



It can be shown, that the huge Edwards Road culvert replacement project done in coordination with FEMA and approved by the Army Corps of Engineers, abides by the CRRRA regulations shown on page 39 of the CRRRA Flood Risk Management Document. The required additional two feet of roadway freeboard above the projected checkflow was included in the authorization.

In addition, (as stated on page iv) in the CRRRA Executive Summary “**Nothing in this guidance shall be construed to supersede professional engineering judgment or federal and state engineering requirements and practices.**”

NYS FLOOD RISK MANAGEMENT GUIDANCE FOR IMPLEMENTATION OF THE COMMUNITY RISK AND RESILIENCY ACT 39

Culverts on Non-critical Roadways

Nontidal areas

Applicants for projects involving new or replacement culverts on non-critical roadways, as defined by this guidance, in inland streams, should demonstrate, through design documentation or verification, consideration of the following flood-risk management guideline as part of a comprehensive risk-management approach:

The vertical flood elevation and corresponding flows that result from increasing current, relevant peak flows, e.g., Q50, to account for projected peak flows for the full, expected service life of the culvert, and that provide at least two feet of roadway freeboard above the projected checkflow.

Conditions of Approval HMGP Project: 4204-0006 Town of Roseboom (Otsego County), NY Edwards Road Tube Enlargement www.fema.gov

1. Approved Scope of Work

The project site is located at the end of Edwards Road near County Rt. 50 in the Town of Roseboom (42.7445, -74.688867). **The approved scope of work includes upsize the existing culvert system by replacing the pipes with a 40-foot arch pipe having a span of 12’-6” by 7’-11”.**

The project includes dewatering the work area, removing the existing pipes and stone headwalls, excavating approximately 24 inches to accommodate a new 40-foot long culvert, installing the new culvert, and installing new headwalls at both ends of the culvert using stackable rocks.

Approximately 150-180 linear feet of roadway would be elevated by 24-30 inches in order to accommodate the larger culvert and required freeboard. This would be accomplished by installing a shale base and gravel run surface. The roadway shoulder would be graded at a 4:1 slope and shaped to meet the existing grades within the road right-of-way. Upon completion, all disturbed and exposed areas would be restored and seeded with the proper seed mix.

The project is intended to reduce road damages and closures by increasing the hydraulic capacity of the culvert system in order to handle increased flows during heavy rain events.



FEMA

August 1, 2017

Ms. BarbaraLee Steigerwald
Alternate Governor's Authorized Representative
New York State Division of Homeland Security & Emergency Services
1220 Washington Avenue
Building 7A, Suite 710
Albany, New York 12242

Attn: Richard Lord

Re: FEMA-4204-DR-NY
Hazard Mitigation Grant Program (HMGP) Project: 4204-0005
Town of Roseboom (Otsego County), NY
Edwards Road Tube Enlargement

Dear Ms. Steigerwald:

The Federal Emergency Management Agency (FEMA) has completed review of the New York State Division of Homeland Security and Emergency Services' (DHSES or Recipient) submission of the above referenced HMGP sub-grant application from the Town of Roseboom, Otsego County, NY (Subrecipient.) This sub-grant application meets HMGP eligibility criteria and is hereby approved. This approval is contingent upon the fulfillment of all conditions identified by FEMA and itemized within this correspondence and the attached Conditions of Approval (COA) and Record of Environmental Consideration (REC).

The project site is located on Edward Road, off the northern end of County Rt. 50 at the bottom of a wooded mountainside. During heavy rain events, storm runoff from the mountain overtops the culvert system, which consists of two 30-foot by 48-inch plastic pipes, causing damages to the roadway, road closures, and loss of access to residents and emergency vehicles.

The HMGP subgrant application requests funding to upsize the culvert system by replacing the pipes with a 40-foot arch pipe having a span of 12'-6" by 7'-11". The project is intended to reduce road damages and closures by increasing the hydraulic capacity of the culvert system in order to handle increased flows during heavy rain events.

The approved scope of work includes dewatering the work area, removing the existing pipes and stone headwalls, excavating the streambed approximately 24 inches to accommodate a new 40-foot long culvert, installing the new culvert, and installing new headwalls at both ends of the culvert using stackable rocks. Approximately 150-180 linear feet of roadway would be elevated by 24-30 inches in order to accommodate the larger culvert and required freeboard. This would be accomplished by installing a shale base and gravel run surface. The roadway shoulder would

be graded at a 4:1 slope and shaped to meet the existing grades within the road right-of-way. Upon completion, all disturbed and exposed areas would be restored and seeded with the proper seed mix.

