

**NEW YORK STATE DEPARTMENT OF STATE
COASTAL MANAGEMENT PROGRAM**

Consistency Assessment Form

A. INSTRUCTIONS (Please print or type all answers)

1. State agencies shall complete this CAF for proposed actions which are subject to Part 600 of Title 19 of the NYCRR. This assessment is intended to supplement other information used by a state agency in making a determination of significance pursuant to the State Environmental Quality Review Act (see 6 NYCRR, Part 617). If it is determined that a proposed action will not have a significant effect on the environment, this assessment is intended to assist a state agency in complying with the certification requirements of 19 NYCRR Section 600.4.
2. If any question in Section C on this form is answered "yes", then the proposed action may affect the achievement of the coastal policies contained in Article 42 of the Executive Law. Thus, the action should be analyzed in more detail and, if necessary, modified prior to either (a) making a certification of consistency pursuant to 19 NYCRR Part 600 or, (b) making the findings required under SEQR, 6 NYCRR, Section 617.11, if the action is one for which an environmental impact statement is being prepared. If an action cannot be certified as consistent with the coastal policies, it shall not be undertaken.
3. Before answering the questions in Section C, the preparer of this form should review the coastal policies contained in 19 NYCRR Section 600.5. A proposed action should be evaluated as to its significant beneficial and adverse effects upon the coastal area.

B. DESCRIPTION OF PROPOSED ACTION

1. Type of state agency action (check appropriate response):

- (a) Directly undertaken (e.g. capital construction, planning activity, agency regulation, land transaction) ☒
- (b) Financial assistance (e.g., grant, loan, subsidy) ☐
- (c) Permit, license, certification ☐

2. Describe the nature and extent of action: The action is the adoption of a master plan for Clarence Fahnestock Memorial and Hudson Highlands State Parks

3. Location of action:

<u>Dutchess, Putnam and Westchester</u>	<u>* see below</u>	<u>See Master Plan for map of parks</u>
County	City, Town or Village	Street or Site Description

4. If an application for the proposed action has been filed with the state agency, the following information shall be provided:

- (a) Name of applicant: _____
- (b) Mailing address: _____
- (c) Telephone Number: Area Code (____) _____
- (d) State agency application number: _____

5. Will the action be directly undertaken, require funding, or approval by a federal agency?

Yes ☐ No ☒ If yes, which federal agency? _____

C. COASTAL ASSESSMENT (Check either "YES" or "NO" for each of the following questions.)

1. Will the proposed activity be located in, or contiguous to, or have a significant effect upon any of the resource areas identified on the coastal area map:

	<u>YES</u>	<u>NO</u>
(a) Significant fish or wildlife habitats?	☒	☐
(b) Scenic resources of statewide significance:	☒	☐
(c) Important agricultural lands?	☐	☒

* Fahnestock State Park is located in the Towns of Carmel, Kent, Philipstown and Putnam Valley. Hudson Highlands is located in the Towns of Fishkill, Philipstown and Cortlandt, the Villages of Cold Spring and Nelsonville and in the City of Beacon.

2. Will the proposed activity have a significant effect upon:

(a) Commercial or recreational use of fish and wildlife resources?	☐	☒
(b) Scenic quality of the coastal environment?	☒	☐
(c) Development of future, or existing water dependent uses?	☐	☒
(d) Operation of the State's major ports?	☐	☒
(e) Land and water uses within the State's small harbors?	☐	☒
(f) Existing or potential public recreation opportunities?	☒	☐
(g) Structures, sites or districts of historic, archeological or cultural significance to the State or nation?	☐	☒

3. Will the proposed activity involve or result in any of the following:

(a) Physical alteration of two (2) acres or more of land along the shoreline, land under water or coastal waters?	☐	☒
(b) Physical alteration of five (5) acres or more of land located elsewhere in the coastal area?	☐	☒
(c) Expansion of existing public services of infrastructure in undeveloped or low density areas of the coastal area?	☐	☒
(d) Energy facility not subject to Article VII or VIII of the Public Service Law?	☐	☒
(e) Mining, excavation, filling or dredging in coastal waters?	☐	☒
(f) Reduction of existing or potential public access to or along the shore?	☐	☒
(g) Sale or change in use of state-owned lands located on the shoreline or under water?	☐	☒
(h) Development within a designated flood or erosion hazard area?	☐	☒
(i) Development on a beach, dune, barrier island or other natural feature that provides protection against flooding or erosion?	☐	☒

4. Will the proposed action be <u>located</u> in or have a <u>significant effect</u> upon an area included in an approved Local Waterfront Revitalization Program?	☒	☐
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D. SUBMISSION REQUIREMENTS

If any question in Section C is answered "Yes", AND either of the following two conditions is met:

Section B.1(a) or B.1(b) is checked; or
Section B.1(c) is checked AND B.5 is answered "Yes",

THEN one copy of the Completed Coastal Assessment Form shall be submitted to:

New York State Department of State
Division of Coastal Resources
41 State Street, 8th Floor
Albany, New York 12231

If assistance or further information is needed to complete this form, please call the Department of State at (518) 474-6000.

