DRAFT RESTORATION PLAN and ENVIRONMENTAL ASSESSMENT

for the

GENESEE RIVER,

AND GENESEE RIVER WATERSHED, NEW YORK

June 2016

Prepared by:

United States Fish and Wildlife Service

on behalf of the

Department of the Interior

and

New York State Department of Environmental Conservation

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A. Introduction

In 2014, the United States Department of the Interior (DOI), acting through the United States Fish and Wildlife Service (USFWS), and the State of New York, acting through the New York State Department of Environmental Conservation (NYSDEC), collectively the Trustees, resolved a natural resource damage claim with the Responsible Parties for the Genesee River located in the City of Rochester, Monroe County, New York.

This Draft Restoration Plan and Environmental Assessment (RP/EA) was prepared by the Trustees pursuant to their authorities and responsibilities as natural resource Trustees under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), 42 United States Code (USC) § 9601, et seq., the Federal Water Pollution Control Act, 33 USC § 1251, et seq. (also known as the Clean Water Act), and other applicable Federal laws, including Subpart G of the National Oil and Hazardous Substances Contingency Plan, at 40 Code of Federal Regulations (CFR) §§ 300.600 through 300.615, and DOI's CERCLA natural resource damage assessment regulations at 43 CFR Part 11 (Natural Resource Damage Assessment and Restoration (NRDAR) regulations) which provide guidance for this restoration planning process under CERCLA.

The Trustees sought a monetary settlement with the Responsible Parties as compensation for the injuries to natural resources due to releases of environmental contaminants from the Eastman Kodak Company (Kodak) Rochester facilities (Site) into the Genesee River. The Trustees are required to use settlement funds to compensate for those injuries by restoring natural resources, supporting habitat, and/or services provided by the injured resources. The CERCLA, which designates natural resource trustees, required that before settlement monies can be used for such activities, the Trustees must develop and adopt a restoration plan, which provides for/allowing adequate public notice, opportunity for hearing and consideration of all public comment. Accordingly, the Trustees will prepare and distribute this Draft RP/EA and seek public comment.

B. Background

Kodak is an imaging, photographic equipment, materials and service company headquartered in Rochester, New York. The company was formed in 1889. The Site consists of approximately 120 buildings over 2,000 acres, bounded on the east by the Genesee River and extending west to Interstate Route 390 (Figure 1). Since 1891, the Site has been Kodak's primary photographic manufacturing facility. Operations at the Site have included manufacture of film and paper base; preparation and coating of photographic emulsions; production of vitamins and food additives; manufacture of toner; cutting packaging and distribution of finished products; and, production of synthetic organic chemicals, dyes, and couplers.

Approximately 670 solid waste management units (SWMUs) have been identified at the Site by the U.S. Environmental Protection Agency (USEPA), as part of activities under the Resource Conservation and Recovery Act. The SWMUs have been grouped into twenty eight investigation areas for the administration of corrective actions. In 2009, Arcadis (2009) prepared a summary report, under contract to Kodak, on the status of the lower Genesee River to evaluate

whether Kodak's historic operations at the Site may have led to the release of contaminants to the river. Arcadis (2009) stated that among the constituents analyzed in the various chemistry studies, silver is probably the most frequently detected target analyte that is attributable to Kodak. In addition, other metals and inorganics that may be attributable to Kodak include arsenic, antimony, barium, cadmium, copper, lead, mercury, zinc, and cyanide (NYSDEC 1995 as cited by Arcadis 2009).