FEMA will provide funding of \$35,341. This represents 75% of the total project cost of \$47,122 itemized by DHSES. The Subrecipient will cover the non-federal share of \$11,781. Once funding has been obligated, DHSES is required to submit a claim to FEMA for reimbursement of allowable costs prior to the drawing down of those funds. Each claim must certify that reported costs were incurred in the performance of eligible work, and that the approved work was completed.

The Period of Performance (POP) for HMGP FEMA-4204-DR-NY has been set as December 22, 2018. Recipients are responsible for establishing sub-grant milestones to ensure that all approved activities are completed by the end of the grant POP. Any change or modification to the approved sub-grant budget and/or scope of work, must be submitted to FEMA for approval prior to implementation.

FEMA urges your office to meet with the Subrecipient to review project requirements as soon as possible. At this meeting, please establish a follow-up schedule of project monitoring including quarterly performance reporting and fiscal documentation requirements. Copies of all contracts entered into through this project need to be provided to and maintained by the Recipient. FEMA is available to assist both the Recipient and Subrecipient in the implementation of this project.

Should additional information be required, please contact Robert Tranter (212) 680-3628.

Sincerely,

Robert Tranter Digitally signed by Robert Tranter
DN: cn=Robert Tranter, o=DHS,
ou=Mitigation Division,
email=robert.tranter@fema.dhs.gov,
c=US
Date: 2017.08.14 17:25:07 -0400 for

Michael F. Moriarty
Director
Mitigation Division

Attachments

Conditions of Approval HMGP Project: 4204-0006 Town of Roseboom (Otsego County), NY
Edwards Road Tube Enlargement
www.fema.gov • PH: (212) 680-3600

1. Approved Scope of Work

The project site is located at the end of Edwards Road near County Rt. 50 in the Town of Roseboom (42.7445, -74.688867). **The approved scope of work includes upsize the existing culvert system by replacing the pipes with a 40-foot arch pipe having a span of 12'-6" by 7'-11".**

The project includes dewatering the work area, removing the existing pipes and stone headwalls, excavating approximately 24 inches to accommodate a new 40-foot long culvert, installing the new culvert, and installing new headwalls at both ends of the culvert using stackable rocks.

Approximately 150-180 linear feet of roadway would be elevated by 24-30 inches in order to accommodate the larger culvert and required freeboard. This would be accomplished by installing a shale base and gravel run surface. The roadway shoulder would be graded at a 4:1 slope and shaped to meet the existing grades within the road right-of-way. Upon completion, all disturbed and exposed areas would be restored and seeded with the proper seed mix.

The project is intended to reduce road damages and closures by increasing the hydraulic capacity of the culvert system in order to handle increased flows during heavy rain events.

2. Scope of Work Changes

In accordance with 44 CFR 13.30 (d), prior approval by FEMA is required for any revision to the scope or objectives of the project. Any request for a revision of scope must be submitted to FEMA for approval prior to implementation of the project. Any change that does not receive prior approval from FEMA would violate the conditions of this sub-grant.

3. Period of Performance

The Period of Performance (POP) for the HMGP FEMA-4204-DR-NY grant has been set as December 22, 2018. Recipients are responsible for establishing sub-grant milestones to ensure that all approved activities are completed by the end of the grant POP.

4. Quarterly Reporting Requirements

Quarterly progress reports are required. These reports should reflect the status and completion date for the project being funded. Any problems or circumstances affecting the completion date, scope of work, project cost, or which could be expected to result in noncompliance with the approved grant conditions are to be described in these quarterly progress reports.

5. Project Closeout

At completion of the grant/sub-grant activity, FEMA and the Recipient shall verify that all required sub-grant activities have been accomplished in accordance with all programmatic guidance and grants management practices. Refer to HMA Guidance for FY 2015 for further information on closeout requirements.

Conditions of Approval HMGP Project: 4204-0005 Town of Roseboom (Otsego County), NY
Edward Road Tube Enlargement
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6. Other Regulatory Requirements

As part of our approval, the Subrecipient is required to adhere to all applicable Federal regulations including the following: 44 CFR: Subchapter A - General (Part 13 – Uniform administrative requirements for grants and cooperative agreements to State and local governments); Subchapter B – Insurance and Hazard Mitigation (National Flood Insurance Program); and audit requirements found at 2 CFR Part 200 Subpart F.

