SUMMARY OF 8-STEP FLOODPLAIN AND WETLANDS ANALYSIS FOR THE WASHINGTONVILLE STATE ROUTE 94 CULVERT REPLACEMENT PROJECT
WASHINGTONVILLE,
ORANGE 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.” The purpose of EO 11990 Protection of Wetlands is “to avoid to the extent possible the long- and short-term adverse impacts associated with the destruction or modification of wetlands and to avoid direct or indirect support of new construction in wetlands 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 the Town of Blooming Grove ($742,774.39) for replacing and upgrading the culvert at the intersection of Ahern Boulevard and State Route (SR) 94. The Hydraulic and Hydrologic (H&H) study determined that the SR-94 culvert is undersized which causes flooding at upstream ends. The culvert conveys surface water within an unnamed perennial tributary to Moodna Creek. The water channel of the tributary will be graded, and SR 94 will be graded for proper grade and water conveyance. SR 94 will be finished and approximately 5 trees removed. Four wingwalls, two on each side of SR 94 will be installed for water conveyance into and out of the culvert. The guiderails along SR 94 will be replaced and soil added adjacent to SR 94 to bring the ground surface up to the road elevation. Rehabilitating the culvert under SR 94 and properly conveying stormwater to the Moodna Creek will prevent future flooding in Washingtonville. A Coffer dam will be constructed to redirect water during culvert installation. A temporary gravel access road will be constructed to access the southern end of the culvert.

The analysis that follows focuses on floodplain impacts because the Proposed Action will result in small impacts to floodplain (wingwalls and temporary construction activities). Based on an analysis of the Proposed Action activities and locations described herein, it is concluded that there is a reasonable basis to proceed with funding for this Proposed Action within a 100-year 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
Description of Proposed Program Activities and Land Use

The culvert is located within a perennial tributary to Moodna Creek in the Village of Washingtonville. The culvert is located under SR 94 in a residential area. The tributary tends to back up at the culvert location during storm events because the culvert is undersized. The proposed project includes the replacement of the undersized culvert with a culvert capable to providing flow to floodwaters. The Proposed Project would protect the Village of Washingtonville and its residents from reoccurring flooding during storm events.

Step 1: Determine if the proposed action is in a 100-year floodplain and wetlands.

Approximately 0.32 acres of the project area is mapped as a Special Flood Hazard Area (SFHA) Zone AE (the 100-year floodplain), as shown on the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) Community Panel Numbers 36071C0317E, effective on August 3, 2009 (attached). The project area includes one culvert, SR 94, guiderails and landscaping as outlined on the attached FIRM.

Approximately 1,100 square feet of the project (the culverts) are within open water, the tributary (see the attached FIRM).

Step 2: Notify the public at the earliest possible time of a proposal to consider an action in a wetland or floodplain (or in the 500-year floodplain for a Critical Action) and involve the affected and interested public in the decision-making process.

Since the Proposed Activities will be located in the floodplain, GOSR must publish an early notice that allows the public an opportunity to provide input into the decision to provide funding for the Proposed Action activities in this area. Once the early public notice and comment period is complete, GOSR will assess, consider, and respond to the comments received individually and collectively for the Proposed Action file, then proceed to Step Three.

A 15-day “Early Notice and Public Explanation of a Proposed Activity in a 100-Year Floodplain” was published in The Hudson Valley News (see EXHIBIT 2 for affidavit of publication). The 15-day comment period expired on December 11, 2019. The notice was also sent to the following state and federal agencies on - : Federal Emergency Management Agency (FEMA), U.S. Department of the Interior (DOI), U.S. Environmental Protection Agency (EPA), U.S. Department of Homeland Security (DHS), U.S Fish and Wildlife Service (FWS); U.S. Army Corps of Engineers (USACE); NYS Department Environmental Conservation; the NYS Office of Parks, Recreation and Historic Preservation; NYS Department of Transportation; and NYS Office of Emergency Management. The notice was also sent to the offices of Orange County and Village of Washingtonville Executives.

GOSR received 0 public comments on this notice.

Step Three: Identify and evaluate practicable alternatives to locating the proposed action in a wetland or floodplain (or the 500-year floodplain for a Critical Action).

