

April 30, 2021

Westchester County Board of Legislators
800 Michaelian Office Building
White Plains, New York 10601

Dear Honorable Members of the Board of Legislators:

Transmitted herewith for your review and approval are the following in connection with capital project RHW01 - Hillside Woods Restoration ("RHW01"):

- 1) A Bond Act ("Bond Act") to finance capital project RHW01; and
- 2) An Act to authorize an IMA with the Village of Hastings-on-Hudson (the "Village") for the purpose of implementing capital project RHW01 (the "Act").

By way of background, in 1993 the County of Westchester (the "County") and the Village entered into an agreement (the "1993 Agreement") to simultaneously purchase an undivided interest in Hillside Woods, an approximately 52 acre woodland in the Village, for the purpose of establishing the Hillside Woods and Park (hereinafter the "Park"). Pursuant to the terms of the 1993 Agreement, the Village agreed to assume full responsibility for the administration and management of the Park. Due to an overpopulation of deer, competing invasive plants, and poor light conditions on the forest floor, the Park is in a severely deteriorated condition. Both the Village and the County now seek to undertake an Urban Forestry Management Project to restore and regenerate the Park back to its natural condition (the "Project"). The Project will consist of, among other things, tree and invasive plant removal; tree and shrub replanting; and installation of deer fencing.

The Bond Act, in the amount of One Hundred Thousand (\$100,000.00) Dollars, would finance the funding for the Project.

The Act would authorize the County to enter into an IMA with the Village. The IMA, a copy of which is attached, will set forth the responsibilities of the County and the Village in connection with the implementation of the Project. In accordance with the IMA, the Village will perform the work necessary to complete the Project. The County will pay to the Village, on a cost reimbursement basis, an amount not to exceed One Hundred Thousand (\$100,000.00) Dollars for the work.

The Planning Department has advised that based upon its review, this project falls within the definition of an "Unlisted" Action under SEQRA and its implementing regulations 6 NYCRR, Part 617. The Planning Department has prepared the attached Short Environmental Assessment Form to assist your Honorable Board in making the required determination of significance pursuant to SEQRA.

Based upon the foregoing, I recommend the adoption of the Bond Act, as well as the Act authorizing the IMA.

Sincerely,

A handwritten signature in black ink, appearing to read "George Latimer". The signature is written in a cursive style with a large initial "G".

George Latimer
County Executive

GL/KOC/jpg
Attachments

**THE HONORABLE BOARD OF LEGISLATORS
THE COUNTY OF WESTCHESTER**

Your Committee is in receipt of a transmittal from the County Executive recommending approval of the following in connection with capital project RHW01 – Hillside Woods Restoration:

- 1) A Bond Act (“Bond Act”) to finance capital project RHW01; and
- 2) An Act to authorize an IMA with the Village of Hastings-on-Hudson (the “Village”) for the purpose of implementing capital project RHW01 (the “Act”).

Your Committee is advised that in 1993 the County of Westchester (the “County”) and the Village entered into an agreement (the “1993 Agreement”) to simultaneously purchase an undivided interest in Hillside Woods, an approximately 52 acre woodland in the Village, for the purpose of establishing the Hillside Woods and Park (hereinafter the “Park”). Pursuant to the terms of the 1993 Agreement, the Village agreed to assume full responsibility for the administration and management of the Park. Due to an overpopulation of deer, competing invasive plants, and poor light conditions on the forest floor, the Park is in a severely deteriorated condition. Both the Village and the County now seek to undertake an Urban Forestry Management Project to restore and regenerate the Park back to its natural condition (the “Project”). The Project will consist of, among other things, tree and invasive plant removal; tree and shrub replanting; and installation of deer fencing.

The Bond Act, prepared by the law firm of Hawkins Delafield & Wood LLP, would authorize the County to issue \$100,000.00 in bonds to finance the funding for the Project.

