



**New York State Office of Parks,
Recreation and Historic Preservation**

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David A. Paterson
Governor

Andy Beers
Acting Commissioner

**AGENCY DECISION
AND
STATEMENT OF FINDINGS**

**Adoption of a Master Plan for Clarence Fahnestock Memorial State Park and
Hudson Highlands State Park Preserve**

The New York State Office of Parks, Recreation and Historic Preservation has prepared a Final Environmental Impact Statement (FEIS) and Final Master Plan, dated December 15, 2010, for Clarence Fahnestock Memorial State Park and Hudson Highlands State Park Preserve.

By the authority vested in me in State Parks, Recreation, and Historic Preservation Law, I do hereby adopt the Final Master Plan for Clarence Fahnestock Memorial and Hudson Highlands State Park Preserve.

My decision is based on the attached Findings Statement and the content of the FEIS, which have been prepared according to the provisions of Part 617, the regulations implementing Article 8 of Environmental Conservation Law - the State Environmental Quality Review Act.

Andy Beers
Acting Commissioner
New York State Office of Parks, Recreation
and Historic Preservation

Date

**State Environmental Quality Review
FINDINGS STATEMENT
Clarence Fahnestock Memorial State Park and Hudson Highlands State Park Preserve
Master Plan**

December 29, 2010

Pursuant to Article 8 (State Environmental Quality Review Act – SEQRA) of the Environmental Conservation Law and 6 NYCRR Part 617, the Office of Parks, Recreation and Historic Preservation (OPRHP), as lead agency, makes the following findings:

Title of the Action:

Adoption and Implementation of a Master Plan for Clarence Fahnestock Memorial State Park and Hudson Highlands State Park Preserve

Location:

Clarence Fahnestock Memorial State Park is located in the Towns of Carmel, Kent, Philipstown and Putnam Valley in Putnam County. Hudson Highlands State Park Preserve is located in the Towns of Fishkill, Philipstown, and Cortlandt, the Villages of Cold Spring and Nelsonville, and the City of Beacon within Dutchess, Putnam and Westchester Counties.

Description of the Action:

The Master Plan for Clarence Fahnestock Memorial State Park and Hudson Highlands State Park Preserve provides long term guidance for the development and management of the park and protection of its resources as summarized below.

Date of Completion of the Final Environmental Impact Statement (FEIS): December 15, 2010

These findings consider the relevant environmental impacts, facts and conclusions disclosed in the Final EIS; weigh and balance relevant environmental impacts with social, economic and other considerations; provide a rationale for the agency's decision; certify that the requirements of 6 NYCRR Part 617 have been met; and certify that consistent with social, economic and other essential considerations from among the reasonable alternatives available, the action is one which avoids or minimizes adverse environmental impacts to the maximum extent practicable, and that included within the plan are those mitigation measures that will avoid or minimize adverse environmental impacts to the maximum extent practicable.

Findings:

1. The Final Plan was subject to a complete Environmental Impact Statement process including a public information meeting and a public hearing. The Final EIS contains a chapter on responses to comments on the Draft EIS. This chapter contains clarification of issues raised during the review of the Draft EIS. It also provides information that has been used in the preparation of the Final Plan.