After a consideration of the following alternatives, GOSR has determined the best practicable alternative is the Proposed Action. The alternative actions considered are as follows: No Action and Limited Action Alternative.
No Action Alternative

Under a No Action alternative, the undersized culvert would not be able to convey flood waters and the area around the culvert would flood causing damage to homes and flooding SR 94 making the road impassable and cutting off access to vital community facilities and nearby communities. The risk of isolation of residents would not be reduced and access for emergency response staff and other essential personnel during storm events would not be provided.

Limited Action Alternative

There is no limited action alternative.

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

The floodplain area with the project footprint is previously disturbed by the roads and other infrastructure including the existing culvert beneath SR 94. Replacing and upgrading the culvert at the intersection of Ahern Boulevard and State Route (SR) 94 will not recreate any significant area of impervious surface or change the function of the floodplain. The new wingwalls will placed on gravel within the floodplain with a footprint of 10.5 square feet each for a total of 42 square feet. Five trees will be removed for the installation of new culvert and removal of the old culvert.

A Coffer dam will be constructed to redirect water during construction. A temporary gravel access road will be constructed to access the southern end of the existing culvert. The actions will have no permanent effect on the floodplain or tributary.

The proposed project will disturb less than approximately 1,100 square feet of an unnamed perennial tributary. A joint application to NYSDEC and the US Army Corps of Engineers (USACE) for a permit to undertake activities affecting streams, waterways, water bodies, wetlands, coastal areas and sources of water withdrawal will be submitted for the Project. The Project will abide by all conditions set forth in this permit. Once the culvert has been replaced, the tributary area will be restored.

Best management practices during construction would minimize disturbance of the 100-year floodplain and tributary by equipment, site runoff, sedimentation, or other construction activities. This would not result in permanent adverse effects on the natural and beneficial values of the floodplain or lives and property. There will be no increase in impervious surfaces that would have a long-term effect the tributary as a result of the Project.

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

The short-term impacts during construction would be mitigated by best management practices for debris, dust, and erosion control during construction activities. Best management practices during construction would ensure that disturbance of the 100-year floodplain by equipment, site runoff, sedimentation, or other construction activities would be minimized. The floodplain and tributary were previously disturbed by the existing road and culvert.

Prior to construction, the appropriate permits would be obtained in accordance with NYSDEC stormwater discharge from construction activities regulations and Sections 404 and 401 of the Clean Water Act. Best management practices will be used to control runoff during construction,
which would mitigate any temporary effects on the tributary. No changes in land use or impervious surface would occur as a result of the Project that would affect the floodplain or tributary in the long term. Once the culvert has been replaced, the tributary will be restored. No long-term effects to the function or beneficial values of the floodplain or tributary are anticipated because of the Project.

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

Neither the designed improvements nor Project construction would adversely affect the natural and beneficial floodplain values or lives and property, particularly with the respect to the beneficial increase in the community’s resiliency.

Implementing this project would will allow flow without restriction, caused by frequent backups of the SR 94 culvert and mitigate flooding issues during sustained rainfall up to the 100-year storm. Rehabilitating the large culvert under SR 94 and properly conveying stormwater to the Moodna Creek will prevent future flooding in Washingtonville.

As a result, the proposed action is still practicable.

**Step 7. Issue Findings and Public Explanation.**

It is the finding of this report that there is no better alternative than to provide funding for the conversion of the defunct sanitary pump station to a stormwater pump station. The location within floodplain and wetlands cannot be avoided due the functionally dependent use of the culvert. However, not funding any actions would mean that the Village of Washingtonville would struggle to recover from future storm events. A final notice, formally known as “Notice of Policy Determination” was published in accordance with 24 CFR 55, for a 7-day comment period. (See Attachments 3 of this Floodplain Management EO11990 for the notice and the distribution to local, state and federal agencies). The 7-day comment period started with notice publishing in the Hudson Valley News newspaper on January 1, 2020 and the 7-day period expired January 8, 2020. The notice describes the reasons why the project must be located in the floodplain/ floodway, alternatives considered, and all mitigation measures to be taken to minimize adverse impacts and preserve natural and beneficial floodplain values.

