

# **SUMMARY OF THE 8-STEP FLOODPLAIN ANALYSIS FOR THE CONSTRUCTION OF A PUBLIC PARK FOR FORT HUNTER AMSTERDAM, MONTGOMERY COUNTY, NEW YORK**

Governor's Office of Storm Recovery

U.S. Department of Housing and Urban Development Community Development Block Grant –  
Disaster Recovery

## **Introduction & Overview**

The purpose of Executive Order (EO) 11988 Floodplain Management is “to avoid to the extent possible the long- and short-term adverse impacts associated with occupancy and modification of floodplains and to avoid direct or indirect support of floodplain development wherever there is a practicable alternative.” This report contains the analysis prescribed by 24 CFR Part 55 and documents the eight-step decision making process for the Proposed Action and pertains to activities within the Special Flood Hazard Area (SFHA) as defined by the Federal Emergency Management Agency (FEMA), or its successors, pursuant to the National Flood Insurance Program (NFIP), or a successor program, whether advisory, preliminary, or final.

The Governor's Office of Storm Recovery (GOSR), an office of the New York State Housing Trust Fund Corporation (HTFC), proposes to provide Community Development Block Grant – Disaster Recovery (CDBG-DR) funding from the NY Rising Community Reconstruction Program to Montgomery County and the Town of Florida to construct a new park in the Hamlet of Fort Hunter (**Figures 1 and 2**).

The analysis that follows focuses on floodplain impacts because the Proposed Action will result in impacts to the 100-year floodplain. Based on an analysis of the Proposed Action activities and locations, it is concluded that there is a reasonable basis to proceed with funding for this Proposed Action within the floodplain. The CDBG-DR funding is administered through the New York State Rising Community Reconstruction Program which is using bottom-up community participation and State-provided technical expertise to develop resilient and sustainable communities. Thus, alternatives preventing or impeding the development of resilient and sustainable communities are not considered reasonable alternatives.

## **Description of Proposed Activity and Land Use**

Montgomery County and the Town of Florida are proposing to develop the open space at the northeast corner of Brown Place and Main Street in the Hamlet of Fort Hunter into a recreational park. The Proposed Activity area was inundated with flood water when Schoharie Creek and the Mohawk River overflowed their banks. The new park will be constructed in this zone to allow flood resilient land use of benefit to the community.

During Hurricane Irene, the Town of Florida was inundated with flood water when Schoharie Creek and the Mohawk River overflowed their banks. The proposed project places an emphasis on enhancing and increasing recreational opportunities and improving the quality of life for residents of the Hamlet of Fort Hunter and Town of Florida by creating a venue for active sports and passive recreation adjacent to a blighted neighborhood greatly affected by the past storms. The project originally included the acquisition and demolition of 109 Quackenbush Street, however, that component has since been removed from the project scope.

The construction of the park will include (See **Figure 3**):

- Full-depth reconstruction and reconfiguration of the parking area along Brown Place to accommodate sixteen (16) vehicles, including one (1) ADA space
- Removal of the existing concrete pad along Main Street
- Construction of a 50' x 84' asphalt basketball court with benches
- Construction of a 24' x 36' pavilion on a concrete slab and 10 picnic tables
- Installation of asphalt walkways to provide access to the basketball court and pavilion areas
- Stormwater management systems
- Limited landscaping and site grading

**Step 1: Determine if the proposed action is in a 100-year floodplain or wetland.**

Approximately 1.0 acre of the Project (the open space area) lies within the 100-year Special Flood Hazard Area (SFHA), as indicated on the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) Community Panel Number 36057C03183E, dated January 19, 2018. The parking area is outside of the 100-year SFHA. See the attached **Figures 4 and 5**. The Proposed Activity will result in impacts to 100-year floodplain.

**Step 2: Notify the public for early review of the proposal and involve the affected and interested public in the decision-making process.**

Because the Proposed Activity is located within the 100-year floodplain, GOSR published an early notice, that allowed for the public and public agencies to provide input on the decision to provide funding for the proposed action. The “Early Notice of Proposed Activity in a 100-Year Floodplain” was published in *The Amsterdam Recorder* newspaper on October 9, 2019. The 15-day comment period expired on October 24, 2019. The notice targeted local residents, including those within the floodplain. (See the attached **Early Notice** and **Affidavit of Publication**). Comments were received requesting the funding for this project be redirected to another flood control project.

**Step 3: Identify and evaluate practicable alternatives.**

The New York State Rising Community Reconstruction Program is structured to provide eligible communities’ resources and expertise to build projects resilient to future flooding events. The purpose of the Proposed Activity is to help eliminate residential occupancy within the floodplain, remove an unsafe structure from the neighborhood, and increase recreational opportunities for residents as described in the “Description of the Proposed Activity” section. Since the Proposed Activity involves making beneficial flood resilient use of the open-space in the floodplain, the Project has to be located in the floodplain and there are no other alternative locations for the project.

The primary alternative for the current Proposed Activity is the “No Action” alternative. Under the No Action Alternative, the open space would continue to be used as open-space with inadequate parking and no recreational amenities.

**Step 4: Identify and describe the proposed action’s direct and indirect effects associated with occupying or modifying the floodplain or wetland.**

Approximately 0.2 acres of the floodplain would be directly permanently disturbed by the Proposed Activity (i.e., construction of the asphalt basketball court and the pavilion). The disturbance of this area would occur during construction and would cease once construction is

completed. These two areas would become impermeable which would be the only long-term effect on the floodplain. The runoff from these two areas would be infiltrated into the ground nearby. The Proposed Activity improves the flood resiliency of the neighborhood further away from the river.

**Step 5: Identify methods to minimize the potential adverse impacts within a floodplain and wetland and to restore and preserve the natural and beneficial values.**

The design of the Proposed Activity allows for use of the floodplain with facilities that would not be affected by future flooding. Prior to construction, the appropriate permits would be obtained for stormwater discharge from construction activities. A stormwater pollution prevention plan (SWPPP) would be prepared for the Proposed Activity. It will describe the use of best management practices to control runoff during construction. No changes in land use at the open-space would occur as a result of the Proposed Activity.

**Step 6: Reevaluate the proposed action to determine if it is still practicable given its floodplain effects.**

The minor increase in impermeable surface to the new basketball court and pavilion would be the only long-term adverse effect on the floodplain. The potential effect on the recreation in the floodplain would be a long-term beneficial impact. No changes in land use in the floodplain would occur as a result of the Proposed Activity. As a result, the proposed action is still practicable.

**Step 7: Determination of No Practicable Alternative**

It is the finding of this report that there is no practicable alternative to locating the Proposed Activity in the floodplain.

A combined Notice of Intent to Release Funds (NOIRROF)/final public notice was published in *The Amsterdam Record* newspaper by the Governor's Office of Storm Recovery on February 7, 2020, in compliance with Executive Order 11988 and 24 CFR Part 55. The final notice details the reasons why the Proposed Activity must be located in floodplain, a list of alternatives considered, and all mitigation measures taken to minimize adverse impacts and preserve natural and beneficial values of the floodplains. All comments received during the comment period will be addressed prior to funds being committed to the proposed project. The comment period started with the Notice of Intent to Release Funds (NOIRROF)/final public notice on February 7, 2020. The comment period for the Final Notice expires at 5pm on February 18, 2020.

**Step 8: The Proposed Activity can be implemented after the above steps have been completed.**

Implementation of the Proposed Activity may require additional local and state permits, which could place additional design modifications or mitigation requirements on the Proposed Activity.