

ULSTER COUNTY LEGISLATURE

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March 31, 2016

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

Dear Director King,

Pursuant to Resolution No. 152 adopted at the March 15, 2016 regular Session of the Ulster County Legislature, enclosed please find a Determination of Non-Significance – Negative Declaration pertaining to the Carmine Liberta Bridge Project in the Town of New Paltz, Ulster County, New York.

Please do not hesitate to contact the Legislative Office if you have any questions or would like additional information.

Sincerely,

Kenneth J. Ronk, Jr., Chairman
Ulster County Legislature

Enclosure

**NYCRR Part 617.21
State Environmental Quality Review
Negative Declaration
Notice of Determination of Non-Significance**

This notice and Negative Declaration is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 [State Environmental Quality Review Act] of the New York State Environmental Conservation Law [SEQRA]

Pursuant to Resolution No. 152 of March 15, 2016, the Ulster County Legislature, as Lead Agency and Project Sponsor, has determined that the proposed action described below will not have a significant effect on the environment and a Draft Environmental Impact Statement will not be prepared.

Name of Action:

In the Matter of the Ulster County Legislature proposed replacement of the existing Carmine Liberta Bridge Rt. 299 over the Wallkill New Paltz, N.Y. with a new bridge and the installation and use of a temporary bridge to carry vehicles during the construction of the new bridge and associated activities necessary to complete the new bridge – hereinafter known as “the new bridge” or “Project”

SEQRA: Unlisted Action

Status: EAF Part 3

Project Sponsor:

Ulster County

Summary Description of Action:

Ulster County is proposing to replace the Carmine Liberta Bridge that carries NYS Rt. 299 over the Wallkill River in the Village of New Paltz with a new bridge. The existing bridge is a through truss built in the 1940's and is past its useful life. The new bridge will be an "arch truss" that will accommodate both pedestrians and cyclist. The new bridge will be slightly higher than the existing structure to allow for its bottom chord and bearings to be above the 100 yr. flood elevation. The enhanced height will also prevent waterborne debris from collecting at the bridge's lower beams endangering its structural integrity and shortening the life of the structure. The new bridge will rest upon the existing bridge abutments that will be rehabilitated. To accommodate traffic during the bridge replacement a temporary bridge will be installed adjacent to the new bridge. Upon completion of the new bridge, the temporary bridge, access road, and west side abutment will be removed. The east abutment will remain and an overlook created at this location. No work below the ordinary high water mark is proposed during the placement of either structure.

The existing bridge also carries a water line that serves the Village of New Paltz. This waterline will be removed with the demolition of the old bridge and replaced as part of the construction of the new bridge. During the time of construction the village will continue to receive water service via an existing secondary line that crosses the Wallkill River north of the existing site.

Relocation of utility poles will be necessary as part of the Project.

Project Location and Site Description:

Project Location

The Project is located at the crossing of NYS Rt. 299 over the Wallkill.

Site Description

The proposed project, with the exception of the proposed temporary bridge, lies within the existing right-of-way of NYS Rt. 299 which is a county road designated as a state touring route at this location. The temporary bridge will be placed to the north of the existing bridge and will include lands in an agricultural district owned by the Open Space Institute (section/block/lot # 86.1-2-45.200) on the west side of the Wallkill River. The east end of the temporary bridge will utilize portions of Huguenot Street owned by the Village of New Paltz and a small portion of lands belonging to the Gilded Otter (section/block/lot # 86.33-2-7.100) will be needed to accommodate the access road to the temporary bridge. The existing bridge and Rt. 299 on the west side of the Wallkill River sits on a constructed fill section approximately 8ft. high. The roadway within a few hundred feet past the bridge lies within the 100 year floodplain. Soils consist of well drained silt loams. The east side of the existing bridge rests on bedrock above the 100 yr flood plain.

Project Description:

The Carmine Liberta Bridge is a 75-year old two-lane steel truss bridge that carries NY Route 299 over the Wallkill River. The current bridge is a through truss approximately 180' X 25' with no shoulders. A sidewalk exists on the north side of the bridge. The proposed new bridge will be of similar length with 11.5 feet travel lanes and 4 foot shoulders on both sides and a 6 ft. sidewalk on the north side on the outside of the truss. The proposed structure will be a "pony arch" with weathered steel arches and galvanized decking and bottom structural members.

The existing bridge is the only structure that links the two halves of New Paltz, which straddles the Wallkill River and is one of the few east/west access points over the Shawangunk Ridge. The bridge carries significant traffic volumes, nearly 12,000 vehicles utilize the current bridge structure on a daily basis, based on annual average daily traffic computations. The bridge also serves as an important access across the Shwangunks for truck traffic. Given this, weight restrictions on the bridge would represent a significant economic loss. The nearest detour route is over 10 miles longer than the existing route. In addition, the bridge provides critical fire and ambulance access west of the Wallkill. To ensure that traffic and fire and ambulance service is not disrupted during construction of the new bridge, a temporary bridge will be installed located on the north side of the existing bridge. This bridge and associated access road and abutment on the west side will be removed upon completion of the new bridge. The east abutment will remain and an overlook created at this location.