2. Clarence Fahnestock Memorial State Park is located in north central Putnam County with portions in the Towns of Carmel, Kent, Philipstown and Putnam Valley, between U.S. Route 9 and the Taconic State Parkway. Hudson Highlands State Park Preserve is a series of separate units along a 16-mile stretch of the east shore of the Hudson River, extending eastward up to four miles.
3. Clarence Fahnestock Memorial State Park was established in 1930 when approximately 2,400 acres were donated by Dr. Ernest Fahnestock in memory of his brother, Clarence, for the development of the parkway and a state park. The park was initially developed through the use of the Civilian Conservation Corps (CCC) and has grown substantially over the decades to its current size of 14,082 acres.
4. Hudson Highlands State Park Preserve was established in 1938 when two parcels totaling 177 acres on the face of Breakneck Ridge were donated to the State by the Whitney and Nelson families through the efforts of the Hudson River Conservation Society. Other properties added in the succeeding decades include: Little Stony Point, Bannerman's Island, the Osborn Preserve, Constitution Marsh, Indian Brook Falls, Anthony's Nose, Denning's Point, Arden Point, the Harriman Toll House, the Annsville Creek facility, the North Redoubt and Connecticut Camps, property off Fishkill Road, a large parcel at U.S. Route 9 / I-84, part of Surprise Lake Camp, Dockside, University Settlement Camp and the City of Beacon watershed property at South Mount Beacon. Together these bring the park to its current size of 6,942 acres.
5. Both Clarence Fahnestock Memorial State Park and Hudson Highlands State Park Preserve contain a wealth of natural resources and rich biodiversity. The natural communities of the two parks are similar in composition. Deciduous forests dominate, with Appalachian oak-hickory forests found on the mid to upper elevations, integrating with chestnut oak forests at higher elevations and oak-tulip tree forests at lower elevations.
6. Clarence Fahnestock Memorial State Park has five natural communities that are considered significant from a statewide perspective. The 7,284-acre chestnut oak forest within the park is one of the largest documented occurrences of this forest type in New York State and the largest documented east of the Hudson River. Additionally, Clarence Fahnestock Memorial State Park supports at least five rare animal species and other species of conservation concern, including one species considered a candidate for federal listing, as well as one rare plant population that is listed as state Endangered. Hudson Highlands State Park Preserve contains eleven significant natural communities, including high quality pitch pine-oak-heath rocky summit and red cedar rocky summit communities. It also harbors seven rare plant species, including six plants listed as state Threatened. Hudson Highlands State Park Preserve also supports five state Threatened, one state Endangered, and five state rare animal species, including one federal candidate species, as well as several additional species of conservation concern.
7. Hudson Highlands State Park Preserve also includes Constitution Marsh, a 270-acre brackish tidal marsh along the Hudson River. The marsh is managed by the National Audubon Society and operates as an Audubon Nature Center and Sanctuary. It is one of only five large tidal marshes remaining on the Hudson River. The marsh contains several rare species of breeding birds, rare plants and rare insect populations.

8. Clarence Fahnestock Memorial State Park has several lakes, ponds, streams, and numerous wetlands within its boundary. Several of the water bodies are natural and others are man-made, and all provide both habitat and recreational opportunities. At Hudson Highlands State Park Preserve, the Hudson River, as well as numerous streams and wetlands (especially Constitution Marsh) are the major water resources of the park.
9. The recreational activities offered at these parks include hiking, mountain biking, camping, cross country skiing, swimming, picnicking, fishing, and hunting. There are also numerous historic resources in both parks. Clarence Fahnestock Memorial State Park has several CCC era structures and Hudson Highlands State Park Preserve has historic sites that date back to the Revolutionary War.
10. The plan identifies vision statements and goals for each park. The vision for Clarence Fahnestock Memorial State Park is that the park will continue to provide protection of an extensive upland contiguous forest within the New York Highlands region while providing numerous year-round recreation opportunities. The vision for Hudson Highlands is that the park will continue to offer passive recreation while providing critical open space protection and habitat for native and rare flora and fauna and will continue to connect people to the river and the unique history of the Hudson Valley. The overall goal for both parks is to provide a diversity of high quality recreation opportunities balanced with stewardship of the park's natural and cultural resources.
11. The plan presents a series of "preferred alternatives" for future development and operation of the parks. Status quo alternatives were evaluated for each element of the plan as well. The Status Quo Alternative consists of the current facilities, programs and practices. The various preferred alternatives were combined to create a single preferred alternative for recreation development and resource protection into one that best met the goals for the parks. This alternative represents the Final Master Plan. Cumulatively, the actions described in the plan present the long-term vision for the rehabilitation and enhancement of public use facilities and the protection and preservation of the cultural and natural resources at the parks.
12. The plan considers the historic, cultural, natural and recreational resources of the parks and responds to the needs and safety of park patrons, protection of natural, cultural and scenic resources and the principles of sustainability. The plan also recognizes that the initiation of each specific action will be determined by the level of funding available to OPRHP in future years.
13. Article 20 of the Parks, Recreation and Historic Preservation Law outlines the process for designation of entire parks or portions of parks as part of a statewide Park Preserve system. The purpose of such designations is to conserve and protect park lands containing wildlife, flora, scenic, historic and archeological sites that are unique and rare in New York State. Under the Master Plan a Park Preservation Area will be designated within Clarence Fahnestock Memorial State Park and the entirety of Hudson Highlands State Park will be designated a Park Preserve. These designations are consistent with the type and extent of use proposed in the plan and will encourage the study and interpretation of environmental resources.
14. Article 5 - Title 11 - Section 0539 of the NYS Environmental Conservation Law allows for the

dedication of state-owned lands with rare species and/or significant natural communities as Natural Heritage Areas (NHA). These lands must meet certain criteria identified within the law. Based on an evaluation of these criteria the entire acreage of Hudson Highlands State Park Preserve and a portion of Clarence Fahnestock Memorial State Park will be designated as NHAs. Designating the park as a NHA provides additional recognition of the significant ecological communities and rare species within a park. The NHA designation does not preclude existing or future land use proposals, nor should the designation prohibit park development or operational needs.