The Act would authorize the County to enter into an IMA with the Village. The IMA, a copy of which is attached, will set forth the responsibilities of the County and the Village in connection with the implementation of the Project. In accordance with the IMA, the Village will perform the work necessary to complete the Project. The County will pay to the Village, on a cost reimbursement basis, an amount not to exceed One Hundred Thousand (\$100,000.00) Dollars for the work.

The Planning Department has advised that, based on its review, this project falls within the definition of an “Unlisted” Action under Article 8 of SEQRA and its implementing regulations, 6 NYCRR Part 617, which requires an assessment of environmental impacts. Your Committee has carefully considered the proposed legislation. It has reviewed the attached Short Environmental Assessment Form (“EAF”) and the criteria contained in Section 617.7 of the SEQRA regulations, to identify the relevant areas of environmental concern. For the reasons set forth in the attached EAF, your Committee believes that the proposed action will not have any significant adverse impact on the environment and urges your Honorable Board to adopt the annexed resolution by which this Board would issue a Negative Declaration for this proposed action.

Please note that an affirmative vote of two-thirds of the members of your Honorable Board is required in order to adopt the Bond Act, while a simple majority of the voting strength of your Honorable Board is required to adopt the Act authorizing the IMA.

Based on the importance of this project to the County, your Committee recommends favorable action on the annexed Bond Act and Act authorizing the IMA.

Dated: _____, 2021
White Plains, New York

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: RHW01

NO FISCAL IMPACT PROJECTED

SECTION A - CAPITAL BUDGET IMPACT

To Be Completed by Budget

GENERAL FUND

AIRPORT FUND

SPECIAL DISTRICTS FUND

Source of County Funds (check one):

Current Appropriations

Capital Budget Amendment

SECTION B - BONDING AUTHORIZATIONS

To Be Completed by Finance

Total Principal \$ 100,000 PPU 5 Anticipated Interest Rate 0.30%

Anticipated Annual Cost (Principal and Interest): \$ 20,180

Total Debt Service (Annual Cost x Term): \$ 100,900

Finance Department: Interest rates from April 15, 2021 Bond Buyer - ASBA

SECTION C - IMPACT ON OPERATING BUDGET (exclusive of debt service)

To Be Completed by Submitting Department and Reviewed by Budget

Potential Related Expenses (Annual): \$ -

Potential Related Revenues (Annual): \$ -

Anticipated savings to County and/or impact of department operations
(describe in detail for current and next four years):

SECTION D - EMPLOYMENT

As per federal guidelines, each \$92,000 of appropriation funds one FTE Job

Number of Full Time Equivalent (FTE) Jobs Funded: 1

SECTION E - EXPECTED DESIGN WORK PROVIDER

County Staff

Consultant

Not Applicable

Prepared by: Ken Uhle

Title: Program Coord. Capital Planning PRC

Department: DPW&T

Date: 4/22/21

[Signature]
Date: 4/28/21

[Signature]
Reviewed By: _____
Budget Director
Date: 4/25/21

RESOLUTION

WHEREAS, there is pending before this Honorable Board a Bond Act to authorize the County of Westchester (the “County”) to issue bonds and an Act to authorize the County to enter into an intermunicipal agreement with the Village of Hastings-on-Hudson (the “Village”) in connection with capital project RHW01 – Hillside Woods Restoration (the “Capital Project”); and

WHEREAS, this Honorable Board has determined that the proposed Capital Project would constitute an action under Article 8 of the Environmental Conservation Law, known as the New York State Environmental Quality Review Act (“SEQRA”); and

WHEREAS, pursuant to SEQRA and its implementing regulations (6 NYCRR Part 617), this project is classified as an “Unlisted” Action which requires a determination as to whether the proposed action will have a significant impact on the environment; and

WHEREAS, this capital project is part of a larger forest management plan being implemented by the Village; and

WHEREAS, the Village Board of Trustees reviewed the overall plan in accordance with SEQR and adopted a Negative Declaration for the project on February 19, 2020, however, the Village did not include the County as an involved agency in a coordinated review; and

WHEREAS, the County must now conduct its own environmental review; and.