C. Natural Resources and Impacts to those Resources

The Genesee River supports a warmwater fish population, with species such as smallmouth bass (*Micropterus dolomieu*), brown bullhead (*Ameiurus nebulosus*), northern pike (*Esox lucius*), walleye (*Sander vitreus*), lake sturgeon (*Acipenser fulvescens*), and white sucker (*Catostomus commersonii*). However, seasonally it also supports salmonids (brown trout (*Salmo trutta*), rainbow trout (*Oncorhynchus mykiss*), coho salmon (*Oncorhynchus kisutch*), and chinook salmon (*Oncorhynchus tshawytscha*)) that migrate up the river from Lake Ontario, as well as other lake-run species such as bowfin (*Amia calva*), and American eel (*Anguilla rostrata*). Possible or confirmed breeding bird species include mallard (*Anas platyrhynchos*), wood duck (*Aix sponsa*), great horned owl (*Bubo virginianus*), red-tailed hawk (*Buteo jamaicensis*), spotted sandpiper (*Actitis macularius*), belted kingfisher (*Megaceryle alcyon*), red-winged blackbird (*Agelaius phoeniceus*), swamp sparrow (*Melospiza georgiana*), and various woodpeckers and woodland passerine birds (New York State Department of State, NYSDOS, 1987).

Significant impacts to fish and wildlife resources are derived from the discharge of hazardous substances (primarily silver) from the Site to the adjacent Genesee River. Silver has been documented to be toxic to aquatic plants, benthic invertebrates, and fish (Eisler 1996). In addition, the other metals noted above by Arcadis (2009), that may be attributable to Kodak, are also known to be toxic to fish and wildlife causing reduced growth, reproductive failure, and death (Eisler 1985, 1987, 1988a, 1988b, 1993, and 1998).

Silver has been documented in Genesee River sediment at concentrations above NYSDEC sediment guidance values (NYSDEC 2014) and has bioaccumulated in biota located within the Genesee River. Silver was reported in Genesee River sediment at concentrations ranging from 1.8 to 151 parts per million (mg/kg) dry weight (dw) in Neuderfer 2007. Concentrations exceeding Class C Sediment (>2.2 mg/kg dw) values given in NYSDEC sediment guidance (NYSDEC 2014), indicate where the sediment can be considered to present a significant risk of acute toxicity. Caged fish tissue samples obtained near the Site and downstream ranged in silver concentrations from 0.86 to 4.0 mg/kg wet weight (ww) (NYSDEC 1995 as cited in Arcadis 2009). Neuderfer (2007) sampled five juvenile lake sturgeon captured from the lower Genesee River in 2004, after being stocked the previous year in 2003. The highest concentration of silver in lake sturgeon at stocking was 0.028 mg/kg, compared with a maximum silver concentration in lake sturgeon one year later of 0.490 mg/kg. Concentrations of silver increased ten-fold over the course of a year between the 2003 stocking and the 2004 capture and re-sampling.

D. Natural Resource Damage Settlement

On January 19, 2012, Kodak, along with other debtors, commenced voluntary petitions under Chapter 11 of Title 11 of the United States Code (the Bankruptcy Code) before the United States Bankruptcy Court for the Southern District of New York (Bankruptcy Court). The Trustees have determined that actual or potential injuries to natural resources under their jurisdiction have occurred or will occur as a result of releases of hazardous substances at and from the Kodak manufacturing facility. These injuries prompted development of the Genesee River natural resource damage assessment by the Trustees for the Genesee River in Monroe County, New York.

Accordingly, the USFWS and NYSDEC each referred separate claims (the Claim) for $7,163,000.00 to the U.S. Department of Justice (DOJ) and the New York State Attorney General for filing in the Bankruptcy Court in order to recover damages as compensation for injuries to natural resources. The Claim alleged that Kodak is a responsible or liable party under CERCLA and analogous State laws, for damages or injury to, destruction of, or loss of natural resources as defined in 42 U.S.C. 9601(16) and costs of natural resource damage assessment and restoration actions that DOI and NYSDEC have incurred or will incur at or in connection with the Genesee River Site.

In developing the Claim, the Trustees focused on benthic injury extending from Kodak's Kings Landing Water Treatment Plant to the mouth of the Genesee River, approximately 4.6 miles (or 217 acres). The assessment area also included 160 acres of the Dredged Material Disposal Site, the disposal location within Lake Ontario used for Genesee River sediment. To scale the Claim to the goal of restoration of injured river sediment, the Trustees employed the Habitat Equivalency Analysis (HEA) method first described by Unsworth and Bishop (1994). Use of this method involves knowledge of the affected ecosystems to determine how much credit could be realized from restoration projects, such as enhancing degraded environments or preserving existing environments. The analysis resulted in a total restoration goal of 300 acres of benthic habitat, or the equivalent, to compensate for the Trustee's natural resource damages claim under CERCLA. The Trustees have determined that equivalent habitat for Genesee River benthic habitat includes stream, wetland, riparian, and upland habitat.

