

**New York State Environmental Quality Review Act (SEQR)
FINAL SCOPING DOCUMENT**

for the
DRAFT STATEWIDE GREENWAY TRAILS PLAN
Draft Generic Environmental Impact Statement (DGEIS)

Project Location
Statewide, New York

June 24, 2020

SEQR CLASSIFICATION: TYPE I

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Preservation (OPRHP)
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LIST OF INVOLVED AND INTERESTED AGENCIES:

State Agencies/Authorities:

- Empire State Development
- Hudson River Valley Greenway
- New York State Canals Corporation
- New York State Department of Environmental Conservation (DEC)
- New York State Department of Health (DOH)
- New York State Department of Transportation (NYSDOT)
- Niagara River Greenway Commission

Local Agencies and Interest Groups:

- Parks & Trails New York

Federal Agencies:

- National Park Service
- US DOT Federal Highway Administration

Contents

I.	Introduction	1
A.	The Statewide Greenway Trails Plan	1
B.	Purpose of the Draft Statewide Greenway Trails Plan/DGEIS	1
C.	SEQR and Scoping the Draft Generic Environmental Impact Statement	1
D.	Planning Process	2
E.	Public input	2
F.	Other statewide plans	3
G.	Authorization	3
II.	Scope of Draft Statewide Greenway Trails Plan/DGEIS	3
A.	Definitions	3
B.	Trail Types and Uses	4
C.	Accomplishments	4
D.	Needs and Trends	4
E.	Statewide Greenway Trails System	4
F.	Vision and Goals	4
G.	Recommendations and Actions	4
H.	Implementation	5
I.	Environmental Impacts	5
J.	References	6
K.	Appendices	6

I. INTRODUCTION

New York State's trails offer the opportunity for active, healthy lifestyles and enrich our communities with a sense of history, access to nature, and safe places to exercise and play. Legislation signed in November 2019 by Governor Andrew Cuomo requires that the New York State Office of Parks, Recreation & Historic Preservation (OPRHP) prepare a plan to help shape future development of the State's comprehensive statewide system of non-motorized multi-use trails (greenway trails) (see [Bill No. A05035B](#)). Once finalized and adopted, the Statewide Greenway Trails Plan (Plan) will act as a guide for the development of trails of this type across New York State.

Part of the process of developing the plan is to define the scope of the document. Scoping is the process by which the issues to be addressed in the Generic Environmental Impact Statement (GEIS) are identified and to ensure that the draft GEIS will be a concise, accurate and complete document adequate for public review. Scoping is also the first opportunity for public participation in the review process; it allows the community and interested stakeholders to be made aware of the proposed Plan/GEIS and to identify topics and concerns of interest for potential inclusion in the document. Comments were received during the public scoping comment period and were considered during preparation of the Final Scoping Document.

The Plan will include a Draft Generic Environmental Impact Statement (DGEIS), prepared in accordance with Article 8 of the New York State Environmental Conservation Law (ECL § 8-0101 et seq.) and its implementing regulations found in Part 617 of Title 6 of the Official Compilation of Codes, Rules and Regulations of the State of New York (6 NYCRR Part 617).

A. The Statewide Greenway Trails Plan

A completed Statewide Greenway Trails Plan/GEIS, as defined by the legislation, will provide statewide goals and recommendations for greenway trails based on public input and the analysis and the experience of stakeholders and agency planners. It will describe the benefits to the State of developing non-motorized trails and of providing a cohesive trails network. Based on recent studies, articles, stakeholder input and research, the Plan will discuss benefits to: public health; quality of life and happiness; transportation and walkability; conservation value and environmental improvement (including reducing greenhouse gas emissions); economic factors and local revitalization; historic preservation; and regional identity. The plan will identify priorities that will advance the statewide trails network including newly identified trail opportunities, greenway trail gaps and existing and potential railbanking agreements.

The final Plan will guide decision-making, influence greenway trail development policy in state and local governments, and inform communities, organizations and individuals engaged in trail development and management.