7. Environmental and Historic Preservation (EHP)

National Environmental Policy Act (NHPA)

FEMA has reviewed this Undertaking pursuant to Section 106 of the NHPA, regulations in 35 CFR Part 800.5(C)1, and FEMA's New York Statewide Programmatic Agreement (NYSPA). The Undertaking conforms to Tier II Programmatic Allowances III.A.1 and III.A.4 of the NYSPA. Allowance III.A.1 covers "Repair of roads to pre-disaster geometric design standards and conditions using in-kind materials, shoulders, medians, clearances, curbs, and side slopes. **This allowance permits minor improvement to meet current code and standards or hazard mitigation measures, such as those designed to harden exposed surfaces, including the application of gravel armoring to side slopes and ditches.**"

Allowance III.A.4 covers "In-kind repair or replacement, or minor upgrade of culvert systems and arches beneath roads or within associated drainage systems, including provision of headwalls, riprap and any modest increase in capacity for the purposes of hazard mitigation or to meet current codes and standards, provided that the work substantially conforms to the existing footprint. For stone or brick culverts or arches beneath roadways, this allowance only applies to in-kind repair."

FEMA may proceed with funding the Undertaking assuming concurrence from the NYS State Historic Preservation Office.

Any change to the approved scope of work will require re-evaluation for compliance with NEPA and other Laws and Executive Orders.

During project implementation, the Sub-recipient will monitor ground disturbance and if any potential archaeology resources are discovered, will immediately cease construction in that area and notify DHSES and FEMA.

Endangered Species Act

A review of the U.S. Fish & Wildlife IPAC website indicates the Northern long-eared Bat (NLEB), a federally-listed threatened species is present in Otsego County. FEMA determines that this project may affect the NLEB, but that any resulting incidental take of the NLEB is not prohibited by the U.S. Fish and Wildlife Service's final 4(d) rule. Any change to the scope of work as presented in this project will require additional FEMA Environmental Review.



DEPARTMENT OF THE ARMY
U.S. Army Corps of Engineers, ATTN: CENAN-OP-RU
Upstate Regulatory Field Office
1 Buffington St., Building 10, 3rd Fl. North
Watervliet, New York 12189-4000

JUL 25 2018

Upstate New York Section

SUBJECT: Permit Application No. NAN-2018-00728-UDA
by Roseboom, Town of
Town of Roseboom, Schoharie County, New York

Mitchell Vanburen
Town of Roseboom
126 County HWY 50
Cherry Valley, New York 13320

Dear Mr. Vanburen:

This office has reviewed your Joint Application Form dated May 10, 2018, and the attached drawings entitled, "Culvert Replacement," Pages 1-10, dated January 19, 2017, and prepared by the Town of Roseboom. The submitted information describes a proposal that would consist of the following:

The discharge of fill material below the ordinary high water mark of an unnamed tributary of Cherry Valley Creek to facilitate the replacement of an existing deteriorated culvert with a new, 40 foot long arch pipe. The culvert will be installed with at least 20 percent of its diameter embedded beneath the existing grade of the stream channel. The in-stream work area shall be isolated from flow during construction through the use of a temporary cofferdam and pump system. In addition, all in-water work shall be conducted during a low-flow period between June 15th and September 30th in any year this verification is in effect.

Based upon the information provided, it appears that your proposed work may be authorized under Department of the Army nationwide general permit number: 3. The nationwide permits are prescribed as a Reissuance of Nationwide Permits in the Federal Register dated January 6, 2017 (82 FR 1860).

The work may be performed without further authorization from this office provided the activity complies with the terms and conditions of the Nationwide Permits (NWP) and the permit conditions listed in Section B, No. 3, Section C, any applicable New York District regional conditions, and any applicable regional conditions added by the State of New York. Please note that NWP General Condition No. 12 requires the installation and maintenance of proper soil erosion and sediment controls during construction.

The 2017 Nationwide Permits, including their final regional conditions, water quality certifications, and coastal zone concurrence statements are available at:

PLEASE USE THE ABOVE 18-CHARACTER FILE NUMBER ON ALL CORRESPONDENCE WITH THIS OFFICE



EXISTING CULVERT

TREE

TREE

STREAM

wards Road
ise Enlargement
2018

(1 OF 2)

LOCATION OF 01.19
STAGING - WORK AREA

Original culverts that ~~were~~ replaced

42-774557 - 74-688735

Town of Roseboom Edwards Road



This is the height of the (2) 4 foot Tubes

The Town will RAISE The Roadway By 24" to 30"
to fit the Rise of New Tube.

