Public Works & Capital Projects

RESOLUTION NO. 2014264

RE: DECLARING DUTCHESS COUNTY AS LEAD AGENCY FOR THE HARLEM VALLEY RAIL TRAIL – PHASE IV PROJECT (PIN 8758.74) IN THE VILLAGE OF MILLERTON AND TOWN OF NORTH EAST, DUTCHESS COUNTY AND TOWN OF ANCRAM, COLUMBIA COUNTY

Legislators HUTCHINGS, PULVER, KELSEY, SURMAN, MICCIO, BORCHERT, BOLNER, SAGLIANO, and STRAWINSKI offer the following and move its adoption:

WHEREAS, Dutchess County is currently designing a federally funded project along an abandoned railroad right-of-way through the Village of Millerton and Town of North East in Dutchess County and Town of Ancram in Columbia County: PIN 8758.74 – Harlem Valley Rail Trail, Phase IV, Dutchess and Columbia Counties, New York, and

WHEREAS, the project will develop a shared use path along approximately 8 miles of an abandoned railroad corridor known as the Harlem Valley Rail Line, and

WHEREAS, the Dutchess County Department of Public Works has identified the involved action as a Type 1 Action pursuant to SEQRA (6 NYCRR 617.4) and has circulated Part 1 of an EAF to other involved agencies declaring its intent to declare itself lead agency for a coordinated review of the involved action, and

WHEREAS, no other involved agency has expressed an interest in being lead agency for the involved action, now, therefore, be it

RESOLVED, that Dutchess County hereby declares itself to be Lead Agency for the coordinated review of the above referenced projects pursuant to SEQRA (6 NYCRR 617.6).

CA-183-14
CAB/ca/R-0480-C
9/17/14
Fiscal Impact: See attached statement

STATE OF NEW YORK
ss:
COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 14th day of October 2014, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 14th day of October 2014.

CAROLYN MORRIS, CLERK OF THE LEGISLATURE

FISCAL IMPACT STATEMENT

☑ NO FISCAL IMPACT PROJECTED

APPROPRIATION RESOLUTIONS

(To be completed by requesting department)

Total Current Year Cost $ _____

Total Current Year Revenue $ _____
and Source

Source of County Funds *(check one)*: ☐ Existing Appropriations, ☐ Contingency,
☐ Transfer of Existing Appropriations, ☐ Additional Appropriations, ☑ Other *(explain)*.

Identify Line Items(s):

Related Expenses: Amount $ _____
Nature/Reason:

Anticipated Savings to County: _____

Net County Cost (this year): _____
Over Five Years: _____

Additional Comments/Explanation:
This Fiscal Impact Statement is related to the Resolution Request for Declaration of the County of Dutchess as Lead Agency under SEQRA for the Federally Funded project identified as PIN 8758.74 Harlem Valley Rail Trail Phase 4, Village of Millerton and Town of Northeast, Dutchess County and Town of Ancram, Columbia County.

Prepared by: Jefferson H. Akins, P.E., Assistant Civil Engineer II

DUTCHESS COUNTY DEPARTMENT OF PUBLIC WORKS
NOTICE OF INTENT TO DECLARE LEAD AGENCY

Proposed Action: **Harlem Valley Rail Trail, Phase IV, Dutchess and Columbia Counties, NY, PIN 8758.74**

NOTICE TO INVOLVED AGENCIES THAT LEAD AGENCY MUST BE DESIGNATED WITHIN THIRTY (30) DAYS OF AUGUST 27, 2014

This Notice is issued pursuant to Part 617.6 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law to designate a lead agency.

The Dutchess County Department of Public Works (DCDPW) located in Poughkeepsie, New York, is currently designing an eight (8) mile shared use path along an abandoned railroad right-of-way through the Village of Millerton, Town of North East, and Town of Ancram.

LEAD AGENCY DESIGNATION

Under the applicable standards of SEQR 6 NYCRR Part 617.6(b), the DCDPW concludes that it should be designated as the lead agency in the coordinated environmental review of the proposed action. This notification is being sent to involved agencies with the request that you consent to our agency serving as lead agency. If, however, you do not agree, you may follow the procedures outlined in 6 NYCRR 617.6(b)(5).

This Notice is being mailed on August 27, 2014. We would ask that each involved agency fill out the annexed form either consenting or not consenting that our agency serve as lead agency and return it in the self-addressed envelope on or before September 26, 2014. Responses should be sent to the within named contact person, who may be contacted for further information.

IF YOU DO NOT RESPOND WITHIN THIRTY (30) DAYS, IT WILL BE INTREPRETED AS CONSENT THAT THE DCDPW SERVE AS LEAD AGENCY. YOU WILL CONTINUE TO BE NOTIFIED OF SEQR DETERMINATIONS AND ANY LATER PROCEEDINGS AND HEARINGS, AS PROVIDED BY LAW.

LEAD AGENCY NOTICE
DATA SHEET

Name of Action/Project: Harlem Valley Rail Trail, Phase IV, Dutchess and Columbia Counties, NY, PIN 8758.74

Name of Applicant: Dutchess County Department of Public Works

Name of Agency Sending this Notice: Dutchess County Department of Public Works

SEQR Status:

__X__ Type I Action

_____ Type II Action

_____ Unlisted Action

Description of Action: Phase IV of the Harlem Valley Rail Trail will be a shared use path constructed along an abandoned railroad right-of-way connecting existing Phase III to existing Phase V.

