

**TIM
MILLER
ASSOCIATES, INC.**

10 North Street, Cold Spring, NY 10516 (845) 265-4400 265-4418 fax www.timmillerassociates.com

March 4, 2025

Nancy Stoner, Environmental Analyst
NYS OPRHP, DESP
625 Broadway, 2nd Floor
Albany, NY 12238

Re: Town of Philipstown DGEIS Review and Comments
Hudson Highlands Fjord Trail

Dear Ms. Stoner:

These are the comments/questions assembled by Tim Miller Associates following a detailed review of the Hudson Highlands Fjord Trail DGEIS, with input from the members of the Philipstown Town Board. Some of the comments reflect the need for additional information or clarification about specific aspects of the Fjord Trail South, while others question the conclusions reached regarding adverse impacts to the local community and environment. Generally, the format of our comments is based on the review of individual chapters as they discuss aspects of the proposal that may impact the environment, ecology and character of the Town of Philipstown. In many cases, quotations directly from the DGEIS are presented in **bold, often with a specific page number**, with comments/questions following in normal print.

It is clear from past Town Board discussions that individual Town Board members have different views about the HHFT, particularly on whether the Fjord Trail South should extend from Little Stony Point into Dockside Park in the Village of Cold Spring. But regardless of these differing views, Town Board members are unified in ensuring that the DGEIS is as comprehensive as possible and realistically captures the proposed impacts and the strategies to mitigate those impacts.

General SEQRA comments

1. SEQRA suggests that the segmentation of a project into smaller components that separately may have lesser impact than an overall plan is not permissible. The Breakneck Connector Bridge and Dutchess Manor improvements are being treated as separate SEQRA reviews and yet are integral parts of the overall Fjord Trail proposal. Why are the potential cumulative impacts of the three components not addressed in the DGEIS?
2. The DGEIS as presented on line is very hard to read. Documents should have been provided as pdf's on websites of each involved municipality, divided by chapters for easy access and reading.

3. Holding public hearings via Zoom was cumbersome and impersonal for a project that has drawn so much public interest. Many of the speakers were not able to connect or unavailable at the time of the call. Public hearing timings at 3:00 and 6:00 made it very difficult for all interested members of the public to attend. In person hearings should have been held in each of the municipalities involved.

4. The document has been prepared as a DGEIS, implying that the proposal as presented is conceptual in nature and certain thresholds must be met when the final design of the project is complete. This assumes that a complete impact analysis is provided of likely project components and mitigation measures to offset these impacts are in place. However, the document is vague at best about the particulars of the project components (e.g., grading and utility plans for parking areas and restrooms, limits of disturbance, clearing and grading for traffic improvements) while offering only that mitigation will be provided according to the requirements of the various agencies and entities that must issue final approvals. Thus it is not possible to fully evaluate the extent of potential impacts or assess whether proposed mitigation measures will be effective.

Introduction

5. Page I-1. The project is presented here and throughout the DGEIS as being located within lands that extend through public and private properties. There is no correspondence from any of these entities that access to these lands is feasible, appropriate or acceptable. The DGEIS should clearly show lands where permission has been granted, where easements exist and where future agreements still need to be made to make the project feasible.

6. Page I-1. “OPRHP has determined that the Proposed Action is the development of the core elements of the Hudson Highlands Fjord Trail analyzed herein.” Analysis of these core elements should therefore rise above narrative concepts and show specific development plans for these elements, e.g. clearing and grading plans for parking areas and restroom facilities, impervious surface and stormwater management, etc. A detailed review and analysis of the impacts cannot be completed based on the information provided in the DGEIS.

7. Page I-2. The DGEIS states that destination elements “such as outdoor classrooms, play areas, kayak launches, and forest nets” are not proposed at this time and would require future environmental analysis. It is clear that these elements are in fact proposed as part of the overall Master Plan and should be considered in the DGEIS to avoid segmentation issues.

8. Page I-2. As noted above, there is concern about SEQRA segmentation issues when the DGEIS states that the Breakneck Connector and reuse of the Dutchess Manor are not part of the DGEIS analysis when they are clearly integral parts of the HHFT Master Plan.

9. Page I-3. Some correspondence from Metro North and the MTA should be provided to confirm that the trail concept in some way is approvable by those entities. Otherwise the DGEIS should provide an alternative that does not require use of MTA lands or categorically state that the HHFT will not be built if this approval is not received.

10, Page I-3. “(A)spects of the Proposed Action which are consistent with the FGEIS may proceed to construction provided that the necessary property acquisitions and arrangements have been completed and final approved design and construction plans conform to the trail alignment, designs, and conditions established in the FGEIS.” Please discuss whether this construction would require site plan approval from the local municipalities for the portions of the trail within their jurisdiction. For example, work on MTA or OPRHP properties would be completed by a private entity (HHFT) for a privately funded action. Is this work subject to local site plan approval?

11. Page I-3. If future proposed work exceeds the thresholds established in the Findings, and a supplemental review (SEIS) must be completed, will there be an opportunity for public review and comment for these activities?

12. Page I-6. “Outside HHSP, other parks along the Fjord Trail Corridor include Long Dock Park, the Klara Sauer Trail, and Madam Brett Park, each owned by Scenic Hudson. Together, these parks and trails along and near the Fjord Trail Corridor draw nearly a half million visitors annually. Breakneck Ridge is among the most popular day hikes in the United States and is estimated to draw nearly 100,000 visitors per year.” Please provide a source for these numbers.

13. Figure I-2a. This figure shows the extent of the proposed trail from Dockside Park to Beacon. At least five parking areas and numerous parking improvements are shown between Little Stony Point and the Beacon maintenance facility near Dennings Point. No parking is shown associated with Dockside Park, in an area of the Village of Cold Spring that currently lacks adequate parking. Please explain why it is not more appropriate to start Phase 1 of the HHFT from the Breakneck Connector to Beacon (with parking available at Dutchess Manor, the proposed Wade’s Hill lot and the former Chalet building) or at Little Stony Point (with the additional parking provided at the expanded Washburn lot), thereby avoiding a significant amount of foot and traffic impact to the Village of Cold Spring. With proper phasing of construction, there would be an opportunity to evaluate the impacts of each phase before the next phase is commenced.