Est of Roadway to be Raised will be
150 to 180 feet, with a base of
shale, Top with Item 4 gravel

Replacement Proposed

wide \times 7'-11" Highth

10' foot long

Original culverts

LOC: Edwards Road

42-774557

74-68823

GPS: 42.744492, - 74.68

LATITUDE

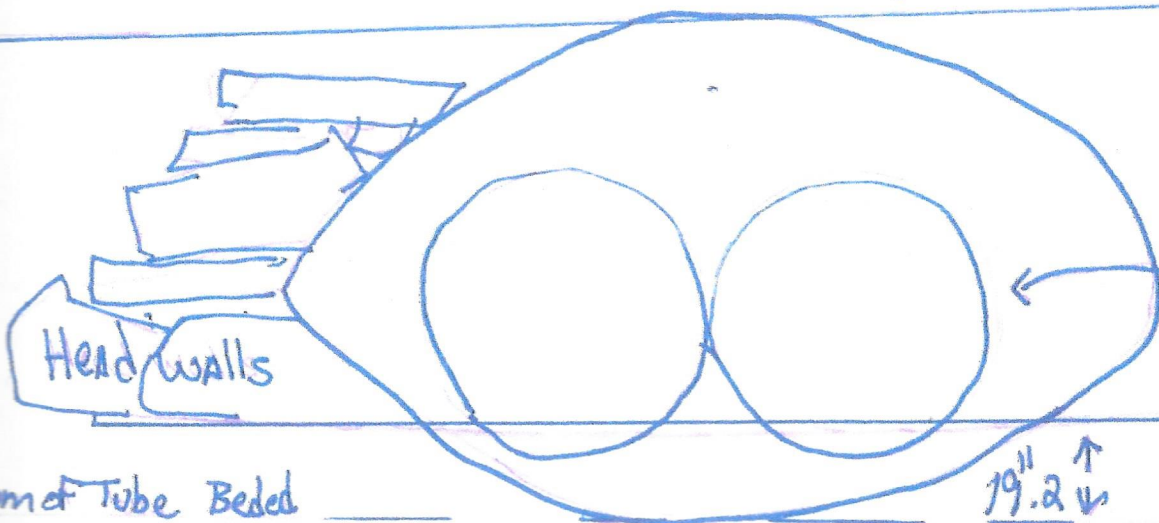
LONGIT

NEW Roadway

New GRAVEL & Shale
To RAISE Road Bed

\uparrow
24"
 \downarrow

Existing



Existing 48" pipes
To Be Removed

Stream Level

20% OF TUBE SUBMERG

19.2"
 \uparrow
 \downarrow

12' 6"
 \leftarrow \rightarrow

2
DETAILED SCHEMATIC DES

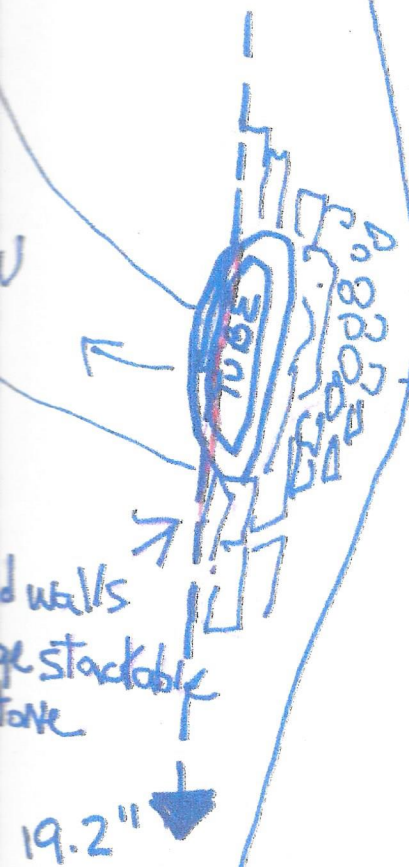
Replacement
with 7' 11" height

Roadway

Loc: Edwards Road

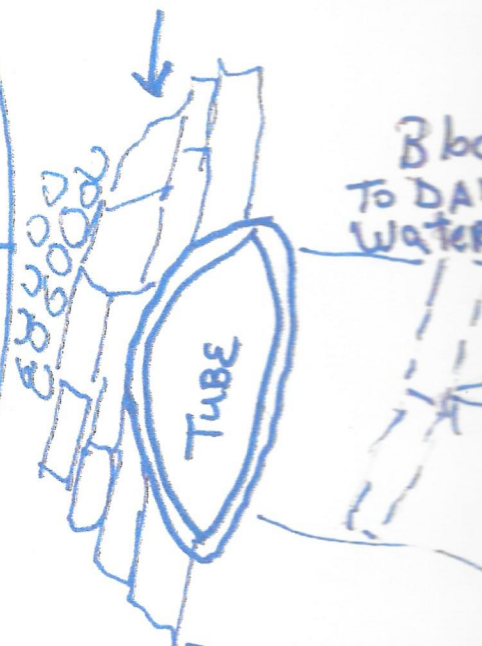
42-774557 - 74-688

GPS: 42.744492;
LATITUDE



20ft

20ft



19.2"
OF THE
BE SUBMERGED

HEAD WALL
Large Stackable
Stone

DETAILED SCHEMATIC DE