

PEDESTRIAN FOOTBRIDGE, [REDACTED]
(APPLICANT IDENTIFICATION: [REDACTED])
ENVIRONMENTAL ASSESSMENT



New York State Governor's Office of Storm Recovery
May 8, 2015

PEDESTRIAN FOOTBRIDGE – [REDACTED] ENVIRONMENTAL ASSESSMENT & ERR PROJECT SUMMARY	
Responsible Entity:	New York State Homes & Community Renewal – Housing Trust Fund Corporation cooperating with the Governor’s Office of Storm Recovery (GOSR)
Certifying Officer:	Daniel Greene, Esq., Certifying Environmental Officer, GOSR
Project Name:	Pedestrian Footbridge, [REDACTED]
Funding Recipient:	[REDACTED]
Federal Agency:	U.S. Department of Housing & Urban Development (HUD)
Project #:	[REDACTED]
Project Sponsor:	New York State Housing Trust Fund Corporation
Program Name:	New York State Community Development Block Grant – Disaster Recovery (Housing Assistance Programs, 1 - 4 Unit)
Project Address:	[REDACTED], Sundown, NY 12740
Project County:	Ulster County, NY
Estimated Project Cost:	\$140,000
Project Sponsor Address:	Governor’s Office of Storm Recovery 99 Washington Avenue, Suite 1224 Albany, New York 12231
Primary Contact/ Person To Direct Comments:	Governor’s Office of Storm Recovery 25 Beaver Street, 5th Floor New York, New York 10004
E-Mail address:	<i>Daniel.Greene@stormrecovery.ny.gov</i>
Telephone Number:	(212) 480-4644
Project NEPA Classification:	24 CFR 58.36
ENVIRONMENTAL FINDING:	<input checked="" type="checkbox"/> Finding of No Significant Impact - The project will not result in a significant impact on the quality of the human environment. <input type="checkbox"/> Finding of Significant Impact - The project may significantly affect the quality of the human environment.
	<p>The undersigned hereby certifies that New York State Housing Trust Fund Corporation has conducted an environmental review of the project identified above and prepared the attached environmental review record in compliance with all applicable provisions of the National Environmental Policy Act of 1969, as amended, (42 USC sec. 4321 et seq.) and its implementing regulations at 24 CFR Part 58.</p> <p>Preparer Signature:  NAME: Daniel Greene, Esq. Title/Agency: Certifying Environmental Officer - Governor’s Office of Storm Recovery Date: 05/08/2015</p>
Environmental Assessment Prepared By:	Tectonic Engineering & Surveying PO Box 37, 70 Pleasant Hill Road Mountainville, NY 10953

NEPA Environmental Assessment Checklist

Pedestrian Footbridge – [REDACTED]

May 8, 2015

Project Name and Description:

Project Name: Pedestrian Footbridge, [REDACTED] (Applicant Identification: [REDACTED])

Location: [REDACTED], Sundown hamlet, Town of Denning, Ulster County, NY 12740

The proposed action is the construction of a replacement footbridge spanning approximately 210 linear feet across Rondout Creek to allow access to a single-family residence. The bridge will be approximately 7 feet and 2.75 inches wide and will provide the residents access to the home without fording Rondout Creek. Currently, access to the home is restricted during high flow conditions. Location maps are included in **Attachment 1**.

INTRODUCTION

Sundown is an incorporated hamlet within the Town of Denning, Ulster County. This area suffered flooding as a result of Hurricane Irene. The footbridge at the property described herein suffered substantial damage as a result of high flow conditions during Hurricane Irene. The bridge was washed away and approximately 65 feet of embankment at the bridge location was lost due to erosion during the storm. To increase accessibility to the residential property, the applicant proposes to replace the footbridge across Rondout Creek.

Project Activities: This project involves Community Development Block Grant – Disaster Recovery (CDBG – DR) program funding for new construction of an approximately 210 linear foot footbridge. The proposed work comprises of a combined use of steel H-pile placement, concrete erection support, railings and abutments. The project will involve stream bed disturbance and bank disturbance in portions of the creek channel to install four pile sets. Each pile set will be reinforced with bracers secured on steel plates at the abutments. The work will also include concrete filling on both end connections and an additional retainer plate on the eastern connection side. No bank restoration is required as the bridge covers the complete span of the creek and there is very little alteration proposed for the surrounding area. The surface of the bridge will be finished with roll tar and the tar covered with sand to create a non-slip surface that is not tacky due to exposed tar.

Proposed work and preliminary site plans according to Illing Engineering Services (IES) includes approximately 210' x 7' 2³/₄" linear feet footbridge. Piles will be 12-inch diameter and there will be a 31' linear foot pile set, a 26' linear foot pile set, a 20' linear foot pile set, and a 15' linear foot pile set. Piles will be driven up to 22 feet into the stream bed. The bridge will be sloped approximately 3.5% with the higher end on the south side of Rondout Creek and the lower end on the north side of Rondout Creek. The underside of the bridge will be approximately five and one half (5.5) feet above the stream bed at its lowest elevation. These plans are not finalized, but final engineered plans are expected to conform closely with these preliminary plans.

Due to the extent of new construction for the replacement footbridge across the Rondout Creek, an environmental assessment is being prepared in accordance with 24 CFR Part 58.36.

Background & Context: According to case documents, the grant applicant, [REDACTED], has been accessing her residential property by fording the Rondout Creek. While this is possible during low flow conditions, there are times when fording the creek is not practicable and is not safe. Moreover, current conditions could hinder emergency personnel from accessing the home if an emergency were to occur.

Several options were evaluated to restore reliable access to the residence. One option was to build a road through neighboring properties, but this option was deemed too expensive, and would require easement agreements with adjacent property owners. Additionally, the option to rebuild a bridge that could allow vehicular access, including fire trucks, to the property was considered. Unfortunately, the funds necessary to build such a bridge are not available to the applicant. Several designs to construct a replacement footbridge were considered and an orthotropic pedestrian bridge design was chosen. Initial estimates indicate that the project will cost approximately \$140,000.00.

The bridge will span Rondout Creek which drains to the Rondout Reservoir. This river and reservoir are part of the New York City Water Supply Watershed. There are several developed properties located in the valley along Rondout Creek in the area of the project location. The terrain in the project area is mountainous with mainly forested land in addition to cleared/ agricultural land. It is not expected that this project will affect the New York City Watershed because the project will replace a previously existing structure and does not involve septic or sewer systems. Moreover, once the construction for this project is complete, the residents of the property will no longer ford the river which will eliminate the need for stream disturbance via vehicular and pedestrian crossing.

Purpose & Need for the Project: The funding assistance provides for replacement of a pedestrian footbridge. This project will restore reliable access to the residence on the property and will also allow for emergency medical access if an emergency were to occur.

ENVIRONMENTAL ASSESSMENT FACTORS/ SCREENING

*[Environmental Review Guide HUD CPD 782, 24 CFR 58.40; Ref. 40 CFR 1508.8 & 1508.27] Evaluate the significance of the effects of the proposal on the character, features and resources of the project area. Enter relevant base data and verifiable source documentation to support the finding. Then enter the appropriate impact code from the following list to make a determination of impact. **Impact Codes:** (1) - No impact anticipated; (2) - Potentially beneficial; (3) - Potentially adverse; (4) - Requires mitigation; (5) - Requires project modification. Note names, dates of contact, telephone numbers and page references. Attach additional material as appropriate. Note conditions or mitigation measures required.*

Land Development	Code	Source or Documentation
<p>Conformance with Comprehensive Plans and Zoning</p>	<p>1</p>	<p>Town of Denning assessment data indicates that the property class of this property is single-family residential. The property was purchased by the current applicant with existing footbridge and fording privileges approximately 30 years ago. The proposed work to replace a pedestrian footbridge providing access to the residence is in conformance with existing privileges and the property class.</p> <p>Additionally, notes from a meeting between FEMA, ██████ (applicant), the preliminary engineering firm (Wes Illing), the NYC Department of Environmental Protection, NYS Department of Environmental Conservation, Senator Bonacic's office, Sullivan County Soil & Water Conservation District, the Town of Denning, and Ulster County Legislator indicate the aforementioned parties agreed that a replacement footbridge and continuing fording rights would be the only viable short-term solution to reinstitute reliable access to the residential property (See Attachment 2).</p> <p>Amongst several goals listed in the Town of Denning Comprehensive Plan dated 2007, the Town of Denning set forth goals to maintain and preserve Denning's natural beauty, to help keep land and housing affordable for residents, to minimize the conversion of undeveloped land in the remote mountain areas, and to ensure that development is compatible with natural resources protection. The proposed project will allow the continued use of long-standing preexisting residence and will prevent a situation that could force the residents from having to move and develop new parcels due to unreliable access to their current property. Moreover, the proposed action plan is to replace a previously existing structure and, thus, is not expected to adversely affect the aesthetic resources of the area relative to the preexisting conditions.</p> <p>Additionally, this action does not hinder possible future community hazard mitigation/erosion prevention projects that may arise in this area.</p>

Compatibility and Urban Impact	2	The project proposes to replace a previously existing pedestrian footbridge. The project is located in a sparsely populated area and does not occur in an urban environment. Furthermore, the project does not create potential to urbanize a previously non-urban area.
Slope	1	Per the applicable USGS Topographic Map, the project site is a bridge over a creek that runs through a valley. The Rondout Creek and its floodplain are generally flat, but give way to a precipitous rise in elevation beyond the floodplain. The bridge will have an approximate 3.5% positive slope from the south side to the north side of Rondout Creek. The elevation at the bridge location is approximately 960 feet above sea level. The project will not affect the natural slope of the stream or the adjacent embankments. The bridge will be built on piles and the stream banks are not proposed to be excavated or graded. Rondout Creek will continue to flow unimpeded. (Source Cited: Attachment 1)
Erosion	1	This project proposes to replace a pedestrian footbridge that was washed away during Hurricane Irene. The project does not include stream bank rehabilitation and is not expected to affect erosion at the project site. Best management practices for erosion and sediment control will be used to limit impact to water quality and erosion during the construction of the in-water pilings for the bridge. Achieving the replacement of the footbridge will reduce the necessity for fording Rondout Creek, and can reduce any erosion that occurs when the Creek is forded by vehicles or pedestrians.
Soil Suitability	1	US Dept. of Agriculture (USDA) Natural Resources Conservation Service (NRCS) maps provide information on soils types and properties that influence development of building sites. The information is intended for land use planning, evaluating land use alternatives, and for planning site investigations prior to design and construction. According to the NRCS soils map data for "Erosion Hazard" the rating class and limiting features for the soil type in the location of the proposed rehabilitation road and/or trails is slight to moderate (See Attachment 3, USDA NRCS Soil Map) . This means that there are some limiting features, but that the construction of roads or trails in this location is not severely limited. Moreover, as the proposed project is a bridge over the location, the soils are only disturbed at the piling locations. It is presumed that engineered construction plans account for soil suitability factors in the design of the pedestrian footbridge supports.
Hazards and Nuisances including Site Safety	1	The proposed project involves replacement of a pedestrian footbridge over Rondout Creek. Normal construction hazards will be present during work. Construction management practices to promote safety would comply with existing applicable Federal, State,

		<p>County and local municipal regulations.</p> <p>The property is not listed on a U.S. Environmental Protection Agency (EPA) Superfund National Priorities or Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) list or equivalent State list, and is not located within 3,000 feet of a toxic or solid waste landfill site. Based on review of the NYSDEC Bulk Storage database, the property does not have underground storage tank, and the property is not known or suspected to be contaminated by toxic chemicals or radioactive materials. Moreover, a review of the NYSDEC Spill Incident database revealed no spills occurring on the property or in the immediate vicinity of the property.</p> <p>A review of the EPA Resource Conservation and Recovery (RCRA) and NYSDEC Environmental Remediation databases provided no indication of past uses of the surrounding properties that could contaminate the property or potentially adversely affect the occupants of the adjacent properties.</p> <p><i>Conclusion:</i> Based on project description, the scope of work is not expected to pose an environmental risk to the residential character of the property or the inhabitants of the property. The funded activities do not involve actions that would involve potential recognized environmental conditions/contamination. Thus, a Phase I or Phase II Environmental Site Assessment is not warranted. (See Attachment 4, HUD Environmental Standards Review)</p>
Energy Consumption	1	The project will not expand energy consumption needs relative to conditions prior to the flooding events, nor will it increase long-term energy consumption.

Noise - Contribution to Community Noise Levels	1	The proposed use is not a noise sensitive use. This project will not generate excessive noise during the short-term period of physical work and work will adhere to local municipal noise control standards. There is no long-term change to the local noise characteristics of the site.
Air Quality Effects of Ambient Air Quality on Project and Contribution to Community Pollution Levels	1	This project does not involve physical work that would substantively affect the NYSDEC Air Quality State Implementation Plan (SIP). No significant impacts on air quality will result. Generally, it is recommended to conduct construction rehabilitation utilizing methods to ensure acceptable air quality during these temporary activities, including through minimization of volatile organic compounds and nitrogen oxides emissions. This includes operation of gas-powered construction equipment to avoid prolonged idling. It involves fugitive

		dust management in rehabilitation. It is also desirable to source low-VOC materials and inventory and energy star efficient equipment purchase, as practicable.
Environmental Design Visual Quality - Coherence, Diversity, Compatible Use and Scale	1	The project involves replacement of a previously existing pedestrian footbridge across Rondout Creek. The proposed project is not expected to detract from visual quality as existed prior to the previously existing bridge washing away.

Socioeconomic	Code	Source or Documentation
Demographic Character Changes	1	The project will not induce any change in the demographic character of the area.
Displacement	2	The project involves replacement of a pedestrian footbridge and there is no known potential for the project to cause the displacement of individuals or families, destroy jobs, local businesses or public community facilities, or disproportionately affect particular populations. Instead, this project entails mitigation measures which will allow reliable access to a residential property and may prevent displacement of current residents if stream flow conditions became such that the resident could no longer ford the creek to access their home.
Employment and Income Patterns	1	Not applicable. The project has no potential to affect employment opportunities or income patterns.

Community Facilities and Services	Code	Source or Documentation
Educational Facilities	1	Not applicable. The project will not introduce any new populations that would increase the student population of the area. As such, the project will not have an impact on educational facilities.
Commercial Facilities	1	Not applicable. The project will not introduce any new development that would require additional retail services or other commercial facilities.
Health Care	1	Not applicable. The project will not introduce any new development that would require the availability of routine or emergency health services.
Social Services	1	Not applicable. The proposed project would not impact social services. Social services are provided by a range of non-profit and government agencies.
Solid Waste	1	The project involves the replacement of a pedestrian footbridge. The action will not produce solid wastes on an on-going basis. It is expected that any wastes produced during the construction of the bridge, such as excess construction materials, will be removed from the site and will be appropriately disposed of according to construction waste management practices at an appropriate, legally compliant receiving facility.
Waste Water	1	Not applicable. The proposed project will not introduce development that would generate waste water.

Storm Water	2	This project does not affect storm water conditions. It does allow access to the residential property during high flow conditions which can occur during storms. The project does not increase impervious surfaces relative to conditions that existed before the previous footbridge was washed away.
Water Supply	1	Not applicable. The proposed project will not increase demand for water.
Public Safety - Police	1	The proposed project will not generate new demand for police services. The project to replace a pedestrian footbridge will allow for reliable emergency police access to the residence on the property in the event of an emergency.
- Fire	1	The proposed project will not generate new demand for fire services. The project to replace a pedestrian footbridge will allow for reliable emergency fire personnel access (by foot) to the residence on the property in the event of an emergency.
- Emergency Medical	1	The proposed project will not generate new demand for emergency medical services. The project to replace a pedestrian footbridge will allow for reliable emergency medical access to the residence on the property in the event of an emergency.
Open Space & Recreation - Open Space	1	The project involves replacement of a pedestrian footbridge and will not introduce new development that would generate demand for open space resources or impede open space access.
- Recreation	1	The proposed project will not introduce new development that would generate demand for recreational resources and nor will it impede recreational access. The action occurs on private residential property.
-Cultural Facilities	1	<p>Due to the project location and potential for impacts to archaeological resources, a Phase I Archaeological Assessment was completed. The assessment concluded that no impacts would occur. Additionally, the stream banks were scoured so that any cultural artifacts that may have once been present, have been washed away by the Rondout Creek.</p> <p>The State Historic Preservation Office (SHPO) concurred that no historic properties will be affected by the proposed undertaking in a letter dated May 1, 2015.</p> <p>(Source Cited: Attachment 5)</p>
Transportation	1	Besides limited trips generated by construction vehicles during a short window of construction defined to occur over a period of up to ten (10) months, possibly less, the project will not introduce new development that generates continuing demand for transport or transport services.