14. Page I-7. “NYS Route 9D parallels the Fjord Trail Corridor between the City of Beacon and the Village of Cold Spring, and the area is served by major highways, including Interstate 84 and the Taconic State Parkway, providing convenient vehicle access to the area.” This statement ignores the fact that this section of Route 9D has only one access point at either end. Once you are south of Mount Beacon and north of Fair Street in Cold Spring there is no other outlet on this segment of road. In the event of a car accident or other emergency there is no alternative to closing the road and requiring all traffic to turn around, creating additional work for emergency service providers. While this is an existing condition, the DGEIS should acknowledge that the addition of many thousands of car trips may exacerbate this condition and represents a potential impact for both traffic and safety that cannot be mitigated.

15. Page I-9. “The 2020 Draft Master Plan (February 2020)...expanded the vision for the Fjord Trail from a singular trail into a “linear park experience.”” There was considerable public support for a singular trail. There is considerable public concern about changing the uniquely isolated stretch of road between Cold Spring and Beacon into a “linear park experience”. Please explain how the expansion of the singular trail concept into a linear park addresses the issues related to the increase to visitation to HHSP and the surrounding communities. Will State

Parks staff be increased to address the increased use of HHSP, including Breakneck Ridge and the existing trails?

16. Page I-9. It seems counterintuitive that significantly increasing traffic and visitation to a new “destination” would result in an easing of the traffic, parking and pedestrian safety issues the Village of Cold Spring and the Philipstown segment between Little Stony Point and Breakneck are currently dealing with. Please describe in detail the numerous mitigation measures that must be in place for this to be realized.

17. Page I-10. Please describe the funding mechanisms for the proposed shuttles between the various train stations and trail heads, as well as the increased use of the existing trolley. Will there be fares associated with the use of these facilities? Describe the long-term guarantees that these entities will continue to operate. How and where will pick-up and drop-off occur in a safe manner considering the traffic on Route 9D? Shuttles would be a welcome amenity as currently there is no scheduled system of transportation for tourists in Philipstown and no Tourist Management Plan.

Chapter 2: Project Description.

18. Page II-1. There is much said about the purchasing of easements or leases and agreements on properties that are not controlled by HHFT. Much of the “Trail South” is on land owned by OPRHP, MTA or the NYSDOT. Some of the land is in private hands. What happens to the project if agreements cannot be reached with the various landowners/entities? What happens if certain phases/segments of the trail ultimately cannot be built?

19. Page II-2. The main trail is described as being “10 to 14 feet wide, gently sloped, and would be designed to provide recreational opportunities for everyone regardless of differences in ability”. Is the trail wide enough for bicyclists, pedestrians, wheelchairs and walkers moving in both directions to safely coexist?

20. Page II-3. Parking. A total of 218 new parking spaces are proposed in three new/improved parking areas. With the addition of 180 spaces at Dutchess Manor, some of which would be used for employees, how would these 398 parking spaces accommodate the more than 1,700 new traffic trips to be generated with the HHFT? While the Metro North station at Cold Spring does include some available weekend spaces, these are often used by people taking the train to the City on weekends, as well as the current visitors. Was a comprehensive parking study completed? If so, during what time of the year and under what weather conditions? The expected increased use of the train station parking for visitors heading to Dockside Park would significantly increase the pedestrian traffic in the lower parts of the Village. If the parking lot is full, a significant increase in vehicular traffic in the village would result.

21. Page II-3. Parking. How large in area would the parking areas be? How much clearing and grading would be necessary for the construction of these lots? An evaluation of possible ecological impacts is not possible without more detail. A Generic Impact Statement should provide reasonable assumptions about the impacts to land and natural resources so that thresholds can be established.

22. Page II-3. Restrooms. It is stated that a minimum of 10 restroom facilities would be built along the trail. The exact location of these structures, including clearing and grading, installation of septic systems if required, etc., are not evaluated.

23. Page II-3. The HHFT South as proposed will begin at Dockside Park in the Village of Cold Spring and then run northwards, parallel to the Metro North train tracks, up to Breakneck Ridge. Since the trail must be at least 25' from the train tracks, a portion of the trail is proposed to be built on an elevated walkway constructed on pilings in the Hudson River. Please provide an update as to the state of negotiations and design approval with MTA. Additional comments about the ecological and Viewshed impacts of working in the river will follow.

24. Page II-10. Phasing. The phasing table is a little confusing as it shows Phase 4 for the Trail South happening concurrent with the first three phases for the Trail North, beginning in 2026. Because the potential impacts to the Village of Cold Spring with the Dockside Park to Little Stony Point connector are so great, there should be an opportunity to evaluate if that connection is necessary and viable assuming other segments of the trail are completed and the impacts if any are assessed.

25. Page II-11. Construction. The DGEIS is visibly lacking in details regarding the means and methods of construction of the in-water portions of the trail. There is considerable language regarding the need for additional studies, engineering and evaluation. More than 400 piles would need to be installed to support the raised boardwalk portion of the trail, but it remains unclear what the impact of this activity will be.

1. Is the water at the various locations deep enough for a barge to get close enough to complete the work without disturbing the beds and banks of the river?
2. Has the long term impact to the submerged aquatic vegetation been adequately addressed?
3. Have the sediments at the various locations been tested for hazardous chemicals? How will re-suspension of sediments be contained? Is there a plan in place to mitigate and fund the removal of contaminants if discovered? What approvals would be required if such contaminants are discovered?
4. How will the concrete used to fill the piles be contained so as not to contaminate the river during construction?

