

Town of New Paltz Critical Environmental Areas Proposal

Introduction

State Environmental Quality Review (SEQR) law gives municipalities the authority to establish Critical Environmental Areas (CEAs) which receive special consideration in the SEQR process (6 NYCRR 617.14[g]). Currently, there are no designated CEAs in the Town or Village of New Paltz. The Comprehensive Master Plan (1995) recommended the establishment of CEAs for eight environmentally sensitive areas. The Town of New Paltz Environmental Conservation Board reviewed additional studies and plans to develop the following proposal. Establishing CEAs will help to conserve New Paltz's natural heritage by bringing attention to these sensitive resource areas during the SEQR process.

What is a CEA?

A Critical Environmental Area (CEA) is a geographic area designated by the state or local government based on exceptional or unique environmental or cultural characteristics. An area may be designated as a CEA if it has an exceptional or unique character with respect to one or more of the following:

1. a benefit to human health or a threat to human health;
2. a natural setting (e.g., fish and wildlife habitat, forest and vegetation, open space and areas of important aesthetic or scenic quality);
3. agricultural, social, cultural, historic, archaeological, recreational, or educational values; or
4. an inherent ecological, geological or hydrological sensitivity to change that may be adversely affected by any change (6 NYCRR 617.14[g]).

Following designation of a CEA, the potential impact of any Type I or Unlisted Action on the environmental characteristics of that CEA becomes a relevant area of concern during SEQR.

What is the Purpose of CEA Designation?

The purpose of the designation is to alert landowners, developers, and regulatory agencies to the features of concern so that harm to important areas can be minimized, or environmental hazards can be avoided. CEA designation helps to formalize awareness about important resources that might otherwise be overlooked and ensure that they are considered in determining the significance of a proposed action during SEQR.

What Impact Does a CEA have on Landowners?

It is important to note that **CEA designation does not restrict land use**. SEQR review applies primarily to large development proposals or subdivision of land. **Most activities of landowners do not require SEQR review**, including construction of a single-family, a two-family, or a three-family residence on an approved lot; routine maintenance on existing structures; construction or expansion of minor accessory residential structures (e.g., garages, decks, pools); landscaping maintenance; and agricultural farm management practices (see DEC's SEQR handbook for a complete list of [Type II actions](#)).

Examples of activities within a CEA that **do** require SEQR review (and would require consideration of potential impacts to the CEA) include subdivision of land, construction of non-

residential facilities greater than 4,000 square feet of gross floor area, and physical alteration of 10 acres or more (see DEC’s SEQR Handbook for a complete list of [Type I actions](#) and discussion of unlisted actions).

SEQR Environmental Assessment Forms (EAFs) include questions to identify whether a proposed project is within or near a designated CEA. Question 7 of Short EAF and question E3D on the Long EAF ask “Is the site of the proposed action located in, or does it adjoin, a State listed Critical Environmental Area?” If so, the lead agency (usually the Town Planning Board) is directed to identify and evaluate the magnitude of potential adverse impacts to the qualities of the CEA. If a moderate or large impact is identified, the lead agency must decide if the impacts are significant, whether impacts will be avoided or substantially mitigated, and whether or not to require an environmental impact statement. Note that Critical Environmental Areas are one of 18 areas of potential environmental impacts that are evaluated during SEQR.

Links to Additional Information:

- List of currently designated Critical Environmental Areas: <https://www.dec.ny.gov/permits/6184.html>
- FEAF Workbook: <https://www.dec.ny.gov/permits/91771.html>

Identification Process

The Town of New Paltz Comprehensive Master Plan (1995, p.31) recommends the establishment of CEAs, identifying the following environmentally sensitive areas:

- Plattekill Brook Gorge
- Mountain Rest Ponds
- Kleinekill Stream and Humpo Marsh
- Wallkill River Corridor
- Tributary 13 watershed
- Huguenot Historic District
- The New Paltz (UCRRA) Landfill
- The New Paltz Village Landfill

The Town of New Paltz Environmental Conservation Board consulted several additional studies and plans to inform this proposal, including:

- [The Nature Conservancy Matrix Forest Block and Linkage Analysis](#) (2006)
- [Town of New Paltz Open Space Plan](#) (2006)
- [NYSDEC Hudson River Estuary Wildlife and Habitat Conservation Framework](#) (2006)
- [Northern Wallkill Biodiversity Plan](#) (2007)
- [Shawangunk Mountains Regional Open Space Plan](#) (2008)
- [Ulster County Green Infrastructure Habitat Cores Analysis](#) (2013)
- [FEMA Special Flood Hazard Areas](#)
- [New York State Open Space Conservation Plan](#) (2016)

The EnCB chose to focus on the areas it deemed having highest priority or critical environmental resource value to the community, and recognizing that some of the prior proposed areas already require a close look based on other SEQR EAF questions.