Natural Features**Source or Documentation**

Water Resources	1	<p>The project will neither introduce new demand for groundwater or surface water as a water supply nor introduce septic flows that may affect water resources.</p> <p>The project occurs in the Rondout Creek Watershed, which has a NYS Watershed Plan. The Rondout Creek Watershed Plan focuses on watershed education and awareness, storm water management, floodplain management, vegetation management, and best management practices for activities such as agriculture. This project to replace a footbridge providing access to a residential property is in conformance with the watershed plan. Moreover, impacts to floodplain were considered and documented herein. The Rondout Creek Watershed Plan can be found at the following link: http://www.clearwater.org/green-cities/watershed-management/rondout-creek-watershed-council/</p>
Surface Water	1	<p>The proposed project involves replacement of a pedestrian footbridge across Rondout Creek and involves pilings into the stream bed. Stream bed disturbance may produce short-term impacts to surface water during the installment of bridge pilings. However, the proposed construction will be carried out in strict conformance with NYSDEC permit ID 3-5120-00002/00009, which authorizes the construction of the bridge over Rondout Creek including the support piling/pipes in the stream bed. Permit conditions that apply to this project include, but are not limited to, the installment of erosion controls, erosion control during construction, and the work performed during low flows only. The NYSDEC permit with the complete list of permit conditions is provided in Attachment 6.</p> <p>Provided there is no discharge of dredged or fill material proposed for inside of the pilings, no CWA Section 404(b) permit would be required for the installation of this footbridge. However, if concrete is proposed to fill inside of the pilings, then a Section 404(b) permit would be required.</p> <p>The project occurs in an area that is part of the NYC Watershed and, thus, falls within the NYC Department of Environmental Protection jurisdiction. A letter from the NYC Department of Environmental Protection (DEP), dated April 15, 2015, indicates that the DEP has determined that the proposed project does not require any further review or approval by the NYC DEP (See Attachment 6).</p>
Unique Natural Features and Agricultural Lands	1	<p>According to NYSDEC's Environmental Resource Map, the site is not located in or adjacent to a "Significant Natural Communities". This data identifies locations</p>

		<p>within ½ mile of an identified significant natural community. The project is also not identified to be in or adjacent to State or Federal wetlands. (Source Cited: Attachment 7)</p> <p>This project action does not involve the conversion of farmland to another use and, thus, will have no effect on potential nearby agricultural lands.</p>
Vegetation and Wildlife	1	<p>According to information reviewed on the NYSDEC Environmental Resource Mapper at http://www.dec.ny.gov/imsmaps/ERM/viewer.htm, the project site is not located within NYSDEC's designated rare, threatened or endangered species generalized review area. A letter from the NYSDEC's NY Natural Heritage Program (NHP), dated February 19, 2015, indicates that there are no records of rare or state-listed animals or plants, or significant natural communities at the project site or within its immediate vicinity.</p> <p>The USFWS list of species that may be affected by or occur in the proposed project area includes the Northern Long-Eared Bat as a proposed endangered species, the northern wild monkshood as a threatened species, the bog turtle as a threatened species, and the Indiana bat as an endangered species for Ulster County.</p> <p>This project does not involve substantial clearing of vegetation or any taking of wildlife. The project may involve the removal of one (1) tree. Given the very minor proposed impact of potentially removing one tree at the property and the fact that the area surrounding the site is wooded and open space, the proposed project is not expected to impact habitat availability for the northern long-eared bat or the Indiana bat.</p> <p>A "No Effect" concurrence letter was received from the United States Fish and Wildlife Service, which is dated March 18, 2015. (Sources Cited: Attachment 8)</p>

ENVIRONMENTAL ASSESSMENT WORK SHEET

Directions: The Responsible Entity (RE) must make a determination as to whether the activities affiliated with the project will affect the resource under consideration and trigger formal compliance consultation procedures with the appropriate oversight agency and/or subsequent mitigation. You may consult guidance by clicking on links in each box below which also will take you to information from agency web sites. If the activity affects the resource, indicate (A) in the Status Determination Column below. Or indicate (B) in that column if the activity does not affect the resources under consideration. The compliance documentation column should indicate what source documentation was used to make the compliance determination and copies of all necessary documentation should be attached to the completed form for inclusion in the Environmental Review Record (ERR).

Statutes, Executive Orders, and Regulations listed at 24 CFR Sec. 58.5	Status Determination (A or B)	Compliance Documentation
Wetland Protection [Executive Order 11990]	B	The project does not occur within or adjacent to State or Federal designated wetlands. This is based on US Fish & Wildlife Service (USFWS) National Wetlands Inventory maps and the NYSDEC Environmental Resource Mapper. Thus, there was no direct consultation with USFWS or the NYSDEC regarding wetlands. There will be no direct impacts to State or Federal regulated wetlands. (Source Cited: Attachment 7)
Coastal Zone Management [Coastal Zone Management Act, 1972, sec. 307 (c) and (d)]	B	Not applicable. The project does not occur in a Coastal Zone according to the USFWS coastal barrier resources system mapper. (Source Cited: Attachment 7)
Historic Preservation [36 CFR Part 800]	B	Due to the project location and potential for impacts to archaeological resources, a Phase I Archaeological Assessment was completed. The assessment concluded that no impacts would occur. Additionally, the stream banks were scoured so that any cultural artifacts that may have once been present, have been washed away by the Rondout Creek. The State Historic Preservation Office (SHPO) concurred that no historic properties will be affected by the proposed undertaking in a letter dated May 1, 2015. (Source Cited: Attachment 5)
Floodplain Management [Executive Order 11988; 24 CFR Part 55]	B	The proposed project is in a 100-year floodplain and according to preliminary data it is in floodway (Attachment 9) . Floodplain Management (EO11988) Determination shows compliance and is annexed hereto as Attachment 10 . In accordance with 24 CFR

		Part 55.20, this determination entailed a full 8-step decision making process, and its findings are affirmative to suggest that the project is practicable and may proceed.
Sole Source Aquifers [40 CFR 149]	B	The project is not located in a sole source aquifer area. Additionally, the project does not increase impervious surfaces relative to conditions that existed before the previous bridge was washed away. There will be no adverse impacts to sole source aquifers. (Source Cited: Attachment 11).
Endangered Species Act [50 CFR 402]	B	<p>According to information reviewed on NYSDEC Environmental Resource Mapper at http://www.dec.ny.gov/imsmaps/ERM/viewer.htm, the site is not within NYSDEC's designated rare, threatened or endangered species generalized review area. A letter from the NYSDEC's NY Natural Heritage Program, dated February 19, 2015, indicates that there are no records of rare or state-listed animals or plants, or significant natural communities at the project site or within its immediate vicinity.</p> <p>The USFWS list of species that may be affected by or occur in the proposed project area includes the Northern Long-Eared Bat as a proposed endangered species, the northern wild monkshood as a threatened species, the bog turtle as a threatened species, and the Indiana bat as an endangered species for Ulster County.</p> <p>This project does not involve substantial clearing of vegetation or any taking of wildlife. The project may involve the removal of one (1) tree. Given the very minor proposed impact of potentially removing one tree at the property and the fact that the area surrounding the site is wooded and open space, the proposed project is not expected to impact habitat availability for the northern long-eared bat or the Indiana bat.</p> <p>A "No Effect" concurrence letter was received from the United States Fish and Wildlife Service, which is dated March 18, 2015. (Sources Cited: Attachment 8)</p>
Wild and Scenic Rivers [16 U.S.C. 1271, Sec. 7(b), (c)]	B	Not applicable. The project does not occur within or adjacent to wild and scenic rivers within Ulster County, as designated by the U.S. Department of the Interior. Additionally, there are no State designated wild, scenic, or recreational rivers within or near the project locations.
Clean Air Act [40 CFR Parts 6, 51, 93]	B	This project does not involve physical work that would substantively affect the NYSDEC Air Quality State Implementation Plan (SIP). No significant impacts on air quality will result. Generally, it is recommended to conduct construction rehabilitation utilizing measures to

		ensure acceptable air quality during these temporary activities, including through minimization of volatile organic compounds and nitrogen oxides emissions. This includes operation of gas-powered construction equipment to avoid prolonged idling. It involves fugitive dust management in rehabilitation. It is also desirable to source low-VOC materials and inventory and energy star efficient equipment purchase, as practicable.
Farmland Policy Act [7 CFR Part 658]	B	Not applicable. This project does not involve the conversion of farmland to other use. The project involves replacing a pedestrian footbridge and will occur within the limits of the stream banks.
Environmental Justice [Executive Order 12898]	B	This project does not occur in a State-identified Environmental Justice area http://www.dec.ny.gov/docs/permits_ej_operations_pdf/ulsterej.pdf The project is intended to provide new construction for a footbridge that spans across the Rondout Creek allowing access to a residential home. The project does not contribute to or promote environmental injustice.
Noise Abatement and Control [24 CFR Part 51, Subpart B]	B	The proposed use is not a noise sensitive use. The proposed work is not expected to generate excessive noise during the short-term period of physical work and work will adhere to local noise control standards.
Explosive and Flammable Operations [24 CFR Part 51 C]	B	Acceptable separation distance requirements do not apply to this rehabilitation and economic development case project because the definition for HUD-assisted projects in 24 CFR Part 51.201 is predicated on whether the project increases the number of people exposed to hazardous operations. The environmental review for this project/ activity involves a proposal to provide a new footbridge in place of a previously existing bridge that was washed away. The project does not involve increasing the residential or commercial density of the neighborhood. Pursuant to Part 51 Subpart C 'HUD-assisted project' Definition (in 51.201), it does not involve increasing residential or business densities, converting the type of use of a building to habitation, or making a vacant building habitable; therefore, there is not a requirement to comply under 24 CFR Part 51 Subpart C.
Airport Clear Zones and Accident Potential Zones [24 CFR Part 51 Subpart D]	B	The project does not involve acquisition; therefore, airport clear zone requirements are not applicable (also confirming compliance with 58.6).

Statutes, Executive Orders, and Regulations listed at 24 CFR Sec. 58.6 and Other State Laws	Status Determination (A or B)	Compliance Documentation
Flood Disaster Protection Act [Flood Insurance] [§58.6(a)]	B	Based on the applicable Flood Insurance Rate Map for this area, effective date May 4, 1984, and Preliminary flood data dated December 20, 2010, portions of the proposed project are located within a floodway and 100-year floodplain Special Flood Hazard Area. See attached FEMA Firmette and Preliminary Data. (Sources Cited: Attachment 9)
Coastal Barrier Resources Act/ Coastal Barrier Improvement Act [§58.6(c)]	B	The site is NOT in or immediately adjacent to (within 150 feet) of a Coastal Barrier Resource Area System Unit or Otherwise Protected Area. Additionally, based on the USFWS coastal barrier resources system mapper, the site is not located within or in close proximity to a Coastal Barrier Resource area. Therefore, no impacts would result. (Source Cited: Attachment 7)
Airport Runway Clear Zone or Clear Zone Disclosure [§58.6(d)]	B	The proposed project does not involve the purchase or acquisition of a property and is not within one mile of a military airport or 2,500 feet of any civil airport(s). The nearest airport is the greater Binghamton Airport located approximately 3.75 miles north of the proposed project area. Therefore, no impacts would result.
New York State Environmental Quality Review Act (6 NYCRR Part 617)	B	This project is a Type II action per 6 NYCRR Part 617.5(c)(2): “replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site, including upgrading buildings to meet building or fire codes, unless such action meets or exceeds any of the thresholds in section 617.4 of this Part”

SUMMARY OF FINDINGS

Funding for replacement of the pedestrian footbridge supports the applicant's recovery from past flood events and will allow access to the property during high flow conditions. By reinstating reliable access to the residence on this property, emergency services will be able to access the property in the event of an emergency, albeit the bridge only allows access by foot and vehicles would have to ford Rondout Creek to get close to the residential structure. As documented in the Environmental Assessment Checklist, no significant land development, neighborhood, socioeconomic, natural resources, community facility or other direct, indirect or cumulative impacts would result from the proposed project.

ALTERNATIVES TO THE PROPOSED ACTION

Alternatives & Project Modifications Considered [24 CFR 58.40(e), Ref. 40 CFR 1508.9]

One potential alternative is to relocate the residents within the affected area and convert the residential property into open space. Whilst this would eliminate the need to construct a pedestrian footbridge to access the property, the alternative would cause the displacement of the residents who have resided on the property for approximately 30 years. The project to replace the footbridge and allow for the continued residential use of the property is the preferred option according to notes from a meeting of interested parties (see **Attachment 2** for meeting notes and parties involved). Thus, in order to prevent displacement of the residents of this property and because the pedestrian footbridge is determined to be the most suitable action to be taken by interested agencies, the alternative to buyout the property is not considered feasible.

A second alternative could be to construct a road through neighboring properties to a different access point. This alternative was considered by the applicant but it was determined to be more expensive than reconstructing the pedestrian footbridge. Additionally, this option would have required procuring easements from other property owners. Thus, this option is not considered a viable option.

No Action Alternative [24 CFR 58.40(e)]

The 'no action' alternative means that there would be no replacement of the pedestrian footbridge at the property described herein. This would render fording Rondout Creek as the only option for the residents to access their residential structure. Land bordering the property is owned by other private entities; thus hiking from other bridges further downstream or upstream is not an option. If no action occurs, it is possible that emergency crews would not be able to access the residence in the event of an emergency, especially during high flow conditions when fording the river is not practicable and may not be feasible. Thus, the 'no action' alternative would not support this applicant's recovery from these storm events, and would leave the applicant susceptible to hindered access to and from the property during high flow conditions.

Mitigation Measures Recommended [24 CFR 58.40(d), 40 CFR 1508.20]

To prevent disturbance to the natural environment during construction, best management practices for erosion and sediment control will be utilized. Per permit conditions set forth by a NYS DEC permit, the work in Rondout Creek will only occur during low flow conditions with erosion and sediment control practices in place. By accepting the DEC Protection of Stream permit for this project, the applicant has agreed that work will conform to general conditions and limitations set forth in the permit.

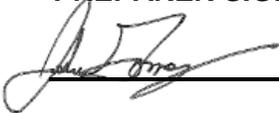
ADDITIONAL STUDIES PERFORMED &/OR LIST OF SOURCES, AGENCIES AND PERSONS CONSULTED [40 CFR 1508.9(b)] (With studies or summaries attached)

- Attachment 1: Location Maps (Street, Topographic, and Aerial maps)
- Attachment 2: [REDACTED] Bridge Discussion Meeting Notes
- Attachment 3: USDA NRCS Soils Map and Supplemental Information
- Attachment 4: Environmental Standards Review Report
- Attachment 5: SHPO consultation
- Attachment 6: Environmental Permits & Letters of Concurrence (NYS DEC & NYC DEP)
- Attachment 7: Wetland and Coastal Boundary Maps
- Attachment 8: Threatened and Endangered Species Concurrence Letters
- Attachment 9: FEMA Firmette and Ulster County Preliminary Flood Map
- Attachment 10: Floodplain Management Determination (EO11988)
- Attachment 11: Sole Source Aquifer Map

DETERMINATION: The preparers have complied with all provisions of 24 CFR Part 58, Subpart E—Environmental Review Process: Environmental Assessments, examining alternatives to the project itself, feasible ways to modify the project to eliminate or minimize adverse impacts, and based on steps (a) through (f) found in the regulations, determined the following:

- (1) Finding of No Significant Impact (FONSI), whereby the Responsible Entity may proceed to Dissemination and publication of the FONSI, per regulations found at 24 CFR Part 58, sec. **58.43(a)**.

PREPARER SIGNATURE:

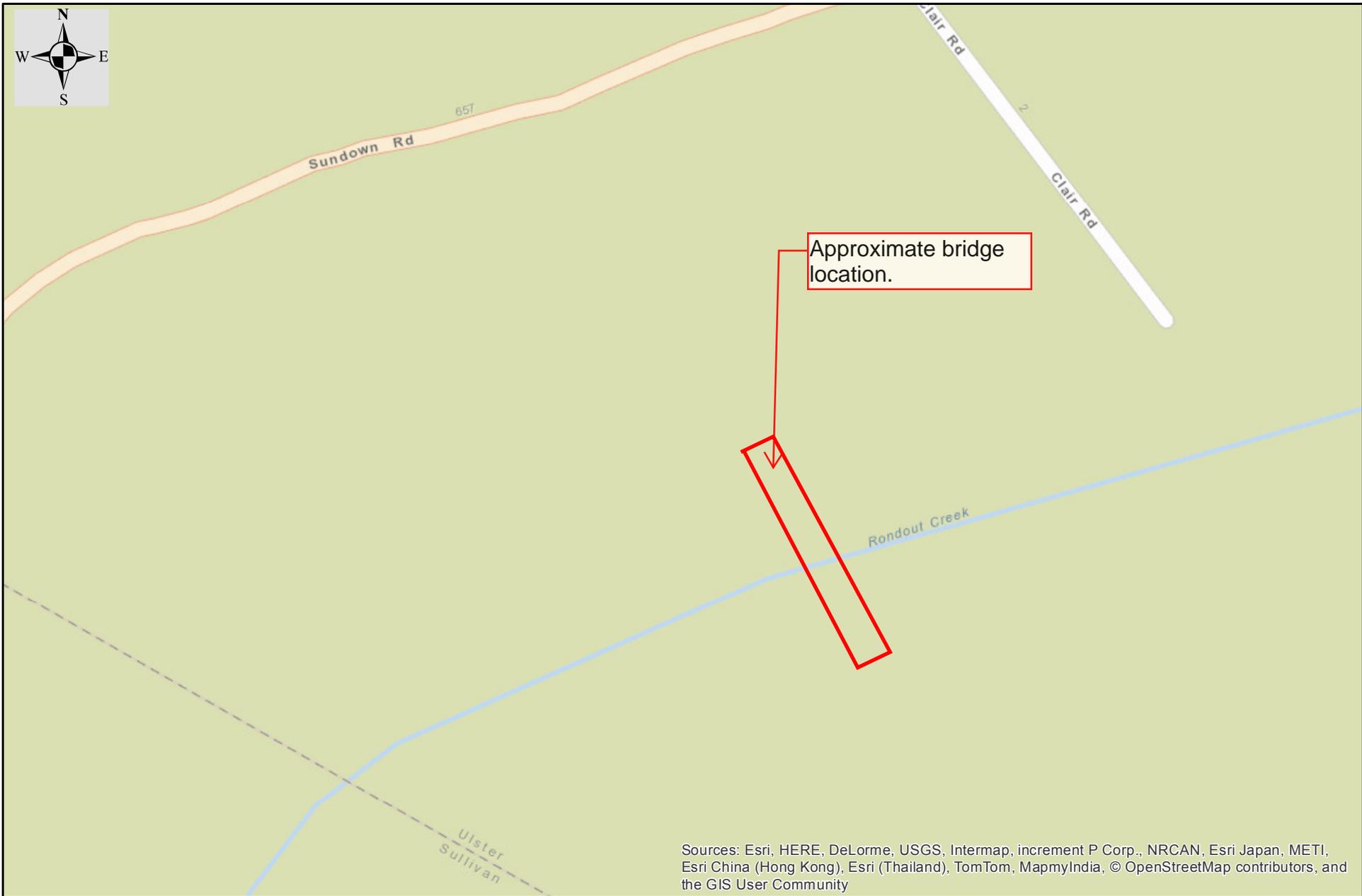


DATE:

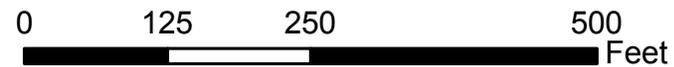
5/8/2015

Attachment 1

Location Maps
(Street, Topographic, and Aerial Maps)



Sources: Esri, HERE, DeLorme, USGS, Intermap, increment P Corp., NRCAN, Esri Japan, METI, Esri China (Hong Kong), Esri (Thailand), TomTom, MapmyIndia, © OpenStreetMap contributors, and the GIS User Community