26. Page II-12. Construction at Little Stony Point. Will the Little Stony Point bridge be able to support heavy machinery, like that which is used to drive piles?

27. Page II-12. "The proposed trail alignment would then be graded, stabilized, and laid with crushed stone." Is crushed stone a suitable substrate for bicycle and wheelchair use?

28. Page II-13. Approvals, reviews and permits. Putnam County does not issue land use approvals on municipal or private lands. Will the Town of Philipstown review site plan applications for work to be completed within the town portions of the trail, including parking lot expansion, raised boardwalk construction, restroom construction, etc.? While some of these activities will occur on Parks land, the actions are being undertaken by a private entity, not the OPRHP, and therefore may require site plan approval from the Town.

Chapter IV.A Land Use and Zoning

29. Page IV.A-2. Dockside Park is part of the HHSP and is managed and maintained by the Village of Cold Spring. What rights does the Village have regarding how the park is used and construction activities that can occur there?

30. Page IV.A-4. Can the Town of Philipstown's goal of "facilitat[ing] visual and physical access to the Hudson River" be accomplished by improving access to Little Stony Point and continuing the HHFT to the north from this point, rather than including the connector to Dockside Park to the south? Can Little Stony Point absorb the extra foot traffic?

31. Page IV.A-6. Future without the proposed action. "HHFT, Inc. is advancing the Breakneck Connector and Bridge Project (BNCB), which will include improvements that would provide safer access to the Breakneck Ridge Trail in HHSP, including new parking areas along NYS Route 9D, restroom buildings, new platforms at the MNR Breakneck Ridge station, upgrades to the Breakneck Ridge Trail, and a 0.6-mile off-road shared-use path connecting these amenities." If this portion of the trail is already approved and under construction, and provides these amenities and mitigation measures, are the impacts related to the Trail South avoidable? Is it possible to connect the trail from Breakneck to Beacon without the southern part of the trail? Under this scenario no direct impacts to the river would be required.

32. Page IV.A-6. "While the BNCB just north of the Fjord Trail South Corridor would include improvements that would provide safer access to the Breakneck Ridge Trail in HHSP through new parking areas and an off-road path, improved pedestrian and bicycle connections between the Village of Cold Spring and HHSP trailheads would not be addressed without the proposed Fjord Trail South." Would the diversion of a significant portion of the vehicular and pedestrian traffic that currently comes through Cold Spring to get to Breakneck negate the need for improved pedestrian and bicycle access? If the primary access to the trails was through Dutchess Manor, the northern parking lots and the Breakneck train station, would improvements in and near Cold Spring be necessary?

33. Page IV.A-8. "One of the goals of the *Town of Philipstown 2030 Comprehensive Plan* (2021) is to "[e]xpand the Town's capacity to meet current and future demand for recreation." To achieve that goal, the Comprehensive Plan identified the strategy of "facilitat[ing] visual and physical access to the Hudson River," by "[s]upport[ing] the Hudson Highlands Fjord Trail Project." The Fjord Trail South section would develop, within the Town of Philipstown, a recreational trail that connects to other existing and recreational uses, helping the Town meet future recreational demands." Many thousands of acres in the Town of Philipstown are privately or publicly owned open space, including hundreds of acres in the vicinity of the proposed Fjord Trail. It is stated elsewhere in the DGEIS that the populations of Cold Spring and Philipstown are not expected to increase significantly over the next few decades. Please explain how the conclusion was reached that additional recreational needs do or will exist. Are there opportunities at existing State and private lands to make improvements that would benefit the local community?

34. Page IV.A-9. "The proposed Fjord Trail South would be consistent with the existing land uses and conform with the public policies that guide development in the area by

providing connections to existing and new recreational opportunities, increasing access to the Hudson River and other natural and cultural resources, and incorporating protection measures to avoid impacts to the MNR tracts. Fjord Trail South is consistent with existing land use, zoning, and adopted public policies. As a result, no related adverse impacts are anticipated, and mitigation is not required."

The Village of Cold Spring is very small (less than one square mile in size). It is largely residential, with commercial development being largely concentrated on Main Street and NYS Route 9D. Dockside Park is located at the far western boundary of the Village of Cold Spring, at the end of Main Street, It abuts the Hudson River, and access to it is restricted by the street layout of the Village. Further, parking in the Village is extremely limited.

The HHFT will daily draw hundreds, and possibly thousands, of people to Dockside Park who would not otherwise be there. This influx of motor vehicle and pedestrian traffic will continue year-round; very likely being somewhat greater in spring, summer and fall, and somewhat lesser in winter. The DGEIS fails to adequately consider and analyze, much less propose adequate mitigation measures for the reasonably anticipated significant adverse impacts to land use, growth and community character posed by the HHFT drawing thousands of persons to Dockside Park in Cold Spring. The DGEIS does not provide prudent and feasible alternatives that would reduce the potential impacts to a level where they could be mitigated.

Chapter IV.B. Land ownership, management and maintenance.

35. Page IV.B-2. "MNR has provided guidance and input during project planning, layout, and design as part of the Project Steering Committee." While this is true, has MNR committed to the project and use of MTA lands?

36. Page IV.B-2. "NYSDOT has been involved as a partner and has provided guidance, input, and support during project planning, layout, and design as part of the Project Steering Committee." While this is true, has the DOT committed to the project, reviewed technical analysis of the project and required specific mitigation measures?

37. Page IV.B-5. "Roughly 75 percent of Fjord Trail South would be located within MTA/MNR-controlled lands. Any portion of Fjord Trail South on MTA/MNR-controlled parcels is proposed to operate under a future potential agreement between OPRHP and MTA/MNR. It is contemplated that these portions of trail would ultimately be operated by HHFT, Inc. under a cooperative management agreement between OPRHP and HHFT, Inc." Please update the status of these discussions and the impact to the project if agreements cannot be reached.