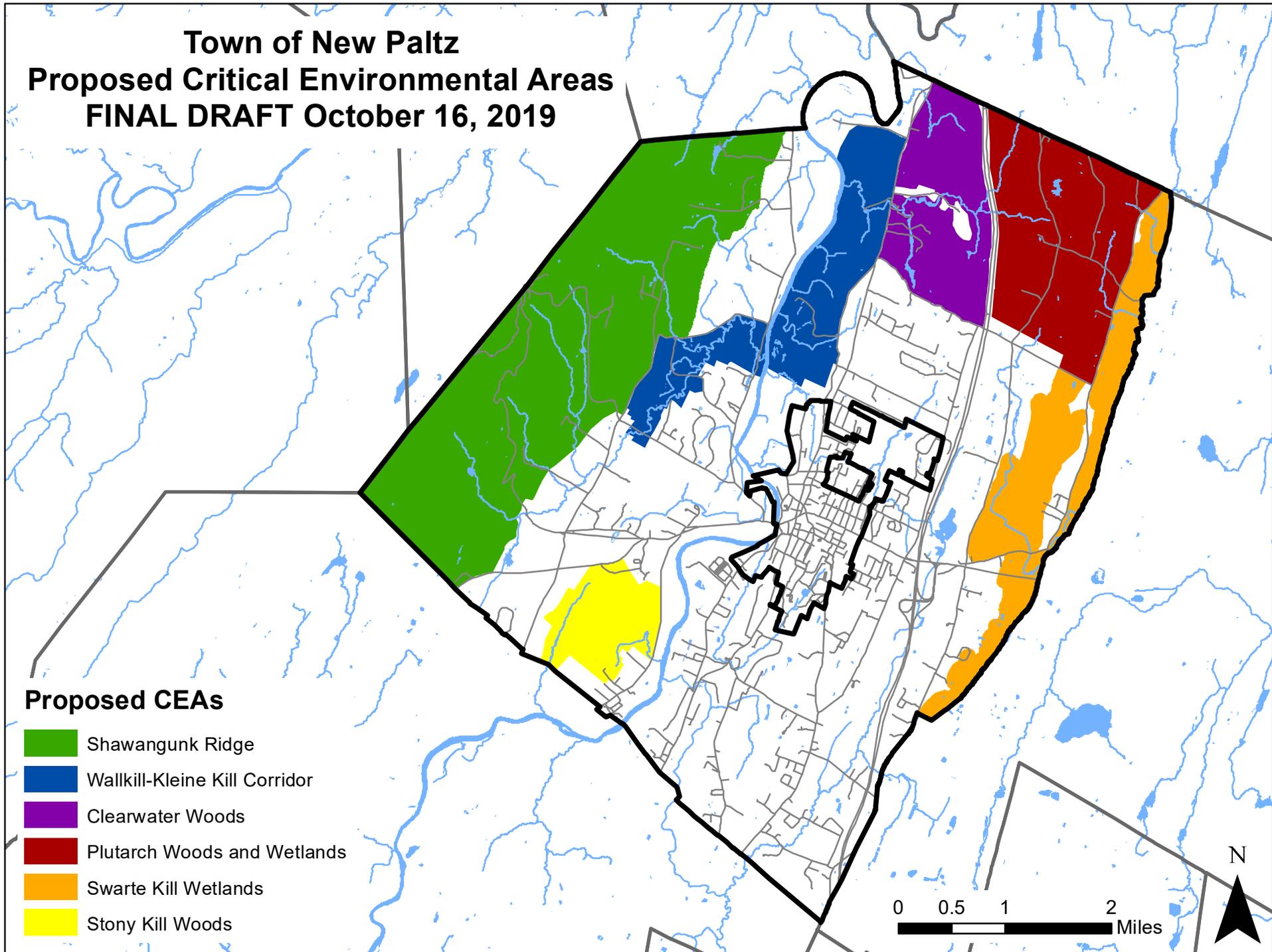
Proposed Critical Environmental Areas:

- 1. Shawangunk Ridge (4016 acres)**
- 2. Wallkill and Kleine Kill Corridor (1312 acres)**
- 3. Swarte Kill Wetlands (1340 acres)**
- 4. Plutarch Woods and Wetlands (1588 acres)**
- 5. Clearwater Woods (983 acres)**
- 6. Stony Kill Woods (535 acres)**

(total acreage = 9,774 acres) (out of 20,685 acres total in town)

SEQR regulations require CEA designation to be preceded by written public notice and a public hearing. The public notice must identify the boundaries and the specific environmental characteristics of the area warranting CEA designation. Once approved the CEA must be filed with the NYS Department of Environmental Conservation (DEC).