15. The Bird Conservation Areas program is established in Environmental Conservation Law Section 11-2001, and authorizes the designation of BCAs in order to integrate bird conservation into agency planning, management and research projects within the context of the agency mission. Clarence Fahnestock Memorial State Park was designated a BCA in 2000. Under the Master Plan this BCA will be expanded to include all lands acquired since the original designation. Within Hudson Highlands State Park, Constitution Marsh was designated a BCA in 2007. Under the Master Plan, a second BCA will be added to the park to include areas that meet the BCA designation criteria. The designation itself does not preclude existing or future land use proposals, nor should the designation prohibit park development or operational needs.
16. In addition to the above designations, the Master Plan will provide protection of natural resources through several means including management of the impacts of deer on biodiversity, preparation of invasive species management plans, actions to protect summit communities and rare and endangered species habitats, streamside bio-surveys, wetland mitigation measures and aquatic vegetation management.
17. OPRHP will continue to work closely with National Audubon to protect Constitution Marsh as one of the premier wetlands within the Hudson Valley. This will include continuing to support Audubon in control of Phragmites in the marsh and to increase public knowledge about the natural resources of the marsh, as well as its recreational carrying capacity.
18. The Master Plan calls for improvements to recreational facilities at both parks including:
 - Renovation of bathroom/shower facilities at the Fahnestock campground facilities, construction of a second bathroom/shower facility, and relocation of some campsites.
 - Development of overnight accommodations at the former University Settlement Camp.
 - Rehabilitation and improvement of the picnic area at Pelton Pond and redesign of the parking area.
 - Additional ski trail and improvements to the Winter Park lodge/concession building and restrooms.
 - Improvements to the Canopus Lake Recreation Area including dredging/sand reclamation of the swimming area, and addition of a new fishing dock, playground and ball fields.
 - Improvements to the Canopus Boat Launch facility.
 - Expansion of hunting access in both parks.
 - Enhancement of views of the Hudson River Valley on trails through the selective removal of trees or shrubs at key points along the trails.
 - Improvements to the environmental and cultural interpretation and education in both parks.

19. The Final Trails Plan for both parks provides guidance for the upgrading and maintenance of the trail systems to accommodate a variety of year-round recreational uses and provide for educational and interpretive experiences. Key components of the plan include:

- Increased trail opportunities and connections throughout the parks' trail systems as well as external connections to trails on adjacent lands, surrounding communities and mass transportation.
- Hiking and snowshoeing on all existing, newly developed and newly designated trails (with the exception of groomed cross country ski trails).
- Enhancement of equestrian and mountain biking opportunities in both parks.
- Increased groomed cross country ski trails in Fahnestock Winter Park
- Maintenance of existing marked snowshoe trails of Fahnestock Winter Park.
- Designation of trails for un-groomed cross country skiing in both parks.
- Enhancement of trailhead parking facilities in a number of locations.
- Improvement of trail signage including trailhead and trail intersection signage throughout both parks to enhance the visitor experience and increase patron safety.
- Enhancement of interpretation of natural, cultural and historical resources along trails.
- Designation of trails in Hudson Highlands State Park Preserve as part of the regional Highlands Trail.

20. Park operations, maintenance and infrastructure will be improved under the Master Plan as well including:

- Construction of a new Park Office at Fahnestock.
- Construction of a new Visitor Center and parking area at Hudson Highlands.
- Renovation of cabins and the main lodge at TOEC.
- Renovation of concession/lifeguard buildings and bath houses at Canopus Beach.
- Improvements to the existing Fahnestock campground road and the Stillwater Lake access road and to existing parking lots at Canopus Beach, Little Stony Point and several other parking areas.
- Installation of a new dock at Stillwater Lake and removal of trees from the dam.
- Construction of a new parking area at Hubbard Lodge.
- Construction of a multi-use bridge over Route 301 near the entrance to Canopus Beach and the campground.
- Demolition of several buildings in both parks.

21. Impacts associated with the implementation of the plan and mitigation measures identified are as follows:

- The plan will result in some physical change to the land where new recreation facilities and trails will be constructed or where existing facilities will receive rehabilitation. Most projects will involve construction within the same "footprint" of existing use areas. There will be improvements to parking areas, most of which will be accomplished through formalizing or restriping existing areas. Pervious pavements will be used wherever possible. Erosion control and storm water management techniques will be in accordance with the New York State Stormwater Design Manual and will be incorporated into site specific designs for all construction projects that will disturb soils.