38. Page IV.B-7. "A roundabout is being considered at the proposed Washburn Lot entrance at its Fair Street and NYS Route 9D intersection, pending further coordination with NYSDOT. The roundabout would be within NYSDOT right-of-way and would be maintained by NYSDOT." No further details regarding the possibility of a roundabout is provided, including whether there is sufficient land area to construct such a traffic feature, the amount of clearing and grading that would be required or the impacts to adjoining property owners. Fair

Street is a county road, so it is expected that Putnam County would also be involved in the design and approval of a roundabout.

39. Page IV.B-7. “While HHFT, Inc. would implement the new sidewalks along the potential Fair Street Meander, the right-of-way would remain under Putnam County ownership and no changes in maintenance responsibilities are anticipated.”

“While HHFT, Inc. would implement the new sidewalks along the potential Fair Street Meander, the right-of-way would remain under Village of Cold Spring ownership and no changes in maintenance responsibilities are anticipated.”

Who would be responsible for maintenance of the new sidewalks, including snow removal and repair? Is a mutually beneficial partnership between Parks, municipalities and HHFT proposed for future maintenance and responsibilities?

40. Page IV.B-7. “HHFT, Inc. would assume management responsibility, including operations and maintenance, of Fjord Trail South. Fjord Trail South would run through lands currently managed and maintained by OPRHP (including Little Stony Point and Dockside Park), MTA/MNR, and NYCDEP; HHFT, Inc. would assume operations and maintenance responsibility via a cooperative management agreement with OPRHP that would outline the operation and maintenance obligations and require HHFT, Inc. to fund an endowment sufficient to support the operations and maintenance of the Fjord Trail should HHFT, Inc. fail to do so.”

Future funding and maintenance of the HHFT, its appurtenances and associated costs are of paramount concern to the Town of Philipstown. Please provide additional details as to how this would work.

41. Page IV.B-8. “In the MNR right-of-way, the protective fencing or other security measures that would be installed on and along the elevated and at-grade portions of Fjord Trail South would be designed in accordance with MNR requirements and coordinated with and approved by MNR, as appropriate, and maintained by HHFT, Inc.”

Please provide a detail of the proposed fencing, along with cross-sections and elevations so that an evaluation of the potential visual impacts can be properly assessed. Will HHFT provide security personnel and private EMS staff to provide services for the expected increase in visitation?

42. Page IV.B-9 “HHFT, Inc. is self-funded through private charitable donations. This includes an endowment which is being scaled up as the project develops. The endowment will help cover annual operational costs as well as long-term capital repair and replacement costs. In addition, HHFT, Inc. would fundraise on an annual basis to support its yearly operating budget. Parking fees would also be considered and may provide operating revenue.”

Please provide additional information about the expected budgeting and overall cost of the HHFT, including the potential for financial contributions from New York State, OPRHP and taxpayers. If

future funding dries up for maintenance and operation of the trail, will OPRHP and New York State taxpayers be responsible?

Chapter IV.C. Land

43. This chapter does not address the soils/bedrock conditions in the shallow areas of the river where it is proposed to place piles for the elevated portions of the trail. Please describe the conditions of these soils and the potential that these soils may be contaminated and require special treatment. Provide information about the methods to be used for containment of re-suspended sediments and the potential impacts to aquatic plants and animal species.

44. Page IV.C-4. “The proposed Meanders at Little Stony Point would be constructed on existing trails and crushed rock fill, while the Main Trail would follow an artificial embankment from Little Stony Point to Dockside Park.”

Please describe an “artificial embankment” and provide a detail showing the likely height of such an embankment and the potential for visual impacts.

45. Page IV.C-5. The DGEIS references the need for 6,060 cubic yards of fill. This is a very specific number if there are no detailed plans available for review.

46. Page IV.C-6. How is it possible to review the potential impacts of a project, including the potential for impacts due to erosion and sedimentation, earth movement and stormwater runoff if no plans are provided? While a DGEIS may be conceptual in nature, some detail better than from small scale aerial representations of possible limits of disturbance is necessary.

Chapter IV.D Water Resources

47. Page IV.D-9. Please provide details regarding the use of barges in the area of the in-water activities, including the depth of water at these locations, draft of barges to be used, reach of crane and boring equipment, etc. The concern is that the barges will need to be close enough to the shore to work and may run aground, re-suspending potential contaminated sediments and affecting water quality in the river.

48. Page IV.D-10. There is a lot of discussion about raising both the elevated deck portions and at-grade portions of the trail to land above project MHHW elevations. Combining this with necessary security fencing near the railroad tracks, how high will the overall structure be and how will this affect existing views of the river from current viewpoints?

49. Page IV.D-11. Wetlands. The DGEIS does not say whether wetlands will or will not be affected, only that appropriate permits will be sought if wetland disturbance is necessary. Even in a DGEIS format it is not possible to assess potential adverse impacts to an important resource like wetlands if it is not disclosed whether these resources will be disturbed or not.

50. Page IV.D-12. Operation. More information is needed about the proposed “grated deck surfaces”. How open is the grating on these surfaces? Are they safe and comfortable for bike

and wheelchair traffic? Is the 10-foot wide limit of the trail in these areas sufficient for safe operation with pedestrian and bike traffic flowing in both directions?

51. Page IV.D-13. How much consideration was given to moving the trail to the east side of the train tracks, between the MTA right-of-way and Route 9D? This alternative would eliminate much of the concern about work in the river and potential impacts to water resources. Similarly, starting the trail at either Little Stony Point or the Breakneck Connector would significantly decrease any disturbance to the sensitive areas along the river. More consideration should also be given to the so-called "Upland Alternative" on the east side of Route 9D.