In addition to its utilization as a primary transportation resource, the existing bridge's superstructure also carries a large percentage of the town's potable water from the Village's water plant through a twelve-inch water main. The Village has alternate water piping that extends across the river at a point further north of the bridge; however, this water main was designed as a back up to supply water to the community and it will do so during the construction of the new bridge. The project includes replacement of the waterline on the new bridge once complete so as to ensure that the community continues to have a secure water supply in event of failure of one of the crossing of the Wallkill River. Prior to removing the existing water main the Village will activate the alternate waterline and ensure it is working properly so that residents in the Village are provided uninterrupted water supply. According to the Village engineers this water main is capable of delivering water to customers at a steady rate, but with somewhat reduced volume and pressure. No additional ground disturbances will be necessary.

In summary, the County will place a new bridge on the site of the existing bridge with improved bottom beam clearance, which will prevent floodwater incurred by a 100-year flood from reaching the bottom structural members. The enhanced height will also prevent waterborne debris from collecting at the bridge's lower beams. In addition, the County will replace the existing waterline placing it on the new bridge so that the Village of New Paltz will continue to have resilient water supply system with two means to provide water to its customers where its supply lines cross the Wallkill River.

Need for the Project:

The current bridge is over 75 years old. Ulster County in the past has done extensive rehabilitation on the bridge to ensure its safety including a new deck and repairs to its structural components as recently as 1991. In recent years the bridge has had a number of structural deficiencies noted during inspections the most recent being a red flag by NYSDOT concerning the section loss of a critical structural component forcing traffic modifications to the eastbound lane of the bridge. Today the bridge stands as both functionally obsolete and structurally deficient and, in the opinion of the County's engineers, must be replaced rather than repaired. .

Public and Agency Outreach:

Ulster County created a community advisory committee to assist in project decision-making. The Committee provided input on the type of bridge, its typical section, need for pedestrian and bicycle facilities, and the decision to include a temporary bridge. The Committee met four times in 2015 on March 13, April 8, May 13, and June 16. All of its efforts were conducted in public and widely reported in local media.

The County has conducted a coordinated review under SEQRA and sought Lead Agency designation under SEQRA in accordance with Ulster County Legislature Resolution No. 478 of December 2015. All involved parties were notified. In addition, since a portion of the funding for the bridge is from federal sources, the County coordinated its SEQRA review with necessary federal agencies and the Governor's Office of Storm Recovery who was responsible for making the needed NEPA determination. Agencies consulted included NYS Department of Environmental Conservation (DEC), NYS Historic Preservation Office (SHPO), NYS Department of Transportation (NYSDOT), Governors Office of Storm Recovery (GOSR) and US Fish and Wildlife. In addition, local elected officials were also consulted during the outreach.

Reasons Supporting the Determination ASONS SUPPORTING THE DETERMINATION

In making this determination of non-significance the Ulster County Legislature, as Lead Agency and its advisors first examined Part 1 of the Full Environmental Assessment Form (EAF) and the supplemental data and documentation as contained in the various Reports completed for the project by the Lead Agency Consultants. This work was undertaken over the course of two years [2015-2016] by said Lead Agency Consultants

On December 15, 2015 the Lead Agency ratified Resolution (Resolution #478) establishing its intent to serve as Lead Agency, classifying the project as an Unlisted Action under SEQRA and initiating coordinated review with all Involved Agencies for the new bridge and associated infrastructure. [6 NYCRR Parts 617.4 and 617.6(a).]

This Action was determined by the Lead Agency to be classified as Unlisted under SEQRA in accordance with SEQRA; and pursuant to 6 NYCRR Part 617.4. However, in order to comprehensively address the relevant areas of environmental concern, the Lead Agency has followed procedures for a Type I Action Coordinated Review.

On December 21, 2015 Part 1 of the EAF and supporting documentation was duly executed and the EAF, was circulated to all Involved and Interested Agencies for their review and recommendations as part of the coordinated review pursuant to 6 NYCRR parts 617.6(b)(3)(i) and 617.6(b)(2)(i). As no objections were raised to the establishment of the Lead Agency, the County Legislature automatically

attained such status at the expiration of thirty (30) days from the date the EAF and supplemental materials were circulated [6 NYCRR Part 617.6(b)(3)(i).]

The Lead Agency thereafter coordinated with its advisors and consultants in order to comprehensively review the potential environmental impacts associated with this action through studies, reports, documentation and data which has been made of record.

