled globally because of extreme rarity (5 or fewer occurrences, or very few remaining acres, or miles of stream) or especially vulnerable to extinction because of some factor of its biology.

G2 = Imperiled globally because of rarity (6 - 20 occurrences, or few remaining acres, or miles of stream) or very vulnerable to extinction throughout its range because of other factors.

G3 = Either rare and local throughout its range (21 - 100 occurrences, or few remaining acres, or miles of stream) or found locally (even abundantly at some of its locations) in a restricted range (*e.g.* a physiographic region), or vulnerable to extinction throughout its range because of other factors.

G4 = Apparently secure globally, though it might be quite rare in parts of its range, especially at its periphery.

G5 = Demonstrably secure globally, though it may be quite rare in parts of its range, especially at its periphery.

GH = Historically known, with the expectation that it may be rediscovered.

GX = Species believed to be extinct.

GU = Status unknown.

State Rank:

S1 = Typically 5 or fewer occurrences, very few remaining individuals, acres, or miles of stream, or some factor of its biology making it especially vulnerable in New York.

S2 = Typically 6 - 20 occurrences, few remaining individuals, acres, or miles of stream, or factors demonstrable making it very vulnerable in New York State.

S3 = Typically 21 - 100 occurrences, limited acreage, or miles of stream in New Uork State.

S4 = Apparently secure in New York State.

S5 = Demonstrably secure in New York State.

SH = Historically known from New York State, but not seen in the past 15 years.

SX = Apparently extirpated from New York Stater.

SE = Exotic, not native to New York State.

SR = State report only, no verified specimens known from New York State.

SU = Status unknown.

Taxon (T) Rank:

Defined the same way as global ranks, but the T-rank refers only to the rarity of the subspecific taxon of the particular species.

T1 - T5 = See global rank definitions above.

Q = A question exists whether or not the taxon is a good taxonomic entity.
? = A question exists about the rank.

Rare species are protected in New York through ranking and listing by the New York State Department of Environmental Conservation (DEC). The New York State Protected Plant Law of 1974 prohibits the collection or destruction of listed protected plants without prior consent from the landowner. Violations are punishable by a $25.00 fine per stem. A revised list of endangered, threatened, and exploitably vulnerable plants was adopted through rule-making in 1989. Criteria for assigning plants to these lists are shown in Table 2.

Table 2. New York State protected native plants

The following categories are defined in regulation 6NYCRR part 193.3 and apply to NYS Conservation Law section 9-1503.

U = Unprotected in New York State

E = Endangered: listed species are those with:
1. 5 or fewer extant sites, or
2. fewer than 1000 individuals, or
3. restricted to fewer than 4 USGS 7.5 minute topographical maps, or
4. species listed as endangered by US Department of Interior, as enumerated in the Code of Federal Regulations 50 CFR 17.11.

T = Threatened: listed species are those with:
1. 6 to fewer than 20 extant sites, or
2. 1000 to fewer than 3000 individuals, or
3. restricted to not less than 4 or more than 7 USGS 7.5 minute topographical maps, or
4. listed as threatened by US Department of Interior, as enumerated in the Code of Federal Regulations 50 CFR 17.11.

R = Rare: listed species have:
1. 20 to 35 extant sites, or
2. 3000 to 5000 individuals statewide.

V = Exploitably vulnerable: listed species are likely to become threatened in the near future throughout all or a significant portion of their range within the state if causal factors continue unchecked. (This report does not identify species in this category).

Animal protection in New York is achieved by listing on the state Endangered, Threatened, and Special Concern Species List. Endangered and Threatened species are protected against taking, importation, transportation, possession, or sale. Special Concern

species usually have no legal protection unless protected under some other legislation. Criteria for listing animal species in New York are summarized in Table 3.

Table 3. New York State animal protection status.

Categories of Endangered and Threatened species are defined in NYS Environmental Conservation Law section 11-0535. Endangered, Threatened, and Special Concern species are listed in regulation 6NYCRR 182.5.

E = Endangered: any species which meet one of the following criteria:
1. native species in imminent danger of extirpation or extinction in New York, or
2. species listed as endangered by US Department of Interior, as enumerated in the Code of Federal Regulations 500 CFR 17.11.

T = Threatened: any species which meet one of the following criteria:
1. native species likely to become endangered within the foreseeable future in New York.
2. species listed as threatened by US Department of Interior, as enumerated in the Code of Federal Regulations 50 CFR 17.11.

SC = Special Concern: those species which are not yet recognized as endangered or threatened, but for which documented concern exists for their continued welfare in New York.

P = Protected Wildlife (defined in Environemntal Conservation Law 11-0103): wild game, protected wild birds, and endangered species of wildlife. (Species in this category within the park are not identified as such in this report.)

U = Unprotected (defined in Environmental Conservation Law section 11-0103): the species may be taken at any time without limit; however, a license may be required. (Species in this category are not identified as such in this report.)

G = Game (defined in Environmental Conservation Law section 11-0103): big or small game species; may normally have an open season for at least part of the year, ana are protected at other times. (Species in this category are not identified as such in this report.)

APPENDIX 3

Property owners and all interested parties were invited to provide input to this management plan on December 13, 1994. Over 100 people responded. At the meeting, the group separated into three focus groups. Each group assembled on newsprint a list of issues/questions that need to be addressed in the management plan. The lists were gathered and issues prioritized by the individual votes of each participant.

Between meeting participants and those who wrote or called, nearly 600 votes or comments were received. The two highest concern priorities identified by respondents were public access (44% of the votes) and protection for the dunes and wildlife habitats (21%). The following summary details the specific aspects of these concerns.

Summary of Public Comments

Public Access (261 votes)

All agreed that access for year-round townspeople, seasonal residents, and adjacent property owners is a critical concern.

* Vehicles should be excluded (72 votes): 4x4s, ATVs, motorcycles, airplanes, property owners should retain the right to drive slowly along the beach to their cottages.

* Most access is clearly by boat at present. Maintenance of access to and from the pond by the channel was noted to be important (26 votes). What controls will be put on boats? Will there be pond shore access? Will boats be allowed to anchor? Beach and tie up? Stay overnight? Concerns along these lines received 52 votes.

* How will protection be provided for property rights of adjacent private landowners? (50 votes)

* "Appropriate access" must be defined: will there be restricted areas, designated areas of access, access on the pond side, designated trails or pathways from pond to lake shore, interpretive trails; will the northern tip of the sand be restricted? Use allowed only within a certain distance from the water? Will there be a mechanism for

setting maximum use capacity? Specific hours for use? Camping prohibited? Will fires of any kind be allowed? Should pets be allowed at all, just on leash? Control of trash and litter?

Development/Facilities (115 votes)

Nineteen percent of respondents were concerned about the degree of development to occur at Sandy Pond. We were told to evaluate the need for restrooms (21 votes), one or more dune walkovers (38 votes), use of signs and brochures, nature trails, and lifeguards for swimming. But 26 respondents cautioned that Sandy Pond should not be a park, rather, it should remain in a natural state.

Enforcement (24 votes)

Comments revealed widespread acknowledgement that rules for use require methods of enforcement. Some expressed concern about the involvement of DEC and what contributions of each organization would be, now and in the future.

* Will there be an on site staff presence? By whom? Will the beach be patrolled? How will enforcement of rules be attained?

Preservation of Dunes and Wildlife Habitat (124 votes)

Respondents counted preservation of dunes and wildlife habitat as the second major priority to be addressed in the management plan. Several people identified high lake levels and beach erosion as factors involved beyond the impacts of human activities, but many of the concerns listed above under restrictions to access clearly address the balance needed between respect for the natural system and respect for the needs of the people.

Legal and Financial Issues (33 votes)

* Where are the property boundaries, between TNC parcels and other private property owners, and at the lakeward/pondward shores?

* What, exactly is the relationship between DEC and The Conservancy on this project, and what will change if/when the state acquires the land?

* Will taxes be paid on the land, and how much tax loss will there be to the town?

* Who will pay for management services, now and long term?

* Who will have liability, will there be liability insurance?

* Could the property ever be sold out of the public trust?

Community Input (21 votes)

A number of respondents were concerned that there be ongoing opportunity for public input on updates to the management plan, and concern that public input continue to be solicited if/when the state acquires the land. Respondents also recommended that the public be given opportunity to know what is occurring on the project and be kept apprised of what to expect.

APPENDIX 4

1-16-2 (2/91)—7c

617.21 SEQR

Appendix A

State Environmental Quality Review

FULL ENVIRONMENTAL ASSESSMENT FORM

Purpose: The full EAF is designed to help applicants and agencies determine, in an orderly manner, whether a project or action may be significant. The question of whether an action may be significant is not always easy to answer. Frequently, there are aspects of a project that are subjective or unmeasureable. It is also understood that those who determine significance may have little or no formal knowledge of the environment or may not be technically expert in environmental analysis. In addition, many who have knowledge in one particular area may not be aware of the broader concerns affecting the question of significance.

The full EAF is intended to provide a method whereby applicants and agencies can be assured that the determination process has been orderly, comprehensive in nature, yet flexible enough to allow introduction of information to fit a project or action.

Full EAF Components: The full EAF is comprised of three parts:

Part 1: Provides objective data and information about a given project and its site. By identifying basic project data, it assists a reviewer in the analysis that takes place in Parts 2 and 3.

Part 2: Focuses on identifying the range of possible impacts that may occur from a project or action. It provides guidance as to whether an impact is likely to be considered small to moderate or whether it is a potentially-large impact. The form also identifies whether an impact can be mitigated or reduced.

Part 3: If any impact in Part 2 is identified as potentially-large, then Part 3 is used to evaluate whether or not the impact is actually important.

DETERMINATION OF SIGNIFICANCE—Type 1 and Unlisted Actions

Identify the Portions of EAF completed for this project: ☒ Part 1 ☒ Part 2 ☐ Part 3

Upon review of the information recorded on this EAF (Parts 1 and 2 and 3 if appropriate), and any other supporting information, and considering both the magnitude and importance of each impact, it is reasonably determined by the lead agency that:

☒ A. The project will not result in any large and important impact(s) and, therefore, is one which will not have a significant impact on the environment, therefore a negative declaration will be prepared.

☐ B. Although the project could have a significant effect on the environment, there will not be a significant effect for this Unlisted Action because the mitigation measures described in PART 3 have been required, therefore a CONDITIONED negative declaration will be prepared.*

☐ C. The project may result in one or more large and important impacts that may have a significant impact on the environment, therefore a positive declaration will be prepared.

* A Conditioned Negative Declaration is only valid for Unlisted Actions

ADOPTION AND IMPLEMENTATION OF THE SANDY POND BEACH MANAGEMENT PLAN
Name of Action

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
Name of Lead Agency

ROBERT S. DAVIS — FORESTER I
Print or Type Name of Responsible Officer in Lead Agency — Title of Responsible Officer

Robert S. Davis
Signature of Responsible Officer in Lead Agency — Signature of Preparer (If different from responsible officer)

3/31/95
Date

PART 1—PROJECT INFORMATION

Prepared by Project Sponsor

NOTICE: This document is designed to assist in determining whether the action proposed may have a significant effect on the environment. Please complete the entire form, Parts A through E. Answers to these questions will be considered as part of the application for approval and may be subject to further verification and public review. Provide any additional information you believe will be needed to complete Parts 2 and 3.

It is expected that completion of the full EAF will be dependent on information currently available and will not involve new studies, research or investigation. If information requiring such additional work is unavailable, so indicate and specify each instance.