Chapter IV, Section E, Biological Resources

52. Page IV.E-8. Submerged aquatic vegetation (SAV). The DEIS acknowledges that SAV areas exist within the proposed limits of disturbance for the raised portions of the trail within the river. SAV areas are very sensitive to re-suspension deposition of sediments and siltation. How far from the shore will the barges be required to work in order to avoid permanent disturbance to SAVs, and will this be practical from a construction standpoint? Has the possibility that the underlying sediments are contaminated been considered, and the potential impacts to other river biota beyond the immediate location of work?

53. Page IV.E-23. The DGEIS largely minimizes or ignores potential impacts on wildlife from creating the walkway in the Hudson River. The DGEIS proposes that elevated trail sections and wildlife culverts under the trail might be necessary, but provides no specifics on where these might be located, what animals they would benefit or how they would mitigate the potential adverse impacts.

54. Page IV.E-26. "Temporary shading and increases in suspended sediment resulting from the use of barges would be minor, temporary, localized, and sediment re-suspended would dissipate upon cessation of sediment disturbing activities and would not have the potential to adversely affect SAV beds in the long-term. Erosion and sediment control measures would be implemented on land during construction to prevent the discharge of materials into adjacent SAV habitat." SAV habitat is especially sensitive to re-suspension, siltation and deposition. It is not plausible to simply conclude that any re-suspended materials that are directly deposited on aquatic vegetation will simply dissipate after construction is completed with no harm to the vegetation. A more detailed plan for the prevention and/or containment of such re-suspension must be provided.

55. Page IV.E-27. "Reduction in light due to overwater coverage from the Trail could still have an adverse effect on the ability of SAV to grow and thrive. As the design for the Fjord Trail South advances, SAV survey results will be finalized for the Hudson River within the Fjord Trail South Corridor in coordination with OPRHP and the NYSDEC to avoid and minimize impacts to these beds to the extent possible through construction means and methods and elevated trail design. In consultation with the NYSDEC, OPRHP, and NMFS, SAV restoration opportunities would be explored, focusing on native species such as water celery (*Vallisneria americana*) in areas along the shoreline identified as having the appropriate conditions. SAV restoration and creation and selective control of invasive water chestnut in these areas would be conducted in consultation with OPRHP and

NYSDEC. SAV restoration projects have had decidedly mixed results, using both water celery and eelgrass (*Zostera marina*). Considering the importance of SAVs in the shallow water ecology of the river, we would suggest that avoidance of these areas is the best alternative.

56. Page IV.E-30. “Fjord Trail South would be elevated over the Hudson River shoreline, except for the portion that would pass through Little Stony Point. Construction of Fjord Trail South would require up to three spud barges, secured by two piles each, for material delivery and storage for the northern portion of the Trail between Breakneck Ridge and Little Stony Point. Piles would be drilled into the mudline and filled with concrete to support the elevated section of Fjord Trail South.” It appears that the DGEIS once again downplays the impact of barge utilization, drilling, sediment re-suspension and potential accidents with concrete over a four to five year period. An alternative to the placement of the trail over the Hudson River should be more seriously considered. It is possible that only those portions of the trail that do not require in-river work are in fact feasible.

Chapter IV.G. Scenic Resources.

57. Page IV.G-1 “As discussed in more detail below, Fjord Trail South would not significantly change the visual character of the surrounding Trail Corridor.” It seems unreasonable to conclude that the construction of the trail as proposed will NOT represent a significant change to the Viewshed from public points of view. Based on the information provided, the views from Fair Street at Mayor’s Park, Little Stony Point and Route 9D heading both north and south will be interrupted by the raised trail and security fencing. While it is possible that the trail will be an attractive addition to the Viewshed, it will still represent a significant change to the natural landscape and the information provided is not detailed enough to conclude otherwise. The photographs provided are of distant views at a small scale that do not represent the reality of the existing conditions. Photo-simulations of the proposed conditions looking west from Route 9D just south of the Breakneck train station, at several locations along 9D south of Breakneck tunnel, and looking west from Fair Street at Mayor’s Park, at a scale that is representative of actual conditions, should be provided. These should include the removal of all existing trees and shrubs at the water’s edge since these are not expected to survive the construction of the elevated trail sections.

58. “Further, Fjord Trail South would be consistent with, and largely similar to, existing uses within the surrounding areas. Fjord Trail South would not interfere with the public’s enjoyment of local parks and other community assets in the surrounding area; rather, it is expected to enhance them. Therefore, the proposed Fjord Trail South would not result in a significant adverse impact on the visual character of the Fjord Trail South Corridor.” It seems unreasonable to conclude that the addition of 300,000 to 400,000 new visitors each year will not interfere with the community assets in surrounding area. At the very least, vehicular and pedestrian traffic in and around Cold Spring will get worse, crowds on the existing and new trails will increase, and requirements for maintenance, emergency services and security will increase.

59. Page IV.G-6. The elevated trail deck would be about one to four feet above the elevation of existing MNR tracks, depending on location. Protective fencing on the east side of Fjord Trail South, in accordance with MNR requirements, would range in height from eight to twelve feet. Typical guardrails of roughly four feet in height would also be installed. The design of the elevated sections would be low profile, and no lighting is proposed.” Fair

Street at Mayor's park is generally below the elevation of the tracks; much of Route 9D along the Fjord Trail South section is at or close to the same elevation. Please provide cross-sections, fence details and elevations to show how a structure that is 13 to 16 feet high on the west side of the tracks will not interfere with existing views of the river.

60. Page IV.G-11. Mitigation. "The construction of the proposed Fjord Trail South would not significantly change views of the Fjord Trail South Corridor from the surrounding community and selected viewpoints, owing to the perceived scale of the proposed Fjord Trail South and the context into which it would be sited... Accordingly, no significant adverse visual impacts are anticipated and, therefore, no additional mitigation would be required." It is not clear how this conclusion was reached. While it is true that views of the river from the new trail will be improved, it seems implausible that the alteration of views at several public locations along Fair Street and Route 9D could be considered "not significant". Additional information as requested above is required to test that conclusion.

