

February 19, 2009

Honorable John J. Flanagan  
New York State Senator  
260 Middle Country Road – Suite 203  
Smithtown, New York 11787

Dear Senator Flanagan,

Thank you for sending along the letter and petition from your constituents regarding dog walking at Nissequogue River State and the former Kings Park Psychiatric Center.

As you may know, the Office of Mental Health (OMH) recently informed us that their maintenance of the grounds of the former hospital will no longer continue except for the area immediately around the buildings they continue to occupy. During the time OMH maintained the grounds, Parks did not enforce the rules and regulations that apply to state park lands. While we did attend to building intrusions and other security issues, dog walking evolved into an accepted, although unauthorized, practice. Now that we are fully responsible for the maintenance and management of the property, we will be managing the property as we do all lands for which Parks is responsible.

The rule specific to dogs was adopted pursuant to subdivision 8 of section 3.09 of the Parks, Recreation and Historic Preservation Law. Part 375.1(n) states, "*Animals*. No person shall introduce or possess any animal except as otherwise provided in the Subchapter or in the rules and regulations of a regional park, recreation and historic preservation commission. The only exceptions to that regulation are contained in the brochure, Walking Your Dog in Long Island State Parks, which states under Dog Policy, "No person owning or being custodian or having control of any animal shall cause or permit such animal to enter any park, and any such animal found at large may be impounded. Notwithstanding the above, dogs restrained by a leash not exceeding six feet in length may be brought into park areas; provided, however, that they shall not be permitted in buildings, camping, bathing and picnic areas or on improved walks or boardwalks. The following state parks have areas where leashed dogs are permitted: Belmont Lake, Camp Hero, Governor Alfred E.

Smith/Sunken Meadow, Heckscher, Hempstead Lake, Hither Hills, Montauk Point, and Napeague. Item #3. Governor Alfred E. Smith/Sunken Meadow - No access from park. East end of park, access from Old Dock road. East of Sunken Meadow Pkwy. and South of Rt. 25A, access from Rt. 25A."

While I am sympathetic with the desire of dog owners for a place to walk with their pets, I don't believe we are ready yet to designate a dog walking area at Nissequogue River State Park or the hospital property. As you know better than most, many people have many differing ideas about how the land on the former hospital property should be used and about the activities that should be allowed there. Through your financial support, we are undertaking a full analysis of the clean-up challenges and costs that lie ahead. We know already that there are areas where the public should not be allowed until the unknown and the obvious hazards are dealt with. When the analysis is complete, the property will be a construction site to varying degrees while it is rid of abandoned buildings, making it unsuitable for public use.

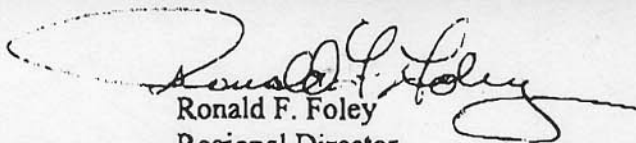
To sort out all the competing ideas for use of the property, we will need to include them all in a well thought out plan for the place; a plan that takes into account competing uses, public safety and environmental impacts. We're not yet ready to dedicate any portion of the hospital property to one use without consideration of many other potential uses.

I recommend that people looking for a place to walk their dogs locally use the designated area of Sunken Meadow State Park just off Old Dock Road.

With the number of issues that remain to be dealt with on the hospital property, it is premature for us to be making long term decisions on land use there.

If I can be of any further assistance, please let me know.

Sincerely,



Ronald F. Foley  
Regional Director  
Long Island Region

RFF:js

cc: Vance Crippen  
George Gorman  
John Kowalchyk