

VILLAGE OF SAUGERTIES - VILLAGE BEACH PARK RESTORATION
Environmental Assessment



New York Governor's Office of Storm Recovery

June 13, 2016

Village of Saugerties – Village Beach Park Restoration
 Environmental Assessment
 June 13, 2016

Project Name: Village of Saugerties – Village Beach Park Restoration

Project Location: Village Beach, S. Partition Street at Esopus Creek,
 Village of Saugerties, Ulster County, NY

HTFC SHARS #: N/A

**Federal Agency:
 Responsible Entity:** U.S. Department of Housing and Urban Development
 New York State Homes and Community Renewal

**Responsible Agency's
 Certifying Officer:** Thomas J. King, Assistant General Counsel and Certifying Officer

Project Sponsor: Village of Saugerties

Primary Contact: William Murphy, Mayor
 43 Partition Street, Saugerties, NY 12477-1134
 845.246.7669, bmurphy@villageofsaugerties.org

Project NEPA Classification: 24 CFR 58.36 (Environmental Assessment)

Environmental Finding:	<input checked="" type="checkbox"/> Finding of No Significant Impact - The project will not result in a significant impact on the quality of the human environment.
	<input type="checkbox"/> Finding of Significant Impact - The project may significantly affect the quality of the human environment.
Certification	The undersigned hereby certifies that New York State Homes and Community Renewal has conducted an environmental review of the project identified above and prepared the attached environmental review record in compliance with all applicable provisions of the National Environmental Policy Act of 1969, as amended (42 USC Sec. 4321 et seq.) and its implementing regulations at 24 CFR Part 58.
Signature	 Thomas J. King, Assistant General Counsel and Certifying Officer

Environmental Review Prepared By:

The Louis Berger Group, Inc. 48 Wall Street, 16 th Floor New York, NY 10005	Environmental Design & Research, Landscape Architecture, Engineering & Environmental Services, D.P.C. 217 Montgomery Street, Suite 1000, Syracuse, New York 13202
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CERTIFICATION OF NEPA CLASSIFICATION

It is the finding of the New York State Housing Trust Fund Corporation that the activity(ies) proposed in its 2016 NYS CDBG-DR project, Village of Saugerties – Village Beach Park Restoration, are:

Check the applicable classification.

- Exempt as defined in 24 CFR 58.34 (a).
- Categorically Excluded as defined in 24 CFR 58.35(b).
- Categorically Excluded as defined in 24 CFR 58.35(a) and no activities are affected by federal environmental statues and executive orders [i.e., exempt under 58.34(a)(12)].
- Categorically Excluded as defined in 24 CFR 58.35(a) and some activities are affected by federal environmental statues and executive orders.
- "Other" neither exempt (24 CFR 58.34(a)) nor categorically excluded (24 CFR 58.35).
- Part or all of the project is located in an area identified as a floodplain or wetland. For projects located in a floodplain or wetland, evidence of compliance with Executive Orders 11988 and/or 11990 is required.

For activities excluding those classified as "Other," attached is the appropriate Classification Checklist (Exhibit 2-4) that identifies each activity and the corresponding citation.



Signature of Certifying Officer

Thomas J. King

Print Name

June 13, 2016

Date

Assistant General Counsel

Title

CERTIFICATION OF SEQRA CLASSIFICATION

It is the finding of the New York State Housing Trust Fund Corporation that the activity(ies) proposed in its 2016 NYS CDBG-DR project, Village of Saugerties – Village Beach Park Restoration

Check the applicable classification:

- Type I Action (6NYCRR Section 617.4)
- Type II Action (6NYCRR Section 617.5)
- Unlisted Action (not Type I or Type II Action)

Check if applicable:

- Environmental Impact Statement (EIS) Prepared
- Draft EIS
- Final EIS



Signature of Certifying Officer

Thomas J. King

Print Name

June 13, 2016

Date

Assistant General Counsel

Title

Description of the Proposed Project [24 CFR 50.12 & 58.32; 40 CFR 1508.25]:

The Village of Saugerties is proposing a restoration project at Village Beach, which is located at S. Partition Street at Esopus Creek, in the Village of Saugerties, Ulster County, New York (see **Figures 1 and 2**).

The proposed improvements would repair a park that suffered extensive damage as a result of Superstorm Sandy, Hurricane Irene, and Tropical Storm Lee. The proposed project would repair this public facility through beach restorations at Village Beach, including the repair or upgrade of existing docks and eroded boat ramps. These improvements are expected to be completed by Fall 2016. Further description of the project is provided below.

The project would restore the beach at Village Beach Park and protect it from future erosion. During Hurricane Irene and Tropical Storm Lee the beach, lacking erosion control, was eroded by fast moving waters in Esopus Creek and seriously impacted the usefulness of the beach for swimming and other recreational activities. The park would be restored by replenishing the sand that has been eroded, replacing the boat launch, and installing floating docks connecting two existing floating swim platforms to form a swimming area enclosed by buoys. The park would be protected from future erosion through the installation of landscaping and drainage systems and stabilization of the southern and eastern shorelines. Specific proposed improvements include the following:

- *Sand replenishment in the beach area:* The beach area is located on the south side of the Project site, and is approximately 130 feet wide by 35 feet long. The Village plans to convert the western portion of the sand beach area into a grassed area, with a turf reinforcement mat in order to establish and retain a stable grass cover. The beach sand replenishment would include well graded, processed sand meeting specific grain size criteria, including minimal silt and no organic matter. The thickness of the sand replenishment layer is proposed to be four inches. The volume of replenishment sand required for the beach area is estimated to be 40 cubic yards or 64 tons of sand.
- *Replacement of the existing boat ramp and dock:* The existing asphalt paved boat ramp located on the southwest side of the Project site is deteriorated and portions of the underwater asphalt ramp have broken off or have been eroded away. The boat ramp would be removed entirely and replaced, with minor modifications to the configuration such that it would align with South Partition Street. The proposed replacement boat ramp would be a concrete slab structure that would include a 13-foot wide driving lane on an 18-foot total width slab. Approximately 40 feet of the boat ramp would be below normal high water, requiring approximately 180 cu. yd. of fill. A floating access ramp and floating dock (dock) would be constructed adjacent to the boat ramp leading to the beach. The existing dock adjacent to the east side of the boat ramp would be replaced with a 40 foot-long x 6-foot wide floating dock. The length of the dock would increase by 10 feet from the existing 30-foot-long wooden dock in order to better accommodate vehicles and boat trailers using the boat ramp. The boat ramp and dock would continue to be used for pleasure craft.
- *Installation of two new floating swimming area docks:* In addition to the one floating dock on the east side of the boat ramp, two independent 60-foot long x 6-foot wide floating docks would be

installed approximately 80 feet apart to create an enclosed swimming area. Two existing floating swimming platforms between the floating docks would remain, and would be connected to the docks by buoys to enclose a swimming area. Floating access ramps leading from the shore to these floating docks would be installed, and a chain link fence would be installed at the entrance to each floating access ramp. The floating docks would be marine grade aluminum framed floating platforms with all necessary safety and stability features.

- *Improvements to drainage systems and landscaping:* Runoff from the on-site parking area and upgradient grassed area currently causes continual erosion of the beach sand. To mitigate the erosion problem, site regrading with proper storm sewers are proposed. Parking lot runoff would be controlled by constructing concrete curbs and sidewalks on the east and south sides of the parking area, which would intercept runoff and cause it to flow into a proposed catch basin on the south side of the parking area. The catch basin would drain to a storm sewer pipe, which would drain to a second catch basin near the boat ramp and then to the Esopus Creek. Stormwater flow from the upgradient grass area is proposed to be controlled by regrading the area on the north side of the sidewalk and installing a catch basin, which would connect to the storm sewer pipe discussed above, and discharge through a second catch basin and then to Esopus Creek. This system of catch basins would collect and convey all of the runoff from the area upgradient of the beach to minimize and prevent future erosion of the beach area.
- *Shoreline stabilization:* The shoreline near the boat ramp and an area on the east side of the beach have experienced erosion, and the asphalt sidewalk located on the east side of the beach area has also been undermined, with a section collapsed. The shoreline would be stabilized by installing a longitudinal stone toe protection layer that is covered with a turf reinforcement mat. The turf reinforcement mat would be infilled with soil and hydromulched to establish grass cover.

Construction Phasing

The proposed project would begin construction in Summer 2016. Weather dependent, all construction activities are expected to be completed by Fall 2016.

Statement of Purpose and Need for the Proposal [40 CFR 1508.9(b)]:

As a riverine community, the Village of Saugerties experiences flooding from overflows from the lower Esopus Creek and its tributaries during intense rain events as well as Hurricane Irene, Tropical Storm Lee and Superstorm Sandy. As a coastal community, the Village also absorbed the impact of storm surges through the Hudson River during Superstorm Sandy. These events damaged the park and associated community amenities located at Village Beach. Low-lying tidal areas are most impacted by flooding due to wave action from the Hudson River and/or heavy flows from Esopus Creek. The proposed project would mitigate flooding through erosion control and repairs to other coastal protective features.

The purpose of the project is to provide flood protection measures, maintain public access to local waterways and ensure continued access to important open-space and recreational amenities.

The project is needed to repair public facilities that suffered impacts in previous storm events and help mitigate future impacts of tidal and coastal flooding to public facilities and low-lying areas. Restoration of existing parkland is also necessary in order to eliminate the release of sediments from outside park boundaries and alleviate the introduction of debris that may otherwise reach the waterway that border the park.

Project goals include repairing public facilities, stabilizing the shoreline and supporting structures, and protecting aquatic species and habitat in the Esopus Creek during periods of high velocity flooding.

Existing Conditions and Trends [24 CFR 58.40(a)]:

The project would occur within the Village of Saugerties in Ulster County, New York. All statements and assumptions regarding the project's components are based on publicly available mapping. Specific permits required for project activities would be determined based on field verification of existing conditions, and delineations as necessary, during the permitting stage. Specific conditions and trends for the project site are as follows.

Location

The park is located south of US 9W within a bend of the Esopus Creek just southwest of the Hill Street Bridge.

Land Use

The character of the neighborhood is largely residential, consisting of single family dwellings. The zoning code of the Village Beach Park parcel is O2. It has a property class of 560-improved beach within the R1 Single Family Residential and Planned Waterfront zoning districts.

Floodplain Management

Per Flood Insurance Rate Map (FIRM) Panel 36111C0305E, the project site is located in the 100 year flood plain, within Zone AE (see **Figure 4**) and is adjacent to wetlands classified as a lake, which are part of Esopus Creek, but is not located within a tidal wetland boundary (see **Figure 5**).

Coastal Zone Management

The project is located within the boundary of the New York State Coastal Zone (see **Figure 6**). The Village of Saugerties also participates in the Local Waterfront Revitalization Program. It has a Local Waterfront Revitalization Plan, adopted in 1985.

Cultural and Ecological Resources

No historic resources were detected on or substantially contiguous to the site by the NYS DEC EAF Mapper. The park is located within the Ulster-North Scenic Area of Statewide Significance (see **Figure 7**) in the Hudson River Valley. According to the EAF Mapper, the project site is adjacent to a designated significant natural community of Freshwater Tidal Marsh and Freshwater Intertidal Mudflats. The park is situated upstream from a Significant Coastal Fish and Wildlife Habitat in the Esopus Creek. The site is located within the biologically important area of the Hudson River Estuary and within the Ecological Region Zone D Hudson Valley.

Funding Information

Estimated Total HUD Funded Amount: \$288,000

Estimated Total Project Cost (HUD and non-HUD funds) [24 CFR 58.32(d)]: \$288,000

Compliance with 24 CFR 58.5 and 58.6 Laws and Authorities

Record below the compliance or conformance determinations for each statute, executive order, or regulation. Provide credible, traceable, and supportive source documentation for each authority. Where applicable, complete the necessary reviews or consultations and obtain or note applicable permits of approvals. Clearly note citations, dates/names/titles of contacts, and page references. Attach additional documentation as appropriate.

Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5 and §58.6	Are formal compliance steps or mitigation required?	Compliance determinations
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 and 58.6		
Airport Hazards 24 CFR Part 51 Subpart D	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	Based on guidance provided by HUD in Fact Sheet #D1, the National Plan of Integrated Airport Systems was reviewed for civilian, commercial service airports within the vicinity of the project site. The proposed activity does not involve the sale or acquisition of property located within a Civil Airport Runway Clear Zones or Military airfields Clear Zones or Accident Potential Zones. No impacts would result. https://www.michigan.gov/documents/mshda/mshda_cd_nsp2_air_accident_315724_7.pdf
Coastal Barrier Resources Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	The project site is not located with the Coastal Barrier Resource Area or buffer zone (see Figure 3). No impacts would result. http://www.fws.gov/ecological-services/habitat-conservation/cbra/Maps/index.html
Flood Insurance Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	Flood Insurance Rate Map 36111C0305E indicates that the proposed project activity site is located within Special Flood Hazard Area AE (see Figure 4). The Village of Saugerties is in good standing with the National Flood Insurance Program (NFIP), and proof of insurance is not a requirement for infrastructure projects (i.e., projects that do not involve a commercial or residential property holding flood insurance). A 5-step floodplain review has been conducted for the proposed project (see Appendix E) which determined that there would be no direct or indirect adverse impacts to the floodplain. https://msc.fema.gov/portal

STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 & 58.5

<p>Clean Air Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93</p>	<p>Yes No <input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>The proposed project is located in Ulster County, which is within an attainment area for both particulate matter (PM2.5) and the eight-hour ozone standard.</p> <p>Temporary emissions would result from construction equipment used during site preparation. A conformity analysis was made according to the requirements of 40 CFR 93, Subpart B (federal general conformity regulations) and a screening analysis was performed (see Appendix H) assuming that the emission intensity for the project would be similar to the average intensity of the construction sector in surrounding counties. Projects with projected construction expenditure substantially lower than the average construction <i>de minimis</i> expenditure would clearly not exceed <i>de minimis</i> emissions levels for general conformity purposes.</p> <p>The project would incorporate restrictions on construction equipment to reduce air emissions. Construction documents would restrict unnecessary idling on roadways, and on-site vehicle idle time will also be restricted to five minutes for all equipment and vehicles that are not using their engines to operate a loading, unloading, or processing device (e.g., drilling machine) or otherwise required for the proper operation of the engine.</p> <p>Contract document would provide for utilization of newer equipment. EPA's Tier 1 through 4 standards for nonroad engines regulates the emission of criteria pollutants from new engines, including PM, CO, NOx, and hydrocarbons (HC). All nonroad construction equipment with a power rating of 50 hp or greater would meet at least the Tier 2 emissions standard to the extent practicable. Non-road diesel engines with a power rating of 50 horsepower (hp) or greater would utilize the best available tailpipe (BAT) technology for reducing DPM emissions.</p> <p>Improvements to the park would generate an increase in visitation, with an associated incremental increase in traffic. However, the project is not anticipated to result in a significant adverse impact on air quality due to such a negligible increase in traffic associated with the park. No significant impacts on air quality would occur.</p> <p>http://www.epa.gov/airquality/greenbook/adden.html</p>
<p>Coastal Zone Management Coastal Zone Management Act, sections 307(c) & (d)</p>	<p>Yes No <input checked="" type="checkbox"/> <input type="checkbox"/></p>	<p>The project site is located within the boundaries of the New York State Coastal Zone (see Figure 6). A New York State Coastal Consistency Assessment form and supporting documentation is attached (see Appendix A). The project is located with the Village of Saugerties Local Waterfront Revitalization Program (LWRP) boundary. GOSR determined that that the Project was consistent with both State and Local policies. The New York</p>

		<p>Department of State, Division of Coastal Resources, concurred with the assessment that the proposed project would be consistent with the State General Concurrence Criteria on April 20, 2016 (See Appendix A).</p> <p>http://www.dos.ny.gov/opd/atlas/</p>
<p>Contamination and Toxic Substances 24 CFR Part 50.3(i) & 58.5(i)(2)</p>	<p>Yes No <input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>The project site is located approximately 0.5 miles from Saugerties MGP (Site Code V00694 and 356018) at 16 Ferry Street (See Figure 8). This site is a Voluntary Cleanup Program Site as well as a Superfund Site. Saugerties MGP has low levels of surface soil impacts and confirmed contamination in sub-surface soils. Temporary well points advanced to characterize groundwater underlying the site indicate the presence of a low-level plume contained entirely within the site. In addition, the area is served by a public water supply, which would not be affected by groundwater contamination on-site at Saugerties MGP. Because the impacts associated with this site are limited to subsurface soils and on-site groundwater, it is not likely to affect the health and safety of occupants or conflict with the intended use of the property (see Appendix C).</p> <p>http://www.dec.ny.gov/chemical/8437.html</p>
<p>Endangered Species Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402</p>	<p>Yes No <input checked="" type="checkbox"/> <input type="checkbox"/></p>	<p>Due to the nature and location of the proposed project activities, no potential effect on protected species or their habitat would result from implementation of the project. The project would stabilize the shoreline and supporting structures at Saugerties Village Beach and protect aquatic species habitat in the adjacent Esopus Creek. While the NYSDEC Environmental Resource Mapper identifies the project area within or nearby an area of known rare plants and animals, correspondence from NY Natural Heritage Program (see Appendix B) indicates that records of rare species are from locations downstream of the Cantine (Diamond Mills) Dam, specifically within the marsh at the mouth of Esopus Creek, the Hudson River, and the eastern shoreline of the Hudson River.</p> <p>The U.S. Fish & Wildlife Service (USFWS) IPaC Tool identifies two species that are managed by the Endangered Species Program within the vicinity of the project site, the Endangered Indiana Bat (<i>Myotis sodalist</i>) and Threatened Northern Long-eared Bat (<i>Myotis septentrionalis</i>). In addition, there are several migratory birds of concern that could potentially utilize proposed project. However, there is no critical habitat for any species within the project area. Moreover, proposed project activities would not include any demolition of existing structures or removal of trees that may provide habitat for these sensitive species. Thus, the proposed project does not jeopardize the continued existence of any USFWS regulated ESA species or destroy or adversely modify their critical habitat. On April 11, 2016, the</p>

		<p>Governor's Office of Storm Recovery requested, via a letter to the U.S. Fish and Wildlife Service's New York Field Office, acknowledgement of no objections to a No Effect Determination. A formal response acknowledging receipt of the no effect determination was provided by USFWS on April 18, 2016 (see Appendix B).</p> <p>Atlantic sturgeon (<i>Acipenser oxyrinchus oxyrinchus</i>) and shortnose sturgeon (<i>Acipenser brevirostrum</i>) occur in the Hudson River and lower portion of Hudson River Tributaries. However, the Village Beach project area is located on Esopus Creek, upstream of the Cantine (Diamond Mills) Dam, and is not accessible to sturgeon. There is an anadromous fish concentration area within the tidal marsh and deepwater section of the Esopus Estuary, but this area is located downstream of the project and dam. Consultation with the National Marine Fisheries Service (NMFS) was initiated on March 25, 2016 seeking concurrence with a No Effect Determination. Concurrence was received on April 12, 2016 (see Appendix B).</p> <p>The proposed project is expected to have no potential to affect protected species or habitats. Additionally, Best Management Practices such as the use of sediment barriers and silt fencing would be utilized to avoid or minimize potential impacts to riparian species along Esopus Creek.</p> <p>http://www.dec.ny.gov/imsmaps/ERM/viewer.htm http://ecos.fws.gov/ipac/</p>
<p>Explosive and Flammable Hazards 24 CFR Part 51 Subpart C</p>	<p>Yes No <input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>This criterion is applicable to HUD-assisted projects that involve new residential construction, conversion of nonresidential buildings to residential use, rehabilitation of residential properties that increase the number of units, or restoration of abandoned properties to habitable condition. As the proposed project involves shoreline stabilization and repairs to existing infrastructure, that does not result in an increased number of people being exposed to hazardous operations by increasing residential densities, converting the type of use of a building to habitation, or making a vacant building habitable, the provisions of 24 CFR Part 51 Subpart C do not apply. No hazardous operations handling conventional fuels or chemicals of an explosive or flammable nature were identified in the vicinity of the project site. No impacts would result.</p>
<p>Farmlands Protection Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658</p>	<p>Yes No <input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>The Village Beach Park Repairs project site is located on soils designated as Farmland of Statewide Importance per the US Department of Agriculture (USDA) soil classifications. However, the land is already developed as a park and is therefore exempt from further analysis. No impact would result (see Appendix D).</p> <p>http://websoilsurvey.sc.egov.usda.gov/App/HomePage.htm</p>

<p>Floodplain Management Executive Order 11988, particularly section 2(a); 24 CFR Part 55</p>	<p>Yes No <input checked="" type="checkbox"/> <input type="checkbox"/></p>	<p>Flood Insurance Rate Map 36111C0305E indicates that the proposed project activity site is located within Special Flood Hazard Area AE (see Figure 4). The proposed project would stabilize the shoreline and supporting structures at Saugerties Village Beach in the Village of Saugerties, which is in good standing in the Regular Program of the NFIP. Specific actions would include repair to the docks and reconstruction of the eroded boat ramps. Landscaping and plantings will arrest further erosion along Village Beach. No structural footprints would be expanded and there would be no alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area. Therefore, the action does not meet the thresholds for 'substantial improvement' under 24 CFR 55.2(b)(8), and a five-step decision making process applies (24 CFR 55.12(a)). The five-step floodplain management decision-making process was followed and found that the proposed project would not have an impact on floodplain values (see Appendix E). Prior to construction, the Village of Saugerties must apply for and receive a Floodplain Development Permit from the appropriate local floodplain administrator.</p> <p>https://msc.fema.gov/portal</p>
<p>Historic Preservation National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800; Tribal notification for new ground disturbance.</p>	<p>Yes No <input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>The area of potential effect (APE) is along the periphery of the NYS OPRHP zone of archaeological sensitivity as indicated in the Cultural Resource Inventory System (CRIS), with archaeological sites in the vicinity, but not within, this APE. The demolition plan indicates that the undertaking will require ground disturbing impacts (asphalt removal and topsoil removal) in areas of less than 15% slope.</p> <p>The project involves minimal ground disturbance for the restoration of the park and there are no buildings within the APE that will be directly or indirectly affected. In general, land next to the Esopus Creek is considered high potential for archaeological sites. Though there is a potential for intact floodplain soils, the area of subsurface impact is small, reducing the likelihood of encountering these intact soils.</p> <p>Consultation with the New York State Historic Preservation Office (SHPO) was initiated on April 1, 2016. On April 11, 2016, SHPO concurred with the opinion that there will be No Historic Properties Affected by the proposed project (See Appendix B). Tribal consultation with the following tribes was also initiated: Delaware Nation; Delaware Tribe of Indians; Saint Regis Mohawk; Stockbridge-Munsee Community Band of Mohicans; Mohawk Nation.</p>
<p>Noise Abatement and Control</p>	<p>Yes No</p>	<p>The policies of 24 CFR 51.101(a)(3) do not apply to any action or emergency assistance under disaster assistance</p>

<p>Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B</p>	<p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>provisions or appropriations which are provided to save lives and protect public health and safety. The proposed activity involves restoration, stabilization and repairs to a park and would not result in a new facility that would generate noise on the project site, nor would it introduce any new or rehabilitate any existing noise sensitive uses. The proposed project would cause temporary increases in noise levels during construction that will be mitigated by complying with local noise ordinances using construction best practices. Improvements to the park would also generate an increase in visitation, with an associated increase in traffic. However, the project is not anticipated to result in a significant contribution to existing noise levels. Therefore, no significant noise impacts would occur as a result of the proposed project.</p>
<p>Sole Source Aquifers Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149</p>	<p>Yes No <input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>The proposed activity is not located in an area identified as a sole or principal source aquifer (see Figure 9). Therefore, the proposed activity is in compliance with the Safe Drinking Water Act; 40 CFR Par 149. http://www.dec.ny.gov/lands/36151.html</p>
<p>Wetlands Protection Executive Order 11990, particularly sections 2 and 5</p>	<p>Yes No <input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>Village Beach Park is located upstream from Cantine Dam adjacent to a portion of Esopus Creek that is classified as a lake according to the National Wetlands Inventory (see Figure 5). Because no wetlands occur at the project site, and Esopus Creek is not classified as a wetland, the project would not result in effects to wetlands under Executive Order 11990. The proposed park restoration activity involves shoreline stabilization and construction of a new boat ramp that would result in 720 ft² of disturbance within Esopus Creek. Construction management practices would be utilized to avoid or minimize potential impacts to waters. Because activities associated with the Village Beach are located either within or immediately adjacent to Esopus Creek, which is a Class B protected and navigable body of water, the following environmental permits will have to be obtained:</p> <ul style="list-style-type: none"> • NYSDEC Article 15, Title 5, Stream Disturbance Permit to physically disturb the bed and banks of the Esopus Creek; • NYSDEC Article 15, Title 5, Docks, Platforms and Moorings; • NYSDEC Article 15, Title 5, Excavation & fill in Navigable Waters Permit to allow excavation and filling below the mean water line; • NYSDEC under Section 401 of the Clean Water Act, Water Quality Certification; • USACE NWP 3 – Rehabilitation of Storm Sewer; • USACE NWP 13 – Bank Stabilization;

		<ul style="list-style-type: none"> • USACE NWP 36 – Boat Ramp, including Pre-Construction Notification; • State of New York Offices of General Services Permit to occupy State-owned submerged lands for the floating fishing docks and boat ramp. <p>The proposed improvements would disturb less than one acre of land and therefore the Village would not have to apply for coverage under NYSDEC SPDES General Permit for Stormwater Discharges from Construction Activity Permit No. GP-0-15-002. The proposed construction work in the parking area where a portion of the asphalt will be removed, would involve stripping off the asphalt layer only and leaving the sub-base layer of gravel in place. An Erosion and Sediment Control Plan will be developed and provided on the final design plans.</p> <p>Given adherence to these permitting requirements and best management practices, the proposed project will not have an effect on wetlands and is in compliance with Executive Order 11990.</p> <p>http://www.fws.gov/wetlands/ http://www.dec.ny.gov/eafmapper/</p>
<p>Wild and Scenic Rivers Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)</p>	<p>Yes No <input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>The proposed activity is not in proximity of a listed Wild and Scenic River. A ten and one-half mile stretch of the Hudson River (from the confluence of the Cedar River to the confluence with the Boreas River) is considered a New York State wild river, but this stretch is greater than 10 miles north of the project site.</p> <p>http://www.rivers.gov/maps/conus.php</p>
ENVIRONMENTAL JUSTICE		
<p>Environmental Justice Executive Order 12898</p>	<p>Yes No <input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>The proposed site is not located in or adjacent to potential environmental justice areas identified by the New York State Department of Environmental Conservation (see Figure 10). This project will not raise environmental justice issues and has no potential for new or continued disproportionately high and adverse human health and environmental effects on minority or low-income populations.</p> <p>http://www.dec.ny.gov/docs/permits_ej_operations_pdf/ulsterej.pdf</p>

Environmental Assessment Factors [24 CFR 58.40; Ref. 40 CFR 1508.8 &1508.27] Recorded below is the qualitative and quantitative significance of the effects of the proposal on the character, features and resources of the project area. Each factor has been evaluated and documented, as appropriate and in proportion to its relevance to the proposed action. Verifiable source documentation has been provided and described in support of each determination, as appropriate. Credible, traceable and supportive source documentation for each authority has been provided. Where applicable, the necessary reviews or consultations have been completed and applicable permits of approvals have been obtained or noted. Citations, dates/names/titles of contacts, and page references are clear. Additional documentation is attached, as appropriate. **All conditions, attenuation or mitigation measures have been clearly identified.**

Impact Codes: Use an impact code from the following list to make the determination of impact for each factor.

- (1) Minor beneficial impact
- (2) No impact anticipated
- (3) Minor Adverse Impact – May require mitigation
- (4) Significant or potentially significant impact requiring avoidance or modification which may require an Environmental Impact Statement

Environmental Assessment Factor	Impact Code	Impact Evaluation
LAND DEVELOPMENT		
Conformance with Plans / Compatible Land Use and Zoning / Scale and Urban Design	2	No impacts would occur. The proposed project would conform to land use regulations and zoning designations at and adjacent to the site. While the Village of Saugerties does have a zoning ordinance, the project site is located outside of the zoning district boundary. The nearest zoning designation is “B-1: Central Business District” and is located to the north of the site as indicated in the 2013 Town and Village of Saugerties Comprehensive Plan Update.
Soil Suitability/ Slope/ Erosion/ Drainage/ Storm Water Runoff	1	Beneficial effects are anticipated. The proposed project includes the rehabilitation of an existing public beach park within the Village of Saugerties, including landscape improvements to mitigate future impacts of tidal and coastal flooding and erosion on the existing public facility. Specific storm water runoff and erosion prevention measures that would be incorporated into the project design include replenishing the sand that has been eroded at the beach, installation of landscaping and drainage systems on site, and stabilization of the southern and eastern shorelines. The new sand type and placement would be optimized to handle the storm water runoff from adjacent parking lots and streets without eroding. Future erosion of the beach would be prevented by minimizing the flow of water towards the beach from adjacent parking areas and South partition Street. Curbing, catch basins and storm sewers would be used for this purpose in paved areas. Restoration of existing parkland would also eliminate the release of sediments from outside park boundaries and alleviate the introduction of debris that may otherwise reach the waterway that borders the park.

Hazards and Nuisances including Site Safety and Noise	3	Minor adverse impacts would occur during construction, but these impacts would be temporary and would be mitigated. The development of the proposed project would consist of typical construction practices associated with landscape modifications and recreational facility upgrades. The proposed project would cause temporary increases in noise levels during construction that will be mitigated by complying with local noise ordinances using construction best practices. Measures would be implemented to minimize the exposure of workers and public to hazardous materials present on the site.
Energy Consumption	2	No impacts would occur. The proposed project would connect to existing energy utilities serving the area and would meet New York State energy requirements. There is currently one light pole located at the parking lot on site. During operation, the proposed project would not result in increased energy demand beyond current conditions at the site, nor would it impact electrical generation or distribution. No impacts would result.
SOCIOECONOMIC		
Employment and Income Patterns	2	No impacts would occur. The actions comprising the proposed project are limited to the rehabilitation of an existing public recreational amenity and have no potential to affect employment opportunities or income patterns. Short-term, localized beneficial effects to employment may occur as the result of temporary construction jobs related to the project. Moreover, although no permanent jobs are expected to be added, the proposed project has the potential to allow for a more pleasant waterfront, attracting additional tourists to the park and promoting the local tourism economy.
Demographic Character Changes, Displacement	2	No impacts would occur. The proposed project is being undertaken to rehabilitate an existing public recreational amenity. The project is not expected to induce any change in the demographic character of the adjoining neighborhood. In addition, the proposed project would not result in any new residential units and would therefore not change the demographic character of the area. Long-term beneficial effects related to public health would occur in the surrounding community as a result of the provision of an additional open space and recreational amenity in the village.
COMMUNITY FACILITIES AND SERVICES		
Educational and Cultural Facilities	2	No impacts would occur. The proposed project would not result in any new residential units. Therefore, the proposed project would not result in impacts to educational facilities. The proposed project would not adversely impact cultural facilities. Consultation with the New York State Historic Preservation Office (SHPO) was initiated on April 1, 2016. On April 11, 2016, SHPO concurred with the opinion that there will be No Historic Properties Affected by the proposed project (See Appendix B).
Commercial Facilities	2	No impacts would occur. The proposed project is limited to the rehabilitation of a public park and would not introduce any new development that would require retail services or other commercial facilities.
Health Care and Social Services	2	No impacts would occur. The proposed project is limited to the rehabilitation of an existing recreational amenity and would not introduce any new development that would affect the current

		availability of existing health care or social services, nor would it generate additional demand for these community services.
Solid Waste Disposal / Recycling	3	Minor impacts would occur. The proposed project would involve the restoration of existing parkland. Site preparation activities would result in the generation of small quantities of solid waste in the form of construction debris on site. While the quantity of solid waste generated during construction activities and project operation would present a measureable increase from existing conditions, it is not expected that solid waste generated from the project would exceed existing municipal solid waste disposal capacity. The reactivation of a preexisting public park would not create a measurable increase in solid waste generation by recreational users that would be beyond the current solid waste management capacity of the Village of Saugerties.
Waste Water / Sanitary Sewers	2	No impacts would occur. The proposed project would not affect the capacity of the existing sanitary sewer system in the Village of Saugerties. The proposed improvements would generate some amount of increased demand for wastewater treatment due to operation of the public restroom on site. However, the additional wastewater generated from this use is not expected to exceed the capacity of existing municipal wastewater treatment facilities. The rehabilitation of a public park would not generate substantial increases in wastewater, and proposed drainage improvements would enhance the ability of the landscape to efficiently discharge existing flows of waste water during severe weather events.
Water Supply	2	No impacts would occur. The proposed project would result in the rehabilitation of an existing public recreational amenity within the Village of Saugerties. The proposed improvements would generate some amount of increased demand for water for irrigation of the proposed approximately 1,500 square-foot grassed surface and operation of the public restroom on site. However, the project is not anticipated to result in an adverse impact because Village Beach Park is a preexisting use within the community, and water supply is already provided to the project site.
Public Safety - Police, Fire and Emergency Medical	3	Minor impacts would occur. The proposed project would result in the rehabilitation of an existing public recreation amenity within the Village of Saugerties. Improvements to the park would generate an increase in visitation, with an associated increased demand for police, fire and emergency medical services. However, the project is not anticipated to result in a significant adverse impact on these services because Village Beach Park is a preexisting use within the community, and the anticipated increase in visitation would not present a burden to local public safety services.
Parks, Open Space and Recreation	1	Beneficial effects are anticipated. The proposed project would result in the rehabilitation of an existing public recreational facility, thereby providing a benefit in the form of improved and additional recreational amenities. As a result, the proposed project would result in minor beneficial effects to parks, open space or recreation resources.
Transportation and Accessibility	3	Minor impacts would occur. Improvements to the park would generate an increase in visitation, with an associated increase in traffic. However, the project is not anticipated to result in a significant adverse impact on transportation and accessibility because Village Beach Park is a preexisting use within the community. Moreover, the rehabilitation of

		the park would not introduce a new development of the scale and degree that would require new or improved transportation connections or contribute significantly to existing demand on transportation services in the village. Temporary and localized minor adverse impacts to accessibility occurring as a result of construction-related vehicle trips during the period of renovation activities would be minimized through the use of a maintenance and protection of traffic (MPT) plan.
NATURAL FEATURES		
Unique Natural Features, Water Resources	2	No impacts would occur. The Environmental Review Guide for Community Development Block Grant Programs defines unique natural features as "primarily geological features which are unique in the sense that their occurrence is infrequent or they are of special social/cultural, economic, educational, aesthetic, or scientific value. Development on or near them may render them inaccessible to investigators or visitors or otherwise limit potential future use and appreciation of these resources. Examples of unique natural features include: sand dunes, waterfalls, unique rock outcroppings, caves with limestone or gypsum deposits, canyons, and petrified forests. Also included are unique stands of trees, such as redwoods, or unique colonies of animals, such as a prairie dog town. The NYSDEC lists no designated Critical Environmental Areas (CEA) in the vicinity of the project site. In addition, the NYSDEC Environmental Assessment Form screening tool found that no unique geologic features occur in the site vicinity. The project site does not contain any agricultural lands and is not suited for agricultural uses. No wetlands occur at the project site, and Esopus Creek is not classified as a wetland. Village Beach Park is located upstream from Cantine Dam adjacent to a portion of Esopus Creek that is classified as a lake according to the National Wetlands Inventory.
Vegetation, Wildlife	2	No impacts to vegetation would occur, and impacts to wildlife would be minor. Wildlife expected to occur within the vicinity of the project area include mobile species that can easily avoid the project area during construction, such as snapping turtle (<i>Chelydra serpentina</i>), carp (<i>Cyprinus carpio</i>), largemouth bass (<i>Micropterus salmoides</i>), smallmouth bass (<i>Micropterus dolomieu</i>), chain pickerel (<i>Esox niger</i>), American eel (<i>Anguilla rostrata</i>), and great blue heron (<i>Ardea herodias</i>). The Cantine (Diamond Mills) Dam presents a barrier to the project area for fish species found in the Hudson Estuary (except the American Eel). As stated by NYSDEC in the Jurisdictional Determination letter dated January 12, 2016 (see Appendix B), the waters of Esopus Creek adjacent to Village Beach are likely used as spawning habitat for a variety of warmwater fish species, including largemouth bass, which spawn and guard their nests and young in May and June. Avoidance of work during this time period would avoid potential impacts to spawning fish. Construction activities during this time frame may disturb spawning fish, however, impacts are expected to be minimal due to the extent of similar habitat available within adjacent areas of Esopus Creek. Additionally, as the project area is a public park with existing dock and swimming facilities, the project area is subject to frequent human disturbance from boating, swimming, and other recreational activities during this time frame. The new boat ramp would be constructed within the same location of the existing, damaged boat ramp. The new boat ramp would include

	<p>720 ft² of concrete slab below normal high water, an increase of approximately 620 ft² from the existing boat ramp. The loss of 620 ft² of benthic habitat within the footprint of the boat ramp would be minimal and would not significantly impact the food supply for fish foraging in the area.</p> <p>Existing overwater structures such as the existing boat ramp dock and two swimming platforms provide shading of aquatic habitat. Construction of new overwater structures would increase shading of aquatic habitat. The replacement of the existing boat ramp dock with a new 480ft² floating dock would result in an increase of overwater structure of approximately 250 ft². The construction of two new floating docks would result in an increase of overwater structure of approximately 720 ft². The net increase in overwater structures would be approximately 970 ft² and would not result in significant adverse impacts to aquatic habitat due to shading. The replacement floating dock and the two new floating docks would each be only 6 feet wide and create minimal shade footprint when considering the narrow width of the structure relative to the changing angle of the sun throughout the day. Aquatic habitat within the project area is currently subject to shading from existing structures and disturbances from boats, swimmers, and other recreation. Additionally, shading will not preclude the use of the area by many species, and benefits of overwater structures may include shielding for aquatic species from high light intensities during the day and additional substrate for the growth of fouling communities.</p> <p>Based on the National Oceanic and Atmospheric Administration (NOAA), the project area is not designated as Essential Fish Habitat (EFH) for any species, and is not a Habitat Area of Particular Concern (HAPC) or EFH Area Protected (EFHA) from fishing.</p> <p>The USFWS IPaC Tool identifies two species that are managed by the Endangered Species Program within the vicinity of the project site, the Endangered Indiana Bat and Threatened Northern Long-eared Bat. In addition, there are several migratory birds of concern that could potentially utilize proposed project. However, there is no critical habitat for any species within the project area. Moreover, proposed project activities would not include any demolition of existing structures or removal of trees that may provide habitat for these sensitive species. Thus, the proposed project does not jeopardize the continued existence of any USFWS regulated ESA species or destroy or adversely modify their critical habitat. On April 11, 2016, the Governor's Office of Storm Recovery requested, via a letter to the U.S. Fish and Wildlife Service's New York Field Office, acknowledgement of no objections to a No Effect Determination. A formal response acknowledging receipt of the no effect determination was provided by USFWS on April 18, 2016 (see Appendix B).</p> <p>Atlantic sturgeon and shortnose sturgeon occur in the Hudson River and lower portion of Hudson River Tributaries. However, the Village Beach project area is located on Esopus Creek, upstream of the Cantine (Diamond Mills) Dam, and is not accessible to sturgeon. There is an anadromous fish concentration area within the tidal marsh and deepwater section of the Esopus Estuary, but this area is located</p>
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		downstream of the project and dam. Thus, the proposed project does not jeopardize the continued existence of any NMFS regulated ESA species or destroy or adversely modify their critical habitat. Consultation with NMFS was initiated on March 25, 2016 seeking concurrence with a No Effect Determination. Concurrence was received on April 12, 2016 (see Appendix B).
Other Factors	2	There are no other factors applicable to the proposed project.

Additional Studies Performed

SEQRA Environmental Assessment Form. May 2016.

Field Inspection (Date and completed by): Completed by Brinnier and Larios, P.C. on January 19th and March 7th, 2016.

List of Sources, Agencies and Persons Consulted [40 CFR 1508.9(b)]:

Sources

Application for Funding Parks Restoration to NY State CDBG-Disaster Recovery Program, June 2015, Prepared by Hunt, Guillot, & Associates, LLC.

Contract between Village of Saugerties and Brinnier and Larios, P.C. for Engineering Design Services, July 2015, Prepared by Brinnier and Larios, P.C.

Engineering Design Report for the Saugerties Beach Park Restoration, February 2016, Prepared by Brinnier and Larios, P.C.

Preliminary Design for Agency Review, Parks Restoration Project – Village Beach, February 2016, Prepared by Brinnier and Larios, P.C.

Hurricane Sandy Disaster Relief Assistance Grant for Historic Properties Application to New York State Historic Preservation Office, September 2013, Prepared by Richard Duncan, acting President of the Saugerties Lighthouse Conservancy

Hurricane Sandy Disaster Relief Assistance Grant for Historic Properties Notification, November 10, 2014, Prepared by New York State Office of Parks, Recreation and Historic Preservation

Esopus Creek Shoreline Stabilization Project Narrative and Budget, February 6, 2014, Prepared by John McCarthy Construction

Michael F. Puntillo Property Environmental Site Assessment: Phase I, February 15, 1999, Prepared by Roy T. Budnik & Associates, Inc.

National Wild and Scenic Rivers System. <http://www.rivers.gov/maps/conus.php>

NY Rising Community Reconstruction Plan Ulster Communities, March 2014, https://stormrecovery.ny.gov/sites/default/files/crp/community/documents/ulstercounty_nyrcr_plan.pdf, accessed on 3/25/2105

New York State Department of Environmental Conservation, Permit (ID 3-5148-00207/00005) Stream Disturbance – Under Article 15 Title 5, Permit (ID 3-5148-00207/00006) Water Quality Certification – Under Section 401 – Clean Water Act, November 11, 2014

New York State Department of Environmental Conservation, Permit (ID 3-5148-00430/00001) Excavation & Fill in Navigable Waters – Under Article 15 Title 5, Permit (ID 3-5148-00430/00002) Water Quality Certification – Under Section 401 – Clean Water Act, January 9, 2015

Village of Saugerties Parks Restoration CDBG-DR Pre-Application Report, November 24, 2014. Authorized by William Murphy.

New York State Cultural Resource Information System, <https://cris.parks.ny.gov/Login.aspx?ReturnUrl=%2f>.

New York State Historic Preservation Office (SHPO) and the Division for Historic Preservation (DHP) within the Office of Parks, Recreation and Historic Preservation (OPRHP), New York State Cultural Resource Information System (CRIS), <https://cris.parks.ny.gov/>.

New York State Department of Environmental Conservation Environmental Justice Areas, http://www.dec.ny.gov/docs/permits_ej_operations_pdf/ulsterej.pdf.

New York State Department of Environmental Conservation Environmental Resource Mapper, <http://www.dec.ny.gov/imsmaps/ERM/viewer.htm>

New York State Department of Environmental Conservation, Environmental Facilities Mapper, <http://www.dec.ny.gov/imsmaps/facilities/viewer.htm>

New York State Department of Environmental Conservation, Environmental Site Remediation Database, <http://www.dec.ny.gov/cfm/externalapps/derexternal/index.cfm?pageid=3>

New York State Department of State, Coastal Boundary Map, <http://www.dos.ny.gov/opd/atlas/>.

United States Department of Agriculture Natural Resources Conservation Services, Web Soil Survey, <http://websoilsurvey.sc.egov.usda.gov/App/HomePage.htm>.

United States Department of Housing and Urban Development. HUD Fact Sheet #d1 Siting HUD Assisted Projects in Accident Potential Zones
https://www.michigan.gov/documents/mshda/mshda_cd_nsp2_air_accident_315724_7.pdf

United States Environmental Protection Agency, The Green Book Nonattainment Areas for Criteria Pollutants. <http://www.epa.gov/airquality/greenbook/adden.html>

United States Environmental Protection Agency, Sole Source Aquifers, <http://www.epa.gov/region02/water/aquifer/>

United States Federal Emergency Management Agency. FIRM Panels. <https://msc.fema.gov/portal>

United States Fish and Wildlife Service, Coastal Barrier Resources, <http://www.fws.gov/ecological-services/habitat-conservation/cbra/Maps/index.html>

United States Fish and Wildlife Service, National Wetlands Inventory, <http://www.fws.gov/wetlands/>.

United States Fish and Wildlife Service, IPaC Information for Planning and Conservation, <http://ecos.fws.gov/ipac/>.

See Figures 1- 10 and Appendices A-F for additional sources.

Agencies and Persons Consulted

Consistency Review Unit, New York State Department of State Division of Coastal Resources

Habitat and Protected Resources Division, National Marine Fisheries Service

New York State Department of Environmental Conservation; Division of Fish, Wildlife and Marine Resources, Natural Heritage Program

New York State Department of Environmental Conservation; Division of Environmental Permits, Region 3

New York Ecological Services Field Office, U.S. Fish & Wildlife Service

Division for Historic Preservation, New York State Parks, Recreation & Historic Preservation

Tribal consultation: Delaware Nation; Delaware Tribe of Indians; Saint Regis Mohawk; Stockbridge-Munsee Community Band of Mohicans; Mohawk Nation

List of Permits Obtained or Required:

Permit assumptions are based on project description and available mapping. Specific permits required will be determined based on field verification and delineations during the permitting stage.

Federal Permits, Approvals, and/or Consultations:	Agency
Endangered Species Act – Section 7	USFWS
Endangered Species Act – Section 7, Magnuson-Stevens Fishery Conservation and Management Act	NMFS
Clean Water Act – Section 404 - Nationwide Permit 3 (Maintenance)	USACE
Clean Water Act – Section 404 - Nationwide Permit 13 (Bank Stabilization)	USACE
Clean Water Act – Section 404 - Nationwide Permit 36 (Boat Ramp, including Pre-Construction Notification)	USACE

New York State and Local Permits, Approvals, and/or Consultations:	Agency
Water Quality Certification – Section 401 of the Clean Water Act	NYS DEC
Coastal Zone Management	NYS DOS
Licensed Use of Land Underwater	NY Office of General Services
Stream Disturbance Permit - Article 15, Title 5	NYS DEC
Excavation & fill in Navigable Waters Permit - Article 15, Title 5	NYS DEC
Docks, Platforms and Moorings - Article 15, Title 5	NYS DEC
Floodplain Development Permit	Local Floodplain Administrator

Public Outreach [24 CFR 50.23 & 58.43]:

A 15-day public review period for this Environmental Assessment was initiated upon publication of the combined notice of Finding Of No Significant Impact (FONSI) and Notice of Intent to Request Release of Funds (NOI/RROF). During this period, any individual, group or agency could submit written comments on the Project.

Cumulative Impact Analysis [24 CFR 58.32]:

Current and reasonably foreseeable projects identified in the project area include the planned Tina Chorvas Waterfront Park Shoreline Stabilization and repairs to the Saugerties Historic Lighthouse. The Tina Chorvas Waterfront Park Shoreline Stabilization project would replace eroded bulkheads in Tina Chorvas Waterfront Park and the adjacent Arm of the Sea property along Esopus Creek. Approximately 50 feet of bulkhead in the park property would be replaced and about 390 feet of bulkhead and/or shoreline stabilization work would be performed in the Arm of the Sea property. This preparation for predicted sea level rise would provide enhanced public access and would allow for redevelopment along the abandoned waterfront industrial site. Repairs to the historic lighthouse would include repairs to supporting structures adjacent to the lighthouse, including repairing a large gap in the seawall that protects the harbor channel, as well as bulkhead, pier, and docks repairs. While the seawall is important for preventing siltation of the harbor channel, the bulkhead and pier protect the lighthouse, which is a community asset and historic building. The pier and seawall are also popular as public fishing sites. Repairs to the seawall and supporting structures adjacent to the lighthouse would provide flood mitigation to the lighthouse and harbor channel.