- New trail construction will include review of final trail layouts in the field by appropriate agency staff to ensure consistency with trail standards and protection of sensitive resources. The policy and guidelines for trail building that have been established by recognized trail organizations and governmental agencies will be followed. The goal of all trail work in both parks is to have trails that provide access to the resource without adversely affecting it.
- Master Plan implementation is expected to have minimal impact to water resources. The dock project at the Canopus Boat Launch and the maintenance dredging of the Canopus Beach area will result in some water quality impacts. These impacts will be mitigated through the use of Best Management Practices. Some existing trails may be causing some water quality impacts and will be assessed on a case by case basis to determine the best course of action to minimize impacts. All new facilities, including trails, will be designed to insure that adequate vegetative buffers are maintained between facilities and adjacent water resources. The Master Plan also calls for periodic water quality monitoring of all park streams and lakes.
- Direct impacts to biological resources are expected to be minimal since most projects will be sited in areas with previous development, limited environmental sensitivity and which generally possess accessibility to, and use of, existing infrastructure. This includes those projects that are within existing development footprints, as well as the projects which will be built in currently undeveloped areas. Existing sections of trails that align near sensitive natural areas such as rare species populations, water resources or significant ecological communities will be assessed on a case by case basis to determine ways that impacts caused by recreational use can be mitigated.
- The Master Plan calls for continued monitoring of surrounding land uses to insure that adjacent development does not impact the park's biological resources. The plan also calls for increased enforcement to address illegal ATVs and off-road vehicle use; particularly in the northern sections of both parks.
- The Master Plan calls for additional monitoring of the many rare, threatened or endangered species that exist in both parks. It also calls for steps to be taken to address impacts from deer on biodiversity and for the preparation of an invasive species management plan for both parks.
- The Master Plan recognizes the important historic and archeological resources within both parks and calls for additional surveys of historic and cultural resources and the preparation of management plans for important historic features such as the North Redoubt and the Connecticut Camps, to provide improved protection for these significant historic areas. The plan also recommends a nomination for the National Register for the former University Settlement Camp and the original core of Clarence Fahnestock Memorial State Park to provide additional recognition and protection of the history and cultural resources of these areas.
- The scenic character of both parks is a very significant resource of the Hudson Valley. The plan includes continued maintenance of existing scenic areas along roads, and at designated vistas on trails. Any new construction or renovations to existing structures will be designed to complement their surroundings and will not be visually intrusive.

- Implementation of the Master Plan will result in substantial beneficial recreation and open space impacts. The plan provides for a wide variety of new and improved recreation facilities and visitor amenities. Implementation of the Trails Plan will result in a better organized trails system which will accommodate a variety of uses including: hiking, biking and equestrian, as well as cross country skiing and snowshoeing.
- The plan proposes no changes to traffic circulation or access and current capacity is expected to meet the proposed needs. Health and safety of patrons and staff will continue to be a priority. Overall, the additional amenities are not expected to significantly increase visitation of the park.
- Sustainability principles and energy efficiency will be incorporated into the design of all proposed construction. Master Plan implementation may result in some temporary increases in noise during construction. Construction is generally scheduled for periods of low park use to minimize impacts to park visitors.

22. The plan describes the process for supplemental environmental review. The plan also provides for guidance as to when additional environmental review may be required and identifies the types of actions that are likely to require additional review. These include new actions not addressed within the plan that are not Type II actions within Part 617, any change from the preferred alternative for recreational and facility elements of the Plan that would result in significant adverse environmental impacts, and any leases, easements or other agreements between OPRHP and other entities that would affect resources in a manner that is not adequately addressed in the plan. Several items discussed in the Master Plan have been identified as likely to require additional review under SEQR as the scope of work for these projects is not known at this time. Specifically, the Visitor Center at Hudson Highlands, the Highlands Trail through Clarence Fahnestock Memorial State Park and Hudson Highlands State Park Preserve, and bridge rehabilitation and other recreational improvements at Denning's Point, parking and trailhead at the North Redoubt area and the rehabilitation of dams in either park are not being reviewed as part of the Master Plan and will likely require supplemental review when these projects are designed and implemented.

23. As the park is located within New York's coastal area, the plan was reviewed for consistency with the NY Coastal policies. Based on review of applicable policies it is OPRHP's determination that the plan will not substantially hinder the achievement of any of the State's coastal policies.