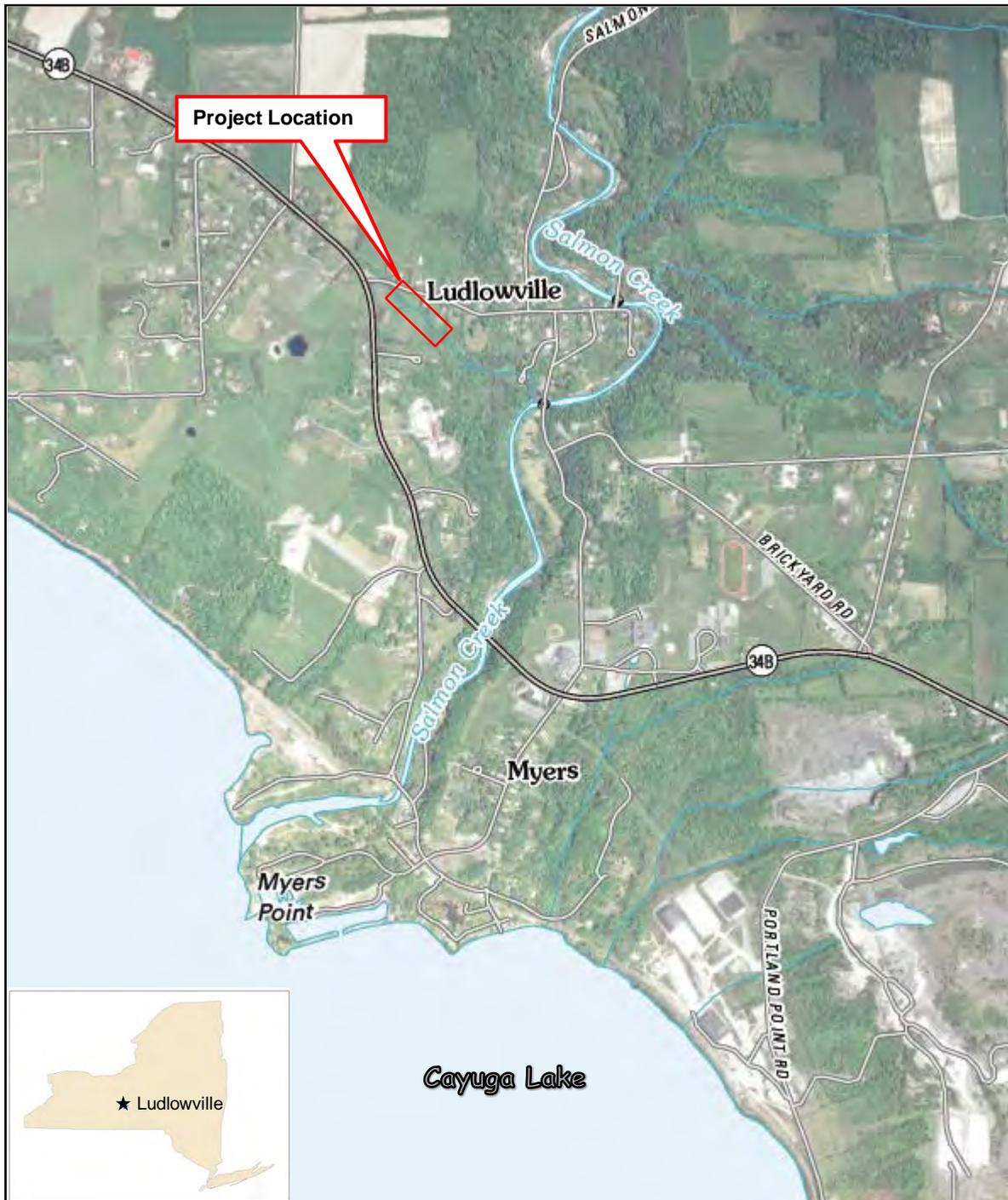


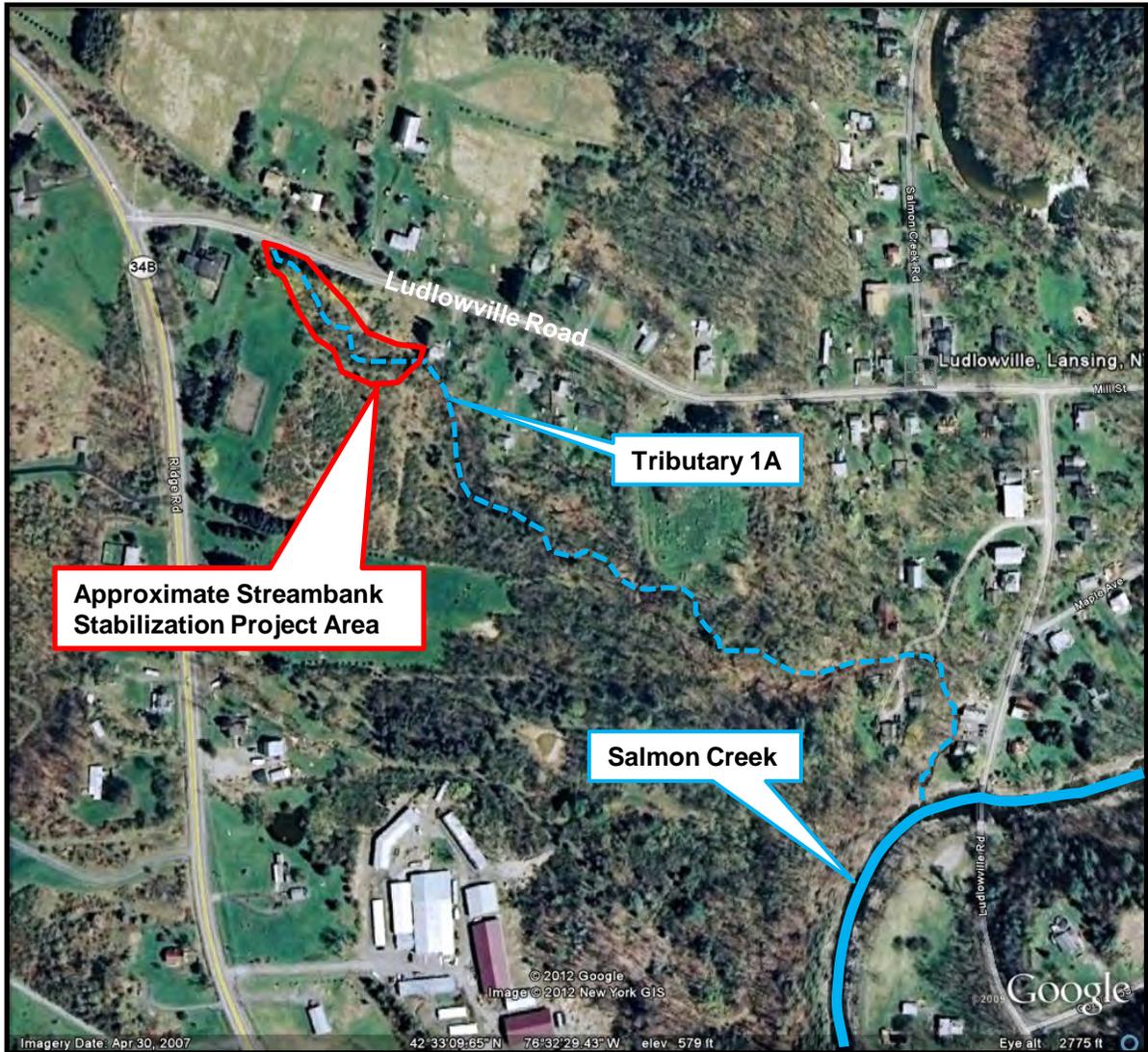
Appendix A

Figures



Source: USGS topographic map, Ludlowville Quadrangle, NY  
7.5-minute series, 2010. Scale 1:24,000

TITLE	<b>PROJECT VICINITY</b>	
AGENCY	FEMA	FIGURE <b>1</b>
PROJECT	Ludlowville Streambank Stabilization Project	



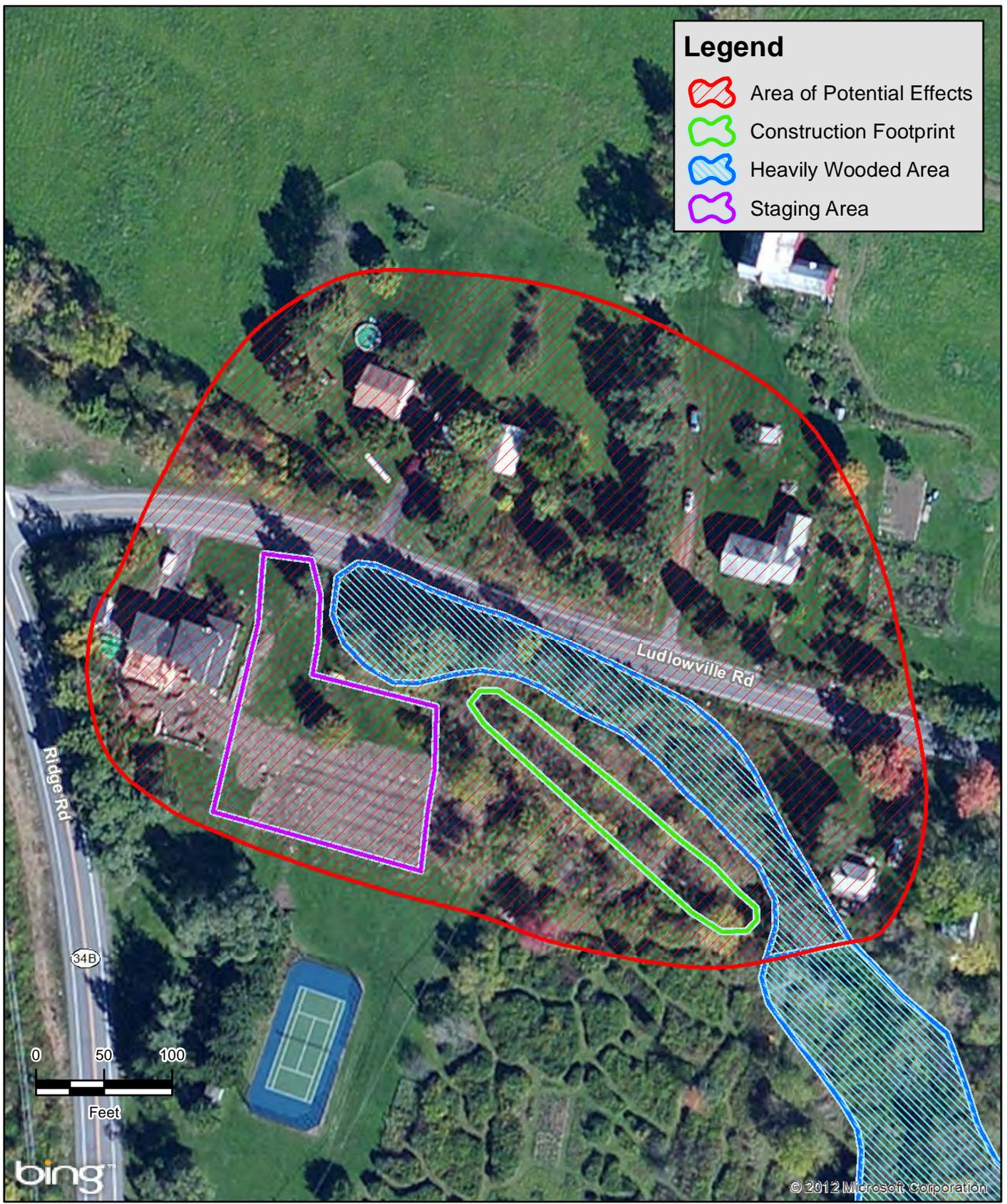
Source: Google Earth Pro 2012  
Not to Scale

TITLE		FIGURE <b>2</b>
PROJECT SITE		
AGENCY	FEMA	
PROJECT	Ludlowville Streambank Stabilization Project	



**Legend**

-  Area of Potential Effects
-  Construction Footprint
-  Heavily Wooded Area
-  Staging Area



CLIENT FEMA					TITLE Project Boundaries and Area of Potential Effects	
PROJ Ludlowville Streambank Stabilization Project					PROJ NO 15702626	
REVISION NO	0	DES BY	KJM		11/06/12	FIGURE 4
SCALE	1:1,200	DR BY	xxx		00/00/00	
<small>P:\FEMA\HMTAP 2009\15702626 EHP TO 26\LudlowvilleNYE_Data_ProjectInfo\Subapplication 2011.2.16\GIS\Projects\site_20121106_mod.mxd</small>				CHK BY	MV	11/06/12

Appendix B  
Agency Correspondence



## New York State Office of Parks, Recreation and Historic Preservation

Historic Preservation Field Services Bureau • Peebles Island, PO Box 189, Waterford, New York 12188-0189

518-237-8643

www.nysparks.com

Andrew M. Cuomo  
Governor

Rose Harvey  
Commissioner

December 07, 2012

Yemi Odutola  
Hazard Mitigation Assistance Specialist  
DHS/FEMA Region II  
Jacob Javits Federal Office Bldg  
26 Federal Plaza Room 1311  
New York, New York 10278

Re: FEMA Streambank Stabilization  
Vic. 244 Ludlowville Rd.  
T/Lansing, Tompkins County  
12PR04958

Dear Mr. Odutola:

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, it is the SHPO opinion that your project will have No Adverse Effect upon cultural resources in or eligible for inclusion in the National Registers of Historic Places.