Impacts from the proposed project, when combined with those of the projects occurring in the project vicinity described above, may contribute to minor short-term cumulative impacts to noise, transportation and public safety. However, the majority of impacts from the proposed project would be short-term in duration and occur only during the construction period associated with site preparation and park rehabilitation. As a result, adverse cumulative impacts from the proposed project would be minimal and are not expected to rise to a level of significance in the context of overall development occurring within the vicinity of the project. Because the construction periods associated with each of these rehabilitation and repair projects are staggered and would not occur simultaneously, there would be no contribution to cumulative impacts during construction. Over the long term, beneficial cumulative effects on parks, open space and recreation, and flood protection would occur as the result of the planned enhancements to these community amenities.

Alternatives [24 CFR 58.40(e); 40 CFR 1508.9]:

The approach to the design of the rehabilitated Village Beach Park included consideration of a modified alternative which proposed modified elements related to boat ramp replacement such as gravel or asphalt type boat ramp construction, beach sand replacement over the previous pre-storm extent, which would be a 120-foot-long section of the beach, and various configurations and modified lengths for the installation of the floating dock system for both the swimming area and boat ramp.

The goals for this project include repairing public facilities, stabilizing the shoreline and supporting structures, and protecting aquatic species and habitat in the Esopus Creek during periods of high velocity flooding. The modified alternative was not selected because it would not best meet certain aspects of the purpose of the project, which is to provide flood protection measures, maintain public access to local waterways and ensure continued access to important open-space and recreational

amenities. Replacing beach sand over a 120-foot-long section of the beach would leave the area prone to the same impacts from erosion that exist under no action. In addition, the construction of gravel or asphalt paved boat ramps would not be durable and would be subject to damage from future storms.

By contrast, the preferred alternative would reduce the area of beach sand replenishment to approximately 75 feet and devoting the other 45 feet to vegetation by means of a grassed slope area with a turf reinforcement mat, therefore providing for better prevention of long-term erosion. The boat launch dock system selected for the preferred alternative would minimize the congestion of boats in the area by providing enough boat launch dock space for entering and exiting the water but not for temporarily docking. Additionally, the swimming area dock layout selected for the preferred alternative would provide enhanced recreational amenities as it could be used for 25 meter swim distances.

No Action Alternative [24 CFR 58.40(e)]:

Without the proposed project, the project site would remain in its current condition. The existing extent of erosion at the beach would remain in place, the boat docks would remain in their current condition, and the beach would remain unfit for swimming and other recreational activities. Under the No-Action alternative, the proposed system of catch basins to collect and convey all runoff from the area upgradient of the beach would not occur, nor would shoreline stabilization activities, resulting in the potential for further erosion. Without efforts to minimize and prevent future erosion of the beach area under the No-Action alternative, subsequent flooding during a storm event could result in further damage to the existing beach and docks, which could result in a permanent loss of the recreational amenity.

Summary of Findings and Conclusions:

As a riverine community, the Village of Saugerties experiences flooding from overflows from the lower Esopus Creek and its tributaries during intense rain events as well as Hurricane Irene, Tropical Storm Lee and Superstorm Sandy. As a coastal community, the Village also absorbed the impact of storm surges through the Hudson River during Superstorm Sandy. These events damaged the park facility and associated community amenities located at Village Beach. Low-lying tidal areas are most impacted by flooding due to wave action from the Hudson River and/or heavy flows from Esopus Creek. The proposed project would mitigate flooding through erosion control and repairs to other coastal protective features. The purpose of the project is to provide flood protection measures, maintain public access to local waterways and ensure continued access to important open-space and recreational amenities.

The proposed project will repair public facilities that suffered impacts in previous storm events and help mitigate future impacts of tidal and coastal flooding to public facilities and low-lying areas. Restoration of existing parkland would also eliminate the release of sediments from outside park boundaries and alleviate the introduction of debris that may otherwise reach the waterway that borders the park. Implementation of the proposed project will ensure protection of a key recreational amenity within the

village of Saugerties, as well as ensure the protection of aquatic species and habitat in the harbor channel during periods of high velocity flooding by stabilizing the shoreline and supporting structures.

As shown above in the Environmental Assessment Checklist, no significant land development, neighborhood, socioeconomic, natural resources, community facility or other direct, indirect or cumulative impacts would result from the proposed project. As shown in the accompanying Statutory Checklists, the proposed project would comply with all relevant regulations listed in 24 CFR subparts 58.5 and 58.6.

Mitigation Measures and Conditions [40 CFR 1505.2(c)]

Summarize below all mitigation measures adopted by the Responsible Entity to reduce, avoid, or eliminate adverse environmental impacts and to avoid non-compliance or non-conformance with the above-listed authorities and factors. These measures/conditions must be incorporated into project contracts, development agreements, and other relevant documents. The staff responsible for implementing and monitoring mitigation measures should be clearly identified in the mitigation plan.

Law, Authority, or Factor	Mitigation Measure
Permit Requirements	All permit conditions listed above or otherwise required for activities under the proposed project must be adhered to.

Standard Conditions for All Projects

Any change to the approved scope of work will require re-evaluation by the Certifying Officer for compliance with NEPA and other laws and Executive Orders.

This review does not address all federal, state and local requirements. Acceptance of federal funding requires recipient to comply with all federal state and local laws. Failure to obtain all appropriate federal, state and local environmental permits and clearances may jeopardize federal funding.

Determination:

- Finding of No Significant Impact** [24 CFR 58.40(g)(1); 40 CFR 1508.27]
The project will not result in a significant impact on the quality of the human environment.
- Finding of Significant Impact** [24 CFR 58.40(g)(2); 40 CFR 1508.27]
The project may significantly affect the quality of the human environment.



June 13, 2016

Preparer Signature

Date

Joshua Schnabel, Environmental Planner, Louis Berger, Inc.

Name/Title/Organization



June 13, 2016

Signature of Certifying Officer

Date

Thomas J. King

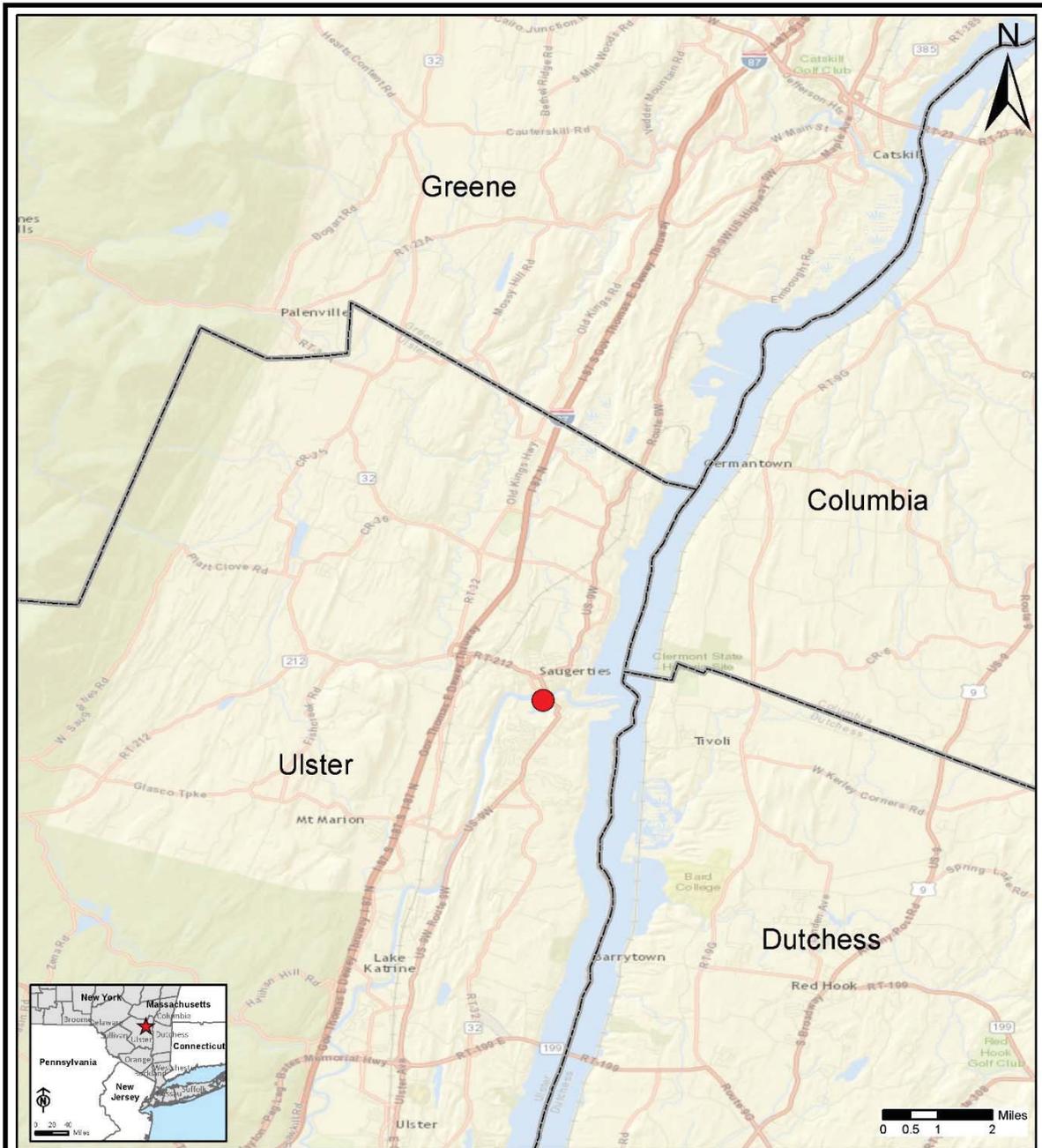
Assistant General Counsel

Print Name

Title

This original, signed document and related supporting material must be retained on file by the Responsible Entity in an Environmental Review Record (ERR) for the activity/project (ref: 24 CFR Part 58.38) and in accordance with recordkeeping requirements for the HUD program(s).

FIGURES



NY State Counties

Project Site

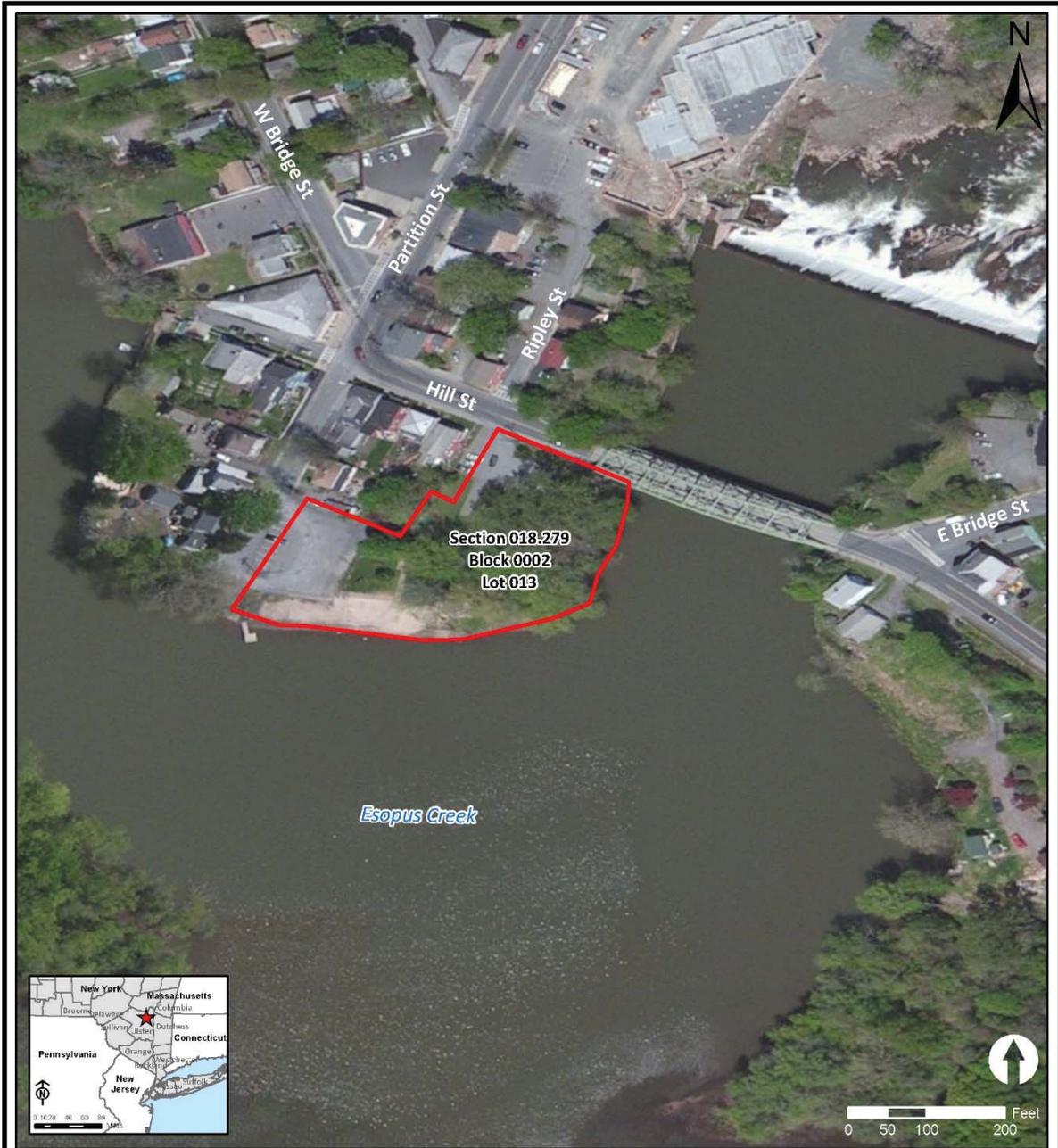
Figure 1

Regional Location

Village Beach Park Repairs
Village of Saugerties - Parks Restoration

Source: U.S. Fish and Wildlife Service; Ulster County GIS Datasets;
NYS Dept. of State; NYS Department of Environmental Conservation;
U.S. Department of Agriculture; FEMA; ESRI World Imagery; ESRI Street Map





 Project Site

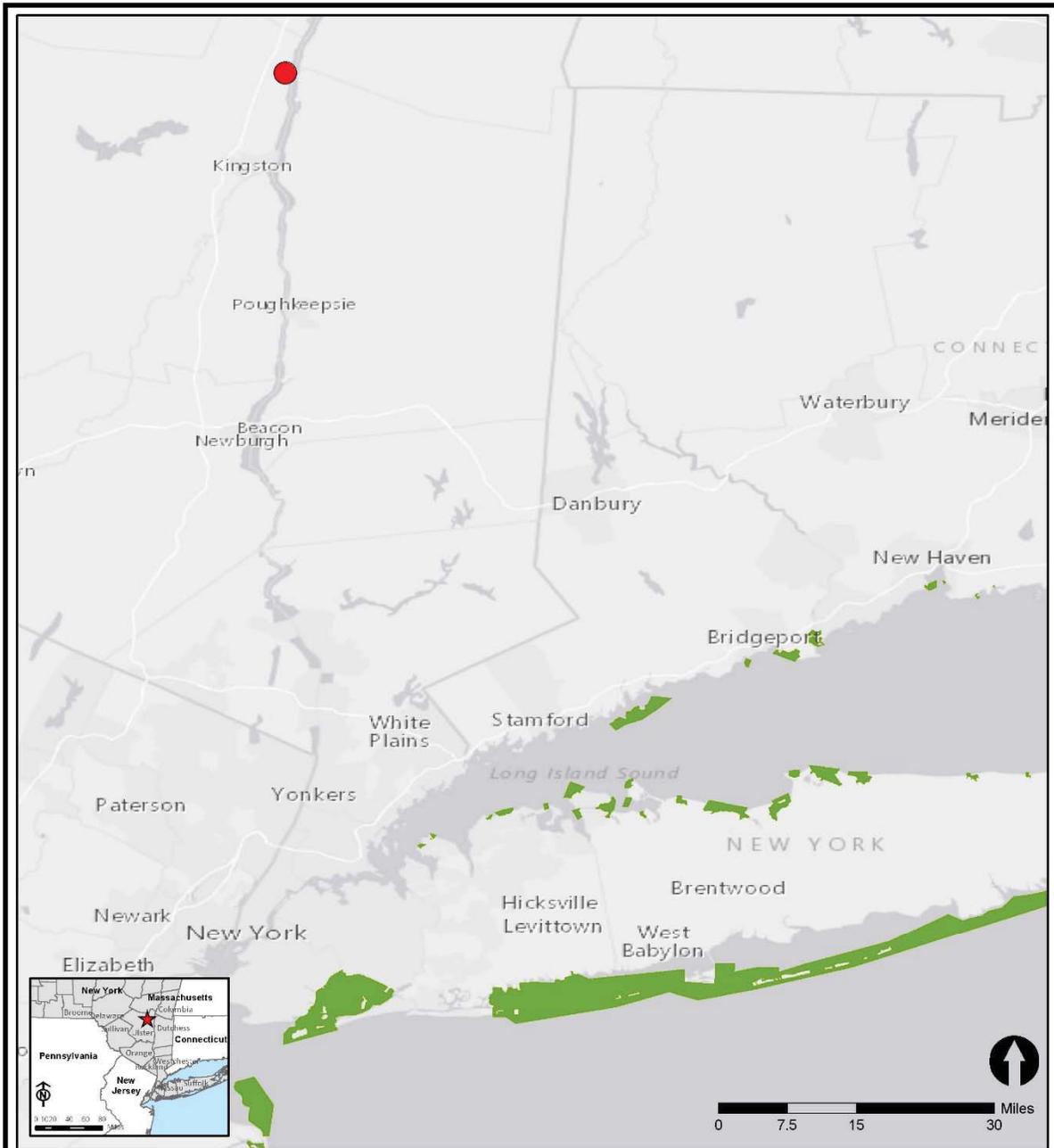
Figure 2

Project Area

Village Beach Park Repairs
 Village of Saugerties - Parks Restoration

Source: U.S. Fish and Wildlife Service; Ulster County GIS Datasets;
 NYS Dept. of State; NYS Department of Environmental Conservation;
 U.S. Department of Agriculture; FEMA; ESRI World Imagery; ESRI Street Map



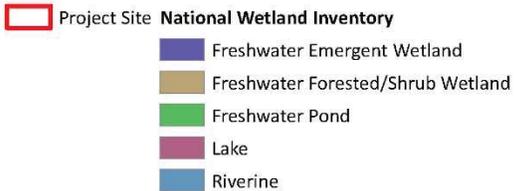
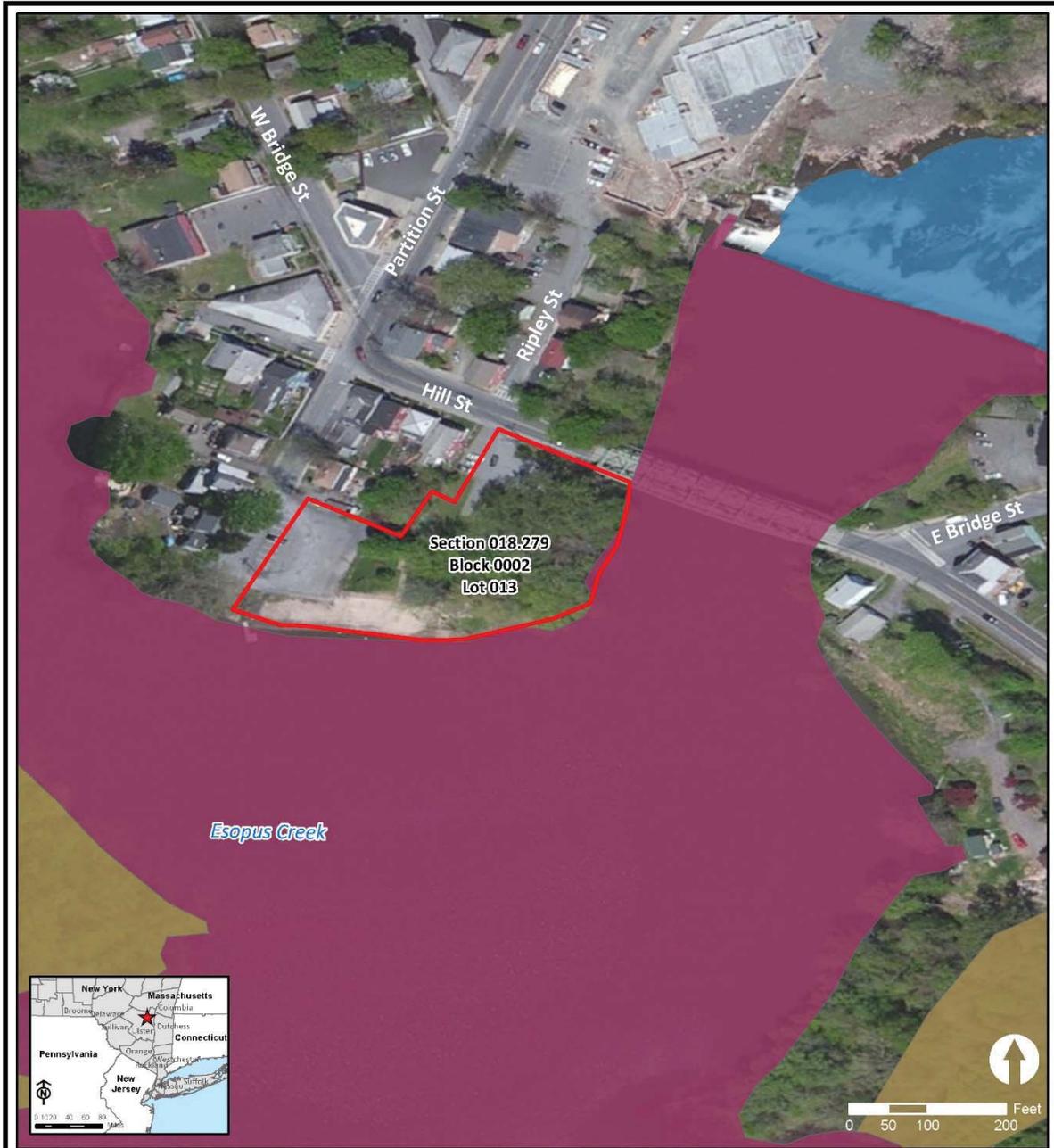


- Project Site
- Coastal Barrier Resource System

Figure 3
Coastal Barrier Resource System
 Village Beach Park Repairs
 Village of Saugerties - Parks Restoration

Source: U.S. Fish and Wildlife Service; Ulster County GIS Datasets;
 NYS Dept. of State; NYS Department of Environmental Conservation;
 U.S. Department of Agriculture; FEMA; ESRI World Imagery; ESRI Street Map



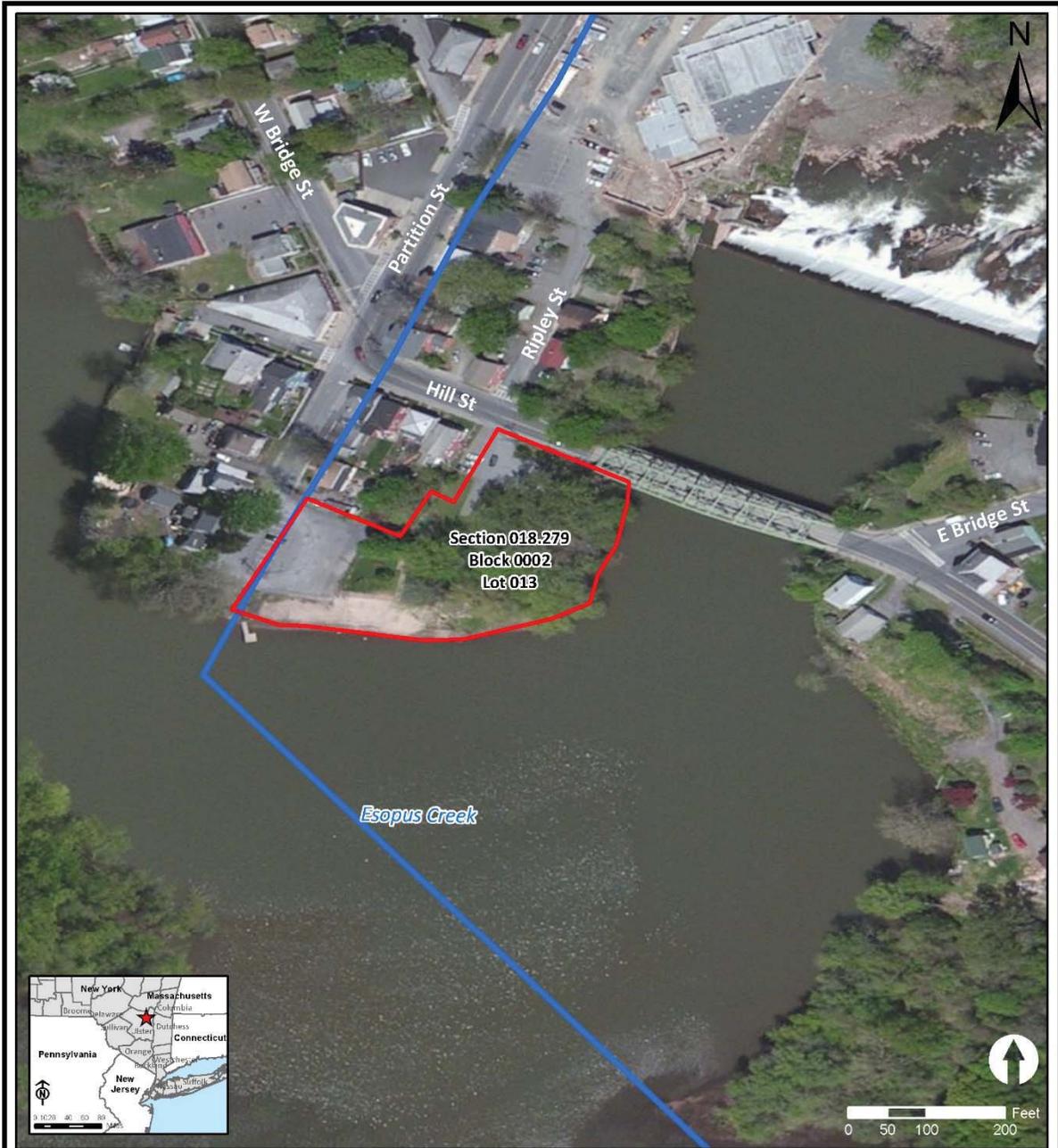


Source: U.S. Fish and Wildlife Service; Ulster County GIS Datasets; NYS Dept. of State; NYS Department of Environmental Conservation; U.S. Department of Agriculture; FEMA; ESRI World Imagery; ESRI Street Map

Figure 5
Wetlands

Village Beach Park Repairs
Village of Saugerties - Parks Restoration





- Project Site
- Coastal Boundary

Figure 6

Coastal Boundary

Village Beach Park Repairs
 Village of Saugerties - Parks Restoration

Source: U.S. Fish and Wildlife Service; Ulster County GIS Datasets;
 NYS Dept. of State; NYS Department of Environmental Conservation;
 U.S. Department of Agriculture; FEMA; ESRI World Imagery; ESRI Street Map





- Project Site
- Scenic Areas

Figure 7
Scenic Areas

Village Beach Park Repairs
 Village of Saugerties - Parks Restoration

Source: U.S. Fish and Wildlife Service; Ulster County GIS Datasets;
 NYS Dept. of State; NYS Department of Environmental Conservation;
 U.S. Department of Agriculture; FEMA; ESRI World Imagery; ESRI Street Map



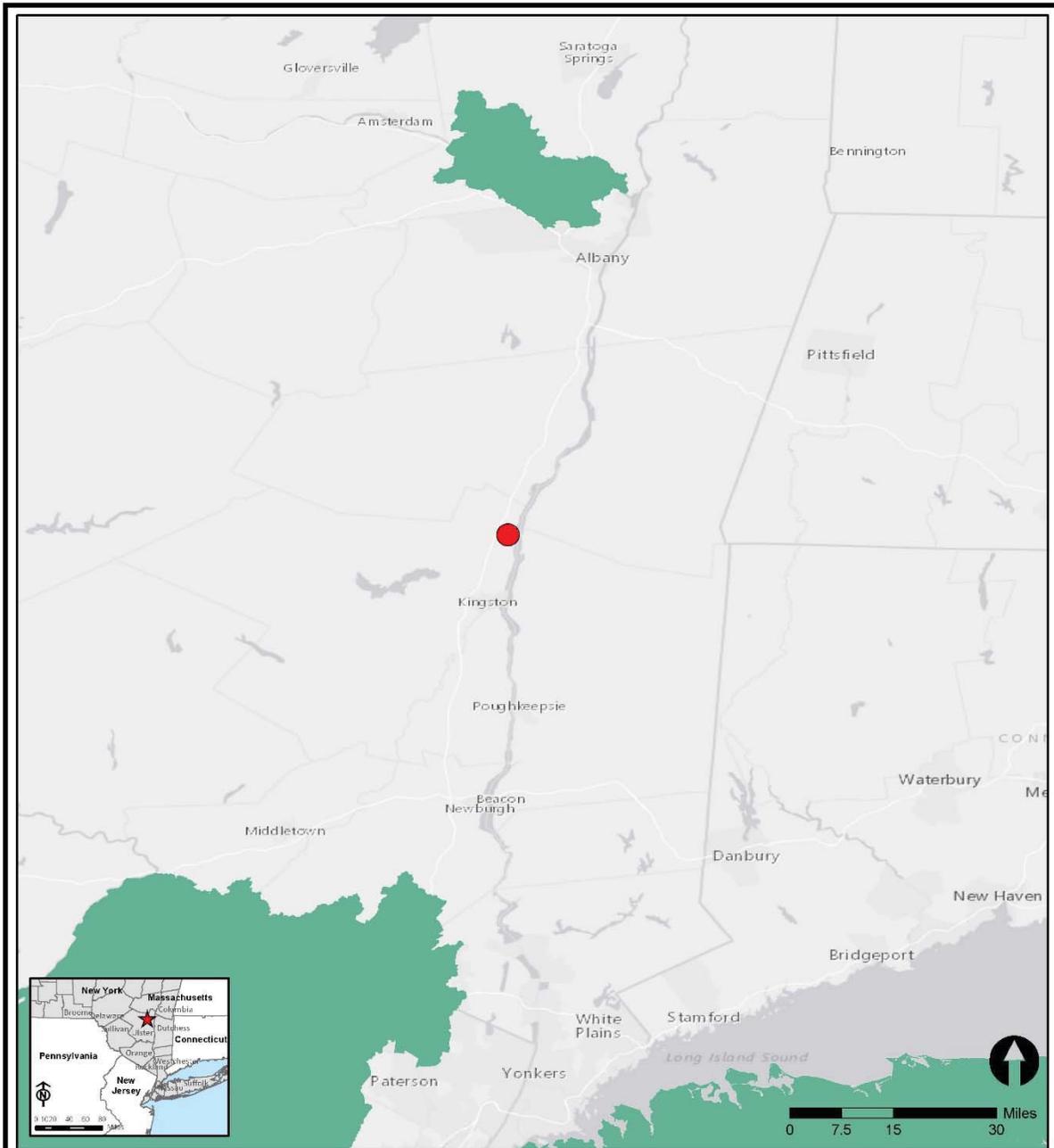


- Project Site
- Remediation Site

Figure 8
Remediation Site
Village Beach Park Repairs
Village of Saugerties - Parks Restoration

Source: U.S. Fish and Wildlife Service; Ulster County GIS Datasets;
NYS Dept. of State; NYS Department of Environmental Conservation;
U.S. Department of Agriculture; FEMA; ESRI World Imagery; ESRI Street Map



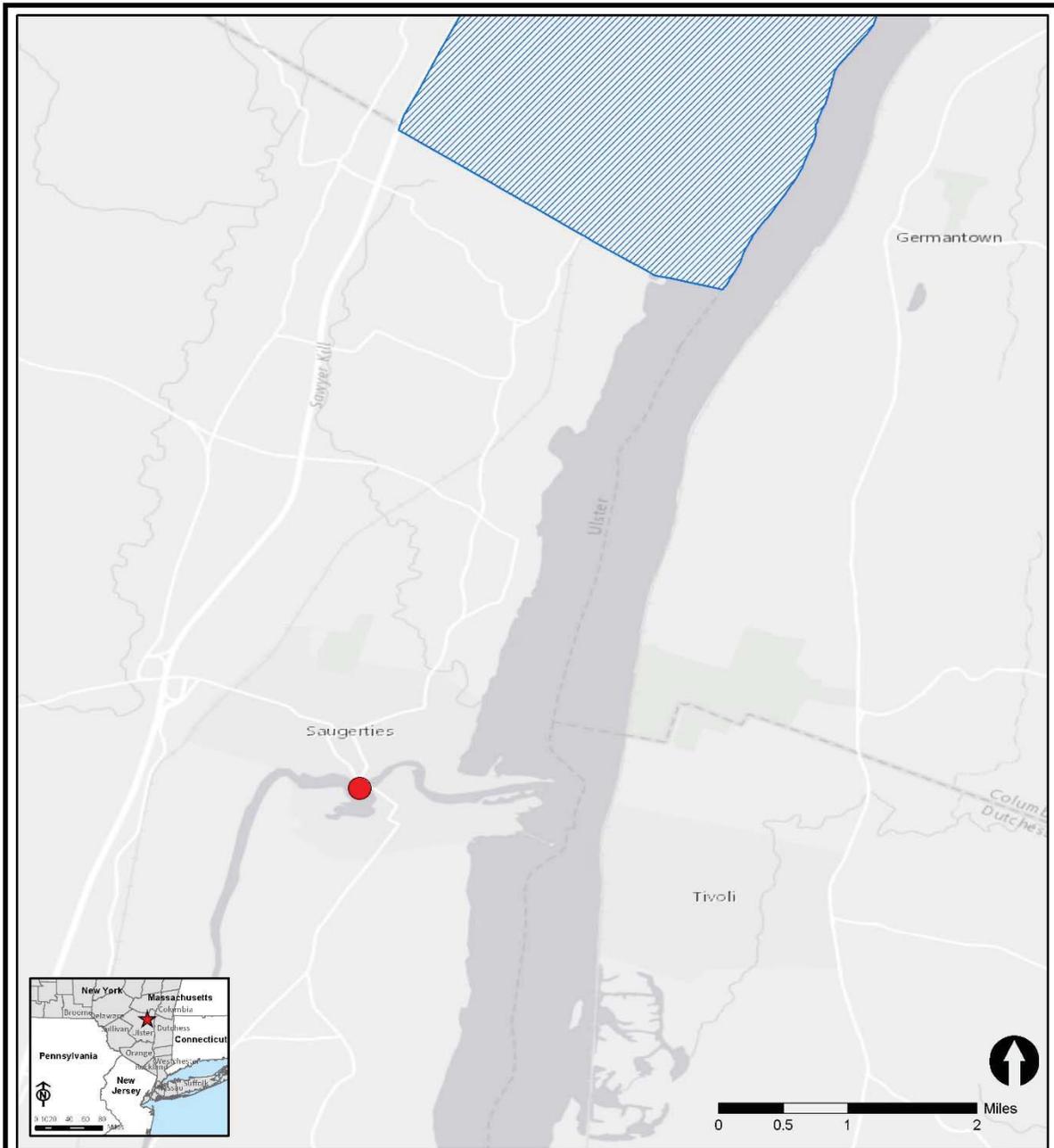


- Project Site
- Sole Source Aquifer

Figure 9
Sole Source Aquifers
 Village Beach Park Repairs
 Village of Saugerties - Parks Restoration

Source: U.S. Fish and Wildlife Service; Ulster County GIS Datasets;
 NYS Dept. of State; NYS Department of Environmental Conservation;
 U.S. Department of Agriculture; FEMA; ESRI World Imagery; ESRI Street Map





- Project Site
- ▨ Potential EJ Area

Figure 10

Potential EJ Areas

Village Beach Park Repairs
 Village of Saugerties - Parks Restoration

Source: U.S. Fish and Wildlife Service; Ulster County GIS Datasets;
 NYS Dept. of State; NYS Department of Environmental Conservation;
 U.S. Department of Agriculture; FEMA; ESRI World Imagery; ESRI Street Map



APPENDIX A – COASTAL ZONE CONSISTENCY



Governor's Office of Storm Recovery



Andrew M. Cuomo
Governor

Lisa Bova-Hiatt
Executive Director

March 23, 2016

Mr. Jeffrey Zappieri
Consistency Review Unit
New York State Department of State
Division of Coastal Resources
One Commerce Place
99 Washington Avenue
Albany, NY 12231-0001

**Re: Coastal Zone Management Act Consistency Review – CDBG-DR Funding Application
Parks Restoration Project – Village Beach Site (Village of Saugerties, Ulster County, NY)**

Dear Mr. Zappieri:

The New York State Governor's Office of Storm Recovery ("GOSR") received a funding application for the proposed "Parks Restoration Project – Village Beach Site" project, located in the Village of Saugerties, Ulster County, New York.

The proposed project involves improvements to the Village Beach Park, which is a public recreation area offering picnicking, playground equipment, fishing, swimming, and boat access to the Esopus Creek. The 1.37-acre municipal park suffered extensive damage as a result of Superstorm Sandy, Hurricane Irene, and Tropical Storm Lee. Proposed improvements to the park include sand replenishment in the beach area, the replacement of damaged docks, and repairs to an eroded boat ramp. Landscaping, drainage, and plantings will also be addressed to protect against further erosion. Specific proposed improvements include the following:

- *Sand replenishment in the beach area:* The beach area is located on the south side of the Project site, and is approximately 130 feet wide by 35 feet long. The Village plans to convert the western portion of the sand beach area into a grassed area, with a turf reinforcement mat in order to establish and retain a stable grass cover. The beach sand replenishment will include well graded processed sand meeting specific grain size criteria, including minimal silt, and no organic matter. The thickness of the sand replenishment layer is proposed to be four inches. The volume of replenishment sand required for the beach area is estimated to be 40 cubic yards or 64 tons of sand.
- *Construction of a new boat ramp:* The existing asphalt paved boat ramp located on the southwest side of the Project site is deteriorated and portions of the underwater asphalt ramp have broken off or have been eroded away. Approximately 20 feet of the entrance ramp foundation layer above the water line will remain, and the remainder of the boat ramp is planned for replacement. The proposed replacement boat ramp will be a concrete slab structure that will include a 13-foot wide driving lane on an 18-foot total width slab. An approximately 40 feet length of the ramp will be below normal high water, and an adjacent 5-foot wide floating dock will also be installed.
- *Drainage systems and landscape improvements:* Runoff from the on-site parking area and upgradient grassed area currently causes continual erosion of the beach sand. To mitigate the erosion problem, site regrading with proper storm sewers are proposed. Parking lot runoff will be controlled by constructing

concrete curbs and sidewalks on the east and south sides of the parking area, which would intercept runoff and cause it to flow into a proposed catch basin on the south side of the parking area. The catch basin would drain to a storm sewer pipe, which would drain to a second catch basin near the boat ramp and then to the Esopus Creek. Stormwater flow from the upgradient grass area is proposed to be controlled by regrading the area on the north side of the sidewalk and installing a catch basin, which would connect to the storm sewer pipe discussed above, and discharge through a second catch basin and then to Esopus Creek. This system of catch basins would collect and convey all of the runoff from the area upgradient of the beach to minimize and prevent future erosion of the beach area.

- *Shoreline stabilization:* The shoreline near the boat ramp and an area on the east side of the beach have experienced erosion, and the asphalt sidewalk located on the east side of the beach area has also been undermined, with a section collapsed. The shoreline will be stabilized by installing a longitudinal stone toe protection layer that is covered with a turf reinforcement mat. The turf reinforcement mat will be infilled with soil and hydromulched to establish grass cover.
- *Replacement of the floating docks:* The Village Beach has a floating dock on the east side of the boat ramp, two independent swimming platforms, and a gangway connected to a wooden dock on the east side of the beach area. The wooden docks located at the boat ramp and on the east side of the beach area should be replaced. The two floating swimming platforms are planned for reuse. The proposed replacement floating docks will be commercial grade aluminum framed floating docks and will include all necessary safety and stability features.

Pursuant to the Disaster Relief Appropriations Act, 2013 (Public Law 113-2) and the Housing and Community Development Act (42 U.S.C. § 5301 et seq.), GOSR is acting under the auspices of New York State Homes and Community Renewal's Housing Trust Fund Corporation as a recipient of Community Development Block Grant – Disaster Recovery ("CDBG-DR") funds from the United States Department of Housing and Urban Development ("HUD") and is the entity responsible for compliance with the HUD NEPA environmental review procedures set forth in 24 C.F.R. Part 58.

The project area is located within the boundary of the New York State Coastal Zone. The Village of Saugerties also participates in the Local Waterfront Revitalization Program. Pursuant to the Coastal Zone Management Act, enclosed please find a completed Federal Consistency Assessment form and supporting documentation for your review.

Responses can be sent to me via email at Thomas.King@StormRecovery.NY.gov. In accordance with the MOU, a nonresponse within fifteen days shall constitute a favorable review of the project/activity. If you have any questions, please feel free to contact me at (518) 473-0015. Thank you for your consideration and cooperation.

Sincerely,

Director – Bureau of Environmental Review and Assessment Interim
Assistant General Counsel

Encl.

NEW YORK STATE DEPARTMENT OF STATE
COASTAL MANAGEMENT PROGRAM

Federal Consistency Assessment Form

An applicant, seeking a permit, license, waiver, certification or similar type of approval from a federal agency which is subject to the New York State Coastal Management Program (CMP), shall complete this assessment form for any proposed activity that will occur within and/or directly affect the State's Coastal Area. This form is intended to assist an applicant in certifying that the proposed activity is consistent with New York State's CMP as required by U.S. Department of Commerce regulations (15 CFR 930.57). It should be completed at the time when the federal application is prepared. The Department of State will use the completed form and accompanying information in its review of the applicant's certification of consistency.

A. APPLICANT (please print)

1. Name: New York State Governor's Office of Storm Recovery (GOSR)
2. Address: 99 Washington Avenue Suite 1224, Albany, New York 12260
3. Telephone: Area Code () (518) 473-0015

B. PROPOSED ACTIVITY

1. Brief description of activity:

The project involves improvements to the Village Beach Park, a public recreation area that has suffered extensive storm damage. Improvements include sand replenishment in the beach area, construction of a new boat ramp, drainage system and landscape improvements, shoreline stabilization, and the replacement of floating docks.

2. Purpose of activity:

To improve storm resiliency and stop the rapid erosion of the beach and streambanks by creating improved drainage and stabilizing the shoreline. Also, to restore storm-damaged public recreation facilities to good condition.

3. Location of activity:

<u>Ulster</u>	<u>Saugerties</u>	<u>South Partition Street</u>
County	City, Town, or Village	Street or Site Description

4. Type of federal permit/license required: _____

5. Federal application number, if known: _____

6. If a state permit/license was issued or is required for the proposed activity, identify the state agency and provide the application or permit number, if known:

NYDEC Article 15 & Section 401 WQC; NYOGS Permit to occupy state-owned submerged land

C. COASTAL ASSESSMENT Check either "YES" or "NO" for each of these questions. The numbers following each question refer to the policies described in the CMP document (see footnote on page 2) which may be affected by the proposed activity.

1. Will the proposed activity result in any of the following: YES / NO
- | | | |
|--|-------------------------------------|-------------------------------------|
| a. Large physical change to a site within the coastal area which will require the preparation of an environmental impact statement? (11, 22, 25, 32, 37, 38, 41, 43) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b. Physical alteration of more than two acres of land along the shoreline, land under water or coastal waters? (2, 11, 12, 20, 28, 35, 44) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c. Revitalization/redevelopment of a deteriorated or underutilized waterfront site? (1) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d. Reduction of existing or potential public access to or along coastal waters? (19, 20) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e. Adverse effect upon the commercial or recreational use of coastal fish resources? (9,10) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f. Siting of a facility essential to the exploration, development and production of energy resources in coastal waters or on the Outer Continental Shelf? (29) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| g. Siting of a facility essential to the generation or transmission of energy? (27) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| h. Mining, excavation, or dredging activities, or the placement of dredged or fill material in coastal waters? (15, 35) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| i. Discharge of toxics, hazardous substances or other pollutants into coastal waters? (8, 15, 35) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| j. Draining of stormwater runoff or sewer overflows into coastal waters? (33) | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| k. Transport, storage, treatment, or disposal of solid wastes or hazardous materials? (36, 39) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| l. Adverse effect upon land or water uses within the State's small harbors? (4) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

2. Will the proposed activity affect or be located in, on, or adjacent to any of the following: YES / NO
- | | | |
|--|-------------------------------------|-------------------------------------|
| a. State designated freshwater or tidal wetland? (44) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b. Federally designated flood and/or state designated erosion hazard area? (11, 12, 17,) | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c. State designated significant fish and/or wildlife habitat? (7) | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d. State designated significant scenic resource or area? (24) | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e. State designated important agricultural lands? (26) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f. Beach, dune or barrier island? (12) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| g. Major ports of Albany, Buffalo, Ogdensburg, Oswego or New York? (3) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| h. State, county, or local park? (19, 20) | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| i. Historic resource listed on the National or State Register of Historic Places? (23) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

3. Will the proposed activity require any of the following: YES / NO
- | | | |
|--|-------------------------------------|-------------------------------------|
| a. Waterfront site? (2, 21, 22) | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b. Provision of new public services or infrastructure in undeveloped or sparsely populated sections of the coastal area? (5) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c. Construction or reconstruction of a flood or erosion control structure? (13, 14, 16) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d. State water quality permit or certification? (30, 38, 40) | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e. State air quality permit or certification? (41, 43) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

4. Will the proposed activity occur within and/or affect an area covered by a State approved local waterfront revitalization program? (see policies in local program document)

D. ADDITIONAL STEPS

1. If all of the questions in Section C are answered "NO", then the applicant or agency shall complete Section E and submit the documentation required by Section F.
2. If any of the questions in Section C are answered "YES", then the applicant or agent is advised to consult the CMP, or where appropriate, the local waterfront revitalization program document*. The proposed activity must be analyzed in more detail with respect to the applicable state or local coastal policies. On a separate page(s), the applicant or agent shall: (a) identify, by their policy numbers, which coastal policies are affected by the activity, (b) briefly assess the effects of the activity upon the policy; and, (c) state how the activity is consistent with each policy. Following the completion of this written assessment, the applicant or agency shall complete Section E and submit the documentation required by Section F.

E. CERTIFICATION

The applicant or agent must certify that the proposed activity is consistent with the State's CMP or the approved local waterfront revitalization program, as appropriate. If this certification cannot be made, the proposed activity shall not be undertaken. If this certification can be made, complete this Section.

"The proposed activity complies with New York State's approved Coastal Management Program, or with the applicable approved local waterfront revitalization program, and will be conducted in a manner consistent with such program."