WHEREAS, in accordance with SEQRA and its implementing regulations, a Short Environmental Assessment Form has been prepared to assist this Honorable Board in its environmental assessment of this proposed action; and

WHEREAS, this Honorable Board has carefully considered the proposed action and has reviewed the attached Short Environmental Assessment Form and the criteria set forth in Section 617.7 of the implementing regulations and has identified the relevant areas of environmental concern, as described in the attached Short Environmental Assessment Form, to determine if this proposed action will have a significant impact on the environment.


NOW, THEREFORE, be it resolved by the County Board of Legislators of the County of Westchester, State of New York, as follows:

RESOLVED, that based upon the Honorable Board's review of the Short Environmental Assessment Form and for the reasons set forth therein, this Board finds that there will be no significant adverse impact on the environment from the Capital Project and be it further

RESOLVED, that the Clerk of the Board of Legislators is authorized and directed to sign the "Determination of Significance" in the Short Environmental Assessment Form, which is attached hereto and made a part hereof, as the "Responsible Officer in Lead Agency"; to issue this "Negative Declaration" on behalf of this Board in satisfaction of SEQRA and its implementing regulations; and to immediately transmit same to the Commissioner of Planning to be filed, published and made available pursuant to the requirements of Part 617 of 6 NYCRR; and be it further

RESOLVED, that the Resolution shall take effect immediately.

TO: Michelle Greenbaum, Assistant County Attorney
Jeffrey Goldman, Assistant County Attorney

FROM: David S. Kvinge, AICP, RLA, CFM 
Director of Environmental Planning

DATE: April 15, 2021

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT
RHW01 HILLSIDE WOODS RESTORATION**

The Planning Department has reviewed capital project RHW01- Hillside Woods Restoration (Unique ID: 1606) in accordance with the State Environmental Quality Review Act and its implementing regulations, 6 NYCRR Part 617 (SEQR).

Pursuant to SEQR, this project meets the definition of an Unlisted action. This capital project is part of a larger forest management plan being implemented by the Village of Hastings-on-Hudson. The Village Board of Trustees reviewed the overall plan in accordance with SEQR and adopted a Negative Declaration for the project on February 19, 2020. However, the Village did not include the County as an involved agency in a coordinated review. As such, the County must conduct its own environmental review.

To assist the County in complying with the requirements of SEQR, attached is a Short Environmental Assessment Form for consideration by the Board of Legislators. Part I of this form was completed by the Village of Hastings-on-Hudson.

Please contact me if you require any additional information regarding this document.

DSK/cnm

Att.

cc: Andrew Ferris, Chief of Staff
Paula Friedman, Assistant to the County Executive
Kathleen O'Connor, Commissioner of Parks, Recreation and Conservation
Tami Altschiller, Assistant Chief Deputy County Attorney
Peter Tartaglia, First Deputy Commissioner of Parks, Recreation and Conservation
Gideon Grande, Deputy Budget Director
Lorraine Yazzetta, Associate Budget Analyst
Anthony Zaino, Assistant Commissioner
William Brady, Chief Planner
Michael Lipkin, Associate Planner
Claudia Maxwell, Associate Environmental Planner

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			
Name of Action or Project: Hillside Woods and Park Restoration Project			
Project Location (describe, and attach a location map): Hillside Woods and Hillside Park, Village of Hastings-on-Hudson			
Brief Description of Proposed Action: The Hillside Woods and Park project outlines a process to restore Hillside Woods and Park to a healthy eastern woodlands. The woodlands are in a severely deteriorated condition, which is in large part triggered by the combination of overpopulation of deer, competing invasive plants, and light on the forest floor. The restoration process will begin with the removal of invasive plants and hazard trees threatening to overrun the forest. After these plants have been controlled, deer enclosure fence will be erected to keep the deer population from over browsing the understory and decimating native plants. Lastly, select native trees, shrubs, and herbaceous plants will be planted to restore diversity and aid in the regeneration of the forest			
Name of Applicant or Sponsor: Village of Hastings-on-Hudson		Telephone: 914-478-3400	
Address: 7 Maple Avenue		E-Mail: villagemanager@hastingsgov.org	
City/PO: Hastings-on-Hudson		State: NY	Zip Code: 10706
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"/>
			YES <input checked="" type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval: DASNY SAM grant funding			NO <input type="checkbox"/>
			YES <input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		approx. 80 acres	
b. Total acreage to be physically disturbed?		N/A acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		84 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 checked="" type="checkbox"/> Residential (suburban)			
<input checked="" type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input checked="" type="checkbox"/> Other(Specify): School			
<input checked="" type="checkbox"/> Parkland			

