

DRAFT SCOPING DOCUMENT
for the
Draft New York State Historic Preservation Plan (2021-2025)
Draft Generic Environmental Impact Statement (DGEIS)

Project Location
Statewide, New York

April 1st, 2020

SEQR CLASSIFICATION: TYPE 1

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I. Introduction

Historic preservation is an important function within the New York State (NYS) Office of Parks, Recreation and Historic Preservation (OPRHP). The breadth and scope of historic and cultural resources in New York State includes archeological sites, places significant to individuals and groups that have made contributions to the broad patterns of our state's history, important individual architectural and landscapes resources, and historic districts that reflect our nation's past. Importantly, New York State includes historic resources that are inclusive of every citizen's history.

The State Environmental Quality Review Act (SEQR) process has recently been initiated for the proposed action: the adoption and implementation of a comprehensive statewide historic preservation plan, the New York State Historic Preservation Plan (2021-2025). This State Historic Preservation Plan (SHPP) is to guide preservation efforts statewide over the next five years.

Whereas the preparation and implementation of a statewide historic preservation plan by the State Historic Preservation Officer is mandated by the National Historic Preservation Act (16 U.S.C. 470)—and necessary for New York State to receive appropriations from the federal Historic Preservation Fund—OPRHP is the only state agency with the statutory responsibility to prepare the plan. Accordingly, OPRHP will serve as the lead agency for the proposed action.

This Draft Scoping Document is intended to define the scope of information to be included in the SHPP/ Generic Environmental Impact Statement (GEIS) in compliance with Article 8 of the New York State Environmental Conservation Law (ECL § 8-0101 et seq.) and its implementing regulations, found in Part 617 of Title 6 of the Official Compilation of Codes, Rules and Regulations of the State of New York (6 NYCRR 617).

SEQR and Scoping the Draft General Environmental Impact Statement

The purpose of SEQR is to incorporate the consideration of environmental factors into planning, review and decision-making processes from the outset. These considerations are often captured in an Environmental Impact Statement (EIS). Scoping is the process by which the issues to be addressed in the EIS are identified. Scoping is also the first opportunity for public participation in the review process; it allows the community and interested stakeholders to be made aware of the proposal and to identify topics and concerns of interest for potential inclusion in the document. Comments received during the public scoping comment period will be considered during preparation of the Final Scoping Document.

Whereas the SHPP will have “wide application,” influence “the range of future alternative policies or projects,” and lead agencies are permitted to prepare a generic EIS for “the adoption of a comprehensive plan,” the preparation of a GEIS was determined to be appropriate to assess the environmental impacts of the proposed action (6 NYCRR 617.10(a)).

A1. Planning Process. Statewide plans are the product of collaboration. The planning process for the SHPP 2021-2025/GEIS began in late 2019 when leadership and staff from the Division for Historic Preservation (DHP) and the Division of Environmental Stewardship and Planning (DESP) met to discuss strategies to prepare an updated SHPP. The two Divisions established a recurring monthly meeting date for the duration of the planning process, with supplemental meetings to be scheduled as needed. During these meetings, participants discuss ongoing efforts to collect information, conduct original research, evaluate the outcomes of engagement with preservation

and cultural resource experts and organizations, and work to develop goals and objectives that reflect a nuanced understanding of preservation needs and priorities within the State.

The planning process will also include the participation of the Governor-appointed State Board for Historic Preservation.

A1.1 Public Input. The Planning Team will employ a broad-based public participation process and coordinate multiple opportunities for engagement in the development of Plan goals, objectives, strategies, and other content that address local, regional and statewide preservation and cultural resource protection needs.

Meaningful opportunities for public participation in the planning process of the SHPP/DGEIS help to ensure a balance of interests in plan formulation and broader support for Plan implementation. OPRHP intends to solicit public input at outreach meetings/webinars; through a general public survey distributed to State residents over the age of 18; from a survey of preservation professionals widely distributed to agencies, organizations, and persons with interest or expertise in historic and cultural resources; individual interviews; the public scoping comment period, and the Draft GEIS comment period. Other opportunities may arise throughout the planning process.