Applicant/Agent's Name: Thomas J. King

Address: 99 Washington Avenue, Suite 1224, Albany, New York 12260

Telephone: Area Code (518) 473-0015

Applicant/Agent's Signature: _____ Date: _____

F. SUBMISSION REQUIREMENTS

1. The applicant or agent shall submit the following documents to the **New York State Department of State, Office of Coastal, Local Government and Community Sustainability, Attn: Consistency Review Unit, 1 Commerce Plaza, 99 Washington Avenue - Suite 1010, Albany, New York 12231.**

- a. Copy of original signed form.
- b. Copy of the completed federal agency application.
- c. Other available information which would support the certification of consistency.

2. The applicant or agent shall also submit a copy of this completed form along with his/her application to the federal agency.

3. If there are any questions regarding the submission of this form, contact the Department of State at (518) 474-6000.

*These state and local documents are available for inspection at the offices of many federal agencies, Department of environmental Conservation and Department of State regional offices, and the appropriate regional and county planning agencies. Local program documents are also available for inspection at the offices of the appropriate local government.

Federal Consistency Assessment Form: Assessment of Effects
Re: Parks Restoration Project – Village Beach Site (Village of Saugerties, Ulster County, NY)

1. j. Draining of stormwater runoff or sewer overflows into coastal waters? (33)

Policy 33 Applies – Best management practices will be used to ensure the control of stormwater runoff and combined sewer overflows draining into coastal waters.

- The proposed improved storm sewers and drainage features at the Village Beach Park are designed to mitigate the beach sand erosion problem by directing parking lot runoff into curb intercepts and then into a proposed catch basin on the south side of the parking area. The parking lot catch basin would be drained by a storm sewer pipe that will drain to a second catch basin near the boat ramp and then to Esopus Creek. The improvements will not cause additional storm runoff or create additional pollution discharge, but will reduce the amount of eroded material contained within the runoff.

2. b. Federally designated flood and/or state designated erosion hazard area? (11, 12, 17)

Policy 12 Applies - 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.

Policy 17 Applies - Non-structural measures to minimize damage to natural resources and property from flooding and erosion shall be used whenever possible.

- The Project area lies within the 100-year floodplain, with work within Esopus Creek also included within the mapped floodway. The proposed improvements to the park will increase the resiliency of the Project site to flooding by improving drainage systems, reducing erosion, and stabilizing the shoreline. The improved boat ramp will rehabilitate an existing deteriorated structure. The proposed replacement floating docs will also replace existing aging structures and provide additional safety and stability.
- Non-structural measures will be used where feasible to stabilize the shoreline, including the installation of a longitudinal stone toe protection layer that is covered with a turf reinforcement mat. The longitudinal stone toe protection layer will be constructed from a well graded, self-adjusting, self-filtering stone layer that does not have any filter fabric underlayment. The surface of the longitudinal stone toe protection layer will be finished with a turf reinforcement mat. The turf reinforcement mat would be infilled with soil and hydromulched to establish a grass cover.

2. c. State designated significant fish and/or wildlife habitat? (7)

Policy 7 Applies – Significant coastal fish and wildlife habitats will be protected, preserved, and where practical, restored so as to maintain their viability as habitats.

- According to the New York State Department of Environmental Protection (NYSDEC) Natural Heritage Program (NHP), several rare or state-listed animals and plants, and significant natural communities occur in the vicinity of the Project site:
 - The Shortnose Sturgeon and the Atlantic Sturgeon, both listed Endangered species, have been documented in the Hudson River and the lower portion of Hudson River Tributaries. Esopus Creek discharges to the Hudson River, approximately one mile east of the Project site. However, a dam separates the portion of Esopus Creek at the Project site from the Hudson River.
 - The state-listed Threatened Bald Eagle has been documented within ½ mile of the Saugerties Lighthouse, and may travel one mile from documented locations.
 - Heartleaf Plantain is identified as a Rare plant species that is present in Saugerties Marsh, around the mouth of Esopus Creek, approximately ½ to one mile east of the Project site.
 - The Saugerties Marsh, around the mouth of Esopus Creek is identified by the NHP as having significant natural communities including freshwater tidal marsh, freshwater intertidal mudflats, and freshwater tidal swamp. These features are high quality occurrences of rare community types, and are all located ½ to one mile east of the Project site.
 - The NHP also identifies the Esopus Estuary, Saugerties Marsh: tidal marsh and deepwater section as having significant concentrations of anadromous fish and winter waterfowl. These features are also located ½ to one mile east of the Project site.

Proposed project activities include replacing existing deteriorated boat ramp and docks, reducing beach erosion, and improving drainage. Water quality impacts which could adversely impact the species and significant habitats identified above are not anticipated. However, the project is subject to the NYSDEC Stream Protection Act, Environmental Conservation Law (Article 15, Title 5), which was enacted to minimize disturbances to the beds and banks of certain protected streams in order to protect fish and wildlife and their habitats. The NYSDEC regulates dredging and filling in navigable waters and adjacent wetlands, and construction of certain dams and docks.

2. d. State designated significant scenic resource or area? (24)

Policy 24 Applies – Prevent impairment of scenic resources of statewide significance.

- The Project is located within a Scenic Area of Statewide Significance (SASS), as identified by the New York State Department of State in 1993 (reprinted in 2004). The Project is within the Ulster North SASS, which encompasses a ten-mile stretch of the Hudson River and its western shorelands varying from 1.25 to 2.5 miles in width. The boundary of the SASS follows the coastal area boundary through the Village of Saugerties and therefore includes the Project site. The Ulster North SASS is a highly scenic and valued portion of the Hudson River Valley, rich in natural beauty, cultural and historical features. The Project will not impair scenic resources associated with this SASS. Rather, the Project will improve deteriorating features, reinforce the existing beach, and stabilize the shoreline in order to preserve and improve the scenic resources in the immediate vicinity.

2. h. State, county, or local park? (19, 20)

Policy 19 Applies – Protect, maintain, and increase the level and types of access to public water related recreation resources and facilities.

- The purpose of the Project is to improve and restore the Village Beach public recreation area. The property offers picnicking, playground equipment, fishing, swimming and boat access to Esopus Creek. The beach area has a lifeguard on duty during the summer months of July and August. The improvements at the site will improve access to the recreational resource by restoring the boat ramp and docks, while also protecting natural resources by stabilizing the beach and shoreline, and improving drainage.

3. a. Waterfront site? (2, 21, 22)

Policy 22 Applies – Development when located adjacent to the shore will provide for water-related recreation whenever such use is compatible with reasonably anticipated demand for such activities, and is compatible with the primary purpose of the development.

- The Project is located on a waterfront site, and will provide for improved water-related recreation uses at the existing Village Beach Park. Swimming and boating opportunities will be improved through the replenishment of sand in the beach area, the replacement of the poorly functioning boat ramp through construction of a new boat ramp, and the replacement of floating docks.

3. d. State water quality permit or certification? (30, 38, 40)

Policy 38 Applies – The quality and quantity of surface water and groundwater supplies will be conserved and protected, particularly where such waters constitute the primary or sole sources of water supply.

- The proposed Project is located within or adjacent to the Esopus Creek, which is a Class B protected and navigable water body. Therefore, the following state permits are required:
 - NYSDEC Article 15, Title 5, Stream Disturbance Permit to physically disturb the bed and banks of the Esopus Creek;
 - NYSDEC Article 15, Title 5, Excavation & fill in Navigable Waters Permit to allow excavation and filling below the mean water line;
 - NYSDEC under Section 401 of the Clean Water Act, Water Quality Certification;
 - State of New York Offices of General Services Permit to occupy State-owned submerged lands for the floating fishing docks and boat ramp.

4. Will the proposed activity occur within and/or affect an area covered by a State approved local waterfront revitalization program?

The Village of Saugerties Local Waterfront Revitalization Program (LWRP) was approved in 1985, and is a locally prepared comprehensive land and water use plan for the Village's natural, public, and developed waterfront resources along the Hudson River. The LWRP includes generally the same policies as the State's Coastal Management Program, discussed above.

STATE OF NEW YORK
DEPARTMENT OF STATE
ONE COMMERCE PLAZA
99 WASHINGTON AVENUE
ALBANY, NY 12231-0001
WWW.DOS.NY.GOV

ANDREW M. CUOMO
GOVERNOR
ROSSANA ROSADO
ACTING SECRETARY OF STATE

April 20, 2016

Thomas King, Director
Bureau of Environmental Review and Assessment
Assistant General Counsel
Governor's Office of Storm Recovery
99 Washington Avenue, Suite 1224
Albany, New York 12260

Re: F-2016-0323(FA)
GOSR - Village Beach Park Restoration
Sand replenishment in the beach area, the replacement of
damaged docks, and repairs to an eroded boat ramp.
Village of Saugerties, Ulster County
General Concurrence - No Objection To Funding

Dear Mr. King:

The Department of State received the information you submitted regarding the above matter on 4/11/2016.

The Department of State has determined that this proposal meets the Department's general consistency concurrence criteria. Therefore, the Department of State has no objection to the use of U. S. Housing and Urban Development funds for this financial assistance activity. This concurrence pertains to the financial assistance activity for this project only. If federal permits or other form of federal agency authorization is required for this activity, the Department of State will conduct a separate review for those permit activities. In such a case, please forward a copy of the federal application for authorization, a completed Federal Consistency Assessment Form, and all supporting information to the Department at the same time it is submitted to the federal agency from which the necessary authorization is requested.

When communicating with us regarding this matter, please contact Jeffrey Zappieri at (518) 474-6000 and refer to our file #F-2016-0323(FA).

Sincerely,



Jeffrey Zappieri
Supervisor, Consistency Review Unit
Office of Planning and Development

JZ/dc



APPENDIX B – CORRESPONDENCE



Governor's Office of Storm Recovery



Andrew M. Cuomo
Governor

Lisa Bova-Hiatt
Interim Executive Director

March 25, 2016

Mr. Daniel Marrone
Protected Resources Division
NMFS Greater Atlantic Regional Fisheries Office
55 Great Republic Drive
Gloucester, MA 01930

VIA EMAIL: daniel.marrone@noaa.gov

**Re: Village of Saugerties – Parks Restoration, Village Beach Park Repairs
Town of Saugerties, Ulster County, New York**

Dear Mr. Marrone:

The Governor's Office of Storm Recovery (GOSR), an office of the New York State Homes and Community Renewal's (NYSHCR) Housing Trust Fund Corporation, was established to aid the statewide recovery of disaster-affected communities in New York State. GOSR is administering a U.S. Department of Housing and Urban Development (HUD) Community Development Block Grant for Disaster Recovery (CDBG-DR), including the New York Rising Community Reconstruction (NYRCR) Program. This letter requests acknowledgement from the National Oceanic and Atmospheric Administration – National Marine Fisheries Service (NMFS) that they have received our No Effect Determination regarding the subject project provided in this letter, and that NMFS has no objections to the No Effect Determination. The environmental review for projects funded under the NYRCR Program are processed on a case-by-case basis in accordance with the NMFS Greater Atlantic Region Section 7 Program Guidance and pursuant to Section 7 of the Endangered Species Act (ESA) of 1973 (87 Stat. 884, as amended; 16 U.S.C. 1531 et seq.) and the Marine Mammal Protection Act (MMPA).

We have reviewed the above-referenced project according to NMFS procedures. We are submitting our project review package to demonstrate that the proposed project does not jeopardize the continued existence of ESA species or destroy or adversely modify their critical habitat.

PROJECT DESCRIPTION

The Village of Saugerties is proposing a restoration project at Village Beach, which is located at S. Partition Street at Esopus Creek, in the Village of Saugerties, Ulster County, New York (see enclosed project location maps in **Attachment 1**). The proposed improvements would repair Village Beach Park which suffered extensive damage as a result of Superstorm Sandy, Hurricane Irene, and Tropical Storm Lee. The project is needed to repair public facilities that suffered impacts in previous storm events and help mitigate future impacts of tidal and coastal flooding to public facilities and low-lying areas. Restoration of existing parkland is also necessary in order to eliminate the release of sediments from outside park boundaries and alleviate the introduction of debris that may otherwise reach the waterway that border the park. These improvements are expected to be completed by July of 2016. Further description of the project is provided below:



Governor's Office of Storm Recovery



Andrew M. Cuomo
Governor

Lisa Bova-Hiatt
Interim Executive Director

- (1) Replenish the eroded sand in the beach area. The sand which was eroded during Hurricane Irene and Tropical Storm Lee would be replaced. The new sand type and placement would be optimized to handle the stormwater runoff from adjacent parking lots and streets without eroding.
- (2) Repair or replace the boat ramp. The boat ramp would be replaced with a design that can accommodate the moving water in Esopus Creek.
- (3) Replace the floating docks. The replacement floating docks would allow for general swimming and swim lanes between each other.
- (4) Protect the beach from erosion through the use of drainage systems and landscaping. Future erosion of the beach would be prevented by minimizing the flow of water towards the beach from adjacent parking areas and South partition Street. Curbing, catch basins and storm sewers would be used for this purpose in paved areas. Landscaping features would be used in unpaved areas closer to the shoreline.
- (5) Stabilization of the southern and eastern shorelines. Stabilization of the shoreline would allow for access directly to the edge of Esopus Creek in certain areas.

ESA SPECIES DATA

The National Marine Fisheries lists the following ESA species for the Greater Atlantic Region:

Fish Species:

Atlantic salmon (*Salmon salar*)
Shortnose sturgeon (*Acipenser brevirostrum*)
Atlantic sturgeon (*Acipenser oxyrinchus oxyrinchus*)

Sea Turtles:

Green sea turtle (*Chelonia mydas*)
Hawksbill turtle (*Eretmochelys imbricate*)
Kemp's Ridley turtle (*Lepidochelys kempii*)
Leatherback turtle (*Dermochelys coriacea*)
Loggerhead turtle (*Caretta caretta*)

Marine Mammals:

Blue Whale (*Balaenoptera musculus musculus*)
Fin Whale (*Balaenoptera physalus*)
Humpback Whale (*Megaptera novaeangliae*)
North Atlantic right whale (*Eubalaena glacialis*)
Sei whale (*Balaenoptera borealis*)
Sperm whale (*Physeter microcephalus*)

NMFS Endangered Species Maps are enclosed in **Attachment 2**.



Governor's Office of Storm Recovery



Andrew M. Cuomo
Governor

Lisa Bova-Hiatt
Interim Executive Director

ANALYSIS

As depicted on the project area maps, the Village Beach project area is located on Esopus Creek, upstream of the Cantine (Diamond Mills) Dam. A request for species records for Village Beach project area, along with two other separate projects located downstream of the Village Beach project area, was sent to the New York State Natural Heritage Program (NYSNHP). A response was received on November 3, 2015 indicating that Atlantic sturgeon and shortnose sturgeon occur in the Hudson River and lower portion of Hudson River Tributaries. As the Village Beach project area is upstream of the Cantine (Diamond Mills Dam), the project area is not accessible to sturgeon. NYSNHP also indicated that there is an anadromous fish concentration area within the tidal marsh and deepwater section of the Esopus Estuary which is located downstream of the project and dam. There were no other records of NMFS species in the vicinity of the Village Beach project area.

This project will not directly affect any of the listed fish species, marine mammals, or sea turtles. The range of the marine mammals and sea turtles does not extend upstream/inland into the waters of the Hudson River and its tributaries. While sturgeon are known to exist in the Hudson River and deeper tidal waters of the Esopus Estuary, there is a dam located downstream of the project area which would prohibit the listed fish species from moving upstream to the project area. Thus, the project activities will not directly affect any of the listed NMFS species.

Best management practice will be implemented to limit erosion and sedimentation. Project implementation is conditioned upon issuance of applicable federal and state permits and will be constructed in accordance with federal and state permit conditions. The project does not involve siting a facility that would generate hazardous waste that could cause pollution to the river. The project will repair existing public facilities, stabilize the shoreline and supporting structures, and protect aquatic species and habitat in the creek during periods of high velocity flooding. Thus, the project activities will not indirectly affect any of the listed NMFS species.

In conjunction with the NMFS Greater Atlantic Region Endangered Species Act Section 7 Program, a No Effect Determination has been made for this proposed project. Therefore, this letter requests acknowledgement from NMFS that they have no objections to the No Effect Determination.

For additional information, please contact me by email at Thomas.King@stormrecovery.ny.gov or by telephone at (518) 473-0015.

Sincerely,

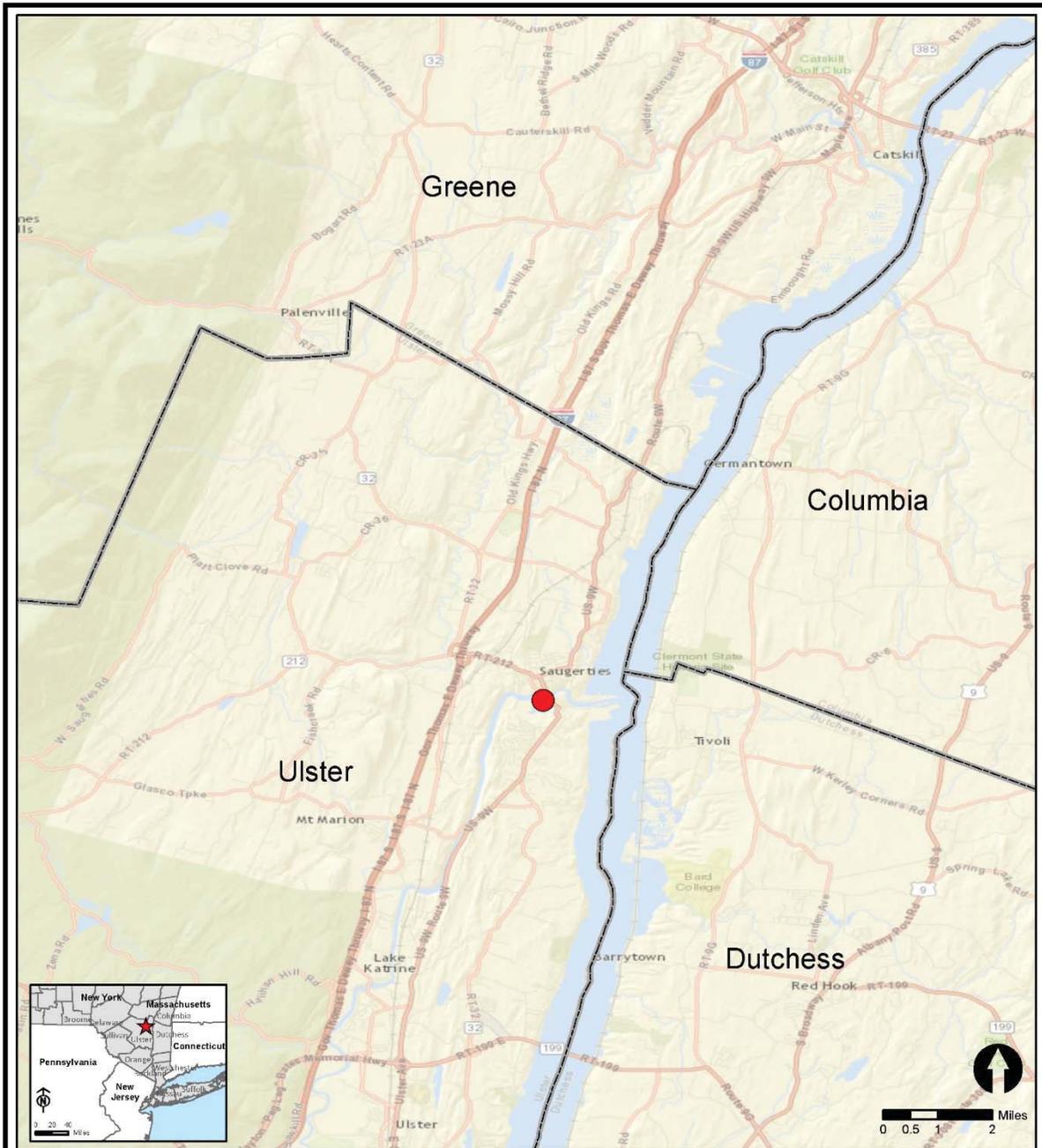
A handwritten signature in black ink that reads 'Thomas J. King'.

Thomas J. King
Assistant General Counsel
Governor's Office of Storm Recovery
99 Washington Ave. Suite 1224
Albany, New York 12260Encl.

Attachments:

- 1) Subject Property Maps (USGS Topographic and Aerial)
- 2) NMFS Endangered Species Maps

Attachment 1



NY State Counties

Project Site

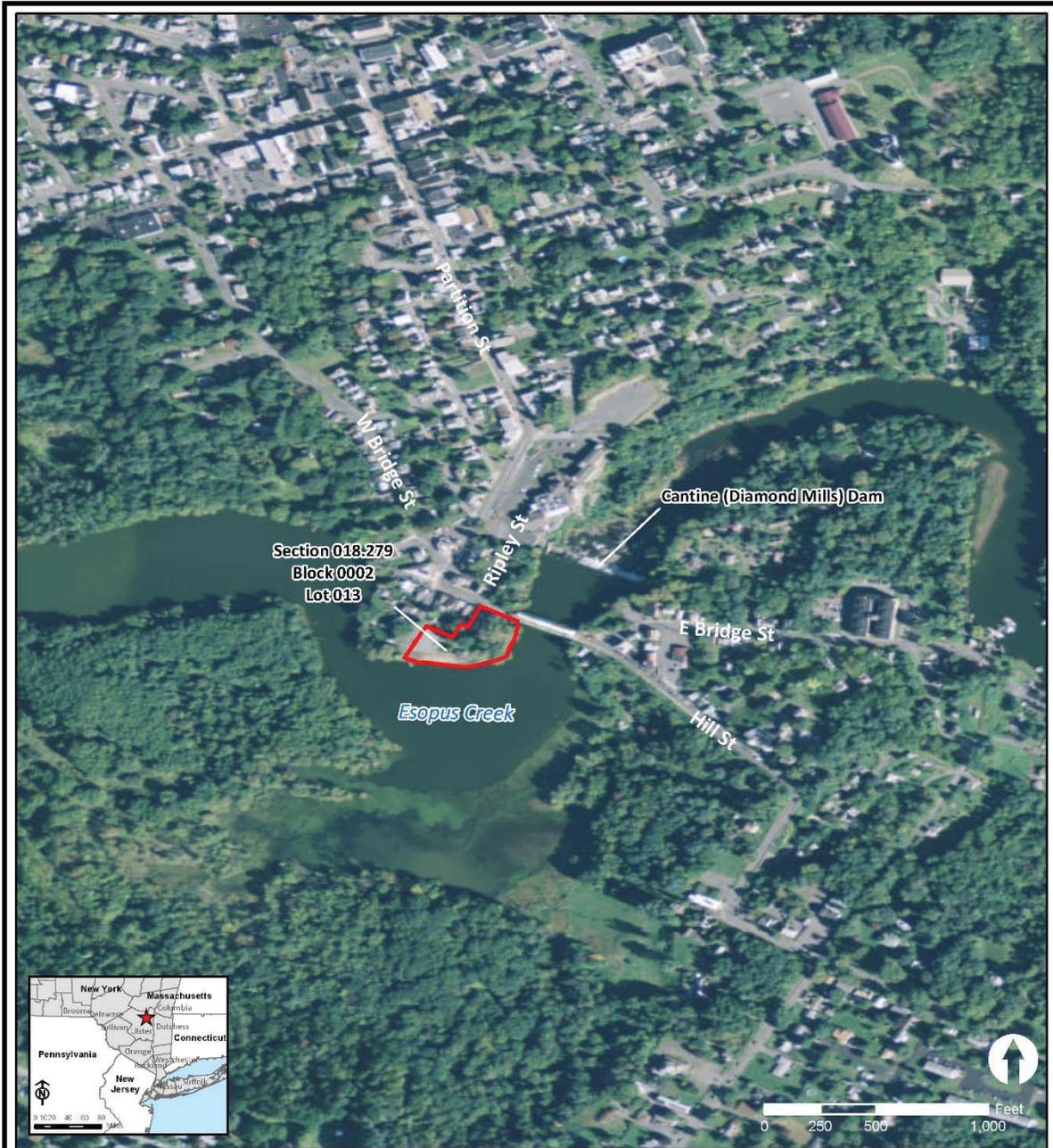
Figure 1

Regional Location

Village Beach Park Repairs
Village of Saugerties - Parks Restoration

Source: U.S. Fish and Wildlife Service; Ulster County GIS Datasets;
NYS Dept. of State; NYS Department of Environmental Conservation;
U.S. Department of Agriculture; FEMA; ESRI World Imagery; ESRI Street Map





 Project Site

Figure 2
Project Area

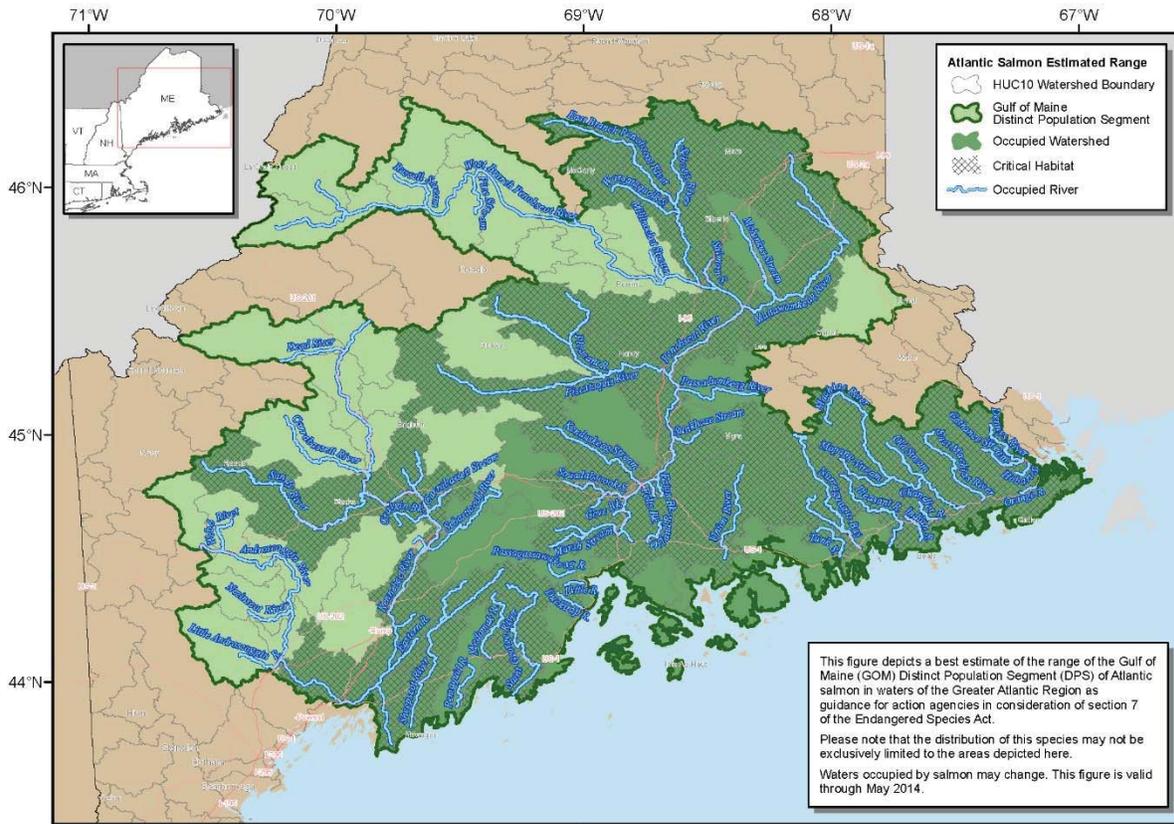
Village Beach Park Repairs
Village of Saugerties - Parks Restoration

Source: U.S. Fish and Wildlife Service; Ulster County GIS Datasets;
NYS Dept. of State; NYS Department of Environmental Conservation;
U.S. Department of Agriculture; FEMA; ESRI World Imagery; ESRI Street Map

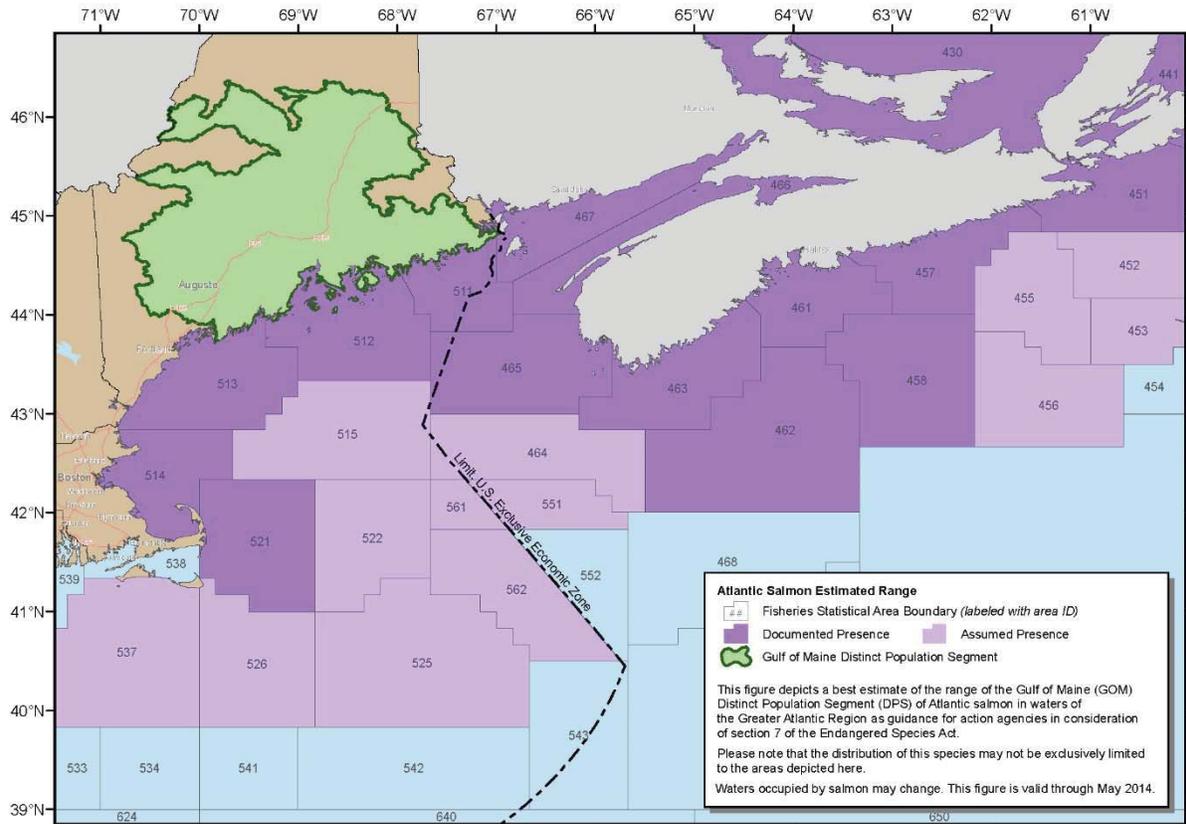


Attachment 2

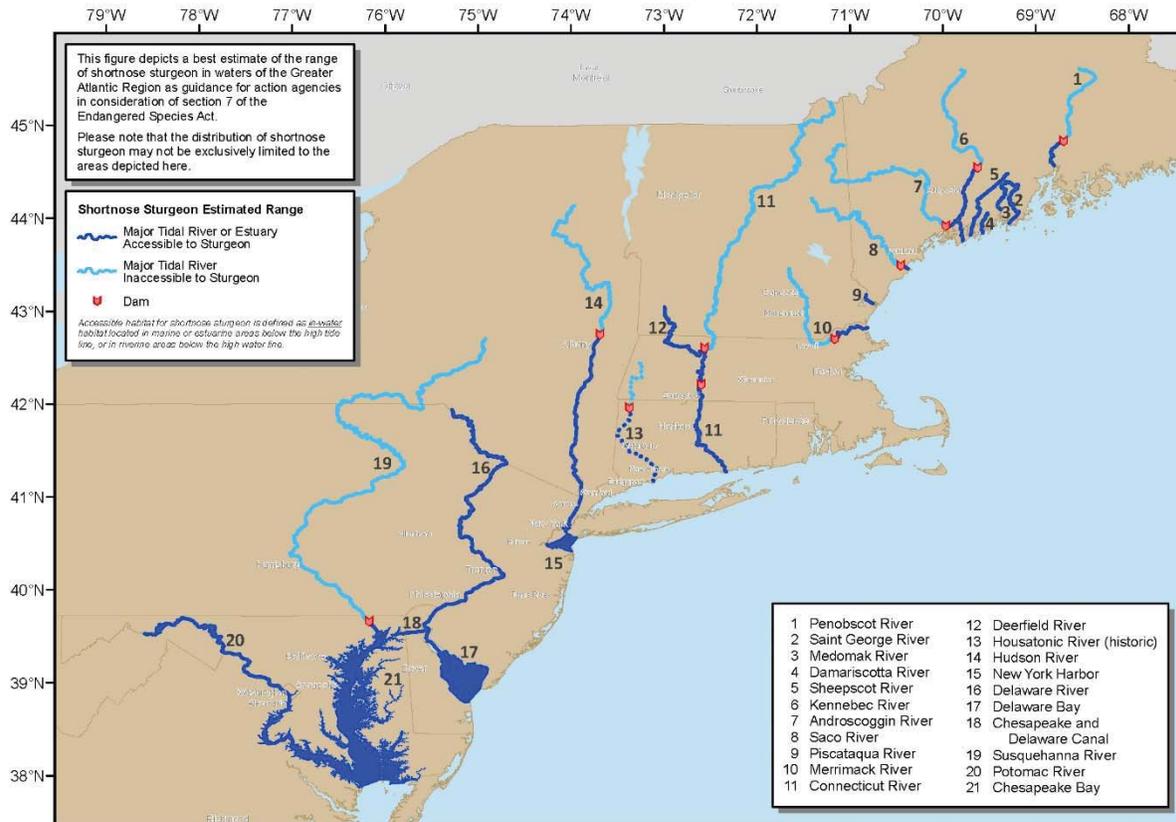
Estimated Inland Range of Atlantic Salmon



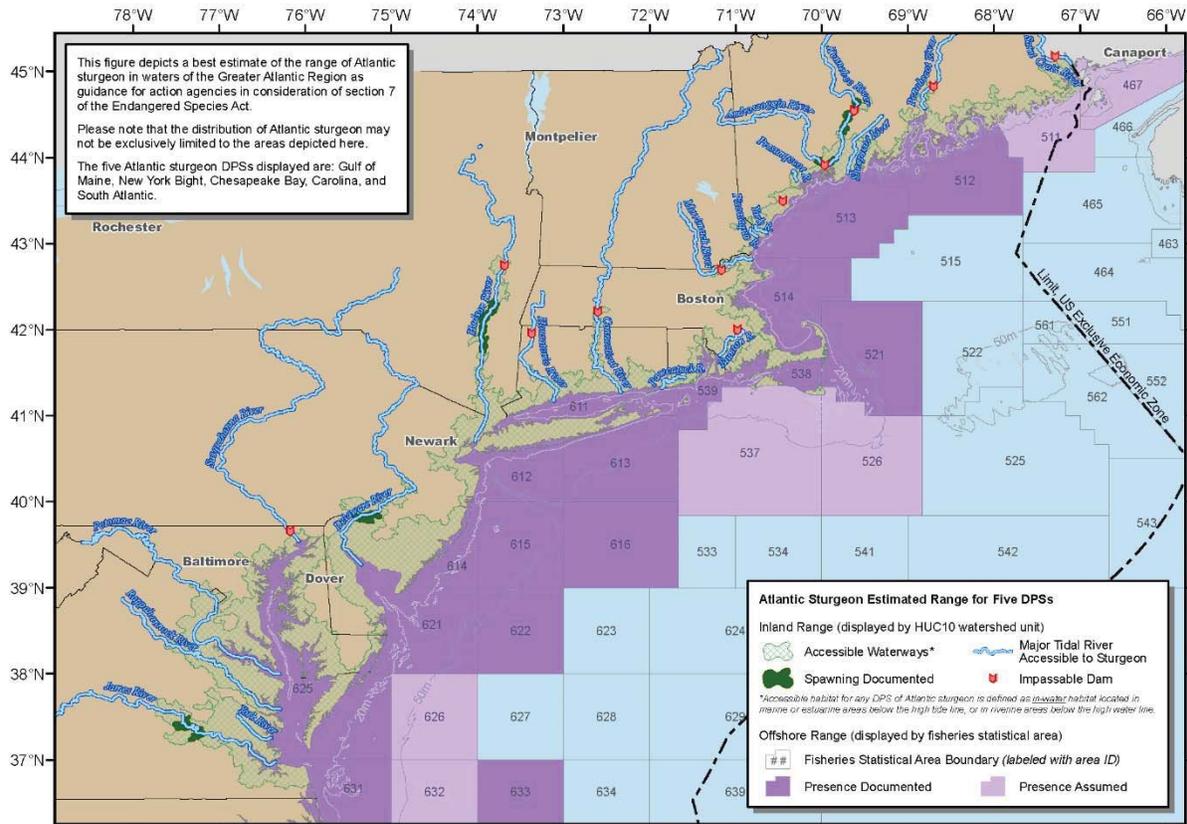
Estimated Offshore Range of Atlantic Salmon



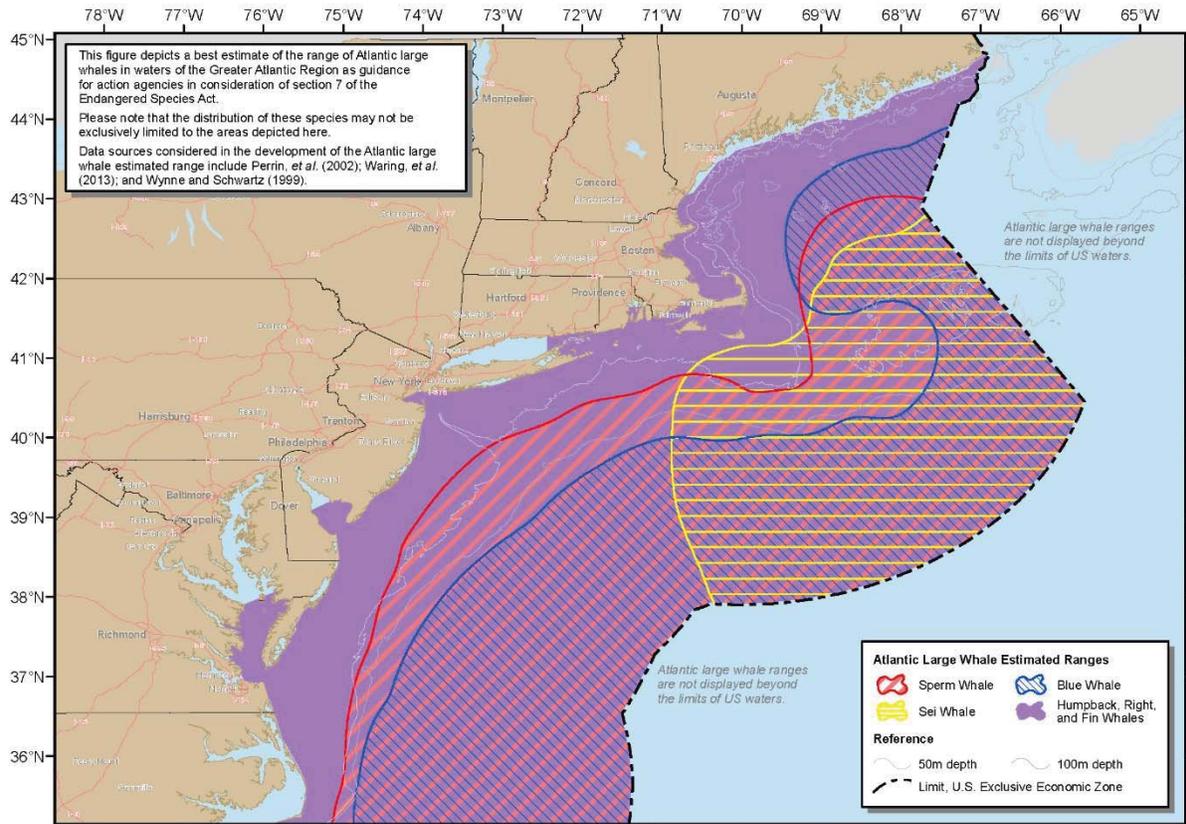
Estimated Range of Shortnose Sturgeon



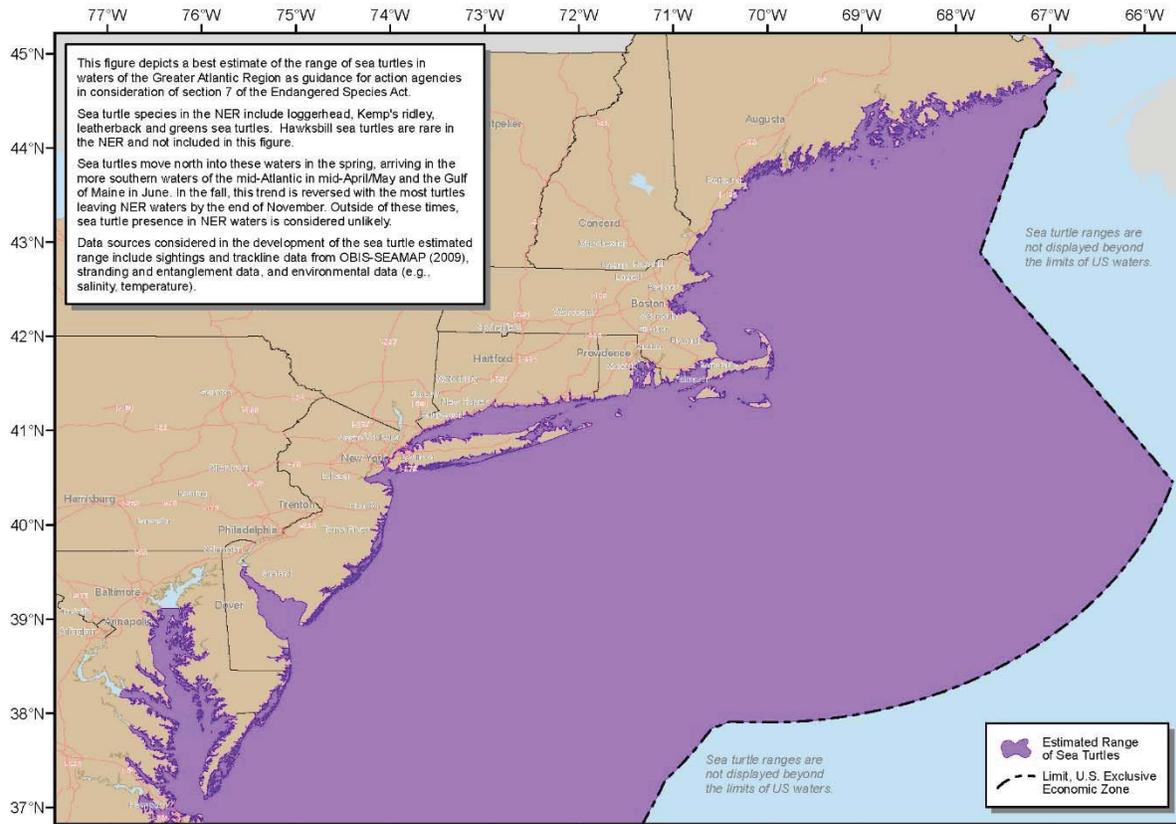
Estimated Range of Atlantic Sturgeon Distinct Population Segments (DPSs)



Estimated Range of Atlantic Large Whales



Estimated Range of Sea Turtles



Schnabel, Joshua

From: Daniel Marrone - NOAA Federal <danielmarrone@noaa.gov>
Sent: Tuesday, April 12, 2016 8:39 AM
To: King, Thomas J (STORMRECOVERY)
Cc: Shultz, Alicia (NYSHCR); Schnabel, Joshua
Subject: Re: Notice of No Effect Determination - Saugerties Park Improvements

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Project First Order of Importance

Hi Tom,
We have no objection to your no effect determination.
Dan

On Mon, Apr 11, 2016 at 2:35 PM, King, Thomas J (STORMRECOVERY) <Thomas.King@stormrecovery.ny.gov> wrote:

Dan,

Please see the attached No Effect determination for the attached project. Because the project is working above the Cantine Dam, we have determined the project will have No Effect on any listed species. We would appreciate your issuance of a No Objection determination.

Thank you,

Tom

Director – Bureau of Environmental Review and Assessment

Assistant General Counsel

Governor's Office of Storm Recovery

99 Washington Avenue Suite 1224

Albany, New York 12260

Office: [\(518\) 473-0015](tel:5184730015)

Mobile: [\(646\) 417-4660](tel:6464174660)

Thomas.King@StormRecovery.NY.Gov



Governor's Office of Storm Recovery



Andrew M. Cuomo
Governor

Lisa Bova-Hiatt
Interim Executive Director

October 26, 2015

Nicholas Conrad
New York State Department of Environmental Conservation
Division of Fish, Wildlife & Marine Resources
New York Natural Heritage Program – Information Services
625 Broadway, 5th Floor
Albany, New York 12233-4757

Re: Natural Heritage Compliance Process Request for the Village of Saugerties Parks Restoration (Village of Saugerties, Ulster County, NY)

Dear Mr. Conrad:

The Governor's Office of Storm Recovery (GOSR), acting under the auspices of New York State Homes and Community Renewal's (HCR) Housing Trust Fund Corporation (HTFC), on behalf of the Department of Housing & Urban Development (HUD) under 42 U.S.C. § 5304(g) and 79 Fed. Reg. 62,182 (Oct. 16, 2014), is conducting a State Environmental Quality Review Act ("SEQRA") environmental review of the proposed "Village of Saugerties Parks Restoration" project.¹ GOSR is conducting the review on behalf of the State of New York as the recipient of HUD Community Development Block Grant - Disaster Recovery ("CDBG-DR") funds.

The proposed project consists of restoration components at three sites, including two municipal parks and an historic lighthouse. The proposed improvements would repair two parks and a historic lighthouse that suffered extensive damage as a result of Superstorm Sandy, Hurricane Irene, and Tropical Storm Lee. The three projects include:

- A. Replacing existing bulkheads and stabilizing the shoreline in Tina Chorvas Waterfront Park along Esopus Creek, E. Bridge Street at Underwood Street, Village of Saugerties, NY
- B. Restoring the beach and repairing or replacing existing docks and eroded boat ramps at Village Beach, S. Partition Street at Esopus Creek, Village of Saugerties, NY
- C. Repairing existing supporting structures including bulkheads, docks, a pier, and seawall adjacent to Saugerties Lighthouse, 168 Lighthouse Drive, near the end of the Lighthouse Trail on the Hudson River, Village of Saugerties, NY

The purpose of this letter is to request information as to the potential presence of any federal and/or state threatened, endangered, proposed or candidate species in the vicinity of the current study area of the proposed project. In addition, information regarding the presence of any other species or habitats of special concern in the

¹ The Governor's Office of Storm Recovery, operating under the auspices of New York State Homes and Community Renewal's Housing Trust Fund Corporation, is the responsible entity for the administration of the CDBG-DR grants to the State of New York.



Governor's Office of Storm Recovery



Andrew M. Cuomo
Governor

Lisa Bova-Hiatt
Interim Executive Director

vicinity of the proposed project is also requested. The enclosed Figure 1 depicts the location of the proposed project. A request for information has also been made to the U.S. Fish and Wildlife Service and the National Marine Fisheries Service.