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

Implementation of the proposed action may require additional local and state permits, which could place additional design modifications or mitigation requirements on the Project. The Project will adhere to all applicable conditions in these permits.
Attachment 1
Notice of Early Public Review
Floodplain Management & Wetland
Executive Order 11988 & Executive Order 11990
EARLY NOTICE OF A PROPOSED ACTIVITY  
IN A 100-YEAR FLOODPLAIN  
Washingtonville State Route 94 Culvert Replacement  
Ahern Blvd and East Main Street, Washingtonville, Orange County, New York  
December 11, 2019

To: All interested Agencies, Groups, and Individuals

This is to give notice that the Governor’s Office of Storm Recovery (GOSR), an office of the New York State Housing Trust Fund Corporation (HTFC), has received an application from Town of Blooming Grove to fund Washingtonville State Route 94 Culvert Replacement (hereinafter, the “Proposed Activity”) and is conducting an evaluation as required by Executive Order 11988 and Executive Order 11990 in accordance with U.S. Department of Housing and Urban Renewal (HUD) regulations (24 CFR Part 55). There are three primary purposes for this notice. First, to provide the public an opportunity to express their concerns and share information about the Proposed Activity. Second, adequate public notice is an important public education tool. The dissemination of information about floodplains and wetlands facilitates and enhances governmental efforts to reduce the risks associated with the occupancy and modification of these special areas. Third, as a matter of fairness, when the government determines it will participate in actions taking place in floodplains or wetlands, it must inform those who may be put at greater or continued risk. Funding for the Proposed Activity will be provided by the HUD Community Development Block Grant – Disaster Recovery (CDBG-DR) program for storm recovery activities in New York State.

The Proposed Activity is needed to replace the undersized and failing culvert under SR 94 in downtown Washingtonville to prevent future flooding. During Hurricane Irene, the downtown core area of Washingtonville was submerged by up to 8 feet of water.

The Proposed Activity entails replacing and upgrading the culvert at the intersection of Ahern Boulevard and State Route (SR) 94. The culvert conveys surface water within an unnamed perennial tributary to Moodna Creek. The water channel of the tributary will be graded, and SR 94 will be graded for proper grade and water conveyance. SR 94 will be finished and approximately 5 trees removed. Four wingwalls, two on each side of SR 94 will be installed for water conveyance into and out of the culvert. The guardrails along SR 94 will be replaced and soil added adjacent to SR 94 to bring the ground surface up to the road elevation. Rehabilitating the culvert under SR 94 and properly conveying stormwater to the Moodna Creek will prevent future flooding in Washingtonville. The Hydraulic and Hydrologic (H&H) study determined that the SR-94 culvert is undersized which causes flooding at upstream ends. A Coffer dam will be construction to redirect water during culvert installation. A temporary gravel access road will be constructed to access the southern end of the culvert.

The Proposed Activity will result in temporary impacts to 0.32 acres of 100-Year Floodplain (temporary gravel access road, regarding SR 94, tree removal, landscaping). The Proposed Activity will result in permanent impacts to 1,100 square feet of 100-Year Floodplain (wingwalls of the culvert and culvert). No wetlands are located with the project area.

Prior to construction, Town of Blooming Grove must apply for and receive a Floodplain Development
Permit from the appropriate local floodplain administrator(s).”

Floodplain maps based on the FEMA Base Flood Elevation Maps and wetlands maps based on the National Wetland Inventory and New York State Department of Environmental Conservation (NYSDEC) data have been prepared and are available for review with additional information at http://www.stormrecovery.ny.gov/environmental-docs.

Any individual, group, or agency may submit written comments on the Proposed Activity or request further information by contacting Lori A. Shirley, Certifying Officer, Governor’s Office of Storm Recovery, 99 Washington Avenue, Suite 1224, Albany, NY 12260; email: NYSCDBG_DR_ER@nyshcr.org. Standard office hours are 9:00 AM to 5:00 PM Monday through Friday. For more information call 518-474-0755. All comments received by December 26, 2019 will be considered.
Early Floodplain Notice Distribution List for Washingtonville State Route 94 Culvert Replacement

By Overnight Express and Email
Tennille Smith Parker, Director
U.S. Department of Housing and Urban Development
Disaster Recovery and Special Issues Division
451 7th Street SW, Room 7272
Washington, DC 20410

By email only
disaster_recovery@hud.gov

By email only
Mike Poetzsch
U.S. Environmental Protection Agency
poetzsch.michael@epa.gov

By U.S. Mail
Ms. Therese J. Fretwell, Enviro. Officer, R 1 & 2
U.S. Dep. of Housing and Urban Development
26 Federal Plaza, Room 3541
New York, NY 10278-0068

Thomas Von Essen, Regional Administrator
U.S. Dep. of Homeland Security
Federal Emergency Management Agency, Region II
26 Federal Plaza
New York, NY 10278-0002