E. REMARKS OR ADDITIONAL INFORMATION

The master plan includes a summary discussion of coastal consistency within Chapter 7 – Environmental Impacts and Mitigation. A full discussion of applicable policies is included in the following pages of this Appendix.

Preparer's Name: Edwina Belding 
(Please print)
Title: Environmental Analyst 2 Agency: Office of Parks Recreation and Historic Preservation
(518) 474 – 0409 8/15/2010
Telephone Number: Date:

Coastal Assessment Form Addendum: Coastal Policy Discussion

New York State coastal policies are organized under major headings. Those policy areas and specific policies applicable to the master plan are listed. Following each applicable policy is a brief discussion on the extent of consistency of the master plan with the policy.

Refer to Chapter 7, Environmental Impacts and Mitigation under Relationship to Other Programs, for an explanation of general applicability of the coastal program to state agency actions, as well as OPRHP's certification of consistency with State coastal policies

Development Policies

POLICY 2 – FACILITATE THE SITING OF WATER-DEPENDENT USES AND FACILITES ON OR ADJACENT TO COASTAL WATERS

Hudson Highlands State Park provides both water-dependent and water-enhanced uses. The Master Plan will be consistent with this policy as all of these uses will continue under the proposed plan and will be enhanced in some areas. Parking improvements at Little Stony Point and along Route 9D, the new visitor's center and additional trail opportunities will improve access to the park. The visitor center will give the park a much needed contact point for park information and provide needed visitor amenities.

POLICY 5 – ENCOURAGE THE LOCATION OF DEVELOPMENT IN AREAS WHERE PUBLIC SERVICES AND FACILITES ESSENTIAL TO SUCH DEVELOPMENT ARE ADEQUATE

The Master Plan will be consistent with this policy as the new visitor center location will be adjacent to the Route 9D corridor which will allow it to be easily accessible to the City of Beacon's municipal water and sewer services and other utilities which run along this road as well.

Fish and Wildlife Policies

POLICY 7 - SIGNIFICANT COASTAL FISH AND WILDLIFE HABITATS WILL BE PROTECTED, PRESERVED, AND WHERE PRACTICAL, RESTORED SO AS TO MAINTAIN THEIR VIABILITY AS HABITATS.

Hudson Highlands State Park includes or borders for four significant coastal fish and wildlife habitats associated with the Hudson River: the Fishkill Creek, Hudson River Mile 44-56, Constitution Marsh and Iona Island Marsh. Copies of the habitat narratives are included in this Appendix. These narratives include information that was used in evaluating impacts of proposed master plan on the characteristics of the habitat and the plan's consistency with this policy.

The master plan is consistent with this policy as it calls for increased natural resource protection of the park. The park provides important watershed protection for habitats within the Fishkill Creek and the Hudson River. The actions proposed under the Plan will have no impact or have beneficial impacts on these ecosystems and the fish and wildlife

species that they support. The designation of the park as a Park Preserve, a Natural Heritage Area and a Bird Conservation Area will promote protection and recognition of the significant fish and wildlife resources within the park and the adjacent river habitats. The Plan calls for monitoring of watersheds, streams and wetlands within the park that are critical to the protection of the river's water quality. The Plan also calls for continuing winter closure of the trail on Denning's Point to minimize impacts to wintering bald eagles. It also calls for continued monitoring of public use at Constitution Marsh to ensure it is compatible with the resource. Invasive species management, increased attention to mitigation of recreational overuse impacts and increased stewardship of species at risk will contribute to the protection of the biodiversity of the park and these significant habitats as well.

Flooding and Erosion Hazards Policies

POLICY 12 - ACTIVITIES OR DEVELOPMENT IN THE COASTAL AREA WILL BE UNDERTAKEN SO AS TO MINIMIZE DAMAGE TO NATURAL RESOURCES AND PROPERTY FROM FLOODING AND EROSION BY PROTECTING NATURAL PROTECTIVE FEATURES INCLUDING BEACHES, DUNES, BARRIER ISLANDS AND BLUFFS

The master plan does not propose any new actions within flood zones or coastal hazard areas.

Public Access Policies

POLICY 19 - PROTECT, MAINTAIN, AND INCREASE THE LEVEL AND TYPES OF ACCESS TO PUBLIC WATER-RELATED RECREATION RESOURCES AND FACILITIES.

Hudson Highlands State Park provides significant public access to over nine miles of Hudson River Shoreline. The master plan is consistent with this policy because existing public shoreline access will be maintained. Improvements to existing parking facilities and the construction of a new visitor's center will enhance the park visitors experience at the park.

