

# Transportation Project Report

Draft Design  
Report

February 2019

Ulster County Midtown Linear Park  
Project Identification Number (PIN): 8761.82  
City of Kingston  
Ulster County



ANDREW M. CUOMO  
Governor

Department of  
Transportation

PAUL A. KARAS  
Acting Commissioner



U.S. Department of Transportation  
Federal Highway Administration



**Project Approval Sheet**

<u>Milestones</u>	<u>Signatures</u>	<u>Dates</u>
<b>A.</b> Recommendation for, Initiation, Scope and Design Approval:	The project cost and schedule are consistent with the Regional Capital Program.  Name, Regional Program Manager	Date
<b>B.</b> Recommendation for Scope, Design, and Nonstandard Feature Approval:	All requirements requisite to these actions and approvals have been met, the required independent quality control reviews separate from the functional group reviews have been accomplished, and the work is consistent with established standards, policies, regulations and procedures, except as otherwise noted and explained.  The nonstandard features have been adequately justified and it is not prudent to eliminate them as part of this project.  Name, (Select)	Date
<b>C.</b> Public Hearing Certification (23 USC 128):	A public hearing was not required.  Name, (Select)	Date
<b>D.</b> Categorical Exclusion Determination on Behalf of FHWA	This project qualifies as a Categorical Exclusion under the National Environmental Policy Act per the NYSDOT/FHWA Programmatic Agreement Regarding Categorical Exclusions.  Name, (Select)	Date
<b>D/E.</b> Scope, Design, and Nonstandard Feature Approval:  OR  Scope and Design Approval	The required environmental determinations have been made, and the preferred alternative for this project is ready for final design.  No nonstandard features are being retained or created.  Name, (Select)	Date
<b>D/E.</b> Local Project Nonstandard Feature Approval	No nonstandard features are being retained or created on Non-NHS local roadways.  Name, (Select)	Date

**E/F. Local Project  
Scope and  
Design Approval**

The required environmental determinations have been made, and the preferred alternative for this project is ready for final design.

---

Name, (Select)

Date

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**PHONE:** (845) 340-3338

**PROJECT MANAGER:** Jack Gorton, P.E., HVEA Engineers

## List of Preparers

### **Group Director Responsible for Production of this Initial Project Proposal/Final Design Report (IPP/FDR):**

Jack Gorton, PE, Project Manager, HVEA Engineers

Description of Work Performed: Directed the preparation of the IPP/FDR in accordance with established standards, policies, regulations, and procedures, except as otherwise explained in this document.

PLACE P.E. STAMP

**Note:** *It is a violation of law for any person, unless they are acting under the direction of a licensed professional engineer, architect, landscape architect, or land surveyor, to alter an item in any way. If an item bearing the stamp of a licensed professional is altered, the altering engineer, architect, landscape architect, or land surveyor shall stamp the document and include the notation "altered by" followed by their signature, the date of such alteration, and a specific description of the alteration.*

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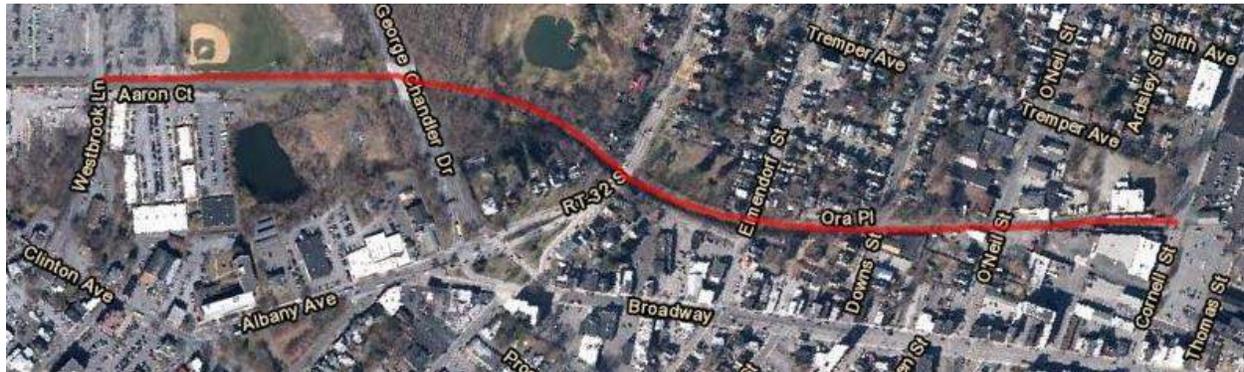
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**1.1. PUBLIC FRIENDLY DESCRIPTION OF PROJECT**

The project will convert a 0.8-mile section of former Ulster and Delaware railroad, from the Kingston Plaza at Westbrook Lane to the east side of Cornell Street in midtown Kingston, into an urban linear park and a paved shared-use path for non-motorized transportation. The scope includes the removal of existing tracks and ties, grading and paving an asphalt shared-use path, establishing trailheads, drainage improvements and adding safety features.

**1.2. PROJECT LOCATION**



- A. Route name: Ulster County Midtown Linear Park
- B. City/Village/Township: City of Kingston
- C. County: Ulster County
- D. Length: 0.8 miles
- E. Funding: Locally administered Federal aid
- F. Federal Aid System: Transportation Alternatives Program (TAP).

**1.3. PROJECT NEED**

Existing Characteristics of Concern	
Element	Measure/Indicator
Accidents	N/A (off road)
Bridge/Highway Deficiencies	N/A (abandoned railbed)
Curb Ramp/Pedestrian Facility Deficiencies	N/A (abandoned railbed)

**Project Element(S) To Be Addressed:**

- Highway Element-Specific
- Bridge Element-Specific
- Other: Shared-use path
- Operational Maintenance
- Where & When

- Priority Results:**
- Mobility & Reliability
  - Economic Competitiveness
  - Safety
  - Environmental Stewardship
  - Security

#### 1.4. PURPOSE/OBJECTIVES

1. Provide and expand non-motorized transportation opportunities for pedestrians and bicyclists in the City of Kingston.
2. Expand recreational opportunities for local residents and visitors, including for persons with disabilities and for those of all skill levels and age groups.
3. Transform the midtown Kingston neighborhood by connecting pedestrian access to the only supermarket and major bus hub in the area, while also revitalizing a blighted corridor by creating a safe recreation space.

#### 1.5. DESCRIPTION OF PROPOSED WORK

This project will construct an asphalt-paved shared-use trail in the City of Kingston between Westbrook Lane and Cornell Street along the former U&D Railroad corridor. The majority of the trail will follow the centerline of the former railbed, however, the alignment near the two termini warrant further analysis.

Currently, an intermittent tourism railroad operator occupies the rail tracks between Westbrook Lane and the vicinity of the I-587 overpass. The Railroad has a revocable agreement with the County to use 800 feet of track east of Westbrook Lane. Two alternatives for the trail were developed for this segment.

##### ***Null Alternative***

The null alternative is presented as a description of the existing conditions and will serve as a basis for comparison with the proposed alternative. The current transportation system does not provide a dedicated route for pedestrian and bicycle traffic to the Kingston plaza which contains a major bus hub and the only supermarket in the area. This alternative does not satisfy the project objectives and is dismissed from further consideration.

##### ***Alternative A***

The trail only alternative removes the tracks east of Westbrook Lane and follows the centerline of the tracks. This alternative simplifies the Westbrook Lane intersection and allows for a trailhead, trail amenities and "green space" but, it does require the removal of 800 feet of the railroad tracks. This alternative meets the projects objectives and enhances the quality of the trail and increases user safety.



**Alternative B**

The trail with track alternative leaves the tracks in place and the trail diverts around to parallel the tracks. This alternative fits within the County owned right-of-way, however, will require fencing between the trail and tracks and a pedestrian crossing of the railroad at Westbrook Lane. The trail with track alternative does not allow adequate space for a trailhead or other amenities near the Westbrook Lane terminus, however, otherwise meets the project objectives.



The portion of trail between O'Neil Street and Cornell Street will traverse a former rail yard. Remediation of the topsoil in this area will be required which will be further evaluated during detailed design. The yard has potential to be developed into a recreational space adjacent to the trail. The trail is recommended to follow the northern portion of the parcel to allow for maximum usage of the available space. Potential uses for the rail yard will be considered during detailed design.

The project corridor has had security concerns in recent history. Aspects from the Crime Prevention Through Environmental Design Guidebook (CPTED) will be incorporated into the design of the area. Security measures such as opening sight lines and installing lighting and cameras will be discussed with the public, City Police, and focus groups and implemented as deemed necessary. Other amenities including benches, kiosks, plazas, and landscaping will be evaluated for inclusion during detailed design.

The County evaluated leaving the rail tracks and ties in-place under the proposed surface. However, leaving the tracks in would be detrimental to the longevity of the future paved surface, since the wood rail ties may decompose and undermine the subbase and top course. Therefore, leaving the tracks and ties in place is deemed infeasible; the removal of the tracks and ties is recommended in order to meet the project goals.

Multiple options for trail enhancements are also being considered.

**Option 1:** Including lighting along the entire trail corridor to improve safety of the linear park.

**Option 2:** Installation of stairs at the Elmendorf Street overpass

**Option 3:** Installation of stairs at the Albany Avenue overpass

For a more in-depth discussion of the design criteria see Section 2.1 of this report.

## 2.1 DESIGN STANDARDS

Design Standards	
<b>Project Type</b>	<b>NYSDOT Design Guidance</b>
Bicycle and Pedestrian Facilities	NYSDOT Highway Design Manual Chapters 17 & 18, 2012 AASHTO Guide for the Development of Bicycle Facilities, 4 <sup>th</sup> Edition

Primary Design Values for Paved Shared-Use Path			
Element	Standard Value	Source <sup>1</sup>	Proposed Value
Design Speed	18 mph	AASHTO	18 mph
Shared Use Width	8 ft min.at physical constraint 12 ft desirable	AASHTO	8 ft under bridges 12 ft elsewhere
Adjacent Graded Width	2 ft min. width	AASHTO	2 ft
	1:6 max. cross slope		1:6
Maximum Grade	5% max. or match grade of adjacent roadway	AASHTO	3%
Cross Slope	2% max.	HDM Chapter 18	2%
Horizontal Curvature	60 ft min.	AASHTO	60 ft
Stopping Sight Distance	165 ft min.	AASHTO	176 ft
Horizontal Sight Distance	Varies based on curve radius	AASHTO	Varies
Crest Vertical Curve	Varies based on grade	AASHTO	Varies
Horizontal Clearance	2 ft min.	AASHTO	2 ft
Vertical Clearance	10 ft min.	AASHTO	12 ft

1 2012 AASHTO Guide for the Development of Bicycle Facilities 4<sup>th</sup> Edition.

2 NYSDOT Highway Design Manual, Chapter 18

## 2.2 OTHER DESIGN PARAMETERS

Other Design Parameters			
Element	Standard	Existing Conditions	Proposed Condition <sup>1</sup>
Level of Service	N/A		
Drainage Design Storm	N/A		
Freeboard	N/A		
Design Vehicle	N/A		

**2.3 NON-STANDARD/NON-CONFORMING FEATURES -**

There are no nonstandard or nonconforming features within the project limits. The shared-use path width is restricted by existing bridge abutments that the path passes through. However, the restricted width meets standards and is for a very short distance. Advance warning signage indicating that the path narrows will be installed prior to the bridges.

Existing pedestrian facilities within the scope of this project will be evaluated in final design for conformance with the applicable standards in the NYSDOT Critical Elements for the Design, Layout and Acceptance of Pedestrian Facilities found on the NYSDOT Highway Design Manual [Chapter 18 webpage](#). If the work at any facility will not meet the applicable standards, then the procedural requirements identified in ED 15-004 - Design, Construction and Inspection of Pedestrian Facilities in the Public Right of Way will be followed and the facility will be rehabilitated, replaced, or justified as nonstandard.

**2.4 SPECIAL TECHNICAL ACTIVITES REQUIRED**

None Required

**2.5 WORKZONE SAFETY & MOBILITY**

The County has determined that this project is not significant per 23 CFR 630.1010.

A Transportation Management Plan (TMP) will be prepared for the project consistent with 23 CFR 630.1012. The TMP will consist of a Temporary Traffic Control (TTC) plan. Transportation Operations (TO) and Public Information (PI) components of a TMP will be considered during final design.

**2.6 ASSET MANAGEMENT (OPTIONAL)**

Applies  Not Applicable

<b>Asset Management</b>			
<b>Asset Management Team</b>	<b>IPP Initiator (Yes/No)</b>	<b>Asset Specific Cost Share (\$M)</b>	<b>Asset Management Team Specific Cost/Scope/Schedule/Concurrence (Team Chair Signature)</b>
<b>Pavement</b>			
<b>Structures</b>			
<b>Culverts</b>			
<b>Operations</b>			
<b>Environment</b>			

**2.7 POTENTIAL UTILITY INVOLVEMENT**

Yes  No

Potential Utility Impacts					
Owner	Type	Location	Side	Length (ft)	Impact
CHGE	OH Electric Lines	Westbrook lane to Cornell St	Varies	5200	None anticipated
CHGE	Gas Line UG	Westbrook lane to Downs St	Varies	4000	None anticipated
Verizon	OH Communications lines	Westbrook to I-587	Left	950	None anticipated

**2.8 RIGHT OF WAY**

Acquisitions are required to build the project. The County owns the majority of the former railroad corridor in FEE; however, there are 11 small parcels which are easements for railroad purposes only that will need to be acquired in FEE. Appendix H contains a Table of ROW acquisitions and a ROW cost estimate.

**3.1 ENVIRONMENTAL CLASSIFICATION**

NEPA (National Environmental Policy Act):

This project is being progressed as a NEPA Class II action (Categorical Exclusion).

In accordance with the Federal Highway Administration’s regulations in 23 CFR 771.117(c) this is an action which will not have significant environmental effects and does not normally require additional federal approval regarding NEPA. Specifically, this action meets the description in 23 CFR 771.117(c)(3) described as “Construction of bicycle and pedestrian lanes, paths, and facilities”. This is further detailed in the Federal Environmental Approvals Worksheet (FEAW) included in Appendix B.

SEQRA (State Environmental Quality Review Act):

In accordance with 17 NYCRR, Part 15, “Procedures for Implementation of State Environmental Quality Review Act”, the County is progressing this project as a SEQR Unlisted Action. It is anticipated that the project will have no adverse impact.

The following Checklist(s) are attached:

- Federal Environmental Approvals Worksheet (FEAW)
- Social, Economic and Environmental Resources Checklist
- Capital Projects Complete Streets Checklist

**3.2 ENVIRONMENTAL DOCUMENTATION**

For topics checked yes on the Social, Economic, and Environmental Resources Checklist or applicable on the FEAW in the appendix, resolution is as follows:

## ***Social Consequences***

### **Is there potential for changes to neighborhood character?**

The project will transform an existing overgrown railbed into a formal, non-motorized, transportation network for residents and tourists. There is potential to improve the neighborhood's character by providing a direct route to a supermarket and other retail centers and revitalize a blighted corridor by creating a safe recreation space.

### **Is there a potential to impact transportation options (e.g., transit, walking, bicycling)?**

There will be an increase in transportation options. The shared-use path will provide the most direct route across the City for pedestrians and non-motorized vehicles.

### **Are there potential changes to travel patterns that could affect neighborhood quality of life?**

The shared-use path will allow for direct access to a major transit hub and the only supermarket and shopping center within the City. There will be an increase in pedestrian and bicycle traffic along this route. The project also intends to create new recreational space provide access to green space. An emphasis will be placed on improving safety throughout the corridor.

### **Is there potential to affect emergency service response?**

Police will have access to patrol an area that was previously inaccessible by vehicle and had a history of criminal activity and nuisance. The physical structure of the tracks has made it difficult to respond to emergencies; the removal of tracks will help response time and capability.

## ***Economic Consequences***

### **Is there potential to affect local economic viability (e.g., development potential, tax revenues, employment opportunities, retail sales or public expenditures)?**

There are numerous shopping and retail opportunities within and around the project area that may ultimately benefit from the project.

### **Are there potential effects on the viability or character of Business Districts?**

The project will transform existing overgrown railbed into a transportation link for residents and tourists to access businesses.

### **Will the project affect transportation options available for patrons getting into or out of the District?**

There will be an increase in transportation options. The shared-use path will provide the most direct route across the City for pedestrians and non-motorized vehicles.

### **Will sidewalks, bicycling opportunities, or transit opportunities to or within the district be affected?**

Additional bicycling and pedestrian opportunities will be created.

**Are effects to specific businesses anticipated? (e.g., sidewalks, bicycling opportunities, or handicapped access to and from businesses)?**

The Kingston Plaza will gain direct pedestrian access to midtown Kingston. The path will also pass by other businesses between Downs Street and Cornell Street

**Will the project affect available transportation options for patrons to businesses?**

Additional pedestrian and non-motorized transportation options will be created allowing easier access to businesses.

***Environmental Consequences***

**Are there wetlands within or immediately adjacent to the project limits? See Environmental Procedures Manual (EPM) 4.A.R, Executive Order (EO) 11990 may apply.**

Federal wetlands are in the vicinity of the project near the I-587 underpass. The project does not propose to impact the wetlands.

**Is the project in a mapped Flood Zone? TEM section 4.?, EO 11988**

Review of the National Flood Insurance Program's (NFIP's) Flood Insurance Rate Map (FIRM) (Community Number 36111C0470F, dated November 18, 2016) reveals that a section of the project is located within a regulated flood zone between Westbrook Lane to Albany Ave. The project will have minimal impact to the flood zone.

**Will the project involve one (1) acre of ground disturbance (or 5,000 sf in the East of Hudson watershed)?**

The project will disturb more than one acre and is subject to the NYSDEC SPEDES permit. A storm water pollution prevention plan (SWPPP) will be developed and filed. However, no post construction storm water treatment is necessary for pedestrian pathways. The shared-use path is exempt from post construction storm water management requirements as stated in Appendix B of the SPDES General Permit for Stormwater Discharges from Construction Activities Permit No. GP-0-15-001.

**Are federally/state listed endangered species or designated critical habitat indicated for the project County?**

A State Endangered Species Screening was completed by the NYSDEC Division of Fish, Wildlife and Marine Resources. There is a documented winter hibernaculum of Northern long-eared bat within 1.5 miles of the project site.

A Federal Endangered Species Screening was performed on the U.S. Fish and Wildlife Services website. An official Species List Request was received for the Project areas in which there are 2 (Indiana Bat and Northern Long-eared Bat) threatened or endangered on the Endangered Species Act Species List provided by the website. The response from the request stated that there is no critical habitat within the project area. All correspondence with the NYSDEC and USFWS is included in Appendix B.

**Indiana Bat (*Myotis sodalis*)** - Indiana bat hibernacula and hibernacula characteristics have been well documented by numerous observational studies reported in the literature. Indiana bats spend the winter months in secluded caves or mines. As of this writing, there are nine hibernacula currently known in Albany, Essex, Warren, Jefferson, Onondaga, Orange, and Ulster Counties. To date there are three known hibernacula located in the immediate vicinity of Kingston, New York. The hibernacula are critical to the survival of this species because, so few are known to exist. The USFWS and NYSDEC are continually documenting habitat utilization by this species once emergence occurs.

Outside the hibernation period, Indiana bats are very mobile and use either live trees greater than 5 inches dbh especially containing dead wood and snags or dead trees in a variety of habitats for roosts during the summer months. Although roosts have been documented in a wide array of hardwood and pine species, trees and snags that have exfoliating bark or crevices, such as Shagbark Hickory and Black Locust, appear to be most important to this species because females and their young rest under the bark. Trees, equal to or greater than 9 inches dbh with exfoliating bark, crevices, southern or western exposure, and solar exposure appear to be the most important habitat for maternal colonies during the summer months.

According to the literature, roost-tree density necessary to support Indiana bats is not understood and negative or positive biological thresholds linked to roost abundance are unknown. Similarly, there are no quantitative studies that adequately describe species composition of forest stands or stand structure surrounding occupied roosts. There is evidence, however, that Indiana bats return to the same summer foraging and roosting areas and sometimes individual tree each year.

Based on the above habitat criteria, limited suitable habitat is present within the project action area. Approximately 89 trees greater than or equal to 3 inches dbh will be cut as a result of this project. Trees will only be cleared during the November 1st to March 31st time frame resulting in a determination of **“May Affect, Will Not Adversely Affect”**.

**Northern Long-Eared Bat (*Myotis septentrionalis*)** - The Northern Long-Eared Bat is a listed threatened species found in the majority of the Northeast and throughout New York State.

According to the US Fish & Wildlife Service, “During summer, northern long-eared bats roost singly or in colonies underneath bark, in cavities, or in crevices of both live and dead trees. Males and non-reproductive females may also roost in cooler places, like caves and mines. This bat seems opportunistic in selecting roosts, using tree species based on suitability to retain bark or provide cavities or crevices. It has also been found, rarely, roosting in structures like barns and sheds. Northern long-eared bats spend winter hibernating in caves and mines, called hibernacula. They typically use large caves or mines with large passages and entrances; constant temperatures; and high humidity with no air currents. Specific areas where they hibernate have very high humidity, so much so that droplets of water are often seen on their fur. Within hibernacula, surveyors find them in small crevices or cracks, often with only the nose and ears visible.”

Based on the above habitat criteria, limited suitable habitat is present within the Project action area. Approximately 89 trees greater than or equal to 3 inches dbh will be cut as a result of this project. Trees will only be cleared during the November 1st to March 31st time frame resulting in a determination of **“May Affect, Will Not Adversely Affect”**.

**Are there any resources protected by Section 106 (or Section 1409) within the project limits or immediate area?**

There are potential historic resources in the immediate adjacent area of the project limits; the State and National Register listed Sharpe Burial Ground, the Ten Broeck House, and the State and National Register eligible house at 24 O'Neil Street. A section 106 package was prepared and submitted to the New York State Historic Preservation Office (SHPO). SHPO determined that the project will have no adverse effect on historic or cultural resources.

**Does the project area contain Contaminated and Hazardous Materials? EPA National Priority List**

The County has conducted a phase 1 and phase 2 environmental site assessment which documented low levels of contamination between O'Neil Street and Cornell Street. Any and all materials will be handled in accordance with applicable guidelines. No EPA national priority list sites are within the project limits. The County will be coordinating with the NYSDEC to determine the appropriate level of soil remediation between O'Neil Street and Cornell Street.

A drycleaner also existed adjacent to project limits and contaminated and hazardous soils are known to exist.

All on-site soil located between Westbrook Lane and O'Neil Street will remain within the project right-of-way.

<b>COMPARISON OF ALTERNATIVES</b>			
Category	Alternatives Evaluated		
	Null	Alternative A – Removal of Track	Alternative B – Tracks in Place
Property impacts	None	11 parcels require acquisition	11 parcels require acquisition
Operation at ETC + 20	N/A	N/A	N/A
20-year Crash Costs	N/A	N/A	N/A
Construction Cost	None	\$0.878 M	\$0.871 M
Option 1 (Lighting)	None	\$0.475 M	\$0.475 M
Option 2 (Elmendorf stairs)	None	\$0.070 M	\$0.070 M
Option 3 (Albany Ave stairs)	None	\$0.070 M	\$0.070 M
All Options	None	\$0.615 M	\$0.615 M

**3.3 ANTICIPATED PERMITS/CERTIFICATIONS/COORDINATION**

Permits

New York State Department of Environmental Conservation (NYSDEC):

- State Pollutant Discharge Elimination System (SPDES) General Permit

Coordination

- Federal Highway Administration
- New York State Historic Preservation Officer (SHPO)
- US Fish and Wildlife Service
- New York Natural Heritage Program
- City of Kingston
- USACOE

**3.4 NYS SMART GROWTH PUBLIC INFRASTRUCTURE POLICY ACT (SGPIPA)**

To the extent practicable this project has met the relevant criteria as described in ECL § 6-0107. The Smart Growth Screening Tool was used to assess the project’s consistency and alignment with relevant Smart Growth criteria; the tool was completed by the County on and reflects the current project scope.

**4.1 FUNDING**

**FUNDING SOURCE:**  100% State  Federal

**MPO INVOLVEMENT:**  No  Yes  
TIP Name: TIP No.: 8761.82

**TIP AMENDMENT REQUIRED:**  No  Yes; Needed by:

**STIP STATUS:**  On STIP  Not on STIP

**4.2 COST AND SCHEDULE**

- Public Meeting
- Permits
- Other – Identify e.g., utilities, endangered species (ESA)
- 4(f)/106 FHWA sign-off
- Consultant(s) for:

Schedule and Cost				
Project Phase	Activity Duration	Estimated Cost	Fund Source	Obligation Date
Prelim. Design (I-IV)	Sept 2018 – Mar 2019	0.070	TAP	September 2018
Design V-VI	Apr 2019 – Sept 2019	0.070	TAP	September 2018
ROW incidentals	Sept 2018 – Mar 2019	0.025	TAP	September 2018
ROW Acquisition	Apr 2019 – Sept 2019	0.110	TAP	September 2018
Construction	Nov 2019 – Sept 2020	1.438	TAP	September 2019
Construction Inspection	Nov 2019 – Sept 2020	0.173	TAP	September 2019
<b>TOTAL ESTIMATED COST</b>		<b>1.886</b>		

**BASIS OF ESTIMATE:** IPP

**PROGRAM DISPOSITION/LETTING:** Scheduled for letting in SFY 2019

**STATEWIDE SIGNIFICANCE:**  No Remarks:

Design approval is scheduled for April of 2019 with construction scheduled to begin in March of 2020 and last 5 months.

Project Schedule	
Activity	Date Occurred/Tentative
Scope Approval	June 2017
Design Approval	April 2019
ROW Acquisition	September 2019
Construction Start	March 2020
Construction Complete	September 2020

Project Cost (in millions)- TBD		
Activities		Reasonable/Preferred Alternative
Construction Costs	Bridge	
	Highway	
Wetland Mitigation		
SPDES Permit Compliance		
Incidentals (10%)		
<b>Subtotal 1</b>		
Contingency (15% at Design Approval)		
<b>Subtotal 2</b>		
Field Change Order		
<b>Subtotal 3</b>		
Mobilization (4%)		
<b>Subtotal 4</b>		
Expected Award Amount (Inflate current costs/prices at 3%/yr. to midpoint of construction to arrive at \$ amount to be entered here) See HDM 21.6.3.2 B		
Construction Inspection (9%)		
ROW Costs		
<b>Total Alternative Costs</b>		

## 5.1 PUBLIC INVOLVEMENT

Notifications to public officials, potential stakeholders and emergency responders and schools have been completed.

