

STATE OF NEW YORK

2854--B

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 -- amended and ordered reprinted, 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 2001, 155 acres of the
5 center were designated state parkland, thereby creating the Nissequogue
6 River State Park ("NRSP"). In 2006, an additional 364.68 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 the initial 2001 and
11 subsequent 2006 administrative actions taken to establish and then
12 expand the center's property into the eventual NRSP is fully dispositive
13 of the will of the community and of local and state elected officials,
14 while others believe that a statutory codification is preferable.
15 The legislature therefore finds and declares that this legislation is
16 needed to: (a) codify and ensure that the 2001 and 2006 transfers of
17 land from the center to establish the NRSP are protected from adminis-
18 trative changes; and (2) develop a master plan for the NRSP.
19 § 2. (a) For purposes of this section, "Nissequogue River State Park"
20 shall mean the 155-acre portion of the former Kings Park Psychiatric

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

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1 Center property closed in 1996 and then transferred into the New York
2 state park system in 2001, along with the 364.68 acres of former hospi-
3 tal property administratively transferred by an order of the office of
4 general services, dated December 29, 2006 entitled, "In the Matter of
5 the Application of the Office of Parks, Recreation and Historic Preser-
6 vation for a transfer of jurisdiction of certain lands located in the
7 Town of Smithtown, County of Suffolk".

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

14 (c) The master plan shall take into consideration the historic,
15 natural and recreational resources of the park and respond to recre-
16 ational needs and safety of park patrons, the protection of the
17 resources of the park and principles of sustainability. The master plan
18 shall include short- and long-term agendas to guide future development
19 of new and enhanced park facilities and shall establish goals concerning
20 individual park resources, access, maintenance, operations and develop-
21 ment.

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

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

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

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

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

40 § 4. This act shall take effect immediately.