B. Purpose of the Draft Statewide Greenway Trails Plan/DGEIS

As defined in the legislation, the Statewide Greenway Trails Plan/GEIS will provide the overall concept and policy framework to assess and develop non-motorized greenway trails in NYS. It will include a GIS inventory of existing and planned greenway trails across the state and identify funding and implementation strategies. OPRHP is also required to develop a comprehensive plan periodically for the establishment of a statewide trails system of all types. The last NYS Statewide Trails Plan was published in 2010.

C. SEQR and Scoping the Draft Generic Environmental Impact Statement

The purpose of the State Environmental Quality Review (SEQR) is to incorporate the consideration of environmental factors into the planning, review and decision-making processes from the outset. OPRHP has

initiated the SEQR process for review of the proposed action: to adopt and implement the Statewide Greenway Trails Plan/GEIS.

On March 4, 2020, OPRHP commenced a coordinated review and requested Lead Agency status by circulating Part 1 of the Full Environmental Assessment Form to interested and involved agencies. OPRHP declared itself Lead Agency and issued a Positive Declaration on April 22, 2020, requiring the preparation of a GEIS for the proposed action. A revised Positive Declaration was issued on May 6, 2020, due to the change in the public scoping webinar date.

Whereas the Statewide Greenway Trails Plan will have “wide application” and influence “the range of future alternative policies or projects,” and lead agencies are permitted to prepare a generic EIS for “the adoption of a comprehensive plan,” the preparation of a GEIS was determined to be appropriate to assess the environmental impacts of the proposed action (6 NYCRR 617.10(a)).

After its publication, the DGEIS will be made available for public and involved/interested agency review and comment for a minimum 60-day period. Comments may be provided to the Lead Agency in writing during the DGEIS comment period, and a public hearing will also be held to receive comments on the DGEIS. A Final GEIS will then be produced considering and incorporating substantive comments received.

D. Planning Process

The Plan will describe the processes employed to develop its sections (Needs and Trends, Vision and Goals, etc.) including public surveys of trail users and input from state agencies and regional stakeholders (e.g., representatives from the NYS Department of Health, Department of Environmental Conservation, NYS Canal Corporation, Department of Transportation, U.S. National Park Service, NYS Empire State Development, and others).

The Plan will identify issues, needs and trends in development and usage of greenway trails in the 21st century. Content will be based on research and analysis of the development, management and maintenance of existing trail systems, and a review of trails planning efforts nationwide.

E. Public input

Public input will be a valuable component in the development of the Plan. OPRHP solicited public input on the draft scoping document during the comment period via an online webinar held on May 14, 2020, as well as via electronic mail. For the Greenway Trails Plan, there will be an opportunity for public participation and comment through a public survey, electronic and/or traditional mail formats as well as a public hearing held during the DGEIS public comment period later in 2020.

OPRHP will also engage with relevant stakeholders, to include planning professionals at the state and local levels, non-profit organizations, trail managers, and other partners with a vested interest in the development and management of greenway trails.

Input received through public, stakeholder, and partner outreach will help determine the types and patterns of trail use in the state as well as needs and trends of trail-based recreation across the state.

Many comments were received during the draft scoping document comment period. The types of comments received included editing suggestions, clarifications on wording, suggested topics and trail inventory for inclusion in the Plan, and about specific aspects of the Plan. Suggested topics included external connections to other types of trails, open space and recreation opportunities, environmental justice considerations, and trail benefits among others. Updates have been made to the scoping document as appropriate. All comments brought forth from public

input will be considered during Plan development; many did not warrant specific updates to the scoping document.

F. Other statewide plans

NY Statewide Trails Plan (<https://parks.ny.gov/recreation/trails/statewide-plans.aspx>), provides the overall vision, goals and objectives for development of a statewide trails system. Last prepared in 2010, the Plan identifies a proposed framework for greenway trails, long-distance hiking trails and water trails, with strategies to address various issues encountered by trail users, and those managing and maintaining trail systems.

NYS Statewide Comprehensive Outdoor Recreation Plan (SCORP) (<https://parks.ny.gov/inside-our-agency/documents/20202025StatewideComprehensiveOutdoorRecreationPlan.pdf>) is prepared by OPRHP every five years. The 2020-2025 SCORP provides statewide policy direction and fulfills the agency's recreation and preservation mandate. The SCORP serves as a status report and as an overall guidance document for recreation resource preservation, planning and development. The document is also used to guide the allocation of state and federal funds for recreation and open space projects.