A2. Environmental Review Process. The OPRHP has initiated the SEQR review process for the proposed action to adopt and implement the SHPP/GEIS. OPRHP declared itself lead agency, issued a Positive Declaration, and published this Draft Scoping Document on Wednesday, April 1st, 2020, indicating a GEIS would be prepared for the proposed action.

After its publication, the DGEIS will be made available for public and interested agency review and comment for a minimum 30-day period. Comments may be provided to the Lead Agency in writing during the DGEIS comment period, and a public meeting/webinar will also be held to receive comments on the DGEIS. A Final GEIS will then be produced considering and incorporating substantive comments received.

In addition to SEQR review, the SHPP is also reviewed by the National Park Service for its conformance with the National Historic Preservation Act (NHPA) and with the Secretary of the Interior's *Standards for Archeology and Historic Preservation* by the National Park Service.

II. Scope of the Draft SHPP/DGEIS

The Draft SHPP/DGEIS will include all elements required by 6 NYCRR 617, including:

- **Cover Sheet**
- **Table of Contents**
- **Executive Summary**

This summary shall include a brief and concise description of the SHPP/GEIS.

Subsequent to these sections, the Draft SHPP/DGEIS will include:

A. Introduction

A1. Description of the Proposed Action. The proposed action is the adoption and implementation of a State Historic Preservation Plan (SHPP) for the years 2021 through 2025. The

SHPP will include the following components: a summary of the planning process including public participation opportunities (which allows for broad-based public and professional involvement); a summary assessment of the State's current historic resources (including issues, threats & opportunities, current state of knowledge); a vision for the State and direction for the State Historic Preservation Office (SHPO); goals and objectives; implementation priorities, funding opportunities, and partnerships; and an environmental impacts chapter.

A2. Purpose, Need, and Benefits of the Proposed Action. The purpose of the proposed action is for the agency's State Historic Preservation Officer and the Division for Historic Preservation (DHP)—which oversees preservation within New York State—to prepare a comprehensive statewide historic preservation plan. This plan will guide decision making, influence historic preservation policy in state and local governments, and empower local communities, organizations, and individuals to action for the next five years. The preparation and implementation of a statewide historic preservation plan is also required by the National Historic Preservation Act of 1966 and enables the agency to obtain grant monies from the federal government (16 U.S.C. 470).

The SHPP articulates a vision that provides comprehensive guidance for conscientious preservation efforts at the local, regional, and state levels. Strategies within the Plan are intended to be mindful of the environmental context of communities and the State at large, and outlines a broad set of goals and objectives—combined with specific strategies—that can be tailored to a wide range of people, places, and circumstances for the benefit of the preservation efforts statewide.

A3. Environmental Setting

This section identifies the present and existing environmental conditions of the project area. The environmental setting for the statewide preservation plan consists of the people and the historic and cultural resources of New York State, as well as its social and economic characteristics.

A4. Background of the Proposed Action. The New York State Historic Preservation Officer and the DHP are responsible for completion of the statewide historic preservation plan which describes a vision for historic preservation in the State as a whole and outlines future direction for the State Historic Preservation Office. The DHP is comprised of the Bureau of Historic Sites and Parks—which provides technical and program support to New York's State Parks and Historic Sites—and the Historic Preservation Field Service Bureau which functions as the State Historic Preservation Office (SHPO). This Bureau manages all state and federal historic preservation programs that help communities, municipalities, and individuals within New York State to identify, evaluate, preserve, protect, and revitalize their historic, archeological, and cultural resources. The SHPO administers both state and national historic preservation programs, including the New York State and National Registers of Historic Places, historic rehabilitation tax credits, the Certified Local Government program, preservation planning, and environmental review.

The SHPP has been prepared in the years 1970, 1975, 1995, 2001, 2009, and 2015. The plans have evolved from being somewhat inwardly focused—operational in nature—to becoming plans that provide guidance and direction for preservation efforts throughout the state. The Plan for 2021-2025 is the first plan to be prepared since the 2018 update to SEQR regulations requiring the preparation of a scoping document for an EIS.