The settlement, including compensation for natural resource damages, was formalized in a Settlement Agreement signed by the United States Government, NYSDEC, and the Responsible Parties in March 2014. The Trustee's received approximately $4.3 million to compensate for the natural resource injury. Of the approximately $4.3 million, a small portion will be needed for restoration plan development, project planning, and restoration oversight and monitoring.

On June 17, 2015, the Trustees issued a Request for Restoration Project Ideas to identify potential restoration projects. The document described the settlement, provided the format for submission of project ideas for consideration, and described the criteria and factors to be used by the Trustees in evaluating projects. The Request for Restoration Project Ideas form can be found at the following website: http://www.fws.gov/northeast/nyfo/ec/GeneseeRiver.htm. The Trustees sent the Request for Restoration Project Ideas form to multiple parties, including the Rochester Embayment Area of Concern (AOC) Remedial Action Committee Liaison, the

Genesee Valley Audubon Society, The Nature Conservancy, Monroe County Soil and Water Conservation District, Ducks Unlimited, Trout Unlimited, the Wetland Trust, the City of Rochester, the State University of New York College at Brockport, the University of Rochester, the Seneca Park Zoo, and the Center for Environmental Initiatives. A Notice of Availability of the Request for Restoration Project Ideas form was published in the Rochester Democrat and Chronicle on August 12, 2015. As of the finalization of the Draft RP/EA, the Trustees have received nine completed Request for Restoration Project Idea forms from three respondents for evaluation and possible selection for implementation. Project ideas received to date include recreational fishing access, wetland restoration, and riparian restoration. All completed Restoration Project Idea forms are included in Appendix A.

E. Proposed Restoration

1. Goals of the Restoration Projects

According to the guidance provided by Federal NRDAR regulations, 43 CFR § 11.82(d), the selected alternative is to be feasible, safe, cost-effective, address injured natural resources, consider actual and anticipated conditions, have a reasonable likelihood of success, and be consistent with applicable laws and policies. The selected restoration actions also must not conflict with the ongoing cleanup projects at the Site.

Generally, restoration actions should be consistent with the hierarchy of "restore, replace, acquire." “On-site” or “in-kind” restoration is generally preferable to replacement with like resources. Where restoration is impracticable, replacement is generally preferable to acquisition of equivalent resources. This hierarchy serves to ensure where practicable the implementation of restoration projects with a “nexus to injury.” See Criterion #2 below.

To determine the best restoration alternatives, each proposal should be weighed for the relative ability to meet applicable criteria. The exact criteria to consider may vary depending on the unique circumstances and characteristics present. Criteria may include:

1. Resource or service improved – The alternatives that provide improvement to the resource or service most similar to the injured resource or service are generally preferred.

2. Nexus to injury – The alternatives that replace similar resources closer to the location of the injury should be given a better score. Projects that have no link in watershed, geographic area, species population, or affected user group to the injured resource should not be carried further in the assessment.

3. Feasibility – For each alternative, consideration should be given to technological, administrative, legal, and regulatory constraints. Projects that are not feasible or do not meet minimal legal requirements (including limitations set by the settlement) should be removed from further consideration.

4. Relative cost – Sufficient costs analysis should be done to provide a general estimate of cost for each alternative. Match opportunities should be described. Projects that can have a greater

effect through leveraging with matching funds should be noted. Cost analysis should include consideration of costs to maintain and monitor project success.

5. Likelihood of success – The likelihood of success may include a number of considerations that may vary with project type. Projects that use experimental or innovative techniques may have a lower likelihood of success than those that use standard techniques. The likelihood of success for each project should be described.

