TOWN OF PERINTON
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PUBLIC WORKS

October 13, 2021

Mr. James Candiloro, P.E.
Director, Environment, Health & Safety
New York State Canal Corporation
30 South Pearl Street
Albany, NY 12207-2058

Re: New York State Canal Corporation - Earthen Embankment Integrity Program
Town of Perinton Comments on Draft Generic Environmental Impact Statement and Embankment Maintenance Guidebook

Dear Mr. Candiloro,

Thank you for the opportunity to comment on the Draft Generic Environmental Impact Statement (DGEIS) and Draft Embankment Maintenance Guidebook for the Earthen Embankment Integrity Program (EEIP) released for public review in June 2021. In general, the DGEIS and corresponding evaluation of direct, indirect and cumulative impacts of the EEIP activities appears to be thorough. We also found the Embankment Maintenance Guidebook to be comprehensive and cover a variety of concerns related to the inspection and maintenance of this important infrastructure. However, we do have several concerns and questions that we would like to offer for your consideration:

Comments on DGEIS

1) DGEIS Page 1-14, Regulatory and community thresholds (also Figure 1.3-3): We recommend "Step 3" (Engage with stakeholders based on specific thresholds identified) be moved to "Step 1" once a community threshold is exceeded, rather than after removal of hazard trees and brush. Timely communication is critical to maintaining good rapport with residents and local municipalities.

2) DGEIS Page 2-6 & 2-7, Cut-off Walls Along Embankment Crests: The document outlines the alternative to install continuous sheeting, cement-bentonite or deep soil mixed cut off walls along ***both sides*** of embankment sections at a cost between $5 Million and $17 Million per mile, with a total cost of $0.6 Billion and $2.0 Billion for the entire 120 miles of embankment. Please clarify why cut off walls would be required on ***both sides*** of the canal in embankment sections (at double the cost), rather than just in areas of vegetated slope concerns in accordance with the Embankment Maintenance Guide Book. Furthermore, the Town of Perinton would like to discuss with NYSCC

the possibility of installing cut off walls in specific embankment sections where full vegetation removal would have dramatic visual impact (e.g. areas of oversteepened embankments in close proximity to homes, public park areas, etc.).

3) DGEIS Appendix B Page B-6: According to Table B-4, probability of seepage induced failure is listed as 3.5×10^{-3} for levees, canals and dams, not 3.5×10^{-5} as described in the text. Please confirm the appropriate probability, as 3.5×10^{-5} appears to be incorrect.

4) DGEIS Appendix B Page B-8: The Town would like NYSCC to provide specific risk based inundation mapping of critical low areas along the canal embankment, in particular between Canal Mile Marker 248 and 251. This would provide helpful information to share with residents and business owners in key areas in Town (e.g. Burgundy Basin, Indian Valley Subdivision, Rochester Fair Garden Subdivision, Fairport Office Park).

Comments on Embankment Inspection & Maintenance Guidebook (EIMG)

1) EIMG Page 3-1 through 3-2: Have any of the canal embankment sections within the Town of Perinton been inspected in the recent past? If so, has a color coded Hazard Classification (Table 3.1-1) and Condition Rating (Table 3.2-1) been assigned to any embankment sections in Perinton? Can this information be provided to the Town similar to how NYSDOT makes bridge inspection reports available via their Bridge Data Information System (BDIS)?

2) EIMG Page 5-2: Prior to dewatering canal via sluice gates, valves in waste weirs or bottom drains, the NYSCC should coordinate/communicate this event with local governments so that we can consider downstream impacts and be prepared to respond to calls from concerned residents.

3) EIMG Page 6-4 – Figure 6.2-1: The embankment zone description for Zone 2B and Zone 3 indicates these two zones overlap. However, the graphic shows a clearly defined break between zones – which is correct? Also, what is the purpose/benefit for Zone 4B and Zone 5 overlapping?

4) EIMG Page 7-2 – Table 7.1-1 Frequency, Risk Priority and Category for Maintenance Tasks: Please clarify whether this table is intended to be used on canal embankment slopes that have already been cleared of woody vegetation.

5) EIMG Pages 7-7 & 7-8: This portion of the guidelines outline NYSCC's policy for woody vegetation removal in each embankment zone. As each embankment section has different characteristics and associated risk, the Town requests that NYSCC provide ***project specific*** plans for review and engage the Town and property owners prior to starting removal of embankment vegetation. Appropriate coordination language should be incorporated in this section. This comment also applies to Attachment 1 – BMP Page 2-10, which describes "preparation of removal plans". These plans should be shared with municipalities prior to starting work.