A5. Reviews and Approval. In addition to SEQR, the SHPP will be reviewed by the National Park Service (NPS) for its conformance with:

- The National Historic Preservation Act (16 U.S.C. 470);
- Secretary of the Interior's *Standards for Archeology and Historic Preservation*.

A copy of the plan is also sent to other preservation programs for evaluation; these reviewers may include the NPS's National Register reviewer for New York State, its NPS Tax Incentives reviewer for New York State, and/or its Historic Preservation Fund Grant Manager. Some state plans are also provided to the American Battlefield Protection Program for consideration.

The NPS will provide a written response to the SHPO no later than 45 calendar days after the receipt of the SHPP final draft. This response may be an approval, an identification of the requirement(s) not met, or a denial of approval. This 45-day period will overlap with the Draft GEIS public comment period. If the response identifies requirements that have not been met, the SHPO must address them and resubmit a revised draft for approval, initiating a separate 45-day review period (National Park Service *Historic Preservation Fund Grant Manual*, 2007).

B. Planning Process

This is a narrative summary of the planning process used to develop the SHPP, including:

- *Identification of Planning Principles*. The framework used to guide the decisions and overall direction of the SHPP is largely influenced by planning principles established by the OPRHP many years ago. This approach is based upon three fundamental principles:
 1. *Planning is a continuous process*. Planning does not produce a set-in-stone blueprint for the future; it is an open-ended process that provides decision-makers with a range of options. Subject to a changing environment, an effective plan requires that assumptions, methods and objectives are periodically reexamined, and new factors and information are incorporated as conditions change.
 2. *Planning must be comprehensive*. To be effective, the information and research base supporting the planning process must consider a complete range of human activity, in addition to environmental factors—social, economic and physical.
 3. *Planning must be a coordinated process with public participation*. Effective planning for public agencies must include the opportunity for citizen participation and input. Coordination at all levels of government, and with both the public and the private sectors, is essential.
- *Identification of Plan Goals and Objectives*. Plan goals and objectives are intended to guide statewide preservation efforts over the next five years, focusing DHP programs and services to address current preservation issues and needs.

Goals and objectives will be responsive to (1) identified historic and cultural resource needs, as revealed through an analysis of the assessment of the State's range of historic and cultural resources throughout the State; (2) feedback received from stakeholders during the public engagement process and (3) identification of issues, threats and opportunities from further discussion of the resources inventory and public engagement. New emphasis is to be placed on programs and services surrounding disaster preparedness/planning, and underrepresented communities and their resources.

The proposed actions will be measurable and help to lead to the fulfillment of planning objectives; they will be flexible in order to allow individuals, organizations and communities to tailor the activities to their area's resources and needs.

- *Summary of the Public Participation Process.* The SHPP is to be developed with the active involvement of a wide range of public, private, and professional persons and organizations with experience or interest in planning, community development, historic preservation, landscape, architecture, education, archeology, cultural heritage resiliency, and New York State history. A concerted effort will be made to seek out and engage with previously underserved communities, including American Indian tribes associated with historic and cultural resources.

This subsection of the Plan will reflect the outcomes of public input obtained from outreach efforts across New York State; the general public survey distributed to 3,500 State residents over the age of 18; a preservation professionals survey widely distributed to agencies, organizations and persons with interest or expertise in historic and cultural resources; individual interviews; the public scoping comment period, and the Draft GEIS comment period.

- *Summary of Plan Implementation and Life Cycle.* This subsection will explain how the plan is to be implemented and the life cycle of the SHPP.

C. Historic and Cultural Resources Conditions Inventory

This section of the Plan is to be a summary assessment of the conditions of the full range of historic and cultural resources throughout the State. The assessment will identify current issues facing historic preservation, threats and opportunities, and the current state of knowledge about historic and cultural resources or classes of historic resources throughout the State.

This inventory will involve the evaluation of:

- State and National Register listings;
- Certified Local Governments;
- Programmatic Agreements;
- commercial and homeowner tax incentives;
- Section 106 and Section 14.09 compliance;
- development and acquisition grants;
- public and private collections of cultural objects (e.g. textiles, furniture, etc.);
- the State Parks Survey & State Historic Site System (inventory system);
- Historic Structures and Historic Landscape Reports;
- architectural drawings;
- sensitive archaeological areas (outside of the State Parks & Sites System);
- the content and function of the NYS Cultural Resource Inventory System (CRIS);
- other, etc.