If further correspondence is required regarding this project, please be sure to refer to the OPRHP Project Review (PR) number noted above.

Sincerely,

Ruth L. Pierpont  
Deputy Commissioner for Historic Preservation

RLP:jw



**FEMA**

September 11, 2015

Mr. David Stilwell  
Field Supervisor  
New York Field Office  
U.S. Fish and Wildlife Service  
3817 Luker Road  
Cortland, NY 13045

**Re: Request for Project Review – Ludlowville Streambank Stabilization Project,  
Tompkins County, NY**

Dear Mr. Stilwell:

Tompkins County has requested funding from the Federal Emergency Management Agency (FEMA) Hazard Mitigation Assistance Legislative Pre-Disaster Mitigation program to improve the stormwater drainage system in the Hamlet of Ludlowville, NY, to reduce damages to properties and infrastructure from flooding (see Attachment, Figure 1). Project design and agency consultations began in 2012, but the project was put on hold before the start of construction. Minor changes have been made to the original proposed action and since several years have passed, agency review is again being requested for some resource areas. Correspondence with your office to date is attached for your convenience, including the November 5, 2012 letter from FEMA to your office requesting project review, the December 10, 2012 email from Ms. Sandra Doran of your office to FEMA requesting additional information, and FEMA's December 13, 2012 email response to Ms. Doran.

The proposed project site is on the south side of Ludlowville Road approximately 200 feet east of its intersection with NY State Route 34B. Under the proposed project, Tompkins County would implement streambank stabilization measures along a portion of Tributary 1A to Salmon Creek (see Attachment, Figure 2).

This streambank stabilization project would minimize the flood risk to properties and infrastructure adjacent to Ludlowville Road by attenuating the rate of stormwater flows in Tributary 1A and into Ludlowville, while also reducing erosion of the tributary's streambanks. The proposed project design would:

- reduce damages to roads and culverts by allowing water to pass more efficiently through downstream culverts;
- reduce erosion and resulting property loss and stream encroachment on private property by stabilizing streambanks;
- reduce sedimentation that is contributing to deterioration of water quality downstream.

The project would be implemented over the course of one year. The streambank stabilization would incorporate a “step-pool” design along 330 feet of Tributary 1A, and includes the following elements (see Attachment, Figure 3):

- installing eight cross vane “V”-shaped rock structures across the bottom of the stream to create pools of water behind them;
- re-grading the existing stream banks from near vertical in some places to a 2:1 slope;
- armoring the re-graded streambanks by placing rock along the toe of each bank within the stream up to the 50-year storm elevation; and,
- re-vegetating streambanks with native vegetation.

Heavy equipment such as a backhoe and bulldozer would be used to construct the project. Tompkins County would use a 6,000-square-foot area on private property at 244 Ludlowville Road just to the north of the project site as a temporary staging area and access road. This area is currently maintained lawn and shrubs and any disturbed areas would be reseeded upon project completion. Excess excavated soils from the project will be disposed of in accordance with applicable local, State, and Federal regulations.

Approximately 18,000 square feet of existing vegetation would be cleared to grade the streambanks. Healthy, stable trees would be integrated into the project where feasible, although some tree would need to be removed. Native vegetation would be planted along the streambanks once grading is completed; Tompkins County would monitor the plantings and would re-plant areas as needed to meet the design requirements to stabilize the new banks. Tompkins County would implement temporary and permanent erosion and sediment control best management practices (BMPs) in accordance with county and New York State Department of Environmental Conservation requirements. To further protect waterways, the project would be constructed during low stream flow conditions.

### **Endangered Species**

According to the U.S. Fish and Wildlife Service IPaC and ECOS online searches (see Attachment), the federally endangered Indiana bat (*Myotis sodalis*) and the federally threatened northern long-eared bat (*Myotis septentrionalis*) and migratory birds have the potential to occur in the project area.

### **Results of Site Visit**

On October 19, 2012, environmental staff from FEMA’s representative, URS Group, Inc. (URS), visited the project site to determine if the project area contains habitat for any protected species. URS staff noted that the existing stream channel of Tributary 1A has downcut and laterally eroded the streambanks and severe erosion has occurred along the entire 330-foot length of the channel proposed for stabilization. The channel, originally approximately 6 feet from top of the streambank, has dropped up to 15 feet in places, exposing bedrock, and the distance between the streambanks has widened from approximately 5 feet to more than 20 feet. The tops of the streambanks and surrounding project area contain hardwood trees including green ash (*Fraxinus pennsylvanica*), black willow (*Salix nigra*), and aspen (*Populus sp.*); shrubs including

honeysuckle (*Lonicera* sp.) and dogwood (*Cornus* sp.); and herbaceous cover including goldenrod (*Solidago* spp.), aster (*Aster* spp.), and maintained lawn.

The project site contains potential suitable summer habitat for the Indiana bat and northern long-eared bat. Both species roost in the summer (mid-May to mid-August) in tree crevices or under tree bark of dead or live trees typically in forested areas near streams and lakes. The bats emerge from their roosts at night to forage, returning to the tree crevices or cavities during the day. Females of both species give birth and care for their young in maternity colonies during the summer roosting period. After the summer roosting period, the bats leave roosting sites to find suitable winter hibernation sites in caves or mines.

If Indiana or long-eared bats are present in the project area, the construction noise associated with the proposed project may disturb them; however, noise impacts would be temporary and minor and would only occur during normal business day-light hours. To avoid impacts to any roosting bats that may be present, FEMA would only remove trees during the inactive season (October 1 to March 31).

Because the project site is surrounded on three sides by developed areas and there is a large forested area nearby, migratory birds would not likely use the project area as a stop-over point or for foraging or nesting, therefore, no impacts to migratory birds from the proposed project are anticipated.

Based on the information provided above, FEMA has determined that the proposed project may affect but is not likely to adversely affect the Indiana bat and northern long-eared bat.

In compliance with the National Environmental Policy Act (NEPA) of 1969, as amended, FEMA is preparing an Environmental Assessment for the proposed project. In compliance with Section 7 of the Endangered Species Act, FEMA requests that your agency review the proposed project and provide concurrence with FEMA's determination. If you have any questions or need additional information, please contact me at 212-680-8525 or [Yemi.Odutola@fema.dhs.gov](mailto:Yemi.Odutola@fema.dhs.gov).

Sincerely,



Yemi Odutola  
HMA Specialist

Cc: Katherine Zeringue, Acting Regional Environmental Officer, FEMA Region II  
Zack Delaune, Environmental and Historic Preservation Specialist, FEMA Region II  
Suzanne Richert, URS Group, Inc

Enclosures as noted



**DEPARTMENT OF THE ARMY**  
BUFFALO DISTRICT, CORPS OF ENGINEERS  
1776 NIAGARA STREET  
BUFFALO, NEW YORK 14207-3199

REPLY TO  
ATTENTION OF:

November 29, 2012

Regulatory Branch

SUBJECT: Response to Request for Project Review Department of Army Application No. 2012-00906, New York State Department of Environmental Conservation No. 7-5032-00241

Yemi Odutola  
U.S. Department of Homeland Security  
Region II  
Jacob K. Javits Federal Office Building  
26 Federal Plaza, Room 1311  
New York, NY 10278-0002

Dear Ms. Odutola:

This pertains to your request for comment regarding the Ludlowville Streambank Stabilization Project consisting of bank grading and the construction of step pools in an unnamed tributary to Salmon Creek located south of Ludlowville Road approximately 220 feet east of the intersection of New York State Route 34B and Ludlowville Road, in the Town of Lansing, Tompkins County, New York.

We currently do not have a complete application. We are waiting receipt of a complete description and drawings of the proposed project. Answers to our questions may be included in the requested permit application materials, but in order to respond to your request for comment in a timely manner, we are responding with the information we currently have on hand.

It is not clear what flooding issues exist and how they might be alleviated by the construction of the proposed project. The proposed project begins at the outlet end of the culvert under Ludlowville Road and ends at the inlet of a culvert under what appears to be a private roadway. The stream continues on an incline for approximately 1,800 feet to where it outlets into Salmon Creek. The stream appears to be typical of natural streams in areas with fairly steep inclines. The downstream effects due to the proposed manipulation of the segment of stream under review are not clearly represented. We would like to see more discussion regarding how the proposed impacts would affect downstream flooding issues especially as this relates to the purpose and need of the project.

Although the need for streambank stabilization is evident from the photographs submitted, the basis for the design of the proposed project and the resulting impact have not yet been provided. It is important to provide the dimensions of the proposed impact and the basis of the determination

SUBJECT: Response to Request for Project Review Department of Army Application No. 2012-00906, New York State Department of Environmental Conservation No. 7-5032-00241

of the design for the proposed impact (e.g., whether it is based on a reference reach or on previously constructed projects, or on some other method). It appears that the stream is proposed to be widened and flattened and while these may be appropriate techniques to reduce water velocity, they may not contribute to the continued functions of the stream and do not address avoidance and minimization efforts. We would like to see more information regarding the design of the project.

Under our regulations, measures taken to avoid and minimize impacts to Waters of the United States must be investigated. For this project, the possibility exists that impacts to this stream could be minimized (if not avoided) by replacing undersized culverts in the study area. The documentation submitted to us discusses the undersized culverts in several areas and mentions that knowledge of the size limitation of the culverts was documented in 2004 and yet replacement of any undersized culvert is not being proposed. We would like a more complete discussion regarding the replacement of culverts in the area. I am including a few excerpts from the documentation that speak specifically to the undersized culverts and the flooding associated with them below for your information and review.

- From the “Project Description”: “This report [Technical Report #1 (Barton & Loguidice, 2009)] identified numerous culverts within the Ludlowville area that were undersized resulting in limited carrying capacity during high precipitation events.”
- From Technical Report 1: Existing Ludlowville Stormwater Conditions:
  - Page E-2: “The results indicated that peak runoff rates exceed the carrying capacity of the culverts at the downstream end of Basins A and B which is a major contributor to the drainage issues in the area.”
  - Page 2: Existing Ludlowville Stormwater Conditions (discussing the 2004 report by Milone & MacBroom, Inc.): “The results of the study showed that the Ludlowville culvert was a limiting component of the storm water system.”
  - From Page 31: “The peak runoff exceeding the capacity of the culverts at the downstream end of Basins A and B is a major contributor to the drainage issues in the area.”

One of our primary concerns for this waterway is the potential for cumulative impacts associated with both current and future work. The applicant’s submittal references additional projects along the tributary and it is not clear what/where these projects will be. If the current project is merely a first phase, we need to better understand the overall project concept in order to complete our evaluation. If the ultimate goal is to manipulate a substantial amount of the tributary, there may need to be compensatory mitigation for the overall project.