NAME OF ACTION Adoption and Implementation of the Sandy Pond Beach Management Plan		
LOCATION OF ACTION (Include Street Address, Municipality and County) South Barrier Spit, North Pond, Sandy Creek, NY - Oswego County		
NAME OF APPLICANT/SPONSOR New York State Department of Environmental Conservation	BUSINESS TELEPHONE (607) 753-3095	
ADDRESS 1285 Fisher Avenue		
CITY/PO Cortland	STATE NY	ZIP CODE 13045
NAME OF OWNER (If different) The Nature Conservancy	BUSINESS TELEPHONE (716) 546-8030	
ADDRESS 315 Alexander Street		
CITY/PO Rochester	STATE NY	ZIP CODE 14604
DESCRIPTION OF ACTION The plan has been prepared for the administration of 3 parcels of land, immediately south of the channel that connects North Pond to Lake Ontario. The property is currently owned by the Nature Conservancy, with a lease interest by the Department of Environmental Conservation. The Department has agreed to complete the purchase of the property when funds become available. Presently, we have an agreement to manage the property with the assistance of the Nature Conservancy. The plan establishes rules and regulations governing public use of the property, and sets forth actions designed to reduce or eliminate human caused dune erosion, stabilize existing dunes where they have been compromised, and to protect habitat for both migrating and breeding birds, while providing compatible public access. Among the actions proposed are restricting use of the dunes and bird habitat; constructing a dune walkover structure to allow people to cross over the dunes without causing accelerated erosion, and the construction of a vehicle barrier to prevent unauthorized vehicular use and further resolve nine o		

Please Complete Each Question—Indicate N.A. if not applicable

A. Site Description

Physical setting of overall project, both developed and undeveloped areas.

1. Present land use: ☐Urban ☐Industrial ☐Commercial ☐Residential (suburban) ☐Rural (non-farm)
   ☐Forest ☐Agriculture ☒Other Coastal Barrier

2. Total acreage of project area: 77 acres.

APPROXIMATE ACREAGE	PRESENTLY	AFTER COMPLETION
Meadow or Brushland (Non-agricultural)	Approx. 35 acres	Same acres
Forested	Approx. 5 acres	Same acres
Agricultural (Includes orchards, cropland, pasture, etc.)	0 acres	0 acres
Wetland (Freshwater or tidal as per Articles 24, 25 of ECL)	Approx. 22 acres	Same acres
Water Surface Area	0 acres	0 acres
Unvegetated (Rock, earth or fill)	Approx. 15 acres	Same acres
Roads, buildings and other paved surfaces	0 acres	0 acres
Other (Indicate type)_____	0 acres	0 acres

3. What is predominant soil type(s) on project site? BC - Beaches
   a. Soil drainage: ☐Well drained 80 % of site ☐Moderately well drained 0 % of site
   ☐Poorly drained 20 % of site
   b. If any agricultural land is involved, how many acres of soil are classified within soil group 1 through 4 of the NYS Land Classification System? _____ acres. (See 1 NYCRR 370).

4. Are there bedrock outcroppings on project site? ☐Yes ☒No
   a. What is depth to bedrock? _____ (in feet)

2. How much natural material (i.e., rock, earth, etc.) will be removed from the site? 0 tons/cubic yards
3. Will disturbed areas be reclaimed? ☒Yes ☐No ☐N/A
   a. If yes, for what intended purpose is the site being reclaimed? DUNE STABILIZATION
   b. Will topsoil be stockpiled for reclamation? ☐Yes ☒No
   c. Will upper subsoil be stockpiled for reclamation? ☐Yes ☒No
4. How many acres of vegetation (trees, shrubs, ground covers) will be removed from site? 0 acres.
5. Will any mature forest (over 100 years old) or other locally-important vegetation be removed by this project? ☐Yes ☒No
6. If single phase project: Anticipated period of construction 1 months, (including demolition).
7. If multi-phased:
   a. Total number of phases anticipated _____ (number).
   b. Anticipated date of commencement phase 1 _____ month _____ year, (including demolition).
   c. Approximate completion date of final phase _____ month _____ year.
   d. Is phase 1 functionally dependent on subsequent phases? ☐Yes ☐No
8. Will blasting occur during construction? ☐Yes ☒No
9. Number of jobs generated: during construction _____; after project is complete _____.
10. Number of jobs eliminated by this project 0.
11. Will project require relocation of any projects or facilities? ☐Yes ☒No If yes, explain _____
12. Is surface liquid waste disposal involved? ☐Yes ☒No
    a. If yes, indicate type of waste (sewage, industrial, etc.) and amount _____
    b. Name of water body into which effluent will be discharged _____
13. Is subsurface liquid waste disposal involved? ☐Yes ☒No Type _____
14. Will surface area of an existing water body increase or decrease by proposal? ☐Yes ☒No
    Explain _____
15. Is project or any portion of project located in a 100 year flood plain? ☒Yes ☐No
16. Will the project generate solid waste? ☐Yes ☒No
    a. If yes, what is the amount per month _____ tons
    b. If yes, will an existing solid waste facility be used? ☐Yes ☐No
    c. If yes, give name _____; location _____
    d. Will any wastes not go into a sewage disposal system or into a sanitary landfill? ☐Yes ☐No
    e. If Yes, explain _____
17. Will the project involve the disposal of solid waste? ☐Yes ☒No
    a. If yes, what is the anticipated rate of disposal? _____ tons/month.
    b. If yes, what is the anticipated site life? _____ years.
18. Will project use herbicides or pesticides? ☐Yes ☒No
19. Will project routinely produce odors (more than one hour per day)? ☐Yes ☒No
20. Will project produce operating noise exceeding the local ambient noise levels? ☐Yes ☒No
21. Will project result in an increase in energy use? ☐Yes ☒No
    If yes , indicate type(s) _____
22. If water supply is from wells, indicate pumping capacity _____ gallons/minute.
23. Total anticipated water usage per day 0 gallons/day.
24. Does project involve Local, State or Federal funding? ☒Yes ☐No
    If Yes, explain POSSIBLE ENVIRONMENTAL PROTECTION AGENCY GRANT TO CONSTRUCT DUNE WALKOVER

25. Approvals Required:

			Type	Submittal Date
City, Town, Village Board	☐Yes	☒No		
City, Town, Village Planning Board	☐Yes	☒No		
City, Town Zoning Board	☐Yes	☒No		
City, County Health Department	☐Yes	☒No		
Other Local Agencies	☐Yes	☒No		
Other Regional Agencies	☐Yes	☒No		
State Agencies	☒Yes	☐No	NYS-DOS COASTAL ASSESSMENT	4/1/95
Federal Agencies	☐Yes	☒No		

C. Zoning and Planning Information

1. Does proposed action involve a planning or zoning decision? ☐Yes ☒No
   If Yes, indicate decision required:
   ☐zoning amendment ☐zoning variance ☐special use permit ☐subdivision ☐site plan
   ☐new/revision of master plan ☐resource management plan ☐other _____
2. What is the zoning classification(s)of the site? NONE. TOWN OF SANDY CREEK DOES NOT HAVE A ZONING LAW
3. What is the maximum potential development of the site if developed as permitted by the present zoning?
4. What is the proposed zoning of the site? _____
5. What is the maximum potential development of the site if developed as permitted by the proposed zoning?
6. Is the proposed action consistent with the recommended uses in adopted local land use plans? ☒Yes ☐No
7. What are the predominant land use(s) and zoning classifications within a ¼ mile radius of proposed action?
   NO ZONING. PREDOMINANT LAND USES: COMMERCIAL, RESIDENTIAL/OPEN SPACE
8. Is the proposed action compatible with adjoining/surrounding land uses within a ¼ mile? ☒Yes ☐No
9. If the proposed action is the subdivision of land, how many lots are proposed? _____
   a. What is the minimum lot size proposed? _____
10. Will proposed action require any authorization(s) for the formation of sewer or water districts? ☐Yes ☒No
11. Will the proposed action create a demand for any community provided services (recreation, education, police, fire protection)? ☒Yes ☐No
    a. If yes, is existing capacity sufficient to handle projected demand? ☒Yes ☐No
12. Will the proposed action result in the generation of traffic significantly above present levels? ☐Yes ☒No
    a. If yes, is the existing road network adequate to handle the additional traffic? ☐Yes ☐No

D. Informational Details

Attach any additional information as may be needed to clarify your project. If there are or may be any adverse impacts associated with your proposal, please discuss such impacts and the measures which you propose to mitigate or avoid them.

E. Verification

I certify that the information provided above is true to the best of my knowledge.

Applicant/Sponsor Name NYS-DEC BY: ROBERT S. DAVIS Date 3/31/95

Signature Robert S. Davis Title FORESTER I

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment.

Part 2—PROJECT IMPACTS AND THEIR MAGNITUDE

Responsibility of Lead Agency

General Information (Read Carefully)

- In completing the form the reviewer should be guided by the question: Have my responses and determinations been **reasonable?** The reviewer is not expected to be an expert environmental analyst.
- Identifying that an impact will be potentially large (column 2) does not mean that it is also necessarily **significant.** Any large impact must be evaluated in PART 3 to determine significance. Identifying an impact in column 2 simply asks that it be looked at further.
- The **Examples** provided are to assist the reviewer by showing types of impacts and wherever possible the threshold of magnitude that would trigger a response in column 2. The examples are generally applicable throughout the State and for most situations. But, for any specific project or site other examples and/or lower thresholds may be appropriate for a Potential Large Impact response, thus requiring evaluation in Part 3.
- The impacts of each project, on each site, in each locality, will vary. Therefore, the examples are illustrative and have been offered as guidance. They do not constitute an exhaustive list of impacts and thresholds to answer each question.
- The number of examples per question does not indicate the importance of each question.
- In identifying impacts, consider long term, short term and cumlative effects.

Instructions (Read carefully)

a. Answer each of the 19 questions in PART 2. Answer Yes if there will be any impact.

b. Maybe answers should be considered as Yes answers.

c. If answering Yes to a question then check the appropriate box (column 1 or 2) to indicate the potential size of the impact. If impact threshold equals or exceeds any example provided, check column 2. If impact will occur but threshold is lower than example, check column 1.

d. If reviewer has doubt about size of the impact then consider the impact as potentially large and proceed to PART 3.

e. If a potentially large impact checked in column 2 can be mitigated by change(s) in the project to a small to moderate impact, also check the Yes box in column 3. A No response indicates that such a reduction is not possible. This must be explained in Part 3.