D. Vision for Historic Preservation in NYS (Goals and Objectives)

This chapter is to provide guidance for preservation efforts and the management of historic and cultural resources throughout the State, as expressed in goals, objectives, and strategies. Collectively, these actions will provide a vision for the State as a whole, and direction for the SHPO, for the next five years. Commissioner initiatives will also inform these goals.

E. Implementation and Funding

This chapter:

- prioritizes strategies recommended for implementation;
- identifies funding and helps to inform the allocation of state and federal funds;
- identifies partnership opportunities.

To fully implement the recommendations outlined in the SHPP, specific and programmatic actions, as well as performance metrics, that translate goals and strategies into the measurable delivery of preservation services and programs that provide for the protection of historic and cultural resources throughout New York State will need to be developed.

OPRHP will not prepare detailed cost estimates for the proposed components of the Plan. Cumulatively, the SHPP will cost millions of dollars to implement. The pace and sequencing of recommended actions will be determined in the future by the availability of funding (which is a function of the size of OPRHP's annual capital budget, gifts to the State, state or federal legislative actions, etc.), the availability of staff, and the need to balance investments throughout the State and its Parks and Historic Sites system. Implementing the SHPP's goals and recommendations will also require a commitment of planning resources. The SHPP will help determine the priority for use of these resources.

E1. Partnerships

OPRHP has a long and successful history of partnership building. These mutually beneficial partnerships have resulted in substantial contributions to the diversity and excellence of preservation activities throughout the State and within its Parks and Historic Sites System. SHPP partners frequently include, but are not limited to: not-for-profit organizations that provide operational support and undertake fundraising activities; donors whose contributions are dedicated to supporting specific activities or improvements; volunteers who supplement staffing; individual or corporate event sponsors; and individuals or groups that further educational, interpretative, and research activities contributing to preservation education and ethos.

F. Environmental Impacts and Mitigation of the Proposed Action

This section will describe the environmental setting, alternatives (No Action and Adoption/Implementation of the Plan/GEIS), and potential environmental impacts and mitigation measures of implementation of the Plan. This section will also describe the Plan's cumulative impacts, unavoidable adverse impacts, and its consistency with the New York State Coastal Policies.

The DGEIS will include a description and evaluation of the alternatives to the proposed action.

Two alternatives will be acknowledged in the DGEIS:

- No-Action Alternative
- Alternative 1 - Adoption and Implementation of the SHPP

Choosing not to prepare the SHPP is *not* a viable option since the State is required to prepare a statewide preservation plan, both pursuant to State law and to maintain eligibility for federal funds under the NHPA.

In terms of implementation, not preparing the SHPP would mean that there would be no statewide guidance based on current data of historical and cultural resources, and, if the State continued to use recommendations from the 2015 SHPP, its implementation would not be responding to changing resource needs or based on updated goals and recommendations. In addition, without proper identification of preservation needs, failure by the agency to implement the SHPP may result in the loss of opportunities to strengthen preservation efforts across New York State. Without the guidance provided by updated goals and recommendations, adverse impacts to the historical and cultural resource environment could occur. Moreover, without the focus and goals set by SHPP, opportunities for identifying, maintaining, and protecting cultural and historical resources could be hindered.

Resource Categories Likely to be Impacted from the Proposed Action.

The proposed action has the potential to significantly impact:

- Archaeological, Historic, and Cultural Resources
- Community Character

Resource Categories Unlikely to be Impacted from the Proposed Action.

The proposed action is not expected to result in significant adverse effects to the following categories:

- Land
- Water Resources (Surface, Groundwater)
- Climate and Air Quality
- Biological Resources
- Agricultural Resources
- Aesthetic Resources
- Open Space and Recreation
- Critical Environmental Areas
- Transportation
- Energy
- Noise, Odor and Light
- Human Health
- Land Use and Zoning

G. References and Appendices

This section will list information sources cited and include any relevant maps, figures or reports.