Location of Action:

Town/Municipality: Village of Millerton, Town of North East, Town of Ancram

County: Dutchess and Columbia

Street Address:

Tax Map No.(s): 133801-7271-14-331287, 133889-7271-09-105612, 133889-7171-08-986809, 133889-7171-08-978882, 133889-7272-00-220969, 133889-7273-00-166545, 133889-7274-00-084035, 133889-7274-00-100529, 198-01-31

Size of parcel(s): Sixty-seven (67) acres

For further information:

CONTACT PERSON

Mr. Robert H. Balkind, P.E., Deputy Commissioner
Dutchess County Department of Public Works
626 Dutchess Turnpike
Poughkeepsie, NY 12603
Phone: 845-486-2925, Fax: 845-486-2940

Thank you for your cooperation.

DATED: August 27, 2014

ATTACHMENTS TO THIS NOTICE:
[x] Full Environmental Assessment Form (EAF) Part 1 & 2
[ ] Preliminary Site Plan
[x] Location map (as shown on plan)
[x] Return Envelope

A copy of this Notice is being sent to the following INVOLVED AND INTERESTED AGENCIES:

Involved Agencies:

Daniel Whitehead, Regional Permit Administrator
NYSDEC
21 South Putt Corners Road
New Paltz, NY 12561-1620

William Gorton, PE, Acting Regional Director
NYSDOT Region 8
Eleanor Roosevelt State Office Building
4 Burnett Boulevard
Poughkeepsie, NY 12603

U.S. Army Corps of Engineers-New York District
Attn: Regulatory Branch-Room 1937
26 Federal Plaza
New York, NY 10278-0090

Mr. David A. Stillwell
United States Department of Interior
Fish and Wildlife Service
3817 Luker Road
Cortland, New York 13054

Interested Agencies:
Ruth L. Pierpont, Director
New York State Office of Parks, Recreation & Historic Preservation
Historic Preservation Field Services Bureau
Peebles Island, PO Box 189
Waterford, NY 12188-0189

Marty Markonic, Mayor
Millerton Village Hall
21 Dutchess Ave.
Millerton, NY 12546

John Merwin, Supervisor
19 North Maple Avenue
PO Box 516
Millerton, NY 12546

Art Bassin, Supervisor
Ancram Town Hall
1416 County Route 7
Ancram, NY 12502

David Robinson, Commissioner
Columbia County Department of Public Works
PO Box 324
Hudson, NY 12534

STATE OF NEW YORK

COUNTY OF DUTCHESS

Proposed Lead Agency: Dutchess County Department of Public Works

Name of Proposed Action/Project: _____

RESPONSE TO REQUEST THAT THE ABOVE NAMED AGENCY SERVE AS LEAD AGENCY REGARDING THE ABOVE ACTION

On behalf of _____, I, _____, acknowledge receipt of the Lead Agency Notice in this matter.

The above-named involved agency hereby:

[PLEASE CHECK ONE]

[ ] **CONSENTS** that the proposed agency serve as lead agency in this application, and requests that the undersigned continue to be notified of SEQR determinations, proceedings and hearings in this matter.

[ ] **DOES NOT CONSENT** that the proposed agency serving as lead agency in this application, and wishes that _____ serve as lead agency. To contest lead agency designation, the undersigned intends to follow the procedures outlined in 6 NYCRR 617.6(b)(5).

[ ] **TAKES NO POSITION** on Lead Agency designation.

DATED: _____
_____, New York

_____
Agency Name

By: _____
[signature]

_____
[print signer's name]

Please return to:

Mr. Robert H. Balkind, P.E., Deputy Commissioner
Dutchess County Department of Public Works
626 Dutchess Turnpike
Poughkeepsie, NY 12603

626 Dutchess Turnpike
Poughkeepsie, NY 12603
Phone: (845) 486-2925
Fax: (845) 486-2940

Dutchess County
DPW ENGINEERING

Memo

TO: Noel H.S. Knille, AIA, ASLA, Commissioner of Public Works

FROM: Robert H. Balkind, P.E., Deputy Commissioner of Public Works

DATE: September 17, 2014

RE: **RESOLUTION REQUEST – COUNTY OF DUTCHESS AS LEAD AGENCY**
PIN 8758.74 – HARLEM VALLEY RAIL TRAIL PHASE 4
VILLAGE OF MILLERTON AND TOWN OF NORTH EAST, DUTCHESS COUNTY AND TOWN OF ANCRAM, COLUMBIA COUNTY

The attached Resolution Request and Fiscal Impact Statement are submitted for the referenced project. Dutchess County, acting through the Department of Public Works, is best suited to perform the environmental reviews and studies for this project. The County has circulated for Lead Agency status per SEQRA to involved and interested agencies and this Resolution will identify Dutchess County as the SEQRA Lead Agency. The Harlem Valley Rail Trail – Phase IV project will develop a shared use path along approximately 8 miles of an abandoned railroad corridor known as the Harlem Valley Rail Line.