

SEQR FINDINGS STATEMENT

Rockefeller State Park Preserve Land Exchange

Final Environmental Impact Statement

August 17, 2016

Pursuant to Article 8 (State Environmental Quality Review Act – SEQR) of the Environmental Conservation Law and 6 NYCRR Part 617, the Office of Parks, Recreation and Historic Preservation (OPRHP) as lead agency, has prepared this Findings Statement. These findings consider the relevant environmental impacts, facts and conclusions disclosed in the FEIS; weigh and balance relevant environmental impacts with social, economic and other considerations and provide a rationale for the agency’s decision.

Title of the Action:

Rockefeller State Park Preserve Land Exchange

Location:

Rockefeller State Park Preserve (Preserve) is located in the Town of Mount Pleasant in Westchester County, New York. The land exchange parcels are located on the east side of Route 448 in the eastern portion of the Preserve.

Description of the Action:

The action, based on the adoption of the FEIS (available at <http://nysparks.com/inside-our-agency/master-plans.aspx>), is the exchange under PRHPL §3.17(1) of a 6.856-acre parcel of Rockefeller State Park Preserve land (exchange parcel) for the same acreage of a privately owned parcel that is located adjacent to the Preserve (private parcel). The purpose of the exchange is to protect the Preserve’s current and future viewshed from development on the private parcel.

Date of Completion of the FEIS: July 27, 2016

Findings:

1. OPRHP prepared this FEIS for the Rockefeller State Park Preserve Land Exchange in accordance with the NYS Parks, Recreation and Historic Preservation Law (PRHPL), Article 20 (Park Preservation Law) which states that the Agency “must prepare an environmental impact statement and conduct public hearings pursuant to Article 8 of the Environmental Conservation Law [SEQRA] prior to acting on any proposal to remove park preserve or park preservation area designation from any state park, parkway, historic site or recreational facility designated hereto.” As the Project involves the removal of park preserve designation, the FEIS was prepared to describe the

exchange, the parcels and the environmental impacts and mitigation. The legal authority for the exchange is found at PRHPL § 3.17(1). A public comment period for the Draft EIS (DEIS) was held from September 23, 2015 until October 22, 2015, with a public hearing conducted on October 7, 2015.

2. The FEIS contains a Comments and Responses section for the agency's responses to comments received on the DEIS. This section of the FEIS also includes clarification of issues raised during the review of the DEIS and provides information on modifications to the FEIS as a result of comments received.
3. The FEIS considers the historic, scenic, natural and recreational resources of the Preserve and focuses on the area of the land exchange.
4. A private landowner proposed to construct a residence on the private parcel, which is a scenic, open meadow generally sloping upward from Route 448. The proposed residence would be clearly visible from lands that are used by the public for recreation including Preserve trails and Rockefeller land trails (Rockefeller land is land that is intended to be conveyed by David Rockefeller to the State of New York at a future date). The private parcel is also visible from the Stone Barns Center for Food and Agriculture and Historic Hudson Valley Headquarters and research library (both located southwest of the private parcel) and from New York State Route 448 (Bedford Road).
5. The FEIS presents the preferred alternative as the land exchange to protect the Preserve's current and future viewshed from development on the private parcel. Two additional alternatives were considered: 1) the status quo "no action" alternative, which would result in residential construction on the private parcel and adverse visual impacts to a highly scenic landscape; and 2) a screening alternative, which would use vegetative screening to block views of the proposed construction but would take years to fully screen any new development and would also change the scenic nature of the open meadow. Neither alternative was considered as satisfactory as the land exchange alternative.
6. The land exchange involves OPRHP transferring a 6.856 acre parcel of the Preserve to an adjacent private landowner and receiving in exchange a 6.856 acre parcel of land from the private landowner.
7. The OPRHP exchange parcel contains a multi-age forest dominated by native species including sugar maple; white, black, red, and chestnut oaks; black cherry; shagbark hickory; and black birch. The understory consists of numerous young sugar maples and cherry trees, many sugar maple seedlings, and some hickory and ash seedlings. There are patches of barberry with a sparse mix of natives (e.g. wood aster, catbrier, Virginia creeper, and Pennsylvania sedge) along with scattered invasive species (e.g. Japanese honeysuckle, euonymus, bittersweet, privet, bittercress).
8. The private parcel is not wooded and generally is an open pasture of cool seasonal grasses with scattered trees, very few native species, rock outcroppings, and small patches of multiflora rose.
9. Consistent with SEQRA's requirements, environmental factors were considered in evaluating alternatives and in selecting the preferred alternative. Questions in both

Parts 1 and 2 of the Full Environmental Assessment Form (EAF), the Visual EAF Addendum and the New York State Department of Environmental Conservation's Policy Guidance on Assessing and Mitigating Visual Impacts were used as tools to assist in the identification of resources to be evaluated and potential impacts.