If you have any questions or require additional information regarding this request, please feel free to contact me at (518) 473-0015. Thank you for your consideration and cooperation.

Sincerely,

Thomas J. King, Esq.
Certifying Officer
Governor's Office of Storm Recovery
NYS Homes and Community Renewal

Encl.

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Environmental Permits, Region 3
21 South Platt Corners Road, New Paltz, NY 12561-1620
P: (845) 256-3054 | F: (845) 255-4659
www.dec.ny.gov



Department of
Environmental
Conservation

January 12, 2016

Mr. Thomas J. King
Governor's Office of Storm Recovery
99 Washington Avenue
Suite 1224
Albany, NY 12260

RE: Parks Restoration Project- Village Beach
Town of Saugerties, Ulster County

Dear Mr. King:

Based upon our review, we offer the following comments:

PROTECTION OF WATERS

The following waterbody is located within or near the site you indicated:

<u>Name</u>	<u>Class</u>	<u>DEC Water Index Number</u>	<u>Status</u>
<input checked="" type="checkbox"/> <u>Esopus Creek</u>	<u>B</u>	<u>H-171</u>	<u>Protected, navigable</u>

A Protection of Waters permit is required to physically disturb the bed or banks (up to 50 feet from stream) of any streams identified above as "protected." A permit is not required to disturb the bed or banks of "non-protected" streams.

A Protection of Waters permit is required for any excavation or filling below the mean high water line of any waterbodies and contiguous wetlands identified above as "navigable."

Hudson River Sustainable Shorelines- Shoreline treatment in this area should consider incorporation of Sustainable shoreline methods, per <https://www.hrner.org/hudson-river-sustainable-shorelines/>.

If a permit is not required, please note, however, you are still responsible for ensuring that work shall not pollute any stream or waterbody. Care shall be taken to stabilize any disturbed areas promptly after construction, and all necessary precautions shall be taken to prevent contamination of the stream or waterbody by silt, sediment, fuels, solvents, lubricants, or any other pollutant associated with the project.



-OVER PLEASE -

FRESHWATER WETLANDS

Your project/site is near Freshwater Wetland S-8, Class 2. Be aware that a Freshwater Wetlands permit is required for any physical disturbance within these boundaries or within the 100 foot adjacent area. To have the boundary delineated, please contact the NYSDEC Bureau of Habitat.

STATE-LISTED SPECIES

No records of sensitive resources were identified by this review.

The absence of data does not necessarily mean that any rare or state-listed species, natural communities or other significant habitats do not exist on or adjacent to the proposed site. Rather, our files currently do not contain information which indicates their presence. For most sites, comprehensive field surveys have not been conducted. We cannot provide a definitive statement on the presence or absence of all rare or state-listed species or significant natural communities. Depending on the nature of the project and the conditions at the project site, further information from on-site surveys or other sources may be required to fully assess impacts on biological resources.

CULTURAL RESOURCES

We have reviewed the statewide inventory of archaeological resources maintained by the New York State Museum and the New York State Office of Parks, Recreation, and Historic Preservation. These records indicate that the project is located within an area considered to be sensitive with regard to archaeological resources. For more information, please visit the New York State Office of Historic Preservation website at <http://www.nysparks.com/shpo/>.

OTHER

Natural Resources of the State:

Largemouth Bass are an important recreational sportfish in the Hudson River Estuary north of Newburgh. This fishery has declined since the mid-1980's, and has been the subject of repeated monitoring and subsequent management actions over the last 30 years.

Above the Cantine Dam the Esopus Creek is held at a relatively consistent elevation by the dam backing up a pool well upstream of the beach. The dam is also an effective barrier to fish species (except American Eel) in the Hudson Estuary. The area surrounding the village beach site is likely used as spawning habitat for a variety of warmwater species of fish, including Largemouth Bass. These fish spawn and guard their nests and young in May and June. This time period would be a good time to avoid in-water work in order to protect this area for fish spawning.

Avoidance of potential impacts to aquatic species will be required as part of meeting the Protection of Waters issuance standard in 608.8(c) - "proposal will not cause unreasonable, uncontrolled or unnecessary damage to the natural resources of the State".

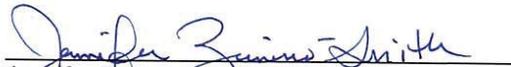
Please note that this letter only addresses the requirements for the following permits from the Department:

Protection of Waters State-listed Species Freshwater Wetlands

Other permits from this Department or other agencies may be required for projects conducted on this property now or in the future. Also, regulations applicable to the location subject to this determination occasionally are revised and you should, therefore, verify the need for permits if your project is delayed or postponed. This determination regarding the need for permits will remain effective for a maximum of one year unless you are otherwise notified. Applications may be downloaded from our website at www.dec.ny.gov under "Programs" then "Division of Environmental Permits."

Please contact this office if you have questions regarding the above information. Thank you.

Sincerely,



Jennifer Zunino Smith
Division of Environmental Permits
Region 3, Telephone No. 914/428-2505 x356

Information/Permit Materials/Regulations/Map (Saugerties Quadrangle) attached.

Cc: Rebecca Crist, NYSDEC Region 3 Environmental Permits
Heather Gierloff, Habitat Biologist, Fish, Wildlife, & Marine Resources
Michael Flaherty, Fisheries Manager, Fish, Wildlife, & Marine Resources

NOTE: Regarding erosion/sedimentation control requirements:

Stormwater discharges require a State Pollutant Discharge Elimination System (SPDES) Stormwater permit from this Department if they either:

- occur at industrial facilities and contain either toxic contaminants or priority pollutants OR
- result from construction projects involving the disturbance of 5000 square feet or more of land within the NYC Department of Environmental Protection East of Hudson Watershed or for proposed disturbance of 1 acre or more of land outside the NYC DEP Watershed

Your project may be covered by one of two Statewide General Permits or may require an individual permit. For information on stormwater and the general permits, see the DEC website at <http://www.dec.ny.gov/chemical/8468.html>.

For construction permits, if this site is within an MS4 area (Municipal Separate Storm Sewer System), the stormwater plan must be reviewed and accepted by the municipality and the MS-4 Acceptance Form must be submitted to the Department. If the site is not within an MS4 area and other DEC permits are required, please contact the regional Division of Environmental Permits.

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
Division of Fish, Wildlife and Marine Resources
New York Natural Heritage Program
625 Broadway, 5th Floor, Albany, New York 12233-4757
Phone: (518) 402-8935 • Fax: (518) 402-8925
Web site: www.dec.ny.gov



November 03, 2015

Thomas J. King, Esq.
Governor's Office of Storm Recovery
25 Beaver Street
New York, NY 10004

Re: Village of Saugerties Parks Restoration, at Tina Chorvas Waterfront Park, Village Beach, and
Saugerties Lighthouse
Town/City: Saugerties. County: Ulster.

Dear Thomas J. King, Esq.:

In response to your recent request, we have reviewed the New York Natural Heritage Program database with respect to the above project.

Enclosed is a report of rare or state-listed animals and plants, and significant natural communities that our database indicates occur, or may occur, on your site or in the immediate vicinity of your sites, especially in the vicinity of the Saugerties Lighthouse.

For most sites, comprehensive field surveys have not been conducted, the enclosed report only includes records from our database. We cannot provide a definitive statement as to the presence or absence of all rare or state-listed species or significant natural communities. Depending on the nature of the project and the conditions at the project site, further information from on-site surveys or other sources may be required to fully assess impacts on biological resources.

Our database is continually growing as records are added and updated. If this proposed project is still under development one year from now, we recommend that you contact us again so that we may update this response with the most current information.

The presence of the plants and animals identified in the enclosed report may result in this project requiring additional review or permit conditions. For further guidance, and for information regarding other permits that may be required under state law for regulated areas or activities (e.g., regulated wetlands), please contact the appropriate NYS DEC Regional Office, Division of Environmental Permits, as listed at www.dec.ny.gov/about/39381.html.

Sincerely,

A handwritten signature in black ink that reads "Nick Arnold". The signature is written in a cursive, flowing style.

Information Resources Coordinator
New York Natural Heritage Program



The following state-listed animals have been documented at your project site, or in its vicinity.

The following list includes animals that are listed by NYS as Endangered, Threatened, or Special Concern; and/or that are federally listed or are candidates for federal listing.

For information about any permit considerations for your project, contact the Permits staff at the NYSDEC Region 3 Office. For information about potential impacts of your project on these species, and how to avoid, minimize, or mitigate any impacts, contact the Wildlife Manager (for bald eagle), (845) 256-2257, Wildlife.R3@dec.ny.gov; or Hudson River Fisheries (for sturgeon), (845) 256-3071, Kathy.hattala@dec.ny.gov.

The following species have been documented in the Hudson River and lower portion of Hudson River tributaries.

<i>COMMON NAME</i>	<i>SCIENTIFIC NAME</i>	<i>NY STATE LISTING</i>	<i>FEDERAL LISTING</i>	
Fish				
Shortnose Sturgeon	<i>Acipenser brevirostrum</i>	Endangered	Endangered	1091
Atlantic Sturgeon	<i>Acipenser oxyrinchus</i>	No Open Season	Endangered	11464

The following species have been documented within .5 mile of the Saugerties Lighthouse, on the east side of the Hudson River. Individual animals may travel 1 mile from documented locations.

<i>COMMON NAME</i>	<i>SCIENTIFIC NAME</i>	<i>NY STATE LISTING</i>	<i>FEDERAL LISTING</i>	
Birds				
Bald Eagle <i>Breeding</i>	<i>Haliaeetus leucocephalus</i>	Threatened		13818

This report only includes records from the NY Natural Heritage database. For most sites, comprehensive field surveys have not been conducted, and we cannot provide a definitive statement as to the presence or absence of all rare or state-listed species. Depending on the nature of the project and the conditions at the project site, further information from on-site surveys or other sources may be required to fully assess impacts on biological resources.

If any rare plants or animals are documented during site visits, we request that information on the observations be provided to the New York Natural Heritage Program so that we may update our database.

Information about many of the listed animals in New York, including habitat, biology, identification, conservation, and management, are available online in Natural Heritage's Conservation Guides at www.guides.nynhp.org, and from NYSDEC at www.dec.ny.gov/animals/7494.html.



The following rare plants, significant natural communities, and significant animal concentration areas have been documented in the vicinity of Saugerties Lighthouse.

We recommend that potential onsite and offsite impacts of the proposed project on these species or communities be addressed as part of any environmental assessment or review conducted as part of the planning, permitting and approval process, such as reviews conducted under SEQ. Field surveys of the project site may be necessary to determine the status of a species at the site, particularly for sites that are currently undeveloped and may still contain suitable habitat. Final requirements of the project to avoid, minimize, or mitigate potential impacts are determined by the lead permitting agency or the government body approving the project.

The following plants are listed as Endangered or Threatened by New York State, and/or are considered rare by the New York Natural Heritage Program, and so are a vulnerable natural resource of conservation concern.

COMMON NAME	SCIENTIFIC NAME	NY STATE LISTING	HERITAGE CONSERVATION STATUS
Vascular Plants			
Heartleaf Plantain	<i>Plantago cordata</i>	Rare	Vulnerable in NYS
Saugerties Marsh, around mouth of Esopus Creek, 1988-09-09: Group 1: Tidal mud flats, at high tide level, in muddy rocks, between <i>Lythrum salicaria</i> up-tide and <i>Scirpus americana</i> down tide. Group 2: Small marsh surrounding the Esopus Creek channel, extensive sections of <i>Nuphar</i> followed by a 10-15 m band of <i>Typha</i> , <i>Zizania</i> and <i>Scirpus</i> . 9344			
<i>Note:</i> Tidal marshes at Saugerties Marsh and around mouth of Esopus Creek are also locations for historical records from the 1930's and 1940's of the following NYS Endangered plants: Hudson River Water-nymph (<i>Najas guadalupensis</i> ssp. <i>muenscheri</i>), Estuary Beggar-ticks (<i>Bidens hyperborea</i> var. <i>hyperborea</i>), Riverbank Quillwort (<i>Isoetes riparia</i>), Water Pigmyweed (<i>Crassula aquatica</i>), and Tidal Spikerush (<i>Eleocharis aestuum</i>). These species have not been seen here since then, and their current status is unknown. Steps taken to minimize impacts to tidal vegetation in general will minimize impacts to these species if they are still present.			

The following significant natural communities are considered significant from a statewide perspective by the NY Natural Heritage Program. They are either occurrences of a community type that is rare in the state, or a high quality example of a more common community type. By meeting specific, documented criteria, the NY Natural Heritage Program considers these community occurrences to have high ecological and conservation value.

COMMON NAME	SCIENTIFIC NAME	NY STATE LISTING	HERITAGE CONSERVATION STATUS
Wetland/Aquatic Communities			
Saugerties Marsh, around mouth of Esopus Creek:			
Freshwater Tidal Marsh			High Quality Occurrence of Rare Community Type
Good condition.			4570
Freshwater Intertidal Mudflats			High Quality Occurrence of Rare Community Type
Small, very low diversity.			5799
Freshwater Tidal Swamp			High Quality Occurrence of Rare Community Type and Globally Rare
The swamp is small, but fairly diverse and somewhat disturbed.			9176

The following animal assemblages, while not listed by New York State as Endangered or Threatened, are significant concentration areas of conservation concern to the state.

<i>COMMON NAME</i>	<i>SCIENTIFIC NAME</i>	<i>NY STATE LISTING</i>	<i>HERITAGE CONSERVATION STATUS</i>
Animal Assemblages			
Anadromous Fish Concentration Area			
Waterfowl Winter Concentration Area			
Esopus Estuary, Saugerties Marsh: Tidal marsh and deepwater section.			5710 8999

This report only includes records from the NY Natural Heritage database. For most sites, comprehensive field surveys have not been conducted, and we cannot provide a definitive statement as to the presence or absence of all rare or state-listed species. Depending on the nature of the project and the conditions at the project site, further information from on-site surveys or other sources may be required to fully assess impacts on biological resources.

If any rare plants or animals are documented during site visits, we request that information on the observations be provided to the New York Natural Heritage Program so that we may update our database.

Information about many of the rare animals and plants in New York, including habitat, biology, identification, conservation, and management, are available online in Natural Heritage's Conservation Guides at www.guides.nynhp.org, from NatureServe Explorer at www.natureserve.org/explorer, and from USDA's Plants Database at <http://plants.usda.gov/index.html> (for plants).

Information about many of the natural community types in New York, including identification, dominant and characteristic vegetation, distribution, conservation, and management, is available online in Natural Heritage's Conservation Guides at www.guides.nynhp.org. For descriptions of all community types, go to www.dec.ny.gov/animals/97703.html for Ecological Communities of New York State.



United States Department of the Interior



FISH AND WILDLIFE SERVICE
New York Ecological Services Field Office
3817 LUKER ROAD
CORTLAND, NY 13045
PHONE: (607)753-9334 FAX: (607)753-9699
URL: www.fws.gov/northeast/nyfo/es/section7.htm

Consultation Code: 05E1NY00-2016-SLI-0119

October 19, 2015

Event Code: 05E1NY00-2016-E-00210

Project Name: Village of Saugerties Parks Restoration - Village Beach Park Repairs

Subject: List of threatened and endangered species that may occur in your proposed project location, and/or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (ESA) of 1973, as amended (16 U.S.C. 1531 *et seq.*). This list can also be used to determine whether listed species may be present for projects without federal agency involvement. New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list.

Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the ESA, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC site at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list. If listed, proposed, or candidate species were identified as potentially occurring in the project area, coordination with our office is encouraged. Information on the steps involved with assessing potential impacts from projects can be found at: <http://www.fws.gov/northeast/nyfo/es/section7.htm>

Please be aware that bald and golden eagles are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 *et seq.*), and projects affecting these species may require development of an eagle conservation plan (

http://www.fws.gov/windenergy/eagle_guidance.html). Additionally, wind energy projects should follow the Services wind energy guidelines (<http://www.fws.gov/windenergy/>) for minimizing impacts to migratory birds and bats.

Guidance for minimizing impacts to migratory birds for projects including communications towers (e.g., cellular, digital television, radio, and emergency broadcast) can be found at: <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/towers.htm>; <http://www.towerkill.com>; and <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/comtow.html>.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the ESA. Please include the Consultation Tracking Number in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment



United States Department of Interior
Fish and Wildlife Service

Project name: Village of Saugerties Parks Restoration - Village Beach Park Repairs

Official Species List

Provided by:

New York Ecological Services Field Office
3817 LUKER ROAD
CORTLAND, NY 13045
(607) 753-9334
<http://www.fws.gov/northeast/nyfo/es/section7.htm>

Consultation Code: 05E1NY00-2016-SLI-0119

Event Code: 05E1NY00-2016-E-00210

Project Type: SHORELINE USAGE FACILITIES / DEVELOPMENT

Project Name: Village of Saugerties Parks Restoration - Village Beach Park Repairs

Project Description: Restoring the beach and repairing or replacing existing docks and eroded boat ramps at Village Beach, S. Partition Street at Esopus Creek, Village of Saugerties, NY

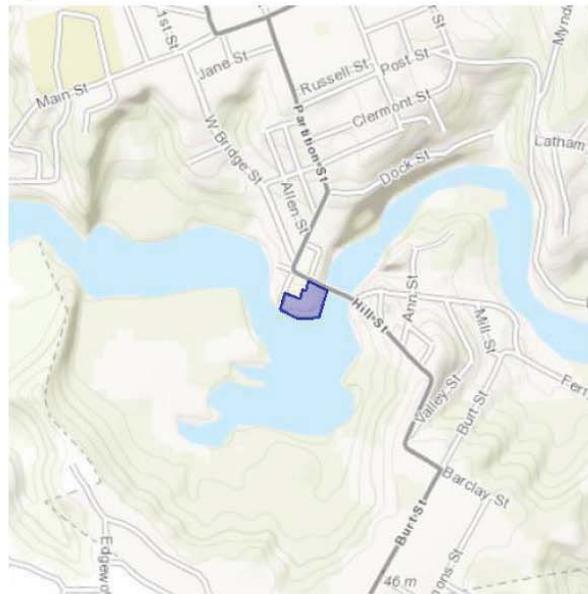
Please Note: The FWS office may have modified the Project Name and/or Project Description, so it may be different from what was submitted in your previous request. If the Consultation Code matches, the FWS considers this to be the same project. Contact the office in the 'Provided by' section of your previous Official Species list if you have any questions or concerns.



United States Department of Interior
Fish and Wildlife Service

Project name: Village of Saugerties Parks Restoration - Village Beach Park Repairs

Project Location Map:



Project Coordinates: MULTIPOLYGON (((-73.95050883293152 42.071436759066636, -73.9510989189148 42.07165178999614, -73.95117938518524 42.07143277700553, -73.95128130912781 42.07144870524849, -73.95136713981628 42.07124163777798, -73.9518231153488 42.07136906399362, -73.9520001411438 42.07097483831044, -73.9514422416687 42.07077573349946, -73.95076632499695 42.07080759031119, -73.95050883293152 42.071436759066636)))

Project Counties: Ulster, NY



United States Department of Interior
Fish and Wildlife Service

Project name: Village of Saugerties Parks Restoration - Village Beach Park Repairs

Endangered Species Act Species List

There are a total of 2 threatened or endangered species on your species list. Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species. Critical habitats listed under the **Has Critical Habitat** column may or may not lie within your project area. See the **Critical habitats within your project area** section further below for critical habitat that lies within your project. Please contact the designated FWS office if you have questions.

Mammals	Status	Has Critical Habitat	Condition(s)
Indiana bat (<i>Myotis sodalis</i>) Population: Entire	Endangered		
Northern long-eared Bat (<i>Myotis septentrionalis</i>)	Threatened		



United States Department of Interior
Fish and Wildlife Service

Project name: Village of Saugerties Parks Restoration - Village Beach Park Repairs

Critical habitats that lie within your project area

There are no critical habitats within your project area.

From: Shultz, Alicia (NYSHCR) <Alicia.Shultz@nyshcr.org>
Sent: Monday, April 11, 2016 2:06 PM
To: robyn_niver@fws.gov
Cc: JSchnabel@louisberger.com
Subject: no Effect - Village of Saugerties – Parks Restoration
Attachments: USFWS No Effect Letter_04.11.2016.pdf; Attachment 2.pdf

Dear Ms. Niver:

The Governor's Office of Storm Recovery (GOSR), an office of the New York State Homes and Community Renewal's (NYSHCR) Housing Trust Fund Corporation, was established to aid the statewide recovery of disaster-affected communities in New York State. GOSR is administering a U.S. Department of Housing and Urban Development (HUD) Community Development Block Grant for Disaster Recovery (CDBG-DR), including the New York Rising Community Reconstruction (NYRCR) Program. The environmental review for projects funded under the NYRCR Program are processed on a case-by-case basis pursuant to Section 7 of the Endangered Species Act (ESA) of 1973 (87 Stat. 884, as amended; 16 U.S.C. 1531 et seq.).

The purpose of the letter is to provide the U.S. Fish and Wildlife Service – New York Field Office (USFWS) notice of the proposed project and to document compliance with Section 7 of the Endangered Species Act (ESA), as well as the Migratory Bird Treaty Act (MBTA) and the Bald and Golden Eagle Protection Act (BGEPA). As discussed in the attached letter, we have reviewed and found that the proposed project does not jeopardize the continued existence of ESA species or destroy or adversely modify their critical habitat. This letter requests acknowledgement from the USFWS that they have received our No Effect Determination regarding the subject project provided in this letter, and that USFWS has no objections to the No Effect Determination.

Alicia Shultz

Environmental Director

New York State Homes & Community Renewal

State Administration
Alicia Shultz
Alicia Shultz@nyshcr.org



United States Department of the Interior

FISH AND WILDLIFE SERVICE

New York Field Office

3817 Luker Road

Cortland, NY 13045

Phone: (607) 753-9334 Fax: (607) 753-9699

<http://www.fws.gov/northeast/nyfo>



To: Alicia Shultz Date: Apr 18, 2016

USFWS File No: 160119

Regarding your: Letter Fax Email Dated: Apr 11, 2016

For project: Village of Saugerties Parks Restoration - Village Beach Park Repairs

Located: S. Partition Street at Esopus Creek

In Town/County: Village of Saugerties, Ulster County

Pursuant to the Endangered Species Act of 1973 (ESA) (87 Stat. 884, as amended; 16 U.S.C. 1531 *et seq.*), the U.S. Fish and Wildlife Service:

Acknowledges receipt of your "no effect" and/or no impact determination. No further ESA coordination or consultation is required.

Acknowledges receipt of your determination. Please provide a copy of your determination and supporting materials to any involved Federal agency for their final ESA determination.

Is taking no action pursuant to ESA or any legislation at this time, but would like to be kept informed of project developments.

As a reminder, until the proposed project is complete, we recommend that you check our website (<http://www.fws.gov/northeast/nyfo/es/section7.htm>) every 90 days from the date of this letter to ensure that listed species presence/absence information for the proposed project is current. Should project plans change or if additional information on listed or proposed species or critical habitat becomes available, this determination may be reconsidered.

USFWS Contact(s): Robyn Ann

Supervisor: Patricia Cole Date: 4/18/16



Governor's Office of Storm Recovery



Andrew M. Cuomo
Governor

Lisa Bova-Hiatt
Executive Director

April 1, 2016

Mr. Larry Moss
Historic Preservation Technical Specialist
New York State Office of Parks, Recreation and Historic Preservation
Division of Historic Preservation
Pebbles Island
P.O. Box 189
Waterford, New York 12188-0189

RE: Section 106 Compliance – Village Beach Park Restoration, Saugerties, Ulster County,
New York

Dear Mr. Moss:

Pursuant to the Disaster Relief Appropriations Act, 2013 (Public Law 113-2) and the Housing and Community Development Act (42 U.S.C. § 5301 et seq.), the Governor's Office of Storm Recovery (GOSR), an office of New York State Homes and Community Renewal's Housing Trust Fund Corporation as a recipient of Community Development Block Grant – Disaster Recovery ("CDBG-DR") funds from the United States Department of Housing and Urban Development ("HUD"), is serving as the entity responsible for compliance with the HUD environmental review procedures set forth in 24 CFR Part 58. GOSR is acting on behalf of HUD in providing the enclosed project information and request for consultation.

GOSR processes environmental reviews for projects funded with HUD CDBG-DR on a case-by-case basis. A consultation request for the project described herein will also be sent to the Mohawk Nation, the Delaware Nation, the Delaware Tribe of Indians, the Saint Regis Mohawk Tribe, the Mohawk Nation, and the Stockbridge-Munsee Community Band of Mohicans. In accordance with Section 106 of the National Historic Preservation Act (NHPA) of 1966, as amended (54 U.S.C. §306108), and its implementing regulations, 36 Code of Federal Regulations (CFR) Part 800, this letter serves as notification of the proposed action.

Request for Comment: Please see the attached letter from our historian for a recommendation of No Historic Properties Affected for the project. The purpose of this letter is to initiate consultation pursuant to Section 106 of the NHPA per the implementing regulations at 36 Code of Federal Regulations (CFR) Part 800. GOSR respectfully requests your review of the proposed project.

If you have any questions or require additional information regarding this request, please feel free to contact me at (646) 417-4660 or via email at Thomas.King@stormrecovery.ny.gov. Thank you for your time and consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Thomas J. King". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Thomas J. King
Assistant General Counsel and Certifying Officer
Governor's Office of Storm Recovery



April 1, 2016

Tim Lloyd, Scientist-Archaeology
Division for Historic Preservation
New York State Office of Parks, Recreation & Historic Preservation
Peebles Island, P.O. Box 189
Waterford, New York 12188-0189

RE: New York State CDBG Disaster Recovery Program
New York State Sandy Recovery
Village Beach Park Restoration, Saugerties, Ulster County, New York

Mr. Lloyd,

The New York State Governor's Office of Storm Recovery is proposing a restoration project at Village Beach, which is located at S. Partition Street at Esopus Creek, in the Village of Saugerties, Ulster County, New York (see preliminary plans). The project is to be funded through the Community Development Block Grant – Disaster Recovery (CDBG-DR) program.

Project Description

The proposed improvements would repair a park that suffered extensive damage as a result of Superstorm Sandy, Hurricane Irene, and Tropical Storm Lee. The proposed project would repair this public facility through beach restorations at Village Beach, including the repair or replacement of existing docks and eroded boat ramps. These improvements are expected to be completed by July of 2016. Further description of the project is provided below.

The project would restore the beach at Village Beach Park and protect it from future erosion. During Hurricane Irene and Tropical Storm Lee the beach, lacking erosion control, was eroded by fast moving waters in Esopus Creek and rendered unfit for swimming and other recreational activities. The park would be restored by replenishing the sand that has been eroded, replacement of the floating docks and repairing or replacing the boat ramp. It would be protected from future erosion through the installation of landscaping and drainage systems and stabilization of the southern and eastern shorelines. Specific proposed improvements include the following:

- *Sand replenishment in the beach area:* The beach area is located on the south side of the Project site, and is approximately 130 feet wide by 35 feet long. The Village plans to convert the western portion of the sand beach area into a grassed area, with a turf reinforcement mat in order to establish and retain a stable grass cover. The beach sand replenishment will include well graded processed sand meeting specific grain size

1600 Ballimore Avenue, Suite 100 | Kansas City | Missouri | 64108 | USA | Tel+1.816.398.8578

louisberger.com

criteria, including minimal silt, and no organic matter. The thickness of the sand replenishment layer is proposed to be four inches. The volume of replenishment sand required for the beach area is estimated to be 40 cubic yards or 64 tons of sand.

- *Construction of a new boat ramp:* The existing asphalt paved boat ramp located on the southwest side of the Project site is deteriorated and portions of the underwater asphalt ramp have broken off or have been eroded away. Approximately 20 feet of the entrance ramp foundation layer above the water line will remain, and the remainder of the boat ramp is planned for replacement. The proposed replacement boat ramp will be a concrete slab structure that will include a 13-foot wide driving lane on an 18-foot total width slab. An approximately 40 feet length of the ramp will be below normal high water, and an adjacent 5-foot wide floating dock will also be installed.
- *Drainage systems and landscape improvements:* Runoff from the on-site parking area and upgradient grassed area currently causes continual erosion of the beach sand. To mitigate the erosion problem, site regrading with proper storm sewers are proposed. Parking lot runoff will be controlled by constructing concrete curbs and sidewalks on the east and south sides of the parking area, which would intercept runoff and cause it to flow into a proposed catch basin on the south side of the parking area. The catch basin would drain to a storm sewer pipe, which would drain to a second catch basin near the boat ramp and then to the Esopus Creek. Stormwater flow from the upgradient grass area is proposed to be controlled by regrading the area on the north side of the sidewalk and installing a catch basin, which would connect to the storm sewer pipe discussed above, and discharge through a second catch basin and then to Esopus Creek. This system of catch basins would collect and convey all of the runoff from the area upgradient of the beach to minimize and prevent future erosion of the beach area.
- *Shoreline stabilization:* The shoreline near the boat ramp and an area on the east side of the beach have experienced erosion, and the asphalt sidewalk located on the east side of the beach area has also been undermined, with a section collapsed. The shoreline will be stabilized by installing a longitudinal stone toe protection layer that is covered with a turf reinforcement mat. The turf reinforcement mat will be infilled with soil and hydromulched to establish grass cover.
- *Replacement of the floating docks:* The Village Beach has a floating dock on the east side of the boat ramp, two independent swimming platforms, and a gangway connected to a wooden dock on the east side of the beach area. The wooden docks located at the boat ramp and on the east side of the beach area should be replaced. The two floating swimming platforms are planned for reuse. The proposed replacement floating docks will be commercial grade aluminum framed floating docks and will include all necessary safety and stability features.

NY-CRIS Site File Review

Examination of the project area in CRIS indicates that a few properties adjacent to the project area had been previously surveyed but not evaluated with respect to NRHP Criteria (Table 1). A residence at 18 Hill Street is adjacent to the project area but is separated visually by a grove of trees. A building at 12 South Partition Street has been demolished. There are no other surveyed resources within the immediate vicinity of the project area.

Table 1. Previously Surveyed Project Adjacent to Project Area

USN	Address	NRHP Status
11142.00012	Krauses Candy - 41 South Partition St	Undetermined
11142.00014	A Pierce Demolished - 12 South Partition St	Undetermined
11142.00014	Triangle TV Service - Laundromat - 42 South Partition St	Undetermined
11142.00018	Residence - 18 Hill St	Undetermined
11142.00019	Residence - 45 South Partition St	Undetermined

Archaeological Potential

The project area is within an archaeologically sensitive area. In general, land next to the Esopus is considered high potential for archaeological sites. Though there is a potential for intact floodplain soils, the area of subsurface impact is small, reducing the likelihood of encountering these intact soils. As such, Louis Berger recommends that no further archaeological investigation is necessary.

Recommendations

Given that the project involves minimal ground disturbance for the restoration of the park and there are no buildings within the APE that will be directly or indirectly affected, Louis Berger recommends the proposed project will constitute **No Historic Properties Affected**. We would greatly appreciate your concurrence.

Sincerely,



Camilla Deiber
Senior Architectural Historian

Cc: Thomas King, GOSR



Parks, Recreation, and Historic Preservation

ANDREW M. CUOMO
Governor

ROSE HARVEY
Commissioner

April 11, 2016

Thomas King
Governor's Office of Storm Recovery
99 Washington Ave, Suite 1224
Albany, NY 12231

Re: HTF/ GOSR/ NY Rising- Community Reconstruction
Village Beach Park Restoration Project
S. Partition Street at Esopus Creek, Saugerties/ Ulster County

16PR2135

Dear Mr. King:

Thank you for requesting the comments of the New York State Historic Preservation Office (SHPO). We have reviewed the submitted materials in accordance with Title 54, Section 306108 of the National Historic Preservation Act of 1966. These comments are those of the SHPO and relate only to Historic/ Cultural resources. They do not include other environmental impacts to New York State Parkland that may be involved in or near your project. Such impacts must be considered as part of the environmental review of the project pursuant to the National Environmental Policy Act and/or the State Environmental Quality Review Act (New York Environmental Conservation Law Article 8).

Based on this review, the opinion of the SHPO is that there will be No Historic Properties Affected by the proposed undertaking.

If I can be of further assistance, please contact me at (518) 268-2187 or Larry.moss@parks.ny.gov

Sincerely,

Larry K Moss, Historic Preservation Technical Specialist
CC: Mary Barthelme

Division for Historic Preservation

P.O. Box 189, Waterford, New York 12188-0189 • (518) 237-8643 • www.nysparks.com



Governor's Office of Storm Recovery



Andrew M. Cuomo
Governor

Lisa Bova-Hiatt
Executive Director

April 11, 2016

Kerry Holton, President
Delaware Nation
P.O. Box 825
Anadarko, OK 73005

Re: Section 106 Compliance for the Village Beach Park Restoration Project, Saugerties, Ulster County, New York

Dear President Kerry Holton:

Pursuant to the Disaster Relief Appropriations Act, 2013 (Public Law 113-2) and the Housing and Community Development Act (42 U.S.C. § 5301 et seq.), the Governor's Office of Storm Recovery (GOSR) is acting under the auspices of New York State Homes and Community Renewal's Housing Trust Fund Corporation as a recipient of Community Development Block Grant – Disaster Recovery (“CDBG-DR”) funds from the United States Department of Housing and Urban Development (“HUD”). GOSR is the entity responsible for compliance with the HUD environmental review procedures set forth in 24 CFR Part 58. GOSR is acting on behalf of HUD in providing the enclosed project information and inviting this discussion with your Nation to respond with any concerns or comments.

GOSR processes environmental reviews for projects funded with HUD CDBG-DR on a case-by-case basis. GOSR proposes to provide funding for restoration work to sections of the Village Beach in Saugerties, New York. In accordance with Section 101(d)(6)(B) of the National Historic Preservation Act of 1966, as amended (54 U.S.C. 302706(b)), and its implementing regulations, 36 Code of Federal Regulations (CFR) Part 800, this letter serves as notification of the proposed action. This consultation is being sent to the Delaware Nation, the Delaware Tribe of Indians, the Saint Regis Mohawk Tribe, the Mohawk Nation, and the Stockbridge-Munsee Community Band of Mohicans.

Area of Potential Effect: The proposed project is located at the Village Beach, which is located at S. Partition Street at Esopus Creek, in the Village of Saugerties, Ulster County, New York. A project map is included with this letter.

Proposed Project Description: Please see the attached letter from our historian for a recommendation of No Historic Properties Affected for the project. Pursuant to NHPA Section 106, GOSR has initiated consultation with the State Historic Preservation Office (SHPO) concerning this Project and its potential to affect historic resources that are listed on or eligible for listing on the NRHP. SHPO has determined the project to have No Effect to Historic Properties.

GOSR is completing an environmental review for this project pursuant to HUD NEPA regulations. If the Area of Potential Effect encompasses historic properties of religious or cultural significance to your

Nation, please respond within 30 days or sooner. Additionally, please indicate if there are other sources of information or other parties, Nations, Tribes, or members of the public you believe should be included in the consultation process. Please respond by email or in writing to the address listed below.

Mr. Thomas King
Certifying Environmental Officer
Governor's Office of Storm Recovery
99 Washington Avenue
Suite 1224
Albany, New York 12260

I am available to answer any questions that you may have regarding this action. If you have any questions, please feel free to contact me at (518) 473-0015 or via email at Thomas.King@stormrecovery.ny.gov.

Sincerely,

A handwritten signature in black ink that reads "Thomas J. King". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Thomas J. King
Assistant General Counsel and Certifying Officer
Governor's Office of Storm Recovery

Enclosures:
Historian Review
Project Site Map
SHPO Determination

Electronic letter sent to:
Nekole Alligood, Cultural Preservation Director
Delaware Nation
P.O. Box 825
Anadarko, OK 73005



Governor's Office of Storm Recovery



Andrew M. Cuomo
Governor

Lisa Bova-Hiatt
Executive Director

April 11, 2016

Chet Brooks, Chief
Delaware Tribe of Indians, Delaware Tribal Headquarters
5100 Tuxedo Blvd
Bartlesville, OK 74006

Re: Section 106 Compliance for the Village Beach Park Restoration Project, Saugerties, Ulster County, New York

Dear Chief Chet Brooks:

Pursuant to the Disaster Relief Appropriations Act, 2013 (Public Law 113-2) and the Housing and Community Development Act (42 U.S.C. § 5301 et seq.), the Governor's Office of Storm Recovery (GOSR) is acting under the auspices of New York State Homes and Community Renewal's Housing Trust Fund Corporation as a recipient of Community Development Block Grant – Disaster Recovery ("CDBG-DR") funds from the United States Department of Housing and Urban Development ("HUD"). GOSR is the entity responsible for compliance with the HUD environmental review procedures set forth in 24 CFR Part 58. GOSR is acting on behalf of HUD in providing the enclosed project information and inviting this discussion with your Tribe to respond with any concerns or comments.

GOSR processes environmental reviews for projects funded with HUD CDBG-DR on a case-by-case basis. GOSR proposes to provide funding for restoration work to sections of the Village Beach in Saugerties, New York. In accordance with Section 101(d)(6)(B) of the National Historic Preservation Act of 1966, as amended (54 U.S.C. 302706(b)), and its implementing regulations, 36 Code of Federal Regulations (CFR) Part 800, this letter serves as notification of the proposed action. This consultation is being sent to the Delaware Nation, the Delaware Tribe of Indians, the Saint Regis Mohawk Tribe, the Mohawk Nation, and the Stockbridge-Munsee Community Band of Mohicans.

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GOSR is completing an environmental review for this project pursuant to HUD NEPA regulations. If the Area of Potential Effect encompasses historic properties of religious or cultural significance to your Tribe, please respond within 30 days or sooner. Additionally, please indicate if there are other sources of information or other parties, Nations, Tribes, or members of the public you believe should be included in the consultation process. Please respond by email or in writing to the address listed below.

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Certifying Environmental Officer
Governor's Office of Storm Recovery
99 Washington Avenue
Suite 1224
Albany, New York 12260

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Sincerely,

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Thomas J. King
Assistant General Counsel and Certifying Officer
Governor's Office of Storm Recovery

Enclosures:
Historian Review
Project Site Map
SHPO Determination

Electronic and hard copy letter sent to:
Susan Bachor
Delaware Tribe of Indians Historic Preservation Representative
P.O. Box 64
Pocono Lake, PA 73005



Governor's Office of Storm Recovery



Andrew M. Cuomo
Governor

Lisa Bova-Hiatt
Executive Director

April 11, 2016

Mohawk Nation Council of Chiefs
of Haudenosaunee Six Nations Confederacy
Akwesasane Territory Box 336
Via Rooseveltown, NY 13683-0366

Re: Section 106 Compliance for the Village Beach Park Restoration Project, Saugerties, Ulster County, New York

Dear Chief of the Mohawk Nation Council:

Pursuant to the Disaster Relief Appropriations Act, 2013 (Public Law 113-2) and the Housing and Community Development Act (42 U.S.C. § 5301 et seq.), the Governor's Office of Storm Recovery (GOSR) is acting under the auspices of New York State Homes and Community Renewal's Housing Trust Fund Corporation as a recipient of Community Development Block Grant – Disaster Recovery (“CDBG-DR”) funds from the United States Department of Housing and Urban Development (“HUD”). GOSR is the entity responsible for compliance with the HUD environmental review procedures set forth in 24 CFR Part 58. GOSR is acting on behalf of HUD in providing the enclosed project information and inviting this discussion with your Nation to respond with any concerns or comments.

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GOSR is completing an environmental review for this project pursuant to HUD NEPA regulations. If the Area of Potential Effect encompasses historic properties of religious or cultural significance to your

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Mr. Thomas King
Certifying Environmental Officer
Governor's Office of Storm Recovery
99 Washington Avenue
Suite 1224
Albany, New York 12260

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Sincerely,

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Thomas J. King
Assistant General Counsel and Certifying Officer
Governor's Office of Storm Recovery

Enclosures:
Historian Review
Project Site Map
SHPO Determination



Governor's Office of Storm Recovery



Andrew M. Cuomo
Governor

Lisa Bova-Hiatt
Executive Director

April 11, 2016

Ron LaFrance, Jr, Paul Thompson, and Beverly Cook, Chiefs
St. Regis Mohawk Tribe
412 State Route 37
Akwesasne, NY 13655

Re: Section 106 Compliance for the Village Beach Park Restoration Project, Saugerties, Ulster County, New York

Dear Chiefs of the St. Regis Mohawk Tribe:

Pursuant to the Disaster Relief Appropriations Act, 2013 (Public Law 113-2) and the Housing and Community Development Act (42 U.S.C. § 5301 et seq.), the Governor's Office of Storm Recovery (GOSR) is acting under the auspices of New York State Homes and Community Renewal's Housing Trust Fund Corporation as a recipient of Community Development Block Grant – Disaster Recovery (“CDBG-DR”) funds from the United States Department of Housing and Urban Development (“HUD”). GOSR is the entity responsible for compliance with the HUD environmental review procedures set forth in 24 CFR Part 58. GOSR is acting on behalf of HUD in providing the enclosed project information and inviting this discussion with your Tribe to respond with any concerns or comments.

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Thomas J. King
Assistant General Counsel and Certifying Officer
Governor's Office of Storm Recovery

Enclosures:
Historian Review
Project Site Map
SHPO Determination

Electronic letter sent to:
Arnold Printup
Saint Regis Mohawk Tribe, THPO
412 State Route 37
Akwesasne, NY 13655



Governor's Office of Storm Recovery



Andrew M. Cuomo
Governor

Lisa Bova-Hiatt
Executive Director

April 11, 2016

Shannon Holsey, President
Stockbridge-Munsee Community, Band of the Mohicans
N8476 Moh He Con Nuck Road
Bowler, WI 54416

Re: Section 106 Compliance for the Village Beach Park Restoration Project, Saugerties, Ulster County, New York

Dear Shannon Holsey,

Pursuant to the Disaster Relief Appropriations Act, 2013 (Public Law 113-2) and the Housing and Community Development Act (42 U.S.C. § 5301 et seq.), the Governor's Office of Storm Recovery (GOSR) is acting under the auspices of New York State Homes and Community Renewal's Housing Trust Fund Corporation as a recipient of Community Development Block Grant – Disaster Recovery ("CDBG-DR") funds from the United States Department of Housing and Urban Development ("HUD"). GOSR is the entity responsible for compliance with the HUD environmental review procedures set forth in 24 CFR Part 58. GOSR is acting on behalf of HUD in providing the enclosed project information and inviting this discussion with your Community to respond with any concerns or comments.

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Mr. Thomas King
Certifying Environmental Officer
Governor's Office of Storm Recovery
99 Washington Avenue
Suite 1224
Albany, New York 12260

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Sincerely,

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Thomas J. King
Assistant General Counsel and Certifying Officer
Governor's Office of Storm Recovery

Enclosures:
Project Site Map

Electronic letter sent to:
Bonney Hartley
THPO, New York Office
Stockbridge-Munsee Community, Band of the Mohicans
65 1st Street
Troy, NY 12180

DENNIS M. LARIOS, P.E.
Lic. No. 58747

CHRISTOPHER J. ZELL, L.L.S.
Lic. No. 49629

BRINNIER and LARIOS, P.C.
PROFESSIONAL ENGINEERS & LAND SURVEYORS

DESIGN
REPORTS
SUPERVISION
CONSULTING SERVICES

67 MAIDEN LANE
KINGSTON, NEW YORK 12401
—
TELEPHONE (845) 338-7622
FAX (845) 338-7660

SUBDIVISIONS
TITLE SURVEYS
TOPOGRAPHIC SURVEYS

April 18, 2016

Regional Permits Administrator
New York State Department of Environmental Conservation
21 South Putt Corners Road
New Paltz, New York 12561-1260

Re: Joint Application for Permit
Parks Restoration Project – Village Beach
Village of Saugerties, Ulster County, New York

Dear Regional Permit Administrator:

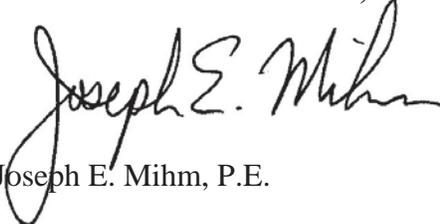
On behalf of the Village of Saugerties, enclosed please find one original and two copies of the following documents:

1. Joint Application for Permit;
2. Permission to Inspect Property Form;
3. Short Environmental Assessment Form;
4. Location Map;
5. 7.5 Minute USGS Topographic Map of Site;
6. Village Beach Site Photographs;
7. Engineering Design Report, Parks Restoration Project – Village Beach, February 2016;
8. 7 Drawing Set, Contract VSA-161, Parks Restoration Project – Village Beach dated March (3 full size and one half size sets provided);
9. Pre-Construction Notification Form.

If you have any questions or need additional information, please contact me at 845-338-7622 or by e-mail at jmihm@blengineers.com.

Very truly yours,

BRINNIER AND LARIOS, P.C.



Joseph E. Mihm, P.E.

Enclosures

cc: William Murphy, Mayor (w/o enclosures)
Eyal Saad, Building Inspector (w/enclosures ½ size dwg. set)
Brian Orzel, USACE (w/enclosures)
NYS Office of General Services, Bureau of Land Management (w/o enclosures)
Bill Blankenship, HGA, Grant Consultant (email)
Thomas J. King, Governor's Office of Storm Recovery (email)



JOINT APPLICATION FORM

For Permits/Determinations to undertake activities affecting streams, waterways, waterbodies, wetlands, coastal areas and sources of water withdrawal.



New York State

You must separately apply for and obtain separate Permits/Determinations from each involved agency prior to proceeding with work. Please read all instructions.