<b>Public Involvement Plan Schedule of Milestone Dates</b>	
<b>Activity</b>	<b>Date Occurred/Tentative</b>
Stake holder Meeting	Late January 2019
Focus Group Meeting	Late January 2019
Meeting with City Reps.	Late January 2019
Meeting with NYSDEC	February 2019
Public Informational Meeting	March 2019

Refer to Appendix F for project correspondence.

## 6.1 LIST OF ATTACHMENTS / APPENDICIES

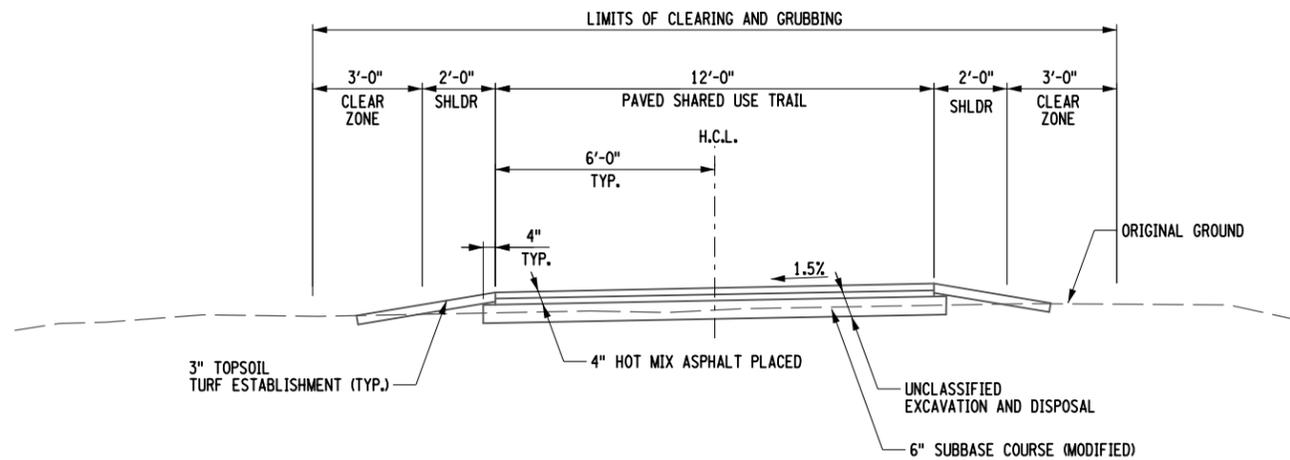
Appendix A- Maps, Plans, Profiles & Typical Sections  
 Appendix B- Environmental Information  
 Appendix C- Structures Information  
 Appendix D- Stakeholders and Public Input  
 Appendix E- Right-of-way information  
 Appendix F- Miscellaneous

# **Appendix A**

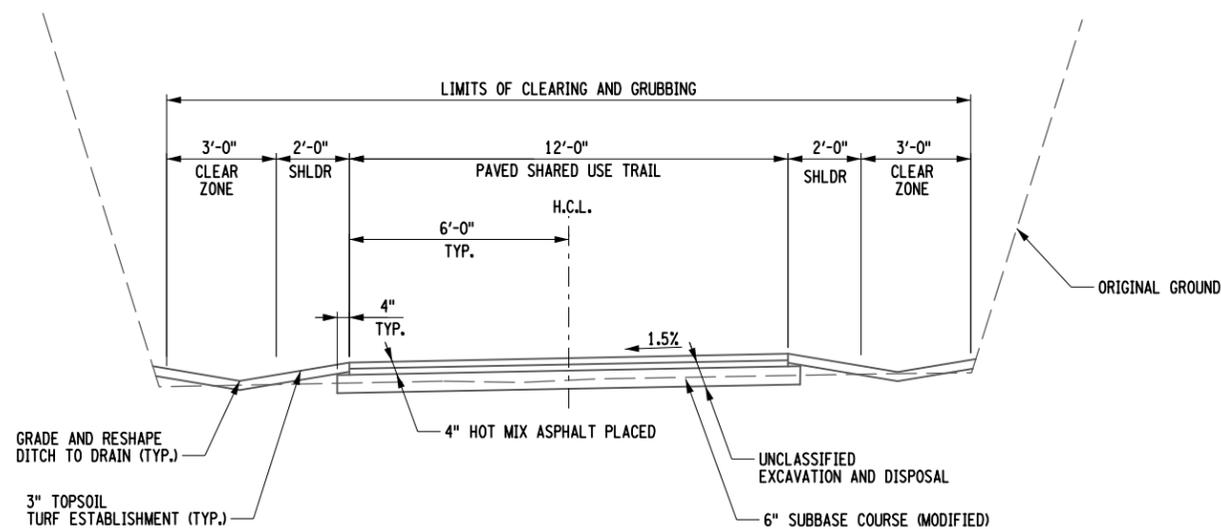
## **Maps, Plans, Profiles & Typical Sections**

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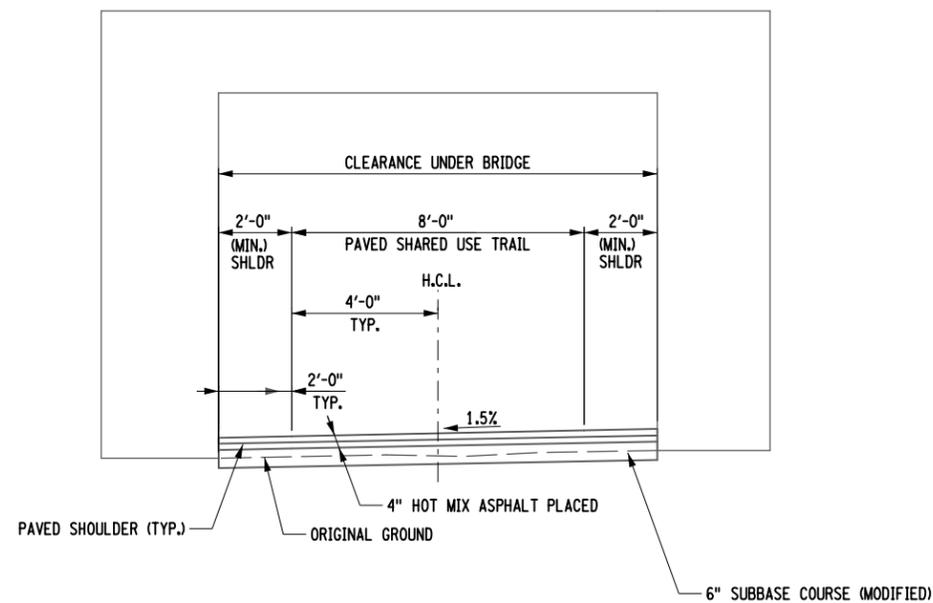
JOB MANAGER J. GORTON  
 DESIGN SUPERVISOR J. GORTON  
 DESIGN R. IUELE  
 CHECK L. BACH  
 DRAFTING K. FISCHER  
 CHECK L. BACH  
 PROJECT MANAGER J. GORTON



TYPICAL SHARED-USE TRAIL  
 N.T.S.



TYPICAL SHARED-USE TRAIL  
 N.T.S.



TYPICAL SHARED-USE TRAIL  
 N.T.S.  
 UNDER ALBANY AVE  
 UNDER ELMENDORF ST

AFFIX SEAL: ON: \_\_\_\_\_  
 ALTERED BY: ON: \_\_\_\_\_

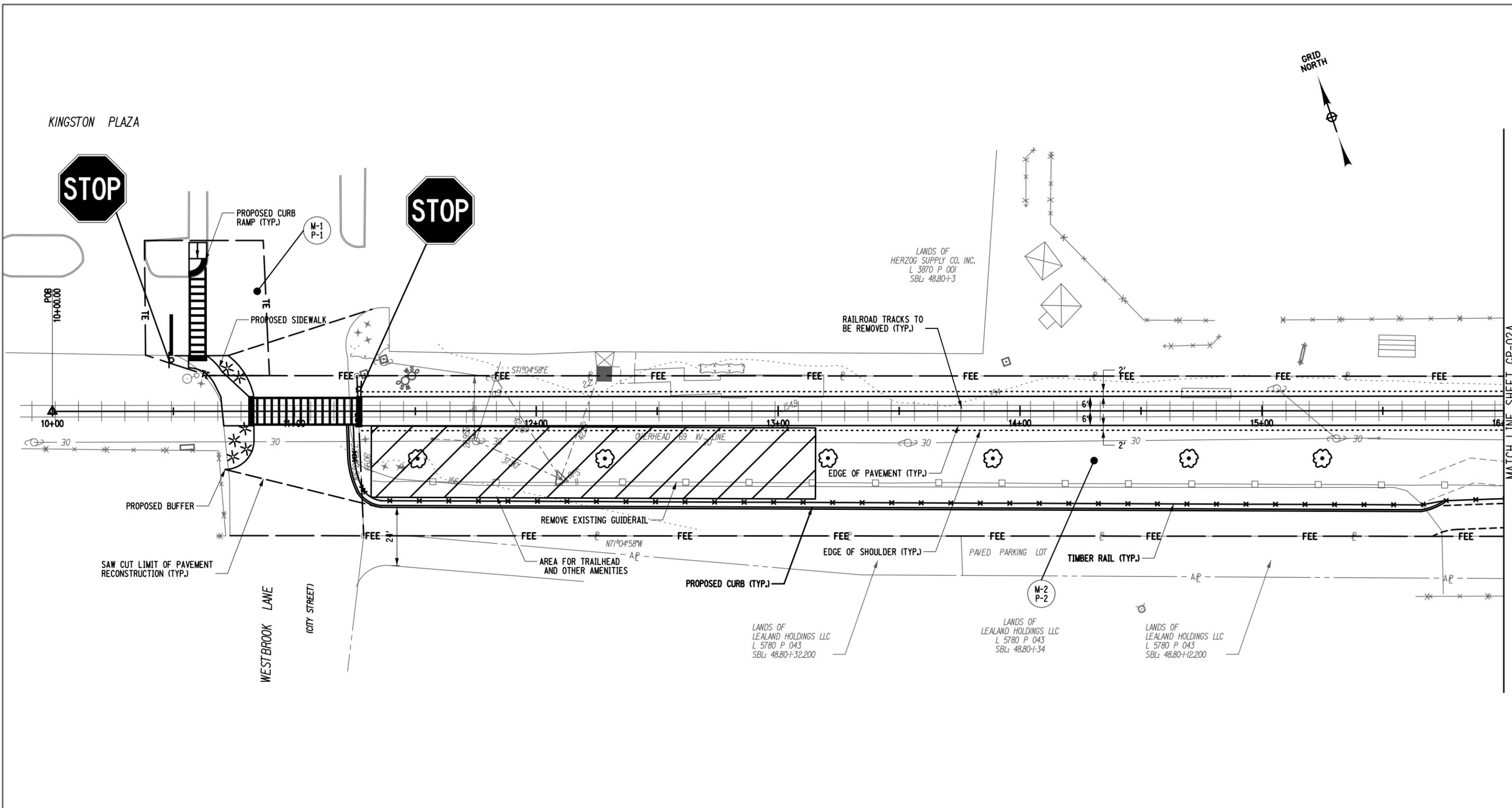
AS-BUILT REVISIONS  
 DESCRIPTION OF ALTERATIONS:

MIDTOWN LINEAR PARK	PIN 8761.82	BRIDGES	CULVERTS	ALL DIMENSIONS IN FT UNLESS OTHERWISE NOTED	CONTRACT NUMBER
COUNTY: ULSTER	REGION: 8			TYPICAL SECTION	DRAWING NO. TYP-1
					SHEET NO.

IT IS A VIOLATION OF LAW FOR ANY PERSON, UNLESS THEY ARE ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER, ARCHITECT, LANDSCAPE ARCHITECT, OR LAND SURVEYOR, TO ALTER AN ITEM IN ANY WAY. IF AN ITEM BEARING THE STAMP OF A LICENSED PROFESSIONAL IS ALTERED, THE ALTERING ENGINEER, ARCHITECT, LANDSCAPE ARCHITECT, OR LAND SURVEYOR SHALL STAMP THE DOCUMENT AND INCLUDE THE NOTATION "ALTERED BY" FOLLOWED BY THEIR SIGNATURE, THE DATE OF SUCH ALTERATION, AND A SPECIFIC DESCRIPTION OF THE ALTERATION.

FILE NAME = 8761.82\_cph\_gmp\_01A.dgn  
 DATE/TIME = 01-FEB-2019 13:35  
 USER = HVEA

DESIGN SUPERVISOR J. GORTON  
 JOB MANAGER J. GORTON  
 DESIGN R. IUELE  
 CHECK L. BACH  
 DRAFTING K. FISCHER  
 CHECK L. BACH  
 PROJECT MANAGER J. GORTON



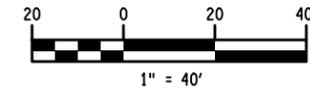
AFFIX SEAL: ON:	ALTERED BY: ON:

AS-BUILT REVISIONS DESCRIPTION OF ALTERATIONS:	MIDTOWN LINEAR PARK	PIN 8761.82	BRIDGES	CULVERTS	ALL DIMENSIONS IN FT UNLESS OTHERWISE NOTED	CONTRACT NUMBER
					GENERAL PLAN ALTERNATIVE A	DRAWING NO. GP-01A
	COUNTY: ULSTER	REGION: 8				SHEET NO.

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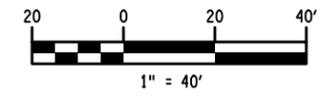
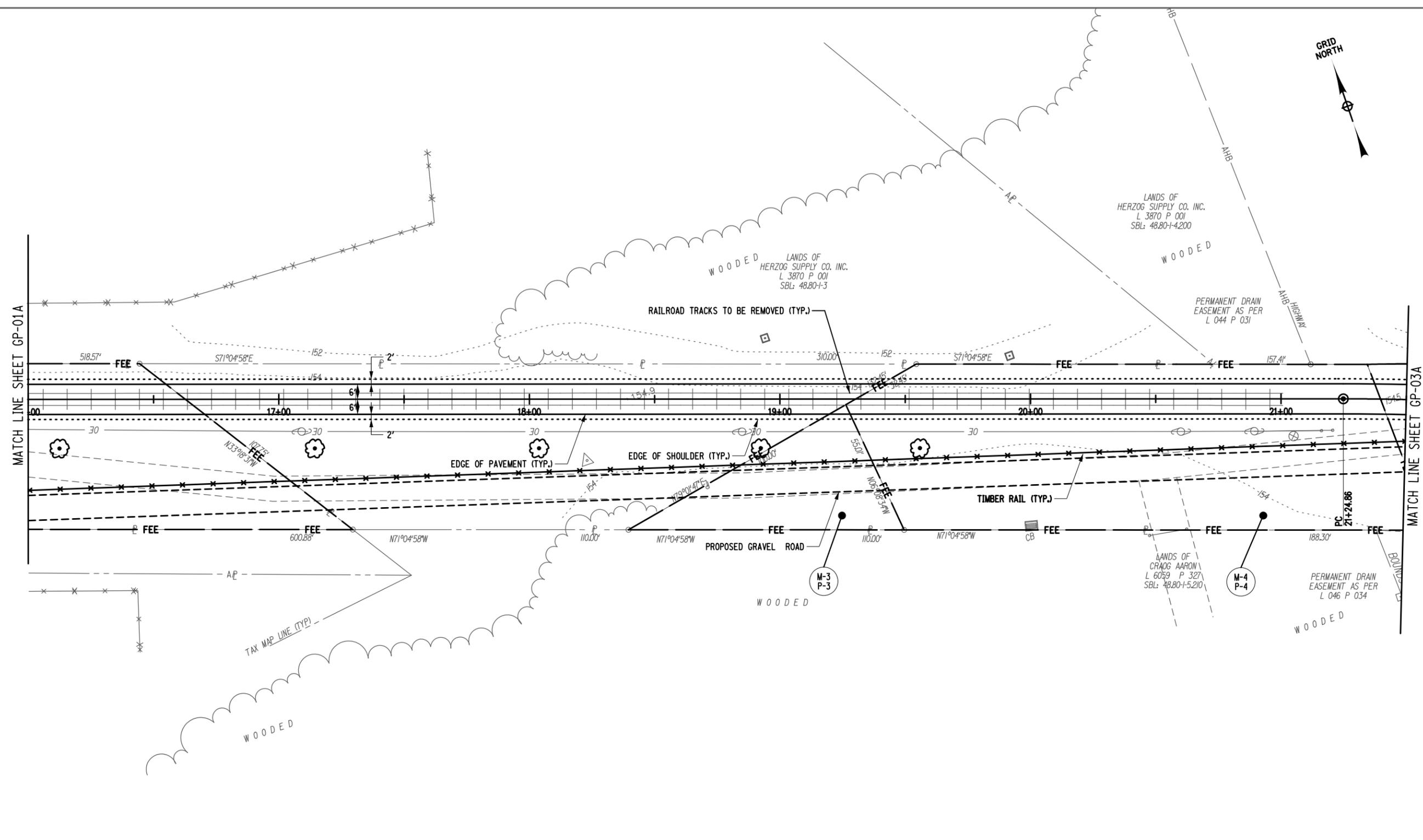


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 www.hvespc.com



FILE NAME = 8761.82\_cph\_gpp\_02A.dgn  
 DATE/TIME = 31-JAN-2019 15:16  
 USER = HVEA

DESIGN SUPERVISOR J. GORTON  
 JOB MANAGER J. GORTON  
 DESIGN R. IUELE  
 CHECK L. BACH  
 DRAFTING K. FISCHER  
 CHECK L. BACH  
 PROJECT MANAGER J. GORTON



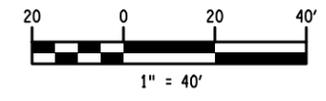
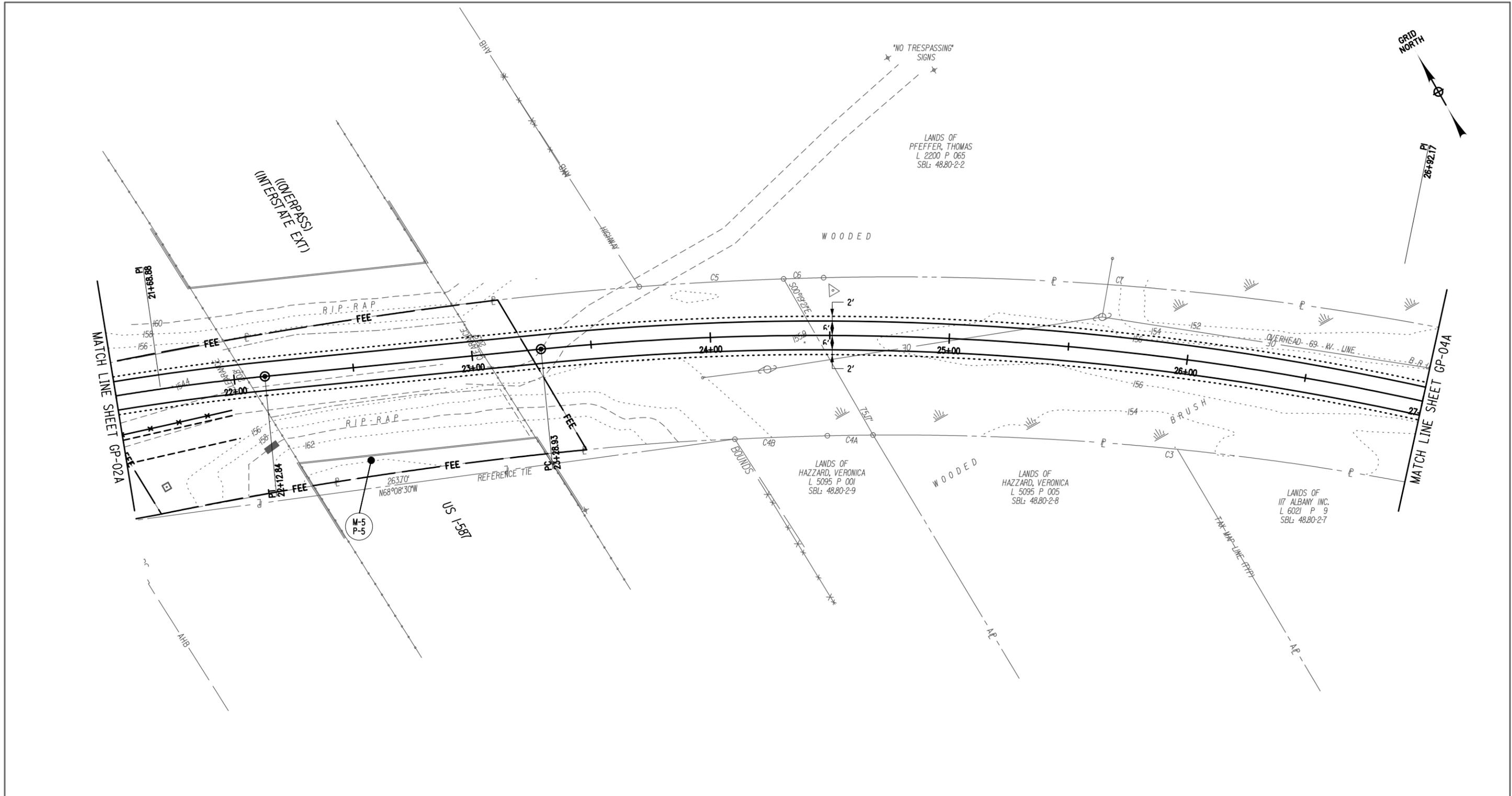
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						SHEET NO.	
COUNTY: ULSTER		REGION: 8	BEACON, NEW YORK 12508 (845) 838-3600 www.hveapc.com				Ulster County ulstercountyny.gov