SUBJECT: Response to Request for Project Review Department of Army Application No. 2012-00906, New York State Department of Environmental Conservation No. 7-5032-00241

Questions pertaining to this matter should be directed to me at 716-829-4247, by writing to the following address: U.S. Army Corps of Engineers, 1776 Niagara Street, Buffalo, New York 14207, or by e-mail at:

Sincerely,

Signed

Lesta Ammons  
Biologist

**From:** [Richert, Suzanne](#)  
**To:** [Doran, Sandra](#)  
**Cc:** [Odutola, Yemi](#); [Gian Dodici](#); [tphillips@bartonandloguidice.com](mailto:tphillips@bartonandloguidice.com)  
**Subject:** reponses to questions RE: FEMA Ludlowville Streambank Stabilization  
**Date:** Thursday, December 13, 2012 9:17:00 AM  
**Attachments:** [560013 Drawing Sheet 1 \(Plan\) FINAL.pdf.pdf](#)  
[560013 STRCUTURE DESIGN SHEET 2 FINAL.pdf.pdf](#)

---

Ms. Doran – Answers to your questions about FEMA’s Ludlowville Streambank Stabilization project are below. There are 2 attachments to this email that are referenced below. Please let me know if there are any further questions or other information I can provide.

***Question: The cross-sectional diagram did not provide pool to pool spacing***

Answer: The spacing between pools can be determined by looking at Sheet 1. The proposed cross-vane locations have a station number assigned to them, which would directly correspond to the distance between pools as well. Because the primary reason for the project is to provide a mechanism for bank stabilization, and not natural channel restoration, the placement, spacing, and number of the structures is driven strictly by the results of hydraulic modeling of pre- and post-construction channel conditions. The intent is to provide maximum reduction of shear stress on the streambed and, in particular, at the toe of slope in a manner that maintains permanent grade control by establishing pool depths upon the existing exposed bedrock.

***Question: The cross-sectional diagram did not provide max pool depth – max pool depth appears to be 0.5 ft?***

Answer: Based on the provided elevations for the cross-vanes, the max pool depth varies from one step pool to another. Pool 1 is located immediately downstream of cross vane 1 (CV) at 0+52 on Plan Sheet 1. The proposed elevation of the throat at CV1 is 650.5, the pool bed elevation immediately below this structure will be approximately 645.5 due to proposed rock thickness being around 2.5 feet. This results in approximately 5 feet of drop from top of upstream CV to pool bed elevation based on two tiers of rock per cross vane. Water will naturally back up to an elevation of 647.5, which is the elevation of the second cross vane at 0+99. This results in the max depth of Pool 1 being approximately 2.0 feet. The following is a list of max pool depths beginning at the furthest upstream.

Pool 1 – 2.0 feet  
Pool 2 - 1.0 foot  
Pool 3 – 0.5 foot  
Pool 4 – 2.4 feet  
Pool 5 – 3.4 feet  
Pool 6 – 2.5 feet  
Pool 7 – 1.5 feet  
Pool 8 – 1.0 foot

***Question: How are they going to tie back the rock into the bank (distance)?***

Answer: The arm rock of the CVs will be tied into the bank approximately 2-3 feet as shown on the typical CV detail on Sheet 2. The proposed rebar will aid in anchoring the CVs, as will the rip rap bank stabilization. Given the slope, lack of sinuosity, and step-pool (type-A channel) character of the

design bed, keyway lengths typically do not need to be as long as they would in a system more prone to lateral migration. As for a tie-back distance, this is still up in the air because of the uncertainty of how much bank excavation can be done to build keyways without having the entire bank fail due to the steepness and soil composition of the banks. Keyway length will be determined onsite by the design contractor construction oversight specialist based upon the factors listed above.

***Question: Will the rock be placed at the toe of slope for the entire reach?***

**Answer:** The entire 330 feet of stabilization calls for rip rap at toe of bank and along portions of the bed, as well as bank shaping to allow for a wider floodplain. The floodplains would receive the bank treatment identified on Sheet 2.

Suzanne Richert  
*NEPA, Soil Science*  
URS Germantown, MD  
276.223.8755

**From:** Doran, Sandra [mailto:sandra\_doran@fws.gov]  
**Sent:** Monday, December 10, 2012 2:11 PM  
**To:** Richert, Suzanne  
**Cc:** Odutola, Yemi; Gian Dodici  
**Subject:** Ludlowville

Hi Suzanne,

Thanks for the information. I apologize for not getting back to you sooner.

I reviewed the cross sectional diagram. It did not provide pool to pool spacing and max pool depth. Max pool depth appears to be .5 ft?? Also, how are they going to tie back the rock into the bank (distance) and will the rock be placed at the toe of slope for the entire reach?

Let me know. I will reply to Yemi with our response regarding threatened and endangered species.

Thank you,  
-- Sandie

**Sandra Doran, Fish & Wildlife Biologist**

Conservation Planning Assistance/Endangered Species Branch  
U.S. Fish & Wildlife Service  
New York Field Office (Region 5)  
3817 Luker Rd.  
Cortland, NY 13045  
(607) 753-9334 (voice)  
(607) 753-9699 (fax)

<http://nyfo.fws.gov> (web)  
[sandra\\_doran@fws.gov](mailto:sandra_doran@fws.gov) (email)

**New York State Department of Environmental Conservation**

**Division of Environmental Permits, Region 7**

1285 Fisher Avenue, Cortland, New York 13045-1090

Phone: (607) 753-3095 • Fax: (607) 753-8532

Website: [www.dec.ny.gov](http://www.dec.ny.gov)



Joe Martens  
Commissioner

November 29, 2012

Yemi Odutola  
HMA Specialist  
US Department of Homeland Security Region II  
Jacob J. Javitz Federal Bldg.  
26 Federal Plaza room 1311  
New York, NY 10278-0002

RE: Request for Project Review, DEC Permit 7-5032-00241  
Tompkins County's Ludlowville Streambank Stabilization Project  
Town of Lansing, Tompkins County

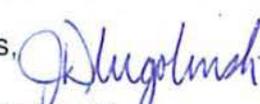
Dear Yemi Odutola:

This is in response to your request for review of the project indicated above. You specifically request comments on any concerns not addressed in the DEC issued permit. Please be informed that all concerns and issues were addressed in the permit and that NYSDEC Region 7 fully supports this project.

As you noted, this section of watercourse involving this project is known as Tributary 1a of Salmon Creek. It is a Class C "unprotected" stream therefore no in-water work timing restriction was placed in the permit. However DEC would prefer that in-water work be conducted from mid May to mid October of any given year to protect the cold water fisheries resource downstream in Salmon Creek. This is not a concern or issue, it is merely a preference which you should be aware of since you have asked.

Thank you.

Regards,

  
Joe Dlugolenski  
Deputy Regional Permit Administrator

cc: File



**FEMA**

November 5, 2012

Mr. Joe Dlugolenski  
Deputy Regional Permit Administrator  
Division of Environmental Permits  
New York State Department of Environmental Conservation  
Region 7  
1285 Fisher Ave.  
Cortland, NY 13045-1090

RE: Request for Project Review – Ludlowville Streambank Stabilization Project,  
Tompkins County, NY

Dear Mr. Dlugolenski:

Tompkins County has requested funding from the Federal Emergency Management Agency (FEMA) Hazard Mitigation Assistance Legislative Pre-Disaster Mitigation program to improve the stormwater drainage system in the Hamlet of Ludlowville, NY to reduce damages to properties and infrastructure from flooding (Figure 1). The proposed project site is on the south side of Ludlowville Road approximately 200 feet east of its intersection with New York State Route 34B. Under the proposed project, Tompkins County would implement streambank stabilization measures along a portion of Tributary 1A to Salmon Creek (Figure 2).

On August 8, 2012, the New York State Department of Environmental Conservation (NYSDEC) issued permit number 7-5032-00241 for this project (Attachment A). The project footprint and work described in this letter are the same as those authorized by the NYSDEC permit.

This streambank stabilization project would minimize the flood risk to properties and infrastructure adjacent to Ludlowville Road by attenuating the rate of stormwater flows in Tributary 1A and into Ludlowville, while also reducing erosion of the tributary's streambanks. This streambank stabilization project would minimize the flood risk to properties and infrastructure adjacent to Ludlowville Road by attenuating the rate of stormwater flows in Tributary 1A and into Ludlowville, while also reducing erosion of the tributary's streambanks. The proposed project design would:

- reduce damages to roads and culverts by allowing water to pass more efficiently through downstream culverts;

- reduce erosion and resulting property loss and stream encroachment on private property by stabilizing streambanks;
- reduce sediment that is contributing to deterioration of water quality downstream.

The project would be implemented over the course of one year. The streambank stabilization would incorporate a “step-pool” design along 330 feet of Tributary 1A, and includes the following elements (Figure 3):

- installing eight cross vane “V”-shaped rock structures across the bottom of the stream to create pools of water behind them);
- re-grading the existing stream banks from near vertical in some places to a 2:1 slope;
- armoring the newly graded streambanks by placing rock along the toe of each bank within the stream up to the 50-year storm elevation; and,
- re-vegetating streambanks.

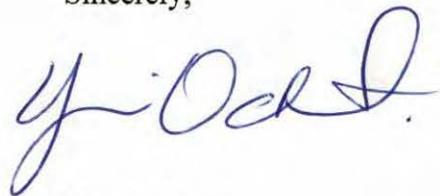
Heavy equipment such as a backhoe and bulldozer would be used to construct the project. Tompkins County would use a 6,000-square-foot area on private property at 244 Ludlowville Road just to the north of the project site as a temporary staging area and access road. This area is currently maintained lawn and shrubs and any disturbed areas would be reseeded upon project completion. Excess excavated soils from the project would be placed on Town of Lansing property.

Approximately 18,000 square feet of existing vegetation would be cleared to grade the streambanks, although healthy, stable trees would be integrated into the project where feasible. Permanent vegetation would be planted along the streambanks once grading is completed; Tompkins County would monitor the plantings and would re-plant any areas that did not meet the design requirements to stabilize the new banks. Tompkins County would implement temporary and permanent erosion and sediment control best management practices (BMPs) in accordance with county and the NYSDEC permit requirements. To further protect waterways, the project would be constructed during low stream flow.

November 5, 2012  
Mr. Dlugolenski  
LPDM-PJ-02-NY-2008-025  
Page 3 of 3

In compliance with the National Environmental Policy Act (NEPA) of 1969, as amended, FEMA is preparing an Environmental Assessment for this proposed project. FEMA requests that your agency review the proposed project and provide comments on any concerns not addressed by the NYSDEC permit. In separate correspondence, FEMA is also requesting project review from the U.S. Fish and Wildlife Service and the New York State Historic Preservation Office. If you have any questions or need additional information, please contact me at 212-680-8525 or [Yemi.Odutola@fema.dhs.gov](mailto:Yemi.Odutola@fema.dhs.gov).