10. A viewshed analysis of the proposed construction site on the private parcel was conducted and is shown in Figure 9 of the FEIS along with photos from various vantage points of both parcels. The analysis shows that multiple publically used trails and portions of Historic Hudson Valley property, Stone Barns, and Route 448 are clearly within visibility of (and provide visibility to) the proposed construction site on the private parcel.
11. OPRHP had appraisals completed for both parcels of land and found that the private parcel is greater in value than the OPRHP exchange parcel because of its ample road frontage (358 feet) and superior terrain. The OPRHP exchange parcel can only be accessed by an easement and has no direct road frontage. It also consists of moderately to steeply sloping hillside with wooded terrain while the private parcel has lightly rolling hillside with open pastoral terrain. These two factors play an important part in determining a property's market value.
12. The following environmental impacts and mitigation measures associated with the land exchange were identified in the FEIS as follows:
 - Regarding impact on land, the private parcel will be maintained as an undeveloped open meadow area and remain contiguous with the adjacent open fields. Long-term management will be addressed in the future Stewardship Plan for the Preserve.
 - The exchange parcel may be used for the development of a residence and associated construction. The location of the exchange parcel is towards the edge of forested Preserve land and closer to existing development. The new residence may be developed on the exchange parcel which is located behind (uphill) and adjacent to an existing private residence and other private land. This will cluster development by allowing use of an existing private drive to access the exchange parcel.
 - Mitigation measures include imposing deed restrictions in the land exchange on the OPRHP exchange parcel to limit construction and adverse impacts to the land and preserve the viewshed. These deed restrictions, which will run with the land in perpetuity, include: a limit on the number of structures, structure use and height, and total cumulative maximum area for all structures. Also included is the requirement that the construction of any driveway contain the appropriate vertical and horizontal curves that follow the natural terrain of the parcel and do not result in a straight line of sight from the public highway to structures built on the site.
 - There are no adverse impacts expected to water resources with the land exchange.

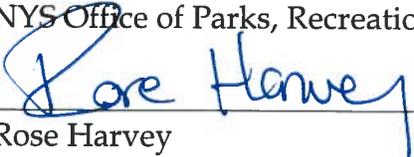
- Based on consultation with the New York Natural Heritage Program (NHP), there are no known rare species or natural communities of statewide significance in either parcel. Due to the small size and composition of the exchange parcel, its location at the edge of a large forested area, and the lack of forest or wetlands that would be expected to support state-rare species, NHP has concluded that none of the rare species probable in this locale would be expected in this setting and therefore there is a low likelihood of rare species occurring on the exchange parcel.
- The open field (private parcel) will be evaluated by OPRHP for invasive species and controls will be implemented as appropriate.
- No energy, noise or odor impacts are expected from the land exchange.
- The land exchange will have 'no impact' on archeological and/or historic resources listed in or eligible for the State or National Registers of Historic Places.
- The land exchange will have long-term beneficial impacts on the scenic resources within and/or adjacent to the Preserve. The scenic vista of the private parcel's open meadow will be maintained, and the deed restrictions on the OPRHP exchange parcel will limit potential visual impacts of future structures from public trails and the surrounding area.
- The land exchange will not adversely impact recreational resources, such as trails, but will provide a positive benefit of maintaining the scenic viewshed from existing trails in the vicinity.
- The land parcels to be exchanged are the same acreage so there is no loss of open space.
- The public benefit will be increased as the private parcel to be added to the Preserve was appraised at a greater value than the exchange parcel.
- Public health will not be adversely impacted by the land exchange.
- The land exchange will have no effect on traffic and access or impact on growth of the community or neighborhood. The original proposal included construction of a driveway off of Route 448. With the land exchange, no new driveway will be required as there is an existing driveway providing access to the exchange parcel.
- There are no unavoidable adverse environmental impacts associated with the land exchange.
- The land exchange will result in the irreversible and irretrievable transfer of a 6.856 acre Preserve exchange parcel, however, the 6.856-acre private parcel to be added to the Preserve has a greater land valuation due to the road frontage and terrain. The private parcel will be added to the Preserve and be provided the same protections under the Park Preserve Law as the remainder of the Preserve, and so there will be no net loss of Preserve acreage.

Certification To Undertake:

Having considered the Draft and Final Environmental Impact Statement and having considered the preceding written facts and conclusions relied on to meet the requirements of 6 NYCRR Part 617.11, this Statement of Findings certifies that:

- The requirements of 6 NYCRR Part 617 have been met; and
- Consistent with social, economic and other essential considerations from among the reasonable alternatives available, the action is the one that avoids or minimizes adverse environmental impacts to the maximum extent practicable, and that adverse impacts will be avoided or minimized to the maximum extent practicable by incorporating as conditions to the decision those mitigative measures that were identified as practicable.

NYS Office of Parks, Recreation and Historic Preservation



Rose Harvey
Commissioner



Date

cc: Town of Mount Pleasant - Town supervisors: Carl Fulgenzi
DEC Region 3 Permit Administrator – Daniel Whitehead