Recreation Policies

POLICY 21 - WATER-DEPENDENT AND WATER-ENHANCED RECREATION WILL BE ENCOURAGED AND FACILITATED, AND WILL BE GIVEN PRIORITY OVER NON-WATER-RELATED USED ALONG THE COAST.

Hudson Highlands State Park provides water-enhanced activities on the Hudson River. Trails, picnic areas, shoreline fishing and scenic views of the river are all activities that can be enjoyed at the park and will be continued under the proposed master plan.

Historic and Scenic Resources Policies

POLICY 23 - PROTECT, ENHANCE AND RESTORE STRUCTURES, DISTRICTS, AREAS OR SITES THAT ARE OF SIGNIFICANCE IN THE HISTORY, ARCHITECTURE, ARCHAEOLOGY OR CULTURE OF THE STATE, ITS COMMUNITIES, OR THE NATION.

The Master Plan will be consistent with this policy in several ways. Additional review under State Historic Preservation Act will be completed prior to any proposed actions requiring ground disturbance or to any Register eligible structures to insure that potential historic and cultural resources are protected. In addition, the Master Plan will provide added protection for and recognition of the park's significant historic resources through the designation of the park as a Park Preserve. Also, historic resources will be protected through the improved management of significant historic areas such as the North Redoubt and the Connecticut Camp area and through the development of interpretive materials and signage for trails and programming in both parks.

POLICY 24 – PREVENT IMPAIRMENT OF SCENIC RESOURCES OF STATEWIDE SIGNIFICANCE.

Hudson Highlands State Park is located within the Hudson Highlands Scenic Area of Statewide Significance. This designated area consists of several subunits and two entire subunits, Hudson Highlands State Park and Constitution Marsh are devoted exclusively to park properties. A description of the Hudson Highlands subunit within the document "Scenic Areas of Statewide Significance" (NYS Department of State, 1993) is essentially a description of the park and thus the contributions of the extensive open space resources of this park to this designated area cannot be overstated. The protection of the high scenic quality of this park is a major goal of the Master Plan and will not be impaired in the implementation of any of the actions proposed under the plan.

The proposed visitor center is the only new facility being proposed in Hudson Highlands State Park and its proposed location along 9D will provide views of the Hudson River as well as points south and west. The exact location and scope of this facility is not known at this time and additional review under SEQR will be conducted when preliminary plans are available and will include the preparation of a visual assessment. Conceptually however the siting and design of this facility is not expected to adversely affect the scenic quality of the SASS. The building and associated parking will have a low profile and will be designed and landscaped to blend in with surrounding parkland as much as possible. Also, the guidelines within the SASS document will be used in developing the design of the facility to insure that the center will have minimal impact on the views towards the park.

The Plan also calls for maintenance of existing scenic vistas such as the Bear Mountain Overlook and viewpoints throughout the trail system which will continue to afford park visitors with views of this highly scenic area. OPRHP will continue to monitor proposed actions in surrounding communities the park that may have an effect on the park's scenic character.

Air and Water Resources Policies

POLICY 33 - BEST MANAGEMENT PRACTICES WILL BE USED TO ENSURE THE CONTROL OF STORMWATER RUNOFF AND COMBINED SEWER OVERFLOWS DRAINING INTO COASTAL WATERS.

POLICY 37 - BEST MANAGEMENT PRACTICES WILL BE UTILIZED TO MINIMIZE THE NON-POINT DISCHARGE OF EXCESS NUTRIENTS, ORGANICS AND ERODED SOILS INTO COASTAL WATERS.

The Master Plan will be consistent with both of these policies. Best management practices will be used in park development and rehabilitation and would include soil erosion control practices and surface drainage control techniques. Proposed parking areas will use pervious pavement and will incorporate sustainable storm water drainage techniques such as vegetated drainage swales or vegetated buffer areas. Areas where erosion may be occurring either due to trail design or illegal ATV activity will be restored. Increased enforcement of ATV activity will assist in reducing future erosion impacts.

Wetlands Policies

POLICY 44 - PRESERVE AND PROTECT TIDAL AND FRESHWATER WETLANDS AND PRESERVE THE BENEFITS DERIVED FROM THESE AREAS.

The Master Plan includes strong provisions to protect the tidal and freshwater wetlands of the park and adjacent waters and therefore will be consistent with this policy. No new development is proposed within or near state or federal wetlands within the park. Existing trails that are located adjacent to wetland areas will be surveyed to insure that habitat and water quality are not being impacted from recreational use or invasive species.

OPRHP will continue to work closely with National Audubon to continue to protect Constitution Marsh as one of the premier wetlands within the entire Hudson Valley. This will include continuing to support Audubon in control of phragmites in the marsh, and to increase public knowledge about the natural resources of the marsh as well as its recreational carrying capacity.