NYS Open Space Conservation Plan (OSP) (https://www.dec.ny.gov/docs/lands_forests_pdf/osp2016final1.pdf) provides an integrated statewide strategy for land conservation that is guided by a set of underlying goals and principles. The 2016 Open Space Plan represents current open space conservation actions, tools and programs administered by DEC, OPRHP, the Department of State (DOS), the Adirondack Park Agency (APA), the Department of Agriculture and Markets (DAM) and the Department of Transportation (DOT). The plan has been revised every three years since 1992 to adapt to shifting conservation priorities.

Empire State Trail Plan (EST)

(https://www.ny.gov/sites/ny.gov/files/atoms/files/EST_Final_Plan_June_2018.pdf) When completed, the Empire State Trail will be a continuous, 750-mile route, spanning the State from New York City to Canada and Buffalo to Albany. The EST will close gaps between existing greenway trails, including the Erie Canalway, the South and North County Trails in Westchester County and the Dutchess, Hudson River and Wallkill Valley Rail Trails in the mid-Hudson Valley.

G. Authorization

Authority for the development of a Statewide Trails Plan resides with OPRHP (Chapter 660 of the Consolidated Laws, L. 1972, Article 3, as well as federal law), as well as for the establishment of the State Trails Council, and for administration of the Recreational Trails Program. The *2010 NY Statewide Trails Plan* (<https://parks.ny.gov/recreation/trails/documents/StatewideTrailsPlan/StatewideTrailsPlan.pdf>) cites relevant sections of the state and federal authorizations of OPRHP to act as the state trails coordinator (see Appendix A).

The NYS Assembly Bill A5035B requires that OPRHP create a plan regarding non-motorized multi-use trails (<https://legislation.nysenate.gov/pdf/bills/2019/A5035B>).

II. SCOPE OF DRAFT STATEWIDE GREENWAY TRAILS PLAN/DGEIS

The following section outlines the proposed scope of the Draft Statewide Greenway Trails Plan/DGEIS.

A. Definitions

The legislation identifies the types of trails to be considered in the document, to be referred to as “greenway trails” in the plan. Greenway trails will include trails designed for multiple uses that can broadly be described as shared-use paths, such as rail trails, bike paths, canal trails, recreationways, community trails and others.

This section of the Plan will also identify those trail types that will not be considered. The document will not address trail types that fall outside of the greenway trails category, such as hiking and foot trails, water trails, snowmobile trails, equestrian trails, mountain bike trails, or trails for winter activities. While these activities may

occur on greenway trails, the Plan will not seek to describe trail systems that focus specifically on these uses, which will be included in the update of the NY Statewide Trails Plan.

B. Trail Types and Uses

This section will discuss greenway trail usage, including use patterns, volume, demographic information, bicycle and other non-motorized usage and additional factors related to how people utilize these types of trails. The multiple trail activities that take place on greenway trails and the different groups that use them for recreation, transportation, and exercise will be identified. User groups to be considered in the Plan may include, but not be limited to, pedestrians, cyclists, runners/joggers, in-line skaters, equestrians and cross-country skiers.

C. Accomplishments

The Plan will look at prior planning efforts within the State and assess the implementation of goals and actions that were proposed in the *2010 NY Statewide Trails Plan*. It will review the implementation process and describe highlights of greenway trail development in the State. Case studies will help demonstrate effective planning efforts, as well as “lessons learned.”

D. Needs and Trends

This section of the Plan will paint a picture of how greenway trails at the local and statewide levels will need to adapt and function to accommodate anticipated changes. It will identify demand for this type of recreational resource, regional variables, urban/rural aspects, shifts in trail usage, climate change, and other topical issues. Content will be developed based on information gathered from public surveys, stakeholder meetings and other outreach and collaboration efforts. Documentation may include spatial data, maps and charts, and cited references to published articles, reports and studies. Samples of surveys used will be included in the appendices.