After coordination with Involved/Interested agencies and upon review of the record, the Lead Agency completed Part 2 of the full EAF and considered the criteria set forth in NYCRR Part 617.7(c), in each case comparing the identified impacts that may be reasonably expected to result from the proposed changes and activities against the indicators of significant adverse impacts on the environment.

Evaluation of Impacts

1. Substantial Adverse Changes to Existing Air Quality

Existing Setting

The proposed project lies within an area that meets EPA air quality standards (attainment area). Traffic congestion at the bridge occurs during peak weekends and occasionally during summers on Sunday afternoon. Nearly all congestion at the bridge is associated with eastbound traffic. It is noted that the bridge is not the cause of the congestion but rather intersection delays with the Village of New Paltz are the major determinant.

Analysis of Impacts

Short term air quality impacts may occur during the construction phase of the project due to the operation of heavy equipment used in the placement of fill for the temporary bridge, demolition of the existing bridge and setting the arches for the new bridge. All site work will utilize standard air quality control practices that include dust control, and no idling provisions for vehicles. In addition, the west side of the bridge will be utilized as a construction staging area to remove these activities from proximity to residences and businesses. The provision of a temporary bridge ensures that traffic will continue to flow in a normal manner during construction without redirecting traffic into other communities.

Long term air quality impacts will remain unchanged. Bridge design will not increase the capacity of the roadway for vehicles. The new bridge however, will provide better access for pedestrians and cyclists.

Based on all of the above, the Lead Agency finds that the new bridge and its associated activities will not result in a substantial adverse change in existing air quality.

2. Substantial Adverse Change in Existing Ground or Surface Water Quality

Existing Setting

The existing bridge passes over the Wallkill River a Class B stream. The current practice of the County for winter operations utilizes wetted salt to control ice on roadways. This practice reduces salt scatter into streams and wetlands and generally reduces the amount of salt used. The temporary bridge will require a fill section to carry its access road.

Analysis of Impacts:

The replacement bridge will be fitted to the existing abutments with its beam seats raised approximately 18 inches. The temporary bridge will require a fill section within the floodplain and the installation of new abutments. All work associated with the project will be carried out above the ordinary high water mark. Only minor tree removal (1-3 total above 5" dbh) will be required to be removed along the bank of the Wallkill. The bank will be planted and landscaped upon removal of the temporary bridge. The amount of impervious surface added is temporary and insignificant related to the extent of the aquifer.

Standard construction techniques will be used at the site to reduce the risk of spills. Bridge demolition will be done by dropping the one end of the existing bridge into the water and then pulling the bridge out. The County will apply to NYS DEC for the necessary permits. The County engineer estimates that removal of the bridge from the water will take less than 8 hours and be completed within a single workday. Demolition would be scheduled for near the end of June or early July and would be dependent on water flows in the Wallkill River.

Based on all of the above, the replacement of the bridge and its associated activities will not result in a substantial adverse change in existing ground or surface water quality.

3. Substantial Adverse Change in Existing Traffic Levels

Existing Setting

The current bridge carries approximately 12,000 vehicles per day. Congestion occurs in the Rt. 299 corridor at the bridge generally on holiday and special event weekends. The current bridge as designed has the capacity to carry the existing traffic, and, consistent with transportation infrastructure investment, the new bridge should be able to carry future traffic in the corridor for its anticipated life span given other restrictions in the corridor.

Analysis of Impacts:

Based on the importance of the existing bridge as an east west connector across the Wallkill and the lack of a suitable detour the County has decided to install a temporary bridge during the construction of the new bridge. As a result traffic will continue to be able to utilize the Rt. 299 corridor. Design of the new bridge does not include any additional lanes although 4 ft. shoulders will be added to the bridge to improve safety and accommodate cyclists. The Lead Agency notes that the congestion that occurs in Rt. 299 corridor in the Village of New Paltz is associated with intersection/signal capacities in the Village and not the road segment associated with the bridge.

Based on all of the above the Lead Agency finds that the Project will not result in a substantial adverse change in existing traffic levels.

4. Substantial Adverse Change in Noise levels

Existing Setting

The existing bridge location is adjacent to a single business on its south side. The north side of the bridge is a public road intersection. The west end of the bridge is surrounded by farmland whereas the east end of the bridge begins the entrance to the Village of New Paltz. The primary noise generator in the location is vehicle traffic.

Analysis of Impacts:

The proposed construction of the new bridge will be of limited duration (less than 6 months) and is not expected to generate noise levels which would be objectionable by the public at large. It is also noted that the construction activities will take place in an area that currently experiences noise from existing traffic patterns which will continue during bridge construction. Major construction activities are removed from any adjoining residential areas. The location of the temporary bridge is also placed away from any residents and much of its access road is within existing agricultural lands. The new bridge will be placed in the same location as the existing bridge and its design will not increase the ability to handle traffic nor does its design or pavement treatment increase the noise associated with its use.