US Army Corps of Engineers (USACE)

<p>APPLICATIONS TO</p> <p>1. NYS Department of Environmental Conservation</p> <p>Check all permits that apply:</p> <table border="0"> <tr> <td><input checked="" type="checkbox"/> Stream Disturbance</td> <td><input type="checkbox"/> Coastal Erosion Management</td> </tr> <tr> <td><input checked="" type="checkbox"/> Excavation and Fill in Navigable Waters</td> <td><input type="checkbox"/> Wild, Scenic and Recreational Rivers</td> </tr> <tr> <td><input checked="" type="checkbox"/> Docks, Moorings or Platforms</td> <td><input type="checkbox"/> Water Withdrawal</td> </tr> <tr> <td><input type="checkbox"/> Dams and Impoundment Structures</td> <td><input type="checkbox"/> Long Island Well</td> </tr> <tr> <td><input checked="" type="checkbox"/> 401 Water Quality Certification</td> <td><input type="checkbox"/> Aquatic Vegetation Control</td> </tr> <tr> <td><input type="checkbox"/> Freshwater Wetlands</td> <td><input type="checkbox"/> Aquatic Insect Control</td> </tr> <tr> <td><input type="checkbox"/> Tidal Wetlands</td> <td><input type="checkbox"/> Fish Control</td> </tr> <tr> <td></td> <td><input type="checkbox"/> Incidental Take of Endangered/Threatened Species</td> </tr> </table> <p><input checked="" type="checkbox"/> I am sending this application to this agency.</p>	<input checked="" type="checkbox"/> Stream Disturbance	<input type="checkbox"/> Coastal Erosion Management	<input checked="" type="checkbox"/> Excavation and Fill in Navigable Waters	<input type="checkbox"/> Wild, Scenic and Recreational Rivers	<input checked="" type="checkbox"/> Docks, Moorings or Platforms	<input type="checkbox"/> Water Withdrawal	<input type="checkbox"/> Dams and Impoundment Structures	<input type="checkbox"/> Long Island Well	<input checked="" type="checkbox"/> 401 Water Quality Certification	<input type="checkbox"/> Aquatic Vegetation Control	<input type="checkbox"/> Freshwater Wetlands	<input type="checkbox"/> Aquatic Insect Control	<input type="checkbox"/> Tidal Wetlands	<input type="checkbox"/> Fish Control		<input type="checkbox"/> Incidental Take of Endangered/Threatened Species	<p>2. US Army Corps of Engineers</p> <p>Check all permits that apply:</p> <p><input type="checkbox"/> Section 404 Clean Water Act</p> <p><input type="checkbox"/> Section 10 Rivers and Harbors Act</p> <p><input type="checkbox"/> Nationwide Permit(s) - Identify Number(s):</p> <p>_____</p> <p>_____</p> <p>Preconstruction Notification - <input type="checkbox"/> Y / <input type="checkbox"/> N</p> <p><input type="checkbox"/> I am sending this application to this agency.</p>	<p>3. NYS Office of General Services</p> <p>Check all permits that apply:</p> <p><input checked="" type="checkbox"/> State Owned Lands Under Water</p> <p><input type="checkbox"/> Utility Easement (pipelines, conduits, cables, etc.)</p> <p><input checked="" type="checkbox"/> Docks, Moorings or Platforms</p> <p><input checked="" type="checkbox"/> I am sending this application to this agency.</p>	<p>4. NYS Department of State</p> <p>Check if this applies:</p> <p><input type="checkbox"/> Coastal Consistency Concurrence</p> <p><input type="checkbox"/> I am sending this application to this agency.</p>
<input checked="" type="checkbox"/> Stream Disturbance	<input type="checkbox"/> Coastal Erosion Management																		
<input checked="" type="checkbox"/> Excavation and Fill in Navigable Waters	<input type="checkbox"/> Wild, Scenic and Recreational Rivers																		
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<input type="checkbox"/> Tidal Wetlands	<input type="checkbox"/> Fish Control																		
	<input type="checkbox"/> Incidental Take of Endangered/Threatened Species																		

<p>5. Name of Applicant (use full name)</p> <p>Village of Saugerties</p>		<p>Applicant must be:</p> <p><input checked="" type="checkbox"/> Owner</p> <p><input type="checkbox"/> Operator</p> <p><input type="checkbox"/> Lessee</p> <p>(check all that apply)</p>
<p>Mailing Address</p> <p>43 Partition Street</p>		
<p>Post Office City</p> <p>Saugerties</p>		<p>Taxpayer ID (If applicant is NOT an individual):</p> <p>14-6002424</p>
<p>State</p> <p>NY</p>	<p>Zip Code</p> <p>12477</p>	
<p>Telephone (daytime)</p> <p>845-246-2321 x1</p>	<p>Email</p> <p>BMurphy@villageofsaugerties.or</p>	

<p>6. Name of Facility or Property Owner (if different than Applicant)</p>	
<p>Mailing Address</p>	
<p>Post Office City</p>	
<p>State</p>	<p>Zip Code</p>
<p>Telephone (daytime)</p>	<p>Email</p>

<p>7. Contact/Agent Name</p> <p>Joseph E. Mihm, P.E.</p>	
<p>Company Name</p> <p>Brinnier and Larios, P.C.</p>	
<p>Mailing Address</p> <p>67 Maiden Lane</p>	
<p>Post Office City</p> <p>Kingston</p>	
<p>State</p> <p>NY</p>	<p>Zip Code</p> <p>12401</p>
<p>Telephone (daytime)</p> <p>845-338-7622</p>	
<p>Email</p> <p>jmihm@blengineers.com</p>	

<p>8. Project / Facility Name</p> <p>Village Beach</p>		<p>Property Tax Map Section / Block / Lot Number</p> <p>18.279-3-13</p>	
<p>Project Location - Provide directions and distances to roads, bridges and bodies of waters:</p> <p>South Partition Street</p> <p>200 feet south of the intersection of NYS Route 9W and South Partition Street</p>			
<p>Street Address, if applicable</p> <p>50 South Partition Street</p>		<p>Post Office City</p> <p>Saugerties</p>	<p>State</p> <p>NY</p>
<p>Zip Code</p> <p>12477</p>			
<p>Town / Village / City</p> <p>Village of Saugerties</p>		<p>County</p> <p>Ulster County</p>	
<p>Name of USGS Quadrangle Map</p> <p>Saugerties</p>		<p>Stream/Water Body Name</p> <p>Esopus Creek</p>	
<p>Location Coordinates: Enter NYTMs in kilometers, OR Latitude/Longitude</p>			
<p>NYTM-E</p>	<p>NYTM-N</p>	<p>Latitude</p> <p>42d 4' 16"N</p>	<p>Longitude</p> <p>73d 57' 7" W</p>

<p>For Agency Use Only</p>	<p>DEC Application Number:</p>	<p>USACE Number:</p>
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JOINT APPLICATION FORM - PAGE 2 OF 2
Submit this completed page as part of your Application.

9. **Project Description and Purpose:** Provide a complete narrative description of the proposed work and its purpose. Attach additional page(s) if necessary. Include: description of current site conditions and how the site will be modified by the proposed project; structures and fill materials to be installed; type and quantity of materials to be used (i.e., square ft of coverage and cubic yds of fill material and/or structures below ordinary/mean high water) area of excavation or dredging, volumes of material to be removed and location of dredged material disposal or use; work methods and type of equipment to be used; pollution control methods and mitigation activities proposed to compensate for resource impacts; and where applicable, the phasing of activities. **ATTACH PLANS ON SEPARATE PAGES.**

Restoration of the Village Beach property including 1) sand replenishment in the beach area, 2) replacement of the boat launch, 3) shoreline stabilization and 4) replacement of the floating docks. The OHW is at Elevation 51 feet at the site.

1. Sand replenishment and the grass surfaced area will involve coverage of 4,000 square feet with 50 cubic yards of fill below OHW.
2. The replacement of the boat launch will be a 18 feet wide by 45 feet long push-in-place concrete slab and a 20 feet wide by 25 feet long cast-in-place concrete slab. The boat launch will involve a 1,800 square feet area with 200 cubic yards of fill below the OHW. The work area will be encircled with a turbidity curtain during construction for water protection.
3. The shoreline stabilization will be a combination of longitudinal peaked stone toe protection and live stakings in a 2,000 square feet area with 90 cubic yards of fill below the OHW.
4. Seasonal floating docks will be installed on each side of the beach area. The floating docks are 60 feet long anchored in position with pipe anchors to be 25 meters (82 feet) apart. There will also be a floating dock along the edge of the boat launch.

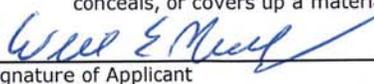
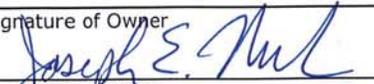
See the seven drawing set titled Contract VSA-161 Parks Restoration Project-Village Beach prepared by Brinnier and Larios, P.C. dated March 2016 for additional the layout and details of the project.

Proposed Use: <input type="checkbox"/> Private <input checked="" type="checkbox"/> Public <input type="checkbox"/> Commercial	Proposed Start Date: May 2016	Estimated Completion Date: November 2016
Has Work Begun on Project? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, explain.		
Will Project Occupy Federal, State or Municipal Land? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes, please specify. The property is owned by the Village of Saugerties		

10. List Previous Permit / Application Numbers (if any) and Dates:

11. Will this project require additional Federal, State, or Local Permits including zoning changes? Yes No If yes, please list:

12. **Signatures.** If applicant is not the owner, both must sign the application.
I hereby affirm 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 5 years, or both where an applicant knowingly and willingly falsifies, conceals, or covers up a material fact; or knowingly makes or uses a false, fictitious or fraudulent statement.

Signature of Applicant	Printed Name	Title	Date
	William E. MURPHY	MAYOR	4/18/16
Signature of Owner	Printed Name	Title	Date
	Joseph E. Mihm, P.E.	Sr. Project Engineer	4/18/16
Signature of Agent	Printed Name	Title	Date

For Agency Use Only	DETERMINATION OF NO PERMIT REQUIRED		
_____	Agency Project Number _____	_____	
(Agency Name)	has determined that No Permit is required from this Agency for the project described in this application.		
Agency Representative: Name (printed) _____	Title _____		_____
Signature _____	Date _____		_____



PERMISSION TO INSPECT PROPERTY

By signing this permission form for submission with an application for a permit(s) to the Department of Environmental Conservation ("DEC"), the signer consents to inspection by DEC staff of the project site or facility for which a permit is sought and, to the extent necessary, areas adjacent to the project site or facility. This consent allows DEC staff to enter upon and pass through such property in order to inspect the project site or facility, without prior notice, between the hours of 7:00 a.m. and 7:00 p.m., Monday through Friday. If DEC staff should wish to conduct an inspection at any other times, DEC staff will so notify the applicant and will obtain a separate consent for such an inspection.

Inspections may take place as part of the application review prior to a decision to grant or deny the permit(s) sought. By signing this consent form, the signer agrees that this consent remains in effect as long as the application is pending, and is effective regardless of whether the signer, applicant or an agent is present at the time of the inspection. In the event that the project site or facility is posted with any form of "posted" or "keep out" notices, or fenced in with an unlocked gate, this permission authorizes DEC staff to disregard such notices or unlocked gates at the time of inspection.

The signer further agrees that during an inspection, DEC staff may, among other things, take measurements, may analyze physical characteristics of the site including, but not limited to, soils and vegetation (taking samples for analysis), and may make drawings and take photographs.

Failure to grant consent for an inspection is grounds for, and may result in, denial of the permit(s) sought by the application.

Permission is granted for inspection of property located at the following address(es):

Village Beach Site located at 50 Partition Street, Saugerties NY

*By signing this form, I affirm under penalty of perjury that I am authorized to give consent to entry by DEC staff as described above. I understand that false statements made herein are punishable as a Class A misdemeanor pursuant to Section 210.45 of the Penal Law.**

William Murphy, Mayor

Print Name and Title

Signature

Date

*The signer of this form must be an individual or authorized representative of a legal entity that:

- owns fee title and is in possession of the property identified above;
- maintains possessory interest in the property through a lease, rental agreement or other legally binding agreement; or
- is provided permission to act on behalf of an individual or legal entity possessing fee title or other possessory interest in the property for the purpose of consenting to inspection of such property.

617.20
Appendix B
Short Environmental Assessment Form

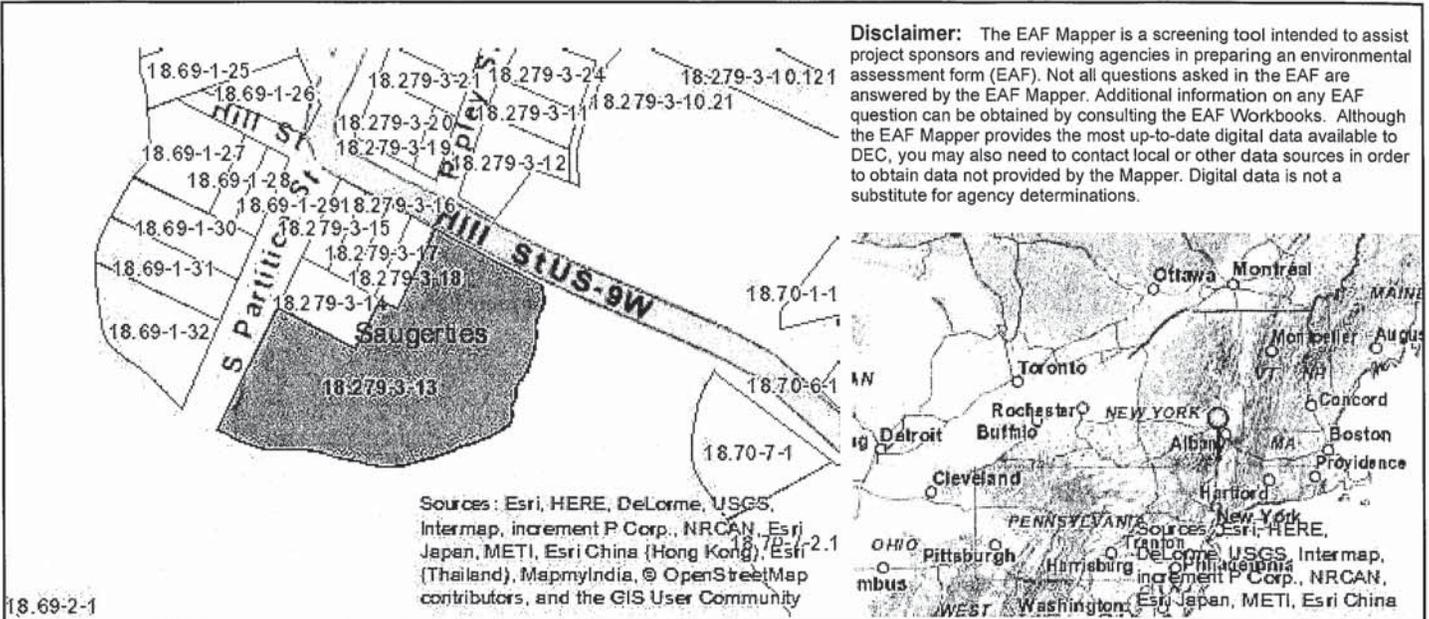
Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

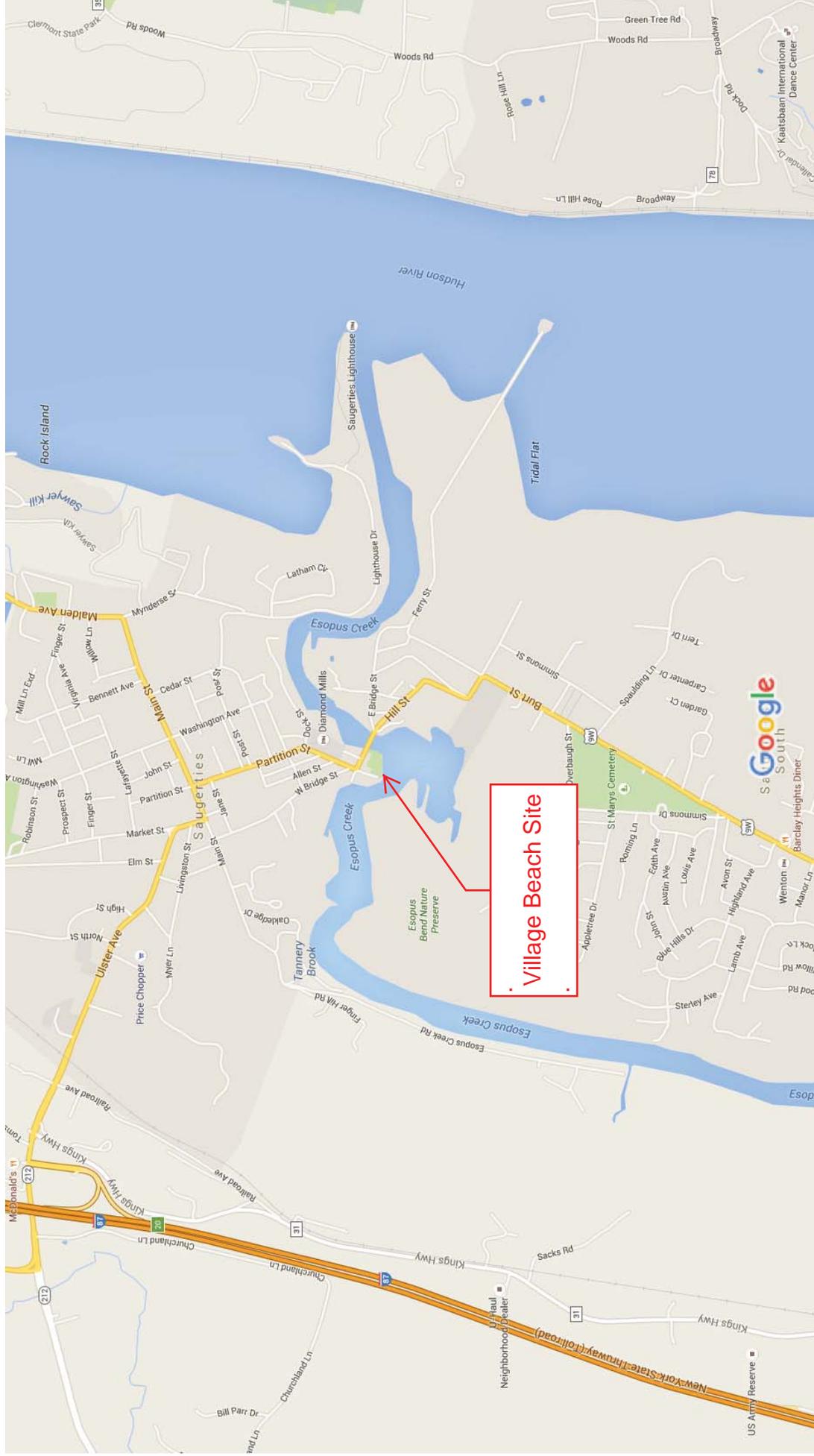
Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information			
Name of Action or Project: Parks Restoration Project - Village Beach			
Project Location (describe, and attach a location map): 50 South Partition Street, Saugerties, NY 12477			
Brief Description of Proposed Action: Restoration of the Village Beach property involves 1) sand replenishment in the beach area and construction of a grassed surface area; 2) replacement of the existing asphalt boat launch with a concrete slab boat launch with floating docks; 3) shoreline stabilization and 4) replacement of the floating docks in the beach area.			
Name of Applicant or Sponsor: Village of Saugerties		Telephone: 845-246-2321 x1 E-Mail: WMurphy@villageofsaugerties.org	
Address: 43 Partition Street			
City/PO: Saugerties		State: New York	Zip Code: 12477
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval: NYSDEC Stream Disturbance, Excavation and Fill in Navigable Waters and 401 Water Quality Certification NYS OGS Docks, Moorings or Platforms on State Owned Lands Under Water			YES <input checked="" type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		1.37 acres	
b. Total acreage to be physically disturbed?		0.3 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		1.37 acres	
4. Check all land uses that occur on, adjoining and near the proposed action. <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____ <input checked="" type="checkbox"/> Parkland			

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____ _____ _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____ _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____ _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor name: <u>William Murphy, Mayor</u>	Date: <u>4/18/16</u>	
Signature: <u><i>William G. Murphy</i></u>		

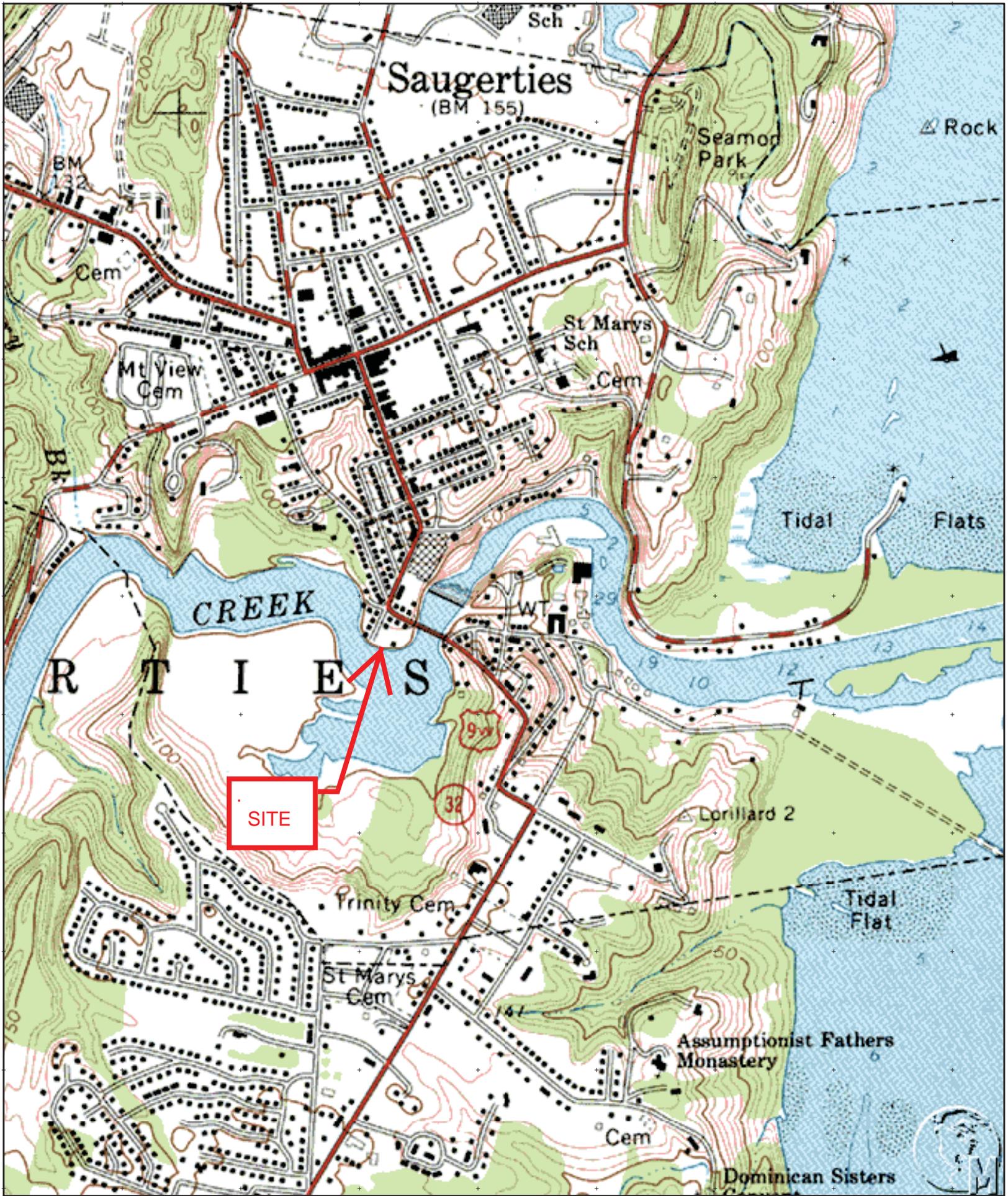


Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National Register of Historic Places]	No
Part 1 / Question 12b [Archeological Sites]	Yes
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
Part 1 / Question 15 [Threatened or Endangered Animal]	Yes
Part 1 / Question 16 [100 Year Flood Plain]	Yes
Part 1 / Question 20 [Remediation Site]	No



Map data ©2016 Google

1000 ft



Name: SAUGERTIES
 Date: 3/5/116
 Scale: 1 inch equals 1000 feet

Location: 042° 04' 19.1" N 073° 56' 53.5" W
 Caption: Village Beach Site
 Village of Saugerties
 Ulster County, New York



**New York State Department of Environmental Conservation
Notice of Incomplete Application - This is NOT a Permit**

Application ID: 3-5148-00437/00001

Batch Number: 794190

Facility: VILLAGE BEACH
50 S PARTITION ST
SAUGERTIES, NY 12477

Contact: BRINNIER AND LARIOS PC
67 MAIDEN LN
KINGSTON, NY 12401

Owner ID: 1477593

Permit(s) Applied for: 1 - Article 15 Title 5 Stream Disturbance
1 - Article 15 Title 5 Docks, Platforms & Moorings
1 - Section 401 - Clean Water Act Water Quality Certification
1 - Article 15 Title 5 Excavation & Fill in Navigable Waters

Project Location: in SAUGERTIES in ULSTER COUNTY

Your application for Permit is incomplete. The following items are required:

The following items are required for a complete application:

1. It appears that this proposal may require a docks, moorings, and platforms permit. However the Joint Application for Permit indicates that application has been made to the NYS Office of General Services (OGS) for license to occupy state-owned lands underwater. If all docks and platforms are proposed over state-owned lands subject to an OGS license, then a DEC Docks permit is not required. If a DEC Docks permit is required, then a Joint Application Supplement Form D-2 is required.
2. Modified plans showing:
 - the property line on the proposed conditions plan. If portions of the docks are over the Village's property and over OGS lands, then both an OGS license **and** a DEC Docks permit will be required. If a DEC Docks permit is required, a facility perimeter should be included. Once approved, rearrangement of docks within a perimeter does not require a dock permit. Examples of a perimeter can be found on the DEC website at <http://www.dec.ny.gov/permits/70948.html>;
 - the limit of sand replacement below normal high water; provide the amount of fill in cubic yards. The Joint Application indicates that 50 cubic yards of fill are proposed below ordinary high water. Beach replenishment should be limited to a maximum of a few feet from shore;
 - clarify if any shoreline work is proposed for the proposed grass area and how the grass area will be maintained. Mowing along stream banks is not recommended;
 - clarify how the westerly proposed 60-foot dock bulkhead will connect to the beach. The sheet 6 detail shows asphalt sidewalk adjacent to the bulkhead, but there is none proposed in this area;
 - provide a detail on any structural elements proposed on the docks. The Engineering Design Report mentions accessories including "cleats, bumper strips, and hand railings".
3. To meet permit issuance standards of reasonable and necessary, provide a narrative discussion of the following:
 - The applicant must justify the placement of fill below normal high water. The boat launch seems to be designed for a boat that is excessively large relative to the water body being accessed. Justify the need to accommodate a 28' long trailer and 4.5 ton boat.
 - The applicant must provide justification for the two proposed 60-foot docks. These

appear to provide limited dockage because of their connection to the swimming beach. It is not clear if their primary purpose is to provide docking space or as an accessory to the beach.

DEC has received a request from the Governor's Office of Storm Recovery for lead agency pursuant to the State Environmental Quality Review. This application is major pursuant to Uniform Procedures and therefore a minimum 15-day public comment period will be required. The DEC application requires a SEQR Negative Declaration for the complete determination and the start of the required public comment period.

cc: Joseph Mihm, P.E., Brinnier & Larios, via email

Lisa Mayone, Village of Saugerties via email
Army Corps of Engineers via email
NYS DOS, Off of Devlpmnt & Planning via email
Bethany Wieczorek, NYS OGS, via email
Brian Drumm, NYSDEC Bur of Habitat via email
Thomas J. King, GOSR via email

***Please submit requested information by _____
No further action can be taken until all of these materials are received.***

Contact Person:

JENNIFER M ZUNINO-SMITH
NYSDEC
100 Hillside Ave - Ste 1W
White Plains, NY 10603

Signature: 
Date: April 29, 2016

Telephone Number:

BRINNIER and LARIOS, P.C.
PROFESSIONAL ENGINEERS & LAND SURVEYORS
67 MAIDEN LANE
KINGSTON, NEW YORK 12401
-
TELEPHONE (845) 338-7622
FAX (845) 338-7660

DESIGN
REPORTS
SUPERVISION
CONSULTING SERVICES

SUBDIVISIONS
TITLE SURVEYS
TOPOGRAPHIC SURVEYS

May 31, 2016

Ms. Jennifer M. Zunino-Smith
N.Y.S. Department of Environmental Conservation
100 Hillside Avenue – Suite 1W
White Plains, New York 10603

RE: Village Beach
Village of Saugerties, Ulster County
DEC Application #3-5148-00437/00001
Owner ID: 1477593

Dear Ms. Zunino-Smith:

In response to your letter dated April 29, 2016, we provide the following responses:

Comment 1: It appears that this proposal may require a docks, moorings, and platforms permit. However the Joint Application for Permit indicates that application has been made to the NYS Office of General Services (OGS) for license to occupy state-owned lands underwater. If all docks and platforms are proposed over state-owned lands subject to an OGS license then a DEC Docks permit is not required. If a DEC Docks permit is required, then a Joint Application Supplement Form D-2 is required.

Response: OGS has informed us that they will be issuing a license for the docks and platform which are on State-owned lands underwater. We understand that while the docks and platform portion of the proposed activity is exempt from Article 15 permit requirements pursuant to 6 NYCRR Part 608.4(c)(1), the proposed disturbance of the stream and the excavation and fill in navigable water will need an Article 15 permit coverage.

Comment 2: Modified plans showing:

- The property line on the proposed conditions plan. If portions of the docks are over the Village's property and over OGS lands, then both an OGS license **and** a DEC Docks permit will be required. If a DEC Docks permit is required, a facility perimeter should be included. Once approved, rearrangement of docks within a perimeter does not require a dock permit. Examples of a perimeter can be found on the DEC website at <http://www.dec.ny.gov/permits/70948.html>;

Response: See the response to Comment 1 given above.

- The limit of sand replacement below normal high water; provide the amount of fill in cubic yards. The Joint Application indicates that 50 cubic yards of fill are proposed below ordinary high water. Beach replenishment should be limited to a maximum of a few feet from shore;

Response: Sheet 4 of 7 has been revised with an insert showing fill below the ordinary high water (OHW) and a table which lists the fill quantities. On the Joint Application that was submitted on April 18, 2016, we neglected to identify the USACE permits that would be

applicable. Enclosed please find a revised/updated Joint Application which identifies USACE Nationwide Permit NWP 13-Bank Stabilization and NWP 36-Boat Ramps as being applicable.

The proposed activity is less than the NWP 13 Pre-Construction Notification (PCN) thresholds of 500 feet along the bank and 1 cubic yard per running foot but greater than the NWP 36 PCN threshold of 50 cubic yards. A PCN will be submitted to the USACE.

- Clarify if any shoreline work is proposed for the proposed grass area and how the grass area will be maintained. Mowing along stream banks is not recommended.

Response: The proposed grass area will end approximately 8 feet from the edge of water line.

- Clarify how the westerly proposed 60-foot dock bulkhead will connect to the beach. The Sheet 6 detail shows asphalt sidewalk adjacent to the bulkhead, but there is none proposed in this area.

Response: The western 60-feet long swim dock will be connected to a concrete bulkhead that will be constructed on the shoreline. There will be no walkway leading to the western swim dock, people will access this by walking across the beach sand or via the grassed area. The concrete bulkhead detail on Sheet 6 will be revised to show either asphalt or an unpaved surface.

- To provide a detail on any structural elements proposed on the docks. The Engineering Design Report mentions accessories including “cleats, bumper strips, and hand railings”.

Response: The intent is allow boats to tie-up to the boat launch dock only and allow any boats to tie-up to the swim docks except for a life-guard rowboat. The swim docks are to be used exclusively for the beach swim area. Details on the cleats, bumper strips and swim dock ladders are attached.

There will be no handrails on either the boat launch dock or the swim docks.

Comment 3: To meet permit issuance standards of reasonable and necessary, provide a narrative discussion of the following:

- The Applicant must justify the placement of fill below normal high water. The boat launch seems to be designed for a boat that is excessively large relative to the water body being accessed. Justify the need to accommodate a 28’ long trailer and 4.5 ton boat.

Response: The existing boat ramp has been eroded by previous storm events. Also the existing boat ramp alignment is not parallel with the street which increase the difficulty for vehicles with boat trailers to maneuver for unloading. The placement of fill below the normal high water line is needed to construct a boat ramp with a correct alignment.

The typical design width for a single lane boat ramp ranges from 14’ to 18’ wide. An approximate two feet portion of the proposed ramp will be occupied by the floating boat launch dock leaving a useable ramp width of 16 feet. The 16 feet useable width is the average design width for a single boat ramp.

The typical water level elevation in the Esopus Creek is at Elevation 48 feet. The low water levels in the Esopus Creek are controlled by the downstream Cantine Dam crest elevation of approximately 45 feet and during dry weather periods or when the controlled releases from the upstream Ashokan Reservoir are low, the Esopus Creek water level drop to below Elevation 46 feet. The length of the boat ramp was designed so that during periods of low water levels in the Esopus Creek, the depth of water at the end of the boat ramp would still be slightly greater than 3 feet deep to allow loading/unloading of boat trailers.

The reference to “a 28 feet long trailer with a loaded trailer weight of 9,600 pounds” is not applicable for this site and will be removed from the report. The criteria listed above guided the layout of the boat ramp.

- The Applicant must provide justification for the two proposed 60-foot docks. These appear to provide limited dockage because of their connection to the swimming beach. It is not clear if their primary purpose is to provide docking space or as an accessory to the beach.

Response: The Parks Department’s practice from operating the Village Beach over the years has been to locate the swim platforms approximately 60 feet from edge of water line. This location for the swim docks provides sufficient depth of water for swim throughout the recreation season when the water levels in the Esopus Creek vary due to climatic conditions and controlled releases from the upstream Ashokan Reservoir system. Positioning the two swim docks 25 meters apart will allow the Parks Department to conduct swim meets and/or swim training between the two floating docks.

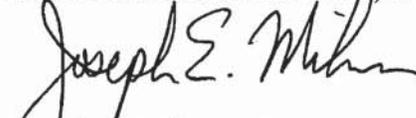
Comment 4. DEC has received a request from the Governor’s Office of Storm Recovery for lead agency pursuant to the State Environmental Quality Review. This application is major pursuant to Uniform Procedures and therefore a minimum 15-day public comment period will be required. The DEC application requires a SEQR Negative Declaration for the complete determination and start of the required public comment period.

Response: Acknowledged.

If there are questions or you need any additional information, please let me know.

Very truly yours,

BRINNIER AND LARIOS, P.C.



Joseph E. Mihm, P.E.
Sr. Project Engineer

Enclosures: Joint Application, Sheets 2, 3 and 4 of 7 dated Revised 5/31/16 and Dock Accessory Details

cc: Eyal Sayad, Village of Saugerties
Bethany Wieczorek, OGS
Brian Orzel, USACE
Bill Blankenship, GOSR Grant Administrator (via email)
Thomas King, GOSR (via email)



JOINT APPLICATION FORM

REVISED 5/31/16



For Permits/Determinations to undertake activities affecting streams, waterways, waterbodies, wetlands, coastal areas and sources of water withdrawal.

New York State

You must separately apply for and obtain separate Permits/Determinations from each involved agency prior to proceeding with work. Please read all instructions.

US Army Corps of Engineers (USACE)

<p>APPLICATIONS TO 1. NYS Department of Environmental Conservation</p> <p>Check all permits that apply:</p> <p><input checked="" type="checkbox"/> Stream Disturbance <input checked="" type="checkbox"/> Excavation and Fill in Navigable Waters <input type="checkbox"/> Docks, Moorings or Platforms <input type="checkbox"/> Dams and Impoundment Structures <input checked="" type="checkbox"/> 401 Water Quality Certification <input type="checkbox"/> Freshwater Wetlands <input type="checkbox"/> Tidal Wetlands</p> <p><input type="checkbox"/> Coastal Erosion Management <input type="checkbox"/> Wild, Scenic and Recreational Rivers <input type="checkbox"/> Water Withdrawal <input type="checkbox"/> Long Island Well <input type="checkbox"/> Aquatic Vegetation Control <input type="checkbox"/> Aquatic Insect Control <input type="checkbox"/> Fish Control <input type="checkbox"/> Incidental Take of Endangered/Threatened Species</p> <p><input checked="" type="checkbox"/> I am sending this application to this agency.</p>	<p>2. US Army Corps of Engineers</p> <p>Check all permits that apply:</p> <p><input type="checkbox"/> Section 404 Clean Water Act <input type="checkbox"/> Section 10 Rivers and Harbors Act <input checked="" type="checkbox"/> Nationwide Permit(s) - Identify Number(s): <u>3, 13 and 36</u> PCN required for NWP-36 _____</p> <p>Preconstruction Notification - <input checked="" type="checkbox"/> Y / <input type="checkbox"/> N</p> <p><input checked="" type="checkbox"/> I am sending this application to this agency.</p>	<p>3. NYS Office of General Services</p> <p>Check all permits that apply:</p> <p><input checked="" type="checkbox"/> State Owned Lands Under Water <input type="checkbox"/> Utility Easement (pipelines, conduits, cables, etc.) <input checked="" type="checkbox"/> Docks, Moorings or Platforms</p> <p><input checked="" type="checkbox"/> I am sending this application to this agency.</p>	<p>4. NYS Department of State</p> <p>Check if this applies:</p> <p><input type="checkbox"/> Coastal Consistency Concurrence</p> <p><input type="checkbox"/> I am sending this application to this agency.</p>
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5. Name of Applicant (use full name) Village of Saugerties		Applicant must be: <input checked="" type="checkbox"/> Owner <input type="checkbox"/> Operator <input type="checkbox"/> Lessee (check all that apply)
Mailing Address 43 Partition Street		
Post Office City Saugerties	Taxpayer ID (If applicant is NOT an individual): 14-6002424	
State NY	Zip Code 12477	
Telephone (daytime) 845-246-2321 x1	Email BMurphy@villageofsaugerties.or	

6. Name of Facility or Property Owner (if different than Applicant)	
Mailing Address	
Post Office City	
State	Zip Code
Telephone (daytime)	Email

7. Contact/Agent Name Joseph E. Mihm, P.E.	
Company Name Brinnier and Larios, P.C.	
Mailing Address 67 Maiden Lane	
Post Office City Kingston	Zip Code
State NY	12401
Telephone (daytime) 845-338-7622	
Email jmihm@blengineers.com	

8. Project / Facility Name Village Beach		Property Tax Map Section / Block / Lot Number 18.279-3-13	
Project Location - Provide directions and distances to roads, bridges and bodies of waters: South Partition Street 200 feet south of the intersection of NYS Route 9W and South Partition Street			
Street Address, if applicable 50 South Partition Street		Post Office City Saugerties	State Zip Code NY 12477
Town / Village / City Village of Saugerties		County Ulster County	
Name of USGS Quadrangle Map Saugerties		Stream/Water Body Name Esopus Creek	
Location Coordinates: Enter NYTMs in kilometers, OR Latitude/Longitude			
NYTM-E	NYTM-N	Latitude 42d 4' 16"N	Longitude 73d 57' 7" W

For Agency Use Only	DEC Application Number:	USACE Number:
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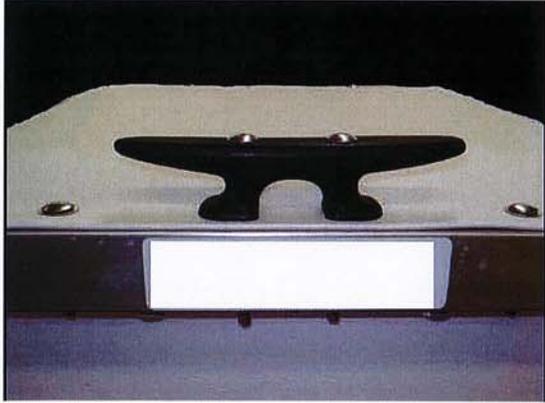
FLOATING DOCK ACCESSORIES

- A. All floating dock accessories will bolt directly into the framing system on every float section. There will be no set area where an accessory must be positioned. All accessories will bolt in the framing system with 304 series stainless steel hardware.

- B. Cleats:
 - 1. Cleats – Plastic – shall be 8” or 10” Black cleats measuring no more than 1 ½” wide with a height of 1 5/8” above the surface of the dock section. 2” x 2” x .125” framing system will allow cleats to be installed anywhere along the perimeter of the floating dock system.
 - 2. Cleats – Aluminum – S-Style aluminum cleats, supplied with ½” mounting hardware. 2” x 2” x .125” framing system will allow cleats to be installed anywhere along the perimeter of the floating dock system.

- C. Bumpstrip – Bumpstrip will be installed with 5/16” carriage bolts and a double sided adhesive tape on the exterior wall of the 2” x 2” x .125” aluminum frame on specified float sections prior to shipment. Bumpstrip will have a P Profile with either a clay tone or beige color.

- D. Floating Dock Swim Ladder – Swim ladder rails and steps shall be constructed of 6063 marine-grade aluminum. Swim ladders shall extend three feet below the water surface.



- ACC-C08** **8" Cleat with stainless steel hardware**
- ACC-C10** **10" Cleat with stainless steel hardware**
- ACC-CHD** **Aluminum S Cleat with hardware**



- ACC-3SL** **3 Step Ladder**
- ACC-4SL** **4 Step Ladder**
- ACC-5SL** **5 Step Ladder**

Cast Iron Stationary Pipe Fittings



C - DB93
Or
C - DB930



C - DB4 - For 1-1/2" Pipe
C - DB40 - For 2" Pipe



1-1/2 or 2" Pipe

C - DB9 - For 1-1/2" Pipe
C - DB90 - For 2" Pipe

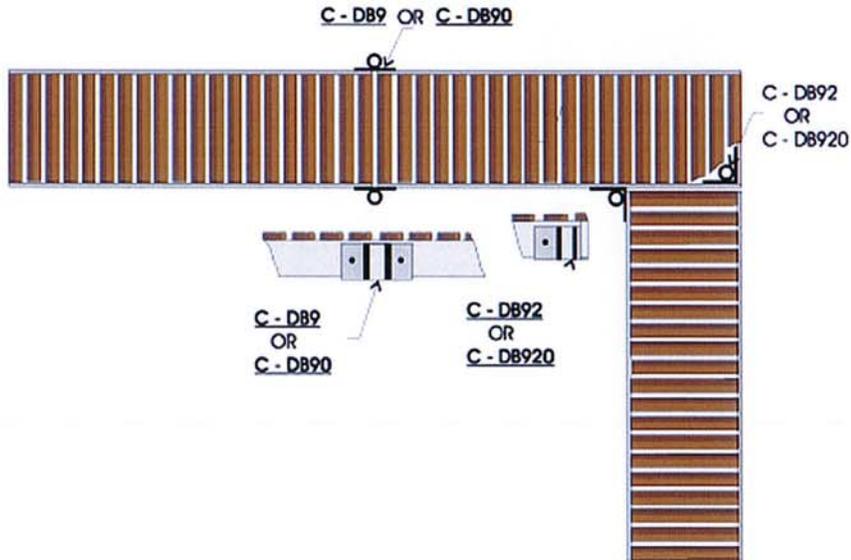
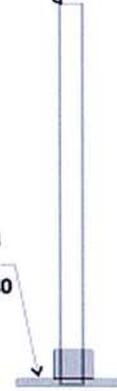


C - DB92 - For 1-1/2" Pipe
C - DB920 - For 2" Pipe



C - DB4
Or
C - DB40

C - DB93 For 1-1/2" Pipe
C - DB930 For 2" Pipe





DEPARTMENT OF THE ARMY
NEW YORK DISTRICT, CORPS OF ENGINEERS
JACOB K. JAVITS FEDERAL BUILDING
26 FEDERAL PLAZA
NEW YORK, NEW YORK 10278-0090

MAY 23 2016

Regulatory Branch

SUBJECT: Permit Application Number NAN-2016-00625-WOR
by Village of Saugerties

Joseph E. Mihm
Brinnier and Larios P.C.
67 Maiden Lane
Kingston, New York 12401

Dear Mr. Mihm:

On April 25, 2016, the New York District of the U.S. Army Corps of Engineers received a request for authorization for work proposed at the South Partition Street Park, including the placement of sand, the construction of a new boat ramp and bank stabilization, located in the Village of Saugerties, Ulster County, New York. We have reviewed your recently submitted information and have determined that, before processing of your application can continue, more information is required.

Please revise all of the submitted drawings to clearly label the Ordinary High Water (OHW) line of the waterway. Please also shade in each area proposed to be filled below OHW, and clearly label the length, width, depth and cubic yards of each proposed fill below OHW.

As coordination under the Endangered Species Act may be required, please submit assessments of the project's possible effects upon the Federally-listed endangered Indiana bat (*Myotis sodalis*), the Federally-listed threatened northern long-eared bat (*Myotis septentrionalis*) and the Federally-listed threatened bog turtle (*Clemmys muhlenbergii*). Attached are fact sheets that outline the specific information that needs to be submitted in order for this office to be able to make an effect determination. Please submit two copies of all application materials in order to facilitate the necessary coordination with the U.S. Fish and Wildlife Service.

As soon as you provide the above requested information, we will resume processing of your application. If you have any questions, please contact the undersigned at (917) 790-8413.

Sincerely,

A handwritten signature in cursive script, appearing to read "Brian A. Orzel".

Brian A. Orzel
Project Manager
Western Section

Enclosures

BRINNIER and LARIOS, P.C.
PROFESSIONAL ENGINEERS & LAND SURVEYORS

67 MAIDEN LANE
KINGSTON, NEW YORK 12401

TELEPHONE (845) 338-7622
FAX (845) 338-7660

DESIGN
REPORTS
SUPERVISION
CONSULTING SERVICES

SUBDIVISIONS
TITLE SURVEYS
TOPOGRAPHIC SURVEYS

May 31, 2016

Mr Brian A. Orzel
USACE
26 Federal Plaza
New York, New York 10278-0090

RE: Village Beach, Village of Saugerties, Ulster County
Permit Application No. NAN-2016-00625-WOR

Dear Mr. Orzel:

In response to your letter dated May 23, 2016, we provide the following responses:

Comment 1: Please revise all of the submitted drawings to clearly label the Ordinary High Water (OHW) line of the waterway. Please also shade in each area proposed to be filled below OHW, and clearly label the length, width, depth and cubic yards of each proposed fill below OHW.

Response: Sheet 4 of 7 has been revised as requested and a table has been added with the quantities requested.

Comment 2: Coordination under the Endangered Species Act.

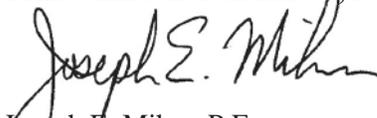
Response: The Governor's Office of Storm Recovery contacted the U.S. Fish & Wildlife Service (attached letter dated April 11, 2016) and the National Marine Fisheries Service (attached letter dated October 26, 2015) to assess the projects possible effects on Federally-listed endangered species. The attached April 18, 2016 letter from the U.S. Fish & Wildlife Service acknowledges the "no effect" and/or no impact determination and no further ESA coordination or consultation is required. We are still awaiting for a response from the NY Natural Heritage Program.

Enclosed please find two (2) copies of the following:

- Revised Sheets 2, 3 and 4 of 7 dated Revised May 31, 2016
- Revised Joint Application identifying the USACE NWP's
- PCN for NWP 36
- USFWS and NYNHP correspondence

If there are questions or you need any additional information, please let me know.

Very truly yours,
BRINNIER AND LARIOS, P.C.


Joseph E. Mihm, P.E.
Sr. Project Engineer

Enclosures

cc: Eyal Sayad, Village of Saugerties
Bethany Wieczorek, OGS
Jennifer Zunino-Smith, NYSDEC
Bill Blankenship, GOSR Grant Administrator (via email)
Thomas King, GOSR (via email)



JOINT APPLICATION FORM

REVISED 5/31/16



For Permits/Determinations to undertake activities affecting streams, waterways, waterbodies, wetlands, coastal areas and sources of water withdrawal.

New York State

You must separately apply for and obtain separate Permits/Determinations from each involved agency prior to proceeding with work. Please read all instructions.