Street Map

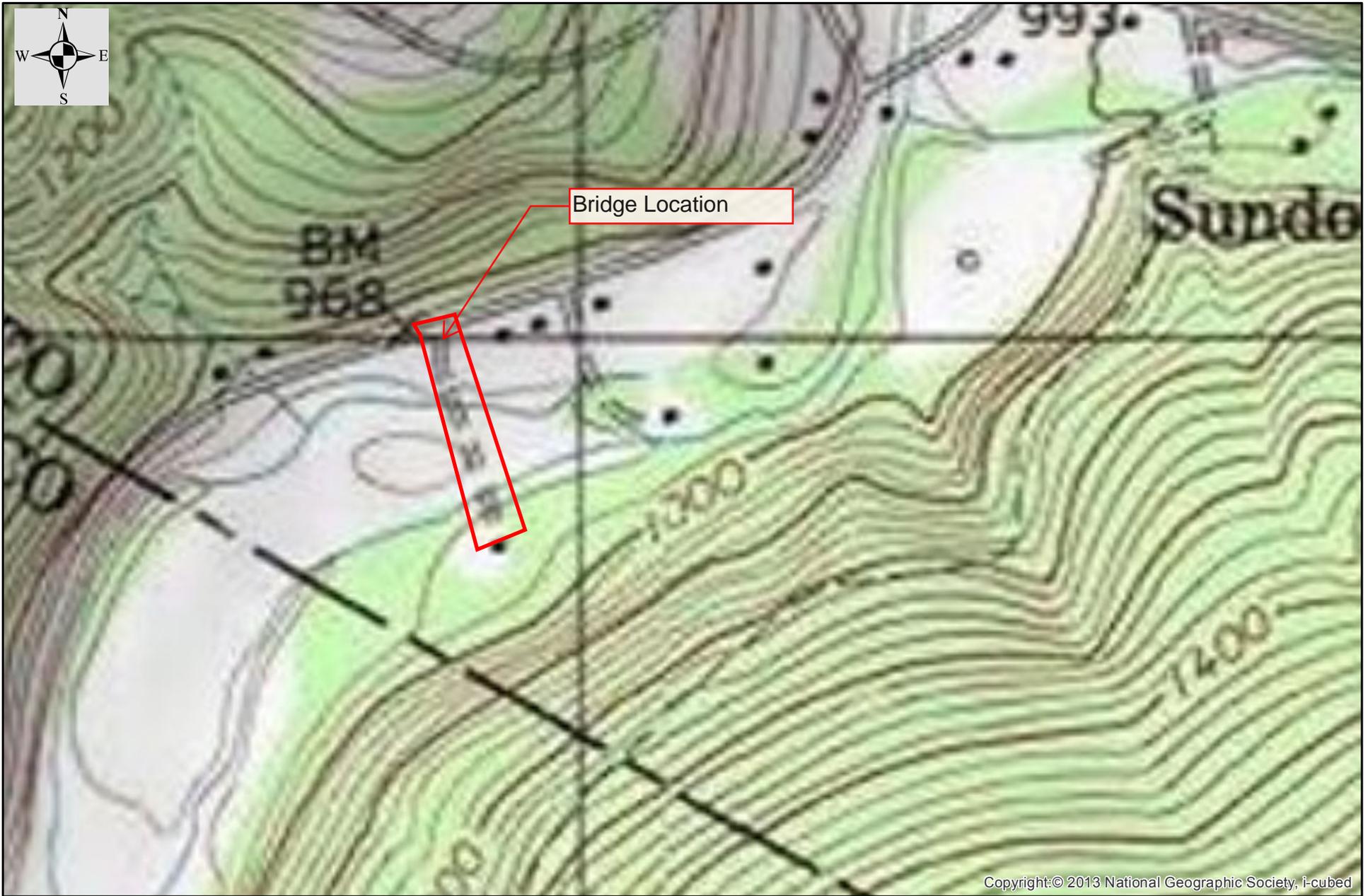
Sundown, NY

This map is computer generated using data acquired by Tectonic from various sources and is intended only for reference, conceptual planning, and presentation purposes. This map is not intended for and should not be used to establish boundaries, property lines, location of objects or to provide any other information typically needed for construction or any other purpose when engineered plans or land surveys are required.

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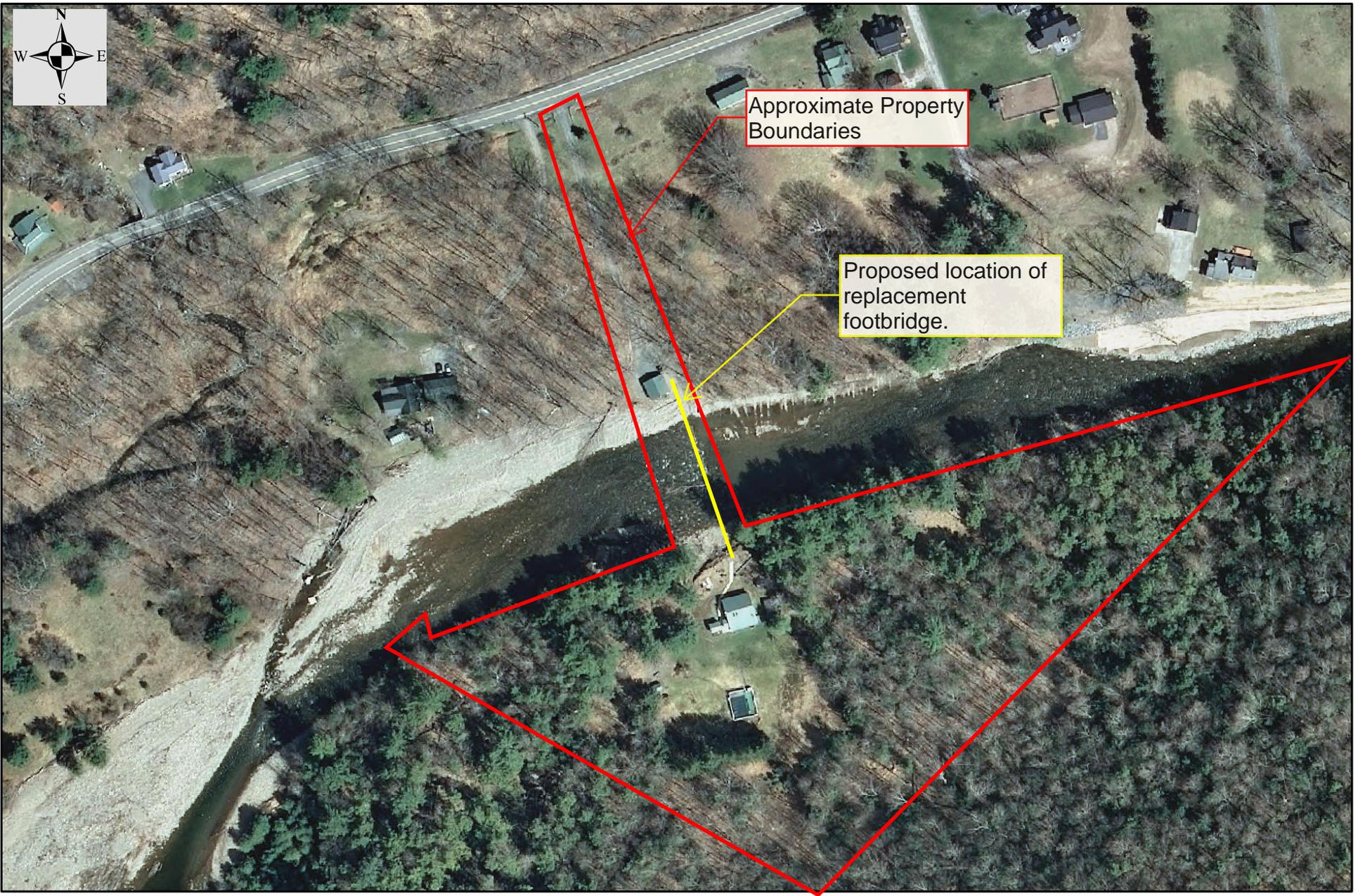
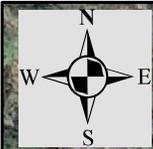
This map is computer generated using data acquired by Tectonic from various sources and is intended only for reference, conceptual planning, and presentation purposes. This map is not intended for and should not be used to establish boundaries, property lines, location of objects or to provide any other information typically needed for construction or any other purpose when engineered plans or land surveys are required.



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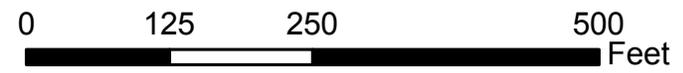
Topographic Map
Sundown, NY

Practical Solutions, Exceptional Service



Approximate Property Boundaries

Proposed location of replacement footbridge.



This map is computer generated using data acquired by Tectonic from various sources and is intended only for reference, conceptual planning, and presentation purposes. This map is not intended for and should not be used to establish boundaries, property lines, location of objects or to provide any other information typically needed for construction or any other purpose when engineered plans or land surveys are required.



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Aerial Image
Sundown, NY

Attachment 2

 Bridge Discussion Meeting Minutes

Merea See your info

MEETING SUMMARY

Group: Mathe Bridge Discussion

Attending:

FEMA Long Term Disaster Case Management/Catholic Charities: Mary Hale
Homeowner: [REDACTED]

Homeowner's Engineer: Wes Illing

NYC Department of Environmental Protection: Beth Reichheld, Karen Rauter, and Mark Vian

NYS Department of Environmental Conservation: Brian Drumm and Heather Gierloff

Senator Bonacic Representative: Krista Barringer

Sullivan County Soil & Water Conservation District: Karen Rauter and John Kline

Town of Denning: Bill Bruning

Ulster County Legislature: John Parete

Date: June 18, 2012

Background

- [REDACTED] purchased home 30 years ago with existing foot bridge and fording privileges. It had been an active home for approximately 20 years prior to the purchase.
- Foot bridge structure was made of steel. Storm water took out surrounding soil. Structure had never experienced damage in any previous storms.
- Erosion impacted many other homes on the street side of the creek.
- There was no damage to the [REDACTED] home or that side of the creek.
- This section of the creek has been identified in need of stream bank stabilization efforts.
- Stream bank stabilization is occurring at the end of Claire Road due to imminent risk of damage to a home on that road.
- The fording road requires the creek to be kept too shallow to maintain stream stability.

Bridge Options Discussed

- Rebuild foot bridge with the continuation of fording rights.
- Build a vehicle supported bridge and eliminate fording rights.
- Continue without any bridge and allow Mrs. [REDACTED] to ford through the creek, which can occur 6-8 times per day, through all types of weather conditions.
- Locate alternate route to property utilizing existing bridge.

Agreements

- It was agreed the rebuild of the foot bridge and continuing the fording rights would be a short term solution.
- It was agreed that there was a desire to help get Mrs. [REDACTED] out of the creek, permanently.
- It was agreed that a drive-able bridge would be a long term solution that would also remove the current stream bank erosion stability project through the elimination of the fording road.
- It was agreed that the alternative access route would be examined. [UPDATE: After the meeting, Supervisor Bruning provided the Planning Board maps to review. It was estimated that the cost for development of an approximately 4,000 foot road as well as purchasing easement rights from 4-5 other homeowners was cost prohibitive.]

- It was agreed that a larger community hazard mitigation/erosion prevention project that would reduce FEMA's ongoing recovery efforts in the area may be an option (FEMA ESP-14). The elimination of the fording road rights through the development of a drive-able bridge would be key to this areas stream stabilization efforts and would need to be included in any long term planning documents.

Meeting Outcomes

- It was agreed the foot bridge with continued fording rights would be the only viable short term solution. It was noted the construction of the foot bridge could be done in a way to allow it's expansion to a vehicle supported bridge in the future.
- Unfortunately, no one in attendance was aware of money or grants that would assist in the bridge rebuild.
- It was noted that steel could be reutilized. DEP noted the previous steel bridge structure was currently located on DEP property. [Linda will contact her neighbor, Tony, to obtain permission to access the DEP property through his land.]
- Karen noted there were other bridges that have been found in debris – debris that is currently included in DEC waivers for removal/disposal. [Karen will explore these for possible re-use opportunities.]
- Additional barge construction and scrap metal businesses were noted for possible donations (i.e. Feeney's and Millens in Kingston). [Wes and/or Mary will further investigate this option.]
- DEP noted the possible donation of bank run from dry creek areas on their property. It was also noted a new policy was just implemented at DEP. [Beth/Mark/Karen will further investigate this option.]
- Ulster County noted the rare possibility of bridge construction assistance through a tax loan program with the County. It was agreed this needed to be investigated further. [John will explore this option.]
- UPDATE: The ability to initiate a long term hazard mitigation/erosion prevention project by the Town would require documentation of how the stream stabilization/erosion prevention project would help to prevent damage to town property. [Krista will contact DEP to seek a letter for the Town.]
- UPDATE: Army Corp of Engineers apologized for not being in attendance. Noted their follow-up with the FEMA long term planning activity [ESP-14] currently available in New York State.
- As the engineer working to complete the foot bridge construction, all donations of steel and bank run should be communicated through Wes Illing (wesilling.ies@gmail.com or 845-292-6116)

Grahamsville Fire Department

P.O. Box 331 Grahamsville, NY 12740

January 15, 2012

Mary Hale
New York State Disaster Case Management
Ulster, Orange, and Sullivan Counties
(571) 388-7330

Ed McCarthy, Chief
Grahamsville Fire Department
P.O. Box 331
Grahamsville, NY 12740

Dear Ms. Hale,

This letter is in reference to the construction of a bridge for [REDACTED]. It was brought to my attention that Mrs. [REDACTED] bridge had been destroyed late this summer due to Hurricane Irene. This not only puts a hardship on Mrs. [REDACTED] it can also slow down emergency personnel if in fact there was an emergency. Forging through the river would be a viable option provided the conditions were alright, but as we have seen all too often the river can flood at any time. A bridge to Mrs. [REDACTED] house would greatly decrease the time needed to respond to a fire by allowing firefighters to cross the bridge instead of forging through the river. As volunteers serving our community, any assistance in providing our service is greatly appreciated. If you have any questions I can be contacted by phone or email.

Sincerely,

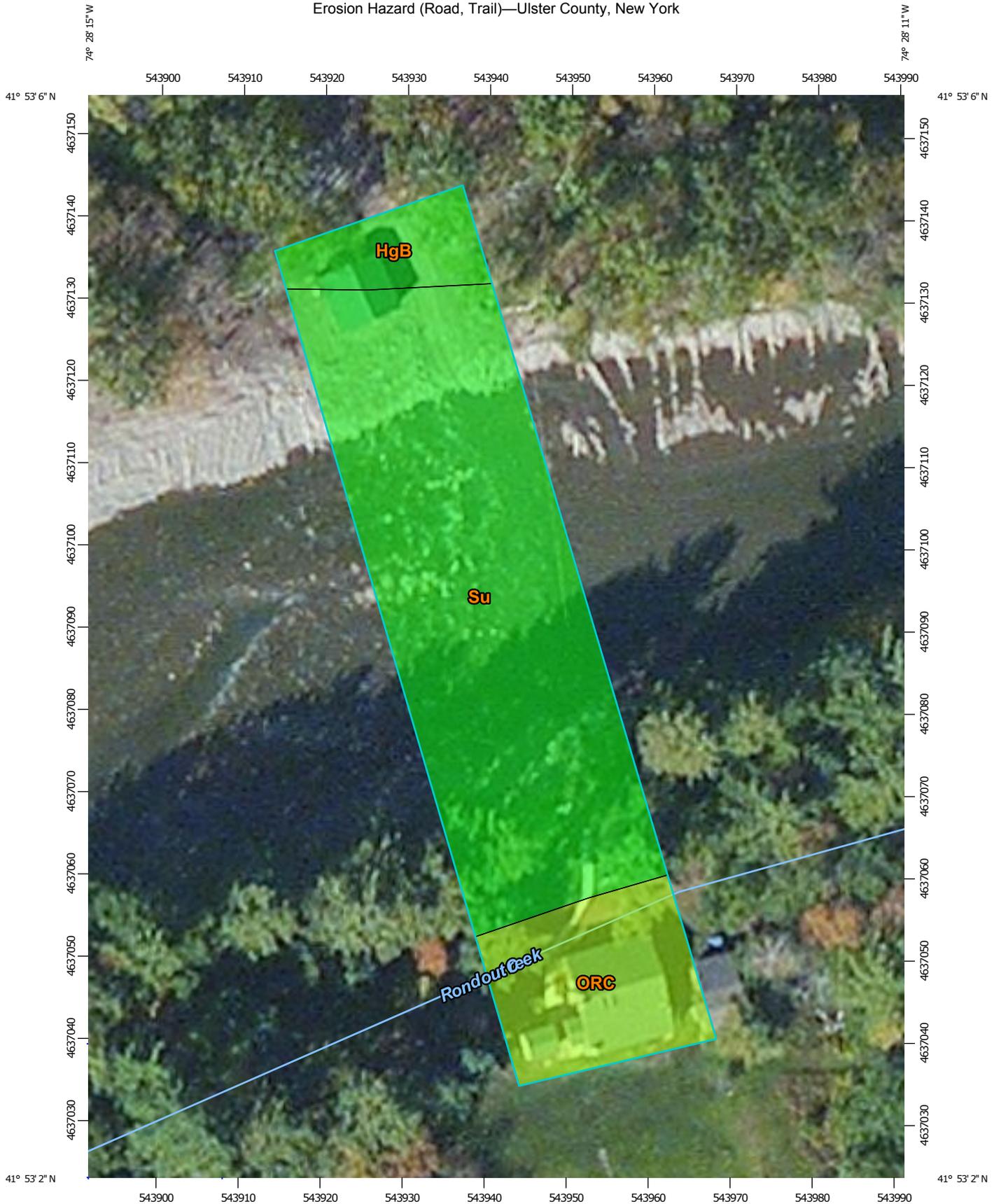


Ed McCarthy
Chief, Grahamsville Fire Department

Attachment 3

USDA NRCS Soils Map and Supplemental
Information

Erosion Hazard (Road, Trail)—Ulster County, New York



Map Scale: 1:641 if printed on A portrait (8.5" x 11") sheet.

0 5 10 20 30 Meters

0 30 60 120 180 Feet

Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 18N WGS84



MAP LEGEND

Area of Interest (AOI)

 Area of Interest (AOI)

Soils

Soil Rating Polygons

-  Very severe
-  Severe
-  Moderate
-  Slight
-  Not rated or not available

Soil Rating Lines

-  Very severe
-  Severe
-  Moderate
-  Slight
-  Not rated or not available

Soil Rating Points

-  Very severe
-  Severe
-  Moderate
-  Slight
-  Not rated or not available

Water Features

 Streams and Canals

Transportation

-  Rails
-  Interstate Highways

-  US Routes
-  Major Roads
-  Local Roads
- Background**
-  Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:15,800.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
 Web Soil Survey URL: <http://websoilsurvey.nrcs.usda.gov>
 Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Ulster County, New York
 Survey Area Data: Version 12, Sep 16, 2014

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Mar 20, 2011—Oct 10, 2011

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Erosion Hazard (Road, Trail)

Erosion Hazard (Road, Trail)— Summary by Map Unit — Ulster County, New York (NY111)						
Map unit symbol	Map unit name	Rating	Component name (percent)	Rating reasons (numeric values)	Acres in AOI	Percent of AOI
HgB	Hoosic gravelly loam, 3 to 8 percent slopes	Slight	Hoosic (80%)		0.1	8.2%
ORC	Oquaga-Arnot-Rock outcrop complex, sloping	Moderate	Oquaga (35%)	Slope/erodibility (0.50)	0.1	18.8%
			Arnot (30%)	Slope/erodibility (0.50)		
Su	Suncook loamy fine sand	Slight	Suncook (80%)		0.5	73.0%
Totals for Area of Interest					0.6	100.0%

Erosion Hazard (Road, Trail)— Summary by Rating Value		
Rating	Acres in AOI	Percent of AOI
Moderate	0.1	18.8%
Slight	0.5	81.2%
Totals for Area of Interest	0.6	100.0%

Description

The ratings in this interpretation indicate the hazard of soil loss from unsurfaced roads and trails. The ratings are based on soil erosion factor K, slope, and content of rock fragments.

