

# STATE OF NEW YORK

---

2854--A

Cal. No. 1031

2019-2020 Regular Sessions

## IN SENATE

January 30, 2019

---

Introduced by Sen. FLANAGAN -- read twice and ordered printed, and when printed to be committed to the Committee on Cultural Affairs, Tourism, Parks and Recreation -- reported favorably from said committee, ordered to first and second report, amended on second report, ordered to a third reading, and to be reprinted as amended, retaining its place in the order of third reading

AN ACT requiring the development, adoption and implementation of a master plan for the Nissequogue River State Park

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Legislative intent. The legislature finds and declares  
2 that Kings Park in the town of Smithtown is home to a large parcel of  
3 land commonly referred to as the Kings Park Psychiatric Center ("the  
4 center"). The center was closed in 1996, and in 2000, 153 acres of the  
5 center were designated state parkland, thereby creating the Nissequogue  
6 River State Park ("NRSP"). In 2006, an additional 368 acres of the  
7 center's property was administratively transferred by and between the  
8 office of general services, the department of mental hygiene, and the  
9 office of parks, recreation and historic preservation.

10 The legislature further finds and declares that for most, the initial  
11 2000 and subsequent 2006 administrative actions taken to establish and  
12 then expand the center's property into the eventual NRSP is fully  
13 dispositive of the will of the community and the efforts of local and  
14 state elected officials. For others, the actions are viewed as suscepti-  
15 ble to administrative fiat and therefore a statutory codification is  
16 required.

17 The legislature therefore finds and declares that this legislation is  
18 needed to: (a) codify and ensure that the 2000 and 2006 transfers of  
19 land from the center to establish the NRSP are protected from adminis-  
20 trative changes; and (2) develop a master plan for the NRSP.

EXPLANATION--Matter in italics (underscored) is new; matter in brackets  
[-] is old law to be omitted.

LBD06011-02-9

§ 2. (a) For purposes of this section, "Nissequogue River State Park" shall mean the 153-acre portion of the former Kings Park Psychiatric Center property closed in 1996 and then transferred into the New York state park system in 2000, along with the 365.68 acres of former hospital property administratively transferred by an order of the office of general services, dated December 29, 2006 entitled, "In the Matter of the Application of the Office of Parks, Recreation and Historic Preservation for a transfer of jurisdiction of certain lands located in the Town of Smithtown, County of Suffolk".

(b) The commissioner of the office of parks, recreation and historic preservation (OPRHP), in cooperation with the Nissequogue River State Park Foundation and other interested parties, including but not limited to the town of Smithtown, shall develop, adopt and implement a master plan for the Nissequogue River State Park, Kings Park, county of Suffolk.

(c) The master plan shall take into consideration the historic, natural and recreational resources of the park and respond to recreational needs and safety of park patrons, the protection of the resources of the park and principles of sustainability. The master plan shall include short- and long-term agendas to guide future development of new and enhanced park facilities and shall establish goals concerning individual park resources, access, maintenance, operations and development.

(d) The plan shall present a series of "preferred alternatives" for the future development and operation of the Nissequogue River State Park; provided that the initiation of any specific action will be determined by the level of funding available to OPRHP in future years.

(e) The commissioner of the office of parks, recreation and historic preservation shall hold such public meetings to gather information from the general public and other state, local and federal agencies about the past uses and issues associated with future uses of the park as he or she deems necessary and/or desirable.

(f) The development of such plan shall commence within sixty days of the effective date of this act and the plan shall be completed within one year thereafter.

(g) Details of the plan shall be made available to the public on the website of the office of parks, recreation and historic preservation and on the Nissequogue River State Park website.

§ 3. The plan shall include an environmental impact statement prepared in accordance with the provisions of article 8 of the environmental conservation law.

§ 4. This act shall take effect immediately.