**Town of New Paltz
Proposed Critical Environmental Areas
FINAL DRAFT October 16, 2019**



Proposed CEAs

-  Shawangunk Ridge
-  Walkkill-Kleine Kill Corridor
-  Clearwater Woods
-  Plutarch Woods and Wetlands
-  Swarte Kill Wetlands
-  Stony Kill Woods



1. Shawangunk Ridge Critical Environmental Area

Reasons: wildlife habitat, large forest, steep slopes, water resource, scenic value

Justification and Significance:

The Shawangunk Ridge is one of New York’s iconic landscape features and one of the highest priority areas for biodiversity conservation in the northeastern United States according to the New York State Open Space Conservation Plan. DEC has designated the northern Shawangunk Ridge as a Significant Biodiversity Area for its extensive rare and exemplary natural communities, including dwarf pine barrens and extensive chestnut oak forest, supporting numerous plant and animal species of conservation concern. Within New Paltz, the ridge lies within a statewide forest linkage zone connecting the globally significant forests of Minnewaska State Park and the Shaupeneak forest block east of the NYS Thruway (including the Plutarch woods and Swarte Kill wetlands). The Town’s portion of the ridge includes four core habitat areas mapped by Ulster County, as well as a statewide Important Bird Area mapped by Audubon NY. The ridge supports headwaters of several tributaries of the Wallkill River including the Kleine Kill, and the Mountain Rest Ponds, a public water supply for the Village. The ridge and portions of the Buttermilk-Canaan foothills are identified as a priority in the Town of New Paltz Open Space Plan. The proposed CEA includes two priority biodiversity areas identified in the Northern Wallkill Biodiversity Plan (Mohonk Uplands, Bonticou Crag). The Mohonk Preserve is a major recreational resource located within this area. Finally, the Shawangunk Ridge is a defining scenic landmark for the Town and Village of New Paltz.

The defined, relevant criteria may be classified as:

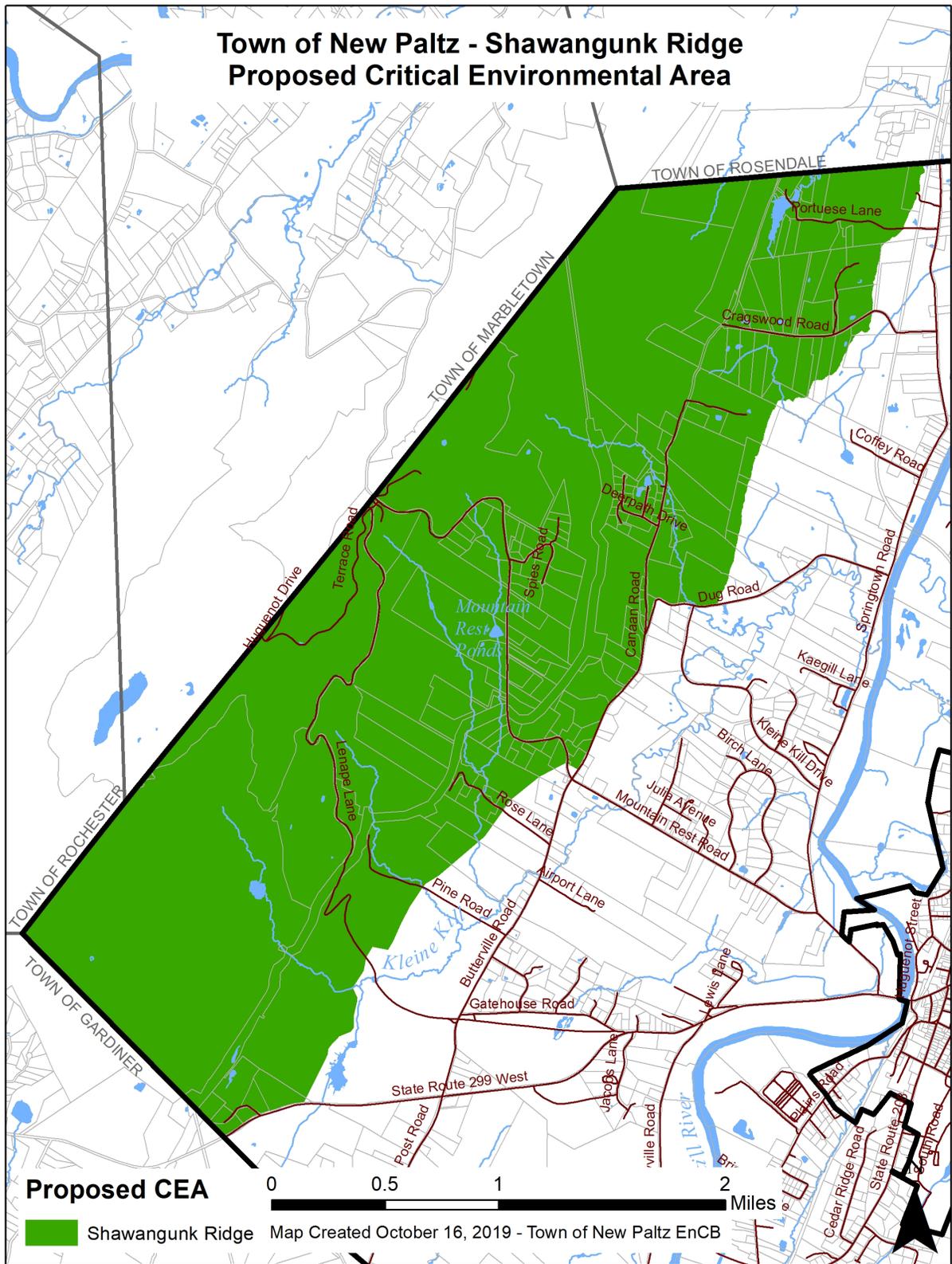
- a benefit to human health (water supply)
- a natural setting
- agricultural, social, cultural, historic, archaeological, recreational, or educational values
- an inherent ecological geological or hydrological sensitivity to change that may be adversely affected by any change.