The ratings are both verbal and numerical. The hazard is described as "slight," "moderate," or "severe." A rating of "slight" indicates that little or no erosion is likely; "moderate" indicates that some erosion is likely, that the roads or trails may require occasional maintenance, and that simple erosion-control measures are needed; and "severe" indicates that significant erosion is expected, that the roads or trails require frequent maintenance, and that costly erosion-control measures are needed.

Numerical ratings indicate the severity of individual limitations. The ratings are shown as decimal fractions ranging from 0.01 to 1.00. They indicate gradations between the point at which a soil feature has the greatest negative impact on the specified aspect of forestland management (1.00) and the point at which the soil feature is not a limitation (0.00).

The map unit components listed for each map unit in the accompanying Summary by Map Unit table in Web Soil Survey or the Aggregation Report in Soil Data Viewer are determined by the aggregation method chosen. An aggregated rating class is shown for each map unit. The components listed for each map unit are only those that have the same rating class as listed for the map unit. The percent composition of each component in a particular map unit is presented to help the user better understand the percentage of each map unit that has the rating presented.

Other components with different ratings may be present in each map unit. The ratings for all components, regardless of the map unit aggregated rating, can be viewed by generating the equivalent report from the Soil Reports tab in Web Soil Survey or from the Soil Data Mart site. Onsite investigation may be needed to validate these interpretations and to confirm the identity of the soil on a given site.

Rating Options

Aggregation Method: Dominant Condition

Component Percent Cutoff: None Specified

Tie-break Rule: Higher

Attachment 4

HUD Environmental Standards Review

Project: Pedestrian Footbridge – [REDACTED]

Introduction: The purpose of this review is to ensure that the project complies with HUD environmental standards in relation to 24 CFR Part 58.5. -Properties that are proposed for use in HUD programs “must be free of hazardous materials, contamination, toxic chemicals and gases, and radioactive substances, where a hazard could affect the health and safety of occupants or conflict with the intended utilization of the property.”

A desktop review was performed to identify whether the Property referenced in the title of this document complies with the following criteria:

- (i) is not Listed on an EPA Superfund National Priorities or Comprehensive Environmental Response Superfund National Priorities or Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) List, or equivalent State list;
- (ii) is not located within 3,000 feet of a toxic or solid waste landfill site;
- (iii) does not have an underground storage tank;
- (iv) is not known or suspected to be contaminated by toxic chemicals or radioactive materials.

Project Description:

The proposed action is the replacement of a footbridge providing access to a residential property. The new footbridge will be approximately 210 feet long and approximately 7 feet and 2.75 inches wide. The proposed work comprises of a combined use of steel H-pile placement, concrete, erection support, railings and abutments. The project will involve excavating portions of the creek channel to install three pile sets and additional excavation on stream embankments for a fourth pile set. Each pile set will be reinforced with bracers secured on steel plates at the abutments. The work will also include concrete filling on both end connections and an additional retainer plate on the eastern connection side. No bank restoration is required as the bridge covers the complete span of the creek and there is no alteration to the surrounding area. The surface of the bridge will be finished with roll tar and the tar covered with sand to create a non-slip surface that is not tacky due to exposed tar.

Summary of Findings:

The property is not listed on a U.S. Environmental Protection Agency (EPA) Superfund National Priorities or Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) list or equivalent State list, and is not located within 3,000 feet of a toxic or solid waste landfill site. Based on review of the NYSDEC Bulk Storage database, the property does not have underground storage tank, and the property is not known or suspected to be contaminated by toxic chemicals or radioactive materials. Moreover, a review of the NYSDEC Spill Incident database revealed no spills occurring on the property or in the immediate vicinity of the property.

A review of the EPA Resource Conservation and Recovery (RCRA) and NYSDEC Environmental Remediation databases provide no indication of past uses of the surrounding properties that could contaminate the property or potentially adversely affect the occupants of the adjacent properties.

Conclusion: Based on project description, scope of work is not expected to pose an environmental risk to the residential character of the property or the inhabitants of the property. The funded activities do not involve actions that would involve potential recognized environmental conditions/contamination. Thus, a phase I or phase II environmental site assessment is not warranted.

Data Sources: Tectonic has reviewed the following sources to make the above determinations: Hazardous Waste records contained in the Resource Conservation and Recovery Act Information (RCRA), the Comprehensive Environmental Response, Compensation, and Liability Information System (CERCLIS) for sites listed under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA (otherwise known as Superfund)), EPA's Toxic Release Inventory database (TRI), and the EPA Radiation Information Database (RADInfo). RCRA includes data on small and large quantity hazardous waste material generators and handlers. EPA's Toxic Release Inventory provides information on toxic chemical releases and waste management activities by certain industries. The RADInfo database provides information about facilities that are regulated by the U.S. EPA for radiation and radioactivity.

Tectonic reviewed the NYS DEC Remedial Site Database to assess whether the project site is registered as a NYS Superfund or Environmental Restoration site. The DEC Remedial Database includes records of sites that are part of the NYS Superfund, Brownfield Cleanup, Environmental Restoration, and Voluntary Cleanup Programs. The database also includes a Registry of Inactive Hazardous Waste Disposal Sites. Tectonic reviewed the NYSDEC Bulk Storage Database to determine if the project area has an underground storage tank (which is not a residential fuel tank), or other registered storage tanks. The NYSDEC Bulk Storage Database was reviewed for records of facilities that are or have been regulated according to one of the Bulk Storage Programs- Petroleum Bulk Storage, Chemical Bulk Storage, or Major Oil Facility. The NYSDEC Spill Incident Database was used to determine the potential effects of spills on or near the Property. A desktop review of Google Earth was used in conjunction with a map of active municipal landfills (provided by the DEC), and a list of landfills provided by the DEC to determine whether a non-active or active landfill is located within 3000 feet of the Property.

Maps

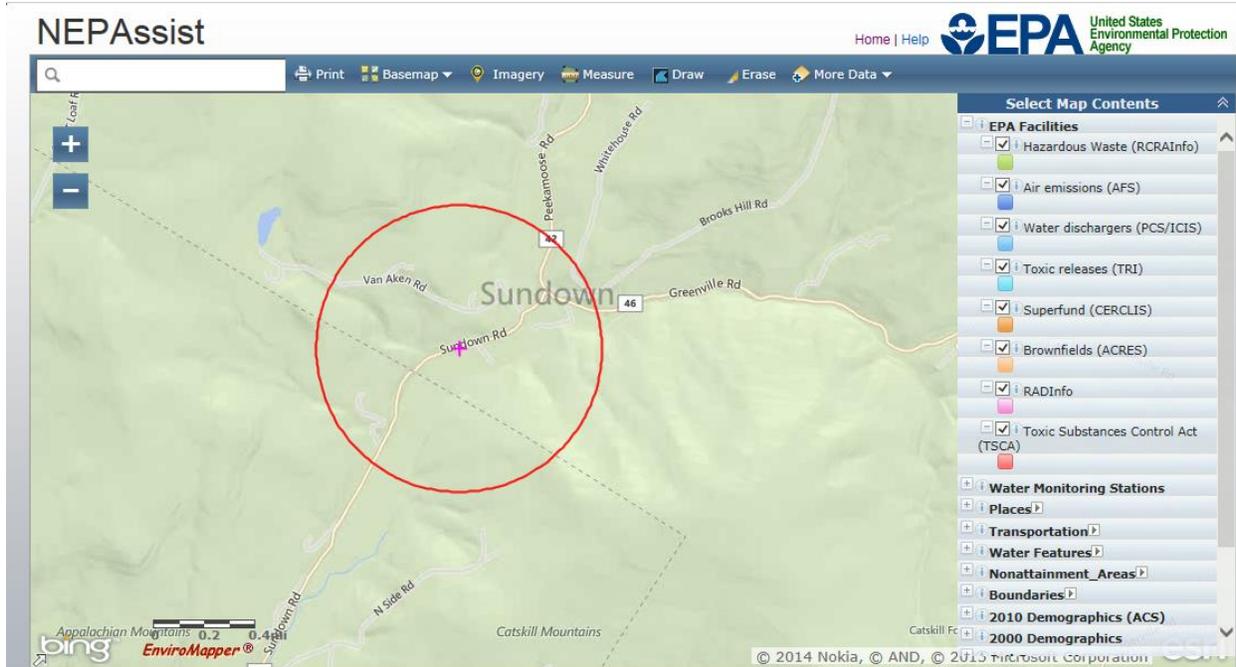


Figure 2: Hazardous waste sites and handlers (green marker), toxic release sites (blue marker), Superfund and brownfield sites (orange markers), and facilities regulated by the U.S. EPA for radiation and radioactivity (pink marker). The project property is indicated by a purple cross symbol, and a 3000 foot buffer around the Property is represented by the red circle.

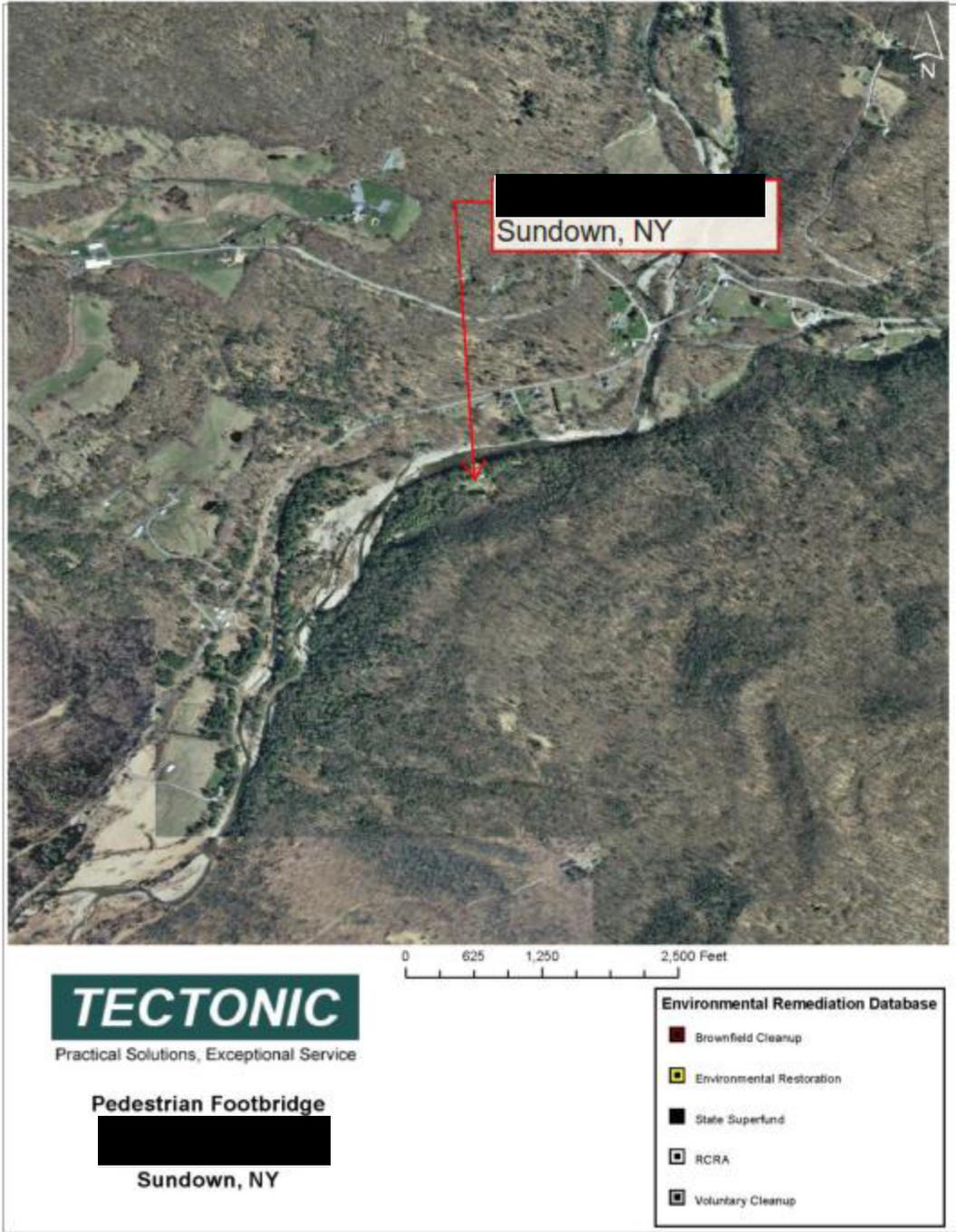


Figure 3: Environmental remediation sites listed in the NYSDEC Environmental Remediation Database. Brownfield cleanups are depicted by dark red symbols, Environmental Restoration Programs by yellow symbols, State Superfund sites by black symbols, RCRA sites by white symbols, and Voluntary Cleanup sites by gray symbols.



0 625 1,250 2,500 Feet

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Pedestrian Footbridge
[Redacted]
Sundown, NY

Bulk Storage Database	
	Chemical Bulk Storage
	Petroleum Bulk Storage
	Major Oil Storage Facility

Figure 4: Properties listed on the NYSDEC Bulk Storage Database. Petroleum Bulk Storage is represented by green markers, Chemical Bulk Storage by purple markers, and Major Oil Storage Facilities by red markers.

NYSDEC Spill Records



DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Spill Incidents Database Search Results

Record Count: 4 Rows: 1 to 4

[Export XLS](#)

[Export CSV](#)

	Spill Number	Date Spill Reported	Spill Name	County	City/Town	Address
1.	8904929	08/17/1989	CENTRAL HUDSON	ULSTER	DENNING	GREENVILLE RD. - SUNDOWN
2.	9906344	08/27/1999	ULSTER CO PUBLIC WORKS ST	ULSTER	SUNDOWN	SUNDOWN RD
3.	0912560	03/02/2010	RESIDENTIAL PROP	ULSTER	SUNDOWN	741 COUNTY LINE SUNDOWN ROAD
4.	1107470	09/13/2011	RODRIGEZ RESD	ULSTER	KERHONKSON	126 SUNDOWN RD

[Refine This Search](#)

Attachment 5

SHPO Consultation



**Parks, Recreation
and Historic Preservation**

ANDREW M. CUOMO
Governor

ROSE HARVEY
Commissioner

May 1, 2015

Alicia Schltz
Environmental Scientist
NYS Homes and Community Renewal
38 State Street
Albany, NY 12207

Re: [REDACTED] Foot Bridge Replacement/Rondout Creek
Denning, Ulster County
15PR02112

Dear Ms. Schltz:

Thank you for requesting the comments of the State Historic Preservation Office (SHPO). We have reviewed the project in accordance with Section 106 of the National Historic Preservation Act of 1966. These comments are those of the SHPO and relate only to Historic/Cultural resources. They do not include potential environmental impacts to New York State Parkland that may be involved in or near your project. Such impacts must be considered as part of the environmental review of the project pursuant to the National Environmental Policy Act and/or the State Environmental Quality Review Act (New York Environmental Conservation Law Article 8).

Based upon this review, the SHPO concurs with your agency's finding that no historic properties will be affected by this undertaking.

If I can be of any further assistance please do not hesitate to contact me at (518) 268-2166.

Sincerely,

John A. Bonafide
Director,
Technical Preservation Services Bureau

Attachment 6

Environmental Permits & Letters of Concurrence
(NYS DEC & NYC DEP)



PERMIT
Under the Environmental Conservation Law (ECL)

Permittee and Facility Information

Permit Issued To:

██████████
██████████
SUNDOWN, NY 12782

██████████
██████████
SUNDOWN, NY 12740

Facility:

██████████ PROPERTY
██████████ RONDOUT CRK
SUNDOWN, NY 12782

Facility Location: in DENNING in ULSTER COUNTY

Facility Principal Reference Point: NYTM-E: 544 NYTM-N: 4637
Latitude: 41°53'01.3" Longitude: 74°28'10.8"

Authorized Activity: This permit authorizes the disturbance of the Rondout Creek (DEC Water Index No. H-139-14 portion, Class C[ts]) by construction of a foot bridge approximately 6 feet wide, with a span of approximately 210 feet, having three 12 inch supports pipes placed instream.

The contractor must have a site meeting with Brian Drumm prior to commencing work. He may be reached at 845-256-3091 or via e-mail at brian.drumm@dec.ny.gov.

Permit Authorizations

Stream Disturbance - Under Article 15, Title 5

Permit ID 3-5120-00002/00009

New Permit	Effective Date: <u>11/18/2014</u>	Expiration Date: <u>9/30/2016</u>
Modification # 1	Effective Date: <u>11/20/2014</u>	Expiration Date: <u>9/30/2016</u>

NYSDEC Approval

By acceptance of this permit, the permittee agrees that the permit is contingent upon strict compliance with the ECL, all applicable regulations, and all conditions included as part of this permit.

Permit Administrator: REBECCA S CRIST, Deputy Regional Permit Administrator
Address: NYSDEC REGION 3 HEADQUARTERS
 21 SOUTH PUTT CORNERS RD
 NEW PALTZ, NY 12561 -1620

Authorized Signature: _____

Date 11/20/2014



Distribution List

B. Drumm, Bureau of Habitat
IES Engineering

Permit Components

NATURAL RESOURCE PERMIT CONDITIONS

GENERAL CONDITIONS, APPLY TO ALL AUTHORIZED PERMITS

NOTIFICATION OF OTHER PERMITTEE OBLIGATIONS

NATURAL RESOURCE PERMIT CONDITIONS - Apply to the Following Permits: STREAM DISTURBANCE

- 1. Conformance With Plans** All activities authorized by this permit must be in strict conformance with the approved plans submitted by the applicant or applicant's agent as part of the permit application. Such approved plans were prepared by IES, titled "Pedestrian Bridge, [REDACTED] sheets 1 & 2 last revised 12/1/11, page 3 updated 6/17/13 and page 4 updated 6/18/13.
- 2. Site Meeting** Contractor must have a site meeting with Brian Drumm prior to commencing work to discuss access to stream and sediment & erosion controls.
- 3. Post Permit Sign** The permit sign enclosed with this permit shall be posted in a conspicuous location on the worksite and adequately protected from the weather.
- 4. Install Erosion Controls** Before any soil is disturbed on the subject site, the permittee shall install erosion and sedimentation controls which are adequate to prevent erosion and sedimentation off-site. Such controls shall be maintained until the unpaved portions of subject site, if any, are stabilized by a self-sustaining cover of vegetation that is adequate to prevent erosion and sedimentation on and off such site. Before such controls are removed, the permittee shall remove all sediment that has accumulated at such controls.
- 5. Control Erosion During Construction** Provisions shall be made to minimize erosion during the construction of the project and to prevent increased sedimentation in any water body on or adjacent to the project.
- 6. Seed, Mulch Disturbed Soils** All areas of soil disturbance resulting from this project (above the mean high water line) shall be seeded with an appropriate perennial grass seed and mulched with straw within one week of final grading.
- 7. Work During Low Flows** All work shall be performed during low flow conditions.