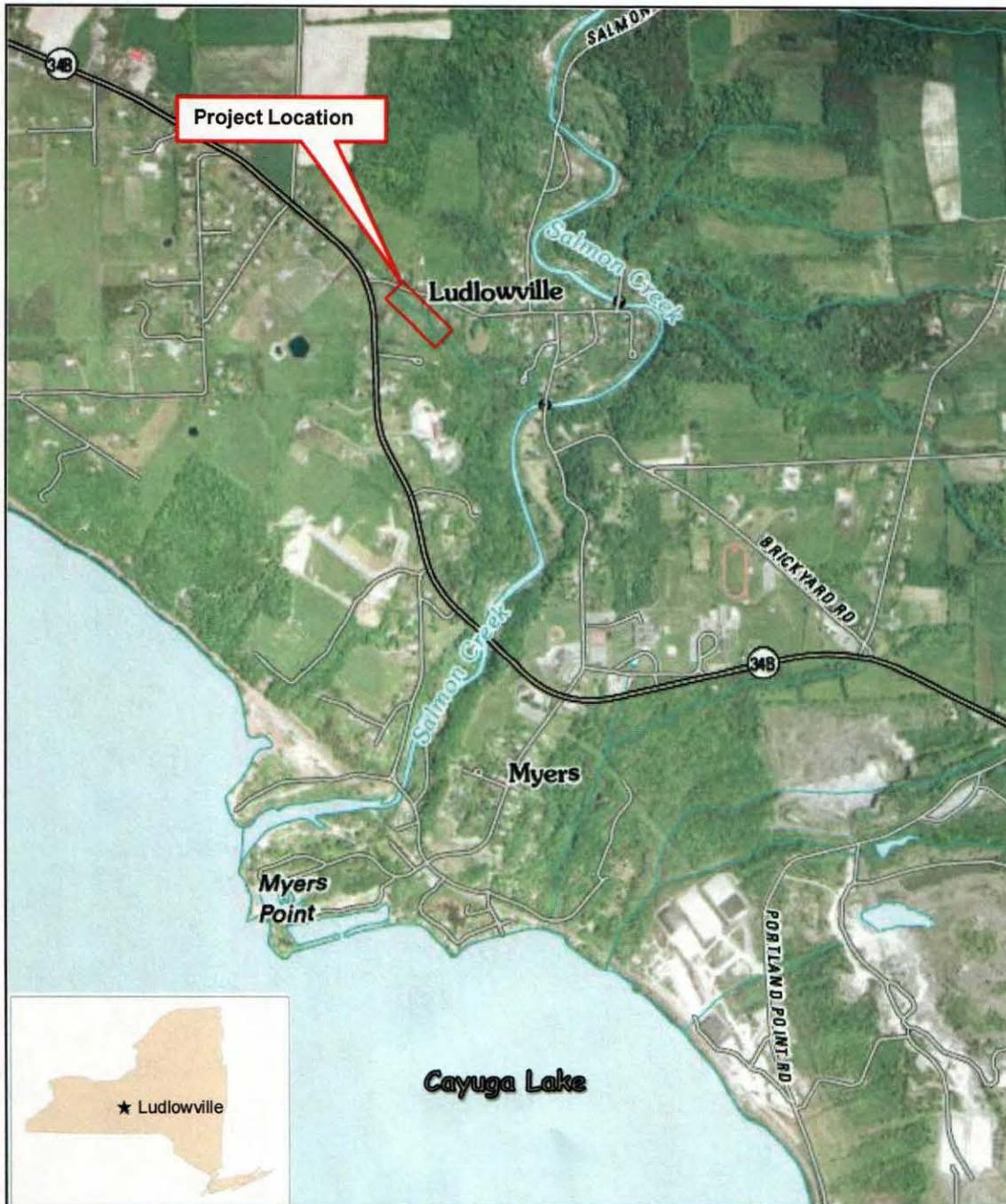
Sincerely,



Yemi Odutola  
HMA Specialist

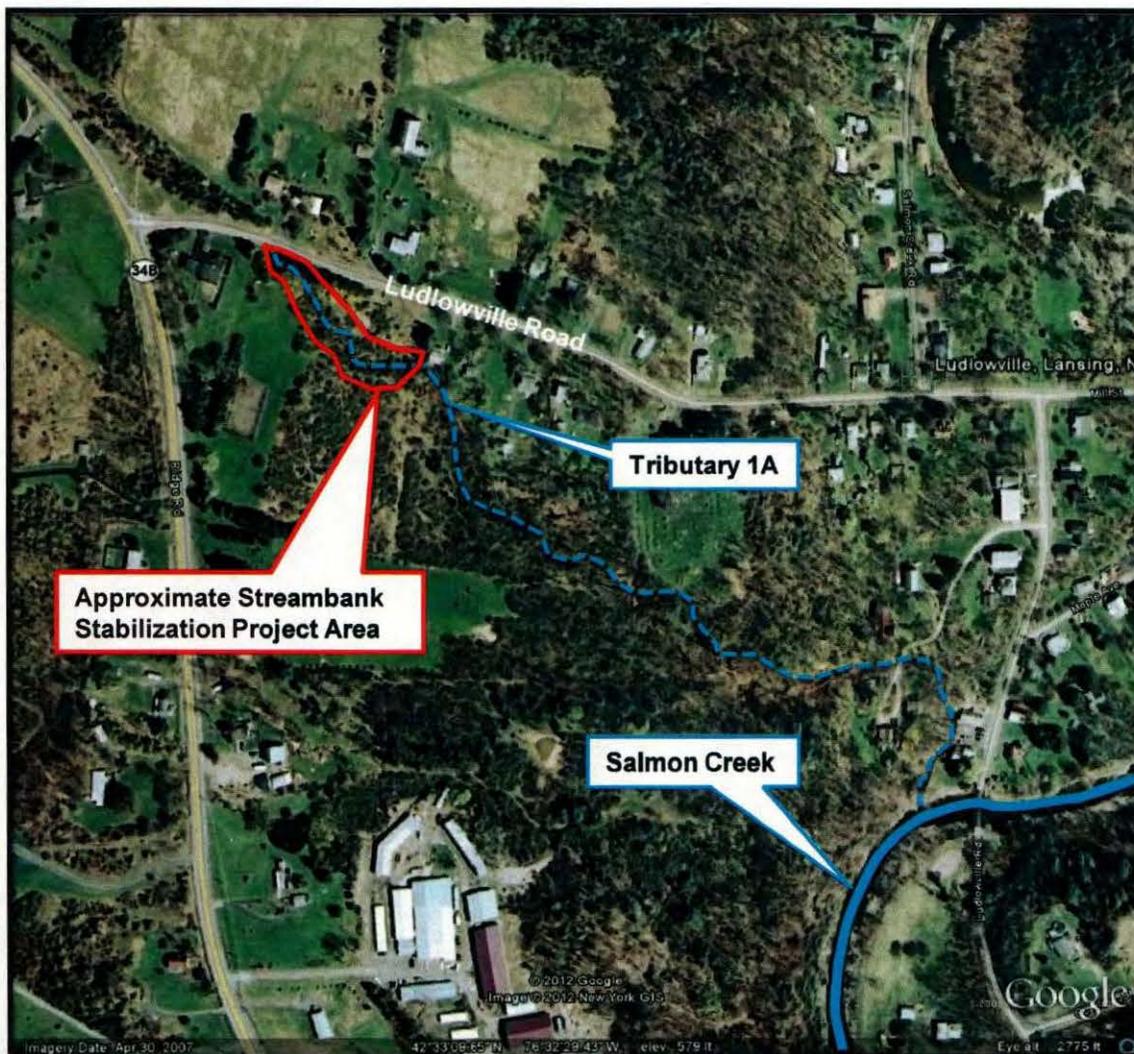
Cc: Megan Jadrosich, Regional Environmental Officer, FEMA Region II  
Suzanne Richert, URS Group, Inc  
Jean Foley, Biologist, NYSDEC Region 7 Bureau of Habitat

Enclosures as noted



Source: USGS topographic map, Ludlowville Quadrangle, NY  
7.5-minute series, 2010. Scale 1:24,000

TITLE		FIGURE <b>1</b>
<b>PROJECT VICINITY</b>		
AGENCY	FEMA	
PROJECT	Ludlowville Streambank Stabilization Project	



Source: Google Earth Pro 2012  
Not to Scale

TITLE		FIGURE <b>2</b>
<b>PROJECT SITE</b>		
AGENCY	FEMA	
PROJECT	Ludlowville Streambank Stabilization Project	



Attachment A



**PERMIT**  
**Under the Environmental Conservation Law (ECL)**

**Permittee and Facility Information**

**Permit Issued To:**  
TOMPKINS COUNTY

170 BOSTWICK RD  
ITHACA, NY 14850  
(607) 274-0307

**Facility:**  
LUDLOWVILLE RD @ TRIB 1A TO SALMON  
CRK  
LUDLOWVILLE RD - 200' E ST RTE 34B  
LUDLOWVILLE, NY

**Facility Application Contact:**  
TODD J PHILLIPS  
BARTON & LOGUIDICE PC  
290 ELWOOD DAVIS RD BOX 3107  
SYRACUSE, NY 13220  
(315) 457-5200

**Facility Location:** in LANSING in TOMPKINS COUNTY

**Facility Principal Reference Point:** NYTM-E: 373.293    NYTM-N: 4712.432  
Latitude: 42°33'14.0"    Longitude: 76°32'36.2"

**Authorized Activity:** Install eight (8) rock cross vane structures, step the existing stream banks back, re-vegetate slopes, and place rock within stream channel up to the 50-year storm elevation along approximately 330 feet of Tributary 1a to Salmon Creek; all in accordance with plans submitted and all permit conditions herein.

**Permit Authorizations**

**Water Quality Certification - Under Section 401 - Clean Water Act**

Permit ID 7-5032-00241/00001

New Permit

Effective Date: 8/3/2012

Expiration Date: 12/31/2014



**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: JOSEPH M DLUGOLENSKI, Deputy Regional Permit Administrator  
Address: NYSDEC REGION 7 CORTLAND SUB-OFFICE  
1285 FISHER AVE  
CORTLAND, NY 13045 -1090

Digitally signed by  
Joe Dlugolenski  
Date: 2012.08.03  
12:01:25 -04'00'

Authorized Signature:

**Distribution List**

TODD J PHILLIPS  
JEAN P FOLEY  
BUFFALO DISTRICT U S ARMY CORPS OF ENGINEERS  
Law Enforcement

**Permit Components**

- NATURAL RESOURCE PERMIT CONDITIONS
- WATER QUALITY CERTIFICATION SPECIFIC CONDITION
- GENERAL CONDITIONS, APPLY TO ALL AUTHORIZED PERMITS
- NOTIFICATION OF OTHER PERMITTEE OBLIGATIONS

**NATURAL RESOURCE PERMIT CONDITIONS - Apply to the Following Permits: WATER QUALITY CERTIFICATION**

- 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 Barton & Loguidice, P.C. and received on July 16, 2012.
- 2. 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.



**3. 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.

**4. Work in One Continuous Operation** Work within stream or on stream banks must be done in one continuous operation.

**5. Minimize Adverse Impacts to Wetlands, Wildlife, Water** All work must be performed in a manner which minimizes adverse impacts to wetlands, wildlife, water quality and natural resources.

**6. Minimize Bed/Bank Disturbance** Disturbance to the bed and banks of Tributary 1a of Salmon Creek shall be kept to the minimum necessary to complete the project.

**7. Restore Stream Bank Access Points** Immediately following project completion, any areas of excavation at entry and exit points to a stream shall be restored to their natural condition and stabilized by seeding and mulching or placement of natural stone riprap.

**8. Stabilize Disturbed Areas** All areas of soil disturbance resulting from this project shall be seeded with an appropriate perennial grass seed and mulched with straw within one week of final grading. Mulch shall be maintained until suitable vegetative cover is established.

**9. 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.

**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.



## WATER QUALITY CERTIFICATION SPECIFIC CONDITIONS

**1. Water Quality Certification** The NYS Department of Environmental Conservation hereby certifies that the subject project will not contravene effluent limitations or other limitations or standards under Sections 301, 302, 303, 306 and 307 of the Clean Water Act of 1977 (PL 95-217) provided that all of the conditions listed herein are met.