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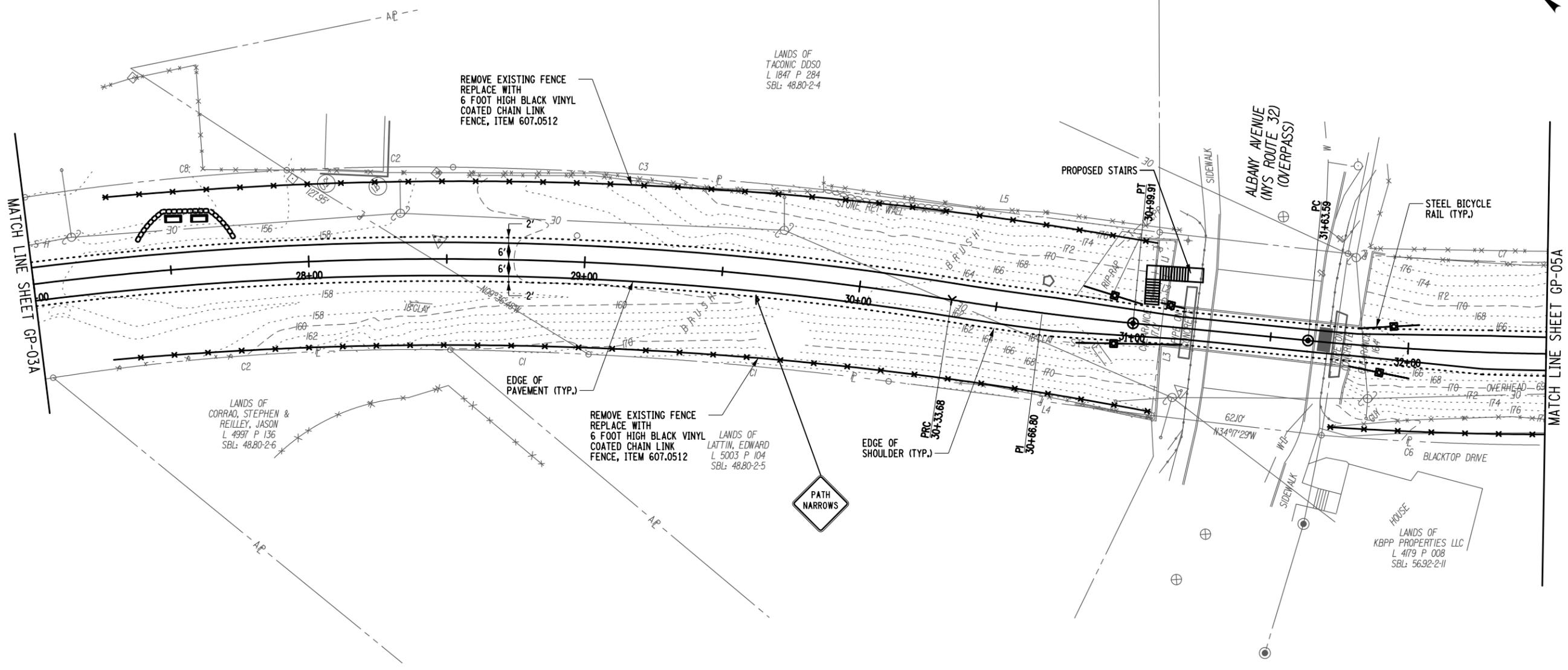
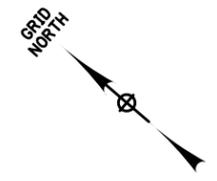
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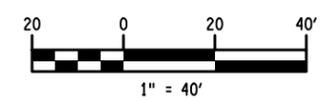
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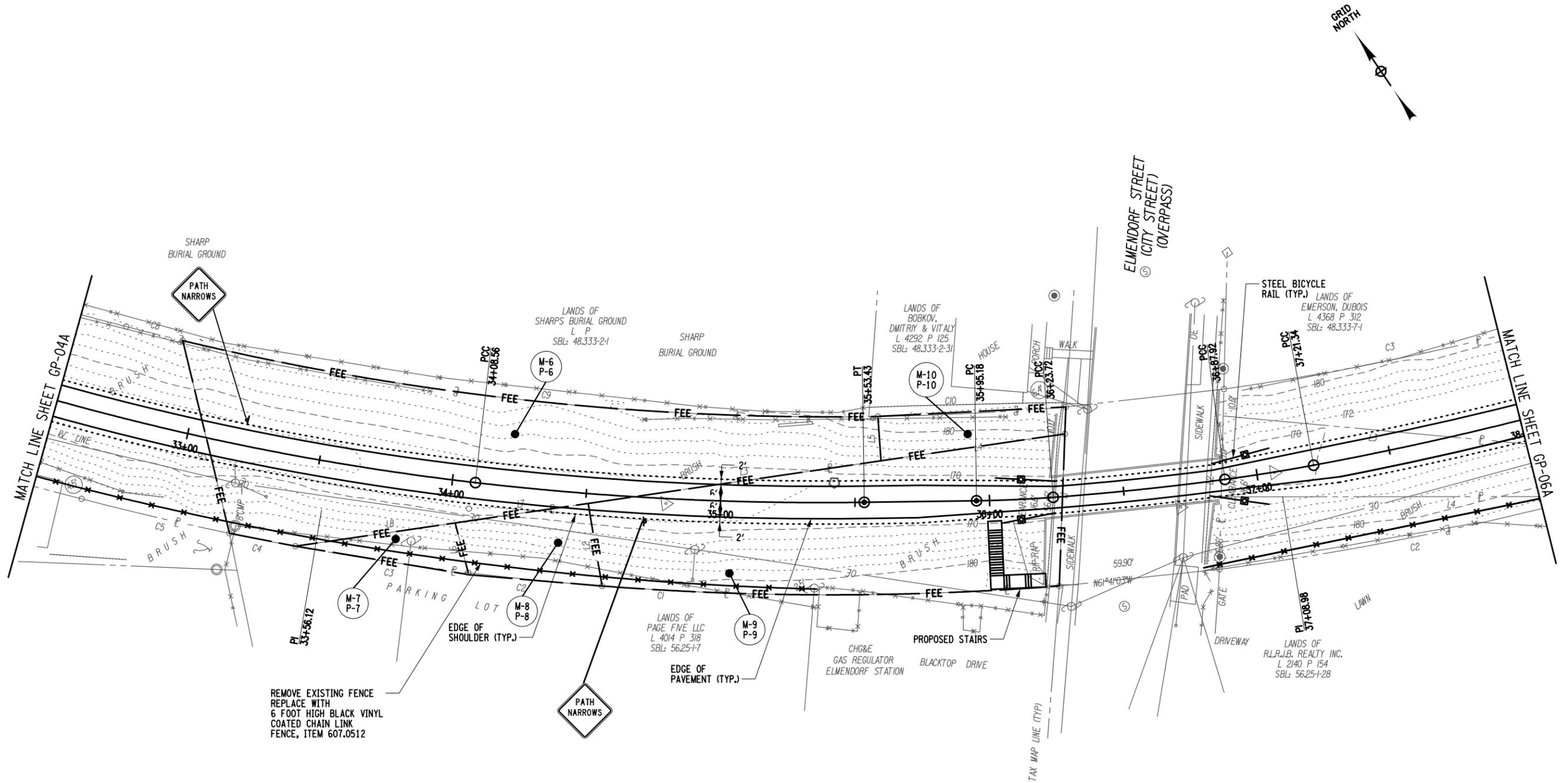
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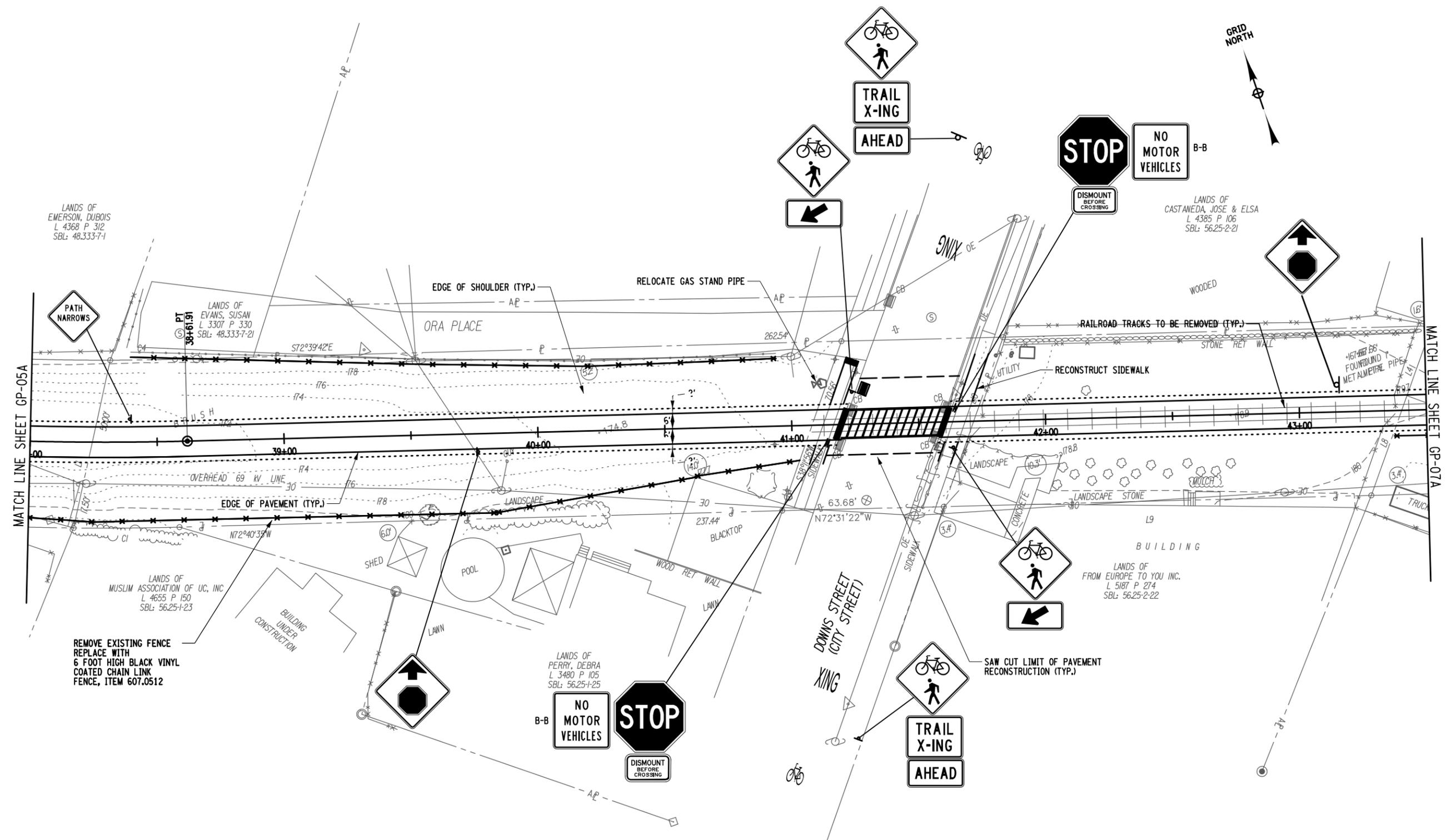
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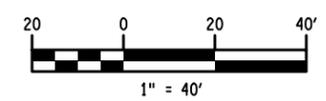


REMOVE EXISTING FENCE  
 REPLACE WITH  
 6 FOOT HIGH BLACK VINYL  
 COATED CHAIN LINK  
 FENCE, ITEM 607.0512

LANDS OF  
 PERRY, DEBRA  
 L 3480 P 105  
 SBL: 56.25-1-25

**NO MOTOR VEHICLES**  
**STOP**  
 DISMOUNT BEFORE CROSSING

LANDS OF  
 FROM EUROPE TO YOU INC.  
 L 5187 P 274  
 SBL: 56.25-2-22



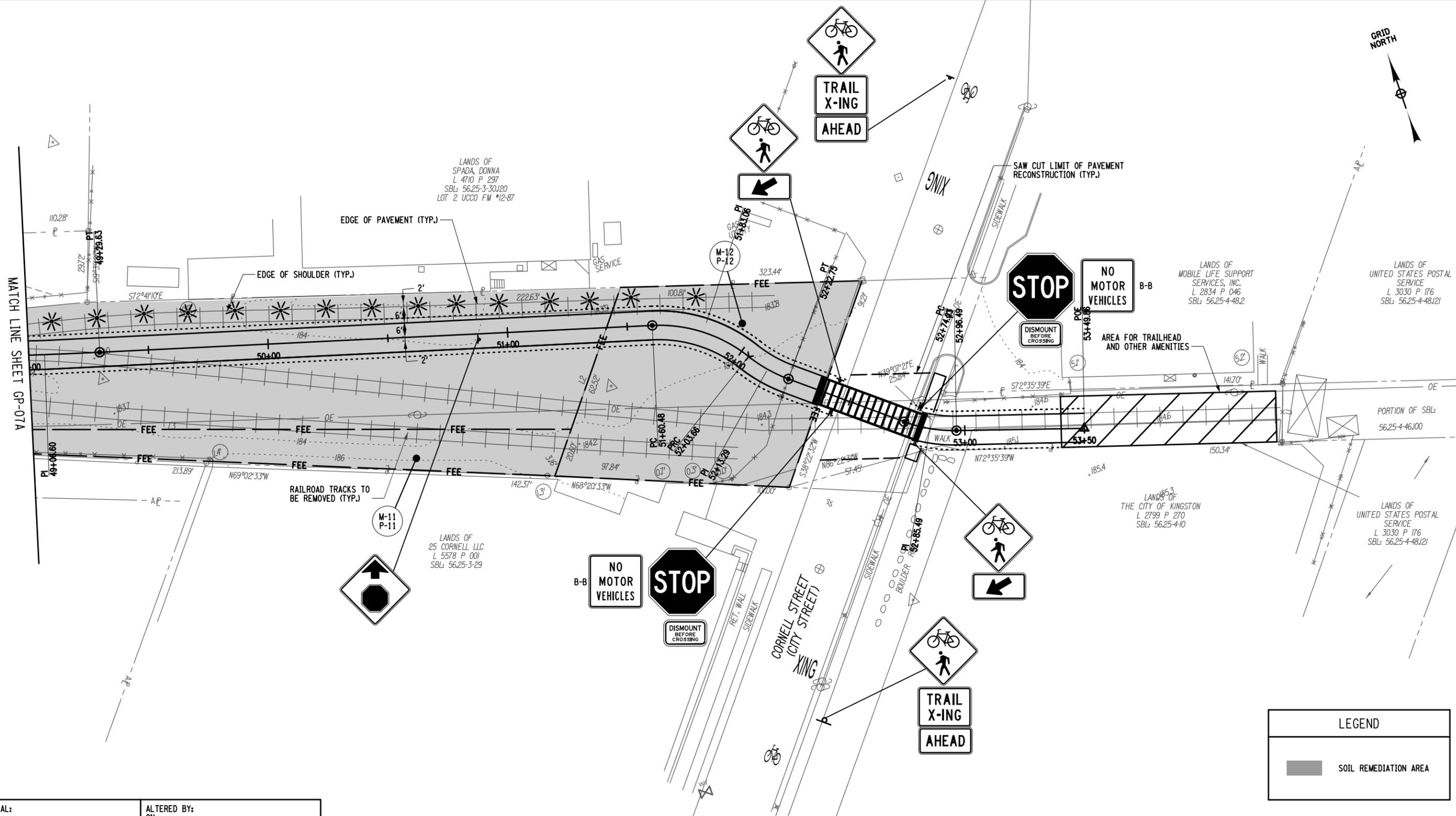
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					<b>GENERAL PLAN ALTERNATIVE A</b>	DRAWING NO. GP-6A SHEET NO.
	COUNTY: ULSTER	REGION: 8				
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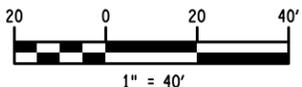


FILE NAME = 8761.82\_cph\_gpp\_08A.dgn  
 DATE/TIME = 31-JAN-2019 15:16  
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DESIGN SUPERVISOR J. GORTON  
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 CHECK L. BACH  
 DRAFTING K. FISCHER  
 CHECK L. BACH  
 PROJECT MANAGER J. GORTON



LEGEND	
	SOIL REMEDIATION AREA

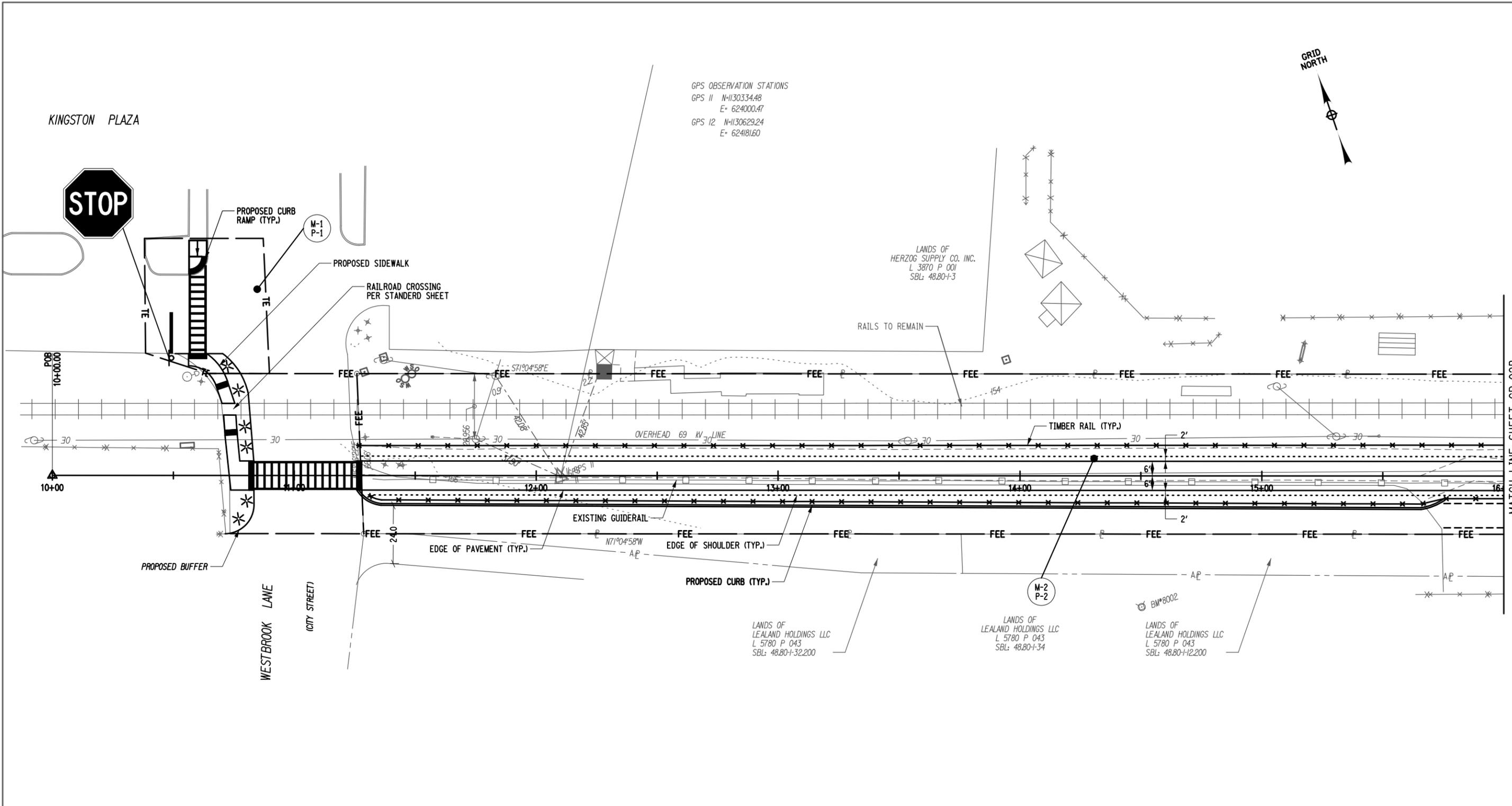


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AS-BUILT REVISIONS DESCRIPTION OF ALTERATIONS:	MIDTOWN LINEAR PARK	PIN 8761.82	BRIDGES	CULVERTS	ALL DIMENSIONS IN FT UNLESS OTHERWISE NOTED	CONTRACT NUMBER
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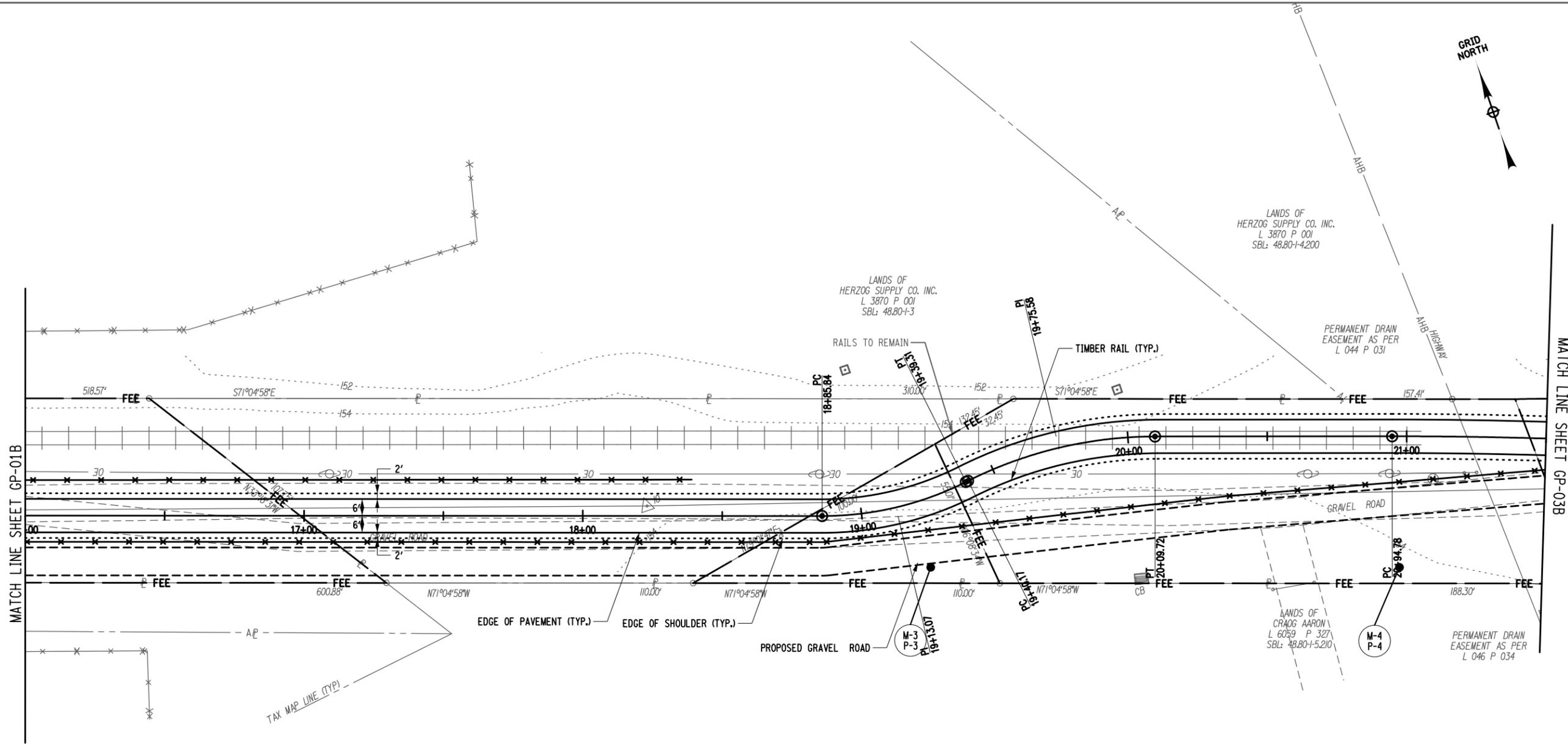


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AS-BUILT REVISIONS DESCRIPTION OF ALTERATIONS:	

MIDTOWN LINEAR PARK	PIN 8761.82	BRIDGES	CULVERTS	ALL DIMENSIONS IN FT UNLESS OTHERWISE NOTED	CONTRACT NUMBER
COUNTY: ULSTER	REGION: 8			GENERAL PLAN ALTERNATIVE B	DRAWING NO. GP-01B SHEET NO.
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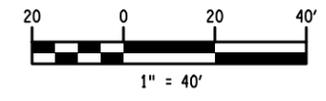
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MATCH LINE SHEET GP-01B

MATCH LINE SHEET GP-03B

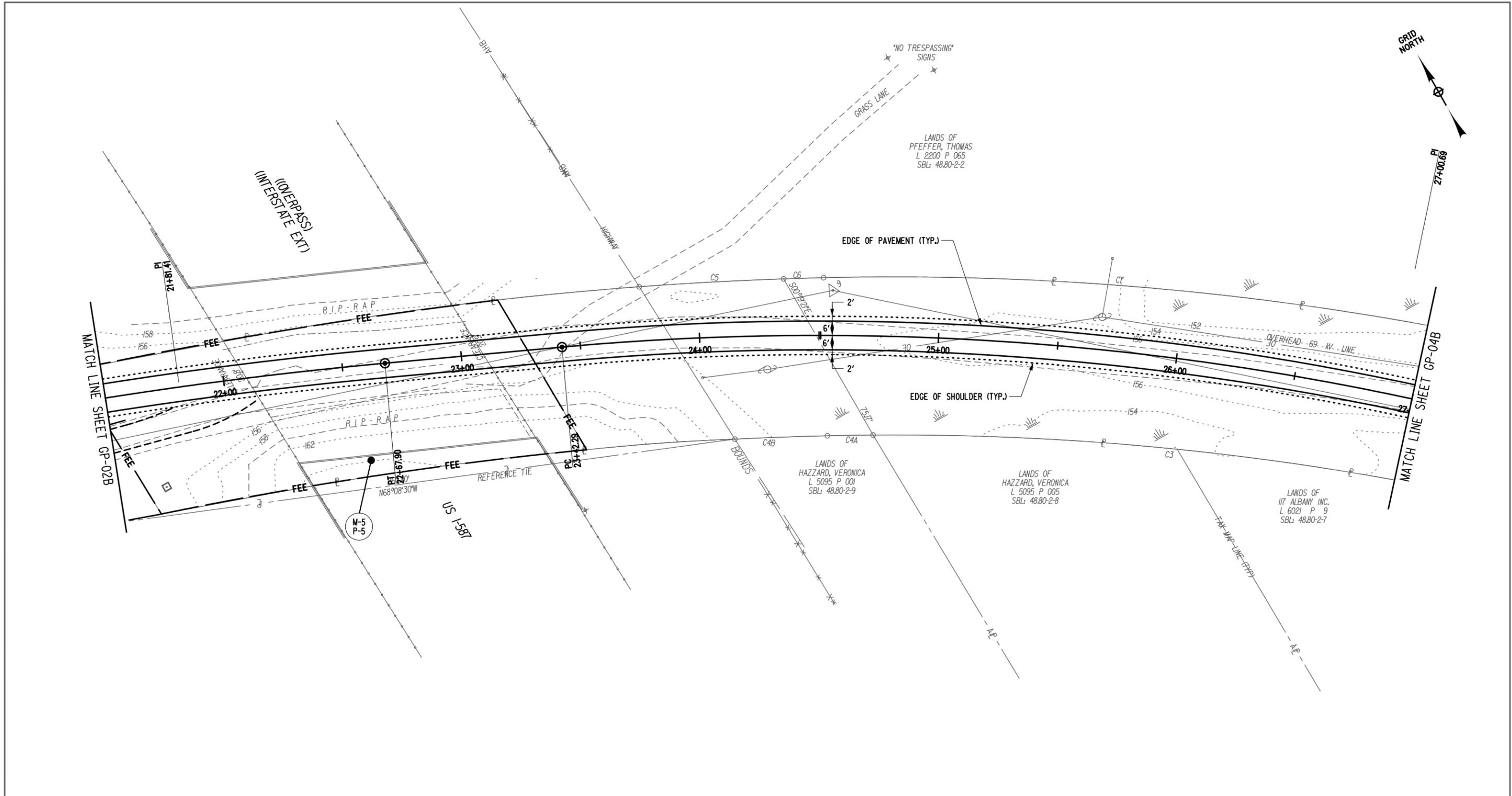
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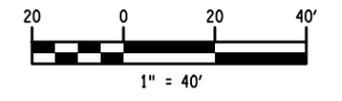
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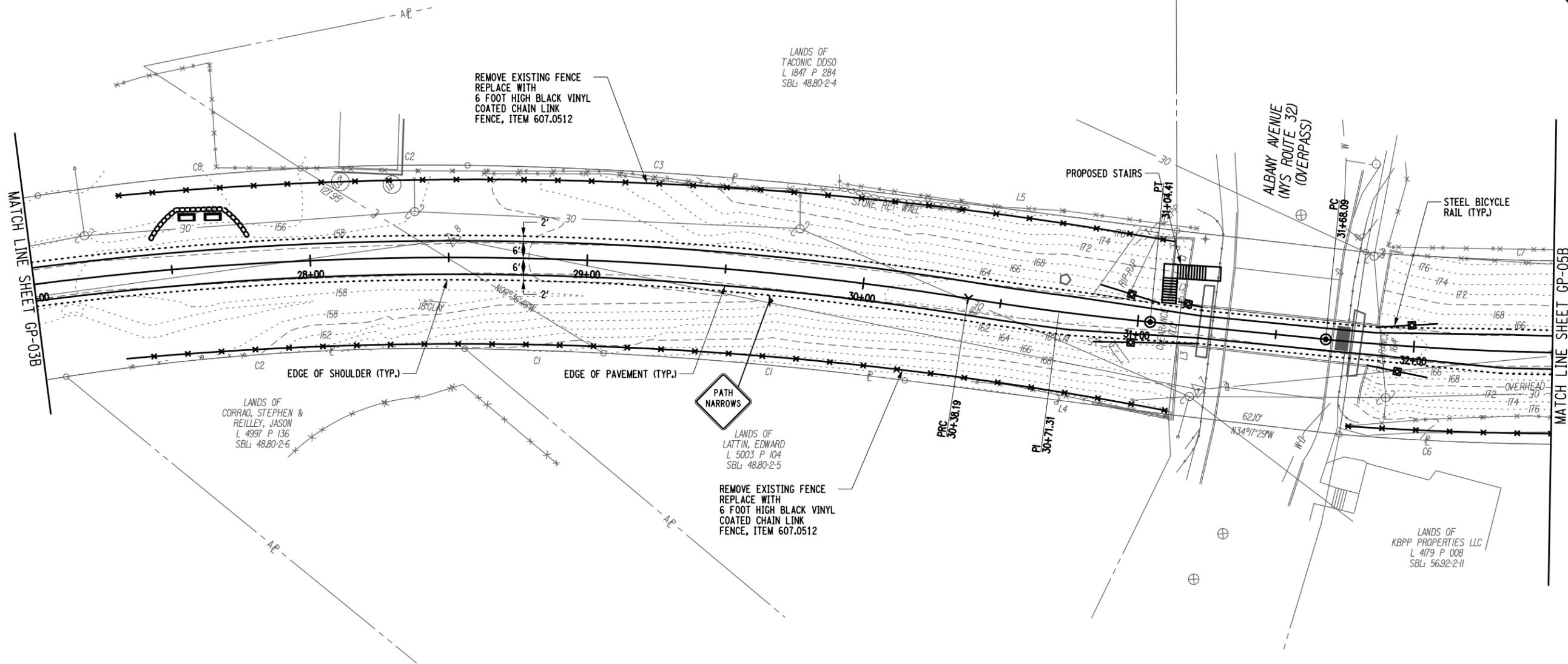
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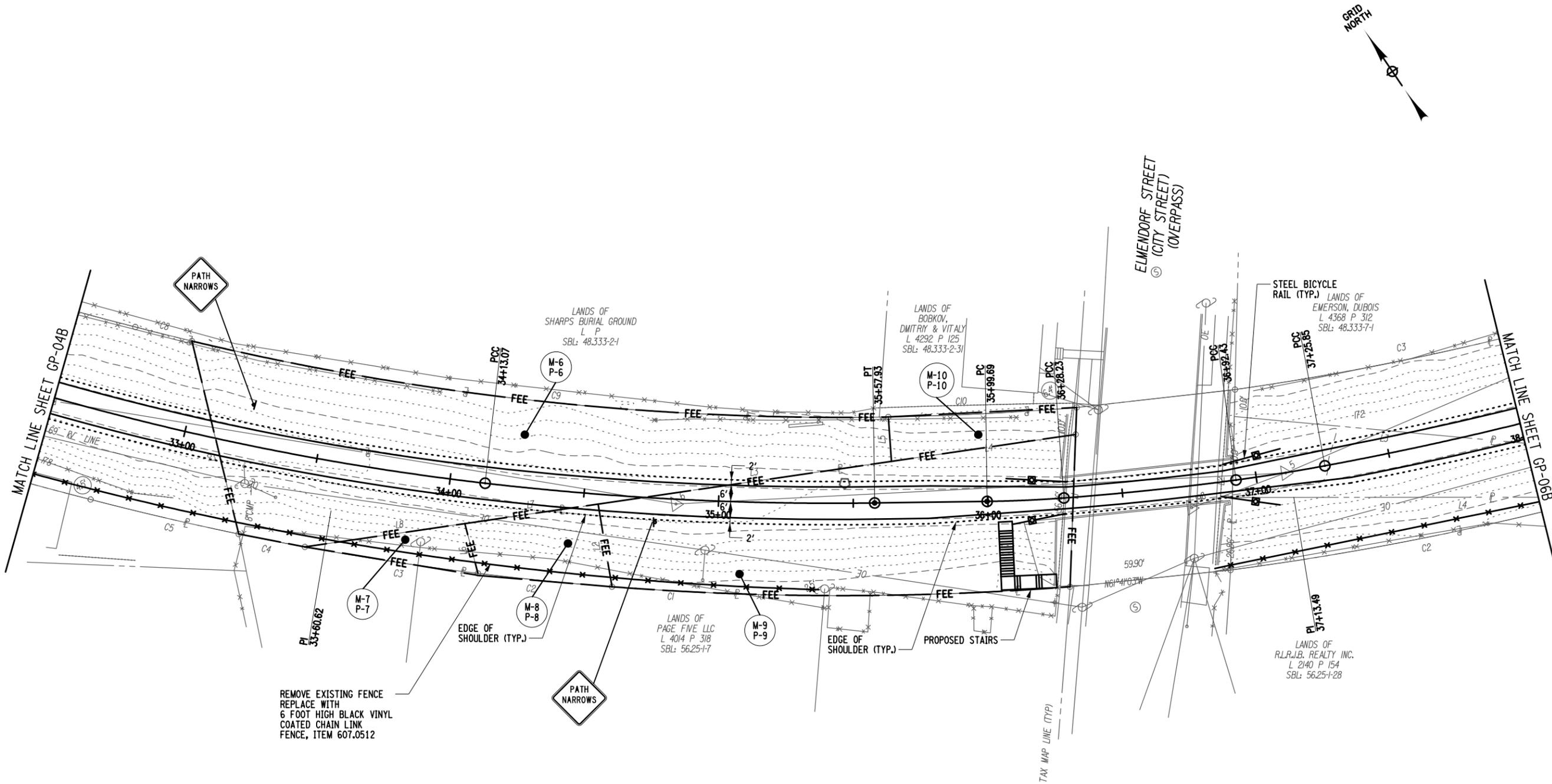
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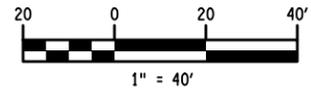
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REMOVE EXISTING FENCE  
 REPLACE WITH  
 6 FOOT HIGH BLACK VINYL  
 COATED CHAIN LINK  
 FENCE, ITEM 607.0512