8. No Work Other Than Authorized Herein No other modifications to the bed or banks of the stream are authorized by this permit.

9. Precautions Against Contamination of Waters All necessary precautions shall be taken to preclude contamination of any wetland or waterway by suspended solids, sediments, fuels, solvents, lubricants, epoxy coatings, paints, concrete, leachate or any other environmentally deleterious materials associated with the project.

10. State May Order Removal or Alteration of Work If future operations by the State of New York require an alteration in the position of the structure or work herein authorized, or if, in the opinion of the Department of Environmental Conservation it shall cause unreasonable obstruction to the free navigation of said waters or flood flows or endanger the health, safety or welfare of the people of the State, or cause loss or destruction of the natural resources of the State, the owner may be ordered by the Department to remove or alter the structural work, obstructions, or hazards caused thereby without expense to the State. and if, upon the expiration or revocation of this permit, the structure, fill, excavation, or other modification of the watercourse hereby authorized shall not be completed, the owners, shall, without expense to the State, and to such extent and in such time and manner as the Department of Environmental Conservation may require, remove all or any portion of the uncompleted structure or fill and restore to its former condition the navigable and flood capacity of the watercourse. No claim shall be made against the State of New York on account of any such removal or alteration.

11. State May Require Site Restoration If upon the expiration or revocation of this permit, the project hereby authorized has not been completed, the applicant shall, without expense to the State, and to such extent and in such time and manner as the Department of Environmental Conservation may lawfully require, remove all or any portion of the uncompleted structure or fill and restore the site to its former condition. No claim shall be made against the State of New York on account of any such removal or alteration.

12. State Not Liable for Damage The State of New York shall in no case be liable for any damage or injury to the structure or work herein authorized which may be caused by or result from future operations undertaken by the State for the conservation or improvement of navigation, or for other purposes, and no claim or right to compensation shall accrue from any such damage.

GENERAL CONDITIONS - Apply to ALL Authorized Permits:

1. Facility Inspection by The Department The permitted site or facility, including relevant records, is subject to inspection at reasonable hours and intervals by an authorized representative of the Department of Environmental Conservation (the Department) to determine whether the permittee is complying with this permit and the ECL. Such representative may order the work suspended pursuant to ECL 71- 0301 and SAPA 401(3).

The permittee shall provide a person to accompany the Department's representative during an inspection to the permit area when requested by the Department.



A copy of this permit, including all referenced maps, drawings and special conditions, must be available for inspection by the Department at all times at the project site or facility. Failure to produce a copy of the permit upon request by a Department representative is a violation of this permit.

2. Relationship of this Permit to Other Department Orders and Determinations Unless expressly provided for by the Department, issuance of this permit does not modify, supersede or rescind any order or determination previously issued by the Department or any of the terms, conditions or requirements contained in such order or determination.

3. Applications For Permit Renewals, Modifications or Transfers The permittee must submit a separate written application to the Department for permit renewal, modification or transfer of this permit. Such application must include any forms or supplemental information the Department requires. Any renewal, modification or transfer granted by the Department must be in writing. Submission of applications for permit renewal, modification or transfer are to be submitted to:

Regional Permit Administrator
NYSDEC REGION 3 HEADQUARTERS
21 SOUTH PUTT CORNERS RD
NEW PALTZ, NY12561 -1620

4. Submission of Renewal Application The permittee must submit a renewal application at least 30 days before permit expiration for the following permit authorizations: Stream Disturbance.

5. Permit Modifications, Suspensions and Revocations by the Department The Department reserves the right to exercise all available authority to modify, suspend or revoke this permit. The grounds for modification, suspension or revocation include:

- a. materially false or inaccurate statements in the permit application or supporting papers;
- b. failure by the permittee to comply with any terms or conditions of the permit;
- c. exceeding the scope of the project as described in the permit application;
- d. newly discovered material information or a material change in environmental conditions, relevant technology or applicable law or regulations since the issuance of the existing permit;
- e. noncompliance with previously issued permit conditions, orders of the commissioner, any provisions of the Environmental Conservation Law or regulations of the Department related to the permitted activity.

6. Permit Transfer Permits are transferrable unless specifically prohibited by statute, regulation or another permit condition. Applications for permit transfer should be submitted prior to actual transfer of ownership.



NOTIFICATION OF OTHER PERMITTEE OBLIGATIONS

Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification

The permittee, excepting state or federal agencies, expressly agrees to indemnify and hold harmless the Department of Environmental Conservation of the State of New York, its representatives, employees, and agents ("DEC") for all claims, suits, actions, and damages, to the extent attributable to the permittee's acts or omissions in connection with the permittee's undertaking of activities in connection with, or operation and maintenance of, the facility or facilities authorized by the permit whether in compliance or not in compliance with the terms and conditions of the permit. This indemnification does not extend to any claims, suits, actions, or damages to the extent attributable to DEC's own negligent or intentional acts or omissions, or to any claims, suits, or actions naming the DEC and arising under Article 78 of the New York Civil Practice Laws and Rules or any citizen suit or civil rights provision under federal or state laws.

Item B: Permittee's Contractors to Comply with Permit

The permittee is responsible for informing its independent contractors, employees, agents and assigns of their responsibility to comply with this permit, including all special conditions while acting as the permittee's agent with respect to the permitted activities, and such persons shall be subject to the same sanctions for violations of the Environmental Conservation Law as those prescribed for the permittee.

Item C: Permittee Responsible for Obtaining Other Required Permits

The permittee is responsible for obtaining any other permits, approvals, lands, easements and rights-of-way that may be required to carry out the activities that are authorized by this permit.

Item D: No Right to Trespass or Interfere with Riparian Rights

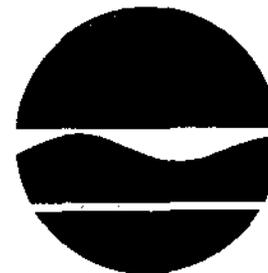
This permit does not convey to the permittee any right to trespass upon the lands or interfere with the riparian rights of others in order to perform the permitted work nor does it authorize the impairment of any rights, title, or interest in real or personal property held or vested in a person not a party to the permit.

Item E: SEQR Unlisted Action, No Lead Agency, No Significant Impact Under the State Environmental Quality Review Act (SEQR), the project associated with this permit is classified as an Unlisted Action and the Department of Environmental Conservation has determined that it will not have a significant effect on the environment. Other involved agencies may reach an independent determination of environmental significance for this project.

New York State
Department of Environmental Conservation



NOTICE



The Department of Environmental Conservation (DEC) has issued permit(s) pursuant to the Environmental Conservation Law for work being conducted at this site. For further information regarding the nature and extent of work approved and any Department conditions on it, contact the DEC at 845/256-3054. Please refer to the permit number shown when contacting the DEC.

Permittee: [REDACTED] Permit No. 3- 5120-00002/00009

Effective Date: Nov. 20, 2014 Expiration date: SEPTEMBER 30, 2016

Applicable if checked. No instream work allowed between October 1 & April 30

NOTE: This notice is **NOT** a permit.



Emily Lloyd
Commissioner

Paul V. Rush, P.E.
Deputy Commissioner
Bureau of Water Supply
prush@dep.nyc.gov

465 Columbus Avenue
Valhalla, New York 10595
T: (845) 340-7800
F: (845) 334-7175

April 15, 2015

Mr. Daniel Greene, Certifying Officer & Assistant General Counsel
Governor's Office of Storm Recovery
64 Beaver Street, 5th floor
New York, New York 10004

Re: **Final Notice & Public Review**
[REDACTED] Pedestrian Footbridge
Town of Denning, Ulster County
Tax Map#: 58.1-2-17
DEP Log#: 2015-RO-0111-OT.1

Dear Mr. Greene:

The New York City Department of Environmental Protection (DEP) has reviewed the Governor's Office of Storm Recovery (GOSR) Final Notice of Public Review for the above referenced project.

The proposed site is located in the Rondout Reservoir drainage basin of the New York City's Water Supply Watershed. As you are aware, the New York City Water Supply System is an unfiltered, surface water resource that provides high quality drinking water to almost half the population of New York State – over eight million consumers in New York City and nearly one million consumers in Westchester and Putnam Counties.

The proposed action involves the replacement of a pedestrian footbridge that was washed out during Hurricane Irene. Crossing the Rondout Creek is the only direct means of access to the property and without the footbridge, access to public roads is restricted during periods of high flow.

DEP has determined that the subject proposal requires no further review or approval by DEP pursuant to the *Rules and Regulations for the Protection from Contamination, Degradation and Pollution of the New York City Water Supply and Its Sources*.

Thank you for the opportunity to provide comments. You may reach the undersigned at cgarcia@dep.nyc.gov or (914) 773-4455 with any questions or if you care to discuss the matter further.

Sincerely,

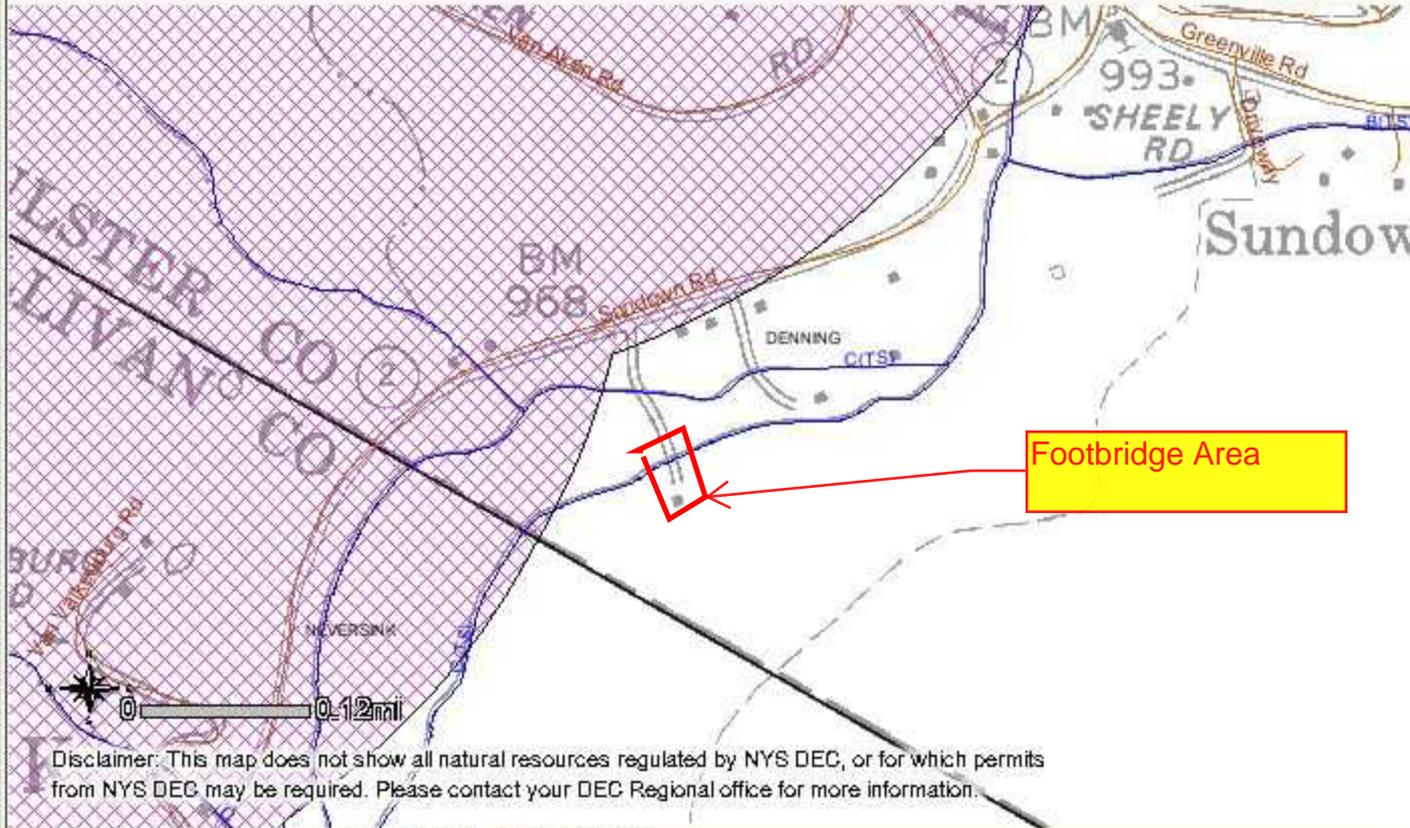
Cynthia Garcia
SEQRA Coordination Section

Attachment 7

Wetland and Coastal Boundary Maps

Visible Layers

-  Classified Streams
-  Classified Ponds
-  State-Regulated Freshwater Wetlands
-  Wetland Checkzone
-  State-Regulated Freshwater Wetlands
-  Rare Plants and Rare Animals
- Significant Natural Communities Buffered**
-  Natural Communities Nearby
-  Significant Natural Communities
-  Interstate Highways
-  Adirondack Park Boundary
-  Counties



Disclaimer: This map does not show all natural resources regulated by NYS DEC, or for which permits from NYS DEC may be required. Please contact your DEC Regional office for more information.

MinX: 543178, MaxX: 544818, MinY: 4637494, MaxY: 4638758

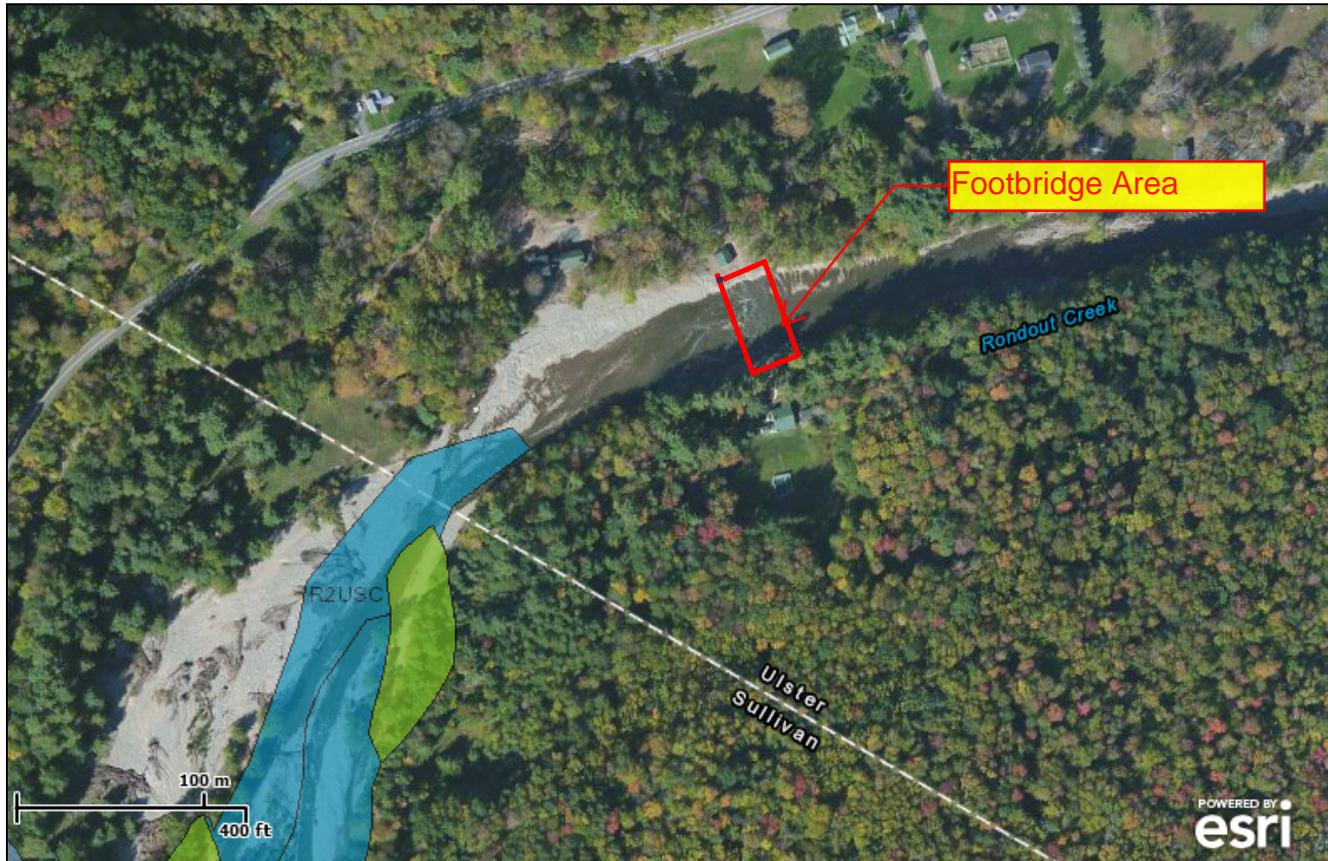
Disclaimer: This map was prepared by the New York State Department of Environmental Conservation using the most current data available. It is deemed accurate but is not guaranteed. NYS DEC is not responsible for any inaccuracies in the data and does not necessarily endorse any interpretations or products derived from the data.