Based on all of the above the Lead Agency finds that the Project will not result in a substantial adverse change in noise levels in either the short or long term.

5. Substantial Increase In Solid Waste Production

Existing Setting

Currently no solid waste is produced at the site

Analysis of Impacts

Demolition of the existing bridge will result in the production of scrap steel that will be recycled. All roadway and fill material used in the construction of the temporary bridge will also be reused by the County

Base on all of the above the Lead Agency finds that the Project will not result in a substantial increase in the solid waste production.

6. Substantial Increase In Potential for Flooding, Leaching and Drainage Problems

Existing Setting

The current bridge lies above the 100 year floodplain and even during Hurricane Irene the bridge itself was not inundated. The bridge approach west of the Wallkill River consists of manmade fill that raises the roadway elevation out of the floodplain. Banks of these approaches are a mix of small trees and brush. Several clusters of larger trees are found adjacent to the bridge. No wetlands or wetland buffers exist on the Project site.

Analysis of Impacts

The proposed new bridge will rest on the existing abutments. The beam seats will be raised approximately 18 inches to allow the bridge to better pass debris associate with severe flooding

The installation of the temporary bridge will require fill to be placed in the floodplain for the access road. This fill section will be equal to or lower than the adjoining up-stream existing roadway and will not cause a rise in flood elevations given its placement and small volume. The abutments for the temporary bridge will be placed adjacent to and just behind (wider) than the existing abutments. Both the fill and the abutment on the west side will be removed upon completion of the new bridge. The east abutment will remain and serve as a new overlook for this side of the bridge. The Lead Agency has not identified any work associated with the project that would impact hydraulic capacity of floodplain in this location therefore, a hydraulic analysis is not necessary and the Lead Agency finds that “no rise” in flood heights will occur as a result of the Project.

Minor tree removal 1-3 total above 5” dbh will be removed along the bank of the Wallkill. The bank will be planted and landscaped upon removal of the temporary bridge. Similarly, minor clearing of the existing road embankment will take place to accommodate the connection to the access road. This area will also be re-graded and seeded upon removal of temporary bridge. The County will install all necessary erosion control measures including silt fencing at the construction site with particular attention to the fill section approaches associated with the temporary bridge. No new permanent drainage installations are included in the project.

Based on the above, the Lead Agency finds that that the project will not cause a substantial increase in the potential for flooding, leaching, and drainage problems.

7. 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 of Animal or Plant, or the Habitat of Such Species; or Other Significant Adverse Impacts to Natural Resources:

Existing Setting

The Project area is characterized by highway facilities with adjoining roadside vegetation. On the west side of the Wallkill River, the area beyond the roadside vegetation consists of active agricultural fields

that are cropped and plowed annually. The Wallkill River bank on this side consists primarily of low growing brush that has been cut back to allow passage of telecommunication and power lines across the Wallkill River. In all, the vegetation and wildlife within the Project area is unremarkable. There are no unique or unusual land forms, site characteristics or other distinguishing features associated with the project area.

Analysis of Impacts

The Lead Agency coordinated its outreach with the NYSDEC, NYS Natural Heritage Project, and USFWS. Personnel from the Lead Agency's Department of Environment and its Planning Department reviewed the responses and records from these agencies and conducted a site visit in order to examine the potential presence of threatened animal or plant species of record and potential habitat.

The NYS Natural Heritage Program (NYNHP) records reveal a concern for the Red-Headed Woodpecker, and Prairie Wedgegrass. NYSDEC personnel identified the sedge wren as a potential species of concern. USFW, with the exception of the Indiana and Northern Long Eared bat for which critical habitat has not been established, did not identify any endangered species. The USFW did identify several species of conservation concern in the vicinity of the project.

The Lead Agency's personnel found no evidence of any significant habitat or presence of endangered or threatened species as part of the field visit. The assessment notes from the field visit conclude that the project site consists of unremarkable scrub/shrub vegetation bordering the existing roadway and areas of active agriculture. There are 5 clusters of trees (6-8) per that are < 7 inches dbh and 1 cluster that of 5 trees that are < 9 inches dbh. This larger dbh cluster lies adjacent to the existing bridge. The Lead Agency field survey included examination of potential roost trees (PRT) (trees over 3-5", roosting structures (exfoliating bark, crack, crevices or cavities), and free from vines or other obstructing vegetation). One PRT was identified in the area proposed to be cleared in association with the construction the Project. This PRT is part of a cluster located on west of the Wallkill on the north side of the road approximately 15 feet west of the existing bridge abutment. This tree cannot be avoided during the installation of the temporary bridge. The Lead Agency notes the no bats have been observed under the existing bridge. The Lead Agency also notes that the Project location is more than 2.5 miles from the closest occurrence of Indiana bats and more than 5 miles from that of Northern Long-eared bats. In addition, the Lead Agency will conduct a visual emergence survey prior to any tree cutting done after March 31. The area is not a known nesting or migratory habitat for any resident migratory fish or wildlife species. Eagle nesting areas were not observed during the field visit. There are no significant impacts to any other natural resources.

