

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

**MARGARETVILLE GATEWAY IMPLEMENTATION PROJECT
CONFLUENCE OF BINNEKILL CREEK AND
EAST BRANCH OF THE DELAWARE RIVER
VILLAGE OF MARGARETVILLE, TOWN OF MIDDLETOWN
DELAWARE COUNTY, NEW YORK
JANUARY 15, 2021**

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 Margaretville Gateway Implementation 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 is located on the Binnekill Creek, near its confluence with the East Branch Delaware River (EBDR), Village of Margaretville, Town of Middletown, Delaware County, NY, and will involve the modification of approximately 500 linear feet of the channel of the Binnekill Creek, clearing debris and vegetation from approximately 700 linear feet of the Binnekill Creek, and floodplain improvements adjacent to the Binnekill Creek.

The modification of the Binnekill Creek will involve creating a new stream bed for approximately 200 linear feet of the Binnekill Creek, diverting flow to the new stream bed, and filling and restoring the previous stream bed as a functional floodplain. Additionally, the modifications to the Binnekill Creek will involve the removal of an existing timber dam; installation of three (3) riffle grade control structures in the Binnekill Creek, riprap along approximately 100 linear feet of the stream bank of the Binnekill Creek near its confluence with the EBDR, and a stacked stone wall into the bank of the Binnekill Creek; excavating two (2) deep pools downstream of two (2) of the newly installed riffle grade control structures; and grading stream banks, the Binnekill channel, and the adjacent floodplain. Trees and native grasses will be planted in disturbed areas in the floodplain adjacent to the Binnekill Creek.

The Proposed Activity may involve the removal of 7,200 square feet of existing pavement on land northeast of the intersection of the Binnekill Creek and the EBDR; construction of a bio-infiltration swale, a 4,900 square-foot parking area within the footprint of the existing paved parking area, and a stone dust path.

The Proposed Activity is partially located in the Binnekill Creek and is entirely located within the floodway and floodplain of the EBDR. The Proposed Activity will involve the disturbance of approximately 2.4 acres. The Proposed Activity will involve the permanent disturbance of approximately 1.4 acres of floodway and floodplain and the temporary disturbance of approximately 1.0 acres of floodway and floodplain; and the permanent disturbance of approximately 0.7 acres below the ordinary high water mark (OHWM) of the Binnekill Creek.

During Hurricane Irene and Tropical Storm Lee, the Village of Margaretville was primarily inundated by floodwater from the EBDR, but was also inundated from floodwater originating from Bull Run, a north-south channel carrying stormwater from areas north of Margaretville; and Binnekill Creek, an east-west channel that runs from the EBDR, crosses beneath NY Route 30, and traverses the eastern and southern portion of the Village's downtown area before emptying back into the EBDR.

The Proposed Activity will mitigate stormwater damage, which will ensure that Village residents are provided continued access to vital emergency response during and after future storm events, and provide reliable evacuation routes for those residents that find it necessary to evacuate their homes during flood events. The proposed improvements to the Binnekill Creek and the adjacent floodplain will increase the flood resiliency of the community. The dam that is currently located along the Binnekill Creek worsens flooding during storm events by raising the water surface and reducing the capacity of the Binnekill channel. By removing the dam and creating additional floodplain acreage, the Proposed Activity will increase the capacity of the channel and help to reduce the extent and severity of flooding during storm events when the EBDR inundates its floodplain.

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 by February 1, 2021 will be considered.



Governor's Office of Storm Recovery

ANDREW M. CUOMO
Governor

Distribution List for Early Notice **Margaretville Gateway Implementation Project**

FEDERAL AGENCIES

Tennille Smith Parker, Director
U.S. Dep. of Housing and Urban Development
Disaster Recovery and Special Issues Division
451 7th Street SW, Room 7272
Washington, DC 20410
Tennille.S.Parker@hud.gov

Jose Ortiz
U.S. Dep. Of Housing and Urban Development
Jose.I.Ortiz@hud.gov

Rebecca Blanco
U.S. Dep. Of Housing and Urban Development
Rebecca.Blanco@hud.gov

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
Therese.J.Fretwell@hud.gov

By U.S. Mail Only:

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

Andrew Dangler
ATTN: CENAN-OP-RU
Biologist/Senior Project Manager, Upstate New York Section
Department of the Army, US Army Corps of Engineers,
1 Buffington St., Bldg. 10, 3rd Fl.
North Watervliet, NY 12189
andrew.c.dangler@usace.army.mil

NYS AGENCIES

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

Nancy Baker, Regional Permit Administrator, Region 4
New York State Department of Environmental Conservation
1130 North Westcott Road
Schenectady, NY 12306-2014
dep.r4@dec.ny.gov

Marlene White
Supervisor, Mitigation Projects
NYS Division of Homeland Security & Emergency Services
1220 Washington Avenue, Building 7A - 4th Floor
Albany, NY 12242
Marlene.White@dhSES.ny.gov

Phillip Eskeli, Project Manager
Bureau of Water Supply, Watershed Protection and Planning- Stream Management Program
NYCDEP
71 Smith Avenue
Kingston, NY 12401
peskeli@dep.nyc.gov

Local

John Hubbell, Mayor
Village of Margaretville,
773 Main Street
Margaretville, NY 12455
vommayor@catskill.net

Diana Cope, NYRCR Coordinator
Village of Margaretville
773 Main Street
Margaretville, NY 12455
vomnyr@catskill.net

Karen McMurray, Village Clerk
Village of Margaretville,
773 Main Street
Margaretville, NY 12455
vomclerk@catskill.net

Carl Patrick Davis, Town Supervisor
Town of Middletown
PO Box 577
Margaretville, NY 12455
middsuper@catskill.net

Patricia Kelly, Town Clerk
Town of Middletown
PO Box 577
Margaretville, NY 12455
middtwnclerk@catskill.net

Building and Zoning Department
Town of Middletown
PO Box 577
Margaretville, NY 12455
middbldgzon@catskill.net