## 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 7 CORTLAND SUB-OFFICE  
1285 FISHER AVE  
CORTLAND, NY13045 -1090

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



**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.

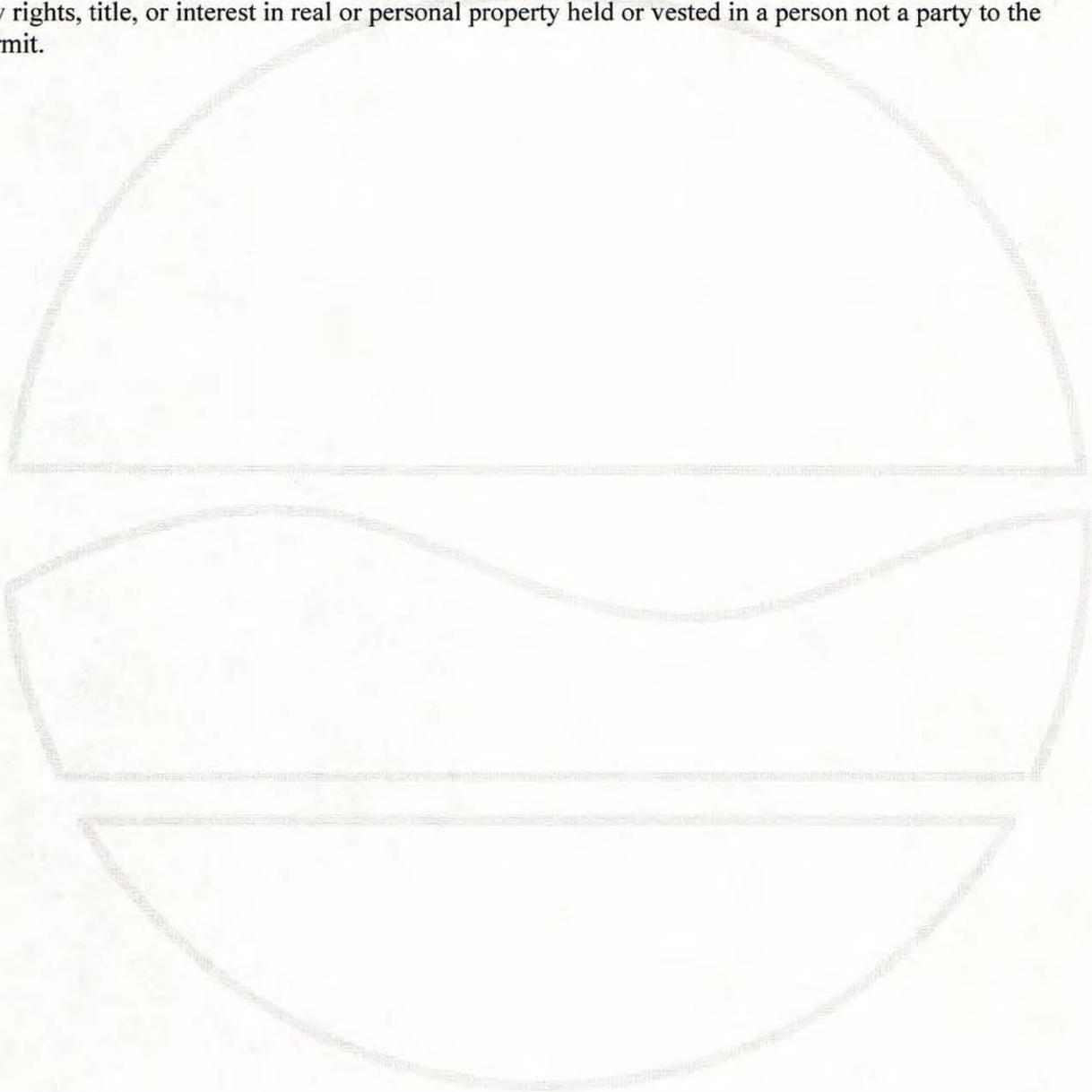


**Item C: Permittee Responsible for Obtaining Other Required Permits**

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.





FEMA

November 5, 2012

Mr. Steven Metivier  
USACE Buffalo District  
ATTN: Regulatory Branch  
1766 Niagara Street  
Buffalo, NY 14027

RE: Request for Project Review – Ludlowville Streambank Stabilization Project,  
Tompkins County, NY

Dear Mr. Metivier:

Tompkins County has requested funding from the Federal Emergency Management Agency (FEMA) Hazard Mitigation Assistance (HMA) Legislative Pre-Disaster Mitigation (LPDM) program to improve the stormwater drainage system in the Hamlet of Ludlowville, NY to reduce damages to properties and infrastructure from flooding (Figure 1). The proposed project site is on the south side of Ludlowville Road approximately 200 feet east of its intersection with NY State Route 34B. Under the proposed project, Tompkins County would implement streambank stabilization measures a portion of Tributary 1A to Salmon Creek (Figure 2).

On June 22, 2012, Barton and Loguidice, P.C., on behalf of Tompkins County, sent a letter to your office that the proposed project is authorized under Nationwide Permit (NWP) #13 – Bank Stabilization, in accordance with Section 404 of the Clean Water Act. The project footprint and work described in this letter are the same as those authorized by NWP #13.

This streambank stabilization project would minimize the flood risk to properties and infrastructure adjacent to Ludlowville Road by attenuating the rate of stormwater flows in Tributary 1A and into Ludlowville, while also reducing erosion of the tributary's streambanks. The proposed project design would:

- reduce damages to roads and culverts by allowing water to pass more efficiently through downstream culverts;
- reduce erosion and resulting property loss and stream encroachment on private property by stabilizing streambanks;
- reduce sediment that is contributing to deterioration of water quality downstream.

The project would be implemented over the course of one year. The streambank stabilization would incorporate a "step-pool" design along 330 feet of Tributary 1A, and includes the following elements (see Figure 3):

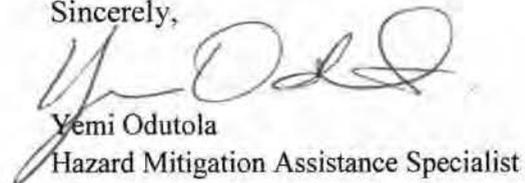
- installing eight cross vane "V"-shaped rock structures across the bottom of the stream to create pools of water behind them;
- re-grading the existing stream banks from near vertical in some places to a 2:1 slope, and
- armoring the newly re-graded streambanks by placing rock along the toe of each bank within the stream up to the 50-year storm elevation; and,
- re-vegetating streambanks.

Heavy equipment such as a backhoe and bulldozer would be used to construct the project. Tompkins County would use a 6,000-square-foot area on private property at 244 Ludlowville Road just to the north of the project site as a temporary staging area and access road. This area is currently vegetated with maintained lawn and shrubs and would be reseeded upon project completion. Excess excavated soils from the project would be placed on Town of Lansing property.

Approximately 18,000 square feet of existing vegetation would be cleared to grade the streambanks, although healthy, stable trees would be integrated into the project where feasible. Permanent vegetation would be planted along the streambanks once grading is completed; Tompkins County would monitor the plantings and would re-plant any areas that did not meet the design requirements to stabilize the new banks. Tompkins County would implement temporary and permanent erosion and sediment control best management practices (BMPs) in accordance with county and New York State Department of Environmental Conservation requirements. To further protect waterways, the project would be constructed during low stream flow conditions.

In compliance with the National Environmental Policy Act (NEPA) of 1969, as amended, FEMA is preparing an Environmental Assessment for the proposed project. FEMA requests that your agency review the proposed project and provide comments. If you have any questions or need additional information, please contact me at 212-680-8525 or [Yemi.Odutola@fema.dhs.gov](mailto:Yemi.Odutola@fema.dhs.gov).

Sincerely,



Yemi Odutola  
Hazard Mitigation Assistance Specialist

Cc: Megan Jadrosich, Regional Environmental Officer, FEMA Region II  
Suzanne Richert, URS Group, Inc  
Jean Foley, Biologist, NYSDEC Region 7 Bureau of Habitat

Enclosures as noted



FEMA

November 5, 2012

Mr. David Stilwell  
Field Supervisor  
New York Field Office  
U.S. Fish and Wildlife Service  
3817 Luker Road  
Cortland, NY 13045

RE: Request for Project Review – Ludlowville Streambank Stabilization Project, Tompkins County, NY

Dear Mr. Stilwell:

Tompkins County has requested funding from the Federal Emergency Management Agency (FEMA) Hazard Mitigation Assistance Legislative Pre-Disaster Mitigation program to improve the stormwater drainage system in the Hamlet of Ludlowville, NY, to reduce damages to properties and infrastructure from flooding (Figure 1). The proposed project site is on the south side of Ludlowville Road approximately 200 feet east of its intersection with NY State Route 34B. Under the proposed project, Tompkins County would implement streambank stabilization measures along a portion of Tributary 1A to Salmon Creek (Figure 2).

This streambank stabilization project would minimize the flood risk to properties and infrastructure adjacent to Ludlowville Road by attenuating the rate of stormwater flows in Tributary 1A and into Ludlowville, while also reducing erosion of the tributary's streambanks. The proposed project design would:

- reduce damages to roads and culverts by allowing water to pass more efficiently through downstream culverts;
- reduce erosion and resulting property loss and stream encroachment on private property by stabilizing streambanks;
- reduce sediment that is contributing to deterioration of water quality downstream.

The project would be implemented over the course of one year. The streambank stabilization would incorporate a "step-pool" design along 330 feet of Tributary 1A, and includes the following elements (Figure 3):

- installing eight cross vane "V"-shaped rock structures across the bottom of the stream to create pools of water behind them;
- re-grading the existing stream banks from near vertical in some places to a 2:1 slope;
- armoring the re-graded streambanks by placing rock along the toe of each bank within the stream up to the 50-year storm elevation; and,

- re-vegetating streambanks.

Heavy equipment such as a backhoe and bulldozer would be used to construct the project. Tompkins County would use a 6,000-square-foot area on private property at 244 Ludlowville Road just to the north of the project site as a temporary staging area and access road. This area is currently maintained lawn and shrubs and any disturbed areas would be reseeded upon project completion. Excess excavated soils from the project would be placed on Town of Lansing property.

Approximately 18,000 square feet of existing vegetation would be cleared to grade the streambanks, although healthy, stable trees would be integrated into the project where feasible. Permanent vegetation would be planted along the streambanks once grading is completed; Tompkins County would monitor the plantings and would re-plant any areas that did not meet the design requirements to stabilize the new banks. Tompkins County would implement temporary and permanent erosion and sediment control best management practices (BMPs) in accordance with county and New York State Department of Environmental Conservation requirements. To further protect waterways, the project would be constructed during low stream flow conditions.

#### **Endangered Species**

According to the U.S. Fish and Wildlife Service species list the federally threatened/state endangered bog turtle (*Clemmys muhlenbergii*) and the state threatened bald eagle (*Haliaeetus leucocephalus*) may occur in Tompkins County (Attachment A). While no longer federally listed, the bald eagle is protected under the Bald and Golden Eagle Protection Act.

#### **Results of Site Visit**

On October 19, 2012, environmental staff from FEMA's representative, URS Group, Inc. (URS), visited the project site to determine if habitat for any protected species is present. URS staff noted that the existing stream channel of Tributary 1A has downcut and laterally eroded the streambanks and severe erosion has occurred along the entire 330-foot length of the channel proposed for stabilization. The channel, originally approximately 6 feet from top of the streambank, has dropped up to 15 feet more in places, exposing bedrock, and the streambanks have widened from approximately 5 feet across to over 20 feet across. The tops of the streambanks and surrounding project area contain hardwood trees including green ash (*Fraxinus pennsylvanica*), black willow (*Salix nigra*), and aspen (*Populus* sp.); shrubs including honeysuckle (*Lonicera* sp.) and dogwood (*Cornus* sp.); and herbaceous cover including goldenrods (*Solidago* spp.), asters, and maintained lawn.

The project site does not contain suitable habitat for bog turtles, which prefer habitat with cool, shallow, slow-moving water, deep soft muck soils, and tussock-forming herbaceous vegetation. In New York, the bog turtle is generally found in open, early successional types of habitats such as wet meadows or open calcareous boggy areas generally dominated by sedges (*Carex* spp.) or sphagnum moss. It requires habitats with a good deal of solar penetration for basking and nesting.

November 5, 2012  
Mr. Stilwell  
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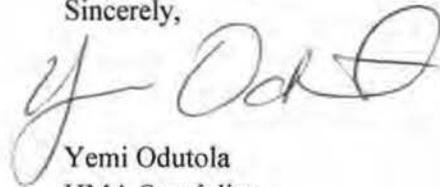
The project site does not contain suitable habitat for bald eagles, which prefer undisturbed areas near large lakes and reservoirs, marshes and swamps, or stretches along rivers where they can find open water and their primary food, fish. Bald eagles nest in forests along the shorelines of oceans, lakes or rivers where water remains open. During the site visit, no bald eagle nests were observed in or near the project site.

**FEMA Determination**

Because no habitat for the bog turtle or bald eagle exists in the project area, FEMA has determined that the proposed project would have no effect on threatened or endangered species or their habitats and no effect on bald eagles or their habitat.

