

**EARLY NOTICE OF A PROPOSED ACTIVITY
IN A 100-YEAR FLOODPLAIN, FLOODWAY, AND WETLANDS**

**BINNEKILL BULKHEAD REPAIR AND IMPROVEMENTS PROJECT
CONFLUENCE OF BINNEKILL AND EAST BRANCH OF THE DELAWARE RIVER
TAX ID: 284.-1-21 (ACCESSED VIA NYS ROUTE 30)**

**TOWN OF MIDDLETOWN
DELAWARE COUNTY, NEW YORK**

November 6, 2020

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 to fund the Binnekill Bulkhead Repair and Improvements Project (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, floodways, 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 involves the rehabilitation and repair of the inlet to the Binnekill along the East Branch Delaware River (EBDR) and improvements along the western bank of the EBDR. The Proposed Activity is located along the eastern portion of a 55-acre, undeveloped parcel on State Highway 30, known as Section-Block-Lot 284.-1-21, Town of Middletown, Delaware County, New York. The Proposed Activity will occur in two phases, which are proposed to occur successively in time. Phase I will involve sealing off the inlet to the Binnekill and allowing the Binnekill channel to drain and performing improvements to the Binnekill channel, which will include the following: installation of a downstream coffer dam and temporary clean water dewatering system to fully drain the existing channel; grading the Binnekill channel and the area between the proposed inlet structure and New York State Route 30; filling the upstream portion of the existing channel and side-channel depressions; stockpiling excess material on-site for re-use; and installation of temporary turbid water dewatering system as needed to maintain a dry work area. Phase II will involve the replacement of the existing culvert that conveys water from the EBDR to the Binnekill and improvements along the western bank of the EBDR and will include the following activities: installation of a temporary water control cofferdam in the EBDR to direct flows away from the Binnekill inlet structure; construction of a proposed boulder deflector vane and boulder revetment along the EBDR; and removal of the temporary water control cofferdam. The stream bank and the area between the proposed inlet structure and NYS Route 30 will be graded and disturbed soils and banks of the Binnekill will be seeded with native grass seed, live stakes will be installed along the Binnekill channel, and native trees and shrubs will be installed throughout the disturbed area. Sediment and erosion control measures will be implemented including the use of a stabilized construction entrance; installation of silt fence along construction access roads and around any stockpile areas and an erosion control blanket to provide temporary surface protection to newly

seeded and/or disturbed soils; temporary dewatering using a sump, pump, and dewatering basin to filter sediment from turbid water prior to flowing into the Binnekill or EBDR; and site stabilization of the surface with vegetation.

The project area consists of the Binnekill inlet structure, the adjacent Binnekill channel, and the western bank of the EBDR. The project area includes approximately 200 linear feet of stream bank along the EBDR. The existing inlet consists of a 42" cast iron pipe culvert, which passes through a rip rap berm along the west bank of the EBDR. The Proposed Activity is entirely located within the floodplain and floodway of the EBDR. The Proposed Activity will involve the disturbance of approximately 1.33 acres. The Proposed Activity will involve the temporary disturbance of 0.24 acres in the floodplain and floodway and the permanent disturbance of approximately 1.09 acres in the floodplain and floodway. The Proposed Activity will result in approximately 0.05 acres of temporary disturbance below the Ordinary High Water Mark (OHWM) of the Binnekill and EBDR and approximately 0.22 acres of permanent disturbance below the OHWM of the Binnekill and EBDR. The Proposed Activity will involve the clearing of approximately 0.7 acres of trees.

The goal of the Proposed Activity is to repair and improve the inlet to help reduce the frequency and severity of flooding in the Village of Margaretville. The Binnekill inlet is designed to allow water from the EBDR to flow into the entirely man-made Binnekill. Built over 100 years ago, the Binnekill channel provides a source of water for fire protection as well as functioning as an aesthetic asset for the Village. Without the inlet structure, the Village would lose this important feature. While removal of the inlet is not considered an option, various designs for the replacement inlet were considered. The inlet was carefully designed to reduce damage to the areas downstream of the inlet. The size of the inlet was specifically designed to allow a restricted amount of water to flow into the Binnekill. Different sized culverts under different flood scenarios were modeled to assess the impacts from flooding. The currently proposed culvert and associated bulkhead structure were selected based on the reduced impacts from flooding associated with this design. Various designs for the height and extent of the bulkhead structure were also considered and a reduced size that lies completely within a Village-owned property easement is proposed. The Proposed Activity was selected since it offers the best balancing of providing necessary benefits while minimizing adverse impacts.

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 James P. McAllister, Bureau of Environmental Review and Assessment, Governor's Office of Storm Recovery, email: James.McAllister@stormrecovery.ny.gov. For more information, call: (646) 256-9485. All comments received on or before November 23, 2020 will be considered.