

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Environmental Permits, Region 3
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August 27, 2015

Carole Barone
Town of Poughkeepsie Planning Board
1 Overocker Road
Poughkeepsie, NY 12603

Re: Hudson Heritage -- former Hudson Valley Psychiatric Center
Town of Poughkeepsie, Dutchess County
Response on SEQR Lead Agency and Draft Scoping Document

Dear Ms. Barone:

The Department of Environmental Conservation (DEC) has reviewed the lead agency request and draft scoping document provided to DEC pursuant to the Town's State Environmental Quality Review (SEQR) of the proposed redevelopment of the former Hudson Valley Psychiatric Center site.

DEC jurisdiction over this project, with reference to the Environmental Conservation Law (ECL), is as follows:

Article 15, Title 5, Protection of Waters and Article 24, Freshwater Wetlands

The stream on the site is an unnamed tributary of the Hudson River, NYS Waters Index # H-118, Class C. A permit is not required to disturb the bed or banks.

There are no state regulated freshwater wetlands in the vicinity. Any wetlands onsite may be under the jurisdiction of the Army Corps of Engineers. If a permit is required from the Army Corps of Engineers pursuant to Section 404 of the Clean Water Act, then a Water Quality Certification pursuant to Section 401 will be required. In NYS, issuance of these Certifications has been delegated to DEC. If the project qualifies for an Army Corps of Engineers' Nationwide permit, then it may qualify for the DEC Blanket Water Quality Certification for Nationwide permits.

Article 17, Title 7, 8 STATE POLLUTANT DISCHARGE ELIMINATION SYSTEM (SPDES) - stormwater

Stormwater discharges require a State Pollutant Discharge Elimination System (SPDES). It appears that this project will require coverage under the SPDES General Permit for Stormwater Discharges from Construction Activity (GP-0-15-002). For information on stormwater and the general permit, see the DEC website at <http://www.dec.ny.gov/chemical/8468.html>. As this site is within an MS4 area (Municipal Separate Storm Sewer System), the stormwater plan must be reviewed and accepted by the municipality and the MS-4 Acceptance Form must be submitted to the Department.



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Article 27, Titles 13 & 14 ENVIRONMENTAL REMEDIATION

As indicated in the Full Environmental Assessment form and the draft scope, this site includes areas subject to remediation under the Voluntary Cleanup Program and the Brownfields Cleanup Program. All development of these lands must be in compliance with the Environmental Remediation Program and any specific orders, decision documents, and easements associated with the cleanup programs.

Article 11, Title 5, State-Listed Species

There are no records of any state-listed species on this site. The absence of data does not necessarily mean that rare or state-listed species, natural communities or other 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

Please note, the Full Environmental Assessment Form, Part 2 – Identification of Potential Project Impacts had 1.g checked as “moderate to large impact may occur”. The potential impact was “action is, or may be, located within a Coastal Erosion Hazard Area”. In Dutchess County there are no Coastal Erosion Hazard Areas mapped by DEC pursuant to Article 34 of the Environmental Conservation Law.

This determination regarding the need for permits will remain effective for a maximum of one year unless you are otherwise notified. Applications may be downloaded from our website at www.dec.ny.gov under “Programs” then “Division of Environmental Permits.”

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

Sincerely,



Rebecca S. Crist
Division of Environmental Permits
Region 3, Telephone No. 845/256-3014

Ecc: DEC Division of Environmental Remediation, Albany