E. Statewide Greenway Trail System

As directed by the legislation, a section of the Plan will provide an inventory of existing multi-use trails in the state using Geographic Information Systems (GIS). Existing greenway trails will be documented using the current statewide trails dataset, further supplemented with trail information from other agency partners, stakeholder input, and data from nonprofit organizations and municipalities. The Plan will also inventory greenway trails currently being developed, newly planned or proposed corridors, and gaps in the network.

Maps and figures of the Statewide Greenway Trail System will be included as appendices in the document. OPRHP will also make the collective dataset available for review via an online mapping viewer, which provides greater detail than traditional static maps.

F. Vision and Goals

The legislation requires that the State develop a vision for a statewide network of non-motorized primary corridors, including goals for geographic distribution, goals for universal accessibility, and general goals for new trail acquisition and development. The Plan is intended to help shape the scope, character, purpose and function of the State’s greenway trail system, and the vision will determine what that system should be.

The vision and goals included in the Plan are to be informed by public and stakeholder input and developed in accordance with the OPRHP mission and Agency goals for outdoor recreation in the State.

G. Recommendations and Actions

This section of the Plan will provide recommendations and actions for greenway trail development efforts statewide, including directives on the development, design, environmental considerations, education, management and maintenance. Recommendations and actions will be responsive to identified needs, based on feedback received during public outreach and identified issues, threats and opportunities.

H. Implementation

The plan will highlight the roles, resources and priorities for developing and expanding the State's greenway trail network. Roles identified will be comprised of a variety of public and private entities operating at the national, state and local levels including agencies, municipalities, land trusts, non-profits and trail organizations.

A resources section will focus on existing and potential funding resources such as state and national grant programs, opportunities for executive and legislative funding and public-private partnerships.

I. Environmental Impacts

The DGEIS portion of the Plan will describe the environmental setting, alternatives (No Action and Adoption/Implementation of the Plan/DGEIS), and potential environmental impacts and mitigation measures of implementation of the Plan. This section will also describe the Plan's cumulative impacts, unavoidable adverse impacts and its consistency with the New York State Coastal Policies.

The DGEIS will include a description and evaluation of the alternatives to the proposed action.

Two alternatives will be acknowledged in the DGEIS:

- **No-Action Alternative – Status Quo – no changes or updates to the overall concept and policy framework of assessing and developing non-motorized greenway trails in NYS.**
- **Alternative 1 -- Adoption and Implementation of the Statewide Greenway Trails Plan**

The No-Action alternative is included for comparison of existing conditions, actions, and efforts currently underway or in place. Choosing the No-Action alternative for the Statewide Greenway Trails Plan is not a viable option since OPRHP is required to prepare a statewide non-motorized trails plan per recent state legislation.

Not preparing the Greenway Trails Plan would mean that there would be no statewide guidance based on current data regarding greenway trail resources. Future implementation of greenway trails within the State would not be responding to changing needs or based on updated goals and recommendations. Further, without proper identification of stakeholder needs, failure to implement the Plan may result in the loss of opportunities to strengthen and develop greenway trails across the State.

Resource Categories Likely to be Impacted from the Proposed Action.

The proposed action has the potential to significantly impact (positive and/or negative):

- Land
- Water Resources (Surface, Groundwater, Wild, Scenic and Recreational Rivers)
- Flooding
- Air Quality
- Climate
- will discuss relation to *New York State Climate Leadership and Community Protection Act*
- Biological Resources
- Aesthetic Resources
- Historic and Archeological Resources
- Open Space and Recreation
- Transportation
- Noise, Odor and Light
- Human Health
- Community Plans/Land Use
- Community Character

Resource Categories Unlikely to be impacted from the Proposed Action.

The proposed action is not expected to result in significant adverse effects to the following categories:

- Geological Features
- Agricultural Resources
- Critical Environmental Areas
- Energy

J. References

The DGEIS will include a list of references and sources utilized throughout the DGEIS development process as well as relevant maps, figures or reports.

K. Appendices

The Appendices will include at a minimum:

- SEQR Documentation (FEAF, Positive Declaration, Scoping Document)
- Maps
- Survey Results