	NO	YES	N/A
5. Is the proposed action, a. A permitted use under the zoning regulations? b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/> <input type="checkbox"/>	<input checked="" type="checkbox"/> <input checked="" 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?	<input type="checkbox"/>	<input checked="" 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: _____	<input checked="" type="checkbox"/>	<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?	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input checked="" 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: N/A _____	<input type="checkbox"/>	<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: _____ N/A _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ N/A _____	<input type="checkbox"/>	<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?	<input type="checkbox"/> <input type="checkbox"/>	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	<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: _____	<input type="checkbox"/> <input checked="" type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional</p> <p><input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>
<p>16. Is the project site located in the 100-year flood plan?</p>	NO	YES
	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>
	<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 checked="" 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 checked="" 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 checked="" 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>Village of Hastings-on-Hudson</u> Date: <u>9/18/2020</u></p> <p>Signature: <u><i>May BATA Myky</i></u> Title: <u>Village Manager</u></p>		

Project: Hillside Woods Restoration (RHW01)

Date: April 2021

**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?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<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"/>

Project:	Hillside Woods Restoration (RHW01)
Date:	April 2021

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.

This project is being conducted in accordance with an Urban Forest Management Plan that was developed to restore the health of the forest at the adjoining park properties known as Hillside Woods and Hillside Park. Hillside Park is owned by the Village of Hastings-on-Hudson. Hillside Woods is jointly owned by the Village and the County of Westchester. Under capital project RHW01, the County will provide funding to the Village of Hastings to implement the management plan on 30 acres of the Hillside Woods section of the overall 80-acre management area. The County-sponsored work will include the removal of non-native and hazardous trees, the removal of invasive species, the installation of approximately 2,000 linear feet of chain-link fencing, and the purchase and installation of over 1,400 native trees and shrubs.

The Hillside Woods section contains intermittent streams that flow to the Saw Mill River and a small, approximately 0.2-acre, ephemeral pool that has been classified as a freshwater emergent wetland by the National Wetlands Inventory, but is not regulated by New York State. Large tree removals that are not near any trails will be conducted by girdling with selective applications of herbicides as necessary. The removal of invasive brush will be conducted by hand or mechanical means, so there will be minimal impacts associated with herbicides. Prevention of deer overgrazing and restoration of the natural understory will serve to protect the soil from erosion and protect water resources. Hillside Woods does not contain any NYS mapped cultural resources or historic buildings, aside from remnants of an old chimney, which will not be affected by this project. Since ground disturbance will be limited to plantings and small posts for fencing installation, impacts to archaeological resources are also not anticipated.

Although exclusion fencing will reduce available habitat to deer, immunocontraception efforts already being implemented by the Village to control the deer population will minimize some of the ramifications from this habitat loss. More importantly, this project will restore the natural diversity that will support native wildlife that have been adversely impacted by the decimation of the understory and the overtaking of the site by invasive species.

The project will serve to benefit the environment by restoring the eastern woodland ecology of a sizable portion of undeveloped land within a developed region of Westchester County.

- 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.
- 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.

County of Westchester

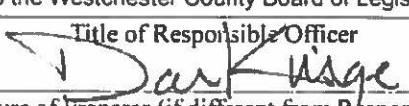
Name of Lead Agency

Malika Vanderburg
Print or Type Name of Responsible Officer in Lead Agency

Signature of Responsible Officer in Lead Agency

Date

Clerk to the Westchester County Board of Legislators
Title of Responsible Officer


Signature of Preparer (if different from Responsible Officer)