Chapter IV.H. Noise and Air Quality.

61. Page IV.H-4. "The diesel powered trains would be expected to generate the highest noise levels in the area, but operation of personal, maintenance (lawn tractors) and municipal (school buses, snowplows, park, and field maintenance) vehicles as well as those vehicles that service the existing uses (waste removal and delivery trucks) would also contribute to total noise levels. These noise sources are temporary/transient, resulting in noise levels that fluctuate over time, although average noise levels would be expected to be consistent with "Suburban areas with medium-density transportation" as noted in Table IV.H-1." Contrary to the DGEIS description of the area, the south trail section of the Fjord Trail has very few residences contributing to "suburban" noise levels and is in fact almost entirely undeveloped open space. The Metro North trains run on the average of three to four trips per hour, with sporadic use by Amtrak. The CSX freight trains only run at night on the east side of the river.

62. Page IV.H-7. Construction noise. The DGEIS describes the increase in noise levels due to construction from pile driving, truck traffic down Main Street, jack hammers and other construction equipment over a period of five to six years and concludes that there will be no adverse impacts. For the south part of the trail this work includes areas that are close to residences (on both sides of Fair Street), a restaurant (The Riverview), and frequently used public parks (Mayor's Park, Dockside and Little Stony Point). The increase in noise levels associated with this work, particularly the pile driving, will certainly be noticeable and change the character of the experience by both visitors and residents in the community during the course of construction. Pile driving is absent from Table IV.H-1, so it is impossible to compare it with more common noise sources.

63. Page IV.H-10. Operational Air Quality. The Traffic and Transportation study concludes that there will be a significant increase in traffic due to the presence of the trail, and that existing intersections in the Village will have increased delay times. Vehicles idling at these locations will certainly result in a change in air quality from existing conditions.

Chapter IV.J. Growth and Community Character.

64. “The Fjord Trail would not be anticipated to result in a significant adverse impact on growth or community character of the Town of Philipstown and Village of Cold Spring during construction or operation of the trail.....While the Fjord Trail would be anticipated to increase the number of visitors to the area, and to downtown Cold Spring, the Fjord Trail itself would be anticipated to absorb many of these new visitors. Further, these areas are already popular destinations currently characterized by high visitation, which would remain with implementation of the Fjord Trail.

In DEC’s discussion of SEQRA and environmental impacts, “community character is defined by all the man-made and natural features of the area. It includes the visual character of a town, village, or city, and its visual landscape; but also includes the buildings and structures and their uses, the natural environment, activities, town services, and local policies that are in place. These combine to create a sense of place or character that defines the area.” (<https://dec.ny.gov/regulatory/permits-licenses/segr/eaf-workbooks/part-2-identification-of-potential-project-impacts/q18-consistency-with-community-character>.) While it is true that Cold Spring and Philipstown are already popular destinations, it is also true that there are serious concerns about the increased numbers of visitors and the impact on the quality of life of existing residents.

65. In addition, the Fjord Trail would provide alternative and more direct means of access to area hiking destinations, reducing hikers’ use of the Village’s roadways, including Main Street and Fair Street. As it is not anticipated that increased use of the area would have a significant adverse impact on the character of the local municipalities, no additional mitigation measures are expected to be required as a result of construction and operation of the Fjord Trail.”

Questions remain regarding the assertions and assumptions in the DGEIS offered as support for the proposition that drawing thousands of people to the Town of Philipstown and other local communities does not present any “potential significant adverse environmental impacts”. For example, the DGEIS states that Fjord Trail will “absorb many of these new visitors” (i.e., they’ll show up but immediately enter the Fjord Trail and head north out of the Village; presumably leaving immediately upon their return from hiking the trail). What is this assumption based on? Is it not more likely that HHFT hikers will want to visit Cold Spring and will walk up Main Street or congregate in the Depot area both before and after hiking the trail. If the trail starts at Dockside, the fact that the Cold Spring train station is the first stop from the major population areas for access to the trail, and the Village has a long-held reputation as a destination on its own, makes it most likely that most visitors arriving by train will get off at the Cold Spring station rather than staying on the train until Breakneck or Beacon. The proposed phasing plan should consider starting the trail at Little Stony Point, where parking will be available, and re-evaluating the impacts of traffic and increased congestion over a period of years before connection to Dockside is considered.

66. The proposed Fjord Trail South runs roughly from the Town of Philipstown line to Little Stony Point to Dockside Park. The DGEIS identifies it as Phase 4, with a build period from 2026-2031. Given that most of the local Town of Philipstown concern focuses on the visitor impact of Dockside

Park as a main trail entry, I think the proposed trail section from Little Stony Point to Dockside should become a new Phase 5 with a start date after a majority of the trail is complete.

67. A primary stated goal of the HHFT project is “to reduce pedestrian traffic on the existing trail infrastructure of the HHSPP and the roads that provide access to it.” The actual increase in visitation, parking difficulties, and traffic is what is currently driving most of the local concern around the HHFT project. In order to test if the visitation, parking, and traffic mitigation strategies proposed by the HHFT are successful in meeting the projected impacts, it is recommended that all proposed visitor, parking, and traffic mitigation strategies be implemented and completed in earlier phases before the Phase 5 decision to continue the trail from LSP to the Village of Cold Spring is made. This would include the proposed Washburn Parking Lot expansion by LSP, proposed Village of Cold Spring meanders, Village of Cold Spring sidewalk improvements, signage, and road infrastructure.

68. It is also recommended that the Lead Agency work with the HHFT and local municipalities located in the Fjord Trail South project area to develop specific benchmarks that would be considered in the decision to extend Fjord Trail South from LSP to Dockside Park. These benchmarks could include real-time data on the increase of visitors, parking capacity, and traffic on the roads. In addition, a benchmark should include some mechanism that allows the broader local community to weigh in – such as a public referendum – before the decision to continue the trail between LSP and Dockside moves forward.