IMPACT ON LAND	1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated By Project Change	
1. Will the proposed action result in a physical change to the project site? ☒NO ☐YES				
Examples that would apply to column 2				
• Any construction on slopes of 15% or greater, (15 foot rise per 100 foot of length), or where the general slopes in the project area exceed 10%.	☐	☐	☐Yes	☐No
• Construction on land where the depth to the water table is less than 3 feet.	☐	☐	☐Yes	☐No
• Construction of paved parking area for 1,000 or more vehicles.	☐	☐	☐Yes	☐No
• Construction on land where bedrock is exposed or generally within 3 feet of existing ground surface.	☐	☐	☐Yes	☐No
• Construction that will continue for more than 1 year or involve more than one phase or stage.	☐	☐	☐Yes	☐No
• Excavation for mining purposes that would remove more than 1,000 tons of natural material (i.e., rock or soil) per year.	☐	☐	☐Yes	☐No
• Construction or expansion of a sanitary landfill.	☐	☐	☐Yes	☐No
• Construction in a designated floodway.	☐	☐	☐Yes	☐No
• Other impacts _____	☐	☐	☐Yes	☐No
2. Will there be an effect to any unique or unusual land forms found on the site? (i.e., cliffs, dunes, geological formations, etc.) ☐NO ☒YES				
• Specific land forms: Dunes	☒	☐	☐Yes	☒No

IMPACT ON WATER

	1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated By Project Change
3. Will proposed action affect any water body designated as protected? (Under Articles 15, 24, 25 of the Environmental Conservation Law, ECL) ☒NO ☐YES			
Examples that would apply to column 2			
• Developable area of site contains a protected water body.	☐	☐	☐Yes ☐No
• Dredging more than 100 cubic yards of material from channel of a protected stream.	☐	☐	☐Yes ☐No
• Extension of utility distribution facilities through a protected water body.	☐	☐	☐Yes ☐No
• Construction in a designated freshwater or tidal wetland.	☐	☐	☐Yes ☐No
• Other impacts: _____	☐	☐	☐Yes ☐No
4. Will proposed action affect any non-protected existing or new body of water? ☒NO ☐YES			
Examples that would apply to column 2			
• A 10% increase or decrease in the surface area of any body of water or more than a 10 acre increase or decrease.	☐	☐	☐Yes ☐No
• Construction of a body of water that exceeds 10 acres of surface area.	☐	☐	☐Yes ☐No
• Other impacts: _____	☐	☐	☐Yes ☐No
5. Will Proposed Action affect surface or groundwater quality or quantity? ☒NO ☐YES			
Examples that would apply to column 2			
• Proposed Action will require a discharge permit.	☐	☐	☐Yes ☐No
• Proposed Action requires use of a source of water that does not have approval to serve proposed (project) action.	☐	☐	☐Yes ☐No
• Proposed Action requires water supply from wells with greater than 45 gallons per minute pumping capacity.	☐	☐	☐Yes ☐No
• Construction or operation causing any contamination of a water supply system.	☐	☐	☐Yes ☐No
• Proposed Action will adversely affect groundwater.	☐	☐	☐Yes ☐No
• Liquid effluent will be conveyed off the site to facilities which presently do not exist or have inadequate capacity.	☐	☐	☐Yes ☐No
• Proposed Action would use water in excess of 20,000 gallons per day.	☐	☐	☐Yes ☐No
• Proposed Action will likely cause siltation or other discharge into an existing body of water to the extent that there will be an obvious visual contrast to natural conditions.	☐	☐	☐Yes ☐No
• Proposed Action will require the storage of petroleum or chemical products greater than 1,100 gallons.	☐	☐	☐Yes ☐No
• Proposed Action will allow residential uses in areas without water and/or sewer services.	☐	☐	☐Yes ☐No
• Proposed Action locates commercial and/or industrial uses which may require new or expansion of existing waste treatment and/or storage facilities.	☐	☐	☐Yes ☐No
• Other impacts: _____	☐	☐	☐Yes ☐No
6. Will proposed action alter drainage flow or patterns, or surface water runoff? ☒NO ☐YES			
Examples that would apply to column 2			
• Proposed Action would change flood water flows.	☐	☐	☐Yes ☐No

	1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated By Project Change
• Proposed Action may cause substantial erosion.	☐	☐	☐Yes ☐No
• Proposed Action is incompatible with existing drainage patterns.	☐	☐	☐Yes ☐No
• Proposed Action will allow development in a designated floodway.	☐	☐	☐Yes ☐No
• Other impacts: _____	☐	☐	☐Yes ☐No
IMPACT ON AIR			
7. Will proposed action affect air quality? ☒NO ☐YES			
Examples that would apply to column 2			
• Proposed Action will induce 1,000 or more vehicle trips in any given hour.	☐	☐	☐Yes ☐No
• Proposed Action will result in the incineration of more than 1 ton of refuse per hour.	☐	☐	☐Yes ☐No
• Emission rate of total contaminants will exceed 5 lbs. per hour or a heat source producing more than 10 million BTU's per hour.	☐	☐	☐Yes ☐No
• Proposed action will allow an increase in the amount of land committed to industrial use.	☐	☐	☐Yes ☐No
• Proposed action will allow an increase in the density of industrial development within existing industrial areas.	☐	☐	☐Yes ☐No
• Other impacts: _____	☐	☐	☐Yes ☐No
IMPACT ON PLANTS AND ANIMALS			
8. Will Proposed Action affect any threatened or endangered species? ☒NO ☐YES			
Examples that would apply to column 2			
• Reduction of one or more species listed on the New York or Federal list, using the site, over or near site or found on the site.	☐	☐	☐Yes ☐No
• Removal of any portion of a critical or significant wildlife habitat.	☐	☐	☐Yes ☐No
• Application of pesticide or herbicide more than twice a year, other than for agricultural purposes.	☐	☐	☐Yes ☐No
• Other impacts: _____	☐	☐	☐Yes ☐No
9. Will Proposed Action substantially affect non-threatened or non-endangered species? ☒NO ☐YES			
Examples that would apply to column 2			
• Proposed Action would substantially interfere with any resident or migratory fish, shellfish or wildlife species.	☐	☐	☐Yes ☐No
• Proposed Action requires the removal of more than 10 acres of mature forest (over 100 years of age) or other locally important vegetation.	☐	☐	☐Yes ☐No
IMPACT ON AGRICULTURAL LAND RESOURCES			
10. Will the Proposed Action affect agricultural land resources? ☒NO ☐YES			
Examples that would apply to column 2			
• The proposed action would sever, cross or limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc.)	☐	☐	☐Yes ☐No

1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated By Project Change
☐	☐	☐Yes ☐No
☐	☐	☐Yes ☐No
☐	☐	☐Yes ☐No
☐	☐	☐Yes ☐No

- Construction activity would excavate or compact the soil profile of agricultural land.
- The proposed action would irreversibly convert more than 10 acres of agricultural land or, if located in an Agricultutal District, more than 2.5 acres of agricultural land.
- The proposed action would disrupt or prevent installation of agricultural land management systems (e.g., subsurface drain lines, outlet ditches, strip cropping); or create a need for such measures (e.g. cause a farm field to drain poorly due to increased runoff)
- Other impacts: _____

_____

IMPACT ON AESTHETIC RESOURCES

11. Will proposed action affect aesthetic resources? ☒NO ☐YES
(If necessary, use the Visual EAF Addendum in Section 617.21, Appendix B.)

☐	☐	☐Yes ☐No
☐	☐	☐Yes ☐No
☐	☐	☐Yes ☐No
☐	☐	☐Yes ☐No

Examples that would apply to column 2

- Proposed land uses, or project components obviously different from or in sharp contrast to current surrounding land use patterns, whether man-made or natural.
- Proposed land uses, or project components visible to users of aesthetic resources which will eliminate or significantly reduce their enjoyment of the aesthetic qualities of that resource.
- Project components that will result in the elimination or significant screening of scenic views known to be important to the area.
- Other impacts: _____

_____

IMPACT ON HISTORIC AND ARCHAEOLOGICAL RESOURCES

12. Will Proposed Action impact any site or structure of historic, pre-historic or paleontological importance? ☒NO ☐YES

☐	☐	☐Yes ☐No
☐	☐	☐Yes ☐No
☐	☐	☐Yes ☐No
☐	☐	☐Yes ☐No

Examples that would apply to column 2

- Proposed Action occurring wholly or partially within or substantially contiguous to any facility or site listed on the State or National Register of historic places.
- Any impact to an archaeological site or fossil bed located within the project site.
- Proposed Action will occur in an area designated as sensitive for archaeological sites on the NYS Site Inventory.
- Other impacts: _____

_____

IMPACT ON OPEN SPACE AND RECREATION

13. Will Proposed Action affect the quantity or quality of existing or future open spaces or recreational opportunities? ☐NO ☒YES

☒	☐	☐Yes ☒No
☐	☐	☐Yes ☐No
☐	☐	☐Yes ☐No

Examples that would apply to column 2

- The permanent foreclosure of a future recreational opportunity.
- A major reduction of an open space important to the community.
- Other impacts: _____

_____

	1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated By Project Change
IMPACT ON TRANSPORTATION			
14. Will there be an effect to existing transportation systems? ☒NO ☐YES			
Examples that would apply to column 2			
• Alteration of present patterns of movement of people and/or goods.	☐	☐	☐Yes ☐No
• Proposed Action will result in major traffic problems.	☐	☐	☐Yes ☐No
• Other impacts: _____	☐	☐	☐Yes ☐No
IMPACT ON ENERGY			
15. Will proposed action affect the community's sources of fuel or energy supply? ☒NO ☐YES			
Examples that would apply to column 2			
• Proposed Action will cause a greater than 5% increase in the use of any form of energy in the municipality.	☐	☐	☐Yes ☐No
• Proposed Action will require the creation or extension of an energy transmission or supply system to serve more than 50 single or two family residences or to serve a major commercial or industrial use.	☐	☐	☐Yes ☐No
• Other impacts: _____	☐	☐	☐Yes ☐No
NOISE AND ODOR IMPACTS			
16. Will there be objectionable odors, noise, or vibration as a result of the Proposed Action? ☒NO ☐YES			
Examples that would apply to column 2			
• Blasting within 1,500 feet of a hospital, school or other sensitive facility.	☐	☐	☐Yes ☐No
• Odors will occur routinely (more than one hour per day).	☐	☐	☐Yes ☐No
• Proposed Action will produce operating noise exceeding the local ambient noise levels for noise outside of structures.	☐	☐	☐Yes ☐No
• Proposed Action will remove natural barriers that would act as a noise screen.	☐	☐	☐Yes ☐No
• Other impacts: _____	☐	☐	☐Yes ☐No
IMPACT ON PUBLIC HEALTH			
17. Will Proposed Action affect public health and safety? ☒NO ☐YES			
Examples that would apply to column 2			
• Proposed Action may cause a risk of explosion or release of hazardous substances (i.e. oil, pesticides, chemicals, radiation, etc.) in the event of accident or upset conditions, or there may be a chronic low level discharge or emission.	☐	☐	☐Yes ☐No
• Proposed Action may result in the burial of "hazardous wastes" in any form (i.e. toxic, poisonous, highly reactive, radioactive, irritating, infectious, etc.)	☐	☐	☐Yes ☐No
• Storage facilities for one million or more gallons of liquified natural gas or other flammable liquids.	☐	☐	☐Yes ☐No
• Proposed action may result in the excavation or other disturbance within 2,000 feet of a site used for the disposal of solid or hazardous waste.	☐	☐	☐Yes ☐NO
• Other impacts: _____	☐	☐	☐Yes ☐No

IMPACT ON GROWTH AND CHARACTER OF COMMUNITY OR NEIGHBORHOOD

18. Will proposed action affect the character of the existing community? ☒NO ☐YES

Examples that would apply to column 2

	1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated By Project Change
• The permanent population of the city, town or village in which the project is located is likely to grow by more than 5%.	☐	☐	☐Yes ☐No
• The municipal budget for capital expenditures or operating services will increase by more than 5% per year as a result of this project.	☐	☐	☐Yes ☐No
• Proposed action will conflict with officially adopted plans or goals.	☐	☐	☐Yes ☐No
• Proposed action will cause a change in the density of land use.	☐	☐	☐Yes ☐No
• Proposed Action will replace or eliminate existing facilities, structures or areas of historic importance to the community.	☐	☐	☐Yes ☐No
• Development will create a demand for additional community services (e.g. schools, police and fire, etc.)	☐	☐	☐Yes ☐No
• Proposed Action will set an important precedent for future projects.	☐	☐	☐Yes ☐No
• Proposed Action will create or eliminate employment.	☐	☐	☐Yes ☐No
• Other impacts:_____	☐	☐	☐Yes ☐No

19. Is there, or is there likely to be, public controversy related to potential adverse environmental impacts? ☒NO ☐YES (SEE ATTACHED)

If Any Action in Part 2 Is Identified as a Potential Large Impact or If You Cannot Determine the Magnitude of Impact, Proceed to Part 3

Part 3—EVALUATION OF THE IMPORTANCE OF IMPACTS

Responsibility of Lead Agency

Part 3 must be prepared if one or more impact(s) is considered to be potentially large, even if the impact(s) may be mitigated.

