



**City of Kingston Common Council  
State Environmental Quality Review**

**POSITIVE DECLARATION**

Notice of Intent to Prepare a Draft Generic EIS  
Determination of Significance

**NOTICE OF PUBLIC SCOPING MEETING**

**Date:** February 12, 2015

**Lead Agency:** City of Kingston Common Council

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The City of Kingston Common Council, as Lead Agency, has determined that the proposed action described below may have a significant impact on the environment and that a Draft Generic Environmental Impact Statement will be prepared.

**Name of Action:** Kingston Waterfront Brownfield Opportunity Area Plan  
Adoption and Implementation

**SEQR Status:** Type I Action

**Review Type:** Coordinated Review

**Scoping:** A Draft Scoping Document will be circulated to involved and interested agencies for consideration and input. A public scoping meeting will be held to obtain additional input from the public. A final written scope will be prepared based on input from involved agencies, interested parties and the public.

**Description of Action:** The Action involves the intended adoption and implementation of the Kingston Waterfront Brownfield Opportunity Area Plan (BOA Plan). In 2010 the City of Kingston (the City) completed a BOA Step 2 – Nomination Study and subsequently has been awarded a grant from the New York State Department of State (NYS DOS), C303892, for a BOA Step 3 - Implementation Strategy. The BOA Plan

(inclusive of the Step 2 Nomination Study and Step 3 Implementation Strategy) is being prepared in accordance with the guidelines established by the NYSDOS for the BOA grant program. The BOA includes the waterfront area between Dock St/Abeel St and the confluence of Rondout Creek and the Hudson River at Kingston Point.

The BOA Plan will guide redevelopment of the approximately 185-acre BOA, including possible remediation of several strategic brownfield sites adjacent to parkland, commercial and residential areas, and the Hudson River and Rondout Creek. The BOA Plan will recommend possible development scenarios for vacant and underutilized brownfields, the implementation of which would likely result in new commercial, retail, entertainment, residential and/or public open space land uses. The purpose of the BOA Plan will be to build upon the Local Waterfront Revitalization Program (LWRP) and LWRP Implementation Plan to create redevelopment opportunities on former industrial brownfields.

**Location:**

Generally bounded by waterfront along Rondout Creek from Island Dock to its confluence with the Hudson River at Kingston Point, generally south of Abeel Street and East Strand Street. The entire project lies within the City of Kingston, Ulster County, New York. (see attached Location Map - Figure 1)

**Reasons Supporting This Determination:**

**Overview.** The City of Kingston Common Council completed a Full Environmental Assessment Form Part 1 (EAF-Part 1) which formally commenced the SEQRA process. In accordance with the provisions of SEQRA, the Common Council issued a Lead Agency request letter to potentially involved agencies on January 6, 2015. The resolution indicated that the Common Council had made a determination that the Proposed Action was a Type 1 Action and proposed it to serve as the Lead Agency and conduct a Coordinated Review among the potentially Involved Agencies. There being no objections, the Common Council assumed the Lead Agency role on February 10, 2015.

The Common Council had completed the EAF Part 2 to identify potential impacts as well as their potential magnitude and significance. The Common Council, as SEQRA Lead Agency, has determined that the Proposed Action may generate significant adverse environmental impacts and, as a result, a Draft Generic Environmental Impact Statement (DGEIS) must be prepared. In accordance with SEQRA, the Common Council is initiating a process to define the scope of the *DGEIS*. As a first step in that process, a Draft Scoping Document for the *DGEIS* has been prepared and is being made available to involved and interested agencies and to members of the public for review and comment. A copy of the Draft Scoping

Document is included with this notice. The Lead Agency invites comments on the Draft Scoping Document for the *DGEIS*. A public scoping meeting will be held on February 24, 2015 when public input will be heard, and written comments from the public will be accepted until March 10, 2015.

Based on review of the EAF Part 2, the Project has the potential to result in one or more significant adverse impacts. These include potential impacts to:

***Land:*** Implementation of the BOA Plan may involve construction on, or physical alteration of the land. The BOA Plan is anticipated to recommend land use and zoning that may be different from the existing conditions.

***Surface Water:*** Implementation of the BOA Plan may 1) create turbidity in a water body, either from upland erosion, runoff or by disturbing bottom sediments; 2) cause soil erosion, or otherwise create a source of stormwater discharge that may lead to siltation or other degradation of receiving water bodies; and 3) affect the water quality of any water bodies within or downstream of the site of the proposed action.

***Flooding:*** Implementation of the BOA Plan may 1) result in development within a 100 year or 500 year floodplain, and 2) change flood water flows that could contribute to flooding.

***Plants and Animals:*** Implementation of the BOA Plan may 1) result in a reduction or degradation of any habitat used by any rare, threatened or endangered species, or species of special concern and conservation need, as listed by New York State or the Federal government; and 2) result in the removal of, or ground disturbance in, any portion of a designated significant natural community. Consultation with NYSDEC Natural Heritage Program is required.

***Aesthetic Resource:*** Implementation of the BOA Plan may result in land uses that are obviously different from the current land use patterns between the proposed project and a scenic or aesthetic resource and may 1) affect the viewshed from any officially designated federal, state, or local scenic or aesthetic resource; and 2) be visible (seasonally and/or year-round) from publicly accessible vantage points.

***Historic and Archeological Resources:*** Implementation of the BOA Plan may impact occur historic or archaeological resources, because the BOA is located 1) wholly or partially within, or substantially contiguous to, buildings, archaeological site(s) or district which is listed on the State or National Register of Historic Places; and 2) wholly or partially within, or substantially contiguous to, an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory.

***Open Space and Recreation:*** Implementation of the BOA Plan may 1) result in the reduction or loss of a current recreational resource.

***Transportation:*** Implementation of the BOA Plan may result in a change to existing transportation systems involving 1) increase in paved parking areas; and alteration of circulation patterns of people and/or goods.

**Noise, Odor and Light:** Implementation of the BOA Plan may result in an increase in noise, odors, or outdoor lighting above existing conditions.

**Coastal Zone Consistency:** The BOA Plan will involve proposed projects or activities within the boundaries of the defined Local Waterfront Revitalization Program (LWRP). The City of Kingston and New York State Department of State will need to make coastal zone consistency determinations regarding the BOA Plan and proposed BOA projects.

**Human Health:** Implementation of the BOA Plan may have an impact on human health from exposure to new or existing sources of contaminants due to the potential location of future projects on former industrial brownfields.

**Public Scoping Meeting:** A public scoping session will be held at 6:30 p.m. on Tuesday, February 24, 2015 in Common Council Chambers, City Hall, 420 Broadway, Kingston, New York 12401. The purpose of the scoping portion of the meeting is to allow all members of the public an opportunity to comment on the scope of the *DGEIS*.

A copy of the Draft Scoping Document is included with this notice. Additional copies of the Draft Scoping Document can be obtained via a written request to the contact person or at the public scoping meeting. Written comments on the Draft Scoping Document may be sent to the contact person and will be accepted for a period of ten (10) calendar days following the close of the Public Scoping Meeting but no later than March 10, 2015.

**For Further Information, contact:**

**Contact Person:** Gregg Swanzey, Director

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**A copy of this notice must be sent to:**

NYS Department of Environmental Conservation

NYS Department of State

Chief Executive Officer (Mayor Shayne R. Gallo)

Any person requesting a copy

All involved agencies

Environmental Notice Bulletin (ENB)

Interested Parties