US Army Corps of Engineers (USACE)

<p>APPLICATIONS TO 1. NYS Department of Environmental Conservation</p> <p>Check all permits that apply:</p> <p><input checked="" type="checkbox"/> Stream Disturbance <input checked="" type="checkbox"/> Excavation and Fill in Navigable Waters <input type="checkbox"/> Docks, Moorings or Platforms <input type="checkbox"/> Dams and Impoundment Structures <input checked="" type="checkbox"/> 401 Water Quality Certification <input type="checkbox"/> Freshwater Wetlands <input type="checkbox"/> Tidal Wetlands</p> <p><input type="checkbox"/> Coastal Erosion Management <input type="checkbox"/> Wild, Scenic and Recreational Rivers <input type="checkbox"/> Water Withdrawal <input type="checkbox"/> Long Island Well <input type="checkbox"/> Aquatic Vegetation Control <input type="checkbox"/> Aquatic Insect Control <input type="checkbox"/> Fish Control <input type="checkbox"/> Incidental Take of Endangered/Threatened Species</p> <p><input checked="" type="checkbox"/> I am sending this application to this agency.</p>	<p>2. US Army Corps of Engineers</p> <p>Check all permits that apply:</p> <p><input type="checkbox"/> Section 404 Clean Water Act <input type="checkbox"/> Section 10 Rivers and Harbors Act <input checked="" type="checkbox"/> Nationwide Permit(s) - Identify Number(s): <u>3, 13 and 36</u> <u>PCN required for NWP-36</u></p> <p>Preconstruction Notification - <input checked="" type="checkbox"/> Y / <input type="checkbox"/> N</p> <p><input checked="" type="checkbox"/> I am sending this application to this agency.</p>	<p>3. NYS Office of General Services</p> <p>Check all permits that apply:</p> <p><input checked="" type="checkbox"/> State Owned Lands Under Water <input type="checkbox"/> Utility Easement (pipelines, conduits, cables, etc.) <input checked="" type="checkbox"/> Docks, Moorings or Platforms</p> <p><input checked="" type="checkbox"/> I am sending this application to this agency.</p>	<p>4. NYS Department of State</p> <p>Check if this applies:</p> <p><input type="checkbox"/> Coastal Consistency Concurrence</p> <p><input type="checkbox"/> I am sending this application to this agency.</p>
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5. Name of Applicant (use full name) Village of Saugerties		Applicant must be: <input checked="" type="checkbox"/> Owner <input type="checkbox"/> Operator <input type="checkbox"/> Lessee (check all that apply)
Mailing Address 43 Partition Street		
Post Office City Saugerties		Taxpayer ID (If applicant is NOT an individual): 14-6002424
State NY	Zip Code 12477	
Telephone (daytime) 845-246-2321 x1	Email BMurphy@villageofsaugerties.or	

6. Name of Facility or Property Owner (if different than Applicant)	
Mailing Address	
Post Office City	
State	Zip Code
Telephone (daytime)	Email

7. Contact/Agent Name Joseph E. Mihm, P.E.	
Company Name Brinnier and Larios, P.C.	
Mailing Address 67 Maiden Lane	
Post Office City Kingston	
State NY	Zip Code 12401
Telephone (daytime) 845-338-7622	
Email jmihm@blengineers.com	

8. Project / Facility Name Village Beach		Property Tax Map Section / Block / Lot Number 18.279-3-13	
Project Location - Provide directions and distances to roads, bridges and bodies of waters: South Partition Street 200 feet south of the intersection of NYS Route 9W and South Partition Street			
Street Address, if applicable 50 South Partition Street		Post Office City Saugerties	State Zip Code NY 12477
Town / Village / City Village of Saugerties		County Ulster County	
Name of USGS Quadrangle Map Saugerties		Stream/Water Body Name Esopus Creek	
Location Coordinates: Enter NYTMs in kilometers, OR Latitude/Longitude			
NYTM-E	NYTM-N	Latitude 42d 4' 16"N	Longitude 73d 57' 7" W

For Agency Use Only	DEC Application Number:	USACE Number:
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REVISED 5/31/16

JOINT APPLICATION FORM - PAGE 2 OF 2
Submit this completed page as part of your Application.

9. **Project Description and Purpose:** Provide a complete narrative description of the proposed work and its purpose. Attach additional page(s) if necessary. Include: description of current site conditions and how the site will be modified by the proposed project; structures and fill materials to be installed; type and quantity of materials to be used (i.e., square ft of coverage and cubic yds of fill material and/or structures below ordinary/mean high water) area of excavation or dredging, volumes of material to be removed and location of dredged material disposal or use; work methods and type of equipment to be used; pollution control methods and mitigation activities proposed to compensate for resource impacts; and where applicable, the phasing of activities. **ATTACH PLANS ON SEPARATE PAGES.**

Restoration of the Village Beach property including 1) sand replenishment in the beach area, 2) replacement of the boat launch, 3) shoreline stabilization and 4) replacement of the floating docks. The OHW is at Elevation 51 feet at the site.

- 1. Sand replenishment (2,250 sf and 28 cy) and the grass surfaced area (900 sf and 11 cy) will placement of with 39 cubic yards of fill below OHW.
- 2. The replacement of the boat ramp will be a 18 feet wide by 45 feet long push-in-place concrete slab and a 20 feet wide by 25 feet long cast-in-place concrete slab. The boat ramp will involve a 1,950 square feet area with 180 cubic yards of fill below the OHW. The work area will be encircled with a turbidity curtain during constructor for water protection.
- 3. The shoreline stabilization will be a combination of longitudinal peaked stone toe protection and live stakings totaling 920 square feet area with 11 cubic yards of fill below the OHW.
- 4. There will be one 6' wide x 40' long floating dock along the edge of the boat ramp and two seasonal floating docks installed on each side of the beach swim area. The two swim area floating docks are 6' wide 60' long located 25 meters (82') apart and anchored position with pipe anchors.

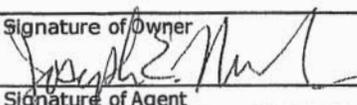
See the seven drawing set titled Contract VSA-161 Parks Restoration Project-Village Beach prepared by Brinnier and Larios, P.C. dated Revised 5/31/16 for additional the layout and details of the project.

Proposed Use: <input type="checkbox"/> Private <input checked="" type="checkbox"/> Public <input type="checkbox"/> Commercial	Proposed Start Date: July 2016	Estimated Completion Date: December 2016
Has Work Begun on Project? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, explain.		
Will Project Occupy Federal, State or Municipal Land? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes, please specify. The property is owned by the Village of Saugerties		

10. List Previous Permit / Application Numbers (If any) and Dates:

11. Will this project require additional Federal, State, or Local Permits including zoning changes? Yes No If yes, please list:

12. **Signatures.** If applicant is not the owner, both must sign the application.
I hereby affirm 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 5 years, or both where an applicant knowingly and willingly falsifies, conceals, or covers up a material fact; or knowingly makes or uses a false, fictitious or fraudulent statement.

Signature of Applicant	Printed Name William Murphy	Title Mayor	Date
Signature of Owner 	Printed Name Joseph E. Mihm, P.E.	Title Sr. Project Engineer	Date REVISED 5/31/16
Signature of Agent	Printed Name	Title	Date

For Agency Use Only	DETERMINATION OF NO PERMIT REQUIRED
(Agency Name) _____	Agency Project Number _____ has determined that No Permit is required from this Agency for the project described in this application.
Agency Representative: Name (printed) _____	Title _____
Signature _____	Date _____



Office Use Only:
 Corps action ID no. _____
 DWQ project no. _____
 Form Version 1.4 January 2009

Pre-Construction Notification (PCN) Form

A. Applicant Information

1. Processing

1a. Type(s) of approval sought from the Corps:	<input type="checkbox"/> Section 404 Permit	<input type="checkbox"/> Section 10 Permit
1b. Specify Nationwide Permit (NWP) number: 36 or General Permit (GP) number:		
1c. Has the NWP or GP number been verified by the Corps?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
1d. Type(s) of approval sought from the DWQ (check all that apply):		
<input type="checkbox"/> 401 Water Quality Certification – Regular	<input type="checkbox"/> Non-404 Jurisdictional General Permit	
<input type="checkbox"/> 401 Water Quality Certification – Express	<input type="checkbox"/> Riparian Buffer Authorization	
1e. Is this notification solely for the record because written approval is not required?	For the record only for DWQ 401 Certification: <input type="checkbox"/> Yes <input type="checkbox"/> No	For the record only for Corps Permit: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
1f. Is payment into a mitigation bank or in-lieu fee program proposed for mitigation of impacts? If so, attach the acceptance letter from mitigation bank or in-lieu fee program.	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
1g. Is the project located in any of NC's twenty coastal counties. If yes, answer 1h below.	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
1h. Is the project located within a NC DCM Area of Environmental Concern (AEC)?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

2. Project Information

2a. Name of project:	Village of Saugerties Parks Restoration Project - Village Beach
2b. County:	Ulster
2c. Nearest municipality / town:	Village of Saugerties
2d. Subdivision name:	
2e. NCDOT only, T.I.P. or state project no:	

3. Owner Information

3a. Name(s) on Recorded Deed:	Village of Saugerties
3b. Deed Book and Page No.	Liber 737 Page 569
3c. Responsible Party (for LLC if applicable):	Village of Saugerties
3d. Street address:	43 Partition Street
3e. City, state, zip:	Saugerties, NY 12477
3f. Telephone no.:	845-246-2321 ext 1
3g. Fax no.:	845-246-0887
3h. Email address:	BMurphy@villageofsaugerties.org

4. Applicant Information (if different from owner)	
4a. Applicant is:	<input type="checkbox"/> Agent <input type="checkbox"/> Other, specify:
4b. Name:	
4c. Business name (if applicable):	
4d. Street address:	
4e. City, state, zip:	
4f. Telephone no.:	
4g. Fax no.:	
4h. Email address:	
5. Agent/Consultant Information (if applicable)	
5a. Name:	Joseph E. Mihm, P.E.
5b. Business name (if applicable):	Brinnier and Larios, P.C.
5c. Street address:	67 Maiden Lane
5d. City, state, zip:	Kingston, NY 12401
5e. Telephone no.:	845-338-7622
5f. Fax no.:	845-338-7660
5g. Email address:	jmihm@blengineers.com

B. Project Information and Prior Project History	
1. Property Identification	
1a. Property identification no. (tax PIN or parcel ID):	SBL# 18.279-3-13
1b. Site coordinates (in decimal degrees):	Latitude: 42.07 Longitude: 73.951
1c. Property size:	1.37 acres
2. Surface Waters	
2a. Name of nearest body of water to proposed project:	Esopus Creek
2b. Water Quality Classification of nearest receiving water:	NYSDEC Class B
2c. River basin:	Hudson River
3. Project Description	
3a. Describe the existing conditions on the site and the general land use in the vicinity of the project at the time of this application: Restoration of the Village Beach property including 1) beach sand replacement, 2) removal and replacement of a boat ramp, 3) shoreline stabilization and 4) replacement of floating docks.	
3b. List the total estimated acreage of all existing wetlands on the property: 0	
3c. List the total estimated linear feet of all existing streams (intermittent and perennial) on the property: 590	
3d. Explain the purpose of the proposed project: Restoration of a public recreational area that was damaged by Hurricane Irene and Superstorm Sandy	
3e. Describe the overall project in detail, including the type of equipment to be used: 1) 40 cubic yards of clean granular sand for beach sand replenishment; 2) 180 cy of stone foundation fill for 1 18" w x 45' l x 10" thick push-in-place reinforced concrete slab; 3) 115' of riprap with live plantings shoring protection; 4) 6' w x 40' long boat ramp floating dock and two 6' wide by 60' long swim area floating docks.	
4. Jurisdictional Determinations	
4a. Have jurisdictional wetland or stream determinations by the Corps or State been requested or obtained for this property / project (including all prior phases) in the past?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Unknown Comments:
4b. If the Corps made the jurisdictional determination, what type of determination was made?	<input type="checkbox"/> Preliminary <input type="checkbox"/> Final
4c. If yes, who delineated the jurisdictional areas? Name (if known):	Agency/Consultant Company: Other:
4d. If yes, list the dates of the Corps jurisdictional determinations or State determinations and attach documentation.	
5. Project History	
5a. Have permits or certifications been requested or obtained for this project (including all prior phases) in the past?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Unknown
5b. If yes, explain in detail according to "help file" instructions.	
6. Future Project Plans	
6a. Is this a phased project?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
6b. If yes, explain.	

C. Proposed Impacts Inventory						
1. Impacts Summary						
1a. Which sections were completed below for your project (check all that apply):						
<input type="checkbox"/> Wetlands <input checked="" type="checkbox"/> Streams – tributaries <input type="checkbox"/> Buffers <input type="checkbox"/> Open Waters <input type="checkbox"/> Pond Construction						
2. Wetland Impacts						
If there are wetland impacts proposed on the site, then complete this question for each wetland area impacted.						
2a. Wetland impact number Permanent (P) or Temporary (T)	2b. Type of impact	2c. Type of wetland	2d. Forested	2e. Type of jurisdiction Corps (404,10) or DWQ (401, other)	2f. Area of impact (acres)	
W1 -	Choose one	Choose one	Yes/No	-		
W2 -	Choose one	Choose one	Yes/No	-		
W3 -	Choose one	Choose one	Yes/No	-		
W4 -	Choose one	Choose one	Yes/No	-		
W5 -	Choose one	Choose one	Yes/No	-		
W6 -	Choose one	Choose one	Yes/No	-		
2g. Total Wetland Impacts:						
2h. Comments:						
3. Stream Impacts						
If there are perennial or intermittent stream impacts (including temporary impacts) proposed on the site, then complete this question for all stream sites impacted.						
3a. Stream impact number Permanent (P) or Temporary (T)	3b. Type of impact	3c. Stream name	3d. Perennial (PER) or intermittent (INT)?	3e. Type of jurisdiction	3f. Average stream width (feet)	3g. Impact length (linear feet)
S1 P	Fill	Esopus Creek	PER	Corps	350	200
S2 P	Stabilization	Esopus Creek	PER	Corps	350	115
S3 -	Choose one		-	-		
S4 -	Choose one		-	-		
S5 -	Choose one		-	-		
S6 -	Choose one		-	-		
3h. Total stream and tributary impacts						315
3i. Comments:						

4. Open Water Impacts

If there are proposed impacts to lakes, ponds, estuaries, tributaries, sounds, the Atlantic Ocean, or any other open water of the U.S. then individually list all open water impacts below.

4a. Open water impact number Permanent (P) or Temporary (T)	4b. Name of waterbody (if applicable)	4c. Type of impact	4d. Waterbody type	4e. Area of impact (acres)
O1 -		Choose one	Choose	
O2 -		Choose one	Choose	
O3 -		Choose one	Choose	
O4 -		Choose one	Choose	

4f. Total open water impacts

4g. Comments:

5. Pond or Lake Construction

If pond or lake construction proposed, then complete the chart below.

5a. Pond ID number	5b. Proposed use or purpose of pond	5c. Wetland Impacts (acres)			5d. Stream Impacts (feet)			5e. Upland (acres)
		Flooded	Filled	Excavated	Flooded	Filled	Excavated	
P1	Choose one							
P2	Choose one							
5f. Total:								

5g. Comments:

5h. Is a dam high hazard permit required? Yes No If yes, permit ID no:

5i. Expected pond surface area (acres):

5j. Size of pond watershed (acres):

5k. Method of construction:

6. Buffer Impacts (for DWQ)

If project will impact a protected riparian buffer, then complete the chart below. If yes, then individually list all buffer impacts below. If any impacts require mitigation, then you **MUST** fill out Section D of this form.

6a. Project is in which protected basin?		<input type="checkbox"/> Neuse <input type="checkbox"/> Tar-Pamlico <input type="checkbox"/> Catawba <input type="checkbox"/> Randleman <input type="checkbox"/> Other:				
6b. Buffer Impact number – Permanent (P) or Temporary (T)	6c. Reason for impact	6d. Stream name	6e. Buffer mitigation required?	6f. Zone 1 impact (square feet)	6g. Zone 2 impact (square feet)	
B1 -			Yes/No			
B2 -			Yes/No			
B3 -			Yes/No			
B4 -			Yes/No			
B5 -			Yes/No			
B6 -			Yes/No			

6h. Total Buffer Impacts:

6i. Comments:

D. Impact Justification and Mitigation		
1. Avoidance and Minimization		
1a. Specifically describe measures taken to avoid or minimize the proposed impacts in designing project. The park restoration areas were limited to only those areas damaged by previous flooding.		
1b. Specifically describe measures taken to avoid or minimize the proposed impacts through construction techniques. Turbidity curtain around boat ramp construction area. Erosion and sediment control plan for all land-based construction work.		
2. Compensatory Mitigation for Impacts to Waters of the U.S. or Waters of the State		
2a. Does the project require Compensatory Mitigation for impacts to Waters of the U.S. or Waters of the State?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
2b. If yes, mitigation is required by (check all that apply):	<input type="checkbox"/> DWQ <input type="checkbox"/> Corps	
2c. If yes, which mitigation option will be used for this project?	<input type="checkbox"/> Mitigation bank <input type="checkbox"/> Payment to in-lieu fee program <input type="checkbox"/> Permittee Responsible Mitigation	
3. Complete if Using a Mitigation Bank		
3a. Name of Mitigation Bank:		
3b. Credits Purchased (attach receipt and letter)	Type: Choose one Type: Choose one Type: Choose one	Quantity: Quantity: Quantity:
3c. Comments:		
4. Complete if Making a Payment to In-lieu Fee Program		
4a. Approval letter from in-lieu fee program is attached.	<input type="checkbox"/> Yes	
4b. Stream mitigation requested:	linear feet	
4c. If using stream mitigation, stream temperature:	Choose one	
4d. Buffer mitigation requested (DWQ only):	square feet	
4e. Riparian wetland mitigation requested:	acres	
4f. Non-riparian wetland mitigation requested:	acres	
4g. Coastal (tidal) wetland mitigation requested:	acres	
4h. Comments:		
5. Complete if Using a Permittee Responsible Mitigation Plan		
5a. If using a permittee responsible mitigation plan, provide a description of the proposed mitigation plan.		

6. Buffer Mitigation (State Regulated Riparian Buffer Rules) – required by DWQ

6a. Will the project result in an impact within a protected riparian buffer that requires buffer mitigation?

Yes No

6b. If yes, then identify the square feet of impact to each zone of the riparian buffer that requires mitigation. Calculate the amount of mitigation required.

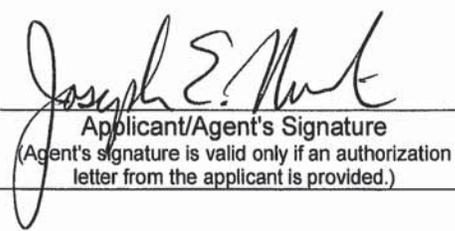
Zone	6c. Reason for impact	6d. Total impact (square feet)	Multiplier	6e. Required mitigation (square feet)
Zone 1			3 (2 for Catawba)	
Zone 2			1.5	
6f. Total buffer mitigation required:				

6g. If buffer mitigation is required, discuss what type of mitigation is proposed (e.g., payment to private mitigation bank, permittee responsible riparian buffer restoration, payment into an approved in-lieu fee fund).

6h. Comments:

E. Stormwater Management and Diffuse Flow Plan (required by DWQ)	
1. Diffuse Flow Plan	
1a. Does the project include or is it adjacent to protected riparian buffers identified within one of the NC Riparian Buffer Protection Rules?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
1b. If yes, then is a diffuse flow plan included? If no, explain why.	<input type="checkbox"/> Yes <input type="checkbox"/> No
No changes. Restoration of the existing Village Beach infrastructure.	
2. Stormwater Management Plan	
2a. What is the overall percent imperviousness of this project?	0 %
2b. Does this project require a Stormwater Management Plan?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
2c. If this project DOES NOT require a Stormwater Management Plan, explain why:	
2d. If this project DOES require a Stormwater Management Plan, then provide a brief, narrative description of the plan:	
2e. Who will be responsible for the review of the Stormwater Management Plan?	
3. Certified Local Government Stormwater Review	
3a. In which local government's jurisdiction is this project?	Village of Saugerties
3b. Which of the following locally-implemented stormwater management programs apply (check all that apply):	<input checked="" type="checkbox"/> Phase II <input type="checkbox"/> NSW <input type="checkbox"/> USMP <input type="checkbox"/> Water Supply Watershed <input type="checkbox"/> Other:
3c. Has the approved Stormwater Management Plan with proof of approval been attached?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
4. DWQ Stormwater Program Review	
4a. Which of the following state-implemented stormwater management programs apply (check all that apply):	<input type="checkbox"/> Coastal counties <input type="checkbox"/> HQW <input type="checkbox"/> ORW <input type="checkbox"/> Session Law 2006-246 <input type="checkbox"/> Other:
4b. Has the approved Stormwater Management Plan with proof of approval been attached?	<input type="checkbox"/> Yes <input type="checkbox"/> No
5. DWQ 401 Unit Stormwater Review	
5a. Does the Stormwater Management Plan meet the appropriate requirements?	<input type="checkbox"/> Yes <input type="checkbox"/> No
5b. Have all of the 401 Unit submittal requirements been met?	<input type="checkbox"/> Yes <input type="checkbox"/> No

F. Supplementary Information	
1. Environmental Documentation (DWQ Requirement)	
1a. Does the project involve an expenditure of public (federal/state/local) funds or the use of public (federal/state) land?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
1b. If you answered "yes" to the above, does the project require preparation of an environmental document pursuant to the requirements of the National or State (North Carolina) Environmental Policy Act (NEPA/SEPA)?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
1c. If you answered "yes" to the above, has the document review been finalized by the State Clearing House? (If so, attach a copy of the NEPA or SEPA final approval letter.) Comments:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
2. Violations (DWQ Requirement)	
2a. Is the site in violation of DWQ Wetland Rules (15A NCAC 2H .0500), Isolated Wetland Rules (15A NCAC 2H .1300), DWQ Surface Water or Wetland Standards, or Riparian Buffer Rules (15A NCAC 2B .0200)?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
2b. Is this an after-the-fact permit application?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
2c. If you answered "yes" to one or both of the above questions, provide an explanation of the violation(s):	
3. Cumulative Impacts (DWQ Requirement)	
3a. Will this project (based on past and reasonably anticipated future impacts) result in additional development, which could impact nearby downstream water quality?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
3b. If you answered "yes" to the above, submit a qualitative or quantitative cumulative impact analysis in accordance with the most recent DWQ policy. If you answered "no," provide a short narrative description.	
4. Sewage Disposal (DWQ Requirement)	
4a. Clearly detail the ultimate treatment methods and disposition (non-discharge or discharge) of wastewater generated from the proposed project, or available capacity of the subject facility.	

5. Endangered Species and Designated Critical Habitat (Corps Requirement)		
5a. Will this project occur in or near an area with federally protected species or habitat?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
5b. Have you checked with the USFWS concerning Endangered Species Act impacts?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
5c. If yes, indicate the USFWS Field Office you have contacted.	Cortland, NY	-
5d. What data sources did you use to determine whether your site would impact Endangered Species or Designated Critical Habitat?		
6. Essential Fish Habitat (Corps Requirement)		
6a. Will this project occur in or near an area designated as essential fish habitat?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
6b. What data sources did you use to determine whether your site would impact Essential Fish Habitat?		
7. Historic or Prehistoric Cultural Resources (Corps Requirement)		
7a. Will this project occur in or near an area that the state, federal or tribal governments have designated as having historic or cultural preservation status (e.g., National Historic Trust designation or properties significant in North Carolina history and archaeology)?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
7b. What data sources did you use to determine whether your site would impact historic or archeological resources?		
8. Flood Zone Designation (Corps Requirement)		
8a. Will this project occur in a FEMA-designated 100-year floodplain?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
8b. If yes, explain how project meets FEMA requirements: Restoration of existing damaged Village Beach infrastructure		
8c. What source(s) did you use to make the floodplain determination? FIRM Panel 3611C0305E effective 9/25/2009		
Applicant/Agent's Printed Name	 Applicant/Agent's Signature <small>(Agent's signature is valid only if an authorization letter from the applicant is provided.)</small>	5/31/16 Date



Governor's Office of Storm Recovery



Andrew M. Cuomo
Governor

Lisa Bova-Hiatt
Interim Executive Director

April 11, 2016

Ms. Robyn Niver
Endangered Species Biologist
U.S. Fish & Wildlife Service
New York Field Office (Region 5)
3817 Luker Rd.
Cortland, NY 13045

Re: Village of Saugerties – Parks Restoration, Village Beach Park Repairs Town of Saugerties, Ulster County, New York

Dear Ms. Niver:

The Governor's Office of Storm Recovery (GOSR), an office of the New York State Homes and Community Renewal's (NYSHCR) Housing Trust Fund Corporation, was established to aid the statewide recovery of disaster-affected communities in New York State. GOSR is administering a U.S. Department of Housing and Urban Development (HUD) Community Development Block Grant for Disaster Recovery (CDBG-DR), including the New York Rising Community Reconstruction (NYRCR) Program. The environmental review for projects funded under the NYRCR Program are processed on a case-by-case basis pursuant to Section 7 of the Endangered Species Act (ESA) of 1973 (87 Stat. 884, as amended; 16 U.S.C. 1531 et seq.).

The purpose of this letter is to provide the U.S. Fish and Wildlife Service – New York Field Office (USFWS) notice of the proposed project and to document compliance with Section 7 of the Endangered Species Act (ESA), as well as the Migratory Bird Treaty Act (MBTA) and the Bald and Golden Eagle Protection Act (BGEPA). As discussed below, we have reviewed and found that the proposed project does not jeopardize the continued existence of ESA species or destroy or adversely modify their critical habitat. This letter requests acknowledgement from the USFWS that they have received our No Effect Determination regarding the subject project provided in this letter, and that USFWS has no objections to the No Effect Determination.

PROJECT DESCRIPTION

The Village of Saugerties is proposing a restoration project at Village Beach, which is located at S. Partition Street at Esopus Creek, in the Village of Saugerties, Ulster County, New York (see enclosed project location maps in **Attachment 1**). The proposed improvements would repair Village Beach Park which suffered extensive damage as a result of Superstorm Sandy, Hurricane Irene, and Tropical Storm Lee. The project is needed to repair public facilities that suffered impacts in previous storm events and help mitigate future impacts of tidal and coastal flooding to public facilities and low-lying areas. Restoration of existing parkland is also necessary in order to eliminate the release of sediments from outside park boundaries and alleviate the introduction of debris that may otherwise reach the waterway that border the park. These improvements are expected to be completed by July of 2016. Further description of the project is provided below:

- (1) Replenish the eroded sand in the beach area. The sand which was eroded during Hurricane Irene and Tropical Storm Lee would be replaced. The new sand type and placement would be optimized to handle the



Governor's Office of Storm Recovery



Andrew M. Cuomo
Governor

Lisa Bova-Hiatt
Interim Executive Director

stormwater runoff from adjacent parking lots and streets without eroding.

- (2) Repair or replace the boat ramp. The boat ramp would be replaced with a design that can accommodate the moving water in Esopus Creek.
- (3) Replace the floating docks. The replacement floating docks would allow for general swimming and swim lanes between each other.
- (4) Protect the beach from erosion through the use of drainage systems and landscaping. Future erosion of the beach would be prevented by minimizing the flow of water towards the beach from adjacent parking areas and South partition Street. Curbing, catch basins and storm sewers would be used for this purpose in paved areas. Landscaping features would be used in unpaved areas closer to the shoreline.
- (5) Stabilization of the southern and eastern shorelines. Stabilization of the shoreline would allow for access directly to the edge of Esopus Creek in certain areas.

ESA AND MIGRATORY BIRD TREATY ACT AND THE BALD AND GOLDEN EAGLE PROTECTION ACT SPECIES

The USFWS, New York Ecological Services Field Office, was contacted through the Information, Planning, and Conservation System (IPaC) regarding the potential presence of species under the jurisdiction of the USFWS within the project area. The IPaC Trust Resources Report is included as **Attachment 2**, and the USFWS Official Species List is included as **Attachment 3**. USFWS indicates that two threatened and endangered species may occur within the project area: Indiana bat (*Myotis sodalis*-endangered) and northern long-eared bat (*Myotis septentrionalis*—threatened). There are no critical habitats for these or other species within the project area.

A request for species records for Village Beach project area, along with two other separate projects located downstream of the Village Beach project area, was sent to the New York State Natural Heritage Program (NYSNHP). A response was received on November 3, 2015 (included as **Attachment 4**) indicating that two species of federally endangered fish, Atlantic sturgeon (*Acipenser oxyrinchus oxyrinchus*) and shortnose sturgeon (*Acipenser brevirostrum*), occur in the Hudson River and lower portion of Hudson River Tributaries. As the Village Beach project area is upstream of the Cantine (Diamond Mills Dam), the project area is not accessible to sturgeon. In addition, the proposed project would not affect ESA listed marine mammals or sea turtles in the Greater Atlantic Region as the range of these species does not extend upstream/inland into the waters of the Hudson River and its tributaries. A letter was sent to National Marine Fisheries Service (NMFS) documenting GOSR's No Effect determination for listed species under NMFS jurisdiction with respect to proposed project as well as a request for acknowledgement from NMFS that they have no objections to the No Effect Determination.

Birds are protected by the Migratory Bird Treaty Act and the Bald and Golden Eagle Protection Act. The IPaC Trust Resources Report (**Attachment 2**) indicates that there are nineteen species of migratory birds, including bald eagle (*Haliaeetus leucocephalus*), that could potentially be affected by the proposed project. The NYSNHP response indicated that breeding bald eagle have been documented within .5 mile of the Saugerties Lighthouse, on the east side of the Hudson River, and individual animals may travel one mile from documented locations. The proposed Village Beach project area is approximately 1.5 miles from the nearest point of the eastern shore of the Hudson River, therefore the proposed project activities should have no effect on breeding bald eagle.



Governor's Office of Storm Recovery



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Interim Executive Director

CONCLUSION

According to the USFWS IPaC Trust Resource Report and list of threatened and endangered species, there are two listed species that potentially occur with the project are – the Indiana bat and the northern long eared bat. In addition, there are several migratory birds of concern that could potentially be affected by the proposed project. There is no critical habitat designated within the project area. Projects activities will take place on the beach and along the shoreline of Esopus Creek. The proposed project does not include tree removal and would not affect migratory birds or listed bat species. GOSR has determined that the proposed action is not likely to adversely affect listed species or migratory birds. This letter requests acknowledgement from USFWS that they have no objections to the No Effect Determination.

For additional information, please contact me at (518) 474-0647 or Alicia.Shultz@nyshcr.org.

Sincerely,

Alicia Shultz
Community Developer - Environmental Services
New York State Homes & Community Renewal
NYS Homes and Community Renewal

Attachments:

- 1) Subject Property Maps (USGS Topographic and Aerial)
- 2) USFWS IPaC Trust Resources Report
- 3) USFWS Official Species List
- 4) NYSNHP Response Letter

Attachment



 NY State Counties

 Project Site

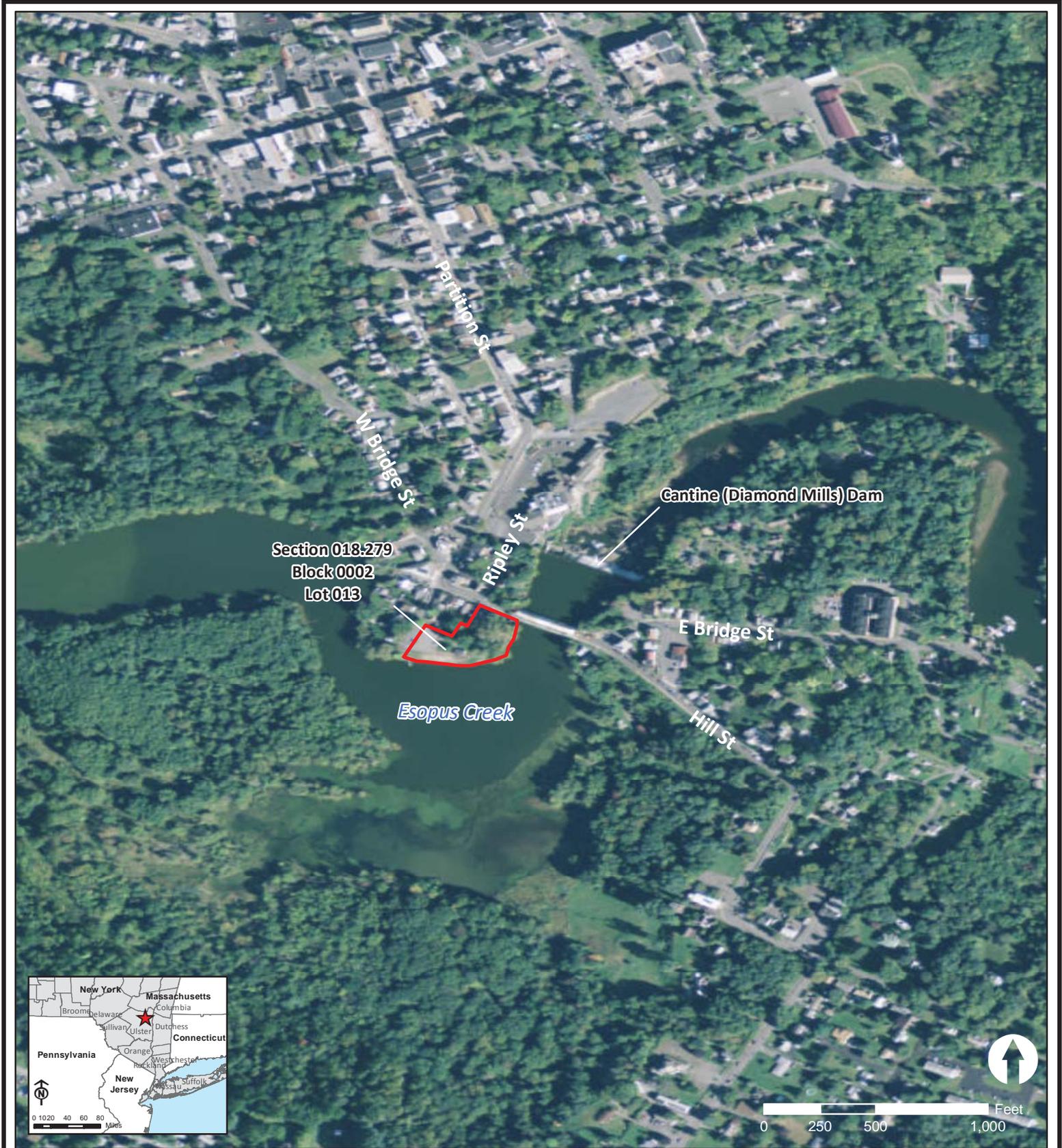
Figure 1

Regional Location

Village Beach Park Repairs
Village of Saugerties - Parks Restoration

Source: U.S. Fish and Wildlife Service; Ulster County GIS Datasets; NYS Dept. of State; NYS Department of Environmental Conservation; U.S. Department of Agriculture; FEMA; ESRI World Imagery; ESRI Street Map





 Project Site

Figure 2

Project Area

Village Beach Park Repairs
 Village of Saugerties - Parks Restoration

Source: U.S. Fish and Wildlife Service; Ulster County GIS Datasets;
 NYS Dept. of State; NYS Department of Environmental Conservation;
 U.S. Department of Agriculture; FEMA; ESRI World Imagery; ESRI Street Map



Attachment 2

Attachment 3



United States Department of the Interior



FISH AND WILDLIFE SERVICE
New York Ecological Services Field Office
3817 LUKER ROAD
CORTLAND, NY 13045
PHONE: (607)753-9334 FAX: (607)753-9699
URL: www.fws.gov/northeast/nyfo/es/section7.htm

Consultation Code: 05E1NY00-2016-SLI-0119

October 19, 2015

Event Code: 05E1NY00-2016-E-00210

Project Name: Village of Saugerties Parks Restoration - Village Beach Park Repairs

Subject: List of threatened and endangered species that may occur in your proposed project location, and/or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (ESA) of 1973, as amended (16 U.S.C. 1531 *et seq.*). This list can also be used to determine whether listed species may be present for projects without federal agency involvement. New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list.

Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the ESA, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC site at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list. If listed, proposed, or candidate species were identified as potentially occurring in the project area, coordination with our office is encouraged. Information on the steps involved with assessing potential impacts from projects can be found at: <http://www.fws.gov/northeast/nyfo/es/section7.htm>

Please be aware that bald and golden eagles are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 *et seq.*), and projects affecting these species may require development of an eagle conservation plan (

http://www.fws.gov/windenergy/eagle_guidance.html). Additionally, wind energy projects should follow the Services wind energy guidelines (<http://www.fws.gov/windenergy/>) for minimizing impacts to migratory birds and bats.

Guidance for minimizing impacts to migratory birds for projects including communications towers (e.g., cellular, digital television, radio, and emergency broadcast) can be found at: <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/towers.htm>; <http://www.towerkill.com>; and <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/comtow.html>.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the ESA. Please include the Consultation Tracking Number in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment



United States Department of Interior
Fish and Wildlife Service

Project name: Village of Saugerties Parks Restoration - Village Beach Park Repairs

Official Species List

Provided by:

New York Ecological Services Field Office

3817 LUKER ROAD

CORTLAND, NY 13045

(607) 753-9334

<http://www.fws.gov/northeast/nyfo/es/section7.htm>

Consultation Code: 05E1NY00-2016-SLI-0119

Event Code: 05E1NY00-2016-E-00210

Project Type: SHORELINE USAGE FACILITIES / DEVELOPMENT

Project Name: Village of Saugerties Parks Restoration - Village Beach Park Repairs

Project Description: Restoring the beach and repairing or replacing existing docks and eroded boat ramps at Village Beach, S. Partition Street at Esopus Creek, Village of Saugerties, NY

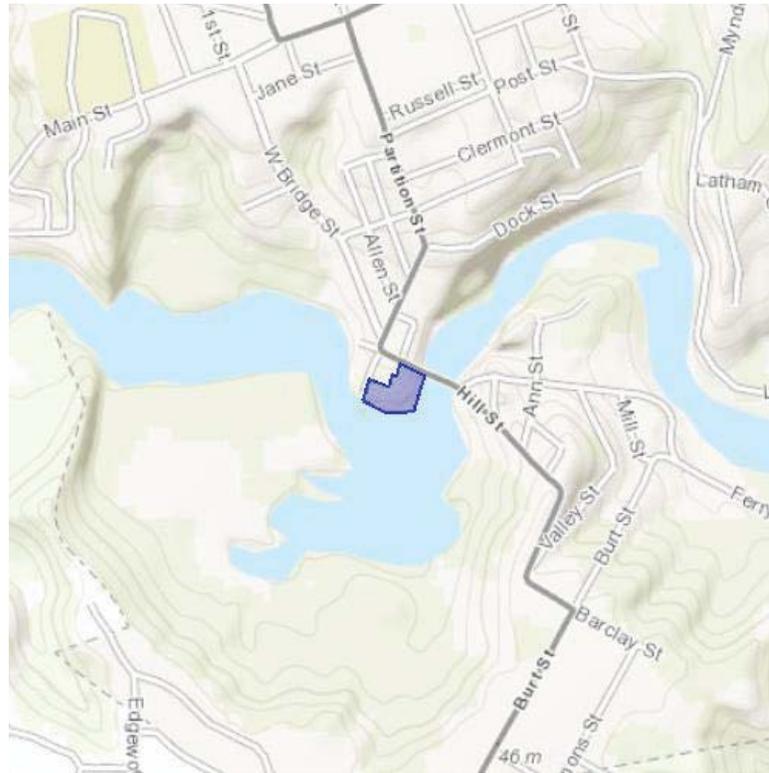
Please Note: The FWS office may have modified the Project Name and/or Project Description, so it may be different from what was submitted in your previous request. If the Consultation Code matches, the FWS considers this to be the same project. Contact the office in the 'Provided by' section of your previous Official Species list if you have any questions or concerns.



United States Department of Interior
Fish and Wildlife Service

Project name: Village of Saugerties Parks Restoration - Village Beach Park Repairs

Project Location Map:



Project Coordinates: MULTIPOLYGON (((-73.95050883293152 42.071436759066636, -73.9510989189148 42.07165178999614, -73.95117938518524 42.07143277700553, -73.95128130912781 42.07144870524849, -73.95136713981628 42.07124163777798, -73.9518231153488 42.07136906399362, -73.9520001411438 42.07097483831044, -73.9514422416687 42.07077573349946, -73.95076632499695 42.07080759031119, -73.95050883293152 42.071436759066636)))

Project Counties: Ulster, NY



United States Department of Interior
Fish and Wildlife Service

Project name: Village of Saugerties Parks Restoration - Village Beach Park Repairs

Endangered Species Act Species List

There are a total of 2 threatened or endangered species on your species list. Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species. Critical habitats listed under the **Has Critical Habitat** column may or may not lie within your project area. See the **Critical habitats within your project area** section further below for critical habitat that lies within your project. Please contact the designated FWS office if you have questions.

Mammals	Status	Has Critical Habitat	Condition(s)
Indiana bat (<i>Myotis sodalis</i>) Population: Entire	Endangered		
Northern long-eared Bat (<i>Myotis septentrionalis</i>)	Threatened		



United States Department of Interior
Fish and Wildlife Service

Project name: Village of Saugerties Parks Restoration - Village Beach Park Repairs

Critical habitats that lie within your project area

There are no critical habitats within your project area.

Attachment 4

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
Division of Fish, Wildlife and Marine Resources
New York Natural Heritage Program
625 Broadway, 5th Floor, Albany, New York 12233-4757
Phone: (518) 402-8935 • Fax: (518) 402-8925
Website: www.dec.ny.gov



November 03, 2015

Thomas J. King, Esq.
Governor's Office of Storm Recovery
25 Beaver Street
New York, NY 10004

Re: Village of Saugerties Parks Restoration, at Tina Chorvas Waterfront Park, Village Beach, and Saugerties Lighthouse
Town/City: Saugerties. County: Ulster.

Dear Thomas J. King, Esq.:

In response to your recent request, we have reviewed the New York Natural Heritage Program database with respect to the above project.

Enclosed is a report of rare or state-listed animals and plants, and significant natural communities that our database indicates occur, or may occur, on your site or in the immediate vicinity of your sites, especially in the vicinity of the Saugerties Lighthouse.

For most sites, comprehensive field surveys have not been conducted; the enclosed report only includes records from our database. We cannot provide a definitive statement as to the presence or absence of all rare or state-listed species or significant natural communities. Depending on the nature of the project and the conditions at the project site, further information from on-site surveys or other sources may be required to fully assess impacts on biological resources.

Our database is continually growing as records are added and updated. If this proposed project is still under development one year from now, we recommend that you contact us again so that we may update this response with the most current information.

The presence of the plants and animals identified in the enclosed report may result in this project requiring additional review or permit conditions. For further guidance, and for information regarding other permits that may be required under state law for regulated areas or activities (e.g., regulated wetlands), please contact the appropriate NYS DEC Regional Office, Division of Environmental Permits, as listed at www.dec.ny.gov/about/39381.html.

Sincerely,

Information Resources Coordinator
New York Natural Heritage Program



The following state-listed animals have been documented at your project site, or in its vicinity.

The following list includes animals that are listed by NYS as Endangered, Threatened, or Special Concern; and/or that are federally listed or are candidates for federal listing.

For information about any permit considerations for your project, contact the Permits staff at the NYSDEC Region 3 Office. For information about potential impacts of your project on these species, and how to avoid, minimize, or mitigate any impacts, contact the Wildlife Manager (for bald eagle), (845) 256-2257, Wildlife.R3@dec.ny.gov; or Hudson River Fisheries (for sturgeon), (845) 256-3071, Kathy.hattala@dec.ny.gov.

The following species have been documented in the Hudson River and lower portion of Hudson River tributaries.

COMMON NAME	SCIENTIFIC NAME	NY STATE LISTING	FEDERAL LISTING
Fish			
Shortnose Sturgeon	<i>Acipenser brevirostrum</i>	Endangered	Endangered
Atlantic Sturgeon	<i>Acipenser oxyrinchus</i>	Endangered	Endangered

The following species have been documented within .5 mile of the Saugerties Lighthouse, on the east side of the Hudson River. Individual animals may travel 1 mile from documented locations.

COMMON NAME	SCIENTIFIC NAME	NY STATE LISTING	FEDERAL LISTING
Birds			
Bald Eagle <i>Breeding</i>	<i>Haliaeetus leucocephalus</i>	Threatened	Endangered

This report only includes records from the NY Natural Heritage database. For most sites, comprehensive field surveys have not been conducted, and we cannot provide a definitive statement as to the presence or absence of all rare or state-listed species. Depending on the nature of the project and the conditions at the project site, further information from on-site surveys or other sources may be required to fully assess impacts on biological resources.

When rare plant or animal are documented during the project that information on the location is provided to the appropriate state or federal agency that is responsible for data collection.

Information about the listed animals in the project is provided in the habitat identification, location, and management area. The information on the location is provided in the identification and management area. The information on the location is provided in the identification and management area. [dec.ny.gov/animals/animals.htm](#)



The following rare plants, significant natural communities, and significant animal concentration areas have been documented in the vicinity of Saugerties Lighthouse.

We recommend that potential onsite and offsite impacts of the proposed project on these species or communities be addressed as part of any environmental assessment or review conducted as part of the planning, permitting and approval process, such as reviews conducted under SEQR. Field surveys of the project site may be necessary to determine the status of a species at the site, particularly for sites that are currently undeveloped and may still contain suitable habitat. Final requirements of the project to avoid, minimize, or mitigate potential impacts are determined by the lead permitting agency or the government body approving the project.

The following plants are listed as Endangered or Threatened by New York State, and/or are considered rare by the New York Natural Heritage Program, and so are a vulnerable natural resource of conservation concern.

COMMON NAME	SCIENTIFIC NAME	NY STATE LISTING	HERITAGE CONSERVATION STATUS
Heartleaf Plantain	<i>Plantago cordata</i>	are	are in
<p>are in the vicinity of Saugerties Marsh around mouth of Esopus Creek, at high tide between <i>Lythrum salicaria</i> tide and <i>Scirpus americana</i> low tide. In the Esopus Creek channel, <i>Nuphar</i> and <i>Typha</i> and <i>Zizania</i> and <i>Scirpus</i>.</p>			

Note: Tidal marshes at Saugerties Marsh and around mouth of Esopus Creek are also locations for historical records from the 1930's and 1940's of the following NYS Endangered plants: Hudson River Water-nymph (*Najas guadalupensis* ssp., *muenscheri*), Estuary Beggar-ticks (*Bidens hyperborea* var. *hyperborea*), Riverbank Quillwort (*Isoetes riparia*), Water Pigmyweed (*Crassula aquatica*), and Tidal Spikerush (*Eleocharis aestuum*). These species have not been seen here since then, and their current status is unknown. Steps taken to minimize impacts to tidal vegetation in general will minimize impacts to these species if they are still present.

The following significant natural communities are considered significant from a statewide perspective by the NY Natural Heritage Program. They are either occurrences of a community type that is rare in the state, or a high quality example of a more common community type. By meeting specific, documented criteria, the NY Natural Heritage Program considers these community occurrences to have high ecological and conservation value.

COMMON NAME	SCIENTIFIC NAME	NY STATE LISTING	HERITAGE CONSERVATION STATUS
Wetland/Aquatic Communities			
are in the vicinity of Saugerties Marsh, around mouth of Esopus Creek:			
Freshwater Tidal Marsh		are	are
Freshwater Intertidal Mudflats		are	are
Freshwater Tidal Swamp		are	are

The following animal assemblages, while not listed by New York State as Endangered or Threatened, are significant concentration areas of conservation concern to the state.

COMMON NAME	SCIENTIFIC NAME	NY STATE LISTING	HERITAGE CONSERVATION STATUS
Animal Assemblages			
Anadromous Fish Concentration Area			
Waterfowl Winter Concentration Area			

This report only includes records from the NY Natural Heritage database. For most sites, comprehensive field surveys have not been conducted, and we cannot provide a definitive statement as to the presence or absence of all rare or state-listed species. Depending on the nature of the project and the conditions at the project site, further information from on-site surveys or other sources may be required to fully assess impacts on biological resources.