Ms. Robyn Niver
U.S. Fish and Wildlife Service
New York Field Office
3817 Luker Rd
Cortland, NY 13045

Marlene White, Supervisor of Mitigation Projects
NYS Division of Homeland Security & Emergency Services
1220 Washington Avenue, Bldg 7A, Floor 4
Albany, NY 12242
John Petronella, Regional Director, Region 3
New York State Depart. of Environmental Conservation
21 South Putt Corners Road
New Paltz, NY 12561-1696

Todd Westhuis, PE, Regional Director
New York State Department of Transportation Region 8
Eleanor Roosevelt State Office Building
4 Burnett Boulevard
Poughkeepsie, NY 12603

Mr. Ron Rausch, Director
Environmental Management Bureau
Office of Parks, Recreation and Historic Preservation
625 Broadway, 2nd Floor
Albany, New York 12238

Robert Jeroloman, Town Supervisor
Town of Blooming Grove
6 Horton Road, P.O. Box 358
Blooming Grove, NY 10914

Dave Hoffmann, Code Enforcement Officer
Town of Blooming Grove
6 Horton Road, P.O. Box 358
Blooming Grove, NY 10914

Darlena E. Decker, Town Clerk
Town of Blooming Grove
6 Horton Road, P.O. Box 358
Blooming Grove, NY 10914

Joseph Bucco, Mayor
9 Fairlawn Drive
Washingtonville, NY 10992

Christine Shenkman, Village Clerk
9 Fairlawn Drive
Washingtonville, NY 10992

Steven M. Neuhaus, County Executive
Orange County
40 Matthews Street
Goshen, NY 10924

Erik Denega, Commissioner
Orange County Department of Public Works
2455-2459 Route 17M
P.O. Box 509
Goshen, NY 10924
Attachment 2
Notice of Early Public Review Affidavit
Floodplain Management
Executive Order 11988 & Executive Order 11990
STATE OF NEW YORK
COUNTY OF NEW YORK

Alison Bloom being duly sworn hereby declares and says, that she is the Advertising Account Executive responsible for placing the attached advertisement in: the Hudson Valley Press newspaper for Miller Advertising Agency, Inc.; located in New York, NY, and that the New York City State Governor's Office of Storm Recovery advertisement, of which the annexed is a true copy, has been published in the said publication on the following issue date(s): December 11, 2019.

[Signature]
Alison Bloom

Subscribed to and Sworn before me
This 17th day of December 2019

[Signature]
Notary Public

Donna Perez
Notary Public State Of New York
No. 01PE6151365
Qualified In New York County
Commission Expires August, 14th - 2022
Stewart ANG May Host New Air Force Squadron

WASHINGTON, DC – U.S. Senator Kirsten Gillibrand, Ranking Member of the Senate Armed Services Personnel Subcommittee, has announced Stewart Air National Guard Base is one of seven bases being considered to host a new Air Force Aeromedical Evacuation Squadron. Gillibrand is leading the push for Stewart ANG to receive this squadron, and following her phone call with Secretary of the Air Force Barbara Barrett, the Air Force has selected Stewart ANG as one of the finalists nationwide for the Air Force's aeromedical evacuation mission. If approved, Stewart ANG would provide lifesaving in-flight patient care in response to contingencies and humanitarian emergencies.

“We are pleased to learn that the 105th Airlift Wing has made it to the next round of candidates under consideration for a new Aeromedical Evacuation Squadron mission,” said Colonel Marc Kelly, Commander of the 105th Maintenance Group. “As the only C-17 unit selected, we are the only to offer unique strategic airlift capabilities coupled with an experienced aircrew that has successfully operated Aeromedical Evacuation Squadron missions for over seven years. We are hopeful that Stewart will become home to one of the finest Aeromedical Evacuation Squadrons in the near future.”

As one of only two National Guard bases on the Eastern Seaboard that provides trans-Atlantic flights to service members abroad, Stewart provides essential services for U.S. armed forces, especially in the responsive delivery of both heavy and light forces and cargo to meet rapid deployment. Gillibrand visited Stewart Air National Guard in October, where she discussed the possibility of adding the aeromedical evacuation squadron to the 105th Airlift Wing’s mission with base officials. Following her visit, she called Secretary Barrett to ensure that Stewart would be placed under consideration for the new squadron.
Attachment 3
Final Notice
Floodplain Management
Executive Order 11988 & Executive Order 11990
Attachment 4
FLOODPLAIN AND WETLND MAPS