With regard to non-endangered species there will be a minor loss of habitat due to the installation of the temporary bridge. However, displacement will occur to nearby/adjacent lands given the locations owing to the rural agricultural nature of the area on the west side of the Wallkill River.

Based on the foregoing the Lead Agency finds that the Project will not result in any significant impacts to any endangered or threatened species, their habitat nor to other natural resources present on the site.

8. The Impairment of the Environmental Characteristics of a Critical Environmental Area (CEA) as Designated Pursuant to Subdivision 617.14 (g) of 6 NYSRR Part 617
No CEA is situate in the vicinity of the site therefore the Lead Agency concludes that none will be impacted

9. The Creation of a Material Conflict with a Community's Plans or Goals as Officially Approved and Adopted:

Existing Setting

The existing bridge has stood since 1942. Its location has guided municipal land use planning in the community. Municipal and regional transportation plans have recognized its critical nature. Various studies conducted to examine alternate crossings of the Wallkill River have not met with success in achieving community acceptance. In addition, the recently passed Ulster County Transportation Council Long Range Transportation Plan adopts as its primary goal a "preservation first" policy with which the project is consistent.

Analysis of Impacts

The Lead Agency finds that the project is consistent with local and regional plans as adopted. The new bridge effectively constitutes a replacement in-kind. Furthermore, the Lead Agency notes that it formed a local advisory committee consisting of community stakeholders and elected officials and members from various local committees to assist in planning for the new bridge. The committee reached a consensus on the type of bridge to be constructed, its typical section as well as the need and placement of a temporary bridge. Finally, the Lead Agency notes in constructing the bridge the County of Ulster is acting in its governmental non-proprietary capacity; that the bridge represents critical transportation infrastructure in place since 1942; that the public interest is well served by its replacement; that the bridge is not discordant toward the community plans; serves a compelling public interest; and alternatives have been thoroughly considered by the Lead Agency and others so as to have met the "balancing of public interest test" as articulated by the New York State Court of appeals in *The Matter of the County of Monroe*, 72 NY 2d 338 (1988) and subsequent related case law.

Based on all of the above the Lead Agency finds that the project does not create a material conflict with the Village and Town of New Paltz plans or goals as officially adopted.

10. The Impairment of the Character or Quality of Important Historical, Archaeological, Architectural, or Aesthetic Resources or of Existing Community or Neighborhood Character

Existing Setting

The Carmine Liberta Bridge (BIN 3045230) was constructed in 1940 and was recommended as eligible for listing in a report by the NYSDOT in 2002. Examination of the project area in CRIS indicates that several projects have taken place in the vicinity and numerous resources in the village of New Paltz had been previously surveyed. The National-Register listed New Paltz Downtown Historic District is located immediately east of the project area. The Huguenot Historic District is located approximately 0.2 miles upstream from the project area. No surveyed archeological areas exist within the immediate vicinity of the project area. The project area is within an archaeologically sensitive area.

Analysis of Impacts

The Lead Agency in working with the Governor's Office of Storm Recovery (GOSR), its funding partner, coordinated with the New York State Historic Preservation Office (SHPO) concerning the proposed project. SHPO concurred with the original finding issued by consultants for GOSR of an adverse effect associated with the project based on the bridge's eligibility for listing the national register and the archeological sensitivity of area, with particular concern for the temporary bridge abutment on the west side of the Wallkill. SHPO recommended a Phase IB analysis of the proposed location of the west abutment site for the temporary bridge and photo documentation of the existing bridge consistent with National Park Service (NPS) "National Register of Historic Places Photographic Policy (March, 2010)". GOSR conducted a Phase IB analysis of the location of the area associated with the west side abutment of the temporary bridge. The Phase IB did not recover any archaeological sensitive material at the proposed location of the abutment. GOSR also completed the necessary photo documentation of the existing

bridge. Based on its review of the materials submitted by GOSR SHPO has concluded its review of the project and issued a finding of no-adverse effect.

The Lead Agency notes that the installation of the temporary bridge will provide will provide continued access on this critical corridor. In addition, the Lead Agency is committed to maintaining access onto the on local streets that intersect the corridor in the vicinity of the project. Turning movement restrictions will be implemented on Huguenot Street two-lane traffic is proposed however this may need to be reduced to a single lane during installation and removal of the temporary bridge.

With regard to aesthetic resources the Lead Agency notes that Advisory Committee formed for the project choose the new bridge design. The design, a pony arch, will open up additional scenic views of the Shawangunk's now blocked by the through truss. Lighting is proposed for the sidewalk only and will be full cutoff located on or just above the railing.

