



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

The Governor Nelson A. Rockefeller Empire State Plaza Agency Building 1, Albany, NY 12238  
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**David A. Paterson**  
Governor

**Carol Ash**  
Commissioner

**AGENCY DECISION  
AND  
STATEMENT OF FINDINGS**

**Adoption of a Master Plan for Midway State Park**

The New York State Office of Parks, Recreation and Historic Preservation has prepared a Final Environmental Impact Statement (FEIS) and Final Master Plan, dated November 25, 2009, for Midway State Park located in the Town of Ellery in Chautauqua County.

By the authority vested in me in State Parks, Recreation, and Historic Preservation Law, I do hereby adopt the Final Master Plan for Midway State Park.

This decision represents certification of the attached Findings Statement prepared in accordance with the requirements of 6 NYCRR Part 617.11, the regulations implementing Article 8 of Environmental Conservation Law - the State Environmental Quality Review Act. This decision is based on the Findings Statement and the content of the Master Plan/Final Environmental Impact Statement.

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Carol Ash  
Commissioner  
NYS Office of Parks, Recreation and Historic Preservation

\_\_\_\_\_  
Date

# SEQR FINDINGS STATEMENT Midway State Park Master Plan

December 22, 2009

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 Midway State Park

## **Location:**

Midway State Park is located in the Hamlet of Maple Springs in the Town of Ellery in Chautauqua County.

## **Description of the Action:**

The master plan for Midway State Park 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 EIS:** November 25, 2009

## **Findings:**

1. 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 the one which avoids or minimizes adverse environmental impacts to the maximum extent practicable, and that adverse environmental impacts will be avoided or minimized to the maximum extent practicable by incorporating as conditions those mitigative measures that were identified as practicable.
2. The Final Plan was subject to a complete Environmental Impact Statement process including a public information meeting and a public hearing.

3. The Final Environmental Impact Statement 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.
4. The park was acquired by New York State in 2006 and opened as Midway State Park in 2007. Midway State Park is located on the eastern shore of Chautauqua Lake in the Town of Ellery, Chautauqua County and is within OPRHP's Allegany State Park Region. The park consists of 42.6 acres of which almost 100 percent is developed.
5. The general topography of the park is a series of three flat terraces running approximately parallel to the lake shore with moderate slopes in between. The ecological communities in the park have been influenced by the high level of development.
6. Chautauqua Lake and Maple Springs Creek are the two main water bodies within and abutting the park boundaries. Maple Springs Creek empties into Chautauqua Lake which is in the Chadakoin watershed and the Allegany River Basin.
7. The Park is made up of a historic trolley park from the early 20<sup>th</sup> century and an amusement park dating from the 1930's to the present time. The park was listed on the State and National Registers of Historic Places in 2008 (State) and 2009 (Federal).
8. Recreational resources at the park include arcade games, "kiddy Land" amusement rides, go carts, miniature golf, picnic area and picnic shelters, an historic carousel, fishing, small boat dockage and a hippodrome building. The hippodrome building houses a roller skating rink (currently inoperative), restaurant and bar, food concession and museum.
9. The plan identifies a vision statement and goals for the Park. The vision statement is: Midway State Park will be a place for all visitors to enjoy and appreciate the historic, cultural, natural, and physical resources and recreational opportunities that the park offers.
10. The plan presents a series of "preferred alternatives" for future development and operation of Midway State Park. Cumulatively, the actions described in the plan present OPRHP's long-term vision for the rehabilitation and enhancement of public use facilities at Midway State Park.
11. The park will be classified as a Historic Park within OPRHP's Parkland Classification System. Historic Sites are in urban to rural areas and have contributing landscapes, structures, and/or archeological areas of historical significance. Historic Parks are similar but are situated on more substantial areas of land and include other park amenities such as recreation resources. No special designations were made for this park.

12. Two primary alternatives were identified in the Plan: (1) the Preferred Alternative, and (2) the Status Quo Alternative. The Status Quo Alternative consists of the current facilities, programs and practices. The Preferred Alternative combines the preferred options for recreation development and resource protection into one that best meets the goals for the park. This alternative represents the Final Master Plan.
13. The Master Plan considers the historic, cultural, natural and recreational resources of the park and responds to the needs and safety of park patrons, protection of natural resources and principles of sustainability:
  - The amusement rides will continue to be operated from Memorial Day through Labor Day. The Arcade games would become a year-round activity once they are moved to the renovated Hippodrome. Other uses in the spring, summer and fall would include boating, fishing, picnicking walking, visiting park facilities such as the Hippodrome and lake shore and interpretive exhibits. Winter activities will also include lake access for ice fishing, limited snowmobile use and, when fully renovated, a restaurant in the Hippodrome.
  - The plan improves pedestrian and vehicular circulation, augments public access to the lake shore, protects both cultural and natural resources, enhances recreation opportunities and improves the overall functioning of the park.
  - Public shoreline access, a major feature of the park, will be enhanced through docks, a car top boat launch facility, boardwalks and trails. The plan also calls for the removal of four existing structures in order to improve lake access, reduce congestion and improve the recreational opportunities for park patrons. The historic connection of the park to the lake will be enhanced through the addition of a dock capable of accommodating Chautauqua Lake tour boats.
  - Existing pedestrian circulation will be improved by keeping vehicles out of the center of the park. A parking lot, using porous paving in two-thirds of its area, is planned at the open field with a new information kiosk acting as the gateway to the main part of the park. Some changes to the layout of the rides are also suggested in order to improve pedestrian circulation. The main walkway will become entirely pedestrian and will lead visitors from the parking lot, through the amusement rides and the rest of the park, down to the Hippodrome, carousel and waterfront activities.
  - A stormwater management system, based on vegetated swales, will minimize impacts to the lake and stream water quality. Natural vegetation regeneration