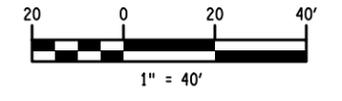
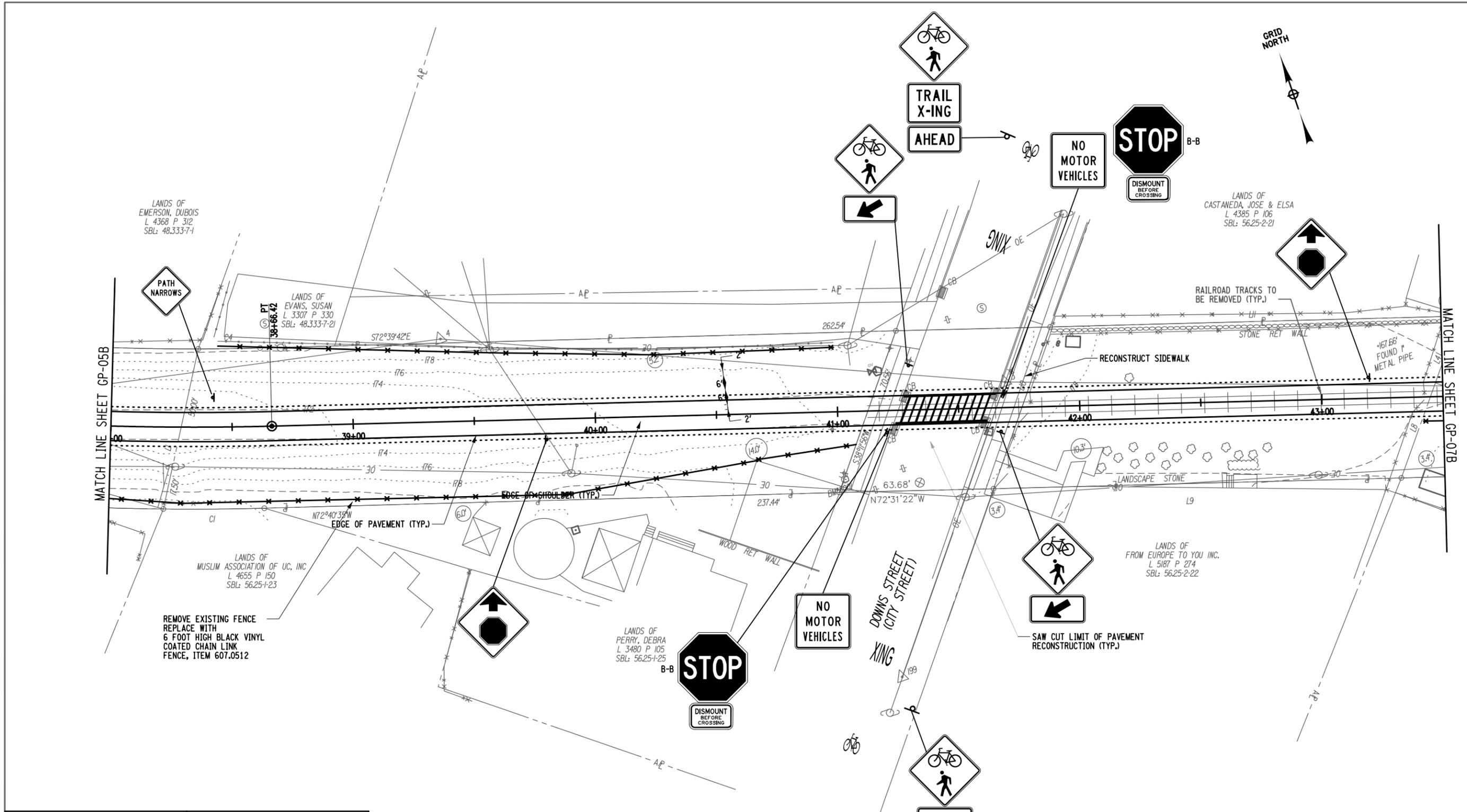


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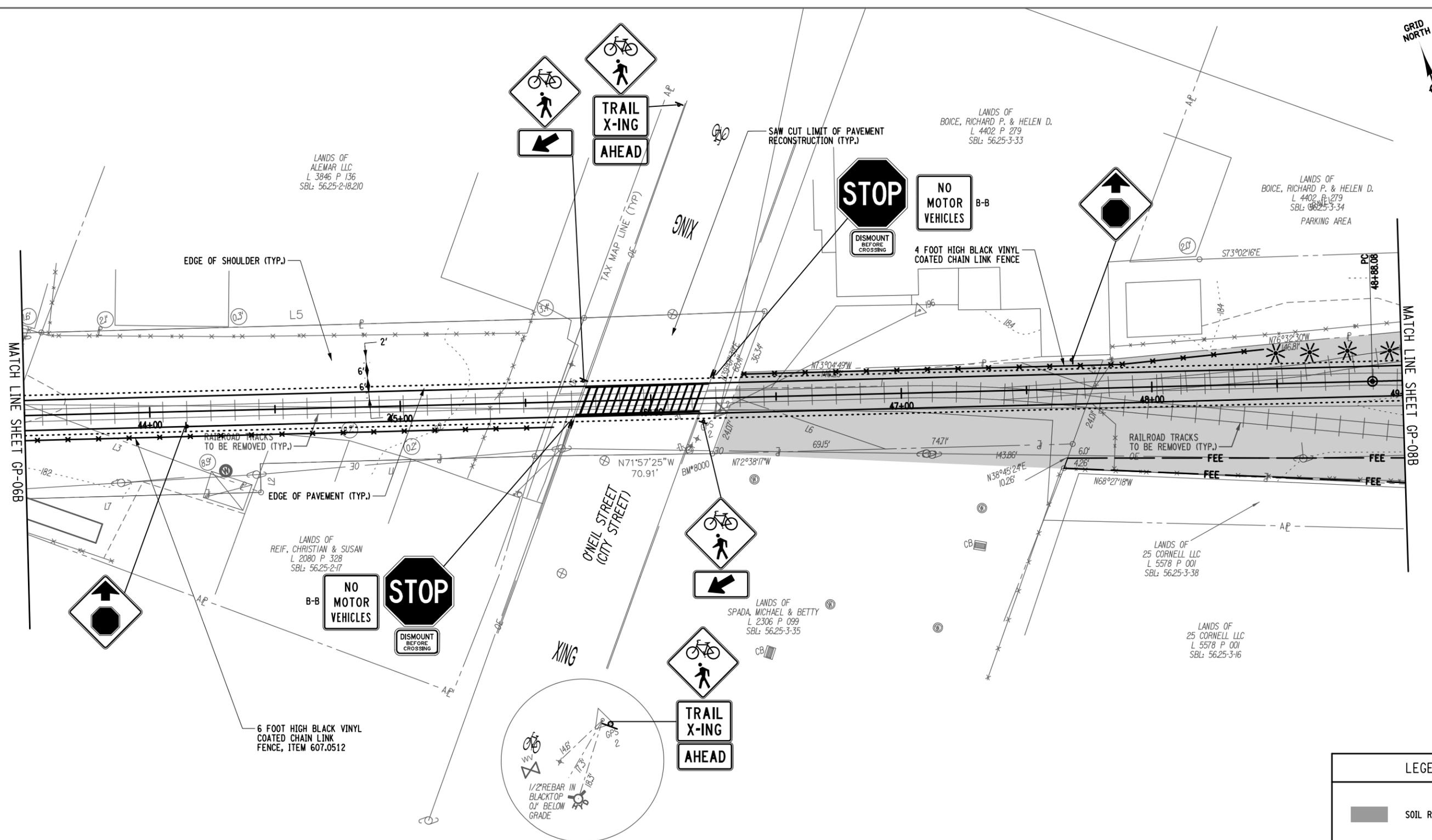


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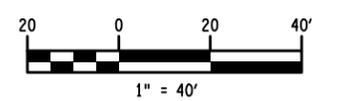
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	COUNTY: ULSTER	REGION: 8				SHEET NO.	
<p>IT IS A VIOLATION OF LAW FOR ANY PERSON, UNLESS THEY ARE ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER, ARCHITECT, LANDSCAPE ARCHITECT, OR LAND SURVEYOR, TO ALTER AN ITEM IN ANY WAY. IF AN ITEM BEARING THE STAMP OF A LICENSED PROFESSIONAL IS ALTERED, THE ALTERING ENGINEER, ARCHITECT, LANDSCAPE ARCHITECT, OR LAND SURVEYOR SHALL STAMP THE DOCUMENT AND INCLUDE THE NOTATION "ALTERED BY" FOLLOWED BY THEIR SIGNATURE, THE DATE OF SUCH ALTERATION, AND A SPECIFIC DESCRIPTION OF THE ALTERATION.</p>						<p>BEACON, NEW YORK 12508        (845) 838-3600        www.hveapc.com</p>	<p>ulstercountyny.gov</p>

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 DATE/TIME = 31-JAN-2019 15:16  
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PROJECT MANAGER J. GORTON  
 CHECK L. BACH  
 DRAFTING K. FISCHER  
 CHECK L. BACH  
 DESIGN R. IUELE  
 JOB MANAGER J. GORTON  
 DESIGN SUPERVISOR J. GORTON



LEGEND	
	SOIL REMEDIATION AREA

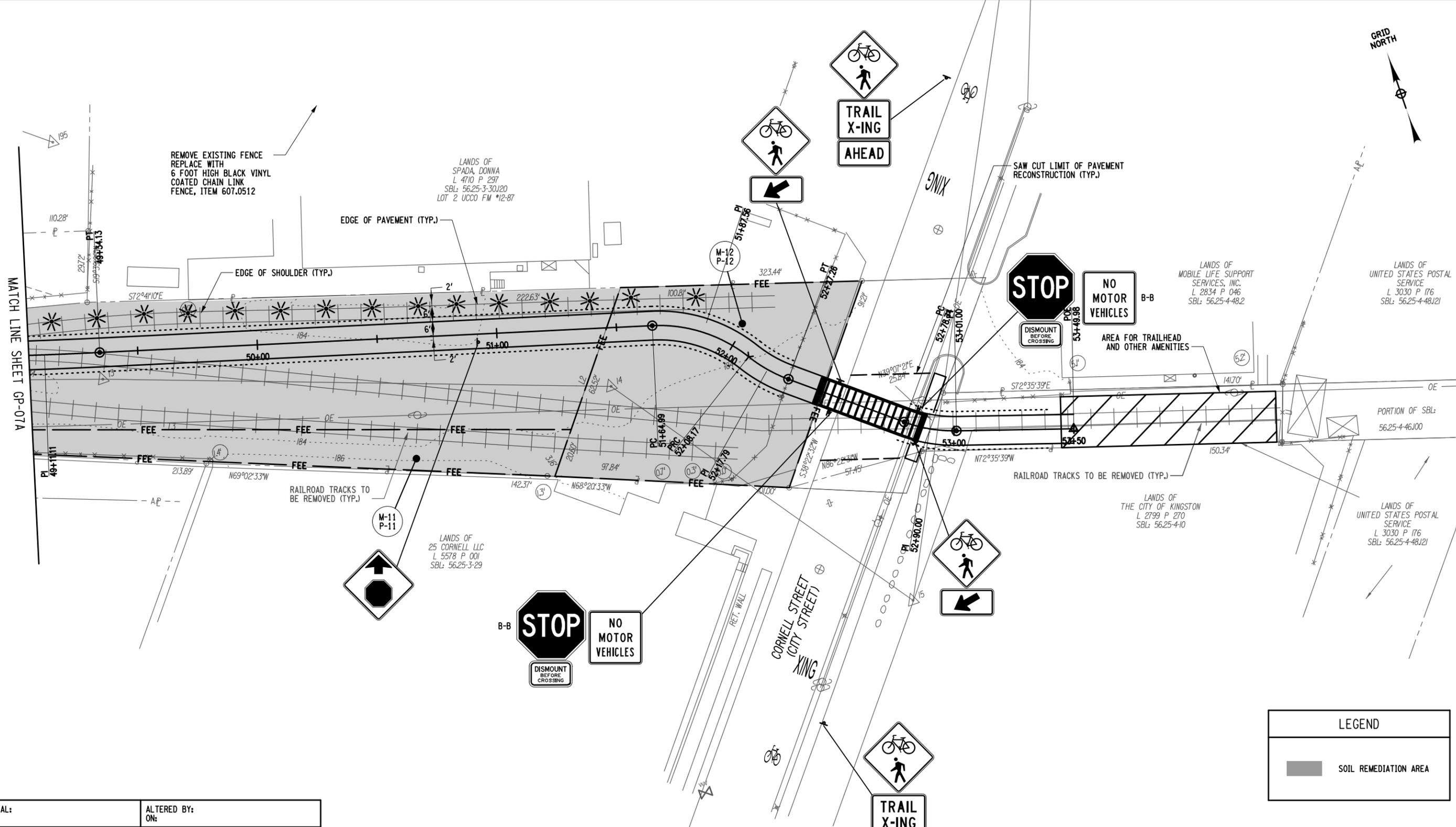


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					GENERAL PLAN ALTERNATIVE B	DRAWING NO. GP-07B
						SHEET NO.
COUNTY: ULSTER		REGION: 8		BEACON, NEW YORK 12508 (845) 838-3600 www.hveapc.com		
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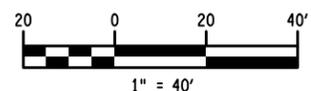
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 JOB MANAGER J. GORTON  
 DESIGN R. IUELE  
 CHECK L. BACH  
 DRAFTING K. FISCHER  
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MATCH LINE SHEET GP-07A



LEGEND	
	SOIL REMEDIATION AREA



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AS-BUILT REVISIONS DESCRIPTION OF ALTERATIONS:	MIDTOWN LINEAR PARK	PIN 8761.82	BRIDGES	CULVERTS	ALL DIMENSIONS IN FT UNLESS OTHERWISE NOTED	CONTRACT NUMBER
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						SHEET NO.
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DESIGN R. IUELE

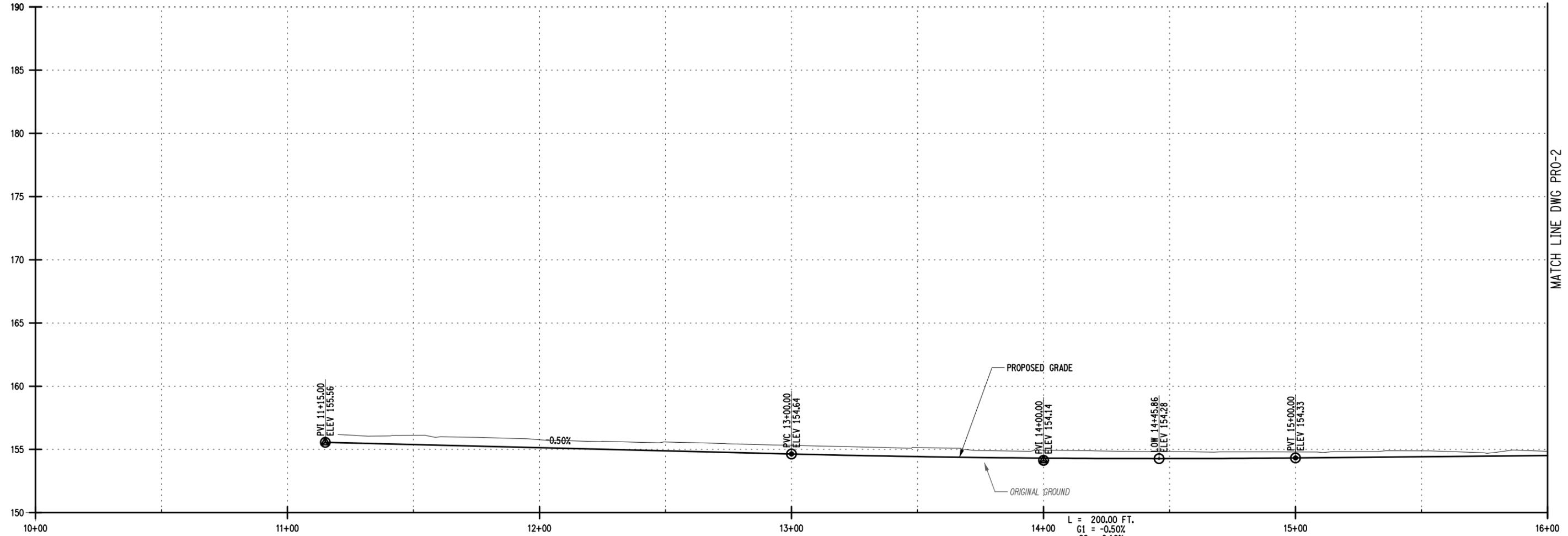
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CHECK L. BACH

DRAFTING K. FISCHER

CHECK L. BACH

PROJECT MANAGER J. GORTON



MATCH LINE DWG PRO-2

AFFIX SEAL: ON:      ALTERED BY: ON:

AS-BUILT REVISIONS  
 DESCRIPTION OF ALTERATIONS:

MIDTOWN LINEAR PARK  
 COUNTY: ULSTER      REGION: 8

PIN 8761.82

BRIDGES      CULVERTS

ALL DIMENSIONS IN FT UNLESS OTHERWISE NOTED

CONTRACT NUMBER

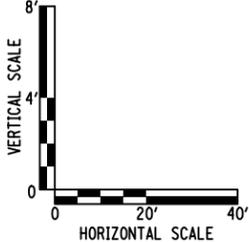
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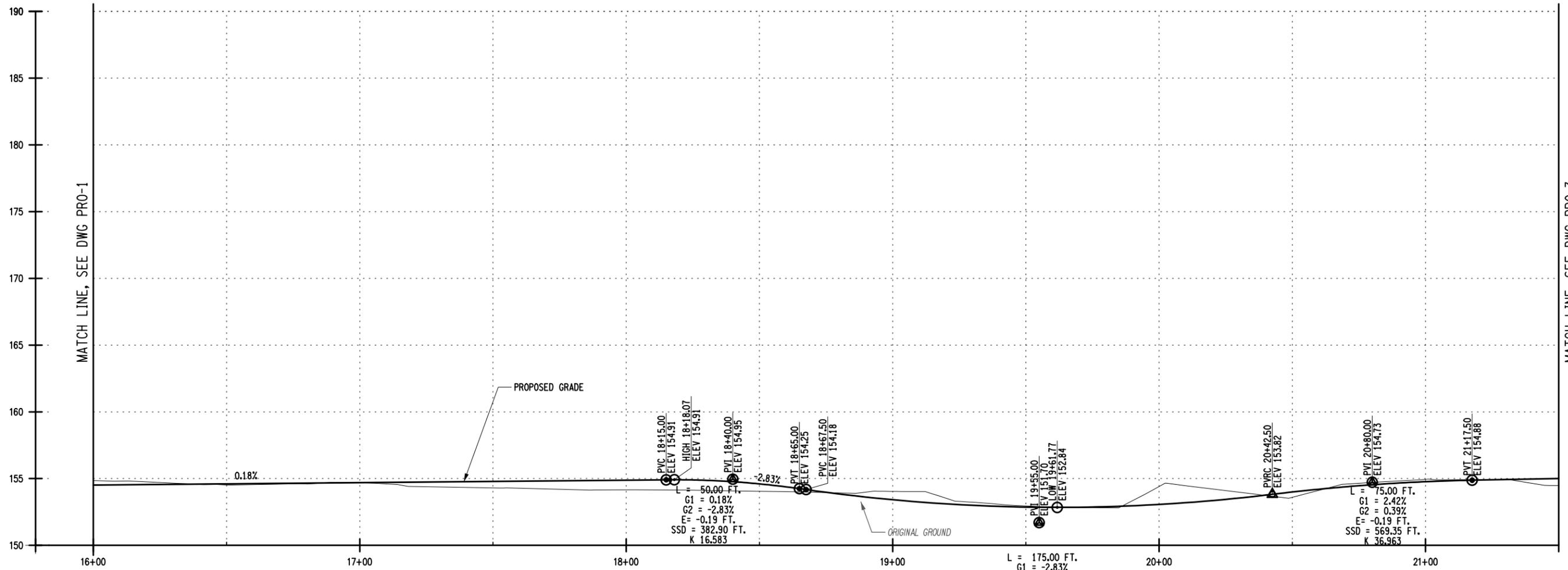
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 SHEET NO.

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AS-BUILT REVISIONS  
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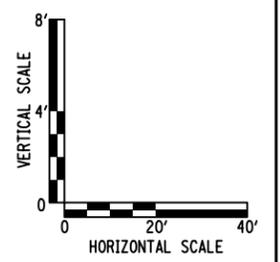
MIDTOWN LINEAR PARK  
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PIN 8761.82  
 BRIDGES  
 CULVERTS

ALL DIMENSIONS IN FT UNLESS OTHERWISE NOTED  
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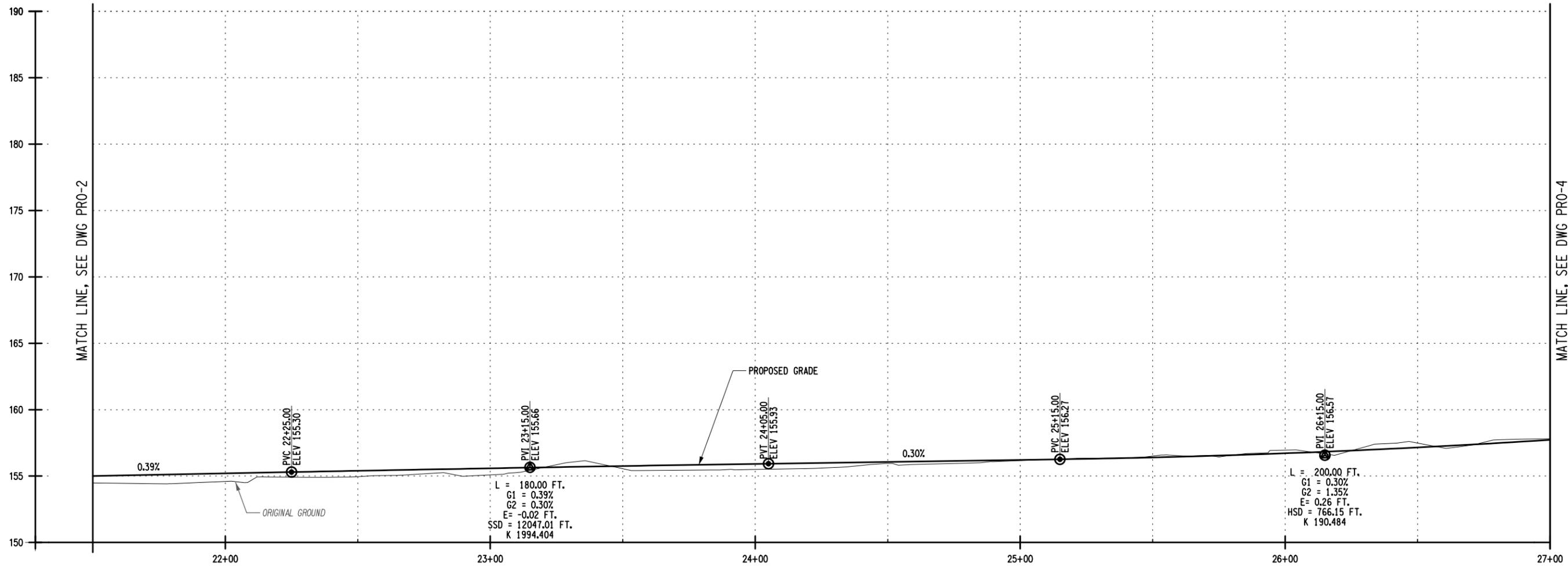
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 SHEET NO.