Conservation principles for this area include:

- protect large, intact habitat areas
- avoid habitat fragmentation by new roads, driveways, and development, especially within Ulster County habitat cores
- maintain broad habitat corridors (>1000 ft) wherever possible
- protect steep slopes and crest, ledge, and talus habitat
- protect riparian buffers and headwaters of the Mountain Rest Ponds
- protect the Shawangunk-Shaupeneak forest linkage zone
- protect ridge views (to and from the ridge) and scenic areas along principal road corridors

Size: 4016 acres

Location and Boundary:



2. Wallkill River and Kleine Kill Corridor

Reasons: water resource, wildlife habitat, large forest, flood risk, scenic value

Justification and Significance:

The Wallkill River and its floodplain traverses the center of the Town and western edge of the Village. The river provides a greenway connection through the Town, into Rosendale and Gardiner and beyond. The Kleine Kill is a major tributary to the Wallkill River in the Town, flowing from the Shawangunk Ridge. The CEA boundary encompasses largely connected intact habitat blocks that buffer the two streams and form a major wildlife corridor connecting the Wallkill River flats to the Shawangunk foothills and ridge, including six core habitat areas mapped by Ulster County. Together with connections across Route 32 to the Clearwater Woods, this area comprises a statewide forest linkage zone from the Shawangunk Ridge to the Shaupeneak forest block east of the NYS Thruway. These stream corridors include significant upland and floodplain forests and wetlands supporting numerous species of conservation concern. This area is identified as a priority in the Town of New Paltz Open Space Plan (Wallkill River Flats and River Corridor) and includes two priority biodiversity areas identified in the Northern Wallkill Biodiversity Plan (Wallkill Corridor, Springtown Area). Views across the Wallkill Valley are one of New Paltz's major scenic resources, as they are highly visible from both the Town and Village. In recent years, several major floods have occurred, highlighting the vulnerability of development and infrastructure within the broader 500-year floodplain. In 2018, the Wallkill River was listed as "impaired" by New York State due to elevated Phosphorus from agriculture, point source discharges, and urban stormwater runoff. Protecting the remaining floodplain forest and forested and wetland riparian habitat along the Wallkill and Kleine Kill corridors is thus also a high priority for water quality improvement efforts and mitigating flood damages.

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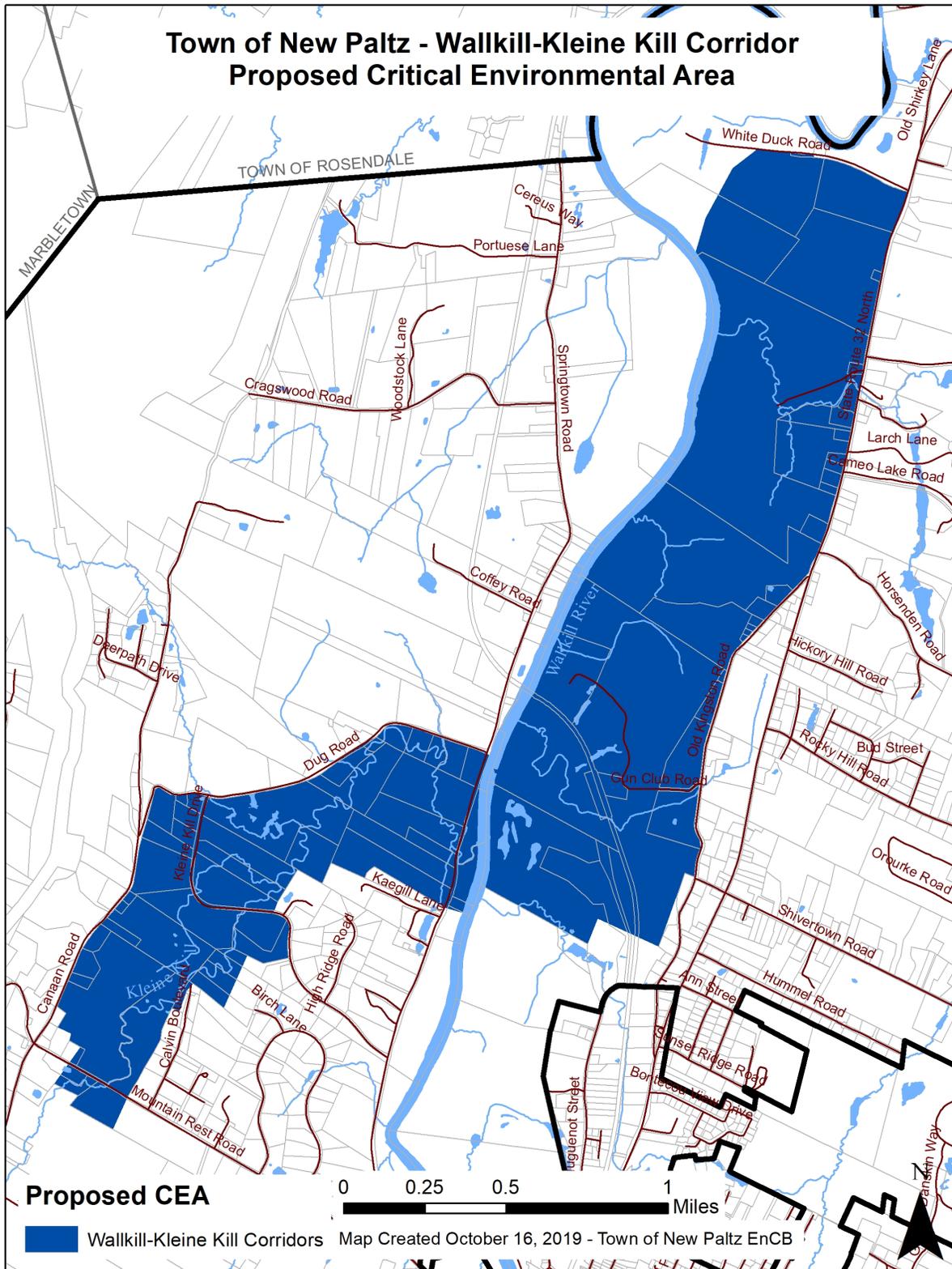
- a natural setting
- an inherent ecological geological or hydrological sensitivity to change that may be adversely affected by any change.