69. Page IV.J-2. The Census Data used is from the 2018-2022 American Community Survey. The population figures should be updated to the most recent ACS data available.

70. Page IV.J-6. Safety considerations of increased pedestrian activity along the Metro North Railroad Tracks should be discussed.

71. Page. IV.J-7. With an anticipated thousands of new daily visitors on a typical weekend day, the demand for an increase in food services will substantially increase. Since this demand will fluctuate seasonally, permanent facilities may be difficult to support, however temporary or mobile food service (food trucks, ice cream trucks etc.) would be easily supported. The Town of Philipstown should review its policies regarding mobile food service and assess their policies.

72. Page. IV.J-7. Although the character of the proposed trail is similar to current existing trails, the sheer magnitude of the length of the trail and the multiple points of accessibility, with parking, distinguish this trail from the quiet unobtrusive trails that currently exist.

73. Page IV.J-8. Traffic and Transportation considerations will have an impact on the character of the Fjord Trail South Area. Visitor projections of 1,710 daily visitors or 347 peak hour visitors is significant and may be underestimating the real numbers. Intersections that area already congested during peak periods will experience additional delay which will need to be mitigated, now or in the future. These mitigation measures have the potential to affect the current community character, especially of Main Street in Cold Spring.

74. Page IV.J-8. Traffic data supporting the statement that the 3 intersections - Main Street at Route 9D; Fair Street at the Washburn lot Entrance and Main Street at Fair Street should be provided along with a Level of Service Assessment for review.

75. Additional description of the proposed "Planned shuttle service between parking areas and trailheads" should be provided.

Chapter IV.K Socioeconomics

76. **Page IV.K-1.** Population should be updated to the most recent ACS data.

77. **Page IV.K-1.** The IMPLAN Model is the industry Standard Modeling software to project direct, indirect, and induced revenue by economic sector.

78. **Page IV.K-4.** The majority of the properties that comprise the Fjord Trail South Corridor are owned and/or maintained by either the MTS/MNR, the NYS Office of Parks, recreation, and Historic Preservation (OPRHP), or the Village of Cold Spring. As such fiscal impacts of operation and maintenance of the proposed trail to residents is minimal.

79. **Page IV.K-5.** The Town of Philipstown does not and will not allocate any budget toward maintenance of the Fjord Trail South Corridor Properties. Please provide additional information as to how the trail will be financially supported

80. **Page IV.K-7.** The Economic Benefits of Project Construction per \$10 Million of Investment presented in Table IV.K-4 appear to be accurate and indicate that approximately 74 full time equivalent jobs in Putnam and Dutchess Counties would be created. In addition, more than 5 million dollars in labor costs would be earned in Putnam and Dutchess Counties, which could result in more than 14 million in consumer spending combined in Putnam and Dutchess Counties.

81. **Page IV.K-8.** As stated earlier, the safety considerations of increased pedestrian movement in proximity to the MNR corridor should be evaluated. This could increase the need for emergency responders should this result in an unsafe situation.

82. **Page IV.K-8.** Local economy spending will benefit the proprietors of the businesses in Philipstown and Cold Spring. However, there will be no benefit to local municipal budgets, since Putnam County does not distribute any sales tax collected to local municipalities.

Chapter IV.L. Traffic & Transportation, and Chapter IV, Section J : Growth & Community Character (Traffic & Transportation Characteristics)

83. The HHFT will result in thousands of additional vehicle trips, and a concomitant need for parking. The DGEIS points out that some additional parking is being provided and traffic study documents that, it claims, show that there will be no significant traffic problems. Also, the DGEIS doesn't adequately address the potential impacts of the additional traffic resulting in accidents closing down Route 9D by making it impassable.

Chapter IV.K. Traffic and Transportation

84. The effect of the increased traffic congestion and delays on Village and town residents is downplayed, when this is a serious factor when it comes to the impacts on the community character and quality of life.

85. In order to mitigate resulting parking and traffic impacts and ensure that the HHFT is climate friendly and does everything possible to reduce GHG emissions from visitor vehicle miles, it is recommend that the HHFT proactively maximizes ways to incentivize visitor use of public transportation.

86. New visitors are more likely to be tolerant of added traffic congestion than failure to find a parking space or long lines at restroom facilities. With parking the consequences can be more problematic. Illegal/unsafe parking, parking in residential areas, vehicles wandering to find parking spaces, or customers lost are the potential consequences. It is expected that visitors arriving by car will often drive directly to Dockside looking for parking near the “start” of the trail, only to find that no parking is available at that location and clog up the small one way streets off lower Main Street. More consideration needs to be given to the consequences of undersupplying parking.

87. The projections and assumptions need to be more closely discussed and analyzed, as they drive the conclusions regarding the number of parking spaces required and the level of new congestion that will be brought to the Village. More clarification is needed to provide understanding of the limitations of projections and estimates.

88. The projection of visitors to the various trails provided in Appendix III/IV.L-8: “Fjord Trail Visitation Projection” should be a discussed. These estimates seem to indicate a major drop off in visitors (about 25%) in the last few years. The limitations of that estimate are understood, but what if the baseline for visitor numbers return in the next few years based on good weather, more press coverage of the Hudson Valley, etc.? The return to prior levels would far outpace the projected one percent increase.

89. What were the weather conditions for the pedestrian and vehicle counts? Were traffic conditions and safety during the school months considered?

90. Page III.L-2 Why were these count periods estimated to be the highest? Clearly you need arrival and departure data or counts to access peak travel periods and peak parking periods.

91. Washburn trail use in May (Figure 29) showed that May is actually higher than the fall. Many colleges finish in May, and the HHFT data shows high weekend hiking as well as higher use of Main Street shopping. Figure 35 shows very high Memorial weekend demand.