Based on the above including the SHPO conclusion of no-adverse effect, the Lead Agency has determined that the project will not have a significant impact on the character or quality of important historical, archaeological, architectural, or aesthetic resources or of existing community or neighborhood character.

11. Major Change in the Use of Either the Quantity or Type of Energy

Existing Setting

Currently the existing bridge carries approximately 12,000 vehicles per day. The current bridge is not lighted although street lights are provided on the east end.

Analysis of Impacts

The replacement bridge is not designed to handle additional traffic and will not affect the growth in background traffic in New Paltz. Energy use from associated with traffic will not be impacted by the bridge. The Lead Agency notes the use of a temporary bridge during construction assures that energy use associated with long detours will be avoided. The new bridge will also be better able to accommodate cyclists that could, coupled with other projects planned for the area, displace some vehicle trips thereby reducing energy use. The project will include new LED lighting for the sidewalk of the new bridge.

There will be a negligible change in the quantity of energy utilized in the construction of the project associated with the use heavy equipment in the erection of the new bridge.

Based on the above the Lead Agency has determined that the project will not result in a major change in the use of either the quantity or type of energy.

12. Creation of a Hazard to Human Health

Existing Setting

The existing bridge is past its useful life raising the risk that emergency actions may be necessary that could result in the closing of the bridge. This would severely impact fire and safety services west of the Wallkill River. The existing bridge has been previously remediated with regard to lead based paint and no known hazardous substances are present on the structure. The existing bridge lacks shoulders

Analysis of Impacts

Failure to replace the existing bridge in a timely manner may result in increased risk exposure in the form of response times for emergency services to the areas west of the Wallkill River. The proposed bridge will include adequate shoulders to safely accommodate cyclists and add lighting to the sidewalk that is now unlighted. The demolition of the existing bridge and the construction of the new bridge will not generate or dispose of toxic or hazardous substances nor will noxious fumes be generated during the construction. Safety of on-site workers and the public will be regulated under Federal/State Law. The

Project will be subject to safely digging pursuant to New York State Safe Dig Legislation and the attendant Occupational Safety and Health Administration (OSHA) and other Federal and/or State worker protection laws.

Based on the foregoing the Lead Agency finds that there is no creation of a hazard to human health associated with the project and an overall net benefit is likely to accrue.

13. A Substantial Change in the Use, or Intensity of Use of Land Including Agricultural, Open Space, Recreational Resources, or in its Capacity to Support Existing Uses.

Existing Setting

The project area consists of transportation related infrastructure and supporting lands as well an area that is in agricultural use west of the Walkill

Analysis of Impacts

During the construction of the new bridge a temporary bridge and associated access road will encroach on lands in agricultural use located in an agricultural district. This encroachment will occur at the farm field fringe where it abuts the county road. The total area encroached on is less than 10,000 sq. ft out of which approximately 5,000 sq. ft. is in farming. The encroachment will be temporary and lasting less than 6 months or one growing season. The Lead Agency has completed an agricultural data statement as required. All material will be removed once the new bridge is completed. The Lead Agency also notes that the area of the encroachment is generally planned for a future walking/cycling path by the current owner and that proposal is currently under review by the Town of New Paltz.

Based upon the record the Lead Agency finds that the construction of the new bridge will not result in a substantial change in the use, or intensity of use of lands relating to agriculture, open space, recreation, or in the capacity of these lands to support existing uses.

14. Encouraging or Attracting a Large Number of People to a Place of Places For More Than A Few Days, Compared to the Number of People Who Would Come to Such Place Absent the Action

Existing Setting

The existing bridge carries approximately 12,000 vehicles per day. No overlook exists and the existing bridge does not have shoulders requiring cyclist to be in the lane when crossing.

Analysis of Impacts

When completed, the new bridge will have the same vehicle capacity as the existing bridge. The small overlook included in the project is designed to provide a safe place, away from traffic, to allow those that currently visit the location to view the Walkill River and the Shawangunk Ridge beyond. The overlook will not support large numbers of visitors.

Based on the above the Lead Agency finds that large number of people will not be attracted to the area of the project as a result of its construction.

15. The Creation of a Material Demand For Other Actions That Would Result In One of the Above Consequences

Analysis of Impacts

The new bridge is designed to meet the needs of the community for the life of the bridge and is consistent with transportation infrastructure investment practices. With the exception of the temporary bridge the project would be considered a replacement in-kind.

16. 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

Analysis of Impacts

Based on the information contained in this Negative Declaration of Environmental Significance and the record before the Lead Agency, there will not be changes in two or more elements of the environment which, when considered together would result in a substantial adverse impact on the environment.

17. Two or More Related Actions Undertaken , Funded, or Approved by an Agency, None of Which has or Would Have a Significant Impact on the Environment, But When Considered Cumulatively Would Meet One or More of the Criteria of Part 617.7 (c).