Conservation principles for this area include:

- protect and restore riparian buffers and floodplain areas
- avoid habitat fragmentation by new roads, driveways, and development, especially within Ulster County habitat cores
- maintain broad habitat corridors (>1000 ft) wherever possible
- protect the Shawangunk-Shaupeneak forest linkage zone
- protect scenic areas and vistas along principal road corridors
- enhance public access and recreational opportunities to the Wallkill River

Size: 1312 acres

Location and Boundary:



3. Swarte Kill Wetlands

Reasons: wildlife habitat, wetlands, water resource, aquifer, large forest

Justification and Significance:

The Swarte Kill may be the cleanest tributary to the Wallkill River based on Riverkeeper's recent sampling, most likely owing to low intensity of development and significant expanse of intact wetlands and forest in its watershed. It flows through a major wetland complex (almost 1800 acres) that overlies a large aquifer along the eastern boundary of the town. This area is part of the Esopus-Lloyd Wetlands and Ridges Significant Biodiversity Area, part of the Shaupeneak globally-significant forest block, and includes three priority biodiversity areas identified in the Northern Wallkill Biodiversity Plan (the Central and Northern Swarte Kill, and stream corridor itself). It is identified as a priority in the Town of New Paltz Open Space Plan (North Woods and Eastern Wetlands) and in the New York State Open Space Conservation Plan (Plutarch/Black Creek Wetlands Complex), which cites its notable size and variety and habitat for numerous wetland-dependent wildlife species, including the threatened northern cricket frog, as well as for breeding and migrating waterfowl and river otters. The wetlands include three high-ranking core habitat areas identified by Ulster County and provide habitat to numerous wetland species of conservation concern.