In compliance with the National Environmental Policy Act (NEPA) of 1969, as amended, FEMA is preparing an Environmental Assessment for the proposed project. In compliance with Section 7 of the Endangered Species Act, FEMA requests that your agency review the proposed project and provide concurrence with FEMA's determination. If you have any questions or need additional information, please contact me at 212-680-8525 or [Yemi.Odutola@fema.dhs.gov](mailto:Yemi.Odutola@fema.dhs.gov).

Sincerely,



Yemi Odutola  
HMA Specialist

Cc: Megan Jadrosich, Regional Environmental Officer, FEMA Region II  
Suzanne Richert, URS Group, Inc

Enclosures as noted

Attachment A

## Tompkins County

### Federally Listed Endangered and Threatened Species and Candidate Species

This list represents the best available information regarding known or likely County occurrences of Federally-listed and candidate species and is subject to change as new information becomes available.

<u>Common Name</u>	<u>Scientific Name</u>	<u>Status</u>
Bald eagle <sup>1</sup>	<i>Haliaeetus leucocephalus</i>	D
Bog turtle ( <i>Historic</i> )	<i>Clemmys [=Glyptemys] muhlenbergii</i>	T

Status Codes: E=Endangered, T=Threatened, P=Proposed, C=Candidate, D=Delisted.

<sup>1</sup> The bald eagle was delisted on August 8, 2007. While there are no ESA requirements for bald eagles after this date, the eagles continue to receive protection under the Bald and Golden Eagle Protection Act (BGEPA). Please follow the Service's May 2007 Bald Eagle Management Guidelines to determine whether you can avoid impacts under the BGEPA for your projects. If you have any questions, please contact the endangered species branch in our office.

Information current as of: 10/25/2012



**FEMA**

November 15, 2012

Mr. Anthony Opalka  
New York State Division of Historic Preservation  
New York State Office of Parks, Recreation, and Historic Preservation  
Peebles Island State Park  
P.O. Box 189  
Waterford, NY 12188-0189

RE: Section 106 Consultation – Streambank Stabilization, Ludlowville, Town of Lansing,  
Tompkins County, New York  
Determination: *No Adverse Effect on Historic Properties*

Dear Mr. Opalka:

Tompkins County, NY (subapplicant) has applied for funding under the Federal Emergency Management Agency (FEMA) Pre-Disaster Mitigation competitive grant program to stabilize 360 feet of a tributary of Salmon Creek. This work will take place in a rural area, immediately adjacent to 244 Ludlowville Road in the Town of Lansing, Tompkins County, NY (42.5519, -76.5405) (Figures 1 and 4).

FEMA has determined that this action qualifies as an Undertaking under Section 106 of the National Historic Preservation Act (NHPA), and as such, is submitting its findings in this correspondence for your consideration. Concurrent with the Section 106 process, FEMA is preparing an Environmental Assessment for the action in compliance with the National Environmental Policy Act (NEPA). FEMA has retained URS Group, Inc. to provide technical support in carrying out our responsibilities under NHPA and NEPA.

This Undertaking was the subject of a coordination letter between a consultant for Tompkins County and the New York State Office of Parks, Recreation, and Historic Preservation in June 2012 (Attachment A).

**Undertaking**

The Undertaking consists of installing 360 feet of streambank stabilization in Tributary 1A to Salmon Creek using bank armoring with step pools. Stabilization methods may include placing riprap along the channel, cutting/sloping the channel banks, and constructing eight step pools to retain excess flood waters. The work will occur immediately southeast of 244 Ludlowville Road, near the intersection of Ludlowville Road and State Route 34B, and will relieve flooding on multiple properties in the area. The project would be implemented over the course of one year and includes the following elements

(Figure 3):

- Installing eight cross-vane, "V"-shaped rock structures across the bottom of the stream to create pools of water behind them;
- Re-grading the existing stream banks from near vertical in some places to a 2:1 slope;
- Armoring the re-graded streambanks by placing rock along the toe of each bank within the stream up to the 50-year storm elevation; and
- Re-vegetating streambanks.

Heavy equipment such as a backhoe and a bulldozer would be used to implement the project components. Tompkins County would use a 6,000-square-foot area on private property at 244 Ludlowville Road just to the northwest of the project site as a temporary staging area and access road. This area is currently maintained lawn and shrubs, and any disturbed areas would be reseeded upon project completion. Any excess excavated soils from the project would be placed off site on Town of Lansing property.

#### **Area of Potential Effects (APE)**

For above-ground resources, FEMA has defined the APE to consist of the construction footprint of the proposed Undertaking and the adjacent properties located at 222, 229, 233, and 244 Ludlowville Road. Delineation of this APE takes into account the potential impact of the Undertaking within the viewshed and any other indirect effects (Figure 2 and Attachment B). While the construction footprint is situated within a heavily wooded area and is not currently visible from neighboring properties, the temporary staging area will be visible from the house at 244 Ludlowville Road. There is a slight potential that the construction activity may be visible from other neighboring properties during the late fall and winter months; therefore, they are included in the above-ground APE.

For archaeological resources, FEMA has determined that the APE consists of the footprint of the proposed project, accounting for all areas where ground disturbance associated with the Undertaking could potentially occur (Figure 2). The archaeological APE accounts for planned activities that have the potential to affect archaeological resources, including: excavation of the existing channel; construction of impervious surfaces for ingress, egress, and parking; equipment and material staging; and hardscape and landscape improvements.

#### **Identification of Historic Properties**

Jeremy Lazelle, a URS Archaeologist, and Linda Mackey, a URS Architectural Historian, both qualified in their respective disciplines under the *Secretary of the Interior's Professional Qualification Standards* (36 CFR Part 61), conducted an assessment of the project's potential to affect historic properties within the APE. A records search was completed by Ms. Mackey at the New York State Office of Parks, Recreation, and Historic Preservation in September 2012. This information was supplemented by a desktop search of readily available resources to identify any cultural resources of interest in the project area. Data collected online and during the site visit was reviewed by Mr. Lazelle and Ms. Mackey to determine whether historic properties were present in the APE. Their findings are presented below.

### *Above-Ground Resources*

All four buildings within the APE appear to be over 50 years of age. No Building Structure Inventory Forms for any of the buildings within the APE were found on file at the New York Office of Parks, Recreation, and Historic Preservation in Waterford. None of the buildings within the APE are currently listed in the National Register of Historic Places (NRHP).

The residential building located at **229 Ludlowville Road** is an excellent, virtually intact example of a vernacular Greek Revival Style farmhouse, and has a reported construction date of c.1820. It embodies many archetypal, distinctive characteristics of its type, and therefore is eligible for the NRHP. The building features its original massing, with a historic wing on the northeast elevation. Original architectural details, including the engaged Doric pilasters, an exaggerated entablature with frieze-band windows with decorative cast iron screens, the discontinuous frieze-band in the side gables, and a detailed door surround, all speak to the original style and construction of the building. Alterations include the addition of window screens over what appear to be original 6/6 wood windows, and much more recent asphalt shingled roofing. An aluminum gutter system has also been installed across the façade. The recessed one story addition on the northeast elevation features a stepped down, side-gabled roof with an engaged entry porch across its façade, supported by three vernacular square columns and two pilasters at the ends of the porch. The two temple-like symmetric windows and central entry of this wing are each augmented with matching Greek key surrounds. While this building type and its correlated architectural style remain somewhat common regionally, this dwelling retains much of its original architectural detail and has seen very little alteration or structural modification. The property is eligible for the NRHP.

The simple side-gabled residential building located at **222 Ludlowville Road** has been so significantly altered that it is without discernible architectural style. According to tax assessment records, this building was constructed in 1885, likely as a simple two story farmhouse. Since then, aerial imagery and the limited photographs that could be accessed from the public right-of-way suggest many additions and alterations, including a one story front porch that stretches nearly the length of the façade; the porch features a hipped roof. Supported by four wood posts, the porch has been screened and has a side entrance. The dwelling has been sheathed in a synthetic siding of aluminum or vinyl, which also encases likely original second story windows along the façade. Based on this information, the dwelling does not appear to possess sufficient architectural integrity or historic significance to be eligible for listing in the NRHP.

The house located at **233 Ludlowville Road** is a small Minimal Traditional Style residence likely built in the years immediately following World War II, if not later in the mid-20<sup>th</sup> century. Cloaked in asbestos siding, this simple rectangular dwelling features vinyl replacement windows and door, rests on a concrete masonry unit (CMU) basement foundation, and features a square exterior CMU chimney that extends from the ground level upward past the basement, main level, and side gable, past the roofline. The house is covered by a more recent asphalt shingled roof and has a gutter system running the length of the façade. The unenclosed deck stretches across approximately two-thirds of the façade, and features a handicapped lift on its southwest corner. This lift is accessed by a handicapped ramp that appears to be a recent addition to the front yard. Based on the above, the

dwelling does not appear to possess sufficient architectural integrity or historic significance to be eligible for listing in the NRHP.

The property at **244 Ludlowville Road** is adjacent to the construction footprint and a temporary staging area is planned in the back yard. The staging area for the Undertaking will be within the viewshed of the house; however, an extant wooded area masks the project's construction footprint from the home. The house at this property, which is over 50 years of age and originally designed in the Italianate Style, has experienced significant alterations over time and lacks architectural integrity. According to Tompkins County tax assessment records, the original portion of the home was constructed in 1865. A deep porch, supported by 12 columns, surrounds three sides of the original massing of this home. It is apparent from aerial imagery that the portion of the porch running along the south elevation has been recently added or was replaced; a new deck also extends from the garage addition to the southwest. The otherwise square plan of this portion of the home is interrupted by a two story bay window that extends to the roofline. The wide overhanging eaves of the flat hipped roof rest immediately above a diminutive dentil cornice, a deep trim band, and a simple horizontal band of seemingly delicate moulding that encircles the original section of the building. A large chimney sits along the exterior of the northern elevation. The building has been modified and altered with the addition of a side wing and two-story attached garage. Site photographs and aerial imagery suggest some vinyl replacement windows, doors, roofing materials, and a second-story deck have been added. The house also appears to be sheathed in asbestos shingles. Based on these alterations, the dwelling does not appear to possess sufficient architectural integrity or historic significance to be eligible for listing in the NRHP.

With the exception of **229 Ludlowville Road**, none of the buildings within the APE are known to be associated with events that have made a significant contribution to the broad patterns of our history; are associated with the lives of persons significant in our past; embody distinctive characteristics of a type, period, or method of construction, or represent the work of a master, or possess high artistic value; nor are they known to have yielded, or be likely to yield, information important to our history or prehistory.

#### *Archaeological Resources*

Research revealed no recorded archaeological sites in or immediately adjacent to the project area. Three documented sites are located within 1 mile: A10907.00004, A10907.00006, and 5034 (Museum Site). The first two sites were recorded by avocational archaeologists in 1977 as a "camp site" and "burial," respectively. The Museum Site was recorded as "Traces of Occupation" in 1922. No other information was available for the three sites.

The entire APE is mapped by the Natural Resources Conservation Service (NRCS) Web Soil Survey as Hudson-Cayuga silt loams, 6 to 12 percent slopes, eroded (HuC3). Aerial photographs of the APE show that the staging area has been subjected to agricultural plowing. Based on the NRCS soil mapping, the agricultural activity within a portion of the APE, and the location of the majority of ground-disturbing work within an active stream channel, there is a low potential for the APE to

November 15, 2012  
Mr. Opalka  
LPDM-PJ-02-NY-2008-025  
Page 5 of 5

contain intact, significant, archaeological resources. Accordingly, FEMA has determined that no archaeological historic properties will be affected by the Undertaking.

**Determination of No Adverse Effect on Historic Properties**

FEMA has concluded that the project will have no permanent effects on any of the four buildings within the APE, nor will it result in any indirect visual effects, as the construction footprint is not visible from any of the dwellings. Although the building located at 229 Ludlowville Road is potentially eligible for listing in the NRHP, the construction footprint falls within a wooded area, thus blocking the view from this built resource. The Undertaking will have no permanent visual effects on it or any other building within the APE. The construction area will also be re-vegetated to ensure that the context will remain similarly arboreal and the results of this effort will not be permanently visible from any of the buildings within the APE.