zones will allow native vegetation to establish in part of the park. These areas will also have trails with new interpretive features.

- The Hippodrome will be rehabilitated and renovated to accommodate more park functions on the first floor and re-establish roller skating on the second floor.
- A park manager residence will be constructed in the lower operations area and a new maintenance facility will be constructed in the upper operations area. These additions will improve on-site security and the efficiency of maintenance operations.
- The picnic pavilions will be rearranged to reduce congestion and will be rehabilitated to resemble the historic era. Two shelters that were lost in the summer of 2008 will be replaced and a new shelter will be built.
- The plan presents a long-term vision for the rehabilitation and construction of improvements to Midway State Park. The plan envisions short term (5 to 10 years) capital improvements of approximately \$5 million. The pacing of plan implementation will depend on the availability of capital funds to advance the proposed improvements, which need to be sequenced with other pressing capital investments in the Allegany Region and across the entire New York State Park System. It will require at least a decade, and likely longer, to complete all of the park improvements recommended in the plan.

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

- Beneficial impacts of Master Plan implementation include renovation, restoration and interpretation of historic resources at the park, improvements in patron safety, enhancement of existing recreation facilities and restoration of natural vegetation. The Historic Hippodrome and carousel buildings will be restored in accordance with the U.S. Secretary of the Interior's Standards for the Treatment of Historic Properties. New and restored buildings will be accessible, more energy efficient and will meet current building codes. Patron health and safety will significantly improve by moving the roads and parking from the center of the park to the outer area. Removal of some structures will also significantly improve views and access to Chautauqua Lake.
- Plan implementation will result in construction activities that could temporarily result in movement of soils and sediment, especially following storms. Soil erosion and stormwater runoff into Chautauqua Lake will be limited by several measures including the construction of vegetated swales, restoration of natural vegetation and new plantings, preparation of erosion control plans, use of Best Management Practices, and adherence to the conditions of the SPDES General Permit. Construction of proposed new docks could increase turbidity in the lake during the installation and removal process. These impacts

will be mitigated through the use of installation techniques designed to minimize the suspension of sediment.

- A rare freshwater mussel species, the Kidneyshell, was documented in 2008 off the shores of the park in Chautauqua Lake. Installation of new docks could impact this rare species. A more detailed survey will be conducted which will help determine the best locations for these new docks. In addition, research will be conducted into innovative dock designs that may not require annual installation and removal and installation techniques that would minimize the suspension of sediments.
  - When the Hippodrome and Carousel buildings are renovated, they will no longer provide summer nursery colony habitat for Little Brown Bats. Since bats are beneficial, alternative habitat will be provided through the construction and placement of bat houses throughout the park.
  - The Master Plan proposes removal of several buildings identified as contributing to the Park's designation to the National Register of Historic Places. By definition, this approach will constitute an Adverse Impact on historic resources at the Park. However these buildings have been examined in accordance with the provisions of Section 14.09 of the New York State Parks, Recreation, and Historic Preservation Act of 1980, and no prudent or feasible alternative to the proposed treatment has been found. They have been documented to be structurally unsound, not meet current codes, and/or pose a health threat to patrons. In addition, the location of the buildings prevents visual and physical access to Chautauqua Lake. A memo has been drafted and signed that documents this review process as well as the agreed upon mitigation measures (see Appendix B). Mitigation under Section 14.09 will include documentation of the buildings via photographs and maps prior to removal, and historic interpretation in the park museum. New buildings will also be designed in consultation with the SHPO to help maintain the historic character of the park. Archeologically sensitive areas to be disturbed by proposed master plan elements will undergo additional survey work and mitigation in consultation with the SHPO.
  - Traffic is not expected to significantly increase as a result of Master Plan implementation. The flow of traffic within the park will be significantly improved with the provision of bus queuing and parking areas and separation of parking and roadways from recreation areas. OPRHP will work with DOT to address any traffic safety issues on Route 430 near the park entrance.
15. 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 with the Master 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 Master Plan.

16. Midway State Park is within the Coastal Area of New York State. The actions proposed with the Final Master Plan/FEIS are consistent with the applicable coastal policies set forth in 19NYCRR 600.5. The proposed Master is also consistent with the key coastal policies identified within the Draft LWRP for Chautauqua Lake.