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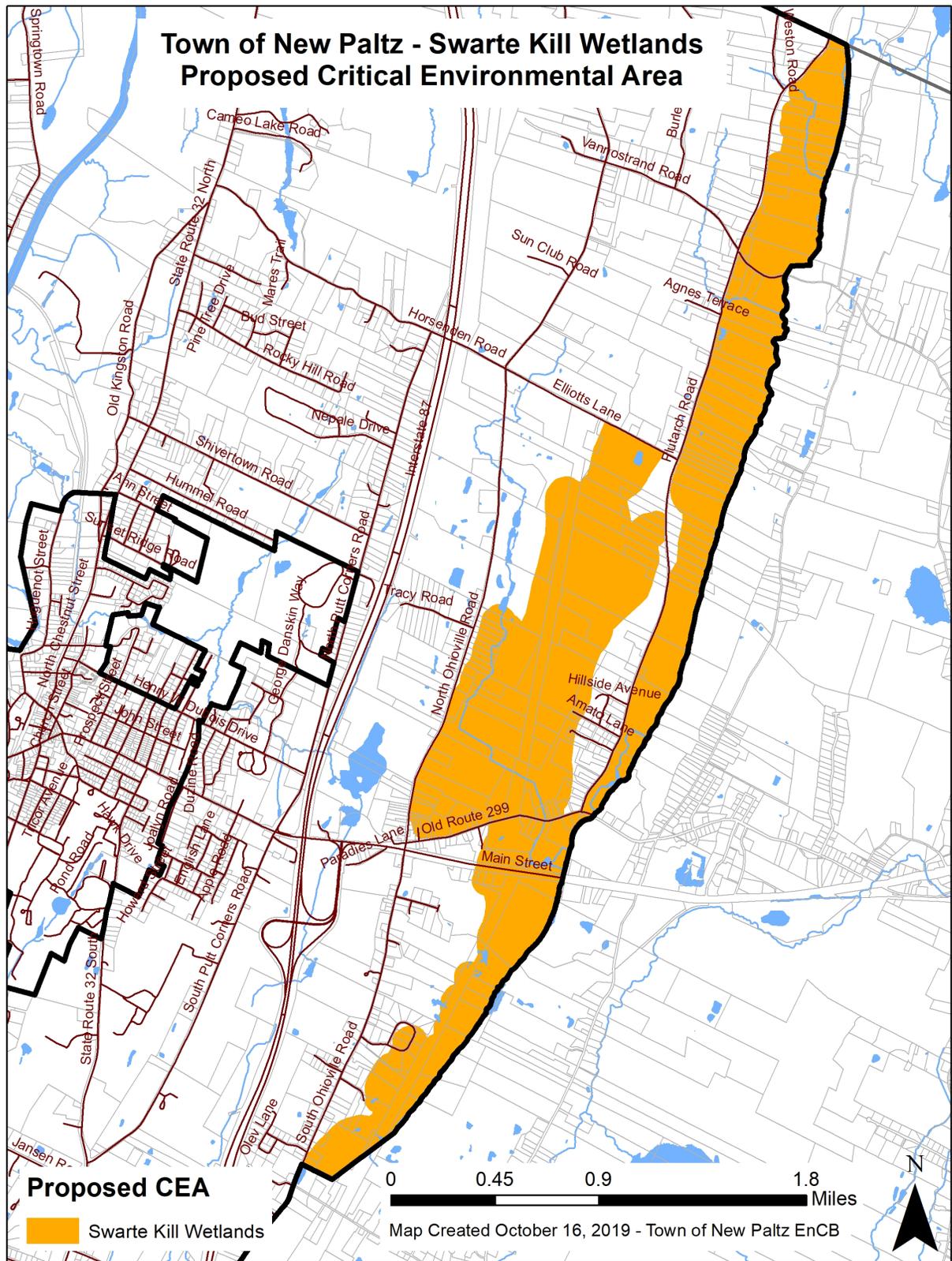
- a natural setting
- an inherent ecological geological or hydrological sensitivity to change that may be adversely affected by any change.

Conservation principles for this area include:

- protect broad wetland buffers and other riparian buffers
- avoid habitat fragmentation by new roads, driveways, and development, especially within Ulster County habitat cores
- maintain broad habitat corridors (>1000 ft) wherever possible
- preserve habitat connectivity with nearby wetlands
- protect the Swarte Kill aquifer from incompatible uses
- protect scenic areas and vistas along principal road corridors

Size: 1340 acres

Location and Boundary:



4. Plutarch Woods and Wetlands

Reasons: wildlife habitat, large forest, wetlands

Justification and Significance:

The northeast corner of New Paltz is characterized by low-density residential development within a large forest dotted with wetlands. It is part of a much larger swath of unfragmented habitat extending into neighboring towns of Lloyd and Esopus. This area is part of the Esopus-Lloyd Wetlands and Ridges Significant Biodiversity Area, part of the globally-significant Shaupeneak matrix forest block, and includes a priority biodiversity area identified in the Northern Wallkill Biodiversity Plan (the Northern Swarte Kill). It was identified as a priority in the Town of New Paltz Open Space Plan (North Woods and Eastern Wetlands). The forest area includes five core habitat areas identified by Ulster County and supports numerous documented species of conservation concern associated with large forests and forested wetlands. Though none have been formally mapped, vernal pools are abundant and support breeding by diverse forest-dwelling amphibians.