U.S. Fish and Wildlife Service National Wetlands Inventory

Footbridge

Jan 9, 2015



Wetlands

- Freshwater Emergent
- Freshwater Forested/Shrub
- Estuarine and Marine Deepwater
- Estuarine and Marine
- Freshwater Pond
- Lake
- Riverine
- Other

Riparian

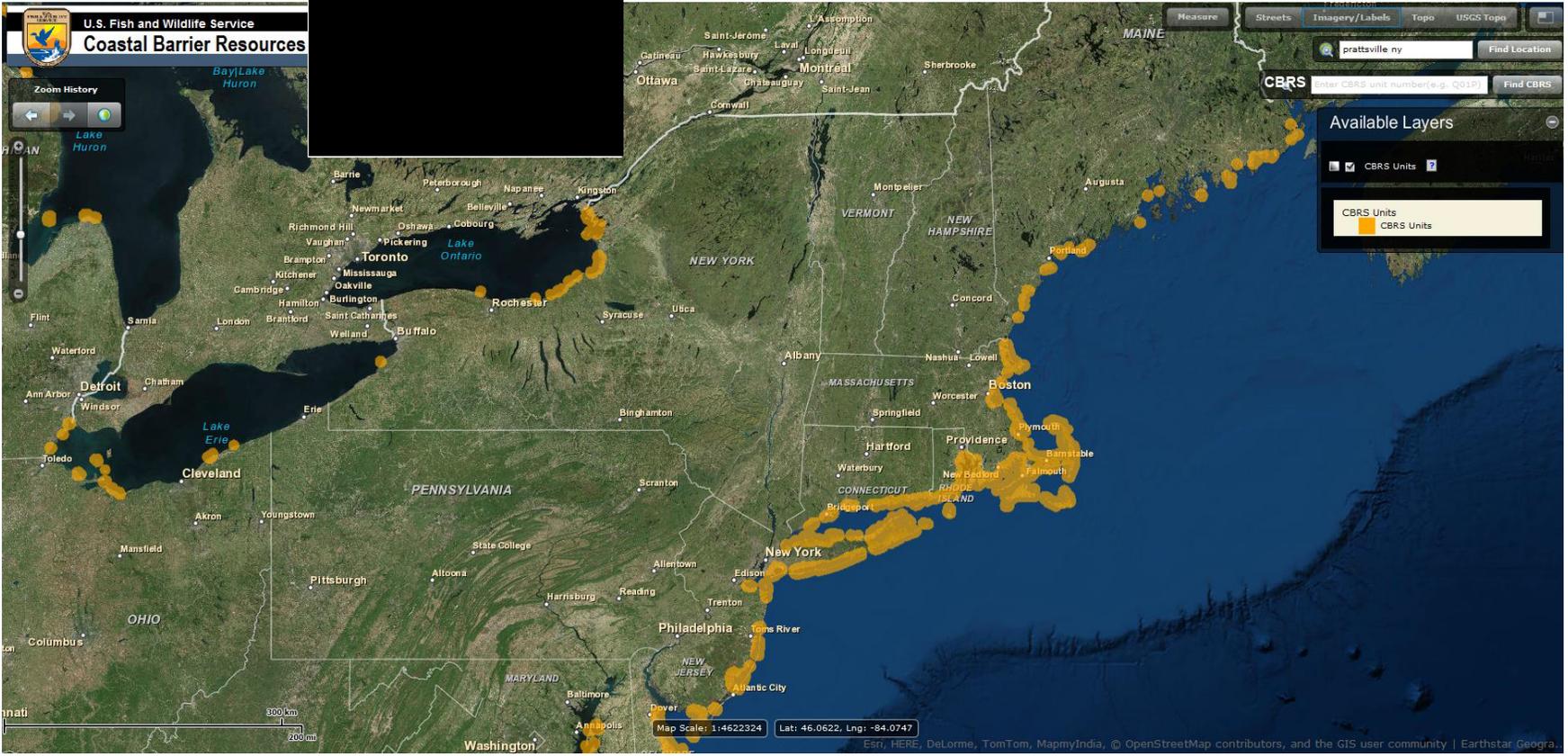
- Herbaceous
- Forested/Shrub

Riparian Status

- Digital Data

This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.

User Remarks:



Attachment 8

Threatened and Endangered Species Concurrence
Letters

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
Division of Fish, Wildlife & Marine Resources
New York Natural Heritage Program
625 Broadway, 5th Floor, Albany, New York 12233-4757
Phone: (518) 402-8935 • **Fax:** (518) 402-8925
Website: www.dec.ny.gov



Joe Martens
Commissioner

February 19, 2015

Joshua Gomez
Tectonic
PO Box 37, 70 Pleasant Hill Road
Mountainville, NY 10953

Re: [REDACTED] Pedestrian Footbridge Replacement (W.O. # 7463.04)
Town/City: Denning. County: Ulster.

Dear Joshua Gomez :

In response to your recent request, we have reviewed the New York Natural Heritage Program database with respect to the above project.

We have no records of rare or state-listed animals or plants, or significant natural communities, at your site or in its immediate vicinity.

The absence of data does not necessarily mean that rare or state-listed species, natural communities or other significant habitats do not exist on or adjacent to the proposed site. Rather, our files currently do not contain information that indicates their presence. For most sites, comprehensive field surveys have not been conducted. We cannot provide a definitive statement on the presence or absence of all rare or state-listed species or significant natural communities. Depending on the nature of the project and the conditions at the project site, further information from on-site surveys or other resources may be required to fully assess impacts on biological resources.

This response applies only to known occurrences of rare or state-listed animals and plants, significant natural communities and other significant habitats maintained in the Natural Heritage database. Your project may require additional review or permits; for information regarding other permits that may be required under state law for regulated areas or activities (e.g., regulated wetlands), please contact the appropriate NYS DEC Regional Office, Division of Environmental Permits, as listed at www.dec.ny.gov/about/39381.html.

Sincerely,

Andrea Chaloux
Environmental Review Specialist
New York Natural Heritage Program



United States Department of the Interior



FISH AND WILDLIFE SERVICE

New York Field Office

3817 Luker Road

Cortland, NY 13045

Phone: (607) 753-9334 Fax: (607) 753-9699

http://www.fws.gov/northeast/nyfo

To: Daniel Greene

Date: Mar 18, 2015

USFWS File No: 15TA0544

Regarding your: [x] Letter [] Fax [] Email

Dated: Mar 16, 2015

For project: [redacted] Pedestrian Footbridge

Located: [redacted]

In Town/County: Town of Denning, Ulster County

Pursuant to the Endangered Species Act of 1973 (ESA) (87 Stat. 884, as amended; 16 U.S.C. 1531 et seq.), the U.S. Fish and Wildlife Service:

- [x] Acknowledges receipt of your "no effect" and/or no impact determination. No further ESA coordination or consultation is required.
[] Acknowledges receipt of your determination. Please provide a copy of your determination and supporting materials to any involved Federal agency for their final ESA determination.
[] Is taking no action pursuant to ESA or any legislation at this time, but would like to be kept informed of project developments.

As a reminder, until the proposed project is complete, we recommend that you check our website (http://www.fws.gov/northeast/nyfo/es/section7.htm) every 90 days from the date of this letter to ensure that listed species presence/absence information for the proposed project is current. Should project plans change or if additional information on listed or proposed species or critical habitat becomes available, this determination may be reconsidered.

USFWS Contact(s): [Signature]

Supervisor: [Signature] Date: 3/18/15



United States Department of the Interior



FISH AND WILDLIFE SERVICE
New York Ecological Services Field Office
3817 LUKER ROAD
CORTLAND, NY 13045
PHONE: (607)753-9334 FAX: (607)753-9699
URL: www.fws.gov/northeast/nyfo/es/section7.htm

Consultation Code: 05E1NY00-2015-SLI-0544

March 10, 2015

Event Code: 05E1NY00-2015-E-01585

Project Name: [REDACTED] Footbridge

Subject: List of threatened and endangered species that may occur in your proposed project location, and/or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (ESA) of 1973, as amended (16 U.S.C. 1531 *et seq.*). This list can also be used to determine whether listed species may be present for projects without federal agency involvement. New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list.

Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the ESA, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC site at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list. If listed, proposed, or candidate species were identified as potentially occurring in the project area, coordination with our office is encouraged. Information on the steps involved with assessing potential impacts from projects can be found at: <http://www.fws.gov/northeast/nyfo/es/section7.htm>

Please be aware that bald and golden eagles are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 *et seq.*), and projects affecting these species may require development of an eagle conservation plan (

http://www.fws.gov/windenergy/eagle_guidance.html). Additionally, wind energy projects should follow the Services wind energy guidelines (<http://www.fws.gov/windenergy/>) for minimizing impacts to migratory birds and bats.

Guidance for minimizing impacts to migratory birds for projects including communications towers (e.g., cellular, digital television, radio, and emergency broadcast) can be found at: <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/towers.htm>; <http://www.towerkill.com>; and <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/comtow.html>.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the ESA. Please include the Consultation Tracking Number in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment



United States Department of Interior
Fish and Wildlife Service

Project name: [REDACTED] Footbridge

Official Species List

Provided by:

New York Ecological Services Field Office

3817 LUKER ROAD

CORTLAND, NY 13045

(607) 753-9334

<http://www.fws.gov/northeast/nyfo/es/section7.htm>

Consultation Code: 05E1NY00-2015-SLI-0544

Event Code: 05E1NY00-2015-E-01585

Project Type: Bridge Construction / Maintenance

Project Name: [REDACTED] Footbridge

Project Description: Build new footbridge in place of a previously existing but footbridge that was washed away.

Please Note: The FWS office may have modified the Project Name and/or Project Description, so it may be different from what was submitted in your previous request. If the Consultation Code matches, the FWS considers this to be the same project. Contact the office in the 'Provided by' section of your previous Official Species list if you have any questions or concerns.



United States Department of Interior
Fish and Wildlife Service

Project name: [REDACTED] Footbridge

Project Location Map:



Project Coordinates: MULTIPOLYGON [REDACTED]

Project Counties: Ulster, NY



United States Department of Interior
Fish and Wildlife Service

Project name: [REDACTED] Footbridge

Endangered Species Act Species List

There are a total of 2 threatened or endangered species on your species list. Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species. Critical habitats listed under the **Has Critical Habitat** column may or may not lie within your project area. See the **Critical habitats within your project area** section further below for critical habitat that lies within your project. Please contact the designated FWS office if you have questions.

Mammals	Status	Has Critical Habitat	Condition(s)
Indiana bat (<i>Myotis sodalis</i>) Population: Entire	Endangered		
northern long-eared Bat (<i>Myotis septentrionalis</i>)	Proposed Endangered		



United States Department of Interior
Fish and Wildlife Service

Project name: [REDACTED] Footbridge

Critical habitats that lie within your project area

There are no critical habitats within your project area.

Attachment 9

FEMA Firmette and Ulster County Preliminary
Flood Map

Preliminary FIRM Ulster County NY

- Flood Hazard Boundaries
 - 1 Pct Annual Chance Flood
 - Floodway
 - 0.2 Pct Annual Chance Flood
 - Zone Break
 - Limit of Floodway
 - Limit of Study

Base Flood Elevations

- Political Jurisdiction Boundaries
 - Community
 - County

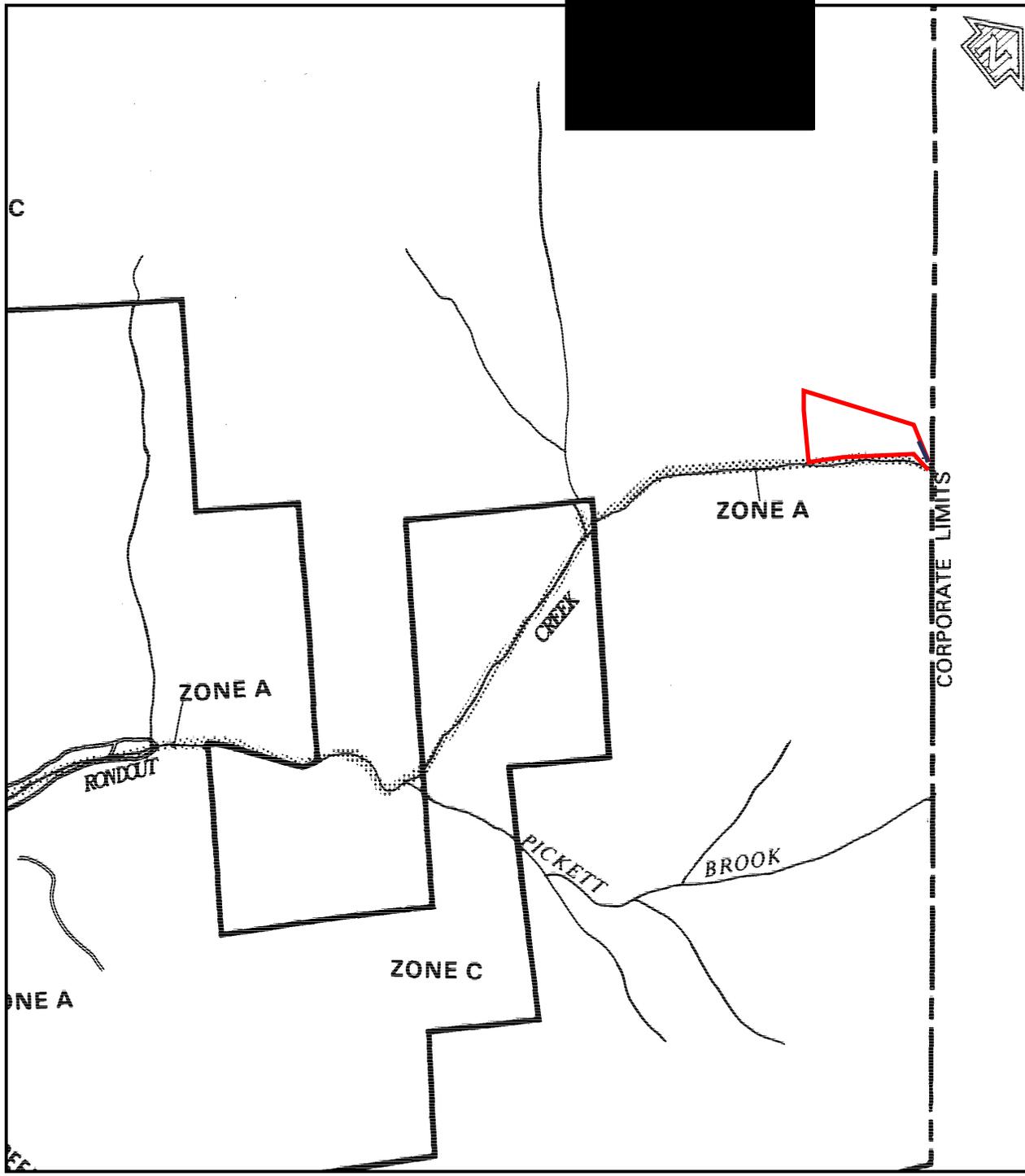
Water Lines

- Flood Hazard Zones
 - Zone A
 - Zone AE
 - Floodway
 - Zone X - 0.2 PCT

- FIRM Panels
 - PRELIMINARY
 - COUNTYWIDE, PANEL PRINTED
 - COUNTYWIDE, NOT PRINTED
 - EFFECTIVE

- Other Layers
 - Political Jurisdiction Areas
 - Permanent Benchmarks
 - NGS Benchmark





federal emergency management agency

**TOWN OF DENNING, NY
 (ULSTER CO.)**

**EFFECTIVE DATE
 MAY 4, 1984**

This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at www.msc.fema.gov

Attachment 10

Floodplain Management (EO11988)

Floodplain Management Determination
Project: [REDACTED] Pedestrian Footbridge

*Commercial & Economic Development Initiative within NY State Community Development
Block Grant Disaster Recovery Program
May 1, 2015*

Introduction & Overview - The purpose of Executive Order 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.

This project involves Community Development Block Grant Program – Disaster Recovery (CDBG-DR) funding for a footbridge replacement for access to a single residence. The previously existing footbridge structure was washed away during Hurricane Irene. The analysis that follows focuses on floodplain impacts, as there are no direct wetland impacts associated with this project. Based on the type of land use and facility, floodplain management regulatory compliance, and other case characteristics described herein, it is concluded that there is a reasonable basis to proceed with funding for this project/ activity within the 100-year floodplain. Moreover, in the March 5, 2013 Federal Register Notice, HUD expressly recognized that “without the return of businesses and jobs to a disaster-impacted area, recovery may be impossible.

Description of Proposed Action & Land Use

The proposed action is the replacement of a pedestrian footbridge providing access to a residence currently occupied by the applicant, [REDACTED]. The property is located at 632 Sundown Road, within the hamlet of Sundown, Town of Denning, Ulster County, New York. Based on County Assessment data, this residential property is Section 58.1, Block 2, and Lot 17. The Property Description shows the residence south of the Rondout Creek surrounded by a wooded area. On the northern side of the Creek there is a garage and a driveway providing access to Route 47, otherwise known as Sundown Road. The residence is located on the southern side of the river.

The proposed support involves a limited grant award of \$140,000.00 for construction of a replacement footbridge. The previous footbridge was approximately 130 linear feet and was washed away during Hurricane Irene along with 65 feet of embankment at the bridge location. Therefore, it is necessary for the new bridge to be longer in order to span the width of the Rondout Creek. No bank restoration is required as the bridge covers the complete span of the creek and there is no alteration to the surrounding area. The engineered plans for the new footbridge indicate the bridge will be approximately 210 feet long and approximately 7 feet and 2.75 inches wide. The proposed work comprises of a combined use of steel H-pile placement, concrete, erection support, railings and abutments.

Applicable Regulatory Procedure Per EO 11988

The proposed action corresponds with a noncritical action not excluded under 24 CFR §55.12(b) or (c). Funding is permissible for the use in a Special Flood Hazard Area if the proposed action is

processed under §55.20 and the findings of the determination are affirmative to suggest that the project may proceed.

Based on online data, including data managed and updated by the U.S Fish & Wildlife Service (USFWS) and New York State Department of Environmental Conservation (NYS DEC), there are no wetlands present at the site and, thus, there is no direct construction (new or existing) in wetlands present at the site. Thus, in accordance with the decision-making process set forth in 24 CFR Part 55, this analysis focuses exclusively on floodplain analysis.

In accordance to 24 CFR §55, the activity planned to replace the impacted structure occurs in a community that is in the regular program of the National Flood Insurance Program (NFIP) and the community is currently in good standing. 24 CFR part 55.12 describes categories of actions to which the decision making steps set forth in part 55.20 (b), (c), and (g) do not apply. The action to construct a new pedestrian footbridge partially within the footprint of the previously damaged footbridge structure is not an action that is exempt from the decision-making steps (b), (c), and (g) set forth in 24 CFR part 55.20. As such, the full eight-step floodplain determination process in §55.20 is required. The following analysis examines each step in a floodplain management determination process.

Step 1. Determine Whether the Proposed Action is Located in the 100-year Floodplain (500-year for Critical Actions) or results in New Construction in Wetlands.