6. Other Criteria–e.g. Site-Specific Criteria – Depending on the projects being considered, other criteria can be added. These additional criteria can include: permanency of project benefits, time for project benefits to be achieved, contribution to resource management goals, public support, or the relationship between remedial actions and the injured resources. Site specific criteria are discussed below.

2. Site Specific Criteria

In order to ensure the appropriateness and acceptability of restoration options addressing losses to the Genesee River, the Trustees evaluated each restoration alternative against site-specific restoration criteria. These site-specific criteria were developed through discussions with natural resource managers at each of the Trustee agencies. Projects that satisfied these site-specific criteria were then evaluated in relation to the restoration criteria listed in the DOI NRDAR regulations. These criteria include:

- Location within the Genesee River (Genesee River assessment area, followed by the Genesee River upstream of the assessment area, are given a higher priority over other locations within the Genesee River watershed).
- Linkage to injured resources or associated services.
- Proximity to injured resources.
- Habitat connectivity (e.g., result is larger individual habitat parcels rather than multiple, smaller, disconnected parcels).
- Proximity to lands with protected status.
- Free of contamination or other issues that might preclude project selection.
- Benefits to recreational fish species and habitat.
- Benefits to native birds species and habitat.
- Benefits to protected species, sensitive, or unique habitats.
- Public enjoyment or use of natural resources.
- Likelihood of success as determined by project objectives and methodologies, land protection, and maintenance.
- Viability and sustainability of project.
- Part of larger local or regional restoration plan or vision, such as the Genesee River Basin Nine Key Element Watershed Plan for Phosphorus and Sediment (NYSDEC 2015) or Genesee River subwatershed plans.

2.1 Restoration Categories and Alternatives

Restoration Alternatives Considered

The Trustees considered a broad set of restoration alternatives that could potentially improve ecological services relevant to the assessment area. During Trustee restoration alternative evaluation, the Trustees gave consideration to the Genesee River Basin Nine Key Element Watershed Plan for Phosphorus and Sediment (NYSDEC 2015) in prioritizing restoration alternatives and areas for restoration within the Genesee River Basin as it identified and prioritized local water quality concerns with the Genesee River Basin. In addition to alternatives proposed by Trustee agencies, alternatives were solicited from the public through a request for restoration ideas that was distributed directly to local governments, conservation organizations, and academic researchers, as well as to the broader public through a public notice distributed to local media outlets. The broad categories of proposed restoration alternatives included:

- *Instream and Streambank Enhancement/Restoration*. This project category improves riparian zones and instream sections along the Genesee River and its tributaries, and ranges from exclusion fencing to natural channel design projects. These project types benefit small mammals, birds, amphibians, reptiles, and fish and serve to improve water quality by reducing erosion and runoff.

- *Wetland Acquisition, Enhancement, and/or Restoration*. This project category focuses on protection, enhancement, and/or restoration of wetlands that have some hydrologic or resource connection to the aquatic habitat of the Genesee River. Wetlands provide benefits to a wide array of birds, amphibians, reptiles, mammals, and fish and may also serve as floodwater retention and groundwater recharge areas.

- *Upland Enhancement/Restoration*. This project category generally includes restoration of grassland habitat for native common and rare grassland dependent bird species, such as bobolink (*Dolichonyx oryzivorus*), eastern meadowlark (*Sturnella magna*), savannah sparrow (*Passerculus sandwichensis*), short-eared owl (*Asio flammeus*), and northern harrier (*Circus cyaneus*).

- *Fisheries Enhancement/Restoration*. This project category encompasses a range of project types in order to address the needs of various fish species in the assessment area. Projects may include improvements to fish passage (e.g., dam removal, fish passage, tributary culvert improvements); creation of, enhancement of, or access to spawning or nursery habitat for various species (e.g., recreational fish species, northern pike, and lake sturgeon); and/or selective restocking (lake sturgeon). These projects have ancillary benefits to a variety of wildlife species.

- *Amphibian and Reptile Enhancement and/or Restoration*. These projects focus on habitat protection, enhancement, and/or restoration with emphasis on New York State Species of Special Concern (e.g., spotted turtles (*Clemmys guttata*) and eastern spiny soft shell turtles (*Apalone spinefera*)). The potential for benefits to amphibians and reptiles will also be

evaluated in the context of other restoration alternatives (e.g., wetland acquisition/restoration).