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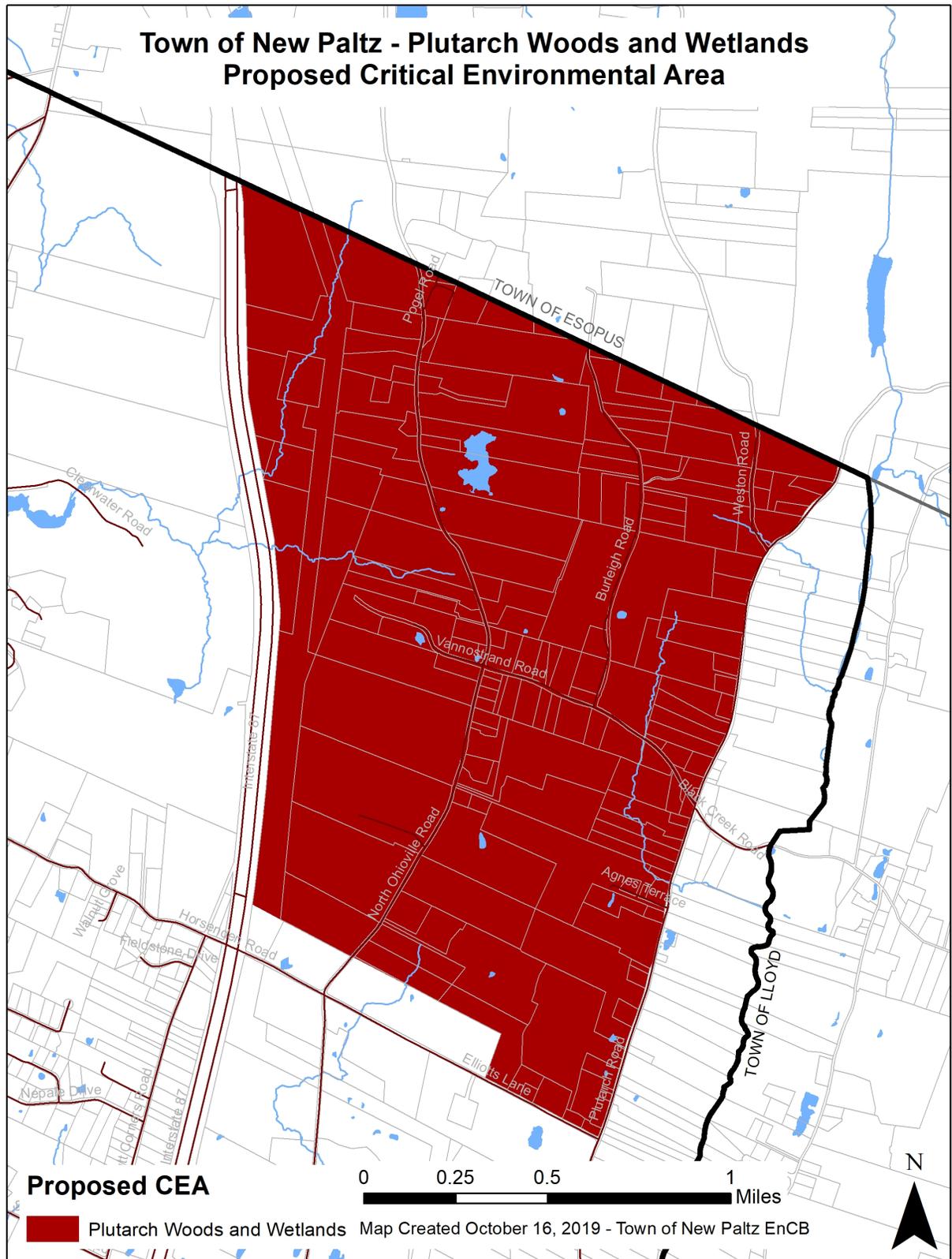
- a natural setting
- an inherent ecological geological or hydrological sensitivity to change that may be adversely affected by any change.

Conservation principles for this area include:

- protect large, intact habitat areas
- protect broad wetland buffers and other riparian buffers
- avoid habitat fragmentation by new roads, driveways, and development, especially within Ulster County habitat cores
- maintain broad habitat corridors (>1000 ft) wherever possible
- protect the Shawangunk-Shaupeneak forest linkage zone
- maintain habitat connectivity among complexes of wetlands or vernal pools

Size: 1588 acres

Location and Boundary:



5. Clearwater Woods

Reasons: wildlife habitat, large forest

Justification and Significance:

This wooded area east of Route 32 and surrounding Clearwater Road and the New Paltz UCRRA landfill site offers a large swath of relatively unfragmented habitat and serves as an important stepping-stone in the statewide forest linkage zone connecting the Shawangunk Ridge and the Shaupeneak forest block east of the Thruway (including the Plutarch Woods and Wetlands CEA). The Clearwater Woods area was recognized in the Northern Wallkill Biodiversity Plan (Cameo Lake Priority Area) and was identified as a priority in the Town of New Paltz Open Space Plan (part of the North Woods and Eastern Wetlands area). The northern half of this forest block comprises a core habitat area identified by Ulster County and the area provides habitat to forest birds and reptiles of conservation concern.