Analysis of Impacts

None of the probable impacts on the environment that are associated with or which result from incremental or increased impacts of this action, when such impacts are added to other related past, present or reasonably foreseeable future actions, will be significant. The Lead Agency has reviewed and analyzed the proposed plans for the new bridge and associated temporary bridge as well as the environmental assessment form, associated engineering and environment reports memoranda and addenda, as it relates to physical changes to the environment and has determined that their combined and/or cumulative effects will not be significant.

The Lead Agency is not aware of any subsequent actions that may possibly arise as a result of the proposed project and has address all indentified and relevant long-term, short-term and cumulative impacts and effects of the proposed activities and actions, and the County of Ulster has no identifiable long-range or overall plans for any subsequent actions of changes in use or other activities relating to the construction of the new bridge.

Due to the continued environmental and other administrative review requirement of and subsequent development activities in the area of the new bridge project on a case by case exercise of discretion by reviewing agencies and officials, it is not necessary nor reasonable to require at this time a hypothetical “worst case” analysis of all speculative environmental effect or potential environmentally threatening uses which could be anticipated at some time in the future.

The Lead Agency concludes that any possible environmental effects of any future activities, or development with the Town and Village of New Paltz, or any future changes associated with the new bridge itself is capable of being adequately addressed through subsequent, discretionary, administrative and environmental review.

In making its determination the Lead Agency has not balanced any potential benefits of the proposed Action against potential harm.

Conclusion

Base on the information available to the Lead Agency and the above evaluation and analysis of all the relevant and probable environmental impacts related to the activities and actions herein proposed, the Ulster County Legislature, as Lead Agency, and Project Sponsor determines that there will be no significant adverse environmental impacts as a result of the construction of a new bridge to replace the existing bridge across the Walkkill River in New Paltz and no Environmental Impact Statement (EIS) will be required. Therefore, this determination on non-significance and Negative Declaration under SEQRA is hereby approved, adopted and issued by the Lead Agency. (see also' Lead Agency Resolution annexed hereto and made a part hereof.

Supporting Documentation

Lead Agency Circulation
Bridge Plans
NYSDEC Permit Application
SHPO Documentation – Phase 1B
ESA Field Visit Notes
ESA Consultation – USFWS – NYSDEC
SEQRA Part 2 EAF

FOR FURTHER INFORMATION:

CONTACT PERSON: Kenneth Ronk, Chairman
Ulster County Legislature
c/o Legislative Offices
6th Floor, County Office Building
244 Fair Street
Post Office Box 1800
Kingston, New York 12402
(914) 340-3900

FILINGS:

Pursuant to 6 NYCRR Part 617.12 (b) a copy of this Negative Declaration is being filed with:

The Honorable Kenneth Ronk
Chairperson, Ulster County Legislature
PO Box 1800
Kingston, New York 12402-1800

Mr. Paul Rush, Commissioner
New York City Department of Environmental Protection
Bureau of Water Supply
59-17 Junction Blvd.
Flushing, New York 11373

Ms. Susan Plonski, Commissioner

Ulster County Department of Public Works
313-317 Shamrock Lane
Kingston, New York 12401

Mr. Todd Westhuis, PE Regional Director
New York State Department of Transportation – Region 8
4 Burnett Boulevard
Poughkeepsie, New York 12603

Ms. Shelley Mertens, Sr. PHE
Ulster County Health Department
300 Flatbush Avenue
Kingston, New York 12401-2740

Mr. Martin Brand, Regional Director
New York State Department of Environmental
Conservation, Region 3
21 South Putt Corners Road
New Paltz, New York 12561

Timothy Rogers, Mayor
Village of New Paltz
25 Plattekill Avenue
New Paltz, NY 12561

Neil Bettez, Supervisor
Town of New Patlz
1 Clearwater Road
New Paltz, NY 12561

Mr. John Bonafide, Director
Historic Preservation Field Services Bureau
New York State Office of Parks, Recreation & Historic
Preservation
Peebles Island, PO Box 189
Waterford, New York 12188-0189

United States Environmental Protection Agency
Region 2
290 Broadway
New York, New York 10007-0866

Northeast Regional Office
United States Fish and Wildlife Service
300 Westgate Center Drive
Hadley, MA 01035-9589

United States Army Corps of Engineers
New York Regulatory Branch
Western Permit Section Counties
26 Federal Plaza, Room 1937
New York, New York 10278-0090

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Ms. Beatrice Havranek, Ulster County Attorney
Ulster County Attorney's Office
PO Box 1800
Kingston, New York 12402

Mr. Anthony S. Campagiorni
Vice President - Business Development and
Governmental Affairs
Central Hudson Gas & Electric Corp
284 South Avenue
Poughkeepsie, New York 12601

DATED: _____, 2016



KENNETH J. RONK Jr., Chairman
Ulster County Legislature

CERTIFICATION

The undersigned hereby certifies that the annexed SEQRA Resolution and Negative Declaration with Notice of Determination of Non-Significance, Being In The Matter of the Ulster County Legislature Approval of the Replacement of the Carmine Liberta Bridge Rt. 299 over the Walkill New Paltz, N.Y and dated the _____, 2016, has been duly filed this day in the Legislative Offices of the Ulster County Legislature located at 244 Fair Street, Kingston, New York 12401.