Instructions

Discuss the following for each impact identified in Column 2 of Part 2:

1. Briefly describe the impact.
2. Describe (if applicable) how the impact could be mitigated or reduced to a small to moderate impact by project change(s).
3. Based on the information available, decide if it is reasonable to conclude that this impact is important.

To answer the question of importance, consider:

- The probability of the impact occurring
- The duration of the impact
- Its irreversibility, including permanently lost resources of value
- Whether the impact can or will be controlled
- The regional consequence of the impact
- Its potential divergence from local needs and goals
- Whether known objections to the project relate to this impact.

(Continue on attachments)

Attachment to EAF Part 2, #19

Property owners and all interested parties were invited to provide input to this management plan on December 13, 1994. Over 100 people responded. At the meeting, the group separated into three focus groups. Each group assembled on newsprint a list of issues/questions that need to be addressed in the management plan. The lists were gathered and issues prioritized by the individual votes of each participant.

Between meeting participants and those who wrote or called, nearly 600 votes or comments were received. The two highest concern priorities identified by respondents were public access (44% of the votes) and protection for the dunes and wildlife habitats (21%). The following summary details the specific aspects of these concerns.

Summary of Public Comments

Public Access (261 votes)

All agreed that access for year-round townspeople, seasonal residents, and adjacent property owners is a critical concern.

* Vehicles should be excluded (72 votes): 4x4s, ATVs, motorcycles, airplanes, property owners should retain the right to drive slowly along the beach to their cottages.

* Most access is clearly by boat at present. Maintenance of access to and from the pond by the channel was noted to be important (26 votes). What controls will be put on boats? Will there be pond shore access? Will boats be allowed to anchor? Beach and tie up? Stay overnight? Concerns along these lines received 52 votes.

* How will protection be provided for property rights of adjacent private landowners? (50 votes)

* "Appropriate access" must be defined: will there be restricted areas, designated areas of access, access on the pond side, designated trails or pathways from pond to lake shore, interpretive trails; will the northern tip of the sand be restricted? Use allowed only within a certain distance from the water? Will there be a mechanism for setting maximum use capacity? Specific hours for use? Camping prohibited? Will fires of any kind be allowed? Should pets be allowed at all, just on leash? Control of trash and litter?

Development/Facilities (115 votes)

Nineteen percent of respondents were concerned about the degree of development to occur at Sandy Pond. We were told to evaluate the need for restrooms (21 votes), one or more dune walkovers (38 votes), use of signs and

brochures, nature trails, and lifeguards for swimming. But 26 respondents cautioned that Sandy Pond should not be a park, rather, it should remain in a natural state.

Enforcement (24 votes)

Comments revealed widespread acknowledgement that rules for use require methods of enforcement. Some expressed concern about the involvement of DEC and what contributions of each organization would be, now and in the future.

* Will there be an on site staff presence? By whom? Will the beach be patrolled? How will enforcement of rules be attained?

Preservation of Dunes and Wildlife Habitat (124 votes)

Respondents counted preservation of dunes and wildlife habitat as the second major priority to be addressed in the management plan. Several people identified high lake levels and beach erosion as factors involved beyond the impacts of human activities, but many of the concerns listed above under restrictions to access clearly address the balance needed between respect for the natural system and respect for the needs of the people.

Legal and Financial Issues (33 votes)

* Where are the property boundaries, between TNC parcels and other private property owners, and at the lakeward/pondward shores?

* What, exactly is the relationship between DEC and The Conservancy on this project, and what will change if/when the state acquires the land?

* Will taxes be paid on the land, and how much tax loss will there be to the town?

* Who will pay for management services, now and long term?

* Who will have liability, will there be liability insurance?

* Could the property ever be sold out of the public trust?

Community Input (21 votes)

A number of respondents were concerned that there be ongoing opportunity for public input on updates to the management plan, and concern that public input continue to be solicited if/when the state acquires the land. Respondents also recommended that the public be given opportunity to know what is occurring on the project and be kept apprised of what to expect.

14-12-7 (2/87)—9c

SEQR

617.21
Appendix F
State Environmental Quality Review

NEGATIVE DECLARATION

Notice of Determination of Non-Significance

Project Number _____ Date March 31, 1995

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The New York State Department of Environmental Conservation, as lead agency, has determined that the proposed action described below will not have a significant effect on the environment and a Draft Environmental Impact Statement will not be prepared.

Name of Action: ADOPTION AND IMPLEMENTATION OF THE SANDY POND BEACH MANAGEMENT PLAN

SEQR Status: Type I [X]
Unlisted [ ]

Conditioned Negative Declaration: [ ] Yes
[X] No

Description of Action:

The Sandy Pond Beach Management Plan has been prepared for the administration of 3 parcels of land, immediately south of the channel that connects North Pond to Lake Ontario. The properties are currently owned by The Nature Conservancy, with a lease interest by the Department of Environmental Conservation. The Department has agreed to purchase the property when funds become available.

Presently, NYSDEC has agreed to manage the property with assistance from the Nature Conservancy. The plan establishes rules and regulations governing public use of the property, and sets forth actions designed to reduce or eliminate human caused dune erosion, stabilize existing dunes where they have been compromised, and to protect habitat for both migrating and breeding birds, while providing compatible public access. Among the actions proposed are the restricting from public use of the dunes and bird habitat areas; construction of a dune walk-over structure; and construction of a vehicle barrier to further reduce erosion inducing impacts.

Location: (Include street address and the name of the municipality/county. A location map of appropriate scale is also recommended.)

South barrier spit, North Pond, Town of Sandy Creek, New York.

(See Attached Location Map)

Reasons Supporting This Determination:
(See 617.6(g) for requirements of this determination; see 617.6(h) for Conditioned Negative Declaration)

(SEE ATTACHED)

If Conditioned Negative Declaration, provide on attachment the specific mitigation measures imposed.

For Further Information:

Contact Person:

Address:

Telephone Number:

For Type I Actions and Conditioned Negative Declarations, a Copy of this Notice Sent to:

Commissioner, Department of Environmental Conservation, 50 Wolf Road, Albany, New York 12233-0001

Appropriate Regional Office of the Department of Environmental Conservation

Office of the Chief Executive Officer of the political subdivision in which the action will be principally located.

Applicant (if any)

Other involved agencies (if any)

Relevant Criteria for Determining Significance

In accordance with Part 617.11, the following criteria appear relevant to the determination of significance of the above activity:

617.11(a)(2) The removal or destruction of large quantities of vegetation or fauna; substantial interference with the movement of any resident or migratory fish or wildlife species; impacts on a significant habitat area; substantial adverse effects on a threatened or endangered species of animal or plant, or the habitat of such a species; or other significant adverse effects to natural resources.

617.11(a)(3) The encouraging or attracting of a large number of people to a place or places for more than a few days, compared to the number of people who would come to such place absent of the action.

617.11(a)(8) A substantial change in the use, or intensity of use, of land including agricultural, open space or recreational resources, or in its capacity to support existing uses.

Determination

While certain activities may indeed be shifted onto other nearby lands, two State Parks and one private campground located in close proximity to the Sandy Pond Beach properties should be able to accommodate an increase in campers and individuals, families, and other groups desiring to recreate in a coastal environment along with their pets, as well as those who desire to hike through dunes (a nature trail through Southwick Beach State Park, which extends into the Lakeview Wildlife Management Area, passes through the dunes and incorporates a walkover structure to reduce destructive trampling of stabilizing vegetation). The Parks provide more developed recreational facilities than those proposed for the subject properties, and are more stringently supervised. As a result, we do not anticipate that any increase in these activities on nearby lands will be substantial, and should not represent a potentially significant adverse environmental impact. With regard to ATV and other motorized vehicular use, such activities are not provided for by any public or commercial private facilities in the barrier system, and are, in fact, prohibited in all dune areas under the Coastal Erosion Hazard Areas Act. The potential for trespass on adjacent and other nearby lands certainly exists, as it always has.

Construction of a dune walkover structure, while it may have a minor short-term impact on stabilizing vegetation as a result of work crews traversing the structures location during the construction phase, should result in a long-term positive environmental impact.

Reasons Supporting This Determination:

In accordance with Part 617.11 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law, the potential impacts of this action which may be reasonably expected to result from the proposed action are each compared against the legally established criteria considered indicators of significant effects on the environment below:

Activity

Establishment of special rules and regulations for the Sandy Pond Beach properties.

Potential Impacts

i. Prohibition of certain recreational activities such as camping and the use and operation of all motorized, wheeled or tracked vehicles on the property, the implementation of a curfew, restricting access to the dunes and northernmost section of the overwash flats, and the prohibition of pets, could cause a shift in use patterns, resulting in the dispersion of these activities onto other areas north and south of the Sandy Pond Beach properties.

ii. Planning, design, contracting and construction of a dune walkover structure could have a temporary impact on revegetation and stabilization of a currently compromised dune. A concern has been raised that such a structure may serve to attract large numbers of additional users who may then, trespass on adjacent private land.

iii. Planning, design, contracting and construction of a vehicle barrier along the beach in the southwestern most section of the property may have a transient impact on sand accretion and transport processes in that area. In addition, vehicles travelling north along the beach may park just south of the barrier, possibly extending onto adjacent private land.

Specifically, by focusing pedestrian movement onto a designated and restricted pathway through the dunes between the pondshore and lakeshore, the ongoing destruction of stabilizing vegetation currently occurring as a result of unrestricted access across the dunes should be reduced. Such a structure also serves an educational purpose, illustrating the benefits of resource management in the barrier system, and provides an elevated view of the barrier system environment, since the major part of the structure, including that part passing over the primary dune, will be elevated to accommodate natural sand migration (allowing for movement of windblown sand), growth of vegetation, ease of maintenance, and the enhancement of scenic views. While such a structure may focus greater numbers of people, and their boats, in an area only some 100 feet or so from adjacent private land, appropriate signage and information provided by a seasonal "dune steward" on the property, should discourage trespass.

Construction of a vehicle barrier near the south western boundary of the property (along the beach on the lakeshore) may have a minor effect on windblown sand accretion in the immediate area. However, the planned barrier should have sufficient spacing between anchored obstacles to allow most of this material to pass through unobstructed, and planned annual maintenance activities should be sufficient to prevent any significant buildup from occurring. With respect to parking, vehicles obstructed by the barrier may be parked just south of the structure while the occupants utilize the recreational opportunities provided by the properties. In anticipation of this potential occurrence, the structure will be located slightly north of the property's southern most boundary in order to prevent the unauthorized use of adjacent private lands as parking areas. "No parking" signs will be placed along the structure.

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

JOINT APPLICATION FOR PERMIT

DEC APPLICATION NUMBER

U S ARMY CORPS OF ENGINEERS APPLICATION NO

Please read ALL instructions on back before completing this application. Please type or print clearly in ink. Attach additional information as needed.

STATE

- ☐ ARTICLE 9, TITLE 1, ARTICLE 43 6NYCRR 646 (LAKE GEORGE RECREATION ZONE)
- ☐ ARTICLE 15, TITLE 3 (AQUATIC PESTICIDES CONTROL) ☐ 6NYCRR 327 (AQUATIC VEGETATION) ☐ 6NYCRR 328 (FISH) ☐ 6NYCRR 329 (INSECTS)
- ☐ ARTICLE 15, TITLE 5 6NYCRR 608 (PROTECTION OF WATERS)
  - ☐ For the construction, reconstruction, or repair of a DAM or other impoundment structure
  - ☐ For the disturbance of a STREAM BED OR BANKS or excavation in or fill of NAVIGABLE WATERS ☐ 401 WATER QUALITY CERTIFICATION
- ☐ ARTICLE 15, TITLE 15 ☐ 6NYCRR 601 (WATER SUPPLY) ☐ 6NYCRR 602 (LONG ISLAND WELL)
- ☐ ARTICLE 15, TITLE 27 6NYCRR 666 (WILD, SCENIC AND RECREATIONAL RIVERS)
- ☒ ARTICLE 24 6NYCRR 662, 663 (FRESHWATER WETLANDS) ☐ ARTICLE 36 6NYCRR 500 (FLOODPLAIN MANAGEMENT)
- ☐ ARTICLE 25 6NYCRR 661 (TIDAL WETLANDS) ☒ ARTICLE 34 6NYCRR 505 (COASTAL EROSION)

FED

- ☐ SECTION 10 (RIVER AND HARBOR ACT OF 1899) for structures and work in navigable waters of the U S. ☐ COASTAL CONSISTENCY CERTIFICATION
- ☐ SECTION 404 (CLEAN WATER ACT OF 1977) for disposal of dredged or fill material in waters of the U S.
- ☐ SECTION 103 (MARINE PROTECTION, RESEARCH AND SANCTUARIES ACT) for the transportation of dredged materials for dumping into ocean waters

1. LIST PREVIOUS PERMIT APPLICATION NUMBERS AND DATES (If any)

2. APPLICANT IS A AN ☐ Owner ☐ Operator ☐ Lessee ☒ ~~Corporation~~ Governmental Agency (Check as many as apply)

3. NAME OF APPLICANT (Use Full Name)
NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

MAILING ADDRESS: 1285 FISHER AVENUE
TELEPHONE (Where can be reached during day): (607) 753-3095, EXT 218
POST OFFICE: CORTLAND
STATE: NY
ZIP CODE: 13045

4. NAME OF ☐ Owner ☒ Agent/Contact Person (Check one)
ROBERT S. DAVIS

MAILING ADDRESS: 1285 FISHER AVENUE
TELEPHONE (Where can be reached during day): (607) 753-3095, EXT 218
POST OFFICE: CORTLAND
STATE: NY
ZIP CODE: 13045

5. PROJECT/FACILITY LOCATION (Mark location on map, see Number 18 on reverse side)
County: OSWEGO | Town or city: SANDY CREEK | Village: SANDY CREEK

STREET ADDRESS (If different from applicant)
NOT APPLICABLE - SOUTH BARRIER SPIT, NORTH POND, SANDY CREEK, NY

POST OFFICE: SANDY CREEK
STATE: NY
ZIP CODE: ———

6. NAME OF STREAM OR BODY OF WATER
LAKE ONTARIO, NORTH POND

7. HAS WORK BEGUN ON PROJECT? ☐ Yes ☒ No
If YES, attach explanation on starting work without permit, includes dates. Show work on map and/or drawings.

8. WILL PROJECT UTILIZE STATE LAND? ☒ Yes ☐ No

9. PROPOSED USE: ☐ Private ☒ Public ☐ Commercial

10. PROPOSED STARTING DATE: 6/1/95

11. APPROXIMATE COMPLETION DATE: 7/1/95

12. FEE OF (NYS Permit Only) $ _____ Enclosed

13. PROJECT DESCRIPTION: (e.g. quantity and type of material to be excavated, dredged or used for fill or rip rap, location of disposal sites, type of structure to be installed; height of dam; size of impoundent; capacities of proposed water sources; extent of distribution system; etc.) CONSTRUCTION OF DUNE WALK-OVER STRUCTURE TO PERMIT PUBLIC ACCESS TO AND FROM THE BEACH ON LAKE ONTARIO FROM NORTH POND. EXCAVATION WILL BE LIMITED TO POST-HOLES TO SUPPORT STRUCTURE. STRUCTURE WILL BE ELEVATED 3 FT ABOVE GROUND TO PERMIT NATURAL SAND MOVEMENT AND

14. WILL THIS PROJECT REQUIRE ADDITIONAL FEDERAL, STATE AND/OR LOCAL PERMITS? ☐ Yes ☒ No If yes, please list:

15. CERTIFICATION:
I hereby affirm that under penality of perjury that information provided on this form and all attachments submitted herewith is true to the best of my knowledge and belief. False statements made herein are punishable as a Class A misdemeanor pursuant to Section 210.45 of the Penal Law.
Further, the applicant accepts full responsibility for all damage, direct or indirect, of whatever nature, and by whomever suffered, arising out of the project described herein and agrees to indemnify and save harmless the State from suits, actions, damages and costs of every name and description resulting from said project. In addition, Federal Law, 18 U S C. Section 1001 provides for a fine of not more than $10,000 or imprisonment for not more than five years, or both, where an applicant knowingly and willfully falsifies, conceals, or covers up a material fact; or knowingly makes or uses a false, fictitious or fraudulent statement.

☐ I hereby authorize the agent named in Number 4 above to submit this application on my behalf.

6/5/95 (DATE) — Robert S. Davis (SIGNATURE) — FORESTER 1 (TITLE)

PLEASE READ ALL INSTRUCTIONS ON REVERSE SIDE

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

JOINT APPLICATION FOR PERMIT

DEC APPLICATION NUMBER

U S ARMY CORPS OF ENGINEERS APPLICATION NO

Please read ALL instructions on back before completing this application. Please type or print clearly in ink. Attach additional information as needed

STATE

- ☐ ARTICLE 9, TITLE 1, ARTICLE 43 6NYCRR 646 (LAKE GEORGE RECREATION ZONE)
- ☐ ARTICLE 15, TITLE 3 (AQUATIC PESTICIDES CONTROL) ☐ 6NYCRR 327 (AQUATIC VEGETATION) ☐ 6NYCRR 328 (FISH) ☐ 6NYCRR 329 (INSECTS)
- ☐ ARTICLE 15, TITLE 5 6NYCRR 608 (PROTECTION OF WATERS)
  - ☐ For the construction, reconstruction, or repair of a DAM or other impoundment structure
  - ☐ For the disturbance of a STREAM BED OR BANKS or excavation in or fill of NAVIGABLE WATERS ☐ 401 WATER QUALITY CERTIFICATION
- ☐ ARTICLE 15, TITLE 15 ☐ 6NYCRR 601 (WATER SUPPLY) ☐ 6NYCRR 602 (LONG ISLAND WELL)
- ☐ ARTICLE 15, TITLE 27 6NYCRR 666 (WILD, SCENIC AND RECREATIONAL RIVERS)
- ☒ ARTICLE 24 6NYCRR 662, 663 (FRESHWATER WETLANDS) ☐ ARTICLE 36 6NYCRR 500 (FLOODPLAIN MANAGEMENT)
- ☐ ARTICLE 25 6NYCRR 661 (TIDAL WETLANDS) ☒ ARTICLE 34 6NYCRR 505 (COASTAL EROSION)

FED

- ☐ SECTION 10 (RIVER AND HARBOR ACT OF 1899) for structures and work in navigable waters of the U S ☐ COASTAL CONSISTENCY CERTIFICATION
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3. NAME OF APPLICANT (Use Full Name)

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

MAILING ADDRESS	TELEPHONE (Where can be reached during day)	
1285 FISHER AVENUE	(607) 753-3095, EXT 218	
POST OFFICE	**STATE**	**ZIP CODE**
CORTLAND	NY	13045

4. NAME OF ☐ Owner ☒ Agent/Contact Person (Check one)

ROBERT S. DAVIS

MAILING ADDRESS	TELEPHONE (Where can be reached during day)	
1285 FISHER AVENUE	(607) 753-3095, EXT 218	
POST OFFICE	**STATE**	**ZIP CODE**
CORTLAND	NY	13045

5. PROJECT/FACILITY LOCATION (Mark location on map, see Number 1B on reverse side)

County OSWEGO | Town or city SANDY CREEK | Village SANDY CREEK

STREET ADDRESS (If different from applicant)

NOT APPLICABLE - SOUTH BARRIER SPIT, NORTH POND, SANDY CREEK, NY

POST OFFICE	STATE	ZIP CODE
SANDY CREEK	NY	-----

6. NAME OF STREAM OR BODY OF WATER

LAKE ONTARIO, NORTH POND

7. HAS WORK BEGUN ON PROJECT? ☐ Yes ☒ No — If YES, attach explanation on starting work without permit, includes dates. Show work on map and/or drawings.

8. WILL PROJECT UTILIZE STATE LAND? ☒ Yes ☐ No

9. PROPOSED USE	10. PROPOSED STARTING DATE:	11. APPROXIMATE COMPLETION DATE:	12. FEE (NYS Permit Only)
☐ Private ☒ Public ☐ Commercial	6/1/95	7/1/95	$ _____ Enclosed

13. PROJECT DESCRIPTION: (e.g. quantity and type of material to be excavated, dredged or used for fill or rip rap, location or disposal sites, type of structure to be installed, height of dam; size of impoundent; capacities of proposed water sources; extent of distribution system, etc.) CONSTRUCTION OF DUNE WALK-OVER STRUCTURE TO PERMIT PUBLIC ACCESS TO AND FROM THE BEACH ON LAKE ONTARIO FROM NORTH POND. EXCAVATION WILL BE LIMITED TO POST-HOLES TO SUPPORT STRUCTURE. STRUCTURE WILL BE ELEVATED 3 FT ABOVE GROUND TO PERMIT NATURAL SAND MOVEMENT AND

14. WILL THIS PROJECT REQUIRE ADDITIONAL FEDERAL, STATE AND/OR LOCAL PERMITS? ☐ Yes ☒ No If yes, please list:

15. CERTIFICATION

I hereby affirm that under penalty of perjury that information provided on this form and all attachments submitted herewith is true to the best of my knowledge and belief. False statements made herein are punishable as a Class A misdemeanor pursuant to Section 210.45 of the Penal Law.

Further, the applicant accepts full responsibility for all damage, direct or indirect, of whatever nature, and by whomever suffered, arising out of the project described herein and agrees to indemnify and save harmless the State from suits, actions, damages and costs of every name and description resulting from said project. In addition, Federal Law, 18 U.S.C. Section 1001 provides for a fine of not more than $10,000 or imprisonment for not more than five years, or both, where an applicant knowingly and willfully falsifies, conceals, or covers up a material fact; or knowingly makes or uses a false, fictitious or fraudulent statement.

☐ I hereby authorize the agent named in Number 4 above to submit this application on my behalf.

6/5/95	Robert S. Davis	FORESTER 1
DATE	SIGNATURE	TITLE

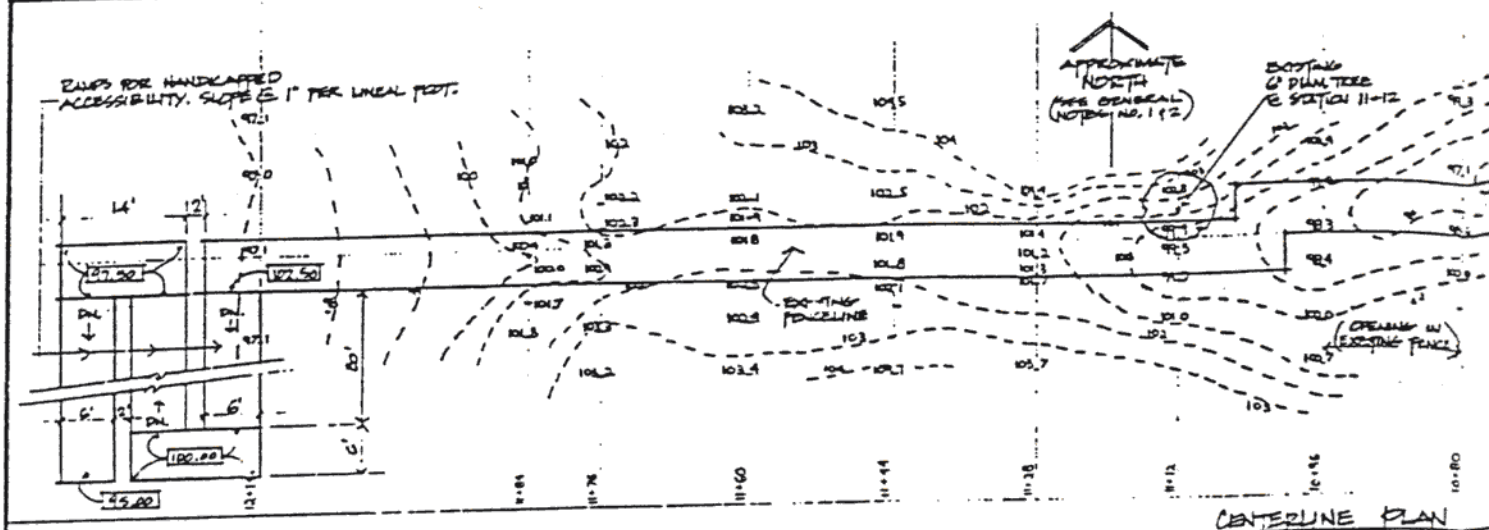
PLEASE READ ALL INSTRUCTIONS ON REVERSE SIDE

JOINT APPLICATION FOR PERMIT

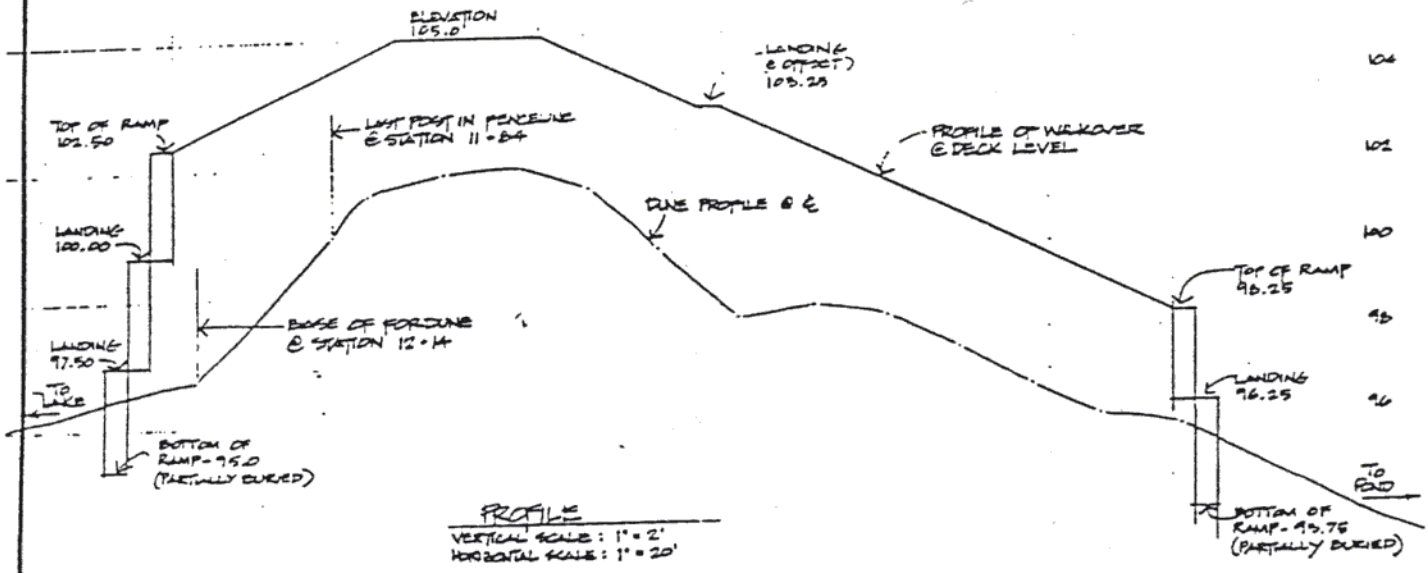
NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
ATTN: ROBERT S. DAVIS, FORESTER 1
1285 FISHER AVENUE
CORTLAND, NEW YORK 13045-1090

13-1. VEGETATIVE REGROWTH TO STABILIZE DUNES. TOTAL HEIGHT (INCLUDING HAND RAIL) APPROXIMATELY 6 FEET. TOTAL LENGTH: APPROXIMATELY 240 FEET. TOTAL WIDTH: APPROXIMATELY 6 FEET. POST-HOLES WILL BE SIX INCHES SQUARE, APPROXIMATELY 5 FEET IN DEPTH.

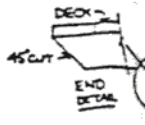
13-2. CONSTRUCTION OF BARRIER TO RESTRICT VEHICULAR TRAFFIC ALONG BEACH AT SANDY POND BEACH TO EMERGENCY VEHICLES AND FOOT TRAFFIC ONLY. BARRIER WILL CONSIST OF APPROXIMATELY 20 WOODEN POSTS BEDDED 5 FEET DEEP IN BEACH SAND, ON AN APPROXIMATE 4 FOOT SPACING. A 12-FOOT WIDE GATE WILL BE LOCATED IN THE CENTER.



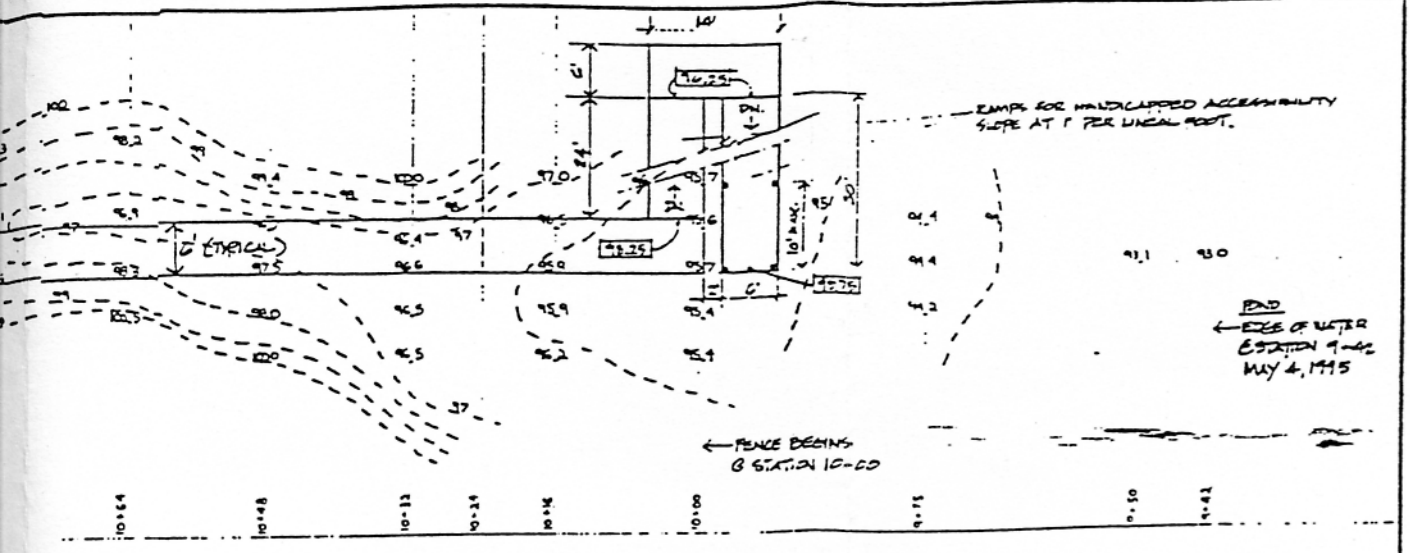
CENTERLINE PLAN
SCALE: 1" = 10' (SEE GENERAL NOTES)



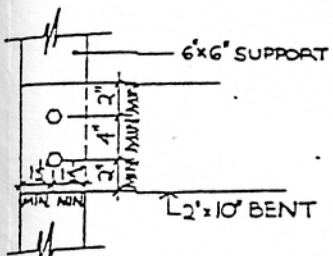
PROFILE
VERTICAL SCALE: 1" = 2'
HORIZONTAL SCALE: 1" = 20'



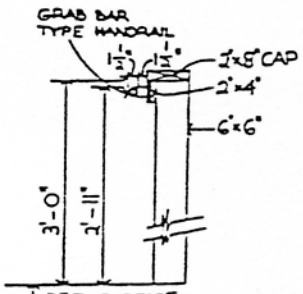
PLAN



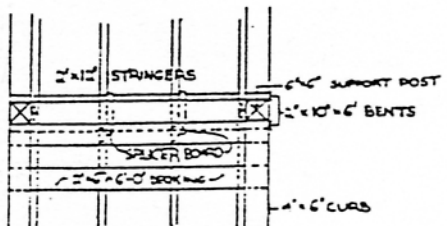
NOTES NO.1 & 2)



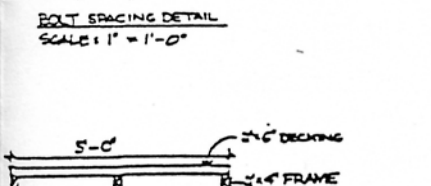
BOLT SPACING
SCALE 1½"=1'-0"



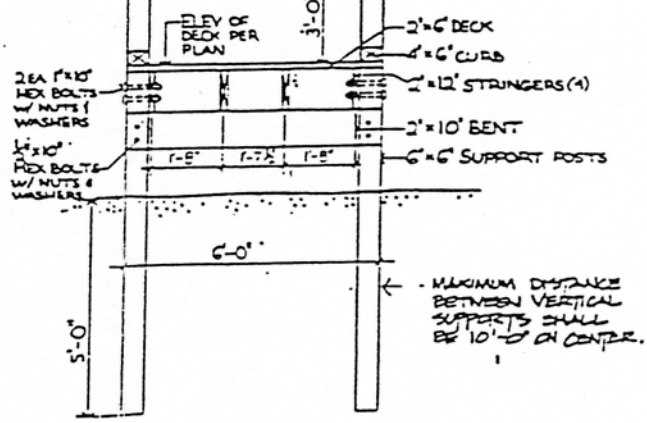
RAILING DETAIL
SCALE: ¾"=1'-0"



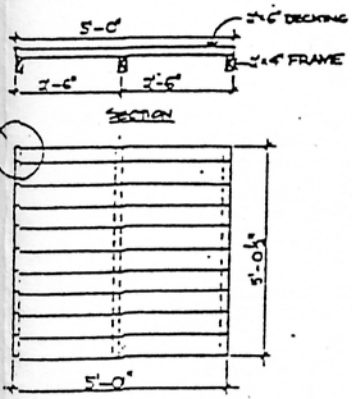
PLAN VIEW
SCALE: ½"=1'-0"



BOLT SPACING DETAIL
SCALE: 1" = 1'-0"



TYPICAL SECTION THRU WALKOVER STRUCTURE
SCALE: ½" = 1'-0"



ACCESSIBLE TRANSFER PLATFORM
N.T.S.

GENERAL NOTES

1. Design is based on topographic survey made by U.S. Dept. Agriculture Soil Conservation Service, shown by John Dandalandor, dated May 1995.
2. Center line shown on the plan is the line of the existing wood rail fence which shall be removed. The fence line may not be straight and the structure shall be adjusted as necessary.
3. Stake out entire structure to verify vertical and horizontal dimensions and to field adjust if necessary to accommodate conditions as they exist.
4. It is the intent of the walkover structure to meet as much as practical current requirements and standards for accessibility and use by individuals with disabilities. Adjustments to the design to accommodate field conditions should comply with such requirements and standards.
5. Caution: It should be recognized that conditions, grades, and composition of the surface of the ground at both ends of the structure are highly variable and cannot be provided for in a permanent structure. Caution must be exercised and assistance may be needed to transfer to and from the walkover structure.
6. Periodic inspection and maintenance will be required to correct hazardous conditions which can result from exposure to the elements. Natural deterioration of materials, shifting sand, and damage through use and vandalism.

TECHNICAL SPECIFICATIONS

1.1 SCOPE OF WORK
Construction of elevated walkover over dune area as detailed, including all labor, materials and equipment as necessary to complete the work.

2.1 MATERIALS
A. Wood
1. Wood shall be AWPA No. 1 Grade Southern Yellow Pine, 19 percent maximum moisture content, with grade stamps on ends as stamps will not be visible in use. Decking and all railing pieces shall be smooth surfaced. Strips indicated are nominal.
2. All wood shall be pressure impregnated with wood preservative, Osmose K-33, or Owner approved equivalent.
a. Decking and railing pieces shall have 0.40 pounds per cubic foot retention of preservative.
b. All other pieces shall have 0.60 pounds per cubic foot retention of preservative.

B. Hardware
1. All bolts, washers, plates, nuts, etc. shall be hot dipped galvanized prior to installation. All exposed metal shall be primed and painted with two (2) coats rust inhibitive enamel (Rustoleum or equivalent) flat black. Holes for decking shall be hot dipped galvanized 16d screw shank.

DUNE WALKOVER STRUCTURE
AT
SANDY POND BEACH
Town of Sandy Creek, New York

A cooperative project of New York State Department of Environmental C

APPENDIX 6

Summary of Public Comments

Robert Davis
Senior Forester
NYS DEC
1285 Fisher Ave.
Cortland, NY 13045-1090

Dear Sir:

I regret that I was unable to make the public hearing 30 Aug. 1995, at the town hall in the town of Sandy Creek, Lacona.

Fortunately we have this venue, and I will try to take up as little as time will allow.

This past spring I had the opportunity to see first hand as Dune Steward the vast amount of work that had to be done to make the general public aware of our intentions, and our skill was put to the test by time restraints.

1.- Early spring (May) the foot traffic on the proposed walk-way was about 2 persons a day.

2.- After laying down our temporary snow fence, and burying it in 3 ~~ft~~ inches of sand the traffic went to ten persons a day.

3.- With the boating, sunbathing weather fast approaching that body count went to well over one hundred people a day, bare in mind, it was back and forth for a look-see on some occasions.

4.- The snow fence and the walk-way took a heavy beating but played its role in traffic control and was maintained as well as dune fencing.

5.- I would like to state, that a permanent structure must be erected , if not this year, by next year.

6.- It should be large enough and tall enough to get us out and over the vegetation growing near the walk-way.

7.- I support the bridge-way.

8.- The vehicle barrier (permanent fence) near EL-4 at this time I would like to see how that structure will winter on site.

Also a quick personal note to thank-you and your staff on all your help with any problems that have arisen this summer, and your departments respond to some unusual situations ~~the~~ sure made our day on the dune/beach, some fond memories, still waiting on hat and shirt.

Respectfully,

Dune Steward

Sandy Pond Beach

① John Petruszyn
5755 Stanykill St
E. Syracuse 13057-3041
656-8903

08-Dec-94

SANDY BONANNO
NATURE CONSERVANCY

RE: Public Meeting
SANDY CREEK TOWN HALL

Dear SANDY,
Thank you for including me in your mailing list.
Typical of some of the problems that will confront all of us in the up coming AGENDA is lack of INFROMATION.
② Never heard of NATURE CONSERANCY Till SAW ARTICAL IN LOCAL (OSWEGO Co.) paper
② Never heard of 'SEA GRANT' IN OSWEGO COUNTY @ S.U.N.Y. OSWEGO
③ NEVER been To the NORTH POND with our PONTOON BOAT.

So, here lies some of our concerns.

We live at 94 South Sandy Pond Inlet. New 9-1-1 address that puts us on the north shore of South Pond with land bordering both the pond and the lake. We have been there for over thirty years. We have seen changes. Being home owners we are very aware of our problems with the beach, and that solution falls to me.

So in 1985, I took my first steps to do what I could to reduce erosion. I started with a designated trail and planting of beach grasses.

I HAD A LOT TO LEARN, AND SOME I LEARNED THE HARD WAY.

I CONTINUE TO PLANT GRASSES INSTALL SNOW FENCE PLANT WIND-BREAKERS AND TRY TO ESTABISH WHATEVER I CAN.

I SEE STRENGTHS IN SOME OF MY ATTEMPTS, FLAWS IN OTHER THINGS AND ATTEMPTS.

SO WHERE ARE WE??

RIGHT BACK TO SENTENCE TWO.

FROM INFROMATION AND FROM WE TO I.

HOPE THAT THIS FORMAT MAKES SOME KIND F SENSE TO YOU AND LETS ME SAY A FEW THINGS.

I WALKED THE BEACH AND THE PORTION CALLED THE BOAT BEACH

This past Monday in the rain. [SLEOC DR#1 - South Spit] I could have driven down along the shore line, but got to see so much more as I walked.

I was surprised to see so many walkovers - we had discussed that very same method of going to the beach for ourselves to keep off trail.

I was also very surprised at the damage done on the north pond. I had planted beach grass on my own, and covered not only my property but neighbors on both sides of me, and still continue to do so.

I can see the horrah for me and forget the next lot syndrome. Very upsetting in some points.

FINALLY I HAD DECIDED TO GET SOME MAJOR HELP FOR MY EFFERTS. THAT'S WHERE SEA GRANT GAVE TO ME SOME INFORMATIONAL READING. IT IS A SHAME THAT WE DON'T KNOW WHAT WE HAVE.

I HAVE BEACH GRASS WITH STRIPPED MAPLES AND OTHERS

I HAVE POISON IVY WITH GRAPE VINES AND SHRUBS

I HAVE WILD CHERRY BUSHES

I HAVE SCHID TREES.

I GUESS WHAT I AM SAYING IS THAT I AGREE WITH YOUR OUTFIT IN THE UPCOMING YEARS AHEAD OF THE POTENTIAL THAT LIES IN THIS ENVIROMENTAL AREA.

THE ANSWER IS WE - US.

(6)

What little input I have would be to gradually restrict foot traffic in designated areas by the use of signs, barriers, controlled axs (access) Lake shoreline enforcement of Rules
curtail use to specific times
Times of day
Times of year (month)
Provide signs for NO zones
Plants and animals
Dredge inlet to raise buffer
Reduce boat usage
anchor furthe out. Pack in Pack-out
No fires.
absolutley no vehicles on beach
beyond last structure (home).
Limit hand access from N. Pond.
Peak periods of use. Draw from
Local state facility's man power
To stay any foreseeable problems

GIVE INFROMATION AND OFFER grants, IF possible TO THOSE that will RESTORE or REVITALIZE their AREA'S AND NEXT TO them IN SOME CASES.

USE VOLUNTEER STEWARDSHIP SPARINGLY

Get people AWARE AND INVOLED.

Suggest, TO USE LOCAL PRIVATE CITIZENS WITH NO AFFILIATIONS TO INFORMAL home-owner get-TO gethers FOR chats.

NO-pressure TACTICS FOR near-by Residents

Be A good Nieghbor.

THANKS FOR YOU TIME TODAY

YOUR Nieghbor ON the South Fond

(8)

Respectfully

John Petrezin

94 S. Sandy Pond Inlet
PO 595
Sandy Creek NY
13145-0595

P.S. Beach grass excursion 94 (OEC)
? where can i get beach grass??

Co-op Extension Mexico Dale (Young)
Zero printed material available
1995 Tree Form
SEE Dave White Sea-Grant
See John DeHollande Sac-Later
-54-Stemanhall SUNY Expos
Dave White not in See
young women that is artist
given print material
by Diane Kuehn over:

SOIL + WATER 2 ERIE

JOHN DeHOLANDER @ MEETINGS

TWO DAYS

TALKED WITH SEC-TIRUS. @ SOIL

NO TECH ON HAND.

GIVEN PAMPLET ON WALK-THRU

A PARK - DUNE TRAIL

I SIT HERE SHAKING MY

HEAD NO-WONDER WE HAVE

PROBLEMS TO OVER COME.

MAYBE I PICKED A BAD DAY.

JS

THANKS FOR LETTING ME VENT.

JS

(1)

November 28, 1994

Dear Ms. Bonanno

I have owned a Parcel Slightly South of the Proposed Nature Conservancy since 1969, (over 25 years). I submitt the following Comments based up on my observations and your Proposal.

- Vegitation in and around my Property has not decreased in fact it has increased. Property owners have introduced new plantings which encourage the establishment of more forms of wild life.

- Dramatic changes in the shape of the barrier is more influenced by the

water level during those times of the year with characteristic high west winds. one such occurance caused the movement of the channel 1/2 mile North and the loss of several Cottages.

Over the years the dune infront of my Property has increased in height at least 15 feet

What do you mean by "Protect and restore the integrity of the dunes."?

The greatest single influence impacting the Ecological Values and Management Values is the All Terain Vehicles (ATV's) and some 4 wheel drives, along with the No brain drivers.

I have had a number of confrontations with these people with limited success.

Note: There is a difference between property owners driving slowly on the beach to their property and a careless hotrod speeding down the beach then off in to the brush to test his backroad still.

- Keep the "rules for use" reasonable and easy to follow. Limit/eliminate access by ATV + 4WD vehicles. lots of luck - Groman was never able to do it.

Charles R Banker
1927 Carmichael Rd
Oswego, N.Y. 13827
607-687-3372

Lee B. Chamberlaine
P.O. Box 139
Henderson, New York
13650-0139

December 18, 1994

Mrs. Sandy Bonanno
The Nature Conservancy
315 Alexander Street
Rochester, New York 14604

Dear Sandy:

A few comments and information on Sandy Pond Beach. The Pond has become an important resting area for Snow Geese in Spring migration. It may also be important for Sandhill Cranes in migration. A species which is increasingly seen in New York in the last five years.

As regards the management plan it is imperative that the Enforcement and Information - Education portions in the plan be carried out without a hitch. Otherwise it will end up as the Lakeview Area has. No real Enforcement and not much I & E. The boaters, campers, party goers now control Lakeview WMA and use it at will destroying as they go. It will be necessary for Rangers to visit the area on a regular basis and particularly the weekends and the big weekends of Memorial Day, Fourth of July and Labor Day. If this is not done the groups will take over the areas as at Lakeview. The Region 6 Office does not realize the impact to the dunes over the years by the constant overuse of the area. I hope Region 7 attitude does not go the same way since you will create a monster that cannot be controlled. Past in - action promotes and propagates overuse and destruction of the dunes and vegetation.

Lee B. Chamberlaine

Lee

15 DEC 94

Sandy Bonanno
Stewardship Ecologist
The Nature Conservancy
315 Alexander St.
Rochester, N.Y. 14604

Dear Ms. Bonanno,

My wife and I were able to attend the meeting in late August or early Sept at Sandy Pond. We believe that the conservancy securing these parcels is the finest development which could occur for the pond. We would support a mixed use as was discussed at that meeting with no camping and no destructive vehicles. I might suggest the larger parcel be a nature preserve and there be perhaps two walkways across the middle parcel to allow a reasonable number of persons to land their boats. They could use the walkways to cross to the Lake side. There will be some who will feel that they are losing open access, but the problem is that there will be none at all if not controlled. I go back to when there were so few persons at the beach my parents used to set up a nine hole golf course with croquet balls and mallets and play up and down the beach with no one else present, although on Labor Day there might be one other family on the beach.

There were in those days further out on the point a large nesting area with several hundred common terns and fewer gulls. There were also eagles on the higher dunes to the south. At any rate we believe that a mixed usage with some wildlife or bird protection areas and some boat access is best. We really don't believe that the beach will stand up to vehicles of the all terrain variety.