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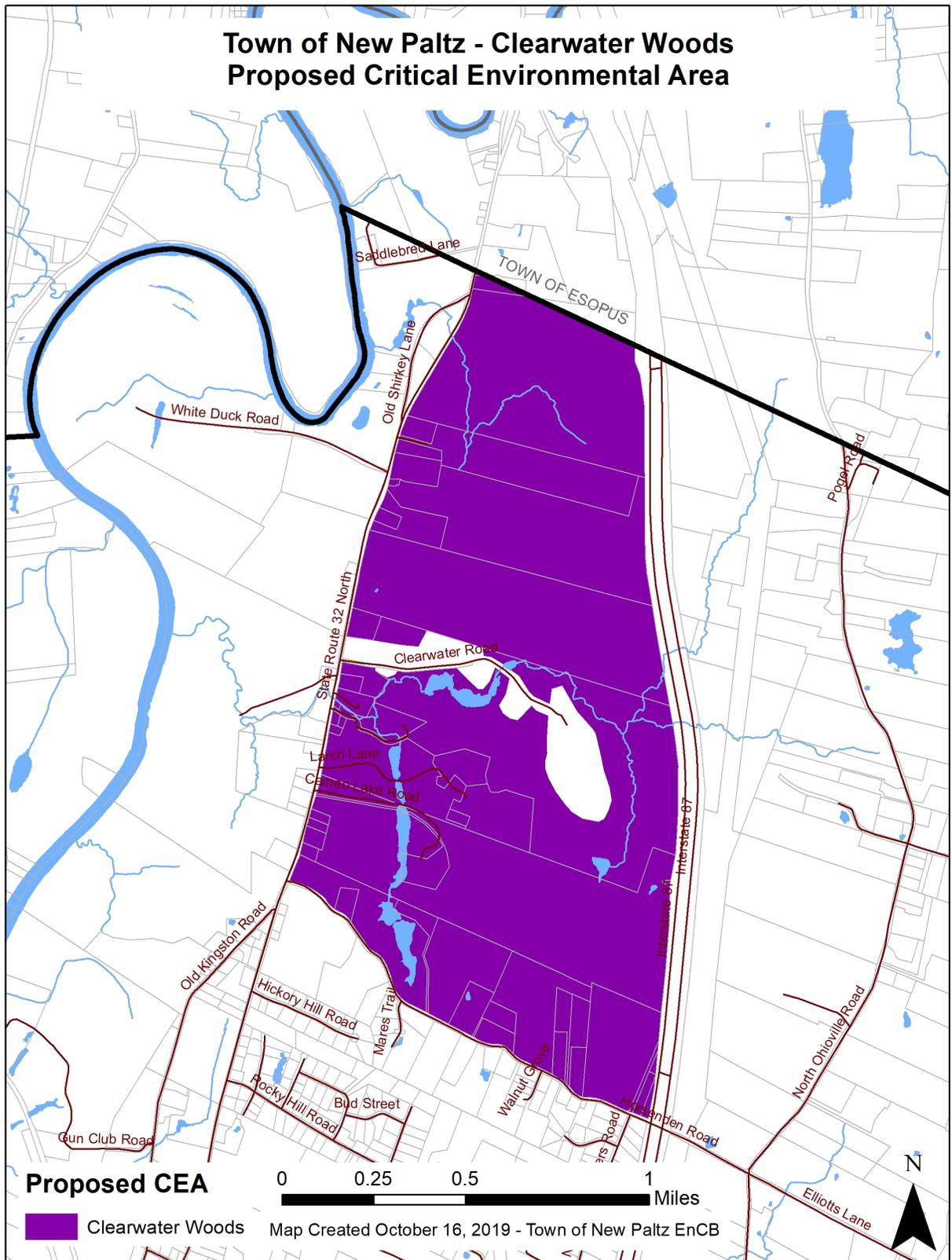
- a natural setting

Conservation principles for this area include:

- protect large, intact habitat areas
- avoid habitat fragmentation by new roads, driveways, and development, especially within Ulster County habitat cores
- maintain broad habitat corridors (>1000 ft) wherever possible
- protect the Shawangunk-Shaupeneak forest linkage zone

Size: 983 acres

Location and Boundary:



6. Stony Kill Woods

Reasons: wildlife habitat, water resource, large forest, scenic resource

Justification and Significance:

Stony Kill Woods is a large block of forest and early successional habitat bordered by Route 299 to the north, Albany Post Road to the west, and Libertyville Road to the east and south. On the western side lies the Stony Kill stream, a tributary of the Wallkill River whose name was identified from 19th century maps. The Stony Kill begins, more or less, at the Testimonial Gateway wetlands north of Route 299 and proceeds south through this undeveloped area before emptying into the Wallkill River near Libertyville Road. The surrounding forest provides watershed protection to this small tributary and benefits the Wallkill itself. The Stony Kill Woods furthermore forms a stepping-stone habitat between the protected lands in the Shawangunk Ridge and Foothills and the Wallkill River. Stony Kill Woods is part of the Butternut-Canaan Foothills priority area in the Town of New Paltz Open Space Plan. The forest also comprises a core habitat area identified by Ulster County and the area provides habitat to birds of conservation concern. Though this area was not studied directly, nearby early successional habitat along Libertyville Road was identified as having high biodiversity value in the Northern Wallkill Biodiversity Plan. Stony Kill Woods has significant scenic value given high visibility from the Shawangunk Ridge and significant frontage along the Shawangunk Mountains Scenic Byway and other surrounding scenic roads.

The defined, relevant criteria may be classified as:

- a natural setting

Conservation principles for this area include:

- protect large, intact habitat areas
- protect and restore riparian buffers
- avoid habitat fragmentation by new roads, driveways, and development, especially within Ulster County habitat cores
- maintain broad habitat corridors (>1000 ft) wherever possible
- protect ridge views (to and from the ridge) and scenic areas along principal road corridors

Size: 535 acres

Location and Boundary:

