

**STATE ENVIRONMENTAL QUALITY REVIEW
NEGATIVE DECLARATION
Notice of Determination of No Significance
Amendments to Hudson River Park Rules & Regulations**

This notice is issued pursuant to the New York State Environmental Quality Review Act, Article 8 of the Environmental Conservation Law, and its implementing regulations at 6 NYCRR Part 617 ("SEQRA").

The Hudson River Park Trust ("HRPT"), as lead agency, has determined, based on the Environmental Assessment Form, dated November 2019 (the "EAF"), that the proposed amendments to the Hudson River Park's Rules & Regulations will not have a significant adverse impact on the environment and therefore an environmental impact statement will not be prepared.

Type of Action: Adoption of amendments to Hudson River Park Rules & Regulations pursuant to the State Administrative Procedure Act.

SEQR Status: Type I _____
Unlisted X

Description of Action:

The proposed action is the promulgation of amendments to the Hudson River Park Rules & Regulations to create a new penalty table similar to the table that had been adopted by New York City's Environmental Control Board along with other minor changes to the Park's rules.

Location: The Hudson River Park is located along 4 miles of the west side of Manhattan between Battery Park City and West 59th Street, immediately to the west of the NYSDOT Route 9A bikeway and to the east of the U.S. Pierhead line. Hudson River Park consists of piers, upland, and water areas.

Reasons Supporting Determination of No Significant Impact:

As documented in the accompanying EAF, the Proposed Action will not result in any significant adverse impacts on the environment. The adoption of regulations for Hudson River Park is provided for pursuant to the Hudson River Park Act, Chapter 592 of the New York State Laws of 1998.

Planning, development and operation of Hudson River Park was the subject of lengthy environmental reviews and analyses (see, e.g., the Final Environmental Impact Statement of May 1998). In addition, the U.S. Army Corps of Engineers and the N.Y.S. Department of Environmental Conservation each conducted environmental reviews and issued permits for development of the Park.

Promulgation of the amendments to the Park's Rules and Regulations will maintain the status quo in that New York City's Park Enforcement Patrol will continue to enforce Park rules and all summonses issued would continue to be heard by the New York City Office of Administrative Trials and Hearings/Environmental Control Board. Thus, the adoption of the proposed amendments to Hudson River Park Rules & Regulations will not have any impact on the environment.

For Further Information:

Christine Fazio, Esq.
Hudson River Park Trust
Pier 40, 353 West Street
New York, NY 10007
E-mail: cfazio@hrpt.ny.gov
Phone: 212-627-2020

Dated: November 20, 2019



Noreen Doyle
Executive Vice President

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.

Part 1 – Project and Sponsor Information			
Hudson River Park Trust			
Name of Action or Project:			
Amendment to Regulations of Hudson River Park Trust			
Project Location (describe, and attach a location map):			
Hudson River Park, Manhattan, New York: four miles of Park between Battery Park City and W. 59th St, and west of Rt 9A bikeway			
Brief Description of Proposed Action:			
Minor amendments to Park regulations, including the addition of a new section to the Park regulations that establishes a penalty table for violations of Park rules similar to the penalty table currently utilized by the New York City Office of Administrative Trials and Hearings/Environmental Control Board (OATH/ECB) for violations of Park rules. OATH/ECB is planning to vacate its regulations and thus the Trust is now required to create a penalty table that can still be enforced by OATH/ECB. The amendment to the Park regulations and the adoption of a new penalty table does not impact any environmental resources. The Hudson River Park Trust utilizes New York City Department of Parks & Recreation Park Enforcement Patrol (PEP) officers to provide security for the park, including issuing summons for violations of Park rules. That practice will continue under the new rules but the citations for all summons would be the Trust's Penalty Table as opposed to the penalty table previously adopted by OATH/ECB. The other changes to the Park rules are very minor amendments to the existing rules, including modifying section numbers; clarifying the boundaries of the Park; adding use of drones, tying hammocks to trees, and smoking electronic cigarettes to list of prohibited uses, and clarifying where bicycle riding, in-line skating, and skateboarding are permitted in the Park.			
Name of Applicant or Sponsor:		Telephone: 917-661-8738	
Christine Fazio, General Counsel		E-Mail: cfazio@hrpt ny.gov	
Address:			
Pier 40, 353 West Street			
City/PO:		State:	Zip Code:
New York		New York	10014
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?			NO
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.			YES
			<input type="checkbox"/>
			<input checked="" type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency?			NO
If Yes, list agency(s) name and permit or approval:			YES
			<input type="checkbox"/>
			<input type="checkbox"/>
3. a. Total acreage of the site of the proposed action? _____ acres			
b. Total acreage to be physically disturbed? _____ acres			
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres			
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify):			
<input type="checkbox"/> Parkland			

5. Is the proposed action, a. A permitted use under the zoning regulations? b. Consistent with the adopted comprehensive plan?	NO	YES	N/A
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input 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 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 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 services available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input 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 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: _____ _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	NO	YES	
	<input 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 type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	

<p>14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:</p> <p><input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional</p> <p><input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input type="checkbox"/> Suburban</p>		
<p>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?</p>	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
<p>16. Is the project site located in the 100-year flood plan?</p>	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
<p>17. Will the proposed action create storm water discharge, either from point or non-point sources?</p> <p>If Yes,</p> <p> a. Will storm water discharges flow to adjacent properties?</p> <p> b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?</p> <p>If Yes, briefly describe:</p> <p>_____</p> <p>_____</p>	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
<p>18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)?</p> <p>If Yes, explain the purpose and size of the impoundment:</p> <p>_____</p> <p>_____</p>	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
<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>_____</p>	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
<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>_____</p> <p>_____</p>	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
<p>I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</p> <p>Applicant/sponsor/name: <u>Christine Fazio</u> Date: <u>11-6-19</u></p> <p>Signature: <u><i>Christine Fazio</i></u> Title: <u>General Counsel</u></p>		

Project: Amendment to Park Rules
 Date:

**Short Environmental Assessment Form
 Part 2 - Impact Assessment**

Part 2 is to be completed by the Lead Agency.

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing: a. public / private water supplies? b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

PRINT FORM


Agency Use Only (If applicable)

Project:

Date:

Short Environmental Assessment Form Part 3 Determination of Significance

For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
<input checked="" type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.
Hudson River Park Trust	11/20/19
Name of Lead Agency	Date
Noreen Doyle	Executive Vice President
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
	Christine Fazio, General Counsel
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

PRINT FORM