When rare plants or animals are documented during site investigations, it is important that information on the concentration be provided to the appropriate natural heritage program so that the most appropriate data can be collected.

Information about many of the rare animals and plants in the appropriate habitat identification concentration and management are available online in the natural heritage concentration code at the appropriate natural heritage program website. For more information, please contact the appropriate natural heritage program at the appropriate natural heritage program website. For more information, please contact the appropriate natural heritage program at the appropriate natural heritage program website.

Information about many of the natural community types in the appropriate habitat identification dominant and characteristic vegetation distribution concentration and management are available online in the natural heritage concentration code at the appropriate natural heritage program website. For more information, please contact the appropriate natural heritage program at the appropriate natural heritage program website.

Saugerties Village Beach

IPaC Trust Resources Report

Generated April 11, 2016 11:24 AM MDT, IPaC v3.0.2

This report is for informational purposes only and should not be used for planning or analyzing project level impacts. For project reviews that require U.S. Fish & Wildlife Service review or concurrence, please return to the IPaC website and request an official species list from the Regulatory Documents page.



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- IPaC Trust Resources Report 1
- Project Description 1
- Endangered Species 2
- Migratory Birds 3
- Refuges & Hatcheries 5
- Wetlands 6

U.S. Fish & Wildlife Service

IPaC Trust Resources Report



NAME

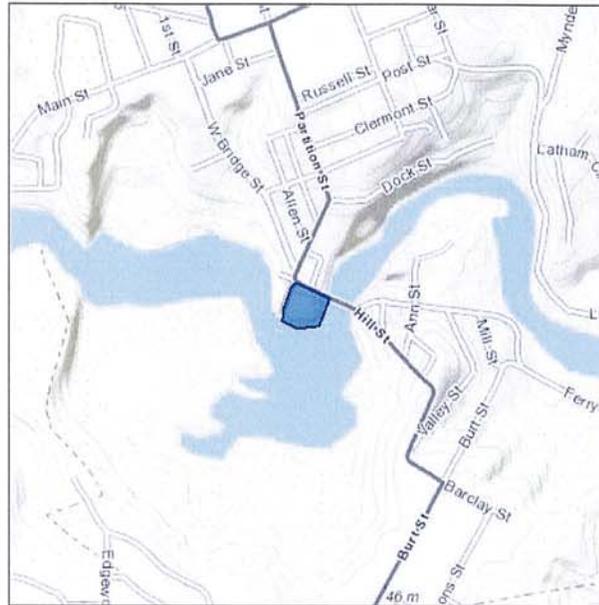
Saugerties Village Beach

LOCATION

Ulster County, New York

IPAC LINK

<https://ecos.fws.gov/ipac/project/47002-2CLCZ-GKROU-CE34X-XGFBUI>



U.S. Fish & Wildlife Service Contact Information

Trust resources in this location are managed by:

New York Ecological Services Field Office

3817 Luker Road

Cortland, NY 13045-9349

(607) 753-9334

Endangered Species

Proposed, candidate, threatened, and endangered species are managed by the [Endangered Species Program](#) of the U.S. Fish & Wildlife Service.

This USFWS trust resource report is for informational purposes only and should not be used for planning or analyzing project level impacts.

For project evaluations that require USFWS concurrence/review, please return to the IPaC website and request an official species list from the Regulatory Documents section.

[Section 7](#) of the Endangered Species Act **requires** Federal agencies to "request of the Secretary information whether any species which is listed or proposed to be listed may be present in the area of such proposed action" for any project that is conducted, permitted, funded, or licensed by any Federal agency.

A letter from the local office and a species list which fulfills this requirement can only be obtained by requesting an official species list either from the Regulatory Documents section in IPaC or from the local field office directly.

The list of species below are those that may occur or could potentially be affected by activities in this location:

Mammals

Indiana Bat *Myotis sodalis*

Endangered

CRITICAL HABITAT

No critical habitat has been designated for this species.

http://ecos.fws.gov/tess_public/profile/speciesProfile.action?sPCODE=A000

Northern Long-eared Bat *Myotis septentrionalis*

Threatened

CRITICAL HABITAT

No critical habitat has been designated for this species.

http://ecos.fws.gov/tess_public/profile/speciesProfile.action?sPCODE=A0JE

Critical Habitats

There are no critical habitats in this location

Migratory Birds

Birds are protected by the [Migratory Bird Treaty Act](#) and the [Bald and Golden Eagle Protection Act](#).

Any activity that results in the take of migratory birds or eagles is prohibited unless authorized by the U.S. Fish & Wildlife Service.^[1] There are no provisions for allowing the take of migratory birds that are unintentionally killed or injured.

Any person or organization who plans or conducts activities that may result in the take of migratory birds is responsible for complying with the appropriate regulations and implementing appropriate conservation measures.

1. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

Additional information can be found using the following links:

- Birds of Conservation Concern
<http://www.fws.gov/birds/management/managed-species/birds-of-conservation-concern.php>
- Conservation measures for birds
<http://www.fws.gov/birds/management/project-assessment-tools-and-guidance/conservation-measures.php>
- Year-round bird occurrence data
<http://www.fws.gov/birds/management/project-assessment-tools-and-guidance/akn-histogram-tools.php>

The following species of migratory birds could potentially be affected by activities in this location:

American Bittern <i>Botaurus lentiginosus</i>	Bird of conservation concern
Season: Breeding http://ecos.fws.gov/tess_public/profile/speciesProfile.action?spcode=B0F3	
Bald Eagle <i>Haliaeetus leucocephalus</i>	Bird of conservation concern
Year-round http://ecos.fws.gov/tess_public/profile/speciesProfile.action?spcode=B008	
Black-billed Cuckoo <i>Coccyzus erythrophthalmus</i>	Bird of conservation concern
Season: Breeding http://ecos.fws.gov/tess_public/profile/speciesProfile.action?spcode=B0HI	
Black-crowned Night-heron <i>Nycticorax nycticorax</i>	Bird of conservation concern
Season: Breeding http://ecos.fws.gov/tess_public/profile/speciesProfile.action?spcode=B0EU	

Blue-winged Warbler <i>Vermivora pinus</i> Season: Breeding	Bird of conservation concern
Canada Warbler <i>Wilsonia canadensis</i> Season: Breeding	Bird of conservation concern
Cerulean Warbler <i>Dendroica cerulea</i> Season: Breeding http://ecos.fws.gov/tess_public/profile/speciesProfile.action?spcode=B09I	Bird of conservation concern
Golden-winged Warbler <i>Vermivora chrysoptera</i> Season: Breeding http://ecos.fws.gov/tess_public/profile/speciesProfile.action?spcode=B0G4	Bird of conservation concern
Least Bittern <i>Ixobrychus exilis</i> Season: Breeding http://ecos.fws.gov/tess_public/profile/speciesProfile.action?spcode=B092	
Olive-sided Flycatcher <i>Contopus cooperi</i> Season: Breeding http://ecos.fws.gov/tess_public/profile/speciesProfile.action?spcode=B0AN	Bird of conservation concern
Peregrine Falcon <i>Falco peregrinus</i> Season: Breeding http://ecos.fws.gov/tess_public/profile/speciesProfile.action?spcode=B0FU	Bird of conservation concern
Pied-billed Grebe <i>Podilymbus podiceps</i> Season: Breeding	Bird of conservation concern
Prairie Warbler <i>Dendroica discolor</i> Season: Breeding	Bird of conservation concern
Red-headed Woodpecker <i>Melanerpes erythrocephalus</i> Season: Breeding	Bird of conservation concern
Rusty Blackbird <i>Euphagus carolinus</i> Season: Wintering	Bird of conservation concern
Short-eared Owl <i>Asio flammeus</i> Season: Wintering http://ecos.fws.gov/tess_public/profile/speciesProfile.action?spcode=B0HD	Bird of conservation concern
Willow Flycatcher <i>Empidonax traillii</i> Season: Breeding http://ecos.fws.gov/tess_public/profile/speciesProfile.action?spcode=B0F6	Bird of conservation concern
Wood Thrush <i>Hylocichla mustelina</i> Season: Breeding	Bird of conservation concern
Worm Eating Warbler <i>Helmitheros vermivorum</i> Season: Breeding	Bird of conservation concern

Wildlife refuges and fish hatcheries

There are no refuges or fish hatcheries in this location

Wetlands in the National Wetlands Inventory

Impacts to [NWI wetlands](#) and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local [U.S. Army Corps of Engineers District](#).

DATA LIMITATIONS

The Service's objective of mapping wetlands and deepwater habitats is to produce reconnaissance level information on the location, type and size of these resources. The maps are prepared from the analysis of high altitude imagery. Wetlands are identified based on vegetation, visible hydrology and geography. A margin of error is inherent in the use of imagery; thus, detailed on-the-ground inspection of any particular site may result in revision of the wetland boundaries or classification established through image analysis.

The accuracy of image interpretation depends on the quality of the imagery, the experience of the image analysts, the amount and quality of the collateral data and the amount of ground truth verification work conducted. Metadata should be consulted to determine the date of the source imagery used and any mapping problems.

Wetlands or other mapped features may have changed since the date of the imagery or field work. There may be occasional differences in polygon boundaries or classifications between the information depicted on the map and the actual conditions on site.

DATA EXCLUSIONS

Certain wetland habitats are excluded from the National mapping program because of the limitations of aerial imagery as the primary data source used to detect wetlands. These habitats include seagrasses or submerged aquatic vegetation that are found in the intertidal and subtidal zones of estuaries and nearshore coastal waters. Some deepwater reef communities (coral or tubercid worm reefs) have also been excluded from the inventory. These habitats, because of their depth, go undetected by aerial imagery.

DATA PRECAUTIONS

Federal, state, and local regulatory agencies with jurisdiction over wetlands may define and describe wetlands in a different manner than that used in this inventory. There is no attempt, in either the design or products of this inventory, to define the limits of proprietary jurisdiction of any Federal, state, or local government or to establish the geographical scope of the regulatory programs of government agencies. Persons intending to engage in activities involving modifications within or adjacent to wetland areas should seek the advice of appropriate federal, state, or local agencies concerning specified agency regulatory programs and proprietary jurisdictions that may affect such activities.

This location overlaps all or part of the following wetlands:

Lake

[L1UBHh](#)

46.9 acres

A full description for each wetland code can be found at the National Wetlands Inventory website: <http://107.20.228.18/decoders/wetlands.aspx>



Governor's Office of Storm Recovery



Andrew M. Cuomo
Governor

Lisa Bova-Hiatt
Interim Executive Director

October 26, 2015

Mr. Daniel Marrone
Protected Resources Division
National Marine Fisheries Service
55 Great Republic Drive
Gloucester, MA 01930

**Re: Request for Information
Village of Saugerties Parks Restoration
(Village of Saugerties, Ulster County, NY)**

Dear Mr. Marrone:

The Governor's Office of Storm Recovery ("GOSR") is conducting a State Environmental Quality Review Act ("SEQRA") environmental review of the proposed "Village of Saugerties Parks Restoration" project, located in the Village of Saugerties, Ulster County, New York as the recipient of the Community Development Block Grant – Disaster Recovery ("CDBG-DR") funds from the U.S. Department of Housing and Urban Development under 42 U.S.C. § 5304(g) and 79 Fed. Reg. 62,182 (Oct. 16, 2014).¹

The Proposed Action consists of restoration components at three sites, including two municipal parks and an historic lighthouse. The proposed improvements would repair two parks and a historic lighthouse that suffered extensive damage as a result of Superstorm Sandy, Hurricane Irene, and Tropical Storm Lee. The three projects include:

- A. Replacing existing bulkheads and stabilizing the shoreline in Tina Chorvas Waterfront Park along Esopus Creek, E. Bridge Street at Underwood Street, Village of Saugerties, NY
- B. Restoring the beach and repairing or replacing existing docks and eroded boat ramps at Village Beach, S. Partition Street at Esopus Creek, Village of Saugerties, NY
- C. Repairing existing supporting structures including bulkheads, docks, a pier, and seawall adjacent to Saugerties Lighthouse, 168 Lighthouse Drive, near the end of the Lighthouse Trail on the Hudson River, Village of Saugerties, NY

GOSR is contacting your office for assistance in identifying the potential presence of any federal threatened, endangered, proposed or candidate species under NOAA's authority in the vicinity of the Proposed Action, particularly anadromous fish species that may utilize the waters within the vicinity of projects.

In addition, information regarding the presence of Essential Fish Habitat and any other species or critical habitats of special concern in the vicinity of the project is also requested. The enclosed Figure 1 depicts the location of the

¹ The Governor's Office of Storm Recovery, operating under the auspices of New York State Homes and Community Renewal's Housing Trust Fund Corporation, is the responsible entity for the administration of the CDBG-DR grants to the State of New York.



Governor's Office of Storm Recovery



Andrew M. Cuomo
Governor

Lisa Bova-Hiatt
Interim Executive Director

Proposed Action. A request for information has also been made to the U.S. Fish and Wildlife Service and the NY Natural Heritage Program. If you have any questions, please feel free to contact me at (518) 473-0015. Thank you for your consideration and cooperation.

Sincerely,

Thomas J. King
Assistant General Counsel and Certifying Officer

Encl.



Legend

- A. Tina Chorvas Waterfront Park Shoreline Stabilization
- B. Village Beach Park Repairs
- C. Saugerties Lighthouse Repairs

0 250 500 1,000 Feet



**Project Location
Aerial View**

Village of Saugerties
Parks Restoration



Louis Berger

FIGURE 1

Source: U.S. Fish and Wildlife Service; Ulster County GIS Datasets; NYS Dept. of State; NYS Department of Environmental Conservation; U.S. Department of Agriculture; FEMA; ESRI World Imagery; ESRI Street Map



United States Department of the Interior



FISH AND WILDLIFE SERVICE

New York Field Office

3817 Luker Road

Cortland, NY 13045

Phone: (607) 753-9334 Fax: (607) 753-9699

<http://www.fws.gov/northeast/nyfo>

To: Alicia Shultz

Date: Apr 18, 2016

USFWS File No: 160119

Regarding your: Letter Fax Email

Dated: Apr 11, 2016

For project: Village of Saugerties Parks Restoration - Village Beach Park Repairs

Located: S. Partition Street at Esopus Creek

In Town/County: Village of Saugerties, Ulster County

Pursuant to the Endangered Species Act of 1973 (ESA) (87 Stat. 884, as amended; 16 U.S.C. 1531 *et seq.*), the U.S. Fish and Wildlife Service:

Acknowledges receipt of your "no effect" and/or no impact determination. No further ESA coordination or consultation is required.

Acknowledges receipt of your determination. Please provide a copy of your determination and supporting materials to any involved Federal agency for their final ESA determination.

Is taking no action pursuant to ESA or any legislation at this time, but would like to be kept informed of project developments.

As a reminder, until the proposed project is complete, we recommend that you check our website (<http://www.fws.gov/northeast/nyfo/es/section7.htm>) every 90 days from the date of this letter to ensure that listed species presence/absence information for the proposed project is current. Should project plans change or if additional information on listed or proposed species or critical habitat becomes available, this determination may be reconsidered.

USFWS Contact(s): Robyn Anni

Supervisor: Patricia Cole Date: 4/18/16

APPENDIX C - ENVIRONMENTAL SITE REMEDIATION DATABASE SEARCH DETAILS



Environmental Site Remediation Database Search Details

Site Record

Administrative Information

Site Name: Saugerties MGP
Site Code: 356018
Program: State Superfund Program
Classification: C
EPA ID Number:

Location

DEC Region: 3
Address: 16 Ferry Street
City:Saugerties Zip: 12477
County:Ulster
Latitude: 42.068824797
Longitude: -73.942619147
Site Type: DUMP STRUCTURE
Estimated Size: 0.8 Acres

Site Owner(s) and Operator(s)

Current Owner Name:
Current Owner(s) Address: PO Box 381
Hunter, NY, 12442
Owner(s) during disposal: SAUGERTIES GAS AND LIGHT COMPANY

Hazardous Waste Disposal Period

From: 1860 **To:** 1927

Site Description

LOCATION: The Saugerties former Manufactured Gas Plant (MGP) site is located at 16 Ferry Street in Saugerties, Ulster County. It is approximately 0.8 acres in size, and is bordered on the east, west, and south by residential properties, and to the north by Ferry Street. The Esopus Creek is about 180' to the northeast of the site. The site lies about 4000' to the west from the

Esopus' confluence with the Hudson River. **SITE FEATURES:** The site is currently a residential property consisting of a private home and a large detached garage. Some foundations of former MGP structures remain at the site; the foundation of the former coal shed was utilized as a garden, and the former purifier is currently used to compost yard refuse. A small unnamed tributary runs along the west-southwestern border of the property, and a drainage ditch runs along Ferry Street at the north of the site. **CURRENT ZONING/USES:** The site is currently residential. The surrounding parcels are also zoned residential. The homes in this area are served by public water and sewer. **HISTORICAL USES:** A manufactured gas plant operated at this site from at least 1892 through 1928. The maximum footprint of the operation, based on a 1927 Sanborn Map, included two cylindrical iron gasholders, a cylindrical coke house, retorts, a purifier, an oxidizer, and a coal shed. The MGP converted from the coal gasification process to a water gas process sometime between the years 1923 and 1928. There was also a trestle from the facility to the Esopus Creek, which was likely used to import coal and export coal tar. Iron-colored staining and small fragments of coke and coal have been found around the site, particularly in the drainage ditch near the location of the former trestle. A small amount of coal tar-like product was observed in the location of the former coke house (currently the detached garage) from 10'-16' bgs. A State Superfund Site characterization began in the Spring of 2008 and continued in two project phases until 2011. The Site Characterization Report was approved in May 2011. **SITE GEOLOGY AND HYDROGEOLOGY:** Regionally, the site lies within the valley and ridge province, an area of low rolling relief generally comprised of unconsolidated glacial deposits overlying alternating layers of folded sandstone, shale, and carbonate rock of ordovician to devonian age. The site is underlain by stratified clay and silt and along the contact with a deposit of stratified sand and gravel to the east. Permanent wells were not installed at the site, therefore static water levels and gradients were not investigated. Groundwater is likely influenced by tidal fluctuations, and is presumed to flow north-northeast toward the Esopus and Hudson.

Contaminants of Concern (Including Materials Disposed)

Type of Waste Quantity of Waste

coal tar	UNKNOWN
----------	---------

Site Environmental Assessment

NATURE AND EXTENT OF CONTAMINATION: Contaminants of concern at the site are those typically found at MGP sites: coal tar, polycyclic aromatic hydrocarbons (PAHs), BTEX, cyanide, and metals. Surface soils: PAHs detected, few exceedences above residential SCOs, the highest being indeno(1,2,3-cd)pyrene at 37 mg/kg, chrysene at 48 mg/kg, and benzo(a)

pyrene at 56 mg/kg from a sample taken near the drainage ditch/former trestle along Ferry Street. The same surface soil sample showed arsenic slightly exceeded SCOs at 23 mg/kg. Subsurface soils: Staining and odors were observed in some soil borings. Coal tar-like product was observed in soil boring (SB-11) near the former coke house, from 11' - 16' bgs. VOCs detected above SCOs were benzene, toluene, and xylene (BTX), and located near the aforementioned drainage ditch, 1-2' bgs. SVOCs detected in the soil in concentrations exceeding the SCOs include naphthalene (130 mg/kg at SB-20), and PAHs (~500 mg/kg at SB-20). The highest concentrations were found at SB-13 near a former gas holder, and SB-20, downgradient of holders. Metals exceeding SCOs include arsenic (64 mg/kg at SB-20), barium (366 mg/kg at SB-10), cadmium (19 mg/kg at SB-19), manganese (6370 mg/kg at SB-19), and mercury (0.95 mg/kg at SB-01). Groundwater: Groundwater grab samples were taken from temporary well points. A small low-level contaminant plume was detected on-site for VOCs (BTEX) and SVOCs (PAHs), and metals, contained entirely on the site. **SIGNIFICANT THREAT:** This site does not pose a significant threat to human health and/or the environment.

Site Health Assessment

Access to the site is unrestricted. However, contact with contaminated soil or groundwater is unlikely unless people dig below the ground surface. People are not drinking the contaminated groundwater because the area is served by a public water supply that is not affected by this contamination.

For more Information: [E-mail Us](#)

[Return To Results](#)

[Refine This Search](#)



Environmental Site Remediation Database Search Details

Site Record

Administrative Information

Site Name: CH - Saugerties MGP
Site Code: V00694
Program: Voluntary Cleanup Program
Classification: N *
EPA ID Number:

Location

DEC Region: 3
Address: 16 Ferry Street
City:Saugerties Zip: 12477
County:Ulster
Latitude: 42.06880297
Longitude: -73.94264919
Site Type:
Estimated Size: 0 Acres

Site Owner(s) and Operator(s)

Current Owner Name: MR. & MRS SCHAEFFER
Current Owner(s) Address: 16 FERRY STREET
SAUGERTIES,NY , 12477

Site Description

Site was investigated under the Superfund Program. See Site No. 356018.

Contaminants of Concern (Including Materials Disposed)

Type of Waste	Quantity of Waste
	UNKNOWN

* **Class N Sites:** "DEC offers this information with the caution that the amount of information provided for Class N sites is highly variable, not necessarily based on any DEC investigation, sometimes of unknown origin, and sometimes is many years old. Due to the preliminary nature of this information, significant conclusions or decisions should not be based solely upon this summary."

For more Information: [E-mail Us](#)

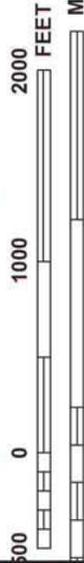
[Return To Results](#)

[Refine This Search](#)

APPENDIX D - USDA SOIL SURVEY REPORT



MAP SCALE 1" = 1000'



NATIONAL FLOOD INSURANCE PROGRAM

PANEL 0305E

FIRM FLOOD INSURANCE RATE MAP

ULSTER COUNTY,
NEW YORK
(ALL JURISDICTIONS)

PANEL 305 OF 910
(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS:

COMMUNITY	NUMBER	PANEL	SUFFIX
SAUGERTIES, TOWN OF	360883	0305	E
SAUGERTIES, VILLAGE OF	361504	0305	E

Notice to User: The Map Number shown below should be used when placing map orders; the Community Number shown above should be used on insurance applications for the subject community.



MAP NUMBER
36111C0305E

EFFECTIVE DATE
SEPTEMBER 25, 2009

Federal Emergency Management Agency

This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at www.msc.fema.gov



Farmland Classification—Ulster County, New York



Farmland Classification

Farmland Classification— Summary by Map Unit — Ulster County, New York (NY111)				
Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
RvC	Riverhead fine sandy loam, 8 to 15 percent slopes	Farmland of statewide importance	0.8	44.1%
Su	Suncook loamy fine sand	Farmland of statewide importance	1.0	54.6%
W	Water	Not prime farmland	0.0	1.3%
Totals for Area of Interest			1.8	100.0%

Description

Farmland classification identifies map units as prime farmland, farmland of statewide importance, farmland of local importance, or unique farmland. It identifies the location and extent of the soils that are best suited to food, feed, fiber, forage, and oilseed crops. NRCS policy and procedures on prime and unique farmlands are published in the "Federal Register," Vol. 43, No. 21, January 31, 1978.

Rating Options

Aggregation Method: No Aggregation Necessary

Tie-break Rule: Lower

APPENDIX E - Floodplains Management and Protection of Wetlands

Floodplain 5-Step Process
in accordance with Executive Order 11988: Floodplain Management
New York Governor's Office of Storm Recovery
Parks Restoration Project – Village Beach Site, Village of Saugerties
Thomas J. King, Certifying Environmental Officer
March 24, 2016

The Village of Saugerties is requesting funding from the New York State Governor's Office of Storm Recovery (GOSR) for resiliency improvements to the Village Beach Park, a public recreation facility in Saugerties, Ulster County, New York (see attached Figures). The municipal park offers picnicking, playground equipment, fishing, swimming, and boat access to the Esopus Creek. The 1.37-acre municipal park suffered extensive damage as a result of Superstorm Sandy, Hurricane Irene, and Tropical Storm Lee.

The proposed improvements to be funded with up to \$284,800 from the Community Development Block Grant-Disaster Recovery (CDBG-DR) program would include: (1) sand replenishment in the beach area: the western portion of the beach area will be converted to a stable grass cover, and the remaining sandy beach area will be replenished with a layer of sand approximately 4-inches thick; (2) construction of a new boat ramp: the existing asphalt boat ramp has deteriorated, and will be replaced and repaired to develop an improved, stabilized ramp with an adjacent floating dock; (3) drainage systems and landscape improvements will be added including site regrading, curbs and sidewalks to catch stormwater runoff, and a system of catch basins and storm sewer pipes to direct runoff and reduce erosion of the beach and shoreline; (4) shoreline stabilization including stone/turf/soil/seed layers to improve areas impacted by erosion near the boat ramp and on the east side of the beach; and (5) replacement of the floating docks adjacent to the boat ramp and connected to two gangways off the beach, to be used seasonally for swimming and boating activities. Prior to construction, the Village of Saugerties must apply for and receive a Floodplain Development Permit from the appropriate local floodplain administrator.

Pursuant to 24 CFR §55.12(a)(4), steps 2, 3, and 7 of the 8-step process for floodplain management do not apply to projects involving the improvement of existing nonresidential buildings and structures, in communities that are in the Regular Program of the National Flood Insurance Program (NFIP) and are in good standing, provided that the action does not meet the thresholds for "substantial improvement" under §55.2(b)(10) and that the footprint of the structure and paved areas is not significantly increased. The Village of Saugerties is in the NFIP (CID 361504) and in good standing and the proposed project does not constitute a substantial improvement. Therefore, the abbreviated 5-step process for floodplain management is followed herein.

Step ONE: Determine whether the action is located in a 100-year floodplain (or a 500-year floodplain for critical actions) or wetland.

GOSR is proposing to fund the proposed action within the 100-year Floodplain (Zone AE), as indicated by Flood Insurance Rate Map Panel 36111C0305E dated September 25, 2009. Portions of the project located within Esopus Creek are also located within the mapped floodway (see attached Figures).

Step TWO: Notify the public for early review of the proposal and involve the affected and interested public in the decision making process,
Not applicable.

Step THREE: Identify and evaluate practicable alternatives.
Not applicable.

Step FOUR: Identify Potential Direct and Indirect Impacts of Associated with Floodplain Development. The purpose of the proposed project is to repair damage to the Village Beach from past storm events and to make this public recreation facility more resilient to future storm and flood events. The proposed drainage systems and landscape improvements will mitigate the existing erosion problem through regrading and the construction of an improved storm sewer system. Concrete curbs and sidewalks will be constructed to control parking lot runoff, which will be directed to a system of catch basins and storm sewer pipes in order to protect the beach from erosion. Stormwater flow from the upgradient grass area is proposed to be controlled by regrading the area on the north side of the sidewalk and installing a catch basin, which would connect to the storm sewer pipe, and discharge through a second catch basin and then to Esopus Creek. This system of catch basins would collect and convey all of the runoff

from the area upgradient of the beach to minimize and prevent future erosion of the beach area. Additionally, a portion of the beach area will be converted to a stable grass cover, and shoreline areas that have eroded will be stabilized with natural materials (stone, turf, soil, grass). These improvements will help to protect the property from flooding and will help mitigate erosion during future storm events.

These measures would not result in an increase in impervious surfaces, an increase in the existing development footprint, or the removal of existing vegetation. Therefore, no direct or indirect adverse impacts to the floodplain are anticipated as a result of this project.

Step FIVE: Where practicable, design or modify the proposed action to minimize the potential adverse impacts to lives, property, and natural values within the floodplain and to restore, and preserve the values of the floodplain.

Based on the scope of the project, the proposed project would not result in significant adverse impacts to flood levels, flood risk, or the flow of flood waters on the project site or surrounding areas. The proposed improvements would mitigate the extent of damage at the Village Beach from future storm events by improving drainage and stabilizing eroding areas, and allow the property to continue to function as a public recreation center. The project does not include the addition of new structures or new non-permeable surfaces and therefore will not reduce the floodplain capacity of the property. Erosion control is expected to provide flood mitigation to the park for the foreseeable future, with repairs expected to have a useful life of 10 to 20 years. Stabilizing the shoreline and repairing damaged docks and boat ramps to maintain public access to the village park provides defensive flood protection measures decreasing the exposure of nearby assets to flooding.

The Village of Saugerties is a participating community member of the National Flood Insurance Program and structures located in the flood zone must comply with the local flood ordinance. Additionally, in accordance with the Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 (42 USC 4001-4128 and 42 USC 5154a), flood insurance must be maintained on insurable structures on the proposed project site for the life of the project. The addition of insurable structures is not planned as part of this project.

Step SIX: Re-evaluate the Proposed Action.

No practicable alternatives were identified. GOSR has considered the following alternatives and mitigation measures to minimize adverse impacts and to restore and preserve natural and beneficial values.

A “No Action” alternative was considered and rejected because the No Action alternative would not address the project purpose and need of making the Village Beach park more resilient to future storm and flood events, as well as repairing existing storm damage at this public facility.

Changing the location of the project out of the floodplain is not feasible, as the Village Beach is a municipally owned public park that includes water-dependent uses (swimming, boating). The proposed project will provide flood protection measures, maintain public access to a local waterway, and ensure continued access to an important recreational amenity for the village’s residents.

Step SEVEN: Issue Findings and a Public Explanation.

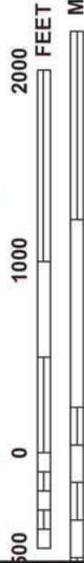
Not applicable.

Step EIGHT: Implement the Proposed Action.

GOSR has determined that the proposed project will have no direct or indirect adverse impacts to the Floodplain and has evaluated and eliminated project alternatives in favor of proceeding with the proposed project.



MAP SCALE 1" = 1000'



NATIONAL FLOOD INSURANCE PROGRAM

PANEL 0305E

FIRM FLOOD INSURANCE RATE MAP

ULSTER COUNTY,
NEW YORK
(ALL JURISDICTIONS)

PANEL 305 OF 910
(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS:

COMMUNITY	NUMBER	PANEL	SUFFIX
SAUGERTIES, TOWN OF	360863	0305	E
SAUGERTIES, VILLAGE OF	361504	0305	E

Notice to User: The Map Number shown below should be used when placing map orders; the Community Number shown above should be used on insurance applications for the subject community.



MAP NUMBER
36111C0305E

EFFECTIVE DATE
SEPTEMBER 25, 2009

Federal Emergency Management Agency

This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at www.msc.fema.gov



APPENDIX F - SEQRA Negative Declaration



Governor's Office of Storm Recovery



Andrew M. Cuomo
Governor

Lisa Bova-Hiatt
Executive Director

STATE ENVIRONMENTAL QUALITY REVIEW ACT DETERMINATION OF NON-SIGNIFICANCE (NEGATIVE DECLARATION)

VILLAGE OF SAUGERTIES VILLAGE BEACH PARK RESTORATION

DATE: June 9, 2016

NAME OF ACTION: Village of Saugerties – Village Beach Park Restoration

LOCATION: Village Beach, S. Partition Street at Esopus Creek

SEQRA CLASSIFICATION: Type I (*ENB Required*); Unlisted

REVIEW TYPE: Coordinated; Uncoordinated

DETERMINATION OF SIGNIFICANCE: Negative Declaration; Positive Declaration

The purpose of this Negative Declaration is to document the evaluation of environmental impacts from the proposed Village Beach Park Restoration project, which is one of three projects being proposed for the Village of Saugerties. The other projects proposed by the Village will be evaluated separately. The Part 1 EAF was distributed with a Lead Agency Letter dated April 21, 2016 with a preliminary Type 1 SEQRA classification. However, as the project developed, it was determined that it should go forward as an Unlisted action because it does not meet any of the Type I thresholds in 6 NYCRR 617.4.

The Proposed Project:

The Village of Saugerties is proposing a restoration project at Village Beach, which is located at S. Partition Street at Esopus Creek, in the Village of Saugerties, Ulster County, New York.

The proposed improvements would repair a park that suffered extensive damage as a result of Superstorm Sandy, Hurricane Irene, and Tropical Storm Lee. The proposed project would repair this public facility through beach restorations at Village Beach, including the repair or replacement of existing docks and eroded boat ramps. These improvements are expected to be completed in 2016.

The project would restore the beach at Village Beach Park and protect it from future erosion. During Hurricane Irene and Tropical Storm Lee the beach, lacking erosion control, was eroded by fast moving waters in Esopus Creek and rendered unfit for swimming and other recreational activities. The park would be restored by replenishing the sand that has been eroded, replacement of the floating docks and replacing and upgrading the boat ramp. It would be protected from future erosion through the installation of landscaping and drainage systems and stabilization of the southern and eastern shorelines. Specific proposed improvements include the following:

- *Sand replenishment in the beach area:* The beach area is located on the south side of the Project site, and is approximately 130 feet wide by 35 feet long. The Village plans to convert the western portion of the sand beach area into a grassed area, with a turf reinforcement mat in order to establish and retain a stable

grass cover. The beach sand replenishment will include well graded processed sand meeting specific grain size criteria, including minimal silt, and no organic matter. The thickness of the sand replenishment layer is proposed to be four inches. The volume of replenishment sand required for the beach area is estimated to be 40 cubic yards or 64 tons of sand.

- *Construction of a new boat ramp:* The existing asphalt paved boat ramp located on the southwest side of the Project site is deteriorated and portions of the underwater asphalt ramp have broken off or have been eroded away. Approximately 20 feet of the entrance ramp foundation layer above the water line will remain, and the remainder of the boat ramp is planned for replacement. The proposed replacement boat ramp will be a concrete slab structure that will include a 13-foot wide driving lane on an 18-foot total width slab. An approximately 40 feet length of the ramp will be below normal high water, and an adjacent 5-foot wide floating dock will also be installed.
- *Drainage systems and landscape improvements:* Runoff from the on-site parking area and upgradient grassed area currently causes continual erosion of the beach sand. To mitigate the erosion problem, site regrading with proper storm sewers are proposed. Parking lot runoff will be controlled by constructing concrete curbs and sidewalks on the east and south sides of the parking area, which would intercept runoff and cause it to flow into a proposed catch basin on the south side of the parking area. The catch basin would drain to a storm sewer pipe, which would drain to a second catch basin near the boat ramp and then to the Esopus Creek. Stormwater flow from the upgradient grass area is proposed to be controlled by regrading the area on the north side of the sidewalk and installing a catch basin, which would connect to the storm sewer pipe discussed above, and discharge through a second catch basin and then to Esopus Creek. This system of catch basins would collect and convey all of the runoff from the area upgradient of the beach to minimize and prevent future erosion of the beach area.
- *Shoreline stabilization:* The shoreline near the boat ramp and an area on the east side of the beach have experienced erosion, and the asphalt sidewalk located on the east side of the beach area has also been undermined, with a section collapsed. The shoreline will be stabilized by installing a longitudinal stone toe protection layer that is covered with a turf reinforcement mat. The turf reinforcement mat will be infilled with soil and hydromulched to establish grass cover.
- *Replacement and upgrade of the floating docks:* The Village Beach has a floating dock on the east side of the boat ramp, two independent swimming platforms, and a gangway connected to a wooden dock on the east side of the beach area. The wooden docks located at the boat ramp and on the east side of the beach area should be replaced. The two floating swimming platforms are planned for reuse. The proposed replacement floating docks will be commercial grade aluminum framed floating docks and will include all necessary safety and stability features.

Purpose and Need:

As a riverine community, the Village of Saugerties experiences flooding from overflows from the lower Esopus Creek and its tributaries during intense rain events as well as Hurricane Irene, Tropical Storm Lee and Superstorm Sandy. As a coastal community, the Village also absorbed the impact of storm surges through the Hudson River during Superstorm Sandy. These events damaged the park facility and associated community amenities located at Village Beach. Low-lying tidal areas are most impacted by flooding due to wave action from the Hudson River and/or heavy flows from Esopus Creek. The proposed project would mitigate flooding through erosion control and repairs to other coastal protective features.

The purpose of the project is to provide flood protection measures, maintain public access to local waterways and ensure continued access to important open-space and recreational amenities.

The project is needed to repair public facilities that suffered impacts in previous storm events and help mitigate future impacts of tidal and coastal flooding to public facilities and low-lying areas. Restoration of existing parkland is also necessary in order to eliminate the release of sediments from outside park boundaries and alleviate the introduction of debris that may otherwise reach the waterway that border the park.

Project goals include repairing public facilities, stabilizing the shoreline and supporting structures, and protecting aquatic species and habitat in the harbor channel during periods of high velocity flooding.

Existing Conditions:

The project would occur within the Village of Saugerties in Ulster County, New York. All statements and assumptions regarding the project's components are based on publicly available mapping. Specific permits required for project activities would be determined based on field verification of existing conditions, and delineations as necessary, during the permitting stage. Specific conditions and trends for the project site are as follows.

Location

The park is located south of US 9W within a bend of the Esopus Creek just southwest of the Hill Street Bridge.

Land Use

The character of the neighborhood is largely residential, consisting of single family dwellings. The zoning code of the Village Beach Park parcel is 02. It has a property class of 560-improved beach within the R1 Single Family Residential and Planned Waterfront zoning districts.

Floodplain Management

Per Flood Insurance Rate Map (FIRM) Panel 36111C0305E, the project site is located in the 100 year flood plain, within Zone AE and is adjacent to wetlands classified as a lake, which are part of Espous Creek, but is not located within a tidal wetland boundary.

Coastal Zone Management

The project is located within the boundary of the New York State Coastal Zone. The Village of Saugerties also participates in the Local Waterfront Revitalization Program. It has a Local Waterfront Revitalization Plan, adopted in 1985.

Cultural and Ecological Resources

No historic resources were detected on or substantially contiguous to the site by the NYS DEC EAF Mapper. The park is located within the Ulster-North Scenic Area of Statewide Significance in the Hudson River Valley. According to the EAF Mapper, the project site is adjacent to a designated significant natural community of Freshwater Tidal Marsh and Freshwater Intertidal Mudflats. The park is situated upstream from a Significant Coastal Fish and Wildlife Habitat in the Esopus Creek. The site is located within the biologically important area of the Hudson River Estuary and within the Ecological Region Zone D Hudson Valley.

Funding:

The total project cost is estimated at \$284,800. GOSR proposes to allocate funding pursuant to the U.S. Department of Housing and Urban Development (HUD) Community Development Block Grant-Disaster Recovery (CDBG-DR) program as authorized by the Disaster Relief Appropriations Act of 2013 (Public Law 113-2, approved January 29, 2013). The NYS Housing Trust Fund Corporation (HTFC), which administers the CDBG-DR program funds on behalf of GOSR, intends to approve funding for the proposed project as described in this notice.

Environmental Considerations:

The SEQRA EAF Part 2 assessed multiple resource topics for which potential impacts were not identified. However, potential impacts from the proposed action were identified on land, surface water, flooding, and historic and archaeological resources. The following analysis finds that the proposed action will not result in a significant adverse impact on these resources.

Land.

While the proposed action would involve repairs to the parking lot and beach replenishment, the land surface modifications would be contained to areas of preexisting disturbance at the site.

Surface Water.

Village Beach Park is located upstream from Cantine Dam adjacent to a portion of Esopus Creek that is classified as a lake. The proposed project involves shoreline stabilization and repairs to a boat ramp that could result in disturbances within Esopus Creek, which is a Class B protected and navigable body of water. Because no wetlands occur at the project site, and Esopus Creek is not classified as a wetland, the project would not result in effects to wetlands under Executive Order 11990. However, construction management practices would be utilized to avoid or minimize potential impacts to adjacent waters. The proposed improvements would disturb less than one acre of land and, therefore, the Village would not be required to apply for coverage under NYSDEC SPDES General Permit for Stormwater Discharges from Construction Activity Permit No. GP-0-15-002. The proposed construction work in the parking area where a portion of the asphalt will be removed would involve stripping off the asphalt layer only and leaving the sub-base layer of gravel in place. An Erosion and Sediment Control Plan will be developed and provided on the final design plans. Given adherence to these permitting requirements and best management practices, the proposed action will not have an effect on wetlands and is in compliance with Executive Order 11990. As a result, the proposed action would not result in significant impacts on surface water.

Flooding.

Landscaping and plantings will arrest further erosion along Village Beach, and result in a beneficial impact on floodplains due to stabilization of the shoreline. No structural footprints would be expanded and there would be no alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area. The proposed project would not have an impact on floodplain values.

Historic and archaeological resources.

The proposed action would result in negligible, potential impact to archaeologically sensitive resources due to minimal ground disturbance for the restoration of the park. Though there is a potential for intact floodplain soils, the area of subsurface impact is small, reducing the likelihood of encountering these intact soils.

The restoration activities proposed at Village Beach Park, which include repair or replacement of existing docks and eroded boat ramps, sand replenishment, drainage and landscape improvements, and shoreline stabilization, would have no major impact on the human environment and is expected to improve some aspects of the human environment in the vicinity of the project site, such as recreational opportunities and public health and safety. The proposed project would not result in major impacts with respect to geology, soils and topography, air quality, vegetation, wildlife and fish, threatened and endangered species, cultural resources, aesthetic resources and neighborhood character, land use and planning, socioeconomics and environmental justice, noise, transportation, and hazardous materials. No major cumulative impacts would result from the proposed project in conjunction with the other activities occurring or planned for the project area.

Short-term impacts during construction are anticipated on soils, surface water, transportation, air quality, and noise. In cases where short-term potential impacts have been identified, impacts would be mitigated through design, regulatory compliance, and/or implementation of BMPs.

Standard Requirements:

Any change to the Proposed Project as described will require re-evaluation by GOSR's Certifying Officer for compliance with SEQRA and other law, regulations and policies.

This review does not address all federal, state and local requirements. Acceptance of federal funding requires recipient to comply with all federal, state and local laws. Failure to obtain all appropriate federal, state and local environmental permits and clearances may jeopardize federal funding.

Additional Mitigation Measures:

To the extent required and/or practicable, any approval of the proposed project is subject to following mitigation measures being adhered to by the grant recipient to minimize environmental impacts and create a more sustainable project:

- Construction and demolition – to the maximum extent possible, utilize local and recycled materials in construction process and recycle materials generated onsite.

- Clean diesel – implement diesel controls, cleaner fuel, and cleaner construction practices for on-road and off-road equipment used for transportation, soil movement, or other construction activities, including:
 - Strategies and technologies that reduce unnecessary idling, including auxiliary power units, the use of electric equipment, and strict enforcement of idling limits; and
 - Use of clean diesel through add-on control technologies like diesel particulate filters and diesel oxidation catalysts, repowers, or newer, cleaner equipment.
- Stormwater – utilize low impact development (LID) principles such as minimizing effective imperviousness to create site drainage, and the planting of native and non-invasive vegetation on the project site for stormwater management purposes. Other LID practices can include bioretention facilities, rain gardens, vegetated rooftops, rain barrels, and permeable pavements;
- Cost-efficient, environmentally friendly landscaping – EPA’s GreenScapes program provides cost-efficient and environmentally friendly solutions for landscaping;
- Energy efficiency – energy-efficient technologies should be incorporated into the station house when possible; and
- Water conservation and efficiency – promote water conservation and efficiency through use of water efficient products (toilets, faucets, showerheads) and practices. Consider use of products with the WaterSense label where appropriate.

In addition to the factors considered above, the GOSR considered the following guidance from the State Environmental Quality Review Act and its implementing regulations and determined that the Proposed Action would:

- (i) Not result in “a substantial adverse change in existing air quality, ground or surface water quality or quantity, traffic or noise levels; a substantial increase in solid waste production; a substantial increase in potential for erosion, flooding, leaching or drainage problems;” (§617.7(c)(1)(i))
- (ii) Not result in “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 impacts on a threatened or endangered species of animal or plant, or the habitat of such a species; or other significant adverse impacts to natural resources;”(§617.7(c)(1)(iii))
- (iii) Not result in “the impairment of the environmental characteristics of a Critical Environmental Area as designated pursuant to subdivision 617.14(g) of this Part;” (§617.7(c)(1)(iii))
- (iv) Not result in “the creation of a material conflict with a community’s current plans or goals as officially approved or adopted;” (§617.7(c)(1)(iv))
- (v) Not result in “the impairment of the character or quality of important historical, archaeological, architectural, or aesthetic resources or of existing community or neighborhood character;” (§617.7(c)(1)(v))
- (vi) Not result in “a major change in the use of either the quantity or type of energy;” (§617.7(c)(1)(vi))
- (vii) Not result in “the creation of a hazard to human health;” (§617.7(c)(1)(vii))
- (viii) Not result in “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;” (§617.7(c)(1)(viii))

- (ix) Not result in “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 the action;” (§617.7(c)(1)(ix))
- (x) Not result in “the creation of a material demand for other actions that would result in one of the above consequences;” (§617.7(c)(1)(x))
- (xi) Not result in “changes in two or more elements of the environment, no one of which has a significant impact on the environment, but when considered together result in a substantial adverse impact on the environment; or (§617.7(c)(1)(xi))

Therefore, GOSR, acting as Lead Agency, and having prepared a Full Environmental Assessment Form (FEAF), has determined that the proposed action will not have a significant effect on the environment and a Draft Environmental Impact Statement will not need to be prepared.