Accordingly, FEMA has determined that this Undertaking will have **no adverse effect on historic properties**. If unexpected discoveries are made during the course of project execution, FEMA will proceed in compliance with State and Federal laws protecting cultural resources, including Section 106 of the NHPA, and all work shall cease in the immediate vicinity of the find until appropriate parties are consulted.

We respectfully request your concurrence regarding our determination. FEMA intends to move forward in approving this mitigation project unless the State Historic Preservation Office objects within 30 calendar days of receiving this information. Should you have any questions, or require additional information, please do not hesitate to contact me at (212) 680-8525 or [Yemi.Odutola@fema.dhs.gov](mailto:Yemi.Odutola@fema.dhs.gov).

Sincerely,

  
Yemi Odutola  
Hazard Mitigation Assistance Specialist

YO:mv

Attachments:

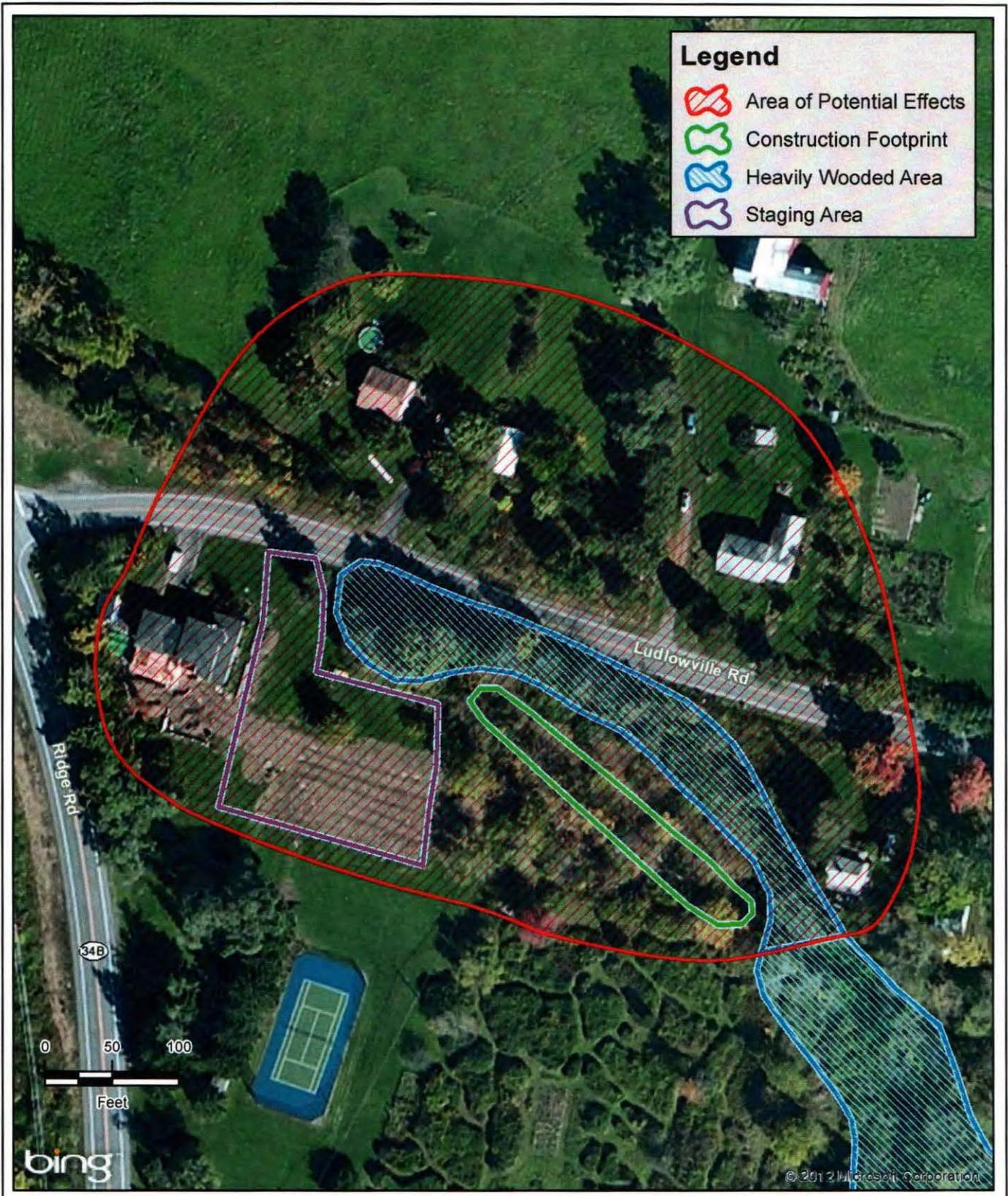
- 1 – Project Location Map
- 2 – APE Map
- 3 – Engineering Plan and Profile
- 4 – USGS Topographic Map
- 5 – Photographic Log
- 6 – Coordination Letter

cc: Suzie Richert, URS  
Mike Verderosa, URS

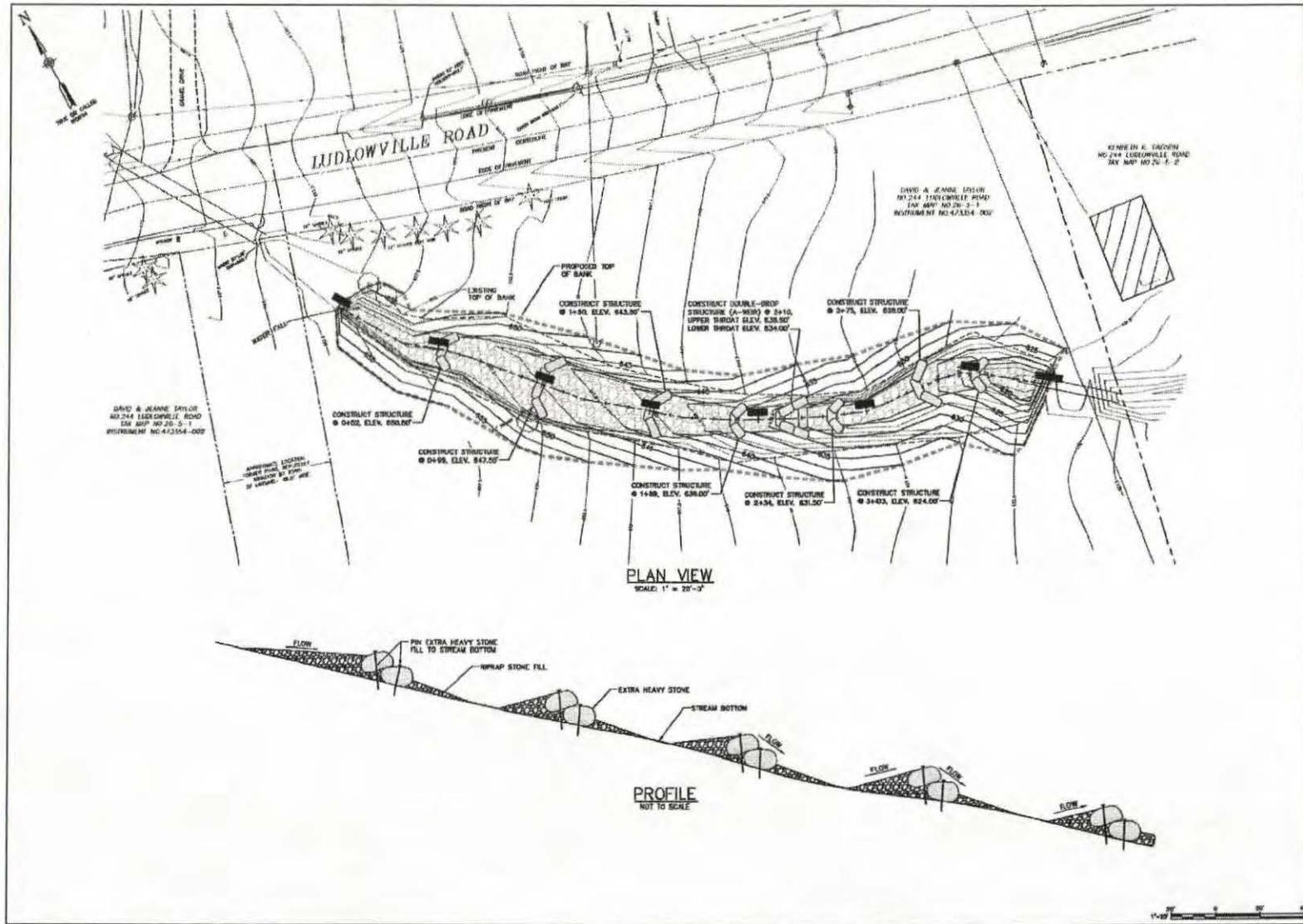


Source: USGS topographic map, Ludlowville Quadrangle, NY  
7.5-minute series, 2010. Scale 1:24,000

TITLE	<b>PROJECT VICINITY</b>	
AGENCY	FEMA	FIGURE <b>1</b>
PROJECT	Ludlowville Streambank Stabilization Project	



CLIENT <b>FEMA</b>					TITLE <b>Project Boundaries and Area of Potential Effects</b>		
PROJ <b>Ludlowville Streambank Stabilization Project</b>					12420 Milestone Center Dr. Germantown, MD 20876		
REVISION NO	0	DES BY	KJM				11/08/12
SCALE	1:1,200	DR BY	xxx		00/00/00	FIGURE	2
<small>P:\FEMA\HMTAP 2009\15702626 EBP TO26\Ludlowville\NYE Data ProjectInfo\Subapplication 2011.2.16\GIS\Project\site_20121106.mxd</small>				CHK BY	MV	11/06/12	



TITLE	Streambank Stabilization Project Details		
AGENCY	FEMA		
PROJECT	LPDM-PI-02-NY-2008-025		
SOURCE	Barton & Loguidice, P.C., May 2011		
		FIGURE	3



CLIENT <b>FEMA</b>				
PROJ <b>Ludlowville Streambank Stabilization Project</b>				
REVISION NO	0	DES BY	KJM	11/06/12
SCALE	1:24,000	DR BY	xxx	00/00/00
P:\FEMA\HMTAP 2008\15702626 EHP TO28\Ludlowville\NYLE_Data_ProjectInfo\Subapplication 2011.2.16\GIS\Projects\unp_20121106.mxd		CHK BY	MV	11/06/12



TITLE <b>Project Location</b>		PROJ NO 15702626
 12420 Milestone Center Dr. Germantown, MD 20876		FIGURE 4

Attachment A



Engineers • Environmental Scientists • Planners • Landscape Architects

*Celebrating over 50 years of service*

June 15, 2011

Ms. Ruth Pierpont  
Historic Preservation Field Services Bureau  
NYS Office of Parks, Recreation and Historic Preservation  
Pebbles Island, P.O. Box 189  
Waterford, New York 12188 0189

Subj: Historic/Cultural Information Screening  
Re: Ludlowville Stormwater Control  
File: 560.013

Dear Ms. Pierpont:

We have been retained by Tompkins County to provide design plans and permitting assistance for drainage improvements and stream bank stabilization near the Hamlet of Ludlowville, Town of Lansing, and Tompkins County, New York.

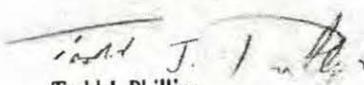
The project area is located within an Archeosensitive Area per the New York State Historic Preservation Office (NYSIHO) GIS-Public Access. The proposed stream bank stabilization will occur within an unnamed tributary to Salmon Creek. The existing stream channel has become extremely degraded and continues to be eroded during storm events. The portion of the stream to be rehabilitated is located on private property and is a NYSDEC mapped Class C stream with C Standards. The NYSDEC Water Index Number for the unnamed tributary to Salmon Creek is Ont. 66-12-P296-57-1a. The proposed project will result in the installation of eight (8) cross vane structures within the stream in an effort to implement grade control. The bankfull width will be widened in an effort to keep stormwater within the drainage course. The newly widened banks will be treated with erosion control blanket and planted with live stakes in an effort to re-vegetate the exposed banks and reduce the potential for erosion.