92. Train station parking accounts for over half of all parking for the trail, which would be a weekday problem when the commuter lots are already full. The Cold Spring lot is used by residents on the weekend when taking the train into New York City. Was a full parking study conducted to track weekend use before reaching the conclusion that spaces would be available?

93. Page III.L-19. Without the parking areas provided by the construction of the Fjord Trail North, the entire project would not be feasible. The portions of the trail located in Philipstown and Cold Spring could not support the additional traffic and parking demand. Since it is the North Trail that provides the majority of new parking, it is this section of the trail that should be considered the first phase, with some future evaluation of whether extending the trail to the south is feasible.

94. Taking a single parking count on a Saturday and a Sunday was to speculate when the peak parking times are. This was followed up by six hour Saturday count. The entire six hour count should have been included in the appendix and examined how it related to the one hour Saturday count. It is not clear if the six hour period captured peak parking or was it continuing to rise at the end of the period.

95. HHFT Visitor utilization study Figure 1 shows pedestrian crossings in 4 out of 6 periods show peaking after 2 p.m. This is later confirmed and indicates May is the highest period. The number of persons per car was developed but should be more closely documented.

96. HHFT Figure 35 is confusing. The capacity shown is not lot capacity but, as the title suggests, lot and on-street capacity of 82 spaces. This shows a shortfall of approximately 40 spaces. However the lot expansion is only 29 vehicles (48 to 77). Furthermore, Figure 36 shows 127 parked vehicles suggesting an existing 45 space shortfall. It is unclear if the 82 spaces from the HHFT study page 26 is now 78 spaces Little Stony Point and Washburn Table III.L-1 and III.IV. L-6. Please clarify this conflicting information.

97. While there is pedestrian and vehicle data it is unclear how this was used regarding the vehicle occupancy (passengers per vehicle) survey, Page III.L-18. This data is critical to consider restroom facilities.... Table III.L-6 what survey data was used?

98. Eliminating nose-in parking along Route 9D south of the Breakneck tunnel was already implemented. Please identify when that was done and the impact if any on collisions. Was Page III.L-14 estimated parking based on nose-in or parallel parking? How many parking spaces were lost in the change?

99. For informal parking area it is best to note actual parking and assess vacant parking as the capacity can be more or less than estimated. Was this used to estimate the parking or was it by length of the parking area?

100. When were the Mt. Beacon and Washburn parking lots expanded? Was this before or after parking surveys?

101. Survey details of the modal split survey are not presented or referenced on Page III.L-18. How many, where, when, etc.?

102. Where is the existing and proposed Bus parking?

103. There were no speed counts done, especially on the Route 9D section near existing on-street parking or near the pedestrian crossing. Since a speed limit change is recommended such a speed survey is needed.

104. Given the number of fixed object and head on collisions consideration should be given to centerline pavement warning and on shoulders where there is no on-street parking.

105. Given the number of animal collisions it would be important to look at collisions with animals and any existing and new fencing locations. Placement or warning signs would also be better

considered with the identification of the location of collisions with animals. Such data in the collision appendix should be summarized in a map along with information corresponding to obstacles to animal movements.

106. Page III-L-9. Is the Cold Spring trolley free? Any information on use, schedule, and signing?

107. Further information such as the parking surveys from Creighton Manning LLC should be provided in an Appendix as well as weekday use. This number is critical as represents almost half of available weekend parking. What is the use of the weekend and weekday Cold Spring Train parking lot? Parking table footnoted both train station parking lots but is inconsistent with actual footnote discussing only the Beacon station. The movement to Return to the Office and congestion pricing in Manhattan may have an effect on the need for weekday train station parking and to a much lesser degree on weekend train station parking.

108. If there is to be a new kayak launch this should be mapped along with the existing business.

109. Should have a map showing where existing and initially proposed rest rooms, trash and recycle containers, bicycle parking, and accessible parking.

110. Section IV M-2 for the southern trail repeats the northern trail section regarding moving telephone poles, changing parking along Route 9D, changing speed limit... These are no action changes. It should be noted that these would be part of the build condition also. These improvements should be shown on figures.

111. If Fair Street Route 9D is recommended to be a roundabout, reducing the southbound speed limit to 30 miles per hour north of a roundabout should be considered. Expansion of the Washburn parking area should be done in conjunction with the roundabout design as it could alter existing parking and grades there. Nothing, not even a concept drawing of the extent of the roundabout, how much clearing and grading would be necessary, etc., are provided.

112. The Route 9D/Main Street Intersection is the worse operating intersection, not just for holidays and special events. Section III.L-24 recommends removal of parking on the east and west Main Street approaches in a village that is already short of parking. Further discussion is needed on the number of spaces to be lost and should note the westbound approach will potentially impact two businesses. A diagram of how this change might look should be provided. Can the congestion be accepted without this improvement?

113. HHFT should employ visitor demand strategies from the start that incentivize public transit. Section III.L-26: "Visitor Demand Management Strategies" proposes a number of solutions such as dynamic parking prices, parking reservations, incentivized carpooling, and timed entries for parking. While the DGEIS states that these solutions "could be employed where peak visitation exceeds the design day", it is recommend that these solutions be employed from the start of the HHFT's opening.

114. More detailed data on what Main Street parking is available by time of day and block should be provided.

Chapter IV, Section N, Emergency and Public Services

115. Adding thousands of people and vehicles to the Village and the Route 9D corridor will result in an increased demand on EMS, Fire and Police Services. The DGEIS concedes that "Increased visitation would potentially increase demand on emergency service providers" although it denies that it would result in any significant adverse impact on police, fire and medical response providers. Mitigation for the increase demand must be proposed and considered if the trail is to move forward. Provision of private EMS staff on site and private security would be a start.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Steve Marino", with a stylized flourish at the end.

Steve Marino, PWS
Principal/Senior Environmental Planner
Tim Miller Associates, Inc.