The location of the proposed action, per the applicable FEMA flood map Firmette, is within a Special Flood Hazard Area (100-year floodplain) and the preliminary floodplain map shows the project to be located in floodway. Bridges are a functionally dependent use as defined in 24 CFR part 55.2(6). Thus the proposed action in floodway is considered to be a non-critical functionally dependent use which is allowed per 24 CFR Part 55.11(c). This action does not require a Section 404 permit under the Clean Water Act (see 55.20(a)(1)).

Step 2. Initiate Public Notice for Early Review of Proposal.

Because the proposed project is in the 100-year floodplain, the Governor's Office of Storm Recovery (GOSR) published an early notice that allows for public and public agency input on the decision to provide funding assistance for certain reconstruction and development activities. The early public notice and comment period is complete.

The corresponding 15-day "Notice of Early Public Review of a Proposed Activity in 100-Year Floodplain" started with notice publishing in Times Herald Record newspaper on February 17, 2015. The 15-day period expired March 4, 2015. The notice targeted local residents, including those located in the 100-year floodplain. This notice was also mailed to the following State and Federal agencies on February 17, 2015: Federal Emergency Management Agency (FEMA); U.S Fish & Wildlife Service (USFWS); U.S. Environmental Protection Agency (EPA); U.S. Army Corps of Engineers (USACE); NYS DEC; New York City Department of Environmental Protection (NYC DEP); Ulster County Executive, and the New York State Office of Emergency Management. The notice was also mailed to Town of Denning officials. (See **Attachments 1 and 2** for the newspaper notice affidavit and the matching letter distributed to these agencies).

GOSR did not received public comments on this notice.

Step 3. Identify and Evaluate Practicable Alternatives to Locating the Proposed Action in a 100-year Floodplain (or 500-year Floodplain if a Critical Action) or Wetland.

This residential area along Rondout Creek suffered damage during Hurricane Irene. Potential alternatives must be considered in order to try and mitigate the amount of damage from future flood events.

One potential alternative is to relocate the residents within the affected area and convert the residence into open space. While this would eliminate the need to construct a pedestrian footbridge to access the property, the alternative would cause the displacement of the residents who have resided on the property for approximately 30 years. Support for the project to replace the footbridge and allow for the continued residential use of the property is apparent according to notes from a meeting of interested parties including FEMA, NYC DEP, NYS DEC, the Town of Denning, and Ulster County. Thus, in order to prevent displacement of the residents of this property and because the pedestrian footbridge is determined to be the most suitable action to be taken to restore reliable access to this property, the alternative to buyout the property is not considered feasible.

A second alternative could be to construct a road through neighboring properties to a different access point. This alternative was considered by the applicant but it was determined to be more expensive than reconstructing the pedestrian footbridge. Thus, this option is not considered a viable option.

Another alternative would be for no action to occur, meaning the applicant would not be receiving grant funds to restore the pedestrian footbridge. The option means that the residents of the property would continue to ford through the creek which could occur 6-8 times a day, through all weather conditions. Additionally, there is no direct route to the property which places the residents at risk in the event of an emergency situation if emergency services cannot access the property. Accordingly, the 'no action' decision would not support the resident's recovery from the applicable disaster.

Step 4. Identify & Evaluate Potential Direct & Indirect Impacts Associated with Occupancy or Modification of 100-year Floodplain and Potential Direct & Indirect Support of Floodplain and Wetland Development that Could Result from Proposed Action.

The focus of floodplain evaluation should be on adverse impacts to lives and property, and on natural and beneficial floodplain values. Natural and beneficial values include consideration of potential for adverse impacts on water resources such as natural moderation of floods, water quality maintenance, and groundwater recharge.

According to the FEMA Report - A Unified National Program for Floodplain Management, two definitions commonly used in evaluating actions in floodplain are "structural" and "non-structural" activities. Per the report, structural activity is usually intended to mean adjustments that modify the behavior of floodwaters through the use of measures such as public works dams, levees and channel work. Non-structural is usually intended to include all other adjustments (e.g., regulations, insurance, etc.) in the way society acts when occupying or modifying a floodplain. These definitions are used in describing impacts that may arise in association with potential advancement of this case.

Natural moderation of floods

As the applicant's site is one of several developed parcels situated within the 100-year floodplain, the continued occupancy may potentially result in future direct impacts to property during certain severe floods and related natural disasters. However, the direct effects to this property would be no greater than those expected to the other adjacent occupied properties within this floodplain.

Living resources such as flora and fauna

This land use may constitute a type of residential area where, after flooding, materials used by residents could potentially be released as floatable debris and contribute to litter and if there were minor amounts of chemicals used on site, floodwaters may induce rapid dilution. Given the nature of the project, which is the construction of a pedestrian footbridge, the potential for an acute or chronic level of water quality impact from this project is very low.

Impacts to Property & Lives

The action does present potential to impact occupancy of floodplain, but it does not involve surrounding residential structures and the residential structure on the property are not in the 100-year floodplain. The project occurs within floodway but will provide reliable access to a residence that is not located in floodplain. The project also has potential to modify some of the Rondout Creek floodway through ground disturbance as part of installing three new pile sets that will provide support to the footbridge. The disturbance is not expected to be long-term except for the piles which will remain in the stream bed. This project does not propose to alter stream banks by widening or filling, and the footbridge will span over the width of the Creek.

Occupancy of the 100-year floodplain in this hamlet area has taken place over an extended period. According to Rondout Creek Management Unit 7, during high flows, the alignment of the Rondout Creek creates conditions for overtopping the bank at the confluence with Sundown Creek, and floods Sundown Road (4.7.11). Considering the context of the area - this action represents an activity at only one parcel among others that are located within contiguous floodplain. Thus, funding this project does constitute continued support of floodplain occupancy and development. In the event of severe flooding and associated natural hazards in the future, there is potential for further damage to this property, and the footbridge itself.

The proposed project sustains area property values and community character within a district and neighborhood that has been settled for a long time. It enables reliable access to the property which otherwise can only be accessed by a fording vehicle or hiking through the property and Creek. Similarly, the proposed investment supports the Town by providing an emergency access to the residence so that emergency agencies can carry out their duties in the event of an emergency at the residence. If this project were not funded, there probably would be other undefined, undesirable indirect impacts to lives in the area, on a short- and long-term basis, such as declining property value and subsequently a decrease in the Town's tax base due to limited access.

Cultural resources such as archaeological, historic & recreational aspects

Due to the project location and potential for impacts to archaeological resources, a Phase I Archaeological Assessment was completed. The assessment concluded that no impacts would occur. Additionally, the stream banks were scoured so that any cultural artifacts that may have once been present, have been washed away by the Rondout Creek. The State Historic Preservation

Office (SHPO) concurred that no historic properties will be affected by the proposed undertaking in a letter dated May 1, 2015.

Agricultural, aquacultural, & forestry resources

The hamlet of Sundown is located in the southeastern section of the Catskill Park, a place with a high interest for many forms of outdoor recreation. It is also an area surrounded by undeveloped woodland. It is possible that if there is a materials release from this property, such as damage to the new structure in a severe storm, it could potentially affect natural resources including the forestry. However, while it is conceivable that flooding of the pedestrian footbridge like this could be part of a cumulative influence on such resources, the impact attributable to this use could have not been quantitatively derived and the potential impact, with planning for and practice of management practices and engineering design, is considered minor.

Step 5. Where Practicable, Design or Modify the Proposed Action to Minimize the Potential Adverse Impacts To and From the 100-Year Floodplain and to Restore and Preserve its Natural and Beneficial Functions and Values.

Given the scope of work and the proposed funding support, it is a direct policy requirement to specify standards that mitigate flood risk. Due to the substantial damage the bridge structure sustained during Hurricane Irene, there were mitigation measures in the form of new construction of a replacement footbridge. The new footbridge does not mitigate flood risk in and of itself, but it does mitigate the risk of isolation of the residential property during high flow events.

Step 6. Reevaluate the Alternatives and Proposed Action.

The relocation alternatives would convert the residence area into open space. However, this would eliminate the option of building the bridge, and would cause displacement of residents who have been residing at the location for approximately 30 years. Interested parties have made it apparent that construction of the new footbridge is essential for the emergency access to the property. The replacement bridge will prevent displacement of the residents of the property, and this course of action has been determined to be the most viable action to be taken. Alternative options are not considered feasible due to cost constraints or because they potentially displace the residents of the property.

The ‘no action’ alternative would not address the need the residents have for accessing their property. Without funding this grant, the residents would be unable to safely and reliably reach their home during high flow conditions.

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 rehabilitation and flood mitigation of this residence. The location within the 100-year floodplain and floodway cannot be avoided due the functionally dependent use of the footbridge. However, not funding any actions would mean that this applicant would struggle to recover, much less be able to mitigate any future damages. 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 and 4** of this Floodplain Management EO11988 for the notice and the distribution to local, state and federal agencies). The 7-day comment period started with notice publishing in Times Herald Record newspaper on April 3, 2015 and the 7-day period expired April 10, 2015.

The notice described 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. A public comment, and follow-up comment noting approval, were received regarding the height of the bridge structure.

See **Attachment 5** of this Floodplain Management EO11988 for the list of comments received by GOSR and the end result of the GOSR response to those comments.

Step 8. Continuing Responsibility of Responsible Entity & Recipient.

The responsible entity will make available educational materials regarding best practices for projects located in floodplains. It will also require the applicant to demonstrate proof of current flood insurance. It is acknowledged there is a continuing responsibility by the responsible entity, New York State Housing Trust Fund/ Division of Homes and Community Renewal, to ensure, to the extent feasible and necessary, compliance with Steps 5 through 7.

Attachment 1

Notice of Early Public Review

Floodplain Management

Executive Order 11988



GOVERNOR'S OFFICE OF STORM RECOVERY

Andrew M. Cuomo
Governor

James Rubin
Executive Director



NOTICE OF EARLY PUBLIC REVIEW OF A PROPOSED ACTIVITY IN 100-YEAR FLOODPLAIN February 27, 2015

The Governor's Office of Storm Recovery (GOSR), operating under the auspices of the New York State Homes & Community Renewal's Housing Trust Fund Corporation, is the Responsible Entity for direct administration of the U.S. Dept. of Housing & Urban Development (HUD) Community Development Block Grant – Disaster Recovery (CDBG-DR) program. The purpose of this early notice is to identify that GOSR is undertaking the decision-making process required by Federal Executive Order 11988 in accordance with HUD regulations at 24 CFR §55.20 (Subpart C-Procedures for Making Determinations on Floodplain Management). GOSR invites public comment on the potential effect that implementing the physical replacement of a functionally dependent footbridge for access to a residence could potentially have on 100-year floodplain and floodway. GOSR is conducting this review in order to determine whether or not funding assistance should be granted.

Project Name: The applicant proposed to receive storm rehabilitation support is [REDACTED] and the project is known as the Mathe Pedestrian Footbridge. The applicant property is located at [REDACTED] within the hamlet of Sundown, Town of Denning, Ulster County, NY. Assessment records show the property is Section 58.1, Block 2, and Lot 17.

Brief Description of Project: A pedestrian footbridge servicing the applicant's property was washed away during Hurricane Irene. The residential structure for this property is located on the southern side of Rondout Creek outside of the 100-year floodplain. However, access from public roads directly to the property is only feasible from the northern side of Rondout Creek. Without a footbridge, the applicant is currently forced to ford the river and risks having no access to the property during times of high flow of Rondout Creek.

The proposed support involves a limited grant award for construction of a replacement footbridge. The previous footbridge was approximately 130 linear feet and was washed away during Hurricane Irene along with 65 feet of embankment at the bridge location. Therefore, it is necessary for the new bridge to be longer in order to span the width of the Rondout Creek. No stream bank restoration is proposed, and the bridge covers the complete span of the creek. The current engineered plans for the new footbridge indicate the bridge will be approximately 210 feet long and approximately 7 feet and 2.75 inches wide. These plans may be revised or modified based upon GOSR review. The proposed work involves a combined use of steel H-pile placement in the stream bed, concrete work, erection support, railings and abutments. There will be four (4) pairs of pilings installed directly into the stream bank and within the



GOVERNOR'S OFFICE OF STORM RECOVERY

Andrew M. Cuomo
Governor

James Rubin
Executive Director



floodway. The underside of the bridge will be approximately five and one half (5.5) feet above the stream bed at its lowest elevation.

This work will be located in the 100-year floodplain and also within the floodway as designated by preliminary flood data. Since the project is a non-critical action and a functionally dependent use in the floodplain and floodway, Executive Order 11988 requires that the project not be supported if there are practicable alternatives to development in the floodplain. The action will be evaluated to consider potential alternative locations outside of the floodplain, as well as other possible methods to avoid floodplain impacts. Preliminary evaluations, including contemplation of constructing other access routes, indicate that a replacement footbridge is the most cost-effective method to restore reliable access to the property.

There are multiple purposes for this notice. First, people who may be affected by activities in floodplains and those who have an interest in protection of the natural environment have an opportunity to express their concerns and provide information about such subjects. Besides this general notice, certain local, state and federal agencies are being directly informed about the project. Second, adequate public notice is an important public education tool. Dissemination of information and floodplain development facilitates federal efforts to reduce the risks associated with the occupancy and modification of these areas. Third, as a matter of fairness, when the federal government determines it will participate in actions taking place in the floodplain, it must inform those who may be put at greater or continued risk.

Comments or requests for information from the public are invited and will be received for fifteen (15) days from the date of this publication. Any individual, group, or agency may submit written comments on the actions to: Daniel Greene, Certifying Officer, Governor's Office of Storm Recovery, NYS Housing Trust Fund Corporation, 25 Beaver Street, 5th Floor, New York, New York, 10004. Comments may also be submitted via email at NYSCDBG_DR_ER@nyshcr.org or by telephone, excepting public holidays, at (212) 480-4644 weekdays from 9:00 AM - 5:00 PM.

Best Regards,

Daniel Greene, Certifying Officer
Governor's Office of Storm Recovery
NYS Housing Trust Fund Corporation

Attachment 2
Notice of Early Public Review Affidavit
Floodplain Management
Executive Order 11988

TIMES HERALD-RECORD

P.O. Box 2046, 40 Mulberry Street, Middletown, NY 10940

State of New York:

County of Orange: ss:

Patricia Foddrill

Being duly sworn deposes and says that the Local Media Group, Inc. is organized under the laws of the State of New York and is, at all the times hereinafter mentioned, was the printer and publisher of the Times Herald-Record, a daily newspaper distributed in the Orange, Ulster, Rockland, Dutchess, Pike, PA, Delaware and Sullivan, Counties, published in the English language in the City of Middletown, County of Orange, State of New York, that deponent is the

Legal Advertising Rep.

of said The Times Herald-Record acquainted with the facts hereinafter stated, and duly authorized by said Corporation to make this affidavit; that the

Public Notice

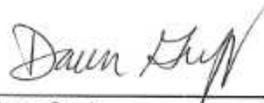
a true printed copy of which is attached, has been duly and regularly published in the manner required by law in said The Times Herald-Record in each of its issues published upon each of the following dates, to-wit: In its issues of:

02/27/2015



Signature of Representative:

Sworn in before me this 27 Day of Mar 2015



Notary Public, Orange County

DAWN M. GRIFFIN
Notary Public - State of New York
NO. 01GR4832299
Qualified in Orange County
My Commission Expires July 31, 2017

**NOTICE OF EARLY PUBLIC REVIEW OF A
PROPOSED ACTIVITY IN
100-YEAR FLOODPLAIN
February 27, 2015**

The Governor's Office of Storm Recovery (GOSR), operating under the auspices of the New York State Homes & Community Renewal's Housing Trust Fund Corporation, is the Responsible Entity for direct administration of the U.S. Dept. of Housing & Urban Development (HUD) Community Development Block Grant - Disaster Recovery (CDBG-DR) program. The purpose of this early notice is to identify that GOSR is undertaking the decision-making process required by Federal Executive Order 11988 in accordance with HUD regulations at 24 CFR §55.20 (Subpart C-Procedures for Making Determinations on Floodplain Management). GOSR invites public comment on the potential effect that implementing the physical replacement of a functionally dependent footbridge for access to a residence could potentially have on 100-year floodplain and floodway. GOSR is conducting this review in order to determine whether or not funding assistance should be granted.

Project Name: The applicant proposed to receive storm rehabilitation support is [REDACTED] and the project is known as the [REDACTED] Pedestrian Footbridge. The applicant property is located at [REDACTED], within the hamlet of Sundown, Town of Denning, Ulster County, NY. Assessment records show the property is Section 58.1, Block 2, and Lot 17.

Brief Description of Project: A pedestrian footbridge servicing the applicant's property was washed away during Hurricane Irene. The residential structure for this property is located on the southern side of Rondout Creek outside of the 100-year floodplain. However, access from public roads directly to the property is only feasible from the northern side of Rondout Creek. Without a footbridge, the applicant is currently forced to ford the river and risks having no access to the property during times of high flow of Rondout Creek.

The proposed support involves a limited grant award for construction of a replacement footbridge. The previous footbridge was approximately 130 linear feet and was washed away during Hurricane Irene along with 65 feet of embankment at the bridge location. Therefore, it is necessary for the new bridge to be longer in order to span the width of the Rondout Creek. No stream bank restoration is proposed, and the bridge covers the complete span of the creek. The current engineered plans for the new footbridge indicate the bridge will be approximately 210 feet long and approximately 7 feet and 2.75 inches wide. These plans may be revised or modified based upon GOSR review. The proposed work involves a combined use of steel H-pile placement in the stream bed, concrete work, erection support, railings and abutments. There will be four (4) pairs of pilings installed directly into the stream bank and within the floodway. The underside of the bridge will be approximately five and one half (5.5) feet above the stream bed at its lowest elevation.

This work will be located in the 100-year floodplain and also within the floodway as designated by preliminary flood data. Since the project is a non-critical action and a functionally dependent use in the floodplain and floodway, Executive Order 11988 requires that the project not be supported if there are practicable alternatives to development in the floodplain. The action will be evaluated to consider potential alternative locations outside of the floodplain, as well as other possible methods to avoid floodplain impacts. Preliminary evaluations, including contemplation of constructing other access routes, indicate that a replacement footbridge is the most cost-effective method to restore reliable access to the property.

There are multiple purposes for this notice. First, people who may be affected by activities in floodplains and those who have an interest in protection of the natural environment have an opportunity to express

their concerns and provide information about such subjects. Besides this general notice, certain local, state and federal agencies are being directly informed about the project. Second, adequate public notice is an important public education tool. Dissemination of information and floodplain development facilitates federal efforts to reduce the risks associated with the occupancy and modification of these areas. Third, as a matter of fairness, when the federal government determines it will participate in actions taking place in the floodplain, it must inform those who may be put at greater or continued risk.