DATED: _____, 2016



Victoria A. Fabella , Clerk
Ulster County Legislature

Resolution No. 152 March 15, 2016

Adopting And Issuing A Negative Declaration Under 6 NYCRR Part 617 State Environmental Quality Review Act (SEQRA) By The Ulster County Legislature For The Replacement of the Carmine Liberta Bridge on NYS Rt. 299 Over the Wallkill - Capital Project No. 458 - Department Of Public Works

Referred to: The Public Works and Capital Projects Committee (Chairman Fabiano and Legislators Greene, Litts, Loughran, and Maloney), and The Energy and Environment Committee (Chairman Richard Parete and Legislators Bartels, Heppner, Lapp and Wawro)

Chairman of the Public Works and Capital Projects Committee, Dean J. Fabiano, and Deputy Chairman Peter M. Loughran offer the following:

WHEREAS, this resolution has been offered by the County Executive on behalf of the Department of Public Works; and

WHEREAS, the Carmine Liberta Bridge Replacement Project (hereinafter the "Project") will replace the existing bridge on NYS Rt. 299 over the Wallkill River in New Paltz with a modern truss bridge that includes provisions for pedestrians and cyclists, provide for a temporary bridge to carry traffic during construction, and replace the Village of New Paltz water line on the new bridge when completed; and

WHEREAS, the County of Ulster (hereinafter the "County") established a Citizens Advisory Committee (hereinafter the "Committee") consisting of stakeholders from the New Paltz community; and

WHEREAS, the Committee sought comments from the public in order to assist it in making decisions regarding the Project; and

WHEREAS, the Committee reached out to the applicable federal and state agencies identified as having jurisdiction associated with approvals necessary for the Project to proceed; and

WHEREAS, pursuant to Resolution No. 478 of 2015 adopted on December 15, 2015 (hereinafter "Resolution No. 478"), the Ulster County Legislature established Capital Project 458; and

WHEREAS, pursuant to Resolution No. 478 the Ulster County Legislature declared its intent to serve as lead agency for the Project pursuant to 6 NYCRR Part 617.6(b)(3) of the Regulations pertaining to Article 8 of the Environmental Conservation Law of New York State ("SEQRA"); and

WHEREAS, the Ulster County Legislature shall be the Lead Agency under SEQRA for this Project because an unchallenged thirty (30) day period following the transmittal of the Notice of Intent, the EAF and accompanying documentation to all interested agencies has concluded; and

Resolution No. 152 March 15, 2016

Adopting And Issuing A Negative Declaration Under 6 NYCRR Part 617 State Environmental Quality Review Act (SEQRA) By The Ulster County Legislature For The Replacement of the Carmine Liberta Bridge on NYS Rt. 299 Over the Walkill - Capital Project No. 458- Department Of Public Works

WHEREAS, as part of the project approval process the County has completed an expanded Environmental Evaluation of Impacts and Negative Declaration that includes an analysis of impacts to historic and archeological sites, wetlands and water bodies, threatened or endangered species, traffic, and other environmental considerations as required under 6 NYCRR Part 617 of the Regulations of Article 8 of the Environmental Conservation Law of New York State ("SEQRA"); and

WHEREAS, such evaluation of impacts and negative declaration has been filed with the Clerk of the Legislature and made available to members of the Legislature; and

WHEREAS, the County has addressed all SEQRA issues as identified, considered and examined by the Involved and Interested Agencies and members of the public in conducting the environmental review and in so doing, has taken a hard look at said areas and made a determination of non-significance under SEQRA ("Negative Declaration"), a copy of which is annexed to this Resolution and made a part hereof; now, therefore, be it

RESOLVED, that pursuant to 6 NYCRR Part 617 et seq. of the Regulations of Article 8 of the Environmental Conservation Law of New York State (SEQRA), the Ulster County Legislature hereby adopts and issues the Negative Declaration under SEQRA for the Replacement of the Crime Liberta Bridge upon the vote thereupon and the signature of the Ulster County Legislature Chairman herewith; and, be it further

RESOLVED, that Clerk of the Legislature shall file this Resolution and accompanying Negative Declaration with the Involved and Interested Agencies as enumerated in the Negative Declaration; and, be it further

RESOLVED, that the adoption of the Negative Declaration shall constitute the SEQRA Decision of approval for the construction of a new bridge to replace the existing Carmine Liberta Bridge in New Paltz and all of the actions associated with such project, together with all plans and documents associated therewith,

and move its adoption.