6) EIMG Page 8-14 – Scenic Management Guidelines: If trees or other vegetation are replanted, will NYSCC provide perpetual maintenance, including watering during initial establishment period and installation of replacement plantings for plants that don't survive? Also, is there any flexibility in plantings types? Best Management Practice - Attachment 1 indicates vegetative screening only consist of grasses and pollinator plantings. However, the section of embankment reconstruction

recently completed in Brockport included planting of 6' to 8' tall arborvitae and dogwood shrubs in Zone 2B and crest edge of Zone 3. Will a variety of plantings be considered for embankments reconstructed in the Town of Perinton?

7) EIMG Page 8-24: The link to community thresholds appears to be missing or is incorrect.

8) EIMG Page 8-25 Figure 8.15-1 Maintenance Solutions Decision Tree: The community thresholds reference to "Table 8" should be "Table 8.15-1". This figure should also be revised to reorient the engagement of stakeholders prior to starting tree clearing (see DGEIS Comment #1 above).

9) EIMG Page 9-1 Communication & Notification: Revise this section to indicate that "Notification to Local Municipalities" is a Best Management Practice, and not "if necessary".

10) EIMG Attachment 1 – Section 2: This portion of the guidebook covers what plantings are permitted on embankment slopes and the subsequent maintenance required. Vegetative screening and pollinator plantings are permitted in Zones 2B and Zone 3, and turf grass applied to all other areas of the embankment. The guidebook states zones 2B and 3 are to be weeded regularly to "reduce the amount of vegetative growth, expansion of unwanted vegetation and general aesthetic value." The guidebook also states embankment slopes are to be mowed twice per year to maintain a 12 inch maximum desirable height. Given the 120 miles of embankment the NYSCC maintains, the approach described in the EIMG raises two concerns: 1) Is it realistic to assume that maintenance crews will maintain the various zones individually (i.e. Zones 2B and 3 to be periodically weeded and Zones 4 and 5 to be mowed bi-annually, versus mowing all zones twice a year? 2) A field visit to the recently completed section of embankment reconstruction in Brockport revealed thick vegetative cover (not turf grass) along the entire embankment from crest to toe of slope. It is interesting to note that after only a couple years with no tree canopy, the embankment slope received ample sunlight and rainfall to produce a thick, weedy vegetative blanket taller than the 12 inch maximum specified in the EIMG. Can you confirm NYSCC has the resources to maintain all newly vegetated embankment slopes in the manner outlined in the EIMG? Otherwise, the argument that tree canopy and understory plants currently limit the ability the properly inspect embankment slopes is ineffective. The thick vegetative cover that will thrive in the reconstructed embankment areas and associated environment may create a similar hindrance to inspection.

<u>General Comments on Earthen Embankment Integrity Program</u>

1) When is the decision made as to whether re-establishment of uniform sideslope is required? At the plan preparation level, or immediately after removal of significant trees?

2) Can you confirm the criteria for installing rock riprap or other hard material on an embankment sideslope? Does the NYSCC anticipate the use of a hard material on any embankment slopes in the Town of Perinton?

3) For embankment slopes that require modification to the toe of slope location, how is the NYSCC integrating drainage considerations at the toe of slope to avoid redirecting surface water onto private property? Where will any collected surface water be directed to?

4) For the embankment sections repaired to date, how many seepage locations were monitored prior to the clearing operation and how many have been identified, monitored and/or addressed after the clearing operation? Are there any known seepage locations that are being monitored in Perinton?

5) As noted on page 1-9 in the DGEIS, steel sheeting was recently installed along the canal embankment in the Town of Perinton (near Woodcrest Circle and across the canal from Old Post Road). Did this emergency repair improve embankment integrity to a level that avoids the need to remove additional vegetation in this area?

6) Please provide more information on the logistics of heavy equipment entering and exiting the canal trail corridor during the project. Where will construction access points be located? How long will the trail be closed? Will the work be conducted in phases to minimize the impact to trail users?

7) What is the anticipated schedule and construction duration from tree removal to complete restoration for the canal embankment sections in Perinton?

8) The Town of Perinton is concerned with the condition of dive culverts/culverts (noted in EIMG Chapter 6) that also carry significant risk and potential for downstream flooding should they fail. Can you provide insight regarding the NYSCC approach to evaluating and maintaining this aging infrastructure?

Thank you for providing us the opportunity to review and comment on the DGEIS and EIMG. We would appreciate a meeting (either live or virtual) with Canal Officials and their engineering representatives to discuss the technical issues mentioned in this letter in more detail. The Town looks forward to continued communication and cooperation as we work to achieve a balance between safety and minimizing adverse impacts along the historic Eric Canal.

Please give me a call to set up a meeting to discuss these comments in more detail.

Sincerely,

Jason R. Kennedy, P.E.
Commissioner of Public Works

c: Ciaran Hanna, Town Supervisor
Ken Rainis, Conservation Board Chairman
Eric Williams, Assistant to the Commissioner
Rob Kozarits, P.E., Town Engineer