- *Avian Enhancement/Restoration*. These projects focus on habitat protection, enhancement, and/or restoration and might include predator control for native ground nesting species, perching or nesting platforms for species such as osprey (*Pandion haliaetus*), or restoration of native shrub habitat for shrub nesting species.

- *Submerged Aquatic Vegetation Restoration*. Restoration efforts focus on enhancing/improving existing areas of submerged aquatic vegetation (SAV) in the Genesee River, as well as creating new areas of SAV to benefit both the benthic and pelagic communities.

- *Land Acquisition*. Land in and around the City of Rochester (Monroe County) would be purchased and held in perpetuity for the public. Land should provide benefit to natural resources injured from the Site releases and reduce habitat fragmentation. Lands targeted for acquisition should be under threat of development, display sensitive or unique attributes, or provide habitat for State or Federally-protected species. Acquisition would likely include parcels proximate to State lands or other protected lands, and land of interest to environmental organizations.

- *Recreational Use: fishing, boating, etc*. Projects in this category focus on providing recreational anglers with shore and boat fishing access to the Genesee River. For some of the boat access alternatives, fishing would be enhanced through the provision of entirely new public access to sections of the Genesee River and its tributaries that are currently inaccessible. For other boat launch alternatives, fishing would be enhanced through the provision of more convenient boat access to certain stream sections. New public boat access would provide enhanced fishing opportunities for anglers fishing from shore and boats.

No Action Alternative

As required under the National Environmental Policy Act (NEPA), the Trustees considered a restoration alternative of no action. Under this alternative, the Trustees would rely on natural recovery and would take no direct action to restore injured natural resources or compensate for interim lost natural resource services. This alternative would include the continuance of ongoing monitoring programs, such as those initiated by NYSDEC for fish, but would not include additional activities aimed at enhancing ecosystem biota or processes. Under this alternative, no compensation would be provided for interim losses in resource services.

2.2 Preferred Restoration Alternatives

The Trustees' preferred restoration alternatives include a suite of restoration projects from restoration alternative categories that compensate for interim losses and satisfy the site-specific and regulatory criteria listed above. The Trustees may implement restoration project alternatives that are not specifically identified in this restoration plan, but are similar to those project alternatives identified and consistent with our restoration objectives. Specific restoration

projects, within restoration alternative categories, will be solicited through a Request for Proposal (RFP) process, after finalization of the Restoration Plan and Environmental Assessment. Submitted restoration project proposals will be evaluated against the site specific and regulatory criteria, as noted above, so as to sufficiently compensate for ecological and recreational losses. The selected restoration project proposals will be published with a public notification period of 30 days. If a specific restoration project uses alternative techniques or involves more development than described below in this section, a site-specific NEPA determination will be made and public notice will be given that provides details on the restoration project proposal. The general restoration alternative categories include:

- Instream and Streambank Enhancement/Restoration,
- Wetland Enhancement/Restoration,
- Upland Enhancement/Restoration,
- Avian Enhancement/Restoration,
- Fisheries Enhancement/Restoration,
- Amphibian and Reptile Enhancement/Restoration,
- Land Acquisition, and
- Recreational Use: fishing, boating, etc.

2.2.1 Instream and Streambank Enhancement/Restoration

Instream restoration consists of restoring the functional relationships between stream dimension, pattern, and profile to create a natural stable channel. Streambank restoration consists of enhancing riparian buffers along the shoreline of the Genesee River and tributaries. Proposed restoration actions include debris removal, establishing/enhancing riparian buffers, fencing, acquisition, conservation easements, natural channel design, and/or revegetation. Instream and streambank restoration provides benefits to birds such as belted kingfisher and green heron (*Butorides virescens)*, mammals such as raccoon (*Procyon lotor*) and muskrat (*Ondatra zibethicus*), reptiles such as spotted turtle (*Clemmys guttata*), amphibians such as spotted salamander (*Ambystoma maculatum*), benthic invertebrates, and fish such as smallmouth bass, northern pike, walleye, and sturgeon by improving shoreline habitat, reducing soil erosion and runoff, and enhancing water quality.