Thomas J. King

Date: June 9, 2016

Assistant General Counsel

Deputy Director – Bureau of Environmental Review and Assessment
Governor’s Office of Storm Recovery

99 Washington Avenue Suite 1224
Albany, New York 12260

Office: (518) 473-0015

Attachments:

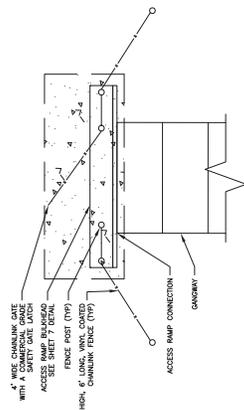
Attachment 1. Environmental Assessment Form (Parts 1, 2 and 3)

Attachment 2. Negative Declaration Distribution List

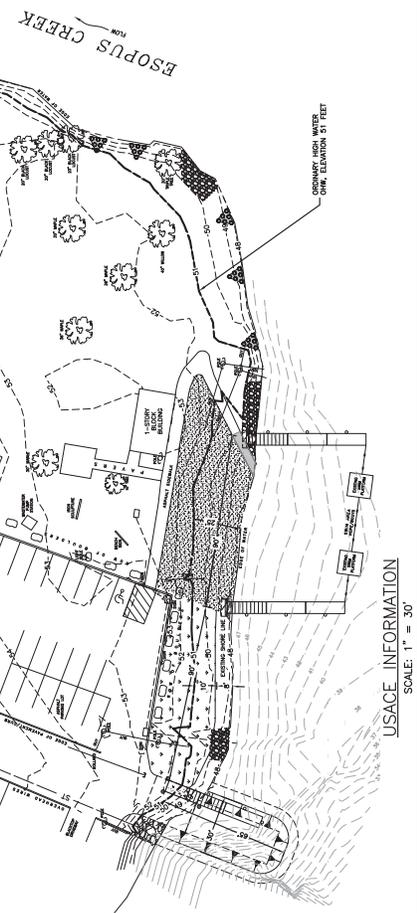
A copy of this Notice is available at the following web address:

<http://www.stormrecovery.ny.gov/environmental-docs>

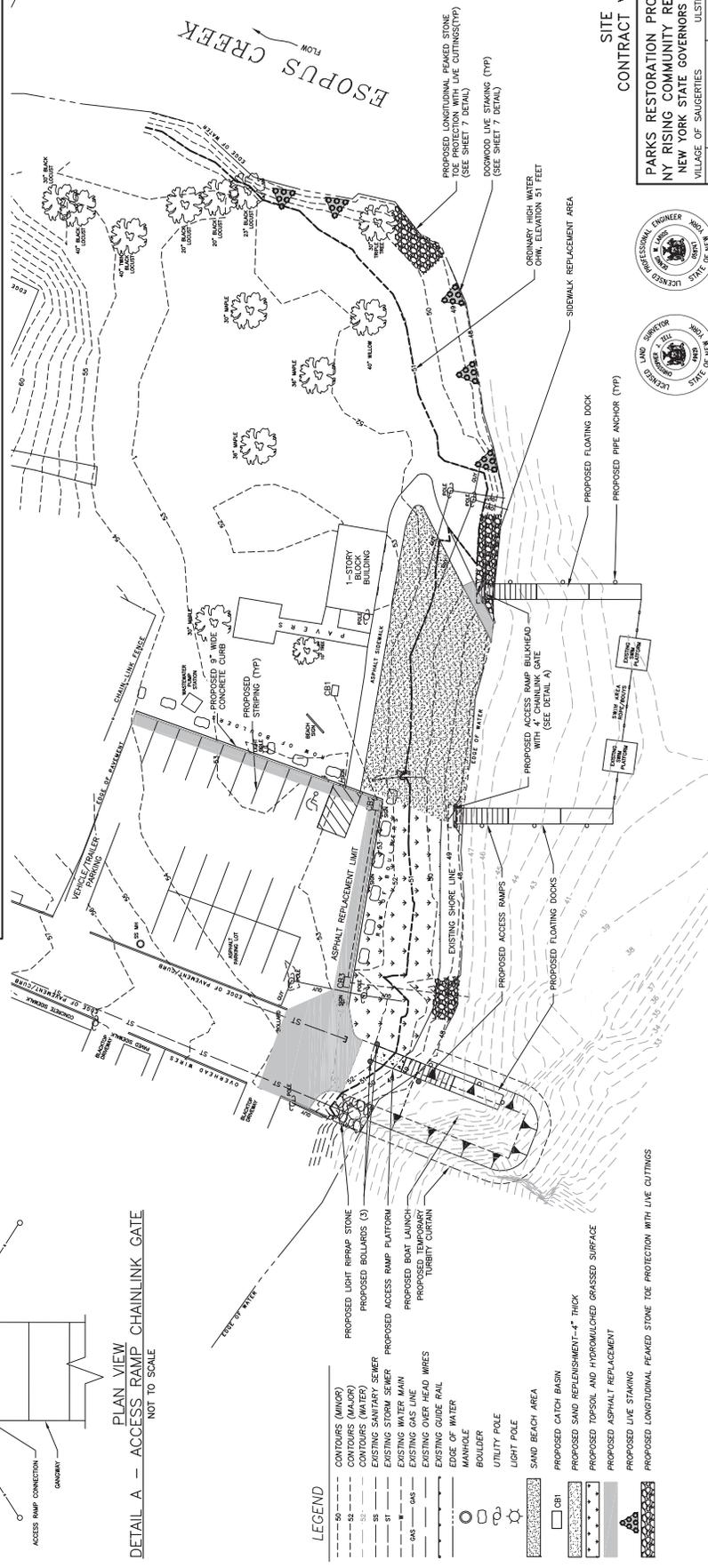
LOCATION	USACE PARAMETERS			TOTALS		
	LENGTH ALONG BANK (FT)	AREA (FT ²)	AREA (CY)	LENGTH ALONG BANK (FT)	AREA (FT ²)	AREA (CY)
BEACH SAND	80	2,250	28	1,000	12	3,250
GRASSED AREA	90	900	0.1	1,530	19	2,430
WIDE CHAINLINK GATE WITH LIVE CUTTINGS	115	900	0.1	0	0	900
BOAT LAUNCH	30	1,800	6.0	0	0	1,800
TOTALS	315	6,070	230	2,530	31	8,550



DETAIL A - ACCESS RAMP CHAINLINK GATE
NOT TO SCALE



USACE INFORMATION
SCALE: 1" = 30'



SITE PLAN
CONTRACT VSA - 161

PARKS RESTORATION PROJECT - VILLAGE BEACH NY RISING COMMUNITY RECONSTRUCTION PROGRAM NEW YORK STATE GOVERNORS OFFICE OF STORM RECOVERY

VILLAGE OF SAUGERTIES ULSTER COUNTY NEW YORK

BRINNIER & LARIOS, P.C.
ENGINEERS & LAND SURVEYORS
67 MAIDEN LANE
KINGSTON, N.Y.
PHONE: 845-339-1022
FAX: 845-339-1020
SCALE: AS SHOWN
DATE: MARCH 2016
SHEET NO.: 4 OF 7

DATE: 5/31/16
REVISION RECORD
USACE PARAMETERS



Unauthorized alteration or addition to a plan or drawing is prohibited. Any such alteration or addition shall be subject to the provisions of section 2209, subdivision 2, of the New York State Education Law.



SITE PLAN
SCALE: 1" = 20'

- LEGEND**
- 48 --- CONTOURS (MINUS)
 - 50 --- CONTOURS (WALPO)
 - 52 --- CONTOURS (WATER)
 - 58 --- EXISTING SANITARY SEWER
 - 60 --- EXISTING STORM SEWER
 - 62 --- EXISTING WATER MAIN
 - 64 --- EXISTING GAS LINE
 - 66 --- EXISTING OVER HEAD WIRES
 - 68 --- EXISTING GUIDE RAIL
 - 70 --- EDGE OF WATER
 - MANHOLE
 - UTILITY POLE
 - LIGHT POLE
 - SAND BEACH AREA
 - CBI
 - PROPOSED CATCH BASIN
 - PROPOSED SAND REPLACEMENT-4" THICK
 - PROPOSED TOPSOIL AND HYDROMULCHED GRASSED SURFACE
 - PROPOSED ASPHALT REPLACEMENT
 - PROPOSED LIVE STAKING
 - PROPOSED LONGITUDINAL PEAKED STONE TOE PROTECTION WITH LIVE CUTTINGS

NOTE: The location of existing underground utilities are shown in an approximate manner. The contractor shall verify the location of all utilities before construction. The contractor shall be responsible for the location of all utilities. The contractor shall be responsible for the location of all utilities. The contractor shall be responsible for the location of all utilities.

f. Does the project include new residential uses? Yes No
 If Yes, show numbers of units proposed.

	<u>One Family</u>	<u>Two Family</u>	<u>Three Family</u>	<u>Multiple Family (four or more)</u>
Initial Phase	_____	_____	_____	_____
At completion	_____	_____	_____	_____
of all phases	_____	_____	_____	_____

g. Does the proposed action include new non-residential construction (including expansions)? Yes No
 If Yes,

i. Total number of structures _____
 ii. Dimensions (in feet) of largest proposed structure: _____ height; _____ width; and _____ length
 iii. Approximate extent of building space to be heated or cooled: _____ square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? Yes No
 If Yes,

i. Purpose of the impoundment: _____
 ii. If a water impoundment, the principal source of the water: Ground water Surface water streams Other specify: _____
 iii. If other than water, identify the type of impounded/contained liquids and their source. _____
 iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ acres
 v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length
 vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): _____

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? Yes No
 (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)
 If Yes:

i. What is the purpose of the excavation or dredging? excavation drainage improvement storm water erosion radon shoreline stabilization
 ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?
 • Volume (specify tons or cubic yards): _____
 • Over what duration of time? _____
 iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them.
 excavation related to storm water drainage improvement to be excavated after removal and reseeded in site

 iv. Will there be onsite dewatering or processing of excavated materials? Yes No
 If yes, describe. _____

 v. What is the total area to be dredged or excavated? _____ acres
 vi. What is the maximum area to be worked at any one time? _____ acres
 vii. What would be the maximum depth of excavation or dredging? _____ feet
 viii. Will the excavation require blasting? Yes No
 ix. Summarize site reclamation goals and plan: _____

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? Yes No
 If Yes:

i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): ree ater inde a

• Do existing sewer lines serve the project site? Yes No
 • Will line extension within an existing district be necessary to serve the project? Yes No
 If Yes:
 • Describe extensions or capacity expansions proposed to serve this project: _____

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? Yes No
 If Yes:
 • Applicant/sponsor for new district: _____
 • Date application submitted or anticipated: _____
 • What is the receiving water for the wastewater discharge? _____

v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge, or describe subsurface disposal plans):

vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____

e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? Yes No
 If Yes:
 i. How much impervious surface will the project create in relation to total size of project parcel?
 _____ Square feet or _____ acres (impervious surface)
 _____ Square feet or _____ acres (parcel size)
 ii. Describe types of new point sources. _____

 iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?

 • If to surface waters, identify receiving water bodies or wetlands: _____

 • Will stormwater runoff flow to adjacent properties? Yes No

iv. Does proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? Yes No

f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? Yes No
 If Yes, identify:
 i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)
 at _____
 ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)

 iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)

g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? Yes No
 If Yes:
 i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) Yes No
 ii. In addition to emissions as calculated in the application, the project will generate:
 • _____ Tons/year (short tons) of Carbon Dioxide (CO₂)
 • _____ Tons/year (short tons) of Nitrous Oxide (N₂O)
 • _____ Tons/year (short tons) of Perfluorocarbons (PFCs)
 • _____ Tons/year (short tons) of Sulfur Hexafluoride (SF₆)
 • _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydroflouorocarbons (HFCs)
 • _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? Yes No

If Yes:

i. Estimate methane generation in tons/year (metric): _____

ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? Yes No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): _____

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? Yes No

If Yes:

i. When is the peak traffic expected (Check all that apply): Morning Evening Weekend
 Randomly between hours of _____ to _____.

ii. For commercial activities only, projected number of semi-trailer truck trips/day: _____

iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____

iv. Does the proposed action include any shared use parking? Yes No

v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: _____

vi. Are public/private transportation service(s) or facilities available within 1/2 mile of the proposed site? Yes No

vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? Yes No

viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? Yes No

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? Yes No

If Yes:

i. Estimate annual electricity demand during operation of the proposed action: _____

ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): _____

iii. Will the proposed action require a new, or an upgrade to, an existing substation? Yes No

l. Hours of operation. Answer all items which apply.

<p>i. During Construction:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ a.m. thru _____ h. _____ a.m. thru _____ h. • Saturday: _____ a.m. thru _____ h. _____ a.m. thru _____ h. • Sunday: _____ a.m. thru _____ h. _____ a.m. thru _____ h. • Holidays: _____ a.m. thru _____ h. _____ a.m. thru _____ h. 	<p>ii. During Operations:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ a.m. thru _____ h. _____ a.m. thru _____ h. • Saturday: _____ a.m. thru _____ h. _____ a.m. thru _____ h. • Sunday: _____ a.m. thru _____ h. _____ a.m. thru _____ h. • Holidays: _____ a.m. thru _____ h. _____ a.m. thru _____ h.
--	---

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? Yes No
 If yes:
 i. Provide details including sources, time of day and duration:

ii. Will proposed action remove existing natural barriers that could act as a noise barrier or screen? Yes No
 Describe: _____

n.. Will the proposed action have outdoor lighting? Yes No
 If yes:
 i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:

ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? Yes No
 Describe: _____

o. Does the proposed action have the potential to produce odors for more than one hour per day? Yes No
 If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures:

p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? Yes No
 If Yes:
 i. Product(s) to be stored _____
 ii. Volume(s) _____ per unit time _____ (e.g., month, year)
 iii. Generally describe proposed storage facilities: _____

q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? Yes No
 If Yes:
 i. Describe proposed treatment(s):

ii. Will the proposed action use Integrated Pest Management Practices? Yes No

r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? Yes No
 If Yes:
 i. Describe any solid waste(s) to be generated during construction or operation of the facility:
 • Construction: _____ tons per _____ (unit of time)
 • Operation : _____ tons per _____ (unit of time)
 ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:
 • Construction: _____

 • Operation: _____

 iii. Proposed disposal methods/facilities for solid waste generated on-site:
 • Construction: _____

 • Operation: _____

s. Does the proposed action include construction or modification of a solid waste management facility? Yes No
 If Yes:
 i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____
 ii. Anticipated rate of disposal/processing:
 • _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
 • _____ Tons/hour, if combustion or thermal treatment
 iii. If landfill, anticipated site life: _____ years

t. Will proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? Yes No
 If Yes:
 i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____

 ii. Generally describe processes or activities involving hazardous wastes or constituents: _____

 iii. Specify amount to be handled or generated _____ tons/month
 iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____

 v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? Yes No
 If Yes: provide name and location of facility: _____

 If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility:

E. Site and Setting of Proposed Action

E.1. Land uses on and surrounding the project site

a. Existing land uses.
 i. Check all uses that occur on, adjoining and near the project site.
 Urban Industrial Commercial Residential (suburban) Rural (non-farm)
 Forest Agriculture Aquatic Other (specify): manicured land
 ii. If mix of uses, generally describe:

b. Land uses and covertypes on the project site.

Land use or Covertypes	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	002		
• Forested	000		
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	000	000	
• Agricultural (includes active orchards, field, greenhouse etc.)	0		
• Surface water features (lakes, ponds, streams, rivers, etc.)	0		
• Wetlands (freshwater or tidal)	0		
• Non-vegetated (bare rock, earth or fill)	0		
• Other Describe: _____ _____			

c. Is the project site presently used by members of the community for public recreation? Yes No
i. If Yes: explain: the project site is a common area used for a recreation and entertainment

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? Yes No
If Yes,
i. Identify Facilities:

e. Does the project site contain an existing dam? Yes No
If Yes:
i. Dimensions of the dam and impoundment:
• Dam height: _____ feet
• Dam length: _____ feet
• Surface area: _____ acres
• Volume impounded: _____ gallons OR acre-feet
ii. Dam's existing hazard classification: _____
iii. Provide date and summarize results of last inspection:

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? Yes No
If Yes:
i. Has the facility been formally closed? Yes No
• If yes, cite sources/documentation: _____
ii. Describe the location of the project site relative to the boundaries of the solid waste management facility:

iii. Describe any development constraints due to the prior solid waste activities: _____

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? Yes No
If Yes:
i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred:

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? Yes No
If Yes:
i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: Yes No
 Yes – Spills Incidents database Provide DEC ID number(s): _____
 Yes – Environmental Site Remediation database Provide DEC ID number(s): _____
 Neither database
ii. If site has been subject of RCRA corrective activities, describe control measures: _____
iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? Yes No
If yes, provide DEC ID number(s): _____
iv. If yes to (i), (ii) or (iii) above, describe current status of site(s):

v. Is the project site subject to an institutional control limiting property uses? Yes No

- If yes, DEC site ID number: _____
- Describe the type of institutional control (e.g., deed restriction or easement): _____
- Describe any use limitations: _____
- Describe any engineering controls: _____
- Will the project affect the institutional or engineering controls in place? Yes No
- Explain: _____

E.2. Natural Resources On or Near Project Site

a. What is the average depth to bedrock on the project site? _____ feet

b. Are there bedrock outcroppings on the project site? Yes No
 If Yes, what proportion of the site is comprised of bedrock outcroppings? _____ %

c. Predominant soil type(s) present on project site: overhead line and am _____ %
 inc am line and _____ %
 _____ %

d. What is the average depth to the water table on the project site? Average: _____ feet

e. Drainage status of project site soils: Well Drained: _____ % of site
 Moderately Well Drained: _____ % of site
 Poorly Drained _____ % of site

f. Approximate proportion of proposed action site with slopes: 0-10%: _____ % of site
 10-15%: _____ % of site
 15% or greater: _____ % of site

g. Are there any unique geologic features on the project site? Yes No
 If Yes, describe: _____

h. Surface water features.

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? Yes No

ii. Do any wetlands or other waterbodies adjoin the project site? Yes No

If Yes to either *i* or *ii*, continue. If No, skip to E.2.i.

iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? Yes No

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

- Streams: Name _____ Classification _____
- Lakes or Ponds: Name _____ Classification _____
- Wetlands: Name federal ater federal ater Approximate Size _____
- Wetland No. (if regulated by DEC) _____

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? Yes No

If yes, name of impaired water body/bodies and basis for listing as impaired: _____

i. Is the project site in a designated Floodway? Yes No

j. Is the project site in the 100 year Floodplain? Yes No

k. Is the project site in the 500 year Floodplain? Yes No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? Yes No

If Yes:

i. Name of aquifer: _____

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on, or has been nominated by the NYS Board of Historic Preservation for inclusion on, the State or National Register of Historic Places?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes:	
i. Nature of historic/archaeological resource: <input type="checkbox"/> Archaeological Site <input type="checkbox"/> Historic Building or District	
ii. Name: _____	
iii. Brief description of attributes on which listing is based: _____	
f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
g. Have additional archaeological or historic site(s) or resources been identified on the project site?	
If Yes:	
i. Describe possible resource(s): _____	
ii. Basis for identification: _____	
h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If Yes:	
i. Identify resource: <u>Ulster North Scenic Area of Statewide Significance</u>	
ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): _____	
iii. Distance between project and resource: _____ miles.	
i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes:	
i. Identify the name of the river and its designation: _____	
ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666?	
<input type="checkbox"/> Yes <input type="checkbox"/> No	

F. Additional Information

Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

G. Verification

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

Applicant/Sponsor Name William E Murphy Date 4/20/16

Signature Will E Murphy Title Mayor

2 National Commentaries Act	
2 Endangered or Threatened Species	ee
2 are Plant or Animal	
Area of Critical Habitat	
Critical Natural Landmark	
Critical Environmental Area	
Critical Natural Feature Historic Place	Information data are not available or are incomplete either to A or
Archeological Site	ee
Designated River Road	

Full Environmental Assessment Form
Part 2 - Identification of Potential Project Impacts

Agency Use Only [If applicable]

Project :	a <input type="checkbox"/> ert e <input type="checkbox"/> a e <input type="checkbox"/> each
Date :	ne <input type="checkbox"/> 2 <input type="checkbox"/>

Part 2 is to be completed by the lead agency. Part 2 is designed to help the lead agency inventory all potential resources that could be affected by a proposed project or action. We recognize that the lead agency's reviewer(s) will not necessarily be environmental professionals. So, the questions are designed to walk a reviewer through the assessment process by providing a series of questions that can be answered using the information found in Part 1. To further assist the lead agency in completing Part 2, the form identifies the most relevant questions in Part 1 that will provide the information needed to answer the Part 2 question. When Part 2 is completed, the lead agency will have identified the relevant environmental areas that may be impacted by the proposed activity.

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

Tips for completing Part 2:

- Review all of the information provided in Part 1.
- Review any application, maps, supporting materials and the Full EAF Workbook.
- Answer each of the 18 questions in Part 2.
- If you answer “**Yes**” to a numbered question, please complete all the questions that follow in that section.
- If you answer “**No**” to a numbered question, move on to the next numbered question.
- Check appropriate column to indicate the anticipated size of the impact.
- Proposed projects that would exceed a numeric threshold contained in a question should result in the reviewing agency checking the box “Moderate to large impact may occur.”
- The reviewer is not expected to be an expert in environmental analysis.
- If you are not sure or undecided about the size of an impact, it may help to review the sub-questions for the general question and consult the workbook.
- When answering a question consider all components of the proposed activity, that is, the “whole action”.
- Consider the possibility for long-term and cumulative impacts as well as direct impacts.
- Answer the question in a reasonable manner considering the scale and context of the project.

1. Impact on Land			
Proposed action may involve construction on, or physical alteration of, the land surface of the proposed site. (See Part 1. D.1)		<input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES
<i>If “Yes”, answer questions a - j. If “No”, move on to Section 2.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may involve construction on land where depth to water table is less than 3 feet.	E2d	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may involve construction on slopes of 15% or greater.	E2f	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may involve construction on land where bedrock is exposed, or generally within 5 feet of existing ground surface.	E2a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve the excavation and removal of more than 1,000 tons of natural material.	D2a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may involve construction that continues for more than one year or in multiple phases.	D1e	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result in increased erosion, whether from physical disturbance or vegetation removal (including from treatment by herbicides).	D2e, D2q	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. The proposed action is, or may be, located within a Coastal Erosion hazard area.	B1i	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____ _____		<input checked="" type="checkbox"/>	<input type="checkbox"/>

2. Impact on Geological Features

The proposed action may result in the modification or destruction of, or inhibit access to, any unique or unusual land forms on the site (e.g., cliffs, dunes, minerals, fossils, caves). (See Part 1. E.2.g)

NO

YES

If "Yes", answer questions a - c. If "No", move on to Section 3.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Identify the specific land form(s) attached: _____ _____	E2g	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may affect or is adjacent to a geological feature listed as a registered National Natural Landmark. Specific feature: _____	E3c	<input type="checkbox"/>	<input type="checkbox"/>
c. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

3. Impacts on Surface Water

The proposed action may affect one or more wetlands or other surface water bodies (e.g., streams, rivers, ponds or lakes). (See Part 1. D.2, E.2.h)

NO

YES

If "Yes", answer questions a - l. If "No", move on to Section 4.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may create a new water body.	D2b, D1h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in an increase or decrease of over 10% or more than a 10 acre increase or decrease in the surface area of any body of water.	D2b	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may involve dredging more than 100 cubic yards of material from a wetland or water body.	D2a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve construction within or adjoining a freshwater or tidal wetland, or in the bed or banks of any other water body.	E2h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may create turbidity in a waterbody, either from upland erosion, runoff or by disturbing bottom sediments.	D2a, D2h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may include construction of one or more intake(s) for withdrawal of water from surface water.	D2c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may include construction of one or more outfall(s) for discharge of wastewater to surface water(s).	D2d	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. The proposed action may cause soil erosion, or otherwise create a source of stormwater discharge that may lead to siltation or other degradation of receiving water bodies.	D2e	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i. The proposed action may affect the water quality of any water bodies within or downstream of the site of the proposed action.	E2h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j. The proposed action may involve the application of pesticides or herbicides in or around any water body.	D2q, E2h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
k. The proposed action may require the construction of new, or expansion of existing, wastewater treatment facilities.	D1a, D2d	<input checked="" type="checkbox"/>	<input type="checkbox"/>

I. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>
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4. Impact on groundwater
 The proposed action may result in new or additional use of ground water, or may have the potential to introduce contaminants to ground water or an aquifer. NO YES
 (See Part 1. D.2.a, D.2.c, D.2.d, D.2.p, D.2.q, D.2.t)
If "Yes", answer questions a - h. If "No", move on to Section 5.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may require new water supply wells, or create additional demand on supplies from existing water supply wells.	D2c	<input type="checkbox"/>	<input type="checkbox"/>
b. Water supply demand from the proposed action may exceed safe and sustainable withdrawal capacity rate of the local supply or aquifer. Cite Source: _____	D2c	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may allow or result in residential uses in areas without water and sewer services.	D1a, D2c	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may include or require wastewater discharged to groundwater.	D2d, E2l	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in the construction of water supply wells in locations where groundwater is, or is suspected to be, contaminated.	D2c, E1f, E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may require the bulk storage of petroleum or chemical products over ground water or an aquifer.	D2p, E2l	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may involve the commercial application of pesticides within 100 feet of potable drinking water or irrigation sources.	E2h, D2q, E2l, D2c	<input type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

5. Impact on Flooding
 The proposed action may result in development on lands subject to flooding. NO YES
 (See Part 1. E.2)
If "Yes", answer questions a - g. If "No", move on to Section 6.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in development in a designated floodway.	E2i	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in development within a 100 year floodplain.	E2j	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in development within a 500 year floodplain.	E2k	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in, or require, modification of existing drainage patterns.	D2b, D2e	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may change flood water flows that contribute to flooding.	D2b, E2i, E2j, E2k	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. If there is a dam located on the site of the proposed action, is the dam in need of repair, or upgrade?	E1e	<input checked="" type="checkbox"/>	<input type="checkbox"/>

g. Other impacts: _____ _____		<input checked="" type="checkbox"/>	<input type="checkbox"/>
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6. Impacts on Air			
The proposed action may include a state regulated air emission source. (See Part 1. D.2.f., D.2.h, D.2.g) <i>If "Yes", answer questions a - f. If "No", move on to Section 7.</i>		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. If the proposed action requires federal or state air emission permits, the action may also emit one or more greenhouse gases at or above the following levels:			
i. More than 1000 tons/year of carbon dioxide (CO ₂)	D2g	<input type="checkbox"/>	<input type="checkbox"/>
ii. More than 3.5 tons/year of nitrous oxide (N ₂ O)	D2g	<input type="checkbox"/>	<input type="checkbox"/>
iii. More than 1000 tons/year of carbon equivalent of perfluorocarbons (PFCs)	D2g	<input type="checkbox"/>	<input type="checkbox"/>
iv. More than .045 tons/year of sulfur hexafluoride (SF ₆)	D2g	<input type="checkbox"/>	<input type="checkbox"/>
v. More than 1000 tons/year of carbon dioxide equivalent of hydrochloroflourocarbons (HFCs) emissions	D2g	<input type="checkbox"/>	<input type="checkbox"/>
vi. 43 tons/year or more of methane	D2h	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may generate 10 tons/year or more of any one designated hazardous air pollutant, or 25 tons/year or more of any combination of such hazardous air pollutants.	D2g	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may require a state air registration, or may produce an emissions rate of total contaminants that may exceed 5 lbs. per hour, or may include a heat source capable of producing more than 10 million BTU's per hour.	D2f, D2g	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may reach 50% of any of the thresholds in "a" through "c", above.	D2g	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in the combustion or thermal treatment of more than 1 ton of refuse per hour.	D2s	<input type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

7. Impact on Plants and Animals			
The proposed action may result in a loss of flora or fauna. (See Part 1. E.2. m.-q.) <i>If "Yes", answer questions a - j. If "No", move on to Section 8.</i>		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may cause reduction in population or loss of individuals of any threatened or endangered species, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2o	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in a reduction or degradation of any habitat used by any rare, threatened or endangered species, as listed by New York State or the federal government.	E2o	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may cause reduction in population, or loss of individuals, of any species of special concern or conservation need, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2p	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in a reduction or degradation of any habitat used by any species of special concern and conservation need, as listed by New York State or the Federal government.	E2p	<input type="checkbox"/>	<input type="checkbox"/>

e. The proposed action may diminish the capacity of a registered National Natural Landmark to support the biological community it was established to protect.	E3c	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result in the removal of, or ground disturbance in, any portion of a designated significant natural community. Source: _____	E2n	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may substantially interfere with nesting/breeding, foraging, or over-wintering habitat for the predominant species that occupy or use the project site.	E2m	<input type="checkbox"/>	<input type="checkbox"/>
h. The proposed action requires the conversion of more than 10 acres of forest, grassland or any other regionally or locally important habitat. Habitat type & information source: _____	E1b	<input type="checkbox"/>	<input type="checkbox"/>
i. Proposed action (commercial, industrial or recreational projects, only) involves use of herbicides or pesticides.	D2q	<input type="checkbox"/>	<input type="checkbox"/>
j. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

8. Impact on Agricultural Resources			
The proposed action may impact agricultural resources. (See Part 1. E.3.a. and b.)		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
<i>If "Yes", answer questions a - h. If "No", move on to Section 9.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may impact soil classified within soil group 1 through 4 of the NYS Land Classification System.	E2c, E3b	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may sever, cross or otherwise limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc).	E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in the excavation or compaction of the soil profile of active agricultural land.	E3b	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may irreversibly convert agricultural land to non-agricultural uses, either more than 2.5 acres if located in an Agricultural District, or more than 10 acres if not within an Agricultural District.	E1b, E3a	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may disrupt or prevent installation of an agricultural land management system.	E1 a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result, directly or indirectly, in increased development potential or pressure on farmland.	C2c, C3, D2c, D2d	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed project is not consistent with the adopted municipal Farmland Protection Plan.	C2c	<input type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

9. Impact on Aesthetic Resources The land use of the proposed action are obviously different from, or are in sharp contrast to, current land use patterns between the proposed project and a scenic or aesthetic resource. (Part 1. E.1.a, E.1.b, E.3.h.) <i>If "Yes", answer questions a - g. If "No", go to Section 10.</i>				<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur		
a. Proposed action may be visible from any officially designated federal, state, or local scenic or aesthetic resource.	E3h	<input type="checkbox"/>	<input type="checkbox"/>		
b. The proposed action may result in the obstruction, elimination or significant screening of one or more officially designated scenic views.	E3h, C2b	<input type="checkbox"/>	<input type="checkbox"/>		
c. The proposed action may be visible from publicly accessible vantage points: i. Seasonally (e.g., screened by summer foliage, but visible during other seasons) ii. Year round	E3h	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>		
d. The situation or activity in which viewers are engaged while viewing the proposed action is: i. Routine travel by residents, including travel to and from work ii. Recreational or tourism based activities	E3h E2q, E1c	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>		
e. The proposed action may cause a diminishment of the public enjoyment and appreciation of the designated aesthetic resource.	E3h	<input type="checkbox"/>	<input type="checkbox"/>		
f. There are similar projects visible within the following distance of the proposed project: 0-1/2 mile 1/2 -3 mile 3-5 mile 5+ mile	D1a, E1a, D1f, D1g	<input type="checkbox"/>	<input type="checkbox"/>		
g. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>		

10. Impact on Historic and Archeological Resources The proposed action may occur in or adjacent to a historic or archaeological resource. (Part 1. E.3.e, f. and g.) <i>If "Yes", answer questions a - e. If "No", go to Section 11.</i>				<input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur		
a. The proposed action may occur wholly or partially within, or substantially contiguous to, any buildings, archaeological site or district which is listed on or has been nominated by the NYS Board of Historic Preservation for inclusion on the State or National Register of Historic Places.	E3e	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
b. The proposed action may occur wholly or partially within, or substantially contiguous to, an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory.	E3f	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
c. The proposed action may occur wholly or partially within, or substantially contiguous to, an archaeological site not included on the NY SHPO inventory. Source: _____	E3g	<input checked="" type="checkbox"/>	<input type="checkbox"/>		

d. Other impacts: _____ _____		<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. If any of the above (a-d) are answered “Moderate to large impact may occur”, continue with the following questions to help support conclusions in Part 3:			
i. The proposed action may result in the destruction or alteration of all or part of the site or property.	E3e, E3g, E3f	<input type="checkbox"/>	<input type="checkbox"/>
ii. The proposed action may result in the alteration of the property’s setting or integrity.	E3e, E3f, E3g, E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
iii. The proposed action may result in the introduction of visual elements which are out of character with the site or property, or may alter its setting.	E3e, E3f, E3g, E3h, C2, C3	<input type="checkbox"/>	<input type="checkbox"/>

11. Impact on Open Space and Recreation			
The proposed action may result in a loss of recreational opportunities or a reduction of an open space resource as designated in any adopted municipal open space plan. (See Part 1. C.2.c, E.1.c., E.2.q.) <i>If “Yes”, answer questions a - e. If “No”, go to Section 12.</i>		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in an impairment of natural functions, or “ecosystem services”, provided by an undeveloped area, including but not limited to stormwater storage, nutrient cycling, wildlife habitat.	D2e, E1b E2h, E2m, E2o, E2n, E2p	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the loss of a current or future recreational resource.	C2a, E1c, C2c, E2q	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may eliminate open space or recreational resource in an area with few such resources.	C2a, C2c E1c, E2q	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in loss of an area now used informally by the community as an open space resource.	C2c, E1c	<input type="checkbox"/>	<input type="checkbox"/>
e. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

12. Impact on Critical Environmental Areas			
The proposed action may be located within or adjacent to a critical environmental area (CEA). (See Part 1. E.3.d) <i>If “Yes”, answer questions a - c. If “No”, go to Section 13.</i>		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in a reduction in the quantity of the resource or characteristic which was the basis for designation of the CEA.	E3d	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in a reduction in the quality of the resource or characteristic which was the basis for designation of the CEA.	E3d	<input type="checkbox"/>	<input type="checkbox"/>
c. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

13. Impact on Transportation

The proposed action may result in a change to existing transportation systems.

 NO YES

(See Part 1. D.2.j)

If "Yes", answer questions a - f. If "No", go to Section 14.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Projected traffic increase may exceed capacity of existing road network.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the construction of paved parking area for 500 or more vehicles.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action will degrade existing transit access.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action will degrade existing pedestrian or bicycle accommodations.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may alter the present pattern of movement of people or goods.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

14. Impact on Energy

The proposed action may cause an increase in the use of any form of energy.

 NO YES

(See Part 1. D.2.k)

If "Yes", answer questions a - e. If "No", go to Section 15.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action will require a new, or an upgrade to an existing, substation.	D2k	<input type="checkbox"/>	<input type="checkbox"/>
b. The 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 commercial or industrial use.	D1f, D1q, D2k	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may utilize more than 2,500 MWhrs per year of electricity.	D2k	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve heating and/or cooling of more than 100,000 square feet of building area when completed.	D1g	<input type="checkbox"/>	<input type="checkbox"/>
e. Other Impacts: _____ _____			

15. Impact on Noise, Odor, and Light

The proposed action may result in an increase in noise, odors, or outdoor lighting.

 NO YES

(See Part 1. D.2.m., n., and o.)

If "Yes", answer questions a - f. If "No", go to Section 16.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may produce sound above noise levels established by local regulation.	D2m	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in blasting within 1,500 feet of any residence, hospital, school, licensed day care center, or nursing home.	D2m, E1d	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in routine odors for more than one hour per day.	D2o	<input type="checkbox"/>	<input type="checkbox"/>

d. The proposed action may result in light shining onto adjoining properties.	D2n	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in lighting creating sky-glow brighter than existing area conditions.	D2n, E1a	<input type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

16. Impact on Human Health

The proposed action may have an impact on human health from exposure to new or existing sources of contaminants. (See Part 1.D.2.q., E.1. d. f. g. and h.)
If "Yes", answer questions a - m. If "No", go to Section 17.

NO

YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action is located within 1500 feet of a school, hospital, licensed day care center, group home, nursing home or retirement community.	E1d	<input type="checkbox"/>	<input type="checkbox"/>
b. The site of the proposed action is currently undergoing remediation.	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
c. There is a completed emergency spill remediation, or a completed environmental site remediation on, or adjacent to, the site of the proposed action.	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
d. The site of the action is subject to an institutional control limiting the use of the property (e.g., easement or deed restriction).	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may affect institutional control measures that were put in place to ensure that the site remains protective of the environment and human health.	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action has adequate control measures in place to ensure that future generation, treatment and/or disposal of hazardous wastes will be protective of the environment and human health.	D2t	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action involves construction or modification of a solid waste management facility.	D2q, E1f	<input type="checkbox"/>	<input type="checkbox"/>
h. The proposed action may result in the unearthing of solid or hazardous waste.	D2q, E1f	<input type="checkbox"/>	<input type="checkbox"/>
i. The proposed action may result in an increase in the rate of disposal, or processing, of solid waste.	D2r, D2s	<input type="checkbox"/>	<input type="checkbox"/>
j. The proposed action may result in excavation or other disturbance within 2000 feet of a site used for the disposal of solid or hazardous waste.	E1f, E1g E1h	<input type="checkbox"/>	<input type="checkbox"/>
k. The proposed action may result in the migration of explosive gases from a landfill site to adjacent off site structures.	E1f, E1g	<input type="checkbox"/>	<input type="checkbox"/>
l. The proposed action may result in the release of contaminated leachate from the project site.	D2s, E1f, D2r	<input type="checkbox"/>	<input type="checkbox"/>
m. Other impacts: _____ _____			

17. Consistency with Community Plans

The proposed action is not consistent with adopted land use plans.
 (See Part 1. C.1, C.2. and C.3.)
 If “Yes”, answer questions a - h. If “No”, go to Section 18.

NO

YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action’s land use components may be different from, or in sharp contrast to, current surrounding land use pattern(s).	C2, C3, D1a E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action will cause the permanent population of the city, town or village in which the project is located to grow by more than 5%.	C2	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action is inconsistent with local land use plans or zoning regulations.	C2, C2, C3	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action is inconsistent with any County plans, or other regional land use plans.	C2, C2	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may cause a change in the density of development that is not supported by existing infrastructure or is distant from existing infrastructure.	C3, D1c, D1d, D1f, D1d, E1b	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action is located in an area characterized by low density development that will require new or expanded public infrastructure.	C4, D2c, D2d D2j	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may induce secondary development impacts (e.g., residential or commercial development not included in the proposed action)	C2a	<input type="checkbox"/>	<input type="checkbox"/>
h. Other: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

18. Consistency with Community Character

The proposed project is inconsistent with the existing community character.
 (See Part 1. C.2, C.3, D.2, E.3)
 If “Yes”, answer questions a - g. If “No”, proceed to Part 3.

NO

YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may replace or eliminate existing facilities, structures, or areas of historic importance to the community.	E3e, E3f, E3g	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may create a demand for additional community services (e.g. schools, police and fire)	C4	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may displace affordable or low-income housing in an area where there is a shortage of such housing.	C2, C3, D1f D1g, E1a	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may interfere with the use or enjoyment of officially recognized or designated public resources.	C2, E3	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action is inconsistent with the predominant architectural scale and character.	C2, C3	<input type="checkbox"/>	<input type="checkbox"/>
f. Proposed action is inconsistent with the character of the existing natural landscape.	C2, C3 E1a, E1b E2g, E2h	<input type="checkbox"/>	<input type="checkbox"/>
g. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

Full Environmental Assessment Form
Part 3 - Evaluation of the Magnitude and Importance of Project Impacts
and
Determination of Significance

Part 3 provides the reasons in support of the determination of significance. The lead agency must complete Part 3 for every question in Part 2 where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.

Based on the analysis in Part 3, the lead agency must decide whether to require an environmental impact statement to further assess the proposed action or whether available information is sufficient for the lead agency to conclude that the proposed action will not have a significant adverse environmental impact. By completing the certification on the next page, the lead agency can complete its determination of significance.

Reasons Supporting This Determination:

To complete this section:

- Identify the impact based on the Part 2 responses and describe its magnitude. Magnitude considers factors such as severity, size or extent of an impact.
- Assess the importance of the impact. Importance relates to the geographic scope, duration, probability of the impact occurring, number of people affected by the impact and any additional environmental consequences if the impact were to occur.
- The assessment should take into consideration any design element or project changes.
- Repeat this process for each Part 2 question where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.
- Provide the reason(s) why the impact may, or will not, result in a significant adverse environmental impact
- For Conditional Negative Declarations identify the specific condition(s) imposed that will modify the proposed action so that no significant adverse environmental impacts will result.
- Attach additional sheets, as needed.

See additional sheets attached to this form

Determination of Significance - Type 1 and Unlisted Actions

SEQR Status: Type 1 Unlisted

Identify portions of EAF completed for this Project: Part 1 Part 2 Part 3

Upon review of the information recorded on this EAF, as noted, plus this additional support information

environmental Assessment of each action

and considering both the magnitude and importance of each identified potential impact, it is the conclusion of the Governor's Office of Storm Recovery (Housing Trust Fund Corporation) as lead agency that:

[X] A. This project will result in no significant adverse impacts on the environment, and, therefore, an environmental impact statement need not be prepared. Accordingly, this negative declaration is issued.

[] B. Although this project could have a significant adverse impact on the environment, that impact will be avoided or substantially mitigated because of the following conditions which will be required by the lead agency:

There will, therefore, be no significant adverse impacts from the project as conditioned, and, therefore, this conditioned negative declaration is issued. A conditioned negative declaration may be used only for UNLISTED actions (see 6 NYCRR 617.d).

[] C. This Project may result in one or more significant adverse impacts on the environment, and an environmental impact statement must be prepared to further assess the impact(s) and possible mitigation and to explore alternatives to avoid or reduce those impacts. Accordingly, this positive declaration is issued.

Name of Action: Village of Saugerties Beach Park Restoration

Name of Lead Agency: Governor's Office of Storm Recovery (Housing Trust Fund Corporation)

Name of Responsible Officer in Lead Agency: Thomas J. King

Title of Responsible Officer: Environmental Director, Assistant General Counsel

Signature of Responsible Officer in Lead Agency: 

6/9/16

Signature of Preparer (if different from Responsible Officer)

For Further Information:

Contact Person: _____

Address: _____

Telephone Number: _____

E-mail: _____

For Type 1 Actions and Conditioned Negative Declarations, a copy of this Notice is sent to:

Chief Executive Officer of the political subdivision in which the action will be principally located (e.g., Town / City / Village of)

Other involved agencies (if any)

Applicant (if any)

Environmental Notice Bulletin: <http://www.dec.ny.gov/enb/enb.html>

SEQRA EAF PART 3

Reasons Supporting Determination of Significance

Village Beach Park Restoration Project

Village of Saugerties, NY

June 9, 2016

The Governor's Office of Storm Recovery ("GOSR"), an office of New York State Homes and Community Renewal's Housing Trust Fund Corporation ("HTFC"), has established Lead Agency status pursuant to the State Environmental Quality Review Act ("SEQRA") (ECL Sections 3-0301(1)(b), 3-0301(2)(m) and 8-0113 and 6 NYCRR Part 617) for the environmental review of the proposed Village Beach Park Restoration (the "proposed action") in the Village of Saugerties, Ulster County, New York. In accordance with SEQRA and its implementing regulations found at 6 NYCRR Part 617, GOSR has established itself as SEQRA lead agency and has re-classified the proposed action as an Unlisted Action (originally classified as Type I). A full Environmental Assessment Form (EAF) Part 1 regarding the proposed action has been circulated for review and comment to interested and involved agencies. GOSR has evaluated the criteria found under 6 NYCRR 617.7(c), completed Parts 2 and 3 of the EAF, and determined that the proposed action would not result in significant environmental impacts. This memo is incorporated by reference into Part 3 of the EAF and serves as the rationale for GOSR's determination of significance.

1. Impact on Land

While the proposed action would involve repairs to the parking lot and beach replenishment, the land surface modifications would be contained to areas of preexisting disturbance at the site. The park is located within a bend of the Esopus Creek, and the project involves minimal ground disturbance for the restoration of the park. While there is a potential to encounter intact floodplain soils during project activities, the area of subsurface impact is small, reducing the likelihood of encountering these intact soils. As a result, the proposed action would not result in significant impacts on land.

2. Impact on Surface Water

Village Beach Park is located upstream from Cantine Dam adjacent to a portion of Esopus Creek that is classified as a lake. The proposed project involves shoreline stabilization and upgrading a boat ramp that could result in disturbances within Esopus Creek, which is a Class B protected and navigable body of water. This activity will require DEC and USACE permits. Best management practices will be implemented to reduce turbidity and minimize disturbance. Because no wetlands occur at the project site, and Esopus Creek is not classified as a wetland, the project would not result in effects to wetlands under Executive Order 11990. However, construction management practices would be utilized to avoid or minimize potential impacts to adjacent waters. The proposed improvements would disturb less than one acre of land and, therefore, the Village would not be required to apply for coverage under NYSDEC SPDES General Permit for Stormwater Discharges from Construction Activity Permit No. GP-0-15-002. The proposed construction work in the parking area where a portion of the asphalt will be removed would involve stripping off the asphalt layer only and leaving the sub-base layer of gravel in place. An Erosion and Sediment Control Plan will be developed and provided on the final

design plans. Given adherence to these permitting requirements and best management practices, the proposed action will not have an effect on wetlands and is in compliance with Executive Order 11990. As a result, the proposed action would not result in significant impacts on surface water.

3. Impact on Flooding

The proposed action would be located on a site that is within Special Flood Hazard Area AE. However, the purpose of the proposed project is to repair damage to the Village Beach from past storm events and to make this public recreation facility more resilient to future storm and flood events. The proposed drainage systems and landscape improvements will mitigate the existing erosion problem through regrading and the construction of an improved storm sewer system. Concrete curbs and sidewalks will be constructed to control parking lot runoff, which will be directed to a system of catch basins and storm sewer pipes in order to protect the beach from erosion. This system of catch basins would collect and convey all of the runoff, while landscaping and plantings will arrest further erosion along Village Beach, and result in a beneficial impact on floodplains due to stabilization of the shoreline. These improvements will help to protect the property from flooding and will help mitigate erosion during future storm events. No structural footprints would be expanded and there would be no alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area. Therefore, no direct or indirect adverse impacts to the floodplain are anticipated as a result of the proposed action, and the proposed action would not result in significant impacts on flooding.

4. Impact on Historic and Archaeological Resources

The proposed action would result in a negligible potential for impacts to archaeologically sensitive resources due to minimal ground disturbance for the restoration of the park. The area of potential effect (APE) is along the periphery of the NYS OPRHP zone of archaeological sensitivity, with archaeological sites in the vicinity, but not within, this APE. The project demolition plan indicates that the undertaking will require ground disturbing impacts (asphalt removal and topsoil removal) in areas of less than 15% slope. Though there is a potential for intact floodplain soils, the area of subsurface impact is small, reducing the likelihood of encountering these intact soils. As a result, there would be no significant impacts to historic and archaeological resources as a result of the proposed action.

Negative Declaration Distribution List
VILLAGE OF SAUGERTIES VILLAGE BEACH PARK RESTORATION

In accordance with 6 NYCRR 617.12(b)(1), the Negative Declaration for the above-mentioned project has been sent to the following parties for filing:

INVOLVED

William E. Murphy, Mayor
Village of Saugerties
43 Partition Street
Saugerties, NY 12477-1134

New York State Department of Transportation Region 8
Eleanor Roosevelt State Office Building
4 Burnett Boulevard
Poughkeepsie, NY 12603

Mr. Ron Rausch, Director
Environmental Management Bureau
Office of Parks, Recreation and Historic Preservation
625 Broadway, 2nd Floor
Albany, New York 12238

Mr. Richard Lord
Chief of Mitigation Programs & Agency Preservation Officer
NYS Division of Homeland Security & Emergency Services
1220 Washington Avenue
Bldg 7A, Floor 4
Albany NY 12242

Mr. Daniel Whitehead, Regional Permit Administrator
York State Department of Environmental Conservation
21 South Putt Corners Road
New Paltz, NY 12561-1696

Mr. Larry Moss, Technical Specialist
Division for Historic Preservation
New York State Historic Preservation Office
Pebbles Island Resource Center
P.O. Box 189
Waterford, NY 12188-0189

Village Board
Village of Saugerties
43 Partition Street
Saugerties, NY 12477-1134

Alexander L. Wade
Special Projects, Planning and Zoning
Village Of Saugerties
43 Partition Street
Saugerties, NY 12477-1134

Susan K. Plonski, Commissioner
Ulster County Department of Public Works
313-317 Shamrock Lane
Kingston, NY 12401

Amanda LaValle, Coordinator
Ulster County Department of the Environment
17 Pearl Street
Kingston, NY 12401

George Terpening, Caretaker
Village of Saugerties Parks, Buildings and Grounds
43 Partition Street
Saugerties, NY 12477-1134

Dennis Doyle Director
Ulster County Planning Department
County Office Building 244 Fair Street, 6th Floor
Kingston, NY 12401

Eyal Saad, Code Enforcement Officer
Village of Saugerties
43 Partition Street
Saugerties, NY 12477-1134

INTERESTED

Lisa Mayone, Village Clerk
Village of Saugerties
43 Partition Street
Saugerties, NY 12477-1134