Enclosed please find a check for $250.00 towards this find project which is the nicest event to happen to this beautiful area in sometime

Sincerely

Douglas and Judith Holyoke

P.O. Box 3412
Togus Me. 04330.

Sandy Pond Comment

Kathleen Krakosch, NY Heritage 12/18/94

excellent example of dune - in NY, not w
the range
she can kill the entire barrier ar
globally
(c)

accommodate foot traffic to the beach. I want to reiterate that any activity, such as a walkover, that invites people to anchor on, or near the back side of our property is unacceptable. As noted above, boaters that seek access to the beach via a walkover in this area will continue to destroy the vegetation on the dunes. A walkover placed on Nature Conservancy property, located on either side of us will concentrate boats and boaters in this fragile location; and would therefore be unacceptable to us.

Finally, the Conservancy's desire to allow public use of the beach areas is incompatible with it's stated purpose to protect it's "globally rare Great Lakes dunes and its importance for migrating shorebirds and songbirds." The current day time use of this area consists of boating and swimming. During the summer, it is greatly concentrated on weekends and holidays. People bring their dogs and let them run free through the dunes without supervision. There has been an increasing use in this area. This greatly disrupts the habitat. Besides people walking through the dune grass and cutting down the live trees, I have personally witnessed trucks from neighboring properties clearing the driftwood from the beach. This, combined with late night party fires, removes the materials needed for natural dune replenishment.

In conclusion, our view is that the plans to allow public beach access, however noble, will attract more people than the area is capable of supporting. Limiting access and restricting use is the only possible way to protect this valuable natural area. I hope that you will understand our concerns and support us in this viewpoint.

Sincerely,

Ken Wells

[redacted]

Bob -
Please, let's talk before
finalizing into - I will call
today
Sandy

R.D.#4, Box 403 Distin Rd.
Oswego, N.Y. 13126
October 9, 1994

Mrs. Sandy Bonanno
The Nature Conservancy
315 Alexander Street
Rochester, N.Y. 17604-2614

Dear Sandy:

Thank you for your memo about the meeting on the 14th of October in Sandy Creek. We plan to attend.

Concerning our last meeting on September 20th, I feel that there are some things that I should reinforce:

First of all, for too long the boating public has considered our property to be theirs. They do as they please; camping, partying, or passing over as a 'sidewalk' from pond to lakefront. The foot traffic has kept vegetation from growing on vast expanses of sand, on our property. This has allowed the winds to move a considerable amount of sand through the open gaps in the dunes, depositing it in Sandy Pond. We have aggressively worked at reducing the trespassing on our property to promote the rooting of beach grass and other natural sand anchoring plants. Anything that attracts trespassers to this area, such as announcing that the beach will be open to the public, will prolong the problem and make the effort to re-vegetate and restore the dunes difficult to impossible. Public announcements must be carefully worded to prevent the public from misunderstanding acceptable access and usage. In fact, the access should be limited.

Secondly, the small bay behind our property is a favorite place to park boats and walk along the base of the dunes. This is detrimental to the preservation of the dunes. Our property is unique, in that the only dune on our property extends right to the water on the Sandy Pond side. Article 34 of the Environmental Conservation Law defines this dune as a "primary dune" and as such receives special consideration under the law. Foot traffic that "causes sufficient damage to the primary dune to diminish the erosion protection afforded by them is prohibited." (Part 505.8.d.4) It is obvious that the foot traffic on our property has affected the erosion control value, and should be prohibited. We have sometimes thought that the law was overbearing; but in this case, it is evident that there is a valid concern voiced by the law. The Nature Conservancy should not attract or allow people into this area. It will promote foot traffic across the base of the dunes, causing more erosion damage.

We also discussed possible access points and methods to

the camp owners should take more interest in cleaning up trash from the beach. I personally have hauled many bags of trash from the beach and taken the trash back to town for disposal. Every day I walk the beach and pick up whatever I can and take it back to camp.

More ownership is needed not more laws or signs.

Boaters beach should remain open to the public but people must be made aware of their responsibility to take out the remains of what they brought in. (Garbage).

We shouldn't lose sight of the fact that regardless of what anyone does or doesn't do, the final outcome of the dune area will be decided by Mother Nature.

Sincerely
Don Pratt
Land Owner
Lot # 45

12-17-94

I couldn't attend the meeting in Sandy Creek 12-13 but want to State my opinion on some issues concerning the dunes at Sandy Pond.

I own a camp near the channel between Lake Ontario and North Sandy Pond.

the area is destined to change based on lake storms and uncontrolled water levels. This has always been the case and this won't change simply because some law is passed.

there are few things which will affect the dune area as I see it. But some are the restriction of 3 or 4 wheel all terain vehicles in the summer and Snowmobiles in the winter. these vehicles take people where people don't need to be. I have no idea how we could go about eliminating this misuse but something should be tried.

As far as foot traffic goes some owners have built their own walkways from camp to beach. this is a good idea but a structure that will last is quite expensive to put in. Perhaps if some aid was available more camp owners would build them.

(cont)

December 15, 1994

Randall P. Murray
Box 313A, R.D. #6
Oswego, N.Y. 13126

Ms. Sandy Bonnano
The Nature Conservancy
315 Alexander St.
Rochester, N.Y. 14604

Dear Ms. Bonnano,

I would like to thank you for your interest in the stewardship of the Dune ecosystem on the Eastern shore of Lake Ontario. I also would like to thank you for this opportunity to comment on your plans for the preservation of the north end of the South Spit at Sandy Pond. It is a noble goal to try to protect this beautiful, scenic treasure for the people of the Empire State.

I have been involved in the proposals and recommendations made by the Office of Parks, Recreation, and Historic Preservation to alter the use of the beach area at Southwick Beach State Park north of the territory that you now control. I understand by the articles written in the Syracuse newspapers that you would like to control this property along with the D.E.C. and possibly cede it to the State. As you are well aware, the State through the D.E.C. now controls several miles of this ecosystem.

The section controlled by the D.E.C. is very beautiful and also very much restricted from use by the public. If one was to attempt to enjoy this area and abide by the rules set forth by the D.E.C. posting, one could do little other than walk on the beach. No noise, no picking up firewood, no fires, no trespassing on the Dunes (and therefore no view of the wetlands and the wildlife behind the dunes), no picnicking, no camping, etc., etc. etc....

An attempt is being made to take control of the public access section of the beach at Southwick and impose the same draconian restrictions. This area is currently used for public camping and swimming as well as the enjoyment by the campers of a view of the wetlands and wildlife adjacent to this area. At the public hearing held in Pulaski in October The Nature Conservancy's representative spoke in favor of this ban on camping at the park. Forgive me if my memory is failing but I thought I recognized your name as that speaker. The only positive public comments made about the beach closure came from your group, the D.E.C., and a member of the St. Lawrence Commission who helped write the D.E.I.S. The plan will allow minimal access to this area through boardwalks over the beach area. All other activities, including swimming and camping, will be eliminated.

I can understand your desire to stop the use of ATV's on the Dunes and a restriction against camping on YOUR property if the campers do not respect the area. That is not the case at the State Park. The area is neither trashed nor used by ATV's. This area should be maintained to allow the public up close and personal access to this area. Your group's apparent desire to restrict all activities of the public with the possible exception of walking creates an animosity between you and many members of the recreational public. You have apparently purchased this property and have every right under the law to restrict access. You do not have the right to deny access to the general public at a State Park, even in the name of the Sand Dune Willow.

I noted with great interest your possible plan to allow day campers who can provide a positive oversight of the Dune area. This sounds surprisingly like the opinion of many campers who frequent Southwick Beach. They have repeatedly made statements to the effect that they keep a good eye on the beach area and report those that abuse the Dune area. If the public is trashing the Dunes in the area that you now own, they don't belong there. Responsible campers do belong at Southwick.

I believe that you should give careful consideration to allowing as much public use of this area as possible within the constraints of not trashing the Dunes. Swimming, picnicking, hiking, bird watching, and even camping should be encouraged if it can be done responsibly as it is at Southwick. When you continually try to take more and more of this beautiful area out of the public domain you encourage resentment by the public against all the good that you try to do. If your goal is to eventually preserve as much of this ecosystem as you can get under your control (and the public be damned) then you will meet increasing resistance. People should be able to do more than just walk the waterline.

Thank you for allowing public input.

Sincerely,

Randy Murray

Randy Murray

Lincoln Avenue
Box 310, Mexico,N.Y.,13114

December 13, 1994

The Nature Conservancy
315 Alexander Street
Rochester, N.Y., 14604
Att. Ms. Sandy Bonnano

Re. Sandy Island Beach, Sandy Creek, Oswego County

Dear Ms. Bonnano:

I take the opportunity to respond to the article which appeared in the Syracuse Herald American on Sunday 12 December relative to public comment concerning use of the property which was recently purchased at Sandy Island Beach by the Conservancy.

I am 54 years old and have lived in Mexico, N.Y. all of my life. At the 18 plus age, I spent many weekends at Sandy Pond, seldom getting farther than the Hotel Comfort. Sandy Island Beach at the point at which the public way runs to the Lake was owned and well managed by some people by the name of Smith. Straying north of the north edge of the perimeter thereof, the south line of the Vetter property, about 1/2 mile south of your purchase, was not thought of and, in fact, the water level in the summer was frequently too high to permit it. The State of New York bought the Deer Creek Marsh 15+ years ago, an area several miles to the south, and the owner, used the $150,000. proceeds to buy the public part of Sandy Island Beach. It was only marginally maintained and for the last 7-8 years has not been maintained. A lot of sand blew away or was moved.

That part of Sandy Island Beach lying to the north of the old public Smith Beach is privately owned and, to my knowledge and observation, has generally been well respected by the public, used, when the water level permitted, for the purpose of taking long walks, holding hands, taking a picnic or, for some residents along the Lake, as a boater's beach, at the point near the pond outlet. The area is a treasure and it is washed and cleaned by the waters of Lake Ontario so that not much maintenance at all is required. The busiest I ever recall seeing it was in December 1993 when, on one of those rare warm, sunny, Sundays, I went there for a walk and there were numerous people out for a stroll, rejuvenating themselves and steeling themselves against the winter which was sure to come. In addition to the people, there was a girl on a horse and an airplane which landed on the beach which due to very low water at the time, was probably 150 feet wide, fresh and hard.

In 1980 or thereabouts, my wife and I had the good fortune of being able to rent a cottage on the private part of the beach and our infant children spent the first of probably 9 periods of two weeks in the summer, playing along the shore. I was able to rejuvenate myself, as was my wife, by walking, and running the length of the beach to the outlet and back a couple of times a day, a wonderful experience.

I believe your have purchased part of a treasure. I think that not much needs to be done save for a sign prohibiting ATV vehicles altogether, prohibiting the removal of sand, and the will to follow up on that by means of encouraging citizen complaints

and such prosecution as may be necessary to enforce the regulations against ATV vehicles and the removal of sand. Apart from that, I believe that the people who use the beach and nature itself will take care of this spot.

It would be sad to have the beach closed or to have a no trespassing sign or a do not enter sign posted.

There was a quote on the library reading room wall in the Library of Congress from Jefferson to the effect that: "The earth always belongs to the people to use according to their usufruct."

You have a treasure which should substantially clean and take care of itself.

I am too old to run that beach but I hope to walk it for a few more years, water level permitting. I believe that the Doctors Chapman, their children who I used to see them push up the beach in a twin stroller, my children, and yours will voluntarily take take care of that beach and respect it in the future.

Sincerely,

Michael Mowry

R.D.#4, Box 403 Distin Rd.
Oswego, N.Y. 13126
October 9, 1994

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The Nature Conservancy
315 Alexander Street
Rochester, N.Y. 17604-2614

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