The Genesee River is the second largest tributary loading of phosphorus to Lake Ontario and negative impacts from excessive nutrient and sediment loadings have been documented throughout the watershed and the Rochester Embayment of Lake Ontario (NYSDEC 2015). The Genesee River Basin Nine Key Element Watershed Plan for Phosphorus and Sediment (NYSDEC 2015) indicated that streambank erosion is a significant problem from Caneadea to Fillmore (3.3 miles) and Belmont to Angelica (2.6 miles) along the main stem of the Genesee

River. Genesee River subwatersheds that have the most significant phosphorus loadings were identified as the highest priority watersheds related to restoration and conservation needs (Figure 2, NYSDEC 2015).

2.2.2 Wetland Enhancement/Restoration

Wetland Enhancement and Restoration consists of improving and restoring wetlands along the shorelines of the Genesee River and its tributaries. Proposed restoration actions include excavation of channels and potholes within monotypic cattail marshes. Restoration actions may also include debris removal and methods to restore natural habitat patchiness and topographic and vegetative complexity. Wetlands provide benefits to a wide array of birds (mallards, red-winged blackbirds, and swamp sparrows), amphibians (salamanders and frogs such as bullfrogs (*Rana catesbiana*), reptiles (turtles and snakes such as northern water snake (*Nerodia sipedon*), mammals, and fish and also serve as floodwater retention and groundwater recharge areas.

2.2.3 Upland Enhancement/Restoration

Upland restoration consists of enhancing grassland habitat along the banks of the Genesee River and tributaries. Proposed restoration actions may include fencing, acquisition, conservation easements, site preparation (may include cutting, plowing, disking, herbicide treatment), native grass planting, and post-planting mowing (schedule, frequency). Upland restoration provides benefits to native grassland dependent birds, mammals, and reptiles and may improve shoreline habitat and enhance water quality by reducing soil erosion and runoff.

2.2.4 Avian Enhancement/Restoration

Avian enhancement and restoration consists of habitat protection, enhancement, and/or restoration for native birds species and might include perching or nesting platforms for species such as osprey and bald eagle (*Haliaeetus leucocephalus*), predator control for ground nesting species, or restoration of native shrub habitat for species such as American woodcock (*Scolopax minor*) and brown thrasher (*Toxostoma rufum*). Potential avian benefits will also be evaluated in the context of other restoration alternatives (e.g., upland and wetland acquisition/restoration).

2.2.5 Fisheries Enhancement/Restoration

Projects may include creation of, enhancement of (including debris removal), or access to spawning or nursery habitat, including SAV, for various species (e.g., recreational fish species, northern pike, and lake sturgeon); selective restocking (lake sturgeon); and improvements to fish passage (e.g., dam removal, fish passage, tributary culvert improvements). These projects have ancillary benefits to a variety of wildlife species.

Lake Sturgeon Restoration/Habitat Restoration

Lake sturgeon is one of the largest fish species in New York and a State-listed threatened species (NYSDEC 2012). In the Great Lakes ecosystem, habitat degradation, overharvesting, and loss of spawning and nursery habitat due to dam construction are factors

in their decline. New York State and its partners developed a lake stocking restoration program, which includes the Genesee River, in an effort to re-establish lake sturgeon in their historic range. Proposed restoration would enhance the population of lake sturgeon by enhancing/improving spawning habitat in the Genesee River. The Trustees will coordinate with existing sturgeon restoration programs (NYSDEC and U.S. Geological Survey (USGS)) during development of spawning habitat restoration projects.

Northern Pike Habitat Enhancement

The spawning habitats of northern pike have been adversely affected by fluctuations in water levels due to the operation of the St. Lawrence Seaway. Northern pike habitat projects would enhance habitat or provide access to existing spawning habitat of northern pike and other esocids (e.g., muskellunge) at locations within the Genesee River and watershed as yet to be identified. The Trustees will coordinate efforts with those of existing fishery restoration