A topographic map is being provided as Figure 1. This figure shows the project area on the USGS 7½ minute Ludlowville quadrangle at 42.553 East and 76.552 west (NAD 83). We are currently assessing the project site for any possible environmental concerns and request that the NYS Office of Parks, Recreation and Historic Preservation review this information and provide a decision as to whether the project could potentially have an effect on historical or cultural resources. Various state and federal approvals and reviews will be required for the completion of this project. Please refer to the enclosed location map and color photographs for site reference.

Should you have any additional questions regarding this request, please contact me at (315) 457-5200, or by e-mail at [tphillips@bartonandloguidice.com](mailto:tphillips@bartonandloguidice.com). Thank you for your time and attention to this matter.

Very truly yours,

BARTON & LOGUIDICE, P.C.

  
Todd J. Phillips  
Environmental Scientist III

TJP/akg  
Enclosures

Z:\BL-Vault\100000\100999\10018701\560.013 SIHO letter (10 160183).doc

990 Elwood Davis Road • Box 1107 • Syracuse, NY 13220  
Telephone: 315-457-5200 • Fax: 315-451-0052 • [www.BartonandLoguidice.com](http://www.BartonandLoguidice.com)

THE EXPERIENCE **listen.**  
THE POWER TO **solve.** 



**New York State Office of Parks,  
Recreation and Historic Preservation**

Historic Preservation Field Services Bureau • Peebles Island, PO Box 189, Waterford, New York 12188-0189

518-237-8643

www.nysparks.com

**Andrew M. Cuomo**  
Governor

**Rose Harvey**  
Commissioner

June 29, 2012

RECEIVED

JUL 6 2012

BARTON & LOGUIDICE

Todd Phillips  
Barton & Loguidice, PC  
290 Elwood Davis Rd, Box 3107  
Syracuse, New York 13220

Re: CORPS  
Ludlowville stormwater improvement project  
Intersection of Ludlowville Rd at SR 34B  
LANSING, Tompkins County  
12PR02672

Dear Mr. Phillips:

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, it is the SHPO's opinion that your project will have No Effect upon cultural resources in or eligible for inclusion in the National Registers of Historic Places.

If further correspondence is required regarding this project, please be sure to refer to the OPRHP Project Review (PR) number noted above.

Sincerely,

Ruth L. Pierpont  
Deputy Commissioner for Historic Preservation

Attachment B



Photo 1: 244 Ludlowville Road Façade and North Elevation

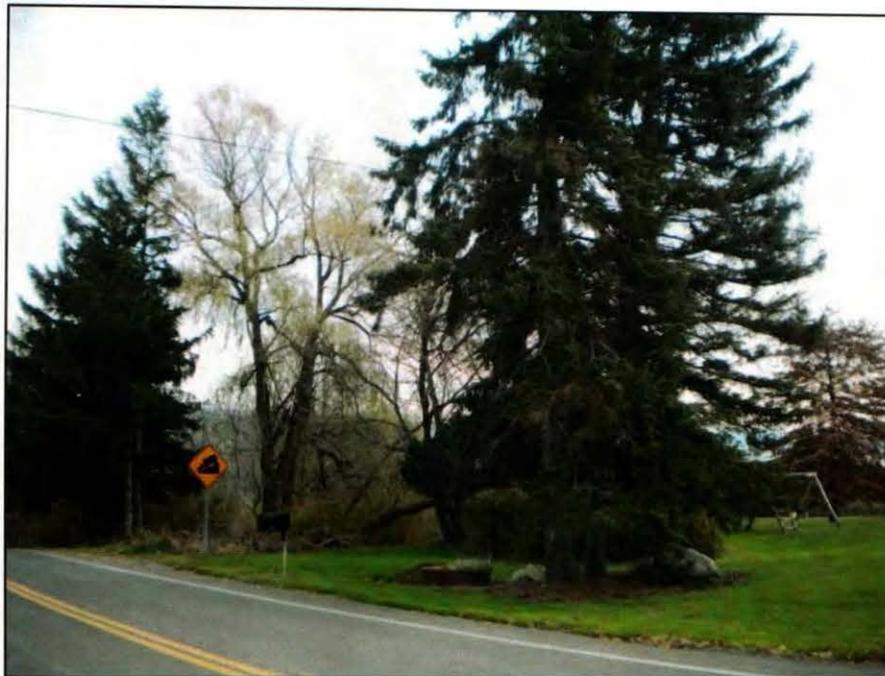


Photo 2: 244 Ludlowville Road Rear Yard - Site of proposed staging area; construction footprint in the wooded area beyond yard

PROJECT Ludlowville Streambank Stabilization	244 Ludlowville Road	
PHOTOS 1 and 2	<b>URS</b>	Project No. 15702626
SOURCE URS		Photo Log



Photo 3: 233 Ludlowville Road Façade and East Elevation



Photo 4: View from 233 Ludlowville Road looking southeast to construction site

PROJECT Ludlowville Streambank Stabilization	244 Ludlowville Road	
PHOTOS 3 and 4	<b>URS</b>	Project No. 15702626
SOURCE URS		Photo Log

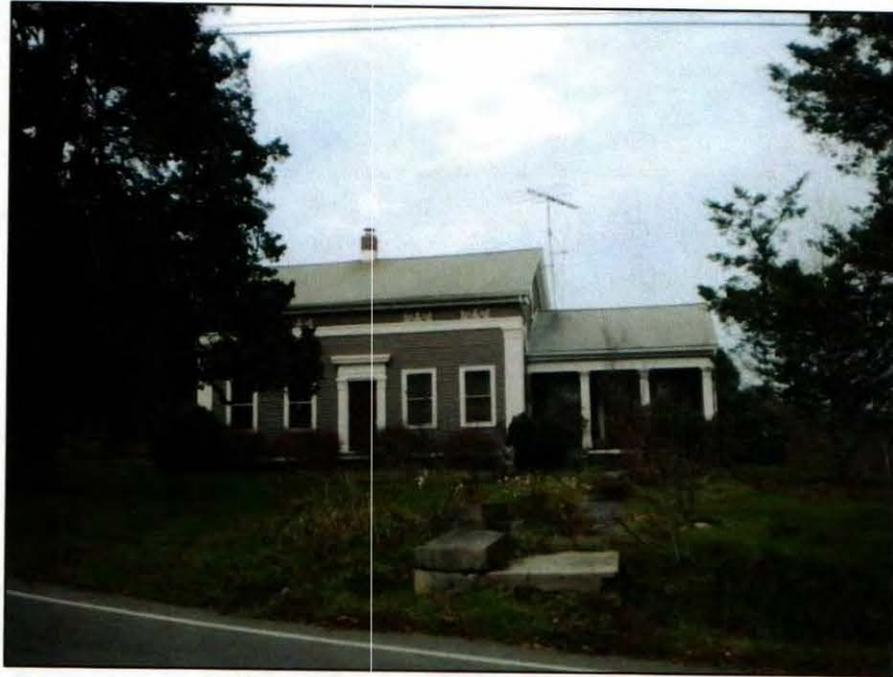


Photo 5: 229 Ludlowville Road Façade



Photo 6: 229 Ludlowville Road Façade and West Elevation

<b>PROJECT</b> Ludlowville Streambank Stabilization	<b>244 Ludlowville Road</b>	
<b>PHOTOS</b> 5 and 6		<b>Project No. 15702626</b>
<b>SOURCE</b> URS		<b>Photo Log</b>



Photo 7: 229 Ludlowville Road Façade – Historic Wing Detail



Photo 8: View from 229 Ludlowville Road looking southwest to construction site

<b>PROJECT</b> Ludlowville Streambank Stabilization	<b>244 Ludlowville Road</b>	
<b>PHOTOS</b> 7 and 8		<b>Project No. 15702626</b>
<b>SOURCE</b> URS		<b>Photo Log</b>



Photo 9: 222 Ludlowville Road Façade and West Elevation



Photo 10: View from 222 Ludlowville Road looking southwest to construction site

PROJECT Ludlowville Streambank Stabilization	244 Ludlowville Road	
PHOTOS 9 and 10	<b>URS</b>	Project No. 15702626
SOURCE URS		Photo Log

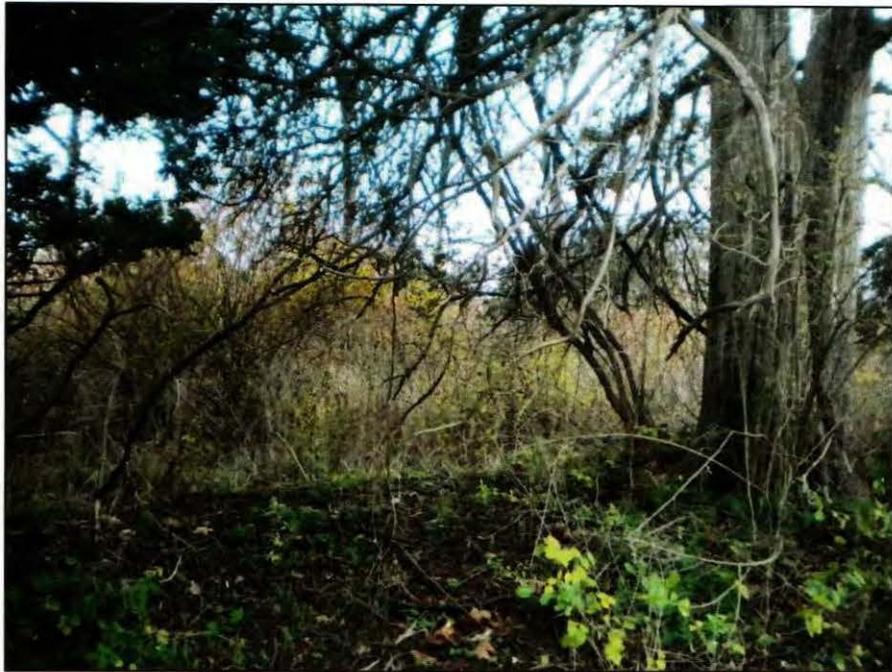


Photo 11: Detail – Section of Construction Footprint



Photo 12: Detail – Section of Construction Footprint

PROJECT Ludlowville Streambank Stabilization	244 Ludlowville Road	
PHOTOS 11 and 12	<b>URS</b>	Project No. 15702626
SOURCE URS		Photo Log

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June 22, 2012

Mr. Steven Metivier  
USACE Buffalo District  
ATTN: Regulatory Branch  
1766 Niagara Street  
Buffalo, NY 14027

Subj: Joint Application for Permit  
Re: Ludlowville Stormwater Control Project  
File: 560.013

Dear Mr. Metivier:

Barton & Loguidice, P.C. (B&L) is under contract with Tompkins County to provide design plans and permitting assistance for a proposed stormwater improvement project in the Hamlet of Ludlowville, Town of Lansing. The proposed project involves the stabilization of an eroding unnamed tributary to Salmon Creek. Currently proposed measures include the installation of eight (8) rock cross vane structures within the channel to decrease velocities. Other elements include stepping the existing stream banks back to a 2:1 slope, re-vegetating these slopes, and placement of rock within the stream channel up to the 50-year storm elevation. The project will require a Nationwide Permit #13 – Bank Stabilization permit in accordance with Section 404 of the Clean Water Act. This letter and attached application package will serve as Preconstruction Notification for this project. On behalf of Tompkins County, we are transmitting one (1) copy of the following items as part of the Joint Permit Application:

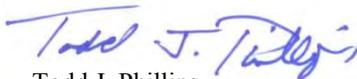
1. Joint Application Form
2. Project Description Attachment
3. Historic, Threatened and Endangered Species, and Agricultural Documentation
4. Engineering Drawings
5. Technical Report #1
6. Technical Report #2
7. Site Photographs

We have also forwarded three (3) copies of this package to the New York State Department of Environmental Conservation's Region 7, Cortland Office. Required NYSDEC permits include an individual 401 Water Quality Certification.

Please do not hesitate to contact me by phone (315-457-5200) or by e-mail ([tphillips@bartonandloguidice.com](mailto:tphillips@bartonandloguidice.com)) should you have any questions. Tompkins County and B&L thank you for your attention to this matter.

Very truly yours,

BARTON and LOGUIDICE, P.C.



Todd J. Phillips  
Environmental Scientist III

TJP/akg  
Enclosures  
cc: NYSDEC Region 7 (3 copies)