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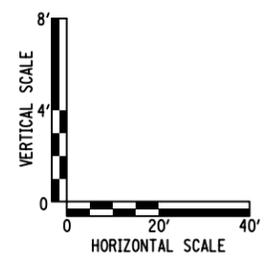
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 CHECK L. BACH  
 PROJECT MANAGER J. GORTON



MATCH LINE, SEE DWG PRO-2

MATCH LINE, SEE DWG PRO-4



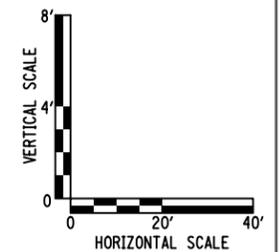
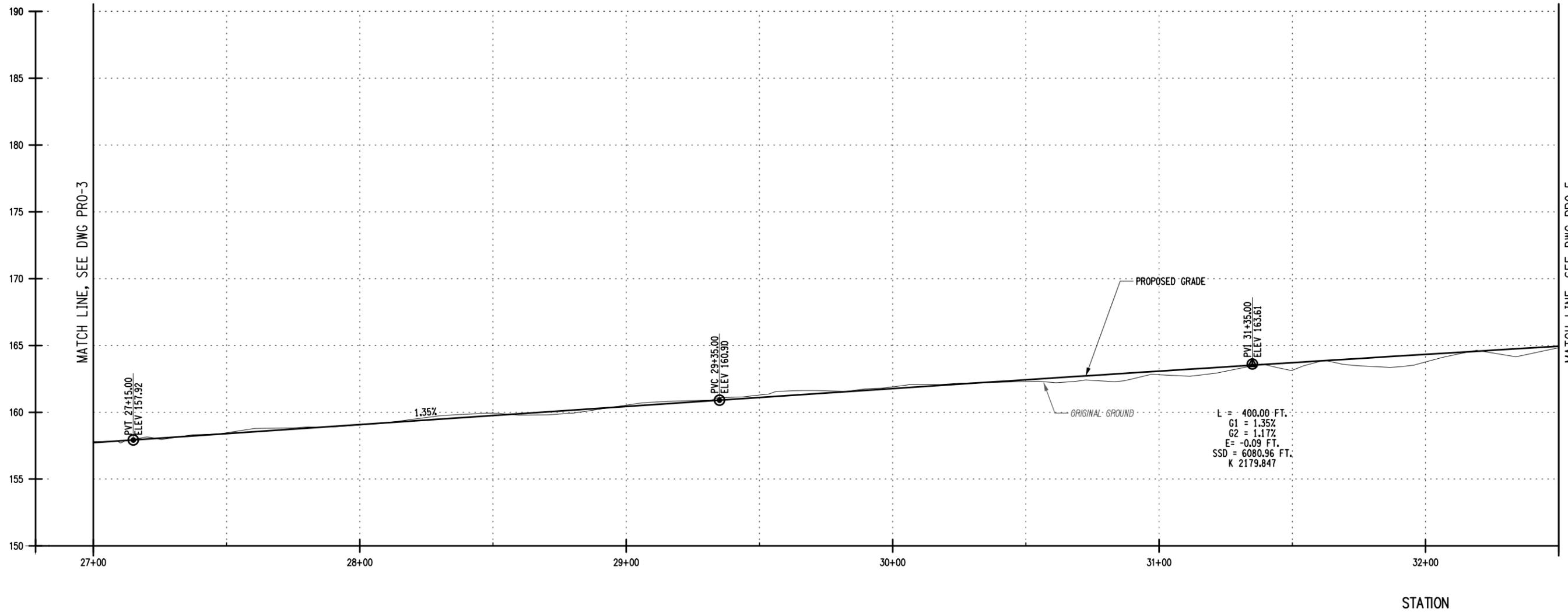
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	COUNTY: ULSTER	REGION: 8				
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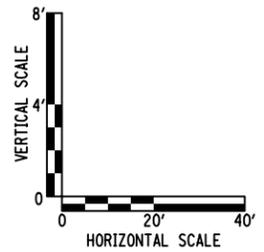
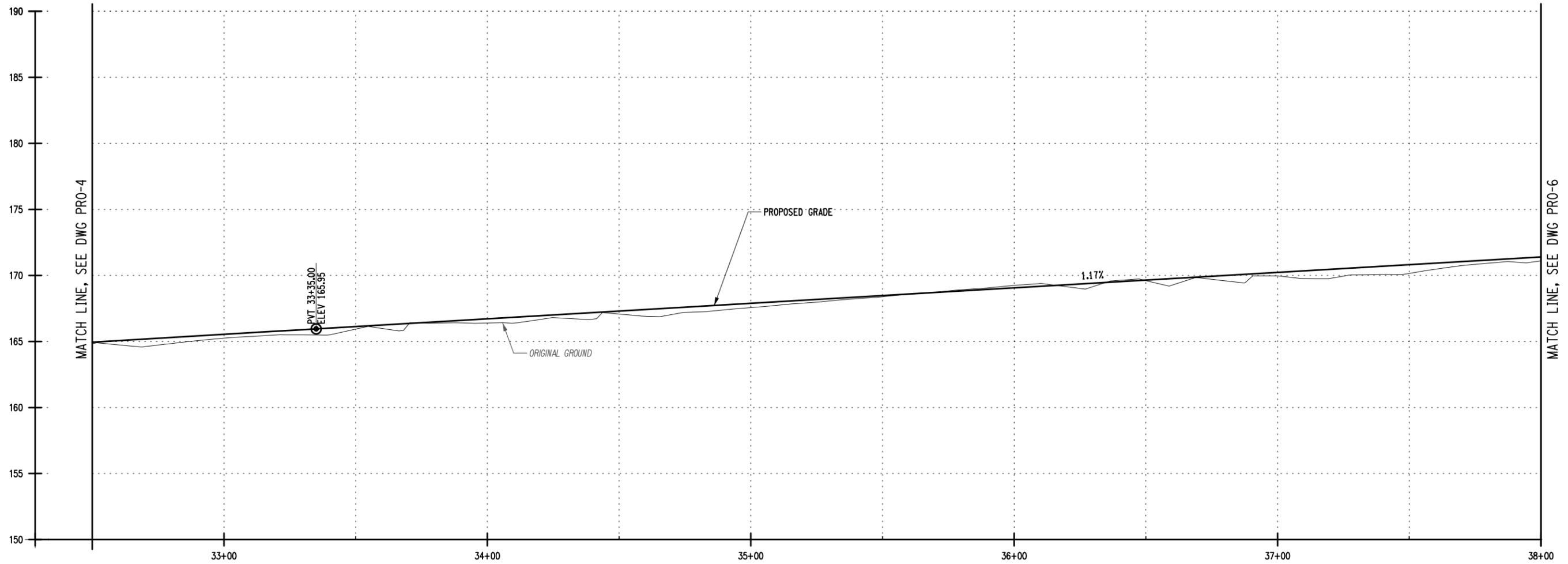


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AS-BUILT REVISIONS DESCRIPTION OF ALTERATIONS:	MIDTOWN LINEAR PARK	PIN 8761.82	BRIDGES	CULVERTS	ALL DIMENSIONS IN FT UNLESS OTHERWISE NOTED	CONTRACT NUMBER
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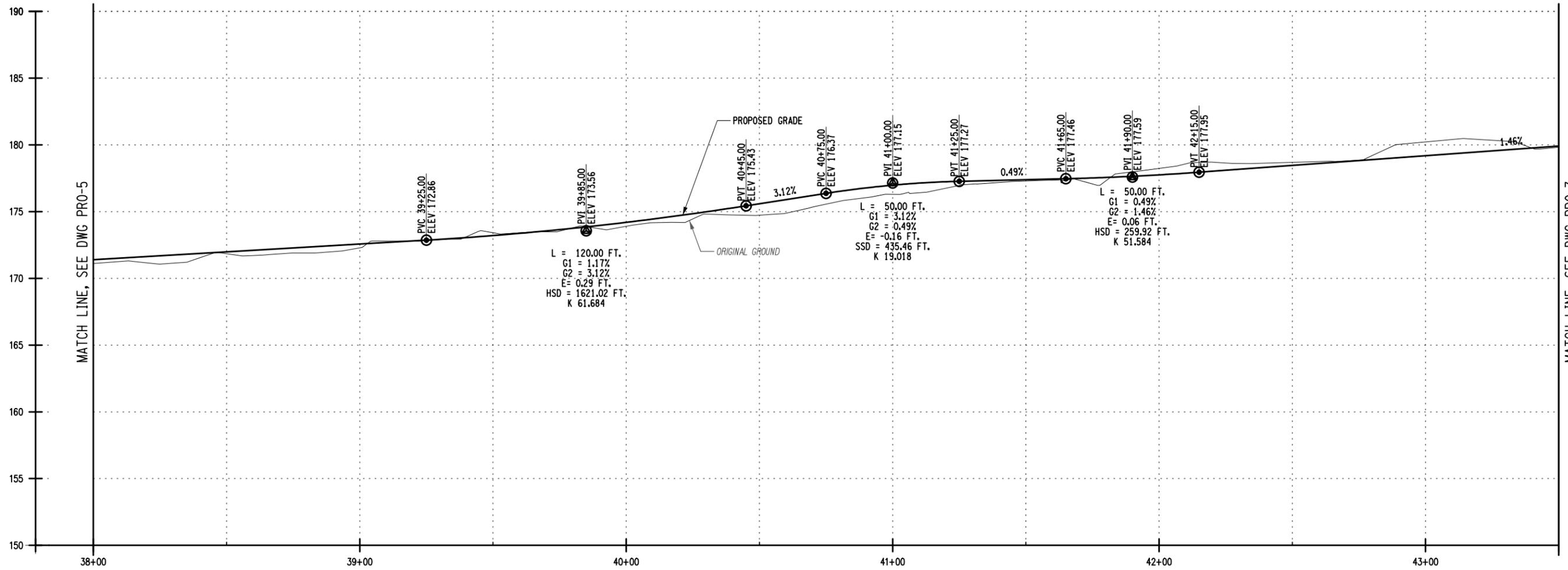


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AS-BUILT REVISIONS DESCRIPTION OF ALTERATIONS:	MIDTOWN LINEAR PARK	PIN 8761.82	BRIDGES	CULVERTS	ALL DIMENSIONS IN FT UNLESS OTHERWISE NOTED	CONTRACT NUMBER
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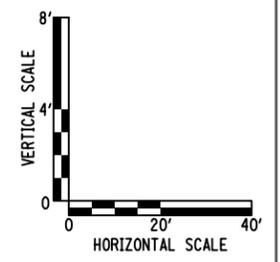
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 CHECK L. BACH  
 PROJECT MANAGER J. GORTON



MATCH LINE, SEE DWG PRO-5

MATCH LINE, SEE DWG PRO-7

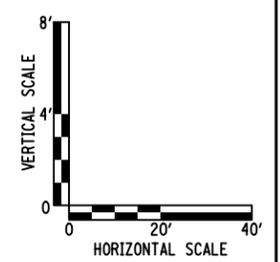
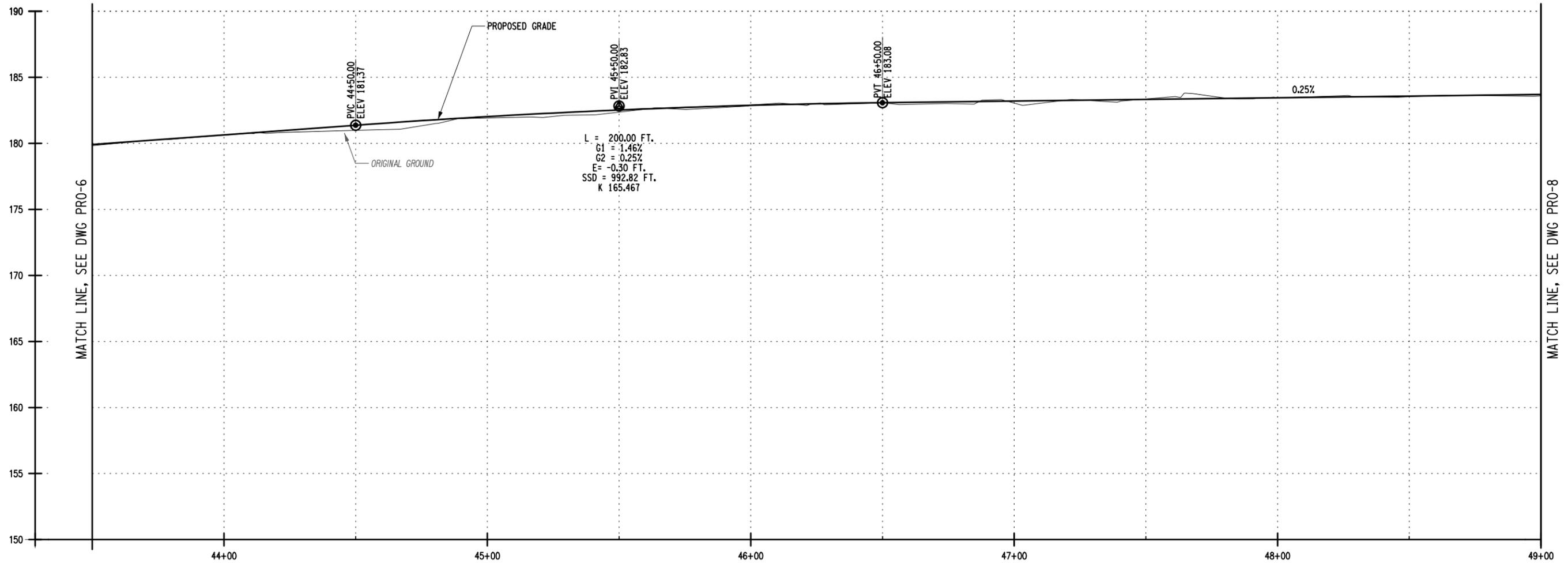


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	COUNTY: ULSTER	REGION: 8					DRAWING NO. PRO-6 SHEET NO.
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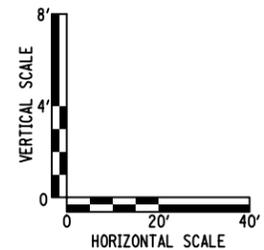
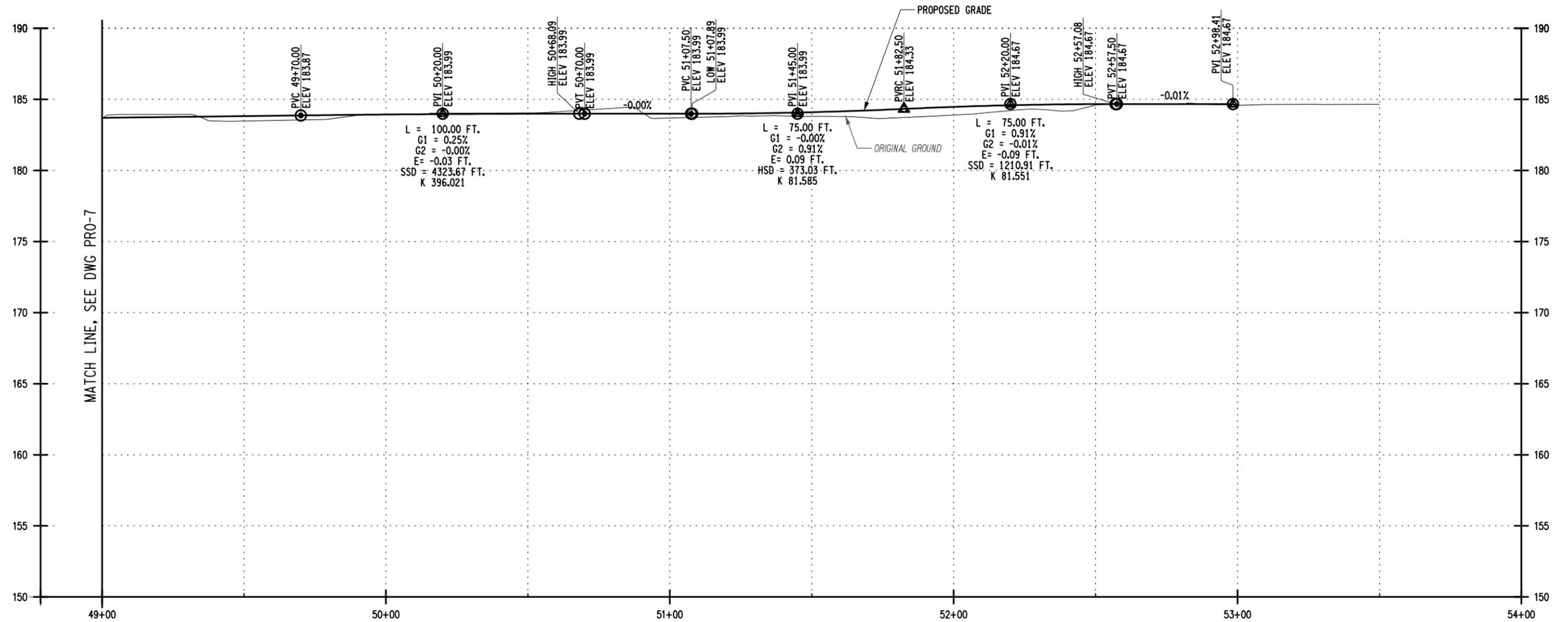


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AS-BUILT REVISIONS DESCRIPTION OF ALTERATIONS:	MIDTOWN LINEAR PARK	PIN 8761.82	BRIDGES	CULVERTS	ALL DIMENSIONS IN FT UNLESS OTHERWISE NOTED	CONTRACT NUMBER
	COUNTY: ULSTER	REGION: 8				PROFILE

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AS-BUILT REVISIONS DESCRIPTION OF ALTERATIONS:	

MIDTOWN LINEAR PARK	PIN 8761.82	BRIDGES	CULVERTS	ALL DIMENSIONS IN FT UNLESS OTHERWISE NOTED	CONTRACT NUMBER
COUNTY: ULSTER	REGION: 8			PROFILE	DRAWING NO. PRO-8 SHEET NO.
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# **Appendix B**

## **Environmental Information**

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# Federal Environmental Approval Worksheet

PIN: 8761.82	Completed by: Rich luele	Date Completed: 12/6/18	FUNDING TYPE: Federal
DESCRIPTION: The project will convert a 0.8-mile section of former Ulster and Delaware railroad, from the east side of Cornell Street in midtown Kingston to the Kingston Plaza at Westbrook Lane in the City of Kingston, into an urban linear park and a paved shared use path for non-motorized transportation. The scope includes the removal of existing tracks and ties, grading and paving a 12-foot-wide asphalt shared-use path, establishing a trailhead, drainage improvements and adding safety features			NEPA CLASS: Class II: CE
			SEQR TYPE: Unlisted (local projects only)
LOCALITY (Village, Town, City): City of Kingston			COUNTY: Ulster

**Purpose of this Worksheet:**

- Implement the Programmatic Agreement Between the Federal Highway Administration, New York Division (FHWA), and the New York State Department of Transportation (NYSDOT) Regarding the Processing of Actions Classified as Categorical Exclusions (CEs) for Federal-Aid Highway Projects (PARCE), executed September 2017.
- Communicate the project National Environmental Policy Act (NEPA) classification and identify whether the FHWA or the NYSDOT (titles identified per [Project Development Manual \(PDM\) Chapter 4, Exhibit 4-2](#)) is making the CE determination.
- Identify any FHWA independent determinations, approvals and/or concurrences required before the CE determination can be made.
- To be included within the Design Approval Document (DAD) in accordance with the documentation requirements in the PARCE.

**Categorical Exclusion (CE)** - a category of actions which do not individually or cumulatively have a significant effect on the human environment and which have been found to have no such effect in procedures adopted by a Federal agency (40 CFR 1508.4). Actions that do not individually or cumulatively have a significant environmental effect are excluded from the requirement to prepare an Environmental Assessment (EA) or Environmental Impact Statement (EIS) (23 CFR 771.115(b)).

**Instructions:**

Initial review of the Federal Environmental Approval Worksheet (FEAW) should occur in scoping or early in Design Phase I to identify potential risks. Complete new review of the FEAW periodically, particularly if project parameters or site condition changes result in potential resource impacts. Completion of the FEAW with signature in Step 4 is required prior to Design Approval. See PDM Chapter 4 for additional details.

**Step 1A: Unusual Circumstances Threshold Determination – 23 CFR 771.117(b)**

Do any, or the potential for any, unusual circumstances exist<sup>1</sup>?

- |   |   |
|---|---|
| • Significant environmental impacts   | YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> |
| • Substantial controversy on environmental grounds  | YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> |
| • Significant impact on properties protected by Section 4(f) of the DOT Act or Section 106 of the National Historic Preservation Act                      | YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> |
| • Inconsistencies with any Federal, State, or local law, requirement or administrative determination relating to the environmental aspects of the project | YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> |

If **yes to any** of the above, contact the Main Office Project Liaison (MOPL) (see PDM Exhibit 4-1). Any project which would normally be classified as a CE but could involve unusual circumstances (or even uncertainty) will require consultation with the Office of Environment (OOE) and subsequently with the FHWA to determine if CE classification is still warranted. If, after consultation with the FHWA, it is determined that the project cannot be progressed as a CE, **skip to step 4** and see PDM Chapter 4 for NEPA Class I (EIS) or Class III (EA) processing. If, after consultation with the FHWA, it is determined that the project can be progressed as a CE, **proceed to step 1B**.

If **no to all** the above, then this project qualifies as a CE; **proceed to step 1B**.

**Step 1B: Identification of CE action**

Is the project an action listed in 23 CFR 771.117 (c) - (d) (or as identified in FHWA's additional flexibilities memo)?

YES  NO

If **Yes**, proceed to step 2.

<sup>1</sup> See definitions and examples of unusual circumstances in *FEAW\_Instructions.doc*

## Federal Environmental Approval Worksheet

**If No**, contact the MOPL (see PDM Exhibit 4-1). If, after consultation with the OOE and the FHWA, it is determined that the project cannot be progressed as a CE, **skip to step 4** and see PDM Chapter 4 for NEPA Class I (EIS) or Class III (EA) processing. If, after consultation with the FHWA, it is determined that the project can continue as a CE, **proceed to step 2**.

# Federal Environmental Approval Worksheet

**Project ID Number:** 8761.82

**Step 2: FHWA environmental actions required prior to CE determination<sup>2</sup>**

The Step 2 table identifies certain issues that require: the FHWA to make the CE determination (Column A and 2.4); independent FHWA determinations (2.1); FHWA approvals, compliance or concurrence (2.2); or notification to the FHWA (2.3). Review **the FEAW Thresholds document** to determine how to fill out each column of Step 2.

2.1	Required FHWA Independent environmental determinations	PARCE threshold exceeded <sup>3</sup>	FHWA independent determination/ concurrence required	Date determination/ concurrence issued	Resource not present, or present but threshold not exceeded
		A	B	B1	C
	Executive Order (EO) 11990 Protection of Wetlands Individual Finding		<input type="checkbox"/>	Date Issued	<input checked="" type="checkbox"/>
	ESA Section 7 Threatened and Endangered Species	<input type="checkbox"/>	<input checked="" type="checkbox"/>	10/15/2018	<input type="checkbox"/>
	Section 106 of National Historic Preservation Act	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Date Issued	<input type="checkbox"/>
	Section 4(f) (Park, Wildlife Refuge, Historic Sites, and National Wild and Scenic Rivers)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Date Issued	<input type="checkbox"/>
2.2	Other FHWA environmental approvals, compliance and/or concurrence required	PARCE threshold exceeded <sup>3</sup>	Threshold exceeded; FHWA approval, compliance or concurrence required		Resource not present, or present but threshold not exceeded
	EO 11988 Floodplains	<input type="checkbox"/>	<input checked="" type="checkbox"/>		<input type="checkbox"/>
	EO 13112 Invasive Species		<input type="checkbox"/>		<input checked="" type="checkbox"/>
	EO 12898 Environmental Justice		<input type="checkbox"/>		<input checked="" type="checkbox"/>
	Safe Drinking Water Act Section 1424(e)		<input type="checkbox"/>		<input checked="" type="checkbox"/>
	US Army Corps of Engineers, Section 404/10 NWP #23		<input type="checkbox"/>		<input checked="" type="checkbox"/>
	Section 6(f) Land and Water Conservation Funds		<input type="checkbox"/>		<input checked="" type="checkbox"/>
	Migratory Bird Treaty Act		<input type="checkbox"/>		<input checked="" type="checkbox"/>
	23CFR772 Type I Noise abatement		<input type="checkbox"/>		<input checked="" type="checkbox"/>
2.3	Other Environmental Issues requiring FHWA notification	PARCE threshold exceeded <sup>3</sup>	FHWA notification threshold exceeded		Resource not present, or present but threshold not exceeded
	US Army Corps of Engineers, Section 404/10 Individual Permit	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
	National Wild and Scenic Rivers	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
	US Coast Guard Bridge Permit	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
	Known hazardous waste site (only EPA National Priority list)		<input type="checkbox"/>		<input checked="" type="checkbox"/>
	Project on or affecting Native American Lands		<input type="checkbox"/>		<input checked="" type="checkbox"/>
2.4	Other Issues Triggering FHWA Approval of Categorical Exclusion	PARCE threshold exceeded <sup>3</sup>			Resource not present, or present but threshold not exceeded
	Property Acquisition	<input checked="" type="checkbox"/>			<input type="checkbox"/>
	Major Traffic Disruptions	<input type="checkbox"/>			<input checked="" type="checkbox"/>
	Changes in Access Control	<input type="checkbox"/>			<input checked="" type="checkbox"/>

<sup>2</sup> This table does not represent all environmental issues and actions that a project is subject to. Classification as a CE does not exempt the project from further environmental review. Refer to the PDM and The Environmental Manual (TEM) to determine review requirements.