Comments or requests for information from the public are invited and will be received for fifteen (15) days from the date of this publication. Any individual, group, or agency may submit written comments on the actions to: Daniel Greene, Certifying Officer, Governor's Office of Storm Recovery, NYS Housing Trust Fund Corporation, 25 Beaver Street, 5th Floor, New York, New York, 10004. Comments may also be submitted via email at NYSCDBG_DR_ER@nyshcr.org or by telephone, excepting public holidays, at (212) 480-4644 weekdays from 9:00 AM - 5:00 PM.

**Daniel Greene, Certifying Officer
Governor's Office of Storm Recovery,
NYS Housing Trust Fund Corporation**

Attachment 3

Final Notice



GOVERNOR'S OFFICE OF STORM RECOVERY

Andrew M. Cuomo
Governor

James Rubin
Executive Director



FINAL NOTICE & PUBLIC REVIEW April 3, 2015

To: All Interested Agencies, Groups & Individuals

The Governor's Office of Storm Recovery (GOSR), operating under auspices of New York State Homes and Community Renewal's Housing Trust Fund Corporation, is the Responsible Entity for direct administration of the U.S. Dept. of Housing & Urban Development (HUD) Community Development Block Grant – Disaster Recovery (CDBG-DR) program. The purpose of this notice is to identify that GOSR is advancing the decision-making process required by Federal Executive Order 11988 in accordance with HUD regulations at 24 CFR 55.20 (Procedures for Making Determinations on Floodplain Management), and invites public comment on the potential effect that implementing physical replacement of a functionally dependent footbridge for access to a residence would potentially have on the 100-year floodplain. The project consists of the physical restoration activities described below. GOSR is conducting this review in order to consider the project's potential impacts on the 100-year floodplain so as to determine whether or not assistance should be granted.

Project Name: The applicant proposed to receive storm rehabilitation support is [REDACTED] and the project is known as the [REDACTED] Pedestrian Footbridge. The applicant property is located at 632 Sundown Road, within the hamlet of Sundown, Town of Denning, Ulster County, N.Y. Assessment records show the property is [REDACTED].

Brief Description of Project: A pedestrian footbridge servicing the applicant's property was washed away during Hurricane Irene. The residential structure for this property is located on the southern side of Rondout Creek outside of the 100-year floodplain. However, access from public roads directly to the property is only feasible from the northern side of Rondout Creek. Without a footbridge, the applicant is currently forced to ford the river and risks having no access to the property during times of high flow of Rondout Creek.

The proposed support involves a limited grant award for construction of a replacement footbridge. The previous footbridge was approximately 130 linear feet and was washed away during Hurricane Irene along with 65 feet of embankment at the bridge location. Therefore, it is necessary for the new bridge to be longer in order to span the width of the Rondout Creek. No stream bank restoration is proposed, and the bridge covers the complete span of the creek. The preliminary engineered plans for the new footbridge indicate the bridge will be approximately 210 feet long and approximately 7 feet and 2.75 inches wide. These plans may be revised or modified based upon GOSR review. The proposed work involves the combined use of steel H-pile placement in the stream bed, concrete work, erection support, railings and abutments. There will be four (4) pairs of pilings installed directly into the stream bank and within the floodway. The underside of the bridge will be approximately five and one half (5.5) feet above the stream bed at its lowest elevation. The bridge will be constructed in accordance with the NYS Department of Environmental Conservation Article 15 permit acquired for this project.



GOVERNOR'S OFFICE OF STORM RECOVERY

Andrew M. Cuomo
Governor

James Rubin
Executive Director



Evaluating Impacts & Alternatives: This work will be located in the 100-year floodplain and also within the floodway as designated by preliminary flood data. Since the project is a non-critical action and a functionally dependent use in the floodplain and floodway, Executive Order 11988 requires that the project not be supported if there are practicable alternatives to development in the floodplain. One potential alternative is to relocate the residents within the affected area and convert the residence into open space. While this would eliminate the need to construct a pedestrian footbridge to access the property, the alternative would cause the displacement of the residents who have resided on the property for approximately 30 years. A second alternative could be to construct a road through neighboring properties to a different access point. This alternative was considered by the applicant, but it was determined to be more expensive than reconstructing the pedestrian footbridge and would have a larger footprint of disturbance to the environment. Thus, this option is not considered a viable option. The no action alternative, meaning the applicant would not be receiving grant funds to restore the pedestrian footbridge, means that the residents of the property would continue to ford through the creek which could occur 6-8 times a day, through all weather conditions. Additionally, there is no direct route to the property which places the residents at risk in the event of an emergency situation if emergency services cannot access the property. This no action option would not support the residents' or emergency access to the property.

Determination: The risk of location and development in floodplain and floodway is identified. Based on further consideration of the project, including the results of early notice that provided opportunity for public comment, as well as review that includes hazard management analysis and potential to maintain floodplain value, the alternatives are considered neither feasible nor desirable. It is proposed that this project remains practicable at this location. GOSR is notifying the public with these proposed findings, and the detailed analysis is available for consideration by request.

Comments from the public are invited and will be received for seven (7) days from the first date of this publication. Any individual, group, or agency may submit written comments on the actions to Daniel Greene, Governor's Office of Storm Recovery, 25 Beaver Street, 5th Floor, New York, New York 10004. Written comments may also be submitted via email at NYS_CDBG_DR_ER@nysocr.org. Comments may be received by telephone at (212) 480-4644 Monday through Friday, 9:00 AM - 5:00 PM.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Dan Greene'.

Daniel Greene, Certifying
Officer
Governor's Office of Storm
Recovery

**Attachment 4
Final Notice Affidavit
Floodplain Management
Executive Order 11988**

TIMES HERALD-RECORD

P.O. Box 2046, 40 Mulberry Street, Middletown, NY 10940

State of New York:
County of Orange: ss:

Nancy Benedict

Being duly sworn deposes and says that the Local Media Group, Inc. is organized under the laws of the State of New York and is, at all the times hereinafter mentioned, was the printer and publisher of the Times Herald-Record, a daily newspaper distributed in the Orange, Ulster, Rockland, Dutchess, Pike, PA, Delaware and Sullivan, Counties, published in the English language in the City of Middletown, County of Orange, State of New York, that deponent is the

Legal Advertising Rep.

of said The Times Herald-Record acquainted with the facts hereinafter stated, and duly authorized by said Corporation to make this affidavit; that the

Public Notice

a true printed copy of which is attached, has been duly and regularly published in the manner required by law in said The Times Herald-Record in each of its issues published upon each of the following dates, to wit: In its issues of:

04/03/2015


Signature of Representative:

Sworn in before me this 3rd Day of April, 2015


Notary Public, Orange County

DAWN L. FOSTER
Notary Public, State of New York
No. 01FO6058088
Qualified in Orange County
Commission Expires April 30, 2019

FINAL NOTICE & PUBLIC REVIEW
April 3, 2015

To: All Interested Agencies, Groups & Individuals
The Governor's Office of Storm Recovery (GOSR), operating under auspices of New York State Homes and Community Renewal's Housing Trust Fund Corporation, is the Responsible Entity for direct administration of the U.S. Dept. of Housing & Urban Development (HUD) Community Development Block Grant - Disaster Recovery (CDBG-DR) program. The purpose of this notice is to identify that GOSR is advancing the decision-making process required by Federal Executive Order 11988 in accordance with HUD regulations at 24 CFR 55.20 (Procedures for Making Determinations on Floodplain Management), and invites public comment on the potential effect that implementing physical replacement of a functionally dependent footbridge for access to a residence would potentially have on the 100-year floodplain. The project consists of the physical restoration activities described below. GOSR is conducting this review in order to consider the project's potential impacts on the 100-year floodplain so as to determine whether or not assistance should be granted.

Project Name: The applicant proposed to receive storm rehabilitation support is Linda Mathe, and the project is known as the Mathe Pedestrian Footbridge. The applicant property is located at 632 Sundown Road, within the hamlet of Sundown, Town of Denning, Ulster County, N.Y. Assessment records show the property is Section 58.1, Block 2, and Lot 17.

Brief Description of Project: A pedestrian footbridge servicing the applicant's property was washed away during Hurricane Irene. The residential structure for this property is located on the southern side of Rondout Creek outside of the 100-year floodplain. However, access from public roads directly to the property is only feasible from the northern side of Rondout Creek. Without a footbridge, the applicant is currently forced to ford the river and risks having no access to the property during times of high flow of Rondout Creek.

The proposed support involves a limited grant award for construction of a replacement footbridge. The previous footbridge was approximately 130 linear feet and was washed away during Hurricane Irene along with 65 feet of embankment at the bridge location. Therefore, it is necessary for the new bridge to be longer in order to span the width of the Rondout Creek. No stream bank restoration is proposed, and the bridge covers the complete span of the creek. The preliminary engineered plans for the new footbridge indicate the bridge will be approximately 210 feet long and approximately 7 feet and 2.75 inches wide. These plans may be revised or modified based upon GOSR review. The proposed work involves the combined use of steel H-pile placement in the stream bed, concrete work, erection support, railings and abutments. There will be four (4) pairs of pilings installed directly into the stream bank and within the floodway. The underside of the bridge will be approximately five and one half (5.5) feet above the stream bed at its lowest elevation. The bridge will be constructed in accordance with the NYS Department of Environmental Conservation Article 15 permit acquired for this project.

Evaluating Impacts & Alternatives: This work will be located in the 100-year floodplain and also within the floodway as designated by preliminary flood data. Since the project is a non-critical action and a functionally dependent use in the floodplain and floodway, Executive Order 11988 requires that the project not be supported if there are practicable alternatives to development in the floodplain. One potential alternative is to relocate the residents within the affected area and convert the residence into open space. While this would eliminate the need to construct a pedestrian footbridge to access the property, the alternative would cause the displacement of the residents who have resided on the property for approximately 30 years. A second alternative could be to construct a road through neighboring properties to a different access point. This alternative was considered by the applicant, but it was determined to be more expensive than reconstructing the pedestrian footbridge and would have a larger footprint of disturbance to the environment. Thus, this option is not considered a viable option. The no action alternative, meaning the applicant would not be re-

ceiving grant funds to restore the pedestrian footbridge, means that the residents of the property would continue to ford through the creek which could occur 6-8 times a day, through all weather conditions. Additionally, there is no direct route to the property which places the residents at risk in the event of an emergency situation if emergency services cannot access the property. This no action option would not support the residents' or emergency access to the property.

Determination: The risk of location and development in floodplain and floodway is identified. Based on further consideration of the project, including the results of early notice that provided opportunity for public comment, as well as review that includes hazard management analysis and potential to maintain floodplain value, the alternatives are considered neither feasible nor desirable. It is proposed that this project remains practicable at this location. GOSR is notifying the public with these proposed findings, and the detailed analysis is available for consideration by request.

Comments from the public are invited and will be received for seven (7) days from the first date of this publication. Any individual, group, or agency may submit written comments on the actions to Daniel Greene, Governor's Office of Storm Recovery, 25 Beaver Street, 5th Floor, New York, New York 10004. Written comments may also be submitted via email at NYSDBG_DR_ER@nysbcr.org. Comments may be received by telephone at (212) 480-4644 Monday through Friday, 9:00 AM - 5:00 PM.

Daniel Greene, Certifying Officer
Governor's Office of Storm Recovery

Attachment 5 Public Comments Regarding Final Notice

From: Town Clerk [<mailto:townhall@denning.us>]
Sent: Monday, April 06, 2015 1:00 PM
To: Greene, Daniel (STORMRECOVERY)
Subject: [REDACTED] Pedestrian Footbridge

Dear Sir,

I am in receipt of your letter notifying the Town of Denning of the Final Notice and Public Review of the [REDACTED] Pedestrian Footbridge located in the Town of Denning, Ulster County, NY.

Please understand that our comment in no way should be misconstrued to adversely affect this project. I am in favor of this footbridge being built.

However, my concern is in the underside of the bridge being 5.5 feet above the stream bed at its lowest elevation I believe this elevation should be at least twice the current proposed elevation due to flooding concerns with debris and tree root balls. With all of the effort [REDACTED] and others have put into this long-awaited project I feel it should be designed so this process does not have to be done again.

Feel free to contact me should you need to.

Yours,

David Brooks

~~~~~

David Brooks

Town of Denning

Supervisor

(845) 985-2411

fax: (845) 985-0188

[townhall@denning.us](mailto:townhall@denning.us)

[www.denning.us](http://www.denning.us)



Emily Lloyd  
Commissioner

Paul V. Rush, P.E.  
Deputy Commissioner  
Bureau of Water Supply  
prush@dep.nyc.gov

465 Columbus Avenue  
Valhalla, New York 10595  
T: (845) 340-7800  
F: (845) 334-7175

April 15, 2015

Mr. Daniel Greene, Certifying Officer & Assistant General Counsel  
Governor's Office of Storm Recovery  
64 Beaver Street, 5<sup>th</sup> floor  
New York, New York 10004

Re: **Final Notice & Public Review**  
**[REDACTED] Pedestrian Footbridge**  
**[REDACTED]**  
**Town of Denning, Ulster County**  
**Tax Map#: 58.1-2-17**  
**DEP Log#: 2015-RO-0111-OT.1**

Dear Mr. Greene:

The New York City Department of Environmental Protection (DEP) has reviewed the Governor's Office of Storm Recovery (GOSR) Final Notice of Public Review for the above referenced project.

The proposed site is located in the Rondout Reservoir drainage basin of the New York City's Water Supply Watershed. As you are aware, the New York City Water Supply System is an unfiltered, surface water resource that provides high quality drinking water to almost half the population of New York State – over eight million consumers in New York City and nearly one million consumers in Westchester and Putnam Counties.

The proposed action involves the replacement of a pedestrian footbridge that was washed out during Hurricane Irene. Crossing the Rondout Creek is the only direct means of access to the property and without the footbridge, access to public roads is restricted during periods of high flow.

DEP has determined that the subject proposal requires no further review or approval by DEP pursuant to the *Rules and Regulations for the Protection from Contamination, Degradation and Pollution of the New York City Water Supply and Its Sources*.

Thank you for the opportunity to provide comments. You may reach the undersigned at [cgarcia@dep.nyc.gov](mailto:cgarcia@dep.nyc.gov) or (914) 773-4455 with any questions or if you care to discuss the matter further.

Sincerely,

Cynthia Garcia  
SEQRA Coordination Section

**FW: L. Mathe**

Gievers, Andrea

To: Gomez, Joshua; Money, Travis

Sent: 4/27/2015 5:06 PM

---

**From:** Town Clerk [<mailto:townhall@denning.us>]

**Sent:** Monday, April 20, 2015 3:09 PM

**To:** Greene, Daniel (STORMRECOVERY)

**Subject:** L. Mathe

Hi Dan

I spoke with [REDACTED] engineer and the Town of Denning COE and all of my concerns have been answered.

Best,

David Brooks

Supervisor

-----

Town of Denning

(845) 985-2411

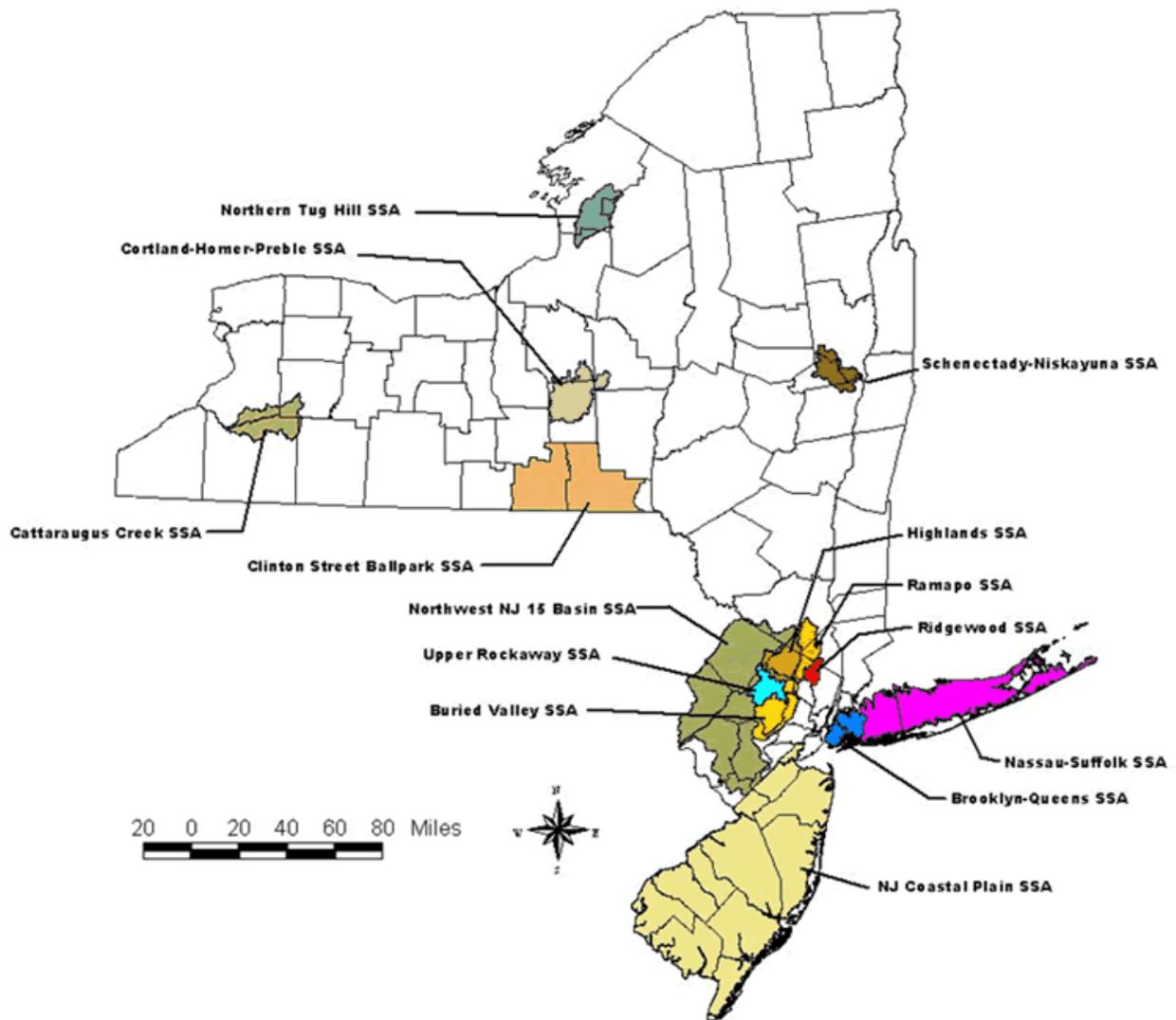
fax: (845) 985-0188

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[www.denning.us](http://www.denning.us)

# Attachment 11

Sole Source Aquifer Map



<http://www.epa.gov/region02/water/aquifer/>