<sup>3</sup> When PARCE threshold is exceeded, the NYSDOT recommends that the project qualifies as a CE and requests the FHWA make the CE determination. Information on PARCE specific thresholds are contained within **the FEAW Thresholds document**.

# Federal Environmental Approval Worksheet

**Project ID Number:** 8761.82

### Step 3: Who makes the NEPA CE Determination?

To identify which party, either the FHWA or the NYSDOT, makes the CE determination in accordance with the PARCE, follow the instructions found in the table below, beginning in Step 3A. This step also identifies which correspondence shell to use to distribute the FEAW and other environmental notifications or approvals.

3	<p><b>Determine whether the FHWA or the NYSDOT makes the CE determination and whether additional notifications or approvals are required.</b></p>
3A	<p><b>Is the project an action listed in 23 CFR 771.117 (c) - (d) (Answered yes in Step 1B)?</b></p> <p><b>YES</b> <input checked="" type="checkbox"/> If Yes, <b>proceed to 3B.</b></p> <p><b>NO</b> <input type="checkbox"/> If No, the FHWA makes the CE determination.</p> <ul style="list-style-type: none"> <li>• For <b>Locally Administered Federal Aid Projects only</b>, the DAD, the NYSDOT recommendation and request (that the FHWA determines the project qualifies as a CE) are sent from the Regional Planning and Program Manager (RPPM) to the FHWA directly using <b>Shell 4.</b></li> <li>• For all other projects, the DAD and the NYSDOT recommendation and request (that the FHWA determines the project qualifies as a CE) are sent to the MOPL for review using <b>Shell 3. Proceed to Step 4.</b></li> </ul>
3B	<p><b>Are any of the CE Thresholds from the PARCE not met (Are there any checks in Column A of Step 2)?</b></p> <p><b>YES</b> <input checked="" type="checkbox"/> If Yes, the FHWA makes the CE determination.</p> <ul style="list-style-type: none"> <li>• For <b>Locally Administered Federal Aid Projects only</b>, the DAD and the NYSDOT recommendation and request (that the FHWA determines the project qualifies as a CE) are sent from the RPPM to the FHWA directly using <b>Shell 4.</b></li> <li>• For all other projects, the DAD and the NYSDOT recommendation and request (that the FHWA determines the project qualifies as a CE) are sent to the MOPL for review using <b>Shell 3. Proceed to Step 4.</b></li> </ul> <p><b>NO</b> <input type="checkbox"/> If No, <b>proceed to 3C.</b></p>
3C	<p><b>Are there outstanding independent environmental approvals or concurrences? (Are there checks in column B of Step 2.1 without dates in column B1)?</b></p> <p><b>YES</b> <input type="checkbox"/> If Yes, then the FHWA makes the CE determination.</p> <ul style="list-style-type: none"> <li>• For <b>Locally Administered Federal Aid Projects only</b>, the DAD and the NYSDOT recommendation and request (that the FHWA determines the project qualifies as a CE) are sent from the RPPM to the FHWA directly using <b>Shell 4.</b></li> <li>• For all other projects, the DAD and the NYSDOT recommendation and request (that the FHWA determines the project qualifies as a CE) are sent to the MOPL for review using <b>Shell 3. Proceed to Step 4.</b></li> </ul> <p><b>NO</b> <input type="checkbox"/> If No, the NYSDOT makes the NEPA CE determination. <b>Proceed to 3D.</b></p>
3D	<p><b>Are there</b></p> <p><input type="checkbox"/> any circumstances requiring demonstration of applicable EO compliance (any checks in column B of Table 2.2); or</p> <p><input type="checkbox"/> any issues requiring the FHWA environmental notification (any checks in column B of Table 2.3)?</p> <p><b>YES</b> <input type="checkbox"/> If <b>either</b> box is checked, <b>once all required approvals and concurrences have been secured</b>, the NYSDOT makes the CE determination but the information must be forwarded to FHWA for notification or action prior to Design Approval using <b>Shell 1. Proceed to step 5.</b></p> <p><b>NO</b> <input type="checkbox"/> If <b>neither</b> box is checked, <b>once all required approvals and concurrences have been secured</b> the NYSDOT makes the CE determination without notification to the FHWA. The project will use <b>Shell 2. Proceed to step 4.</b></p>



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## Social, Economic and Environmental Resources Checklist (SEERC)

### Introduction

For projects that use the IPP/FDR, PSR/FDR, and Bridge Rehabilitation Report design approval document formats, the SEERC is used to determine the topics and resources that will need to be analyzed to determine extent of adverse and beneficial impacts. The SEERC should not be used as the location to document the results of impact analysis. The results of these analyses should only be documented in the body of the design approval document. The SEERC must be attached or appended to the DAD as appropriate.

### Instructions:

1. Answer the questions posed under the Social, Economic and Environmental headings to determine whether there is a potential for a project to affect the topics/resources.
2. Beginning with the first question under the Social heading, if the answer to a question is No, check off No in the first checkbox column and proceed to the next question.
3. If the answer to a question is Yes:
  - a. Create a heading or section in the appropriate location in the IPP/FDR or PSR/FDR to document the particular resource or topic in question.
  - b. Proceed to the Impact or Issue column. Once enough information is available, check off Yes or No in the Impact or Issue column, as applicable
4. Document all Yes *and* No answers in the Impact or Issue columns in the DAD under the section or heading created for the topic. This documentation must indicate the location, extent and/or a full description of the topic/resource. The documentation must appropriately illustrate the impact determination and measures to mitigate impacts. For No answers, ensure the documentation is complete as to the explanation of why the resource/topic will not be impacted.
5. For Yes answers, be sure to document adverse as well as beneficial impacts in the resource/topic sections of the DAD. For example, a project that is adding a project that impacts wetland for a SPDES practice will benefit the remaining wetland by treating stormwater. This documentation must include the nature and size or extent of an impact; measures taken to avoid or minimize impacts; and any mitigation being provided. Documentation for each issue should clearly note any necessary approvals and/or expected permits.
6. Prior to completing the Certification at the end of the checklist, review the checklist and appropriate sections of the DAD to ensure checkmarks and statements are valid (particularly review against changes in project scope) and for consistency between the checklist and DAD sections.
7. Complete the Certification.
8. Attach or append the checklist to the Design Approval document.

<b>Social, Economic and Environmental Resources Checklist</b>			
PIN:8761.82	FUNDING TYPE: TAP		
DESCRIPTION: Ulster County Midtown Linear Park: Construction of a 0.8-mile paved pedestrian/bike facility from Cornell St to Kingston Plaza along the County owned U&D Railroad corridor	DATE: 12/27/18		
	REVISION DATE:		
MUNICIPALITY: County	NEPA CLASS: Class II		
COUNTY: Ulster	SEQRA TYPE: Unlisted		
SCOPE: Pedestrian/Bike Facility			
SOCIAL, ECONOMIC AND ENVIRONMENTAL CONSIDERATIONS	IF YES, GO TO IMPACT OR ISSUE; IF NO CHECK BOX BELOW	IMPACT <sup>1</sup> OR ISSUE?	
	NO	YES	NO
<b>Social</b>			
<b>A. Land Use</b>			
1. Is there potential to affect current land use/zoning?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Is there a lack of consistency with community's comprehensive plan and/or other local or regional planning goals?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. Will the project affect any planned or future development?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>B. Neighborhoods and Community Cohesion</b>			
1. Are relocations of homes or businesses proposed or acquisition of community resources anticipated?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Is there potential for changes to neighborhood character?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Is there a potential to impact transportation options (e.g., transit, walking, bicycling)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Are there potential changes to travel patterns that could affect neighborhood quality of life?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the project divide or isolate portions of the community or generate new development that could affect the current community structure?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>C. General Social Groups</b>			
1. Are there potential effects to the ability of transit dependent, elderly, or disabled populations to access destinations (particularly local businesses and health care facilities)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Does the project have the potential to disproportionately impact low income or minority populations (Environmental Justice)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. Are there alterations to pedestrian facilities that would affect the elderly or disabled such as lengthening pedestrian crossings or providing median refuge?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>D. Community Services</b>			
1. Is there potential to affect access to or use of Schools, Recreation Areas or Places of Worship (e.g., detours, sidewalk	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

SOCIAL, ECONOMIC AND ENVIRONMENTAL CONSIDERATIONS	IF YES, GO TO IMPACT OR ISSUE; IF NO CHECK BOX BELOW	IMPACT OR ISSUE?	
	NO	YES	NO
removal, addition of curb ramps, crosswalks, pedestrian signals, etc.)?			
2. Is there potential to affect emergency service response?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Economic</b>			
<b>A. Regional and Local Economies</b>			
1. Is there potential to affect local economic viability (e.g., development potential, tax revenues, employment opportunities, retail sales or public expenditures)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Is there a potential to divert traffic away from businesses?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>B. Business Districts</b>			
1. Are there potential effects on the viability or character of Business Districts?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the project affect transportation options available for patrons getting into or out of the District?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will sidewalks, bicycling opportunities or transit opportunities to or within the district be affected?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will parking within the district be affected?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>C. Specific Business Impacts</b>			
1. Are effects to specific businesses anticipated? (e.g., sidewalks, bicycling opportunities, or handicapped access to and from businesses)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the project affect available transportation options for patrons to businesses?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the project affect the ability of businesses to receive deliveries?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. Will parking for businesses be affected?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Environmental</b>			
1. Are there wetlands within or immediately adjacent to the project limits? <i>See Environmental Procedures Manual (EPM) 4.A.R, Executive Order (EO) 11990 may apply.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Are there Surface Waters (other than wetlands) within or immediately adjacent to the project limits? <i>lakes, ponds streams or wetlands of any jurisdiction</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. Is there a designated Wild or Scenic River within or immediately adjacent to the project limits? (See <a href="#">The Environmental Manual (TEM) 4.4.3</a> )	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. Will the project require a U.S. Coast Guard Bridge Permit? <i>Project area includes a bridge over navigable waters of U.S.</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. Does the project area contain waters regulated as Navigable by U. S. Army Corps of Engineers? <i>Section 404/10 Individual Permit or NWP 23 may be required</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Is the project in a mapped Flood Zone? <i>TEM section 4.?, EO 11988</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Is the project in or could it affect a designated coastal area? <i>FAN and/or Consistency determination may be required. See <a href="#">TEM 4.6</a></i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

SOCIAL, ECONOMIC AND ENVIRONMENTAL CONSIDERATIONS	IF YES, GO TO IMPACT OR ISSUE; IF NO CHECK BOX BELOW	IMPACT <sup>1</sup> OR ISSUE?	
	NO	YES	NO
8. Is the project area above a Sole Source Aquifer? <a href="#">See TEM 4.4 Coordination with FHWA and/or EPA may be required.</a>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9. Will the project involve one (1) acre of ground disturbance (or 5,000 sf in the East of Hudson watershed)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Are federally/state listed endangered species or designated critical habitat indicated for the project county? <i>Coordination with DEC and/or a FHWA determination may be required. See <a href="#">TEM 4.4.9.3</a></i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
11. Is the project in a designated Critical Environmental Area? <a href="#">TEM 4.4.11(SEQR issue)</a>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12. Are there any resources protected by Section 106 (or Section 1409) within the project limits or immediate area? <a href="#">See TEM 4.4.12 Appendix G</a>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
13. Is Native American coordination required outside of Section 106 consultation? <i>The project on or affecting Native American Lands or other areas of interest</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
14. Is there a use, constructive use or temporary occupancy of a 4(f) resource? <a href="#">See SECTION 4(f) POLICY PAPER and contact Area Engineer.</a>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
15. Will the project involve conversion of a 6(f) resource? <i>listed as having Land and Water Conservation funds spent on the resource</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
16. Is there any potential to affect the character of important and possibly significant the visual resources of the project area and its environs? (See <a href="#">PDM Chapter 3.2.2.2</a> )	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
17. Will the project convert land protected by the Federal Farmland Protection Act? <a href="#">See TEM 4.4.15</a>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
18. Will the project acquire active farmland from an Agricultural District? (SEQR issue)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
19. Is the project in a non-attainment area and exceed the CO screening criteria? <a href="#">see EPM Chapter 1 1.1-19 an Air Quality Analysis required</a>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
20. Is the project in a non-attainment area and exceed the PM screening criteria? <a href="#">see EPM Chapter 1 1.1-19? A hot spot analysis is required</a>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
21. Is the project a Type I Noise project as per 23 CFR 772? <a href="#">See TEM 4.4.18</a>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
22. Will the project require the removal of Asbestos Containing Materials? <a href="#">See TEM 4.4.19</a>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
23. Does the project area contain Contaminated and Hazardous Materials? <a href="#">EPA National Priority List</a>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
24. Will the project increase the height of towers, construct new towers or other obstructions in a known migratory bird flyway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

NOTES:

<sup>1</sup> The term “impacts” means both positive and negative effects. Both types of effects should be discussed in the body of the report as appropriate.

**PREPARED BY** (Print Name and Title):

**CERTIFICATION:**

**I certify that the information provided above is true and accurate.**

Regional/Main Office Environmental Unit Supervisor \_\_\_\_\_ Date \_\_\_\_\_

Print Name and Title: \_\_\_\_\_

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July 16, 2018

Mr. Lance Gorney,  
NYSDOT Region 8, Local Projects Unit  
4 Burnett Boulevard  
Poughkeepsie, NY 12603

**Re: PIN 8761.82  
Ulster County Midtown Linear Park  
Kingston, New York**

Dear Mr. Gorney,

Ulster County is planning to convert an approximately 0.8-mile segment of the County-owned Ulster & Delaware Railroad Right of Way into a rail trail/urban linear park from Cornell Street to Westbrook Lane in the City of Kingston. The Project will serve non-motorized transportation and recreational uses, including walking, running, bicycling, and inline skating.

We request your review of this project to evaluate whether our action would result in a finding of adverse effect and to determine if there are any other potential historic resources within the project vicinity. We have enclosed the Section 106 Cultural Resources Submittal Package, which includes a project description, location map, and photos.

Thank you for your assistance. If you have any questions or need additional information, please contact our office.

Sincerely,

**HVEA Engineers**  
by Lora Rinaldi

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NEW YORK STATE DEPARTMENT OF TRANSPORTATION PROJECT SUBMITTAL PACKAGE  
**Section 106 of the National Historic Preservation Act**  
**For Locally-Administered Federal-Aid Projects**

A Project Submittal Package is prepared by the Local Project Sponsor (Sponsor) or their consultants for federal aid transportation projects to provide sufficient information for NYSDOT assessment of Section 106 obligations. The Sponsor sends the package to the Regional Local Project Liaison (RLPL) for RCRC review. The RCRC will make recommendations to identify what is needed for Section 106 compliance for the project.

**DATE: JULY 2018 PIN: 8761.82 BIN: N/A**

**IDENTIFICATION**

Project Name (if any) Ulster County Midtown Linear Park

Project Area Boundaries See attached project description and location map

(Indicate State or County Route # and/or local street name, and clearly defined endpoints)

County: Ulster

Town/City: Kingston

Village/Hamlet: N/A

Have you consulted the NYSHPO web site at [\\*http://nysparks.state.ny.us](http://nysparks.state.ny.us) to determine the preliminary presence or absence of previously identified cultural resources within or adjacent to the project area? If yes:

Yes  No

- Was the project site wholly or partially included within an identified archaeologically sensitive area?

Yes  No

- Does the project site involve or is it substantially contiguous to a previously evaluated National Register of Historic Places listed property?

Yes  No

[\\*http://nysparks.state.ny.us](http://nysparks.state.ny.us) then select **HISTORIC PRESERVATION** then **Historic Preservation Field Services Bureau** then **On Line Tools**

**ALL PROJECTS SUBMITTED FOR REVIEW SHOULD INCLUDE THE FOLLOWING INFORMATION**

**G Project Description** – Attach a full description of the nature and extent of the work to be undertaken as part of this project. This should include, but not limited to, potential activities that might involve drainage, cutting, excavation, grading, filling, on-site detours, new sidewalks, right-of-way acquisition. Relevant portions of the project applications or environmental statements may be submitted. This could be from sections of the Draft Design Report/ Draft Scoping Document.

**G Location Maps** - Provide USGS Quad or DOT Planimetric map showing project area location. The map must clearly show street and road names surrounding the project area as well as all portions of the project.

**G Photos** - Provide clear, original color photographs of the entire project area keyed to a site plan. These photos should indicate:

- Buildings/structures more than 50 years old that are located along the property or on adjoining property
- Areas of prior ground disturbance (removal of original topsoil; filling and plowing are not considered disturbance)

**LOCAL SPONSOR CONTACT**

Name: Jack Gorton, P.E.

Title: Project Manager

Firm/Agency: HVEA Engineers

Address: 560 Route 52 Suite 201

City: Beacon

State: NY

Zip: 12508

Phone: 845-838-3600 E-Mail: [jgorton@hveapc.com](mailto:jgorton@hveapc.com)

### **Project Funding**

The project is federally funded through the Transportation Alternatives Program (TAP) and is being completed under the oversight review of the NYSDOT Region 8 Local Projects Units.

### **Project Description**

Ulster County is planning to convert an approximately 0.8-mile segment of the County-owned Ulster & Delaware Railroad Right of Way into a rail trail/urban linear park from Cornell Street to Westbrook Lane in the City of Kingston. The Project will serve non-motorized transportation and recreational uses, including walking, running, bicycling, and inline skating. The County plans to convert the existing U&D railroad corridor into a trail. The Project includes establishing a trailhead/ pocket-park at the most eastern segment of the ROW between Cornell Street and O’Neil Street. Most of the land within the project limits is considered residential or abandoned rail bed.

The County plans to remove the existing railroad tracks and ties from Downs Street to the I-587 overpass prior to construction of the project to allow access to this area for police and emergency vehicles. The track and tie removal will be limited to the width of the railbed.

### **Steps Taken to Identify Historic Properties**

The project site is located within an area classified as “Archeo Sensitive Area State/National Register” by the NYS Historic Preservation Office. A preliminary screening utilizing the NYSSHPO online tools was completed and found 4 listed historical or cultural resources within the project limits. We have identified any potential historic resources on the project including the Sharpe Burial Ground, Ten Broeck Stone House, 103 Albany Ave, 109 Albany Ave, 24 O’Neil Street all adjacent to the project. The following table is a summary of the properties within the Ulster County Midtown Linear Park that are eligible for the National Historic Register as identified by the online tools.

USN	Type	Name	Details	Status
11140.001138	Building		24 O’Neil Street	Eligible
11140.001214	Building	Sharpe Burial Ground	Albany Ave	Listed
11140.000018	Building	Ten Broeck House	169 Albany Ave	Listed

### **Evaluation of Project Impact on Identified Historic Properties**

There will be no adverse effect on National Register listed or eligible buildings, structures, district, objects or archaeological sites that have been identified within the area of potential effect (APE).

### **Basis for Recommended Project Finding**

Based on the preliminary screening and field review, Ulster County has determined that the project will have **No Adverse Effect** on historic properties.

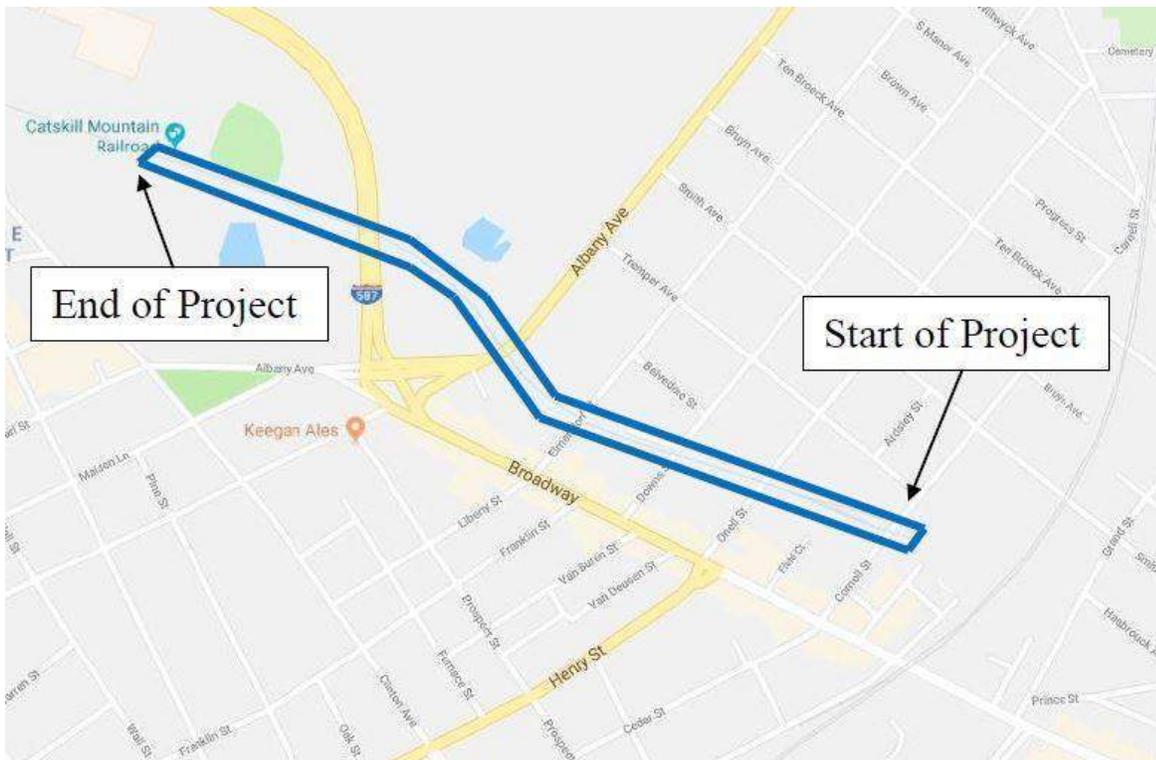
**Public Involvement**

No National Register listed or eligible buildings, structures, district, objects or archaeological sites have been identified within the area of potential effect (APE) that will require public input.

**Attachments**

- 1. Project Location and Photo Key Map
- 2. Photos

**PROJECT LOCATION MAP**



**LEGEND**

 Project Location

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## PHOTOGRAPHS



**Photo 1-** This photo was taken at the start of the project, where the abandoned rail bed intersects with Cornell Street.



**Photo 2-** This photo was taken west of Cornell Street on the trail, of a building adjacent to the project location.



**Photo 3-** This photo was taken on the abandoned rail bed between Cornell Street and Oneil Street.



**Photo 4-** This photo was also taken on the abandoned rail bed between Cornell Street and Oneil Street.



**Photo 5-** This photo was taken at the intersection of the abandoned rail bed and Oneil Street.



**Photo 6-** This photo was taken on the abandoned rail bed under Elmendorf Street.



**Photo 7-** This photo was also taken on the abandoned rail bed under Elmendorf Street.



**Photo 8-** This photo was taken on the abandoned rail bed under Albany Avenue.



**Photo 9-** This photo was taken on the abandoned rail bed under Albany Avenue of a potential Historic Property.



**Photo 10-** This photo was taken on the abandoned rail bed under Route 28/I-587.



**Photo 11-** This photo was taken at the end of the project, where the rail bed intersects with Westbrook Lane.

**NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION**

Division of Environmental Permits, Region 3  
21 South Putt Corners Road, New Paltz, NY 12561-1620  
P: (845) 256-3054 | F: (845) 255-4659  
www.dec.ny.gov



**Department of  
Environmental  
Conservation**

October 31, 2018

Lora Rinaldi  
HVEA Engineers  
560 Route 52, Suite 201  
Beacon, NY 12508

Re: Kingston Midtown Linear Park  
City of Kingston, Ulster County  
CH# 7901  
**Comments on Jurisdiction**

Dear Ms. Rinaldi,

The Department of Environmental Conservation (DEC or Department) received your inquiry regarding the above-referenced project, which would involve construction of an existing railway are to a bike path, on October 25, 2018. No plans or project specifics besides a location map were provided. Based upon our review of your inquiry we offer the following comments:

**STATE-LISTED SPECIES**

DEC has reviewed the State's Natural Heritage records. We have determined that the site is located within or near record(s) of the following state-listed species:

Name	Status
Northern long-eared bat ( <i>Myotis septentrionalis</i> )	Threatened

A permit is required for the incidental taking of any species listed as "endangered" or "threatened", which can include removal of habitat.

Any tree removal associated with this project should occur within the appropriate time of the year work window, November 1 through March 31, to avoid direct adverse impacts to Northern-long eared bats. If tree clearing cannot be completed within the acceptable time of year restriction, further review will be required. For further information, please contact the DEC Region 3 Bureau of Wildlife at (845) 256-3098.

The absence of data does not necessarily mean that other rare or state-listed species, natural communities or significant habitats do not exist on or adjacent to the proposed site. Rather, our files currently do not contain information which indicates their presence. For most sites, comprehensive field surveys have not been conducted. We cannot provide a definitive statement on the presence or absence of all rare or state-listed species or significant natural communities. Depending on the nature of the project and



the conditions at the project site, further information from on-site surveys or other sources may be required to fully assess impacts on biological resources.

### **CULTURAL RESOURCES**

We have reviewed the statewide inventory of archaeological resources maintained by the New York State Museum and the New York State Office of Parks, Recreation, and Historic Preservation. These records indicate that the project is located within an area considered to be sensitive with regard to archaeological resources.

Furthermore, the project area is located adjacent to the following sites listed on the State or National Register of Historic Places:

- Albany Avenue, Building at 109
- Forsyth, James and Mary, House
- Smith, John, House
- Sharp Burial Ground
- Albany Avenue, House at 184
- Ten Broeck, Jacob, Stone House
- Palen, Frank A, House

If any DEC permits are required, a determination of impact from the State Historic Preservation Office (SHPO) will be required. For more information, please visit the New York State Office of Historic Preservation website at <http://www.nysparks.com/shpo/>.

### **STATE POLLUTANT DISCHARGE ELIMINATION SYSTEM (SPDES)**

If the overall project will disturb over one acre of land, the project sponsor must obtain coverage under the current SPDES General Permit for Stormwater Discharge from Construction Activity (GP-0-15-002), and a Stormwater Pollution Prevention Plan (SWPPP) must be developed which conforms to requirements of the General Permit. Authorization for coverage under this SPDES General Permit is not granted until the Department issues all other necessary DEC permits.

As the site is within a Municipal Separate Storm Sewer System (MS4) community, the SWPPP must be reviewed and accepted by the municipality, and the MS4 Acceptance Form submitted with the SWPPP and the application for coverage, in accordance with the application instructions.

### **PROTECTION OF WATERS – STREAM DISTURBANCE**

There were no protected streams or waterbodies identified within the specified project area.

If a permit is not required, please note, however, you are still responsible for ensuring that work shall not pollute any stream or waterbody. Care shall be taken to stabilize any disturbed areas promptly after construction, and all necessary precautions shall be taken to prevent contamination of the stream or waterbody by silt, sediment, fuels, solvents, lubricants, or any other pollutant associated with the project.

**FRESHWATER WETLANDS**

The project area is not within a New York State-protected Freshwater Wetland. However, please contact city officials and the United States Army Corps of Engineers in New York City, telephone (917) 790-8411, for any permitting they might require.

**WATER QUALITY CERTIFICATION**

If the US Army Corps of Engineers requires a permit pursuant to Section 404 of the Clean Water Act, then a Section 401 Water Quality Certification will be required. Issuance of these certifications is delegated in New York State to DEC. If the project qualifies for a Nationwide Permit, it may be eligible for coverage under DEC's Blanket Water Quality Certification. Coverage under the blanket requires compliance with all conditions in the blanket for the corresponding Nationwide Permit. A copy of the current blanket for the 2017 Nationwide Permits is available on the DEC website at: [http://www.dec.ny.gov/docs/permits\\_ej\\_operations\\_pdf/wqcnwp2017.pdf](http://www.dec.ny.gov/docs/permits_ej_operations_pdf/wqcnwp2017.pdf).

**FEMA FLOODPLAIN**

Portions of the project site are located within a Federal Emergency Management Agency (FEMA) floodplain. The project sponsor should contact the City of Kingston to determine if any additional jurisdictions are applicable to the proposal.

**OTHER**

Other permits from this Department or other agencies may be required for projects conducted on this property now or in the future. Also, regulations applicable to the location subject to this determination occasionally are revised and you should, therefore, verify the need for permits if your project is delayed or postponed. This determination regarding the need for permits will remain effective for a maximum of one year unless you are otherwise notified. More information about DEC permits may be found at our website, [www.dec.ny.gov](http://www.dec.ny.gov), under "Regulatory" then "Permits and Licenses." Application forms may be downloaded at <http://www.dec.ny.gov/permits/6081.html>.

Please contact this office if you have questions regarding the above information. Thank you.

Sincerely,



Chris Lang  
Division of Environmental Permits  
Region 3, Telephone No. (845) 256-3096

ecc: City of Kingston  
DEC R3 Bureau of Wildlife

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# Parks, Recreation, and Historic Preservation

ANDREW M. CUOMO  
Governor

ROSE HARVEY  
Commissioner

September 07, 2018

Ms. Kathleen Wolfanger  
NYS Department of Transportation  
4 Burnett Boulevard  
Poughkeepsie, NY 12603

Re: DOT  
PIN 8761.82 Ulster County Midtown Linear Park/Trail  
City of Kingston, Ulster County, NY  
18PR04294

Dear Ms. Wolfanger:

Thank you for requesting the comments of the Division for Historic Preservation of the Office of Parks, Recreation and Historic Preservation (OPRHP). We have reviewed the submitted materials in accordance with the New York State Historic Preservation Act of 1980 (section 14.09 of the New York Parks, Recreation and Historic Preservation Law). These comments are those of the Division for Historic Preservation and relate only to Historic/Cultural resources. They do not include potential impacts that must be considered as part of the environmental review of the project pursuant to the State Environmental Quality Review Act (New York Environmental Conservation Law Article 8) and its implementing regulations (6NYCRR Part 617).

We have reviewed your submissions for the PIN 8761.82 Ulster County Midtown Linear Park/Trail project. We note that the proposed project is located adjacent to the State and National Register listed Sharpe Burial Ground and the Ten Broeck House, as well as the State and National Register eligible house at 24 O'Neil Street. We understand that the proposed project will include conversion of an approximately 0.8-mile segment of the Ulster & Delaware Railroad Right of Way into a rail trail/urban linear park from Cornell Street to Westbrook Lane.

Based on this review, it is the opinion of the SHPO that the proposed project will have No Adverse Impact to historic and cultural resources.

If you have any questions, I can be reached at (518) 268-2164.

Sincerely,

Weston Davey  
Historic Site Restoration Coordinator  
weston.davey@parks.ny.gov

via e-mail only

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## Division for Historic Preservation

P.O. Box 189, Waterford, New York 12188-0189 • (518) 237-8643 • [www.nysparks.com](http://www.nysparks.com)

# Short Environmental Assessment Form

## Part 1 - Project Information

### Instructions for Completing

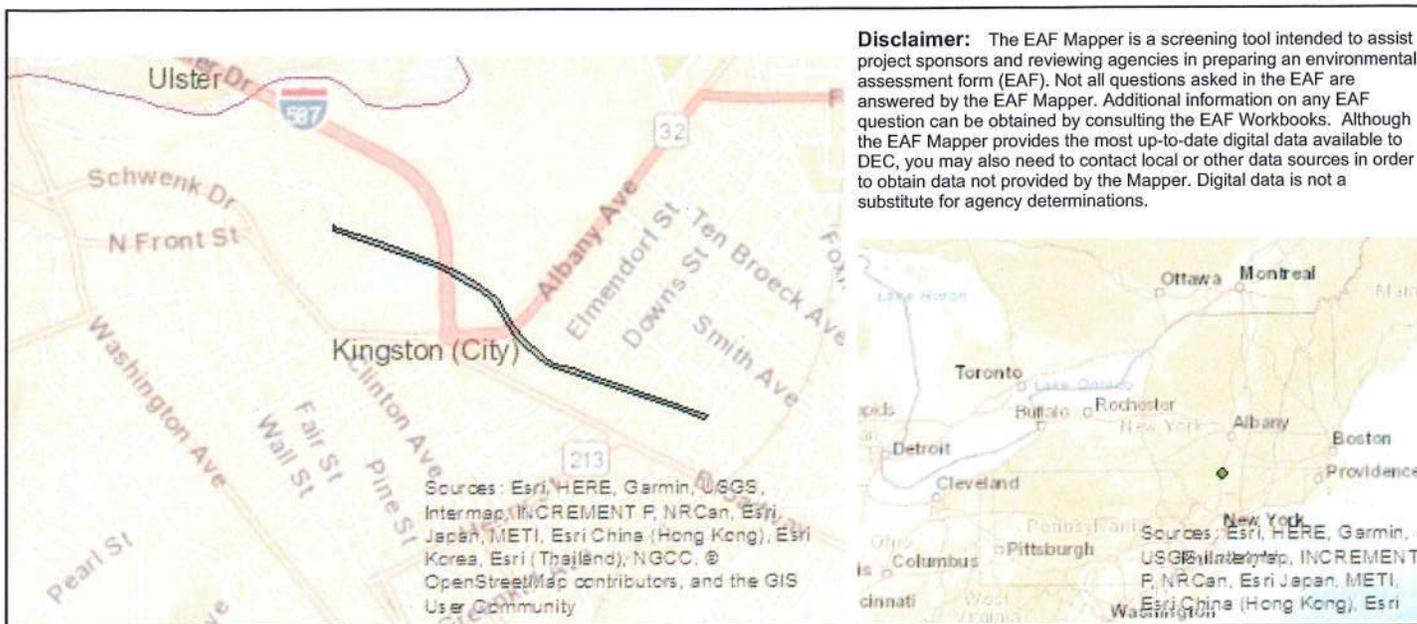
**Part 1 - Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

<b>Part 1 - Project and Sponsor Information</b>			
Name of Action or Project: PIN 8761.82 Ulster County Midtown Linear Park			
Project Location (describe, and attach a location map): Westbrook Lane to Cornell Street along the former U&D Railroad ROW in Kingston, Ulster County, NY.			
Brief Description of Proposed Action: Ulster County is planning to convert an approximately 0.8 mile segment of the County-owned Ulster & Delaware Railroad Right-of-Way into a rail trail/urban linear park from Westbrook Lane to Cornell Street in the City of Kingston. The project will serve non-motorized transportation and recreational uses, including walking, running, bicycling and inline skating. The project includes removing the existing railroad tracks and ties, grading, construction of an asphalt trail, drainage enhancements, and safety upgrades.			
Name of Applicant or Sponsor: County of Ulster, Attn: Chris White, Deputy Director of Planning		Telephone: 845-340-3338 E-Mail: cwhi@co.ulster.ny.us	
Address: 244 Fair Street, PO Box 1800			
City/PO: Kingston		State: New York	Zip Code: 12402
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval: SPDES Permit (NYSDEC); SWPPP Approval (City of Kingston); Design Approval (NYSDOT); Federal funding through the Federal Highway Administration (FHWA)			YES <input checked="" type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		6.3 acres	
b. Total acreage to be physically disturbed?		6.3 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		6.3 acres	
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input checked="" type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input checked="" type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input checked="" type="checkbox"/> Other (specify): rail bed			
<input type="checkbox"/> Parkland			

5. Is the proposed action, a. A permitted use under the zoning regulations?	NO	YES	N/A
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	NO	YES	N/A
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?  b. Are public transportation service(s) available at or near the site of the proposed action?  c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply?  If No, describe method for providing potable water: _____ Not applicable	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?  If No, describe method for providing wastewater treatment: _____ Not applicable	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?  b. Is the proposed action located in an archeological sensitive area?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?  b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input checked="" type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input checked="" type="checkbox"/> Urban <input type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered? Northern Long-eared Bat	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
16. Is the project site located in the 100 year flood plain?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES  b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: <input type="checkbox"/> NO <input checked="" type="checkbox"/> YES The stormwater runoff will be discharged into the existing city street drainage systems and channelized through the former railroad drainage systems.	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

<p>18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)?</p> <p>If Yes, explain purpose and size: _____</p> <p>_____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?</p> <p>If Yes, describe: _____</p> <p>_____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?</p> <p>If Yes, describe: _____</p> <p>The project traverses through the former Cornell Street rail yard, a site known to be contaminated. The project proposes soil remediation at the site. In addition, a site located at 25 Field Court is still under investigation by NYSDEC.</p>	<p>NO</p> <p><input type="checkbox"/></p>	<p>YES</p> <p><input checked="" type="checkbox"/></p>
<p><b>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b></p> <p>Applicant/sponsor name: Christopher White, Deputy Director of Planning _____ Date: <u>January 11, 2019</u></p> <p>Signature: <u>Christopher White</u></p>		



Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National Register of Historic Places]	No
Part 1 / Question 12b [Archeological Sites]	Yes
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
Part 1 / Question 15 [Threatened or Endangered Animal]	Yes
Part 1 / Question 15 [Threatened or Endangered Animal - Name]	Northern Long-eared Bat
Part 1 / Question 16 [100 Year Flood Plain]	Yes
Part 1 / Question 20 [Remediation Site]	Yes

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**Establishing Capital Project No. 479 - Ulster County Midtown Linear Park (PIN 8761.82) - Authorizing The Chairman Of The Ulster County Legislature To Execute Agreements, Certifications And Reimbursement Requests For Federal Aid On Behalf of Ulster County With The New York State Department Of Transportation For Funding Engineering Phase – Declaring Intent To Act As Lead Agency (SEQRA)– Department Of Planning**

Referred to: The Economic Development, Tourism, Housing, Planning and Transit Committee (Chairman Maloney and Legislators Berky, Delaune, Lapp, Litts, Maio and Rodriguez), The Public Works and Capital Projects Committee (Chairman Fabiano and Legislators Greene, Litts, Loughran, and Maloney), and The Ways and Means Committee (Chairman Gerentine and Legislators Allen, Bartels, Belfiglio, Briggs, Maio, and Maloney)

Chairman of the Economic Development, Tourism, Housing, Planning, and Transit Committee, James F. Maloney, and Deputy Chairman Hector Rodriguez offer the following:

WHEREAS, this resolution has been submitted by the County Executive on behalf of the Department of Planning; and

WHEREAS, the 2017-2022 Ulster County Capital Improvement Program included \$1,650,000 in funding for the Ulster County Midtown Linear Park project; and

WHEREAS, the Ulster County Midtown Linear Park project to design and construct a shared-use trail from the east side of Cornell Street to Westbrook Lane in the City of Kingston along the Ulster & Delaware Railroad Corridor in the City of Kingston (the “Project”), PIN 8761.82, is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such project to be borne at the ration of 80% federal funds and 20% non-federal funds; and

WHEREAS, Ulster County was awarded competitive federal Transportation Alternatives Project (“TAP”) funding for 80% of the costs of the Project and has received a Federal-Aid Local Project Agreement for funding reimbursement for engineering and right-of-way incidental work for the Project; and

WHEREAS, Ulster County desires to advance the Project by authorizing engineering and right-of-way incidental work totaling \$165,000 (\$132,000 Federal funds and \$33,000 County funds) and by making a commitment of 100% of the non-federal share of the costs of engineering and right-of-way incidental work for the Project or portions thereof; and

**Resolution No. 503      December 19, 2017**

**Establishing Capital Project No. 479 - Ulster County Midtown Linear Park (PIN 8761.82) - Authorizing The Chairman Of The Ulster County Legislature To Execute Agreements, Certifications And Reimbursement Requests For Federal Aid On Behalf of Ulster County With The New York State Department Of Transportation For Funding Engineering Phase – Declaring Intent To Act As Lead Agency (SEQRA)– Department Of Planning**

WHEREAS, the Ulster County Legislature is desirous of establishing itself as Lead Agency for review of the construction of the Project, which constitutes an Unlisted Action, and conducting a coordinated review of the construction of the Project as provided for under SEQRA; now, therefore, be it

RESOLVED, that establishing Capital Project No. 479 for the Ulster County Midtown Linear Park and providing funding for only the engineering and right-of-way incidental work constitutes a Type II action under NYCRR Part 617.5(c)(18),(21) (SEQRA), and this action has been determined not to have a significant impact on the environment; and, be it further

RESOLVED, that pursuant to 6 NYCRR Part 617.6(b) (3) of the Regulations pertaining to Article 8 of the Environmental Conservation Law of New York State (SEQRA), the Ulster County Legislature hereby declares its intent to serve as Lead Agency for construction of the above recited Project and has determined, after review of the criteria contained in 6 NYCRR Parts 617.4 (b) and 617.5(b), that the Project is an Unlisted Action; and, be it further

RESOLVED, that the Ulster County Legislature will conduct a coordinated review and circulate its Notice of Intent to serve as Lead Agency, together with the EAF and accompanying documentation, to all interested and involved agencies pursuant to 6 NYCRR Part 617.6(b) (2) (i) and 6 NYCRR Part 617.6(b) (3); and, be it further

RESOLVED, that pursuant to 6 NYCRR Part 617.6(b) (3), at the conclusion of an otherwise unchallenged thirty (30) day period following the date of transmittal of the Notice of Intent, the EAF and documentation aforesaid to the interested agencies, the Legislature shall become the Lead Agency under SEQRA for the Project; and, be it further

RESOLVED, that the Ulster County Legislature hereby authorizes Ulster County to pay in the first instance 100% of the federal and non-federal share of the cost of engineering and right-of-way incidental work for the Project; and, be it further

**Resolution No. 503      December 19, 2017**

**Establishing Capital Project No. 479 - Ulster County Midtown Linear Park (PIN 8761.82) - Authorizing The Chairman Of The Ulster County Legislature To Execute Agreements, Certifications And Reimbursement Requests For Federal Aid On Behalf of Ulster County With The New York State Department Of Transportation For Funding Engineering Phase – Declaring Intent To Act As Lead Agency (SEQRA)– Department Of Planning**

RESOLVED, that that the sum of \$165,000.00 (\$132,000.00 Federal funds and \$33,000 County funds) is hereby appropriated and made available to cover the cost of the engineering and right-of-way incidental phase of the Project; and, be it further

RESOLVED, that in the event the full federal and non-federal share costs of the Project exceed the amount appropriate above, the Ulster County legislature shall convene as soon as possible to appropriate said excess amount immediately upon notification by the Ulster County Executive thereof; and, be it further

RESOLVED, that the Chairman of the Ulster County Legislature be and is hereby authorized to execute all necessary Agreements, certification and reimbursement requests for federal aid on behalf of Ulster County with the New York State Department of Transportation (“NYSDOT”) in connection with the advancement or approval of the Project and providing for the administration of the Project and the County’s first instance funding of Project costs and permanent funding of the local share of federal aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible; and, be it further

RESOLVED, that in addition to the Chairman of the Ulster County Legislature, the following municipal titles—Director of Purchasing, Director of Planning, and Deputy Director of Planning—are also hereby authorized to execute any Agreements, certifications and reimbursement requests of behalf of the County with NYSDOT in connection with the advancement or approval of the Project identified in the Federal-Aid Local Project Agreement; and, be it further

RESOLVED, that a certified copy of this Resolution will be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project; and, be it further

RESOLVED, that Capital Project 479 – Ulster County Midtown Linear Park- is hereby established as follows:

**Resolution No. 503      December 19, 2017**

**Establishing Capital Project No. 479 - Ulster County Midtown Linear Park (PIN 8761.82) - Authorizing The Chairman Of The Ulster County Legislature To Execute Agreements, Certifications And Reimbursement Requests For Federal Aid On Behalf of Ulster County With The New York State Department Of Transportation For Funding Engineering Phase – Declaring Intent To Act As Lead Agency (SEQRA)– Department Of Planning**

	<u>CREATE</u>	<u>AMOUNT</u>
Capital Project 479	Ulster County Midtown Linear Park	\$165,000

and be it further;

RESOLVED, that the 2017 Ulster County Capital Fund Budget is hereby amended as follows:

	<u>INCREASE</u>	<u>AMOUNT</u>
HH.7197.0479.4300.4355 (App.#)	Engineering	\$165,000
HH.7197.0479.3500.5710 (Rev.#)	Serial Bonds	\$165,000

and move its adoption.

ADOPTED BY THE FOLLOWING VOTE:

AYES: 22                      NOES: 0  
(Absent: Legislator Bartels)

Passed Committee: Economic Development, Tourism, Housing, Planning and Transit on December 5, 2017

Passed Committee: Public Works and Capital Projects on December 13, 2017

Passed Committee: Ways and Means on December 19, 2017

**FINANCIAL IMPACT:**

\$165,000.00 - CAPITAL PROJECT NO. 479 APPROPRIATIONS-  
80% REIMBURSABLE (\$132,000 BUDGETED FEDERAL  
REVENUE DOLLARS, \$33,000 COUNTY SHARE)

**Resolution No. 503      December 19, 2017**

**Establishing Capital Project No. 479 - Ulster County Midtown Linear Park (PIN 8761.82) - Authorizing The Chairman Of The Ulster County Legislature To Execute Agreements, Certifications And Reimbursement Requests For Federal Aid On Behalf of Ulster County With The New York State Department Of Transportation For Funding Engineering Phase – Declaring Intent To Act As Lead Agency (SEQRA)– Department Of Planning**

STATE OF NEW YORK

ss:

COUNTY OF ULSTER

I, the undersigned Clerk of the Legislature of the County of Ulster, hereby certify that the foregoing resolution is the original resolution adopted by the Ulster County Legislature on the 19<sup>th</sup> Day of December in the year Two Thousand and Seventeen, and said resolution shall remain on file in the office of said clerk.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of the County of Ulster this 21<sup>st</sup> Day of December in the year Two Thousand and Seventeen.

|s| Victoria A. Fabella  
Victoria A. Fabella, Clerk  
Ulster County Legislature

Submitted to the County Executive this  
21<sup>st</sup> Day of December, 2017.

Approved by the County Executive this  
28<sup>th</sup> Day of December, 2017.

|s| Victoria A. Fabella  
Victoria A. Fabella, Clerk  
Ulster County Legislature

|s| Michael P. Hein  
Michael P. Hein, County Executive

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# NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Fish and Wildlife, New York Natural Heritage Program  
625 Broadway, Fifth Floor, Albany, NY 12233-4757  
P: (518) 402-8935 | F: (518) 402-8925  
www.dec.ny.gov

August 3, 2018

Lora Rinaldi  
HVEA Engineers  
560 Route 52 - Suite 201  
Beacon, NY 12508

Re: Ulster County Midtown Linear Park (PIN 8761.82)  
County: Ulster Town/City: City Of Kingston

Dear Ms. Rinaldi:

In response to your recent request, we have reviewed the New York Natural Heritage Program database with respect to the above project.

We have no records of rare or state-listed animals or plants, or significant natural communities at the project site or in its immediate vicinity.

Within 1.5 miles from the project site is a documented winter hibernaculum of **Northern long-eared bat** (*Myotis septentrionalis*, state and federally listed as Threatened); two more are within five miles. These bats may travel five miles or more from documented locations. The main impact of concern for bats is the cutting or removal of potential roost trees. For information about any permit considerations for your project, contact the Permits staff at the NYSDEC Region 3 Office at [dep.r3@dec.ny.gov](mailto:dep.r3@dec.ny.gov), (845) 256-3054. For information about potential impacts of your project on this species and how to avoid, minimize, or mitigate any impacts, contact the Region 3 Wildlife staff at [Wildlife.R3@dec.ny.gov](mailto:Wildlife.R3@dec.ny.gov), (845) 256-3098.

For most sites, comprehensive field surveys have not been conducted. We cannot provide a definitive statement on the presence or absence of all rare or state-listed species or significant natural communities. Depending on the nature of the project and the conditions at the project site, further information from on-site surveys or other resources may be required to fully assess impacts on biological resources.

For information regarding other permits that may be required under state law for regulated areas or activities (e.g., regulated wetlands), please contact the NYS DEC Region 3 Office, Division of Environmental Permits, as described above.

Sincerely,



Nicholas Conrad  
Information Resources Coordinator  
New York Natural Heritage Program

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## United States Department of the Interior



FISH AND WILDLIFE SERVICE  
New York Ecological Services Field Office  
3817 Luker Road  
Cortland, NY 13045-9385

Phone: (607) 753-9334 Fax: (607) 753-9699

<http://www.fws.gov/northeast/nyfo/es/section7.htm>

In Reply Refer To:

July 03, 2018

Consultation Code: 05E1NY00-2018-SLI-2588

Event Code: 05E1NY00-2018-E-07779

Project Name: Ulster County Midtown Linear Park

Subject: List of threatened and endangered species that may occur in your proposed project location, and/or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (ESA) of 1973, as amended (16 U.S.C. 1531 *et seq.*). This list can also be used to determine whether listed species may be present for projects without federal agency involvement. New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list.

Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the ESA, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC site at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list. If listed, proposed, or candidate species were identified as potentially occurring in the project area, coordination with our office is encouraged. Information on the steps involved with assessing potential impacts from projects can be found at: <http://www.fws.gov/northeast/nyfo/es/section7.htm>

Please be aware that bald and golden eagles are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 *et seq.*), and projects affecting these species may require development of an eagle conservation plan (<http://www.fws.gov/windenergy/>)

[eagle\\_guidance.html](#)). Additionally, wind energy projects should follow the Services wind energy guidelines (<http://www.fws.gov/windenergy/>) for minimizing impacts to migratory birds and bats.

Guidance for minimizing impacts to migratory birds for projects including communications towers (e.g., cellular, digital television, radio, and emergency broadcast) can be found at: <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/towers.htm>; <http://www.towerkill.com>; and <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/comtow.html>.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the ESA. Please include the Consultation Tracking Number in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

- Official Species List

## Official Species List

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

**New York Ecological Services Field Office**

3817 Luker Road

Cortland, NY 13045-9385

(607) 753-9334

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## Project Summary

Consultation Code: 05E1NY00-2018-SLI-2588

Event Code: 05E1NY00-2018-E-07779

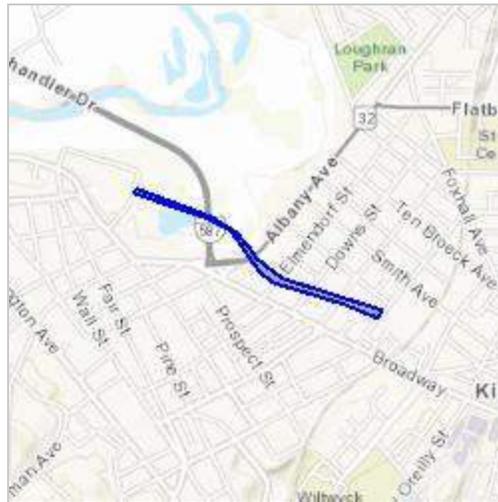
Project Name: Ulster County Midtown Linear Park

Project Type: \*\* OTHER \*\*

**Project Description:** Ulster County is planning to convert an approximately 0.8 mile segment of the County-owned Ulster & Delaware Railroad Right of Way into a rail trail/urban linear park from Cornell Street to Westbrook Lane in the City of Kingston. The Project will serve non-motorized transportation and recreational uses, including walking, running, bicycling, and inline skating. The County plans to convert the existing U&D railroad corridor into a trail. The Project includes establishing a trailhead/ pocket-park at the most eastern segment of the ROW between Cornell Street and O'Neil Street. The majority of the land within the project limits is considered residential or abandoned rail bed.

### Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/place/41.932929231565325N74.0093819394946W>



Counties: Ulster, NY

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## Endangered Species Act Species

There is a total of 2 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries<sup>1</sup>, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

- 
1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

## Mammals

NAME	STATUS
Indiana Bat <i>Myotis sodalis</i> There is <b>final</b> critical habitat for this species. Your location is outside the critical habitat. Species profile: <a href="https://ecos.fws.gov/ecp/species/5949">https://ecos.fws.gov/ecp/species/5949</a>	Endangered
Northern Long-eared Bat <i>Myotis septentrionalis</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/9045">https://ecos.fws.gov/ecp/species/9045</a>	Threatened

## Critical habitats

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

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## United States Department of the Interior



FISH AND WILDLIFE SERVICE  
New York Ecological Services Field Office  
3817 Luker Road

Cortland, NY 13045-9385

Phone: (607) 753-9334 Fax: (607) 753-9699

<http://www.fws.gov/northeast/nyfo/es/section7.htm>

IPaC Record Locator: 103-14267453

October 15, 2018

Subject: Consistency letter for the 'Ulster County Midtown Linear Park' project (TAILS 05E1NY00-2019-R-0094) under the revised February 5, 2018, FHWA, FRA, FTA Programmatic Biological Opinion for Transportation Projects within the Range of the Indiana Bat and Northern Long-eared Bat.

To whom it may concern:

The U.S. Fish and Wildlife Service (Service) has received your request dated to verify that the **Ulster County Midtown Linear Park** (Proposed Action) may rely on the revised February 5, 2018, FHWA, FRA, FTA Programmatic Biological Opinion for Transportation Projects within the Range of the Indiana Bat and Northern Long-eared Bat (PBO) to satisfy requirements under Section 7(a)(2) of the Endangered Species Act of 1973 (ESA) (87 Stat.884, as amended; 16 U.S.C. 1531 *et seq.*).

Based on the information you provided (Project Description shown below), you have determined that the Proposed Action will have no effect on the endangered Indiana bat (*Myotis sodalis*) or the threatened Northern long-eared bat (*Myotis septentrionalis*). If the Proposed Action is not modified, **no consultation is required for these two species.**

**For Proposed Actions that include bridge/structure removal, replacement, and/or maintenance activities:** If your initial bridge/structure assessments failed to detect Indiana bats, but you later detect bats during construction, please submit the Post Assessment Discovery of Bats at Bridge/Structure Form (User Guide Appendix E) to this Service Office. In these instances, potential incidental take of Indiana bats may be exempted provided that the take is reported to the Service.

If the Proposed Action may affect any other federally-listed or proposed species and/or designated critical habitat, additional consultation between the lead Federal action agency and this Service Office is required. If the proposed action has the potential to take bald or golden eagles, additional coordination with the Service under the Bald and Golden Eagle Protection Act may also be required. In either of these circumstances, please advise the lead Federal action agency for the Proposed Action accordingly.

## Project Description

The following project name and description was collected in IPaC as part of the endangered species review process.

### Name

Ulster County Midtown Linear Park

### Description

Ulster County is planning to convert an approximately 0.8 mile segment of the County-owned Ulster & Delaware Railroad Right of Way into a rail trail/urban linear park from Cornell Street to Westbrook Lane in the City of Kingston. The Project will serve non-motorized transportation and recreational uses, including walking, running, bicycling, and inline skating. The County plans to convert the existing U&D railroad corridor into a trail. The Project includes establishing a trailhead/ pocket-park at the most eastern segment of the ROW between Cornell Street and O'Neil Street. The majority of the land within the project limits is considered residential or abandoned rail bed.

---

## Determination Key Result

Based on the information you provided, you have determined that the Proposed Action will have no effect on the endangered Indiana bat and/or the threatened Northern long-eared bat. Therefore, no consultation with the U.S. Fish and Wildlife Service pursuant to Section 7(a)(2) of the Endangered Species Act of 1973 (ESA) (87 Stat. 884, as amended 16 U.S.C. 1531 *et seq.*) is required for these two species.

## Qualification Interview

1. Is the project within the range of the Indiana bat<sup>[1]</sup>?

[1] See [Indiana bat species profile](#)

**Automatically answered**

*Yes*

2. Is the project within the range of the Northern long-eared bat<sup>[1]</sup>?

[1] See [Northern long-eared bat species profile](#)

**Automatically answered**

*Yes*

3. Which Federal Agency is the lead for the action?

*A) Federal Highway Administration (FHWA)*

4. Are *all* project activities limited to non-construction<sup>[1]</sup> activities only? (examples of non-construction activities include: bridge/abandoned structure assessments, surveys, planning and technical studies, property inspections, and property sales)

[1] Construction refers to activities involving ground disturbance, percussive noise, and/or lighting.

*No*

5. Does the project include *any* activities that are **greater than** 300 feet from existing road/rail surfaces<sup>[1]</sup>?

[1] Road surface is defined as the actively used [e.g. motorized vehicles] driving surface and shoulders [may be pavement, gravel, etc.] and rail surface is defined as the edge of the actively used rail ballast.

*No*

---

6. Does the project include *any* activities **within** 0.5 miles of an Indiana bat and/or NLEB hibernaculum<sup>[1]</sup>?

[1] For the purpose of this consultation, a hibernaculum is a site, most often a cave or mine, where bats hibernate during the winter (see suitable habitat), but could also include bridges and structures if bats are found to be hibernating there during the winter.

*No*

7. Is the project located **within** a karst area?

*No*

8. Is there *any* suitable<sup>[1]</sup> summer habitat for Indiana Bat or NLEB **within** the project action area<sup>[2]</sup>? (includes any trees suitable for maternity, roosting, foraging, or travelling habitat)

[1] See the Service's [summer survey guidance](#) for our current definitions of suitable habitat.

[2] The action area is defined as all areas to be affected directly or indirectly by the Federal action and not merely the immediate area involved in the action (50 CFR Section 402.02). Further clarification is provided by the [national consultation FAQs](#).

*No*

9. Does the project include maintenance of the surrounding landscape at existing facilities (e.g., rest areas, stormwater detention basins)?

*No*

10. Does the project include wetland or stream protection activities associated with compensatory wetland mitigation?

*No*

11. Does the project include slash pile burning?

*No*

12. Does the project include *any* bridge removal, replacement, and/or maintenance activities (e.g., any bridge repair, retrofit, maintenance, and/or rehabilitation work)?

*No*

13. Does the project include the removal, replacement, and/or maintenance of *any* structure other than a bridge? (e.g., rest areas, offices, sheds, outbuildings, barns, parking garages, etc.)

*No*

---

14. Will the project involve the use of **temporary** lighting *during* the active season?  
*No*
  15. Will the project install new or replace existing **permanent** lighting?  
*No*
  16. Will the project raise the road profile **above the tree canopy**?  
*No*
  17. Is the location of this project consistent with a No Effect determination in this key?  
**Automatically answered**  
*Yes, because the project action area is outside of suitable Indiana bat and/or NLEB summer habitat*
-

## **Determination Key Description: FHWA, FRA, FTA Programmatic Consultation For Transportation Projects Affecting NLEB Or Indiana Bat**

This key was last updated in IPaC on March 16, 2018. Keys are subject to periodic revision.

This decision key is intended for projects/activities funded or authorized by the Federal Highway Administration (FHWA), Federal Railroad Administration (FRA), and/or Federal Transit Administration (FTA), which require consultation with the U.S. Fish and Wildlife Service (Service) under Section 7 of the Endangered Species Act (ESA) for the endangered **Indiana bat** (*Myotis sodalis*) and the threatened **Northern long-eared bat** (NLEB) (*Myotis septentrionalis*).

This decision key should only be used to verify project applicability with the Service's [February 5, 2018, FHWA, FRA, FTA Programmatic Biological Opinion for Transportation Projects](#). The programmatic biological opinion covers limited transportation activities that may affect either bat species, and addresses situations that are both likely and not likely to adversely affect either bat species. This decision key will assist in identifying the effect of a specific project/activity and applicability of the programmatic consultation. The programmatic biological opinion is not intended to cover all types of transportation actions. Activities outside the scope of the programmatic biological opinion, or that may affect ESA-listed species other than the Indiana bat or NLEB, or any designated critical habitat, may require additional ESA Section 7 consultation.

---



**To:** DEC Region 3 **From:** Lora Rinaldi

---

**Fax:** **Pages:** 3 w/ cover

---

**Phone:** **Date:** 10/17/2018

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**Re:** State-Listed Species, Stream **CC:**  
Classification/ Wetland Locations/  
Endangered Species

---

**Urgent**     **For Review**     **Please Comment**     **Please Reply**     **Please Recycle**

---

Please find attached a map showing the location of the Midtown Linear Park Bike Path Project. We are currently working on the preliminary design of this project.

In determining the regulatory requirements of this project we need to ascertain the potential for State-Listed Species in the vicinity of the project. Please provide a review of the State's Master habitat Databank (MHDB) at your earliest convenience.

A NYSDEC Stream Classification for any waterways within the project limits, as well as any wetlands in the vicinity of the project is also necessary.

Thank you for your time on this matter.

**Project Information:**

Ulster County is planning to convert an approximately 0.8 mile segment of the County-owned Ulster & Delaware Railroad Right of Way into a rail trail/urban linear park from Cornell Street to Westbrook Lane in the City of Kingston. The Project will serve non-motorized transportation and recreational uses, including walking, running, bicycling, and inline skating. The County plans to convert the existing U&D railroad corridor into a trail. The Project includes establishing a trailhead/ pocket-park at the most eastern segment of the ROW between Cornell Street and O'Neil Street. The majority of the land within the project limits is considered residential or abandoned rail bed.

The coordinates of the start of the project are  $N41^{\circ}56'7.5516''$ : $W74^{\circ}0'56.43''$ , and the coordinates of the end of the project are  $N41^{\circ}55'49.5552''$ : $W74^{\circ}0'8.5782''$ . See figure 1 for a location map.

**Project Map:**



Figure 1: Location Map of Midtown Linear Park; Kingston, Ulster County

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July 3, 2018

NY Natural Heritage Program - Information Services  
NYSDEC  
625 Broadway, 5th Floor  
Albany, NY 12233-4757

Attn: Ms. Andrea Chaloux

Re: *PIN 8761.82 Ulster County Midtown Linear Park  
Kingston, New York*

---

Dear Ms. Chaloux:

Ulster County is planning to convert an approximately 0.8 mile segment of the County-owned Ulster & Delaware Railroad Right of Way into a rail trail/urban linear park from Cornell Street to Westbrook Lane in the City of Kingston. The Project will serve non-motorized transportation and recreational uses, including walking, running, bicycling, and inline skating. The County plans to convert the existing U&D railroad corridor into a trail. The Project includes establishing a trailhead/ pocket-park at the most eastern segment of the ROW between Cornell Street and O'Neil Street. The majority of the land within the project limits is considered residential or abandoned rail bed.

The coordinates of the start of the project are N41°56'7.5516":W74°0'56.43", and the coordinates of the end of the project are N41°55'49.5552":W74°0'8.5782". See figure 1 for a location map.

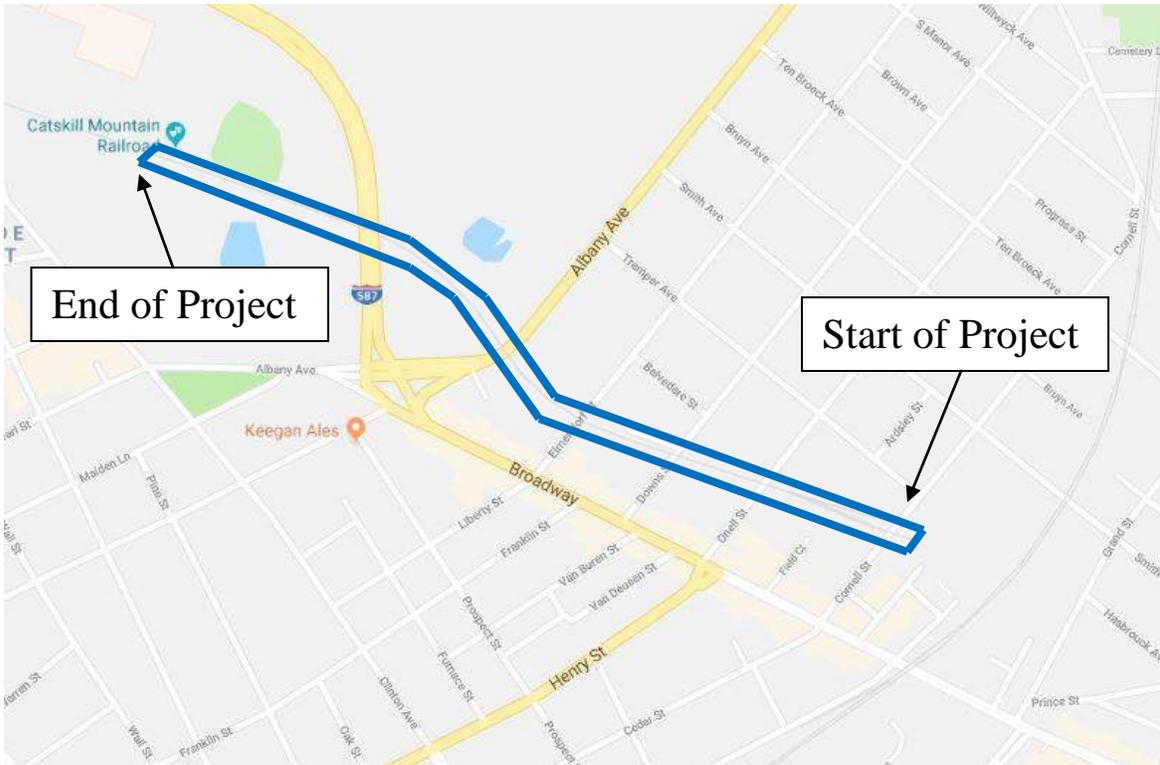


Figure 1: Location Map of Midtown Linear Park; Kingston, Ulster County



The U.S. Fish & Wildlife Service's Information, Planning and Consultation (IPaC) system was used to determine if any federally-listed, proposed, or candidate species may be present in the Ulster County Midtown Linear Park project area. The results showed that the following species may be affected by the project:

1. Indiana Bat (*Myotis sodalis*; Endangered)
2. Northern Long-eared Bat (*Myotis septentrionalis*; Threatened)

Please advise if any federally-listed, proposed, or candidate species are known to exist in the action area of the project and if any critical habitat areas have been designated that overlap the project area.

Thank you for your assistance. If you have any questions or concerns, please call me at (845) 838- 3600.

Sincerely,  
**HVEA Engineers**

by \_\_\_\_\_  
Lora Rinaldi  
Staff Engineer

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# **Appendix C**

## **Structures Information**

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# Memo

**To:** File  
**From:** Andrew Mason, P.E.  
**Date:** January 28, 2019  
**Re:** 18-317 Kingston Midtown Linear Park – Structural Visual Inspection

---

HVEA Engineers performed a visual inspection of the three bridges within the project limits of the Midtown Linear Park shared use path to assess the safety of future path users. The proposed path runs below the I-587 (BIN #1019590), Albany Avenue (BIN #2022330), and the Elmendorf Street crossings.

The I-587 bridge is an approximately 60' span, adjacent concrete box beam bridge supported on conventional concrete abutments with U-wingwalls. The bridge is in good condition with no signs of structural damage. There is minor leaking at the joint between the superstructure and backwall at the northeast wingwall. However, there is no visual evidence of resulting damage. No remediation measures are recommended at this crossing.

The Albany Ave bridge is an approximately 15' span, adjacent concrete box beam bridge supported on older stone abutments. The superstructure bears on new concrete headwalls installed on the existing stone abutments. The superstructure is in good condition, showing no signs of structural damage. There are minor voids and isolated cracks up to ¼" thick on both abutment wall faces. It appears that some joint repairs have been made post construction. The concrete deck is in good condition. There is a block wall running along the north side of the east abutment. The purpose of the wall is unclear, although given its location, the intent may have been to prevent lateral sliding of the stones of the abutment. The block wall has settled as evidenced by major joint separation near the bottom of the wall. Attempts to tie the wall together with timber backing have also failed. It is recommended that the wall be repaired or replaced as further deterioration could pose a hazard to future path users.

The Elmendorf St bridge is an approximately 13' span, timber bridge supported on stone abutments. The superstructure consists of 12" timber girders spaced 2 feet on center with a timber deck and asphalt overlay. The girders bear on a thin concrete headwall approximately 3"-4" deep. There are plates fastened to the underside of the girders running perpendicular to the span at center span, most likely installed to provide lateral stability for the girders. The stone abutment walls have minor voids and isolated cracks, similar to those on the Albany Ave bridge. There is evidence of significant leaking from the deck to the substructure. Large roots are observed growing out of the joints between stones

on the faces of the abutment walls, one of which is located at the point of bearing of the fascia girder. The girders, deck planks, and lateral plates all show signs of significant water damage. Portions of the concrete headwall have spalled at the point of bearing. Portions of the lateral plates have also peeled away, most likely as a result of water infiltration from the deck above. Although the bridge is posted for a 15-ton maximum weight, it is recommended that a load rating be conducted for the bridge to determine any future remedial actions. It is also recommended that the lateral stiffener plates either be removed or replaced as they pose a potential falling debris hazard to future path users.

# **Appendix D**

## **Stakeholders and Public Input**

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## Meeting Minutes

### **Midtown Linear Park - PIN 8761.82 Meeting with City of Kingston Officials January 25, 2018 – 9:00 AM**

**Meeting Location:** Kingston City Hall conference room

**Attending Personnel:** See attached sign in sheet

- Introductions
- Presentation by HVEA (J. Gorton)
- Discussion

The following items were discussed at the meeting:

- Safety concerns about trains remaining on the tracks.
  - There have been people sleeping under the trains.
  - Would block site lines and providing hiding places
  - Eliminating the railroad removes visual barrier
- Plans are not known for the future of the baseball field and improvements in the Kingston plaza. This may affect how the trail might tie into the plaza as well as the staging and parking area for the railroad.
  - Mayor stated that if the train moved it would need to go somewhere as well as the parking. Suggested that it might be better here then blocking the new plaza. Possibly look into storing trains west of Washington
- Pond owner needs access for mowers.
  - Talk about allowing access to the pond for pedestrians in the future
- Lighting need at night discussed. Should the lights stay on all night.
  - Mayor liked the idea
  - Discussed the idea of motion activated lights; mentioned New Paltz has motioned controlled lights in parking lot
  - The installation of security cameras
  - Lighting styles were chosen in the Kingston Greenline guidelines
- Hours of operation
  - Should have some closing time so that the police can remove people that are trying to camp and sleep along the trail.
- The option of using a metal stair case at Albany or Elmendorf.
  - The Mayor liked Albany Ave location
- Discussion on bollard types at road crossing
  - Lean towards removable type



- Restricting parking around road crossings
  - Raised crosswalks like the one on Hasbrouck Ave
- Discussed a bike share and other amenities
- Future projects along Cornell Street
  - Sidewalks along the east side
  - Plan for parking lot
- Incorporating and highlighting historic aspects along the trail
  - Tell-tales are found along the trail. These were historically used to warn brakemen and other personnel that were riding on top of the train that there was a bridge or tunnel ahead
- Winter maintenance
  - if and who will plow the trail.
  - It was determined that there will be a need for it. And it will be maintained by the city
- Location and quantity of garbage cans as well as maintenance issues
  - People using them for residential garbage is a concern.
  - Access to be able to empty them and locating in areas near trail heads

**Meeting ended at 10:45 AM**



## Meeting Sign-In Sheet

Date		January 25, 2019	
Project		PIN 8761.82 – Ulster County Midtown Linear Park	
Name	Company/Organization	Phone Number	Email
Jack Gorton	HVEA Engineers	(845) 838-3600	Jgorton@hveapc.com
Rich Inele	HVEA Engineers	(845) 838-3600	Rinele@hveapc.com
Lou Bach	HVEA Engineers	845-838-3600	LBach@hveapc.com
Steve Noble	City of Kingston	845 334-3902	SNoble@Kingston-NY.gov
John Wallace	City of Kingston	845 943-5762	JWallace@Kingston-ny.gov
Ernie Osterhauch	City of Kingston PD	845-331-1671	eosterhauch@Kingston-ny.gov
Egidio Tinti	City of Kingston	845 331-1671	etinti@Kingston-NY.gov
ED NORMAN	City of Kingston	845-514-5295	ENORMAN@Kingston-NY.gov
CHRIS WHITE	ULSTER COUNTY PLANNING	845-340-3338	cwhi@co.ulster.ny.us

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## Meeting Minutes

### **Midtown Linear Park - PIN 8761.82 Stakeholders Meeting January 30, 2018 – 3:00 PM**

**Meeting Location:** Ulster County Legislature meeting room

**Attending Personnel:** See attached sign in sheet

- Introductions
- Presentation by HVEA (J. Gorton)
- Discussion

The following items were discussed at the meeting:

- Cameras have been installed on Central Hudson poles
- Cornell street redevelopment by City of Kingston
  - Fashion lane to extend through parking lot
- Public and non-profit requests (after FA project complete):
  - Intergenerational play area
  - Child level bike network painted on pavement
  - Skate park
  - Children play areas
  - Nature park
- Connections to adjacent trail routes
  - Some connections on roadways
  - City and Kingston Land Trust addressing
  - Various complete street concepts
- Need to identify hub/ focal point of Greenline
- Pedestrian access at Kingston plaza
  - Current need for improvement within the plaza
  - Plans of redevelopment of plaza discussed
  - For now, it will be best to make connection with the plaza
- Access to bus system from bike path
  - Coordination with UCAT
  - Creating multi-modal transportation network
  - Develop and install consistent signing
- Pedestrian crossing
  - Discussed raised crosswalks



- Electric Bikes, scooters, and other pedestrian vehicles on the trail
  - County does not have a formal policy
  - Trail will be “No Motorized Vehicles” meaning combustion engines
  - Working with the City, speed guidelines will need to be developed
- Stairwell access and locations; Albany Ave vs. Elmendorf St.
  - Pedestrians already using Albany Ave embankment for trail access
  - Elmendorf has “large foot traffic” and would be more accessible to Broadway and for the neighborhoods south of Broadway
  - Consider every access point, will “wish you had every access point later”
  - The addition of a smooth area for bikes to be walked down the stairs
- Preserve Bluestone drainage and highlight with lighting near Elmendorf
- Community garden areas and dealing with invasive species of plants
- Hours of operation
  - City and Greenline addressing the question of “park” or “transportation network”
  - “Needs to be open 24 hours” for non-motorized commuters at late hours
  - Hours should be looked at on a park to park basis
  - Large percentage of residents do not have a car
- Lighting that operates at always on dim setting using motion detectors to brighten
- Minimize maintenance burden for City of Kingston.
  - Asphalt is better than crushed stone for longevity of the trail
- Bike hubs and shade structures that could tie into a multimodal system
- Preserve historic aspects along trail
  - “trails vs rails” discussion
    - Highlight switch at Cornell Street, relax concerns of railroad advocates.
    - Re-use tracks as sculpture or kiosk
    - Include other amenities that would “nod to the past”
  - tell-tales, gantry like structures along trail that were used to warn train personnel on the tops of the train that there was a low clearance bridge or tunnel ahead.
  - Bluestone drainage at Elmendorf
- Perform pedestrian counts now vs when its complete to support future development

**Meeting ended at 5:00 PM**

Pin 8761.82 - Ulster Co. Midtown Linear Park



HVEA Engineers  
 560 Route 52 - Suite 201  
 Beacon, New York 12508  
 (845) 838-3600  
 FAX (845) 838-5311

Jan. 30, 2019

JOB \_\_\_\_\_  
 SHEET NO. \_\_\_\_\_ OF \_\_\_\_\_  
 CALCULATED BY \_\_\_\_\_ DATE \_\_\_\_\_  
 CHECKED BY \_\_\_\_\_ DATE \_\_\_\_\_  
 SCALE \_\_\_\_\_

STAKEHOLDER ~~MTG.~~ MTG. w/ COMMUNITY GROUPS

<u>NAME</u>	<u>ORGANIZATION</u>	<u>PHONE</u>	<u>EMAIL</u>
Lou BACH	HVEA Engineers	845-838-3600	LBACH@HVEA.PC.COM
JACK GORTON	"	"	JGORTON@HVEA.PC.COM
RICH LUELE	"	"	RLUELE@HVEA.PC.COM
JOHN GROSSADHLEN	GREENLINE	845-750-7734	GROSSADT@EARTH.COM
KEVIN SMITH	WOODSTOCK LAND CONS. FRIENDS OF CATSKILL MOUNTAIN TRAIL	914-388-9673	Kevin.smith.wlco@gmail.com
TOM POLK	YMCA	845-338-3810	tpolk@ymcaulster.org
EMILY FLYNN	CITY OF KINGSTON	845-334-3909	eflynn@kingston-ny.gov
Rushida Tyler	RUPCO	845-282-6022	RTyler@rupco.org
Kevin Oconnor	RUPCO	331-2140	RTyler@co.ulster.ny.us kocconnor@rupco.org
Tyrome Wilson	Harambee	845-532-0165	TyWilson35@gmail.com
Karin Duteil	KaNLandscape/ Greenline Design Committee	646-271-0821	Kan@kanlandstudio.com
KARL BEARD	NPS RIVERS+TRAILS		KARL.BEARD@NPS.GOV
Julia Farr	Kingston Land Trust	845-877-5263	julia@kingstonlandtrust.org
SARAH BRAINARD	KLT	914-388-9648	sarah@klt.org
RILEY JOHNDONNELL	KLT	(415) 777-0110	

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# **Appendix E**

## **Right-of-way information**

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Midtown Linear park  
PIN 8761.82

PRELIMINARY PROPERTIES TO BE ACQUIRED

Map #	Parcel #	Reputed Owner(s)	Deed		Parcel Size ±AC	Area Of Acquisition ±SF	Area Of Acquisition ±AC	Type of Take	% of Take	Cost / Acre	Acquisition Cost	Comments
			Liber	Page								
1	1	Herzog Supply Co	3870	001	46.40	9500	0.22	TE	0.5%	\$ 2,030.00	\$ 442.00	
2	2	Jacob Burhans	168 / Book R	116 / 210	0.85	36942	0.85	FEE	100.0%	\$ 60,750.00	\$ 51,520.00	
3	3	Edwin W. Budington	151 / 1327	114 / 330	0.06	2740	0.06	FEE	100.0%	\$ 38,000.00	\$ 2,390.00	
4	4	Edwin W. Budington	135	151	0.32	13758	0.32	FEE	100.0%	\$ 38,000.00	\$ 12,001.00	
5	5	Sarah B. Reynolds and Robert R. Rodie	485	434	0.27	11882	0.27	FEE	100.0%	\$ 38,000.00	\$ 10,365.00	
6	6	Village of Kingston	48	15	0.24	10491	0.24	FEE	100.0%	\$ 38,000.00	\$ 9,151.00	
7	7	Peter J. Dolson and heirs	168	105	0.01	589	0.01	FEE	100.0%	\$ 38,000.00	\$ 513.00	
8	8	Margaret Ann Chambers	168	106	0.03	1232	0.03	FEE	100.0%	\$ 38,000.00	\$ 1,074.00	
9	9	John H. Hudler and his 4 heirs	168	103	0.18	7945	0.18	FEE	100.0%	\$ 38,000.00	\$ 6,930.00	
10	10	Harrison Brock	168	102	0.02	888	0.02	FEE	100.0%	\$ 38,000.00	\$ 774.00	
11	11	Estate of Thomas Cornell	168	92	0.10	4428	0.10	FEE	100.0%	\$ 38,000.00	\$ 3,862.00	
12	12	Estate of Thomas Cornell	168	92	0.19	8189	0.19	FEE	100.0%	\$ 60,750.00	\$ 11,420.00	
					<b>Total</b>	<b>99,084</b>	<b>2.27</b>				<b>\$ 110,000.00</b>	

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# **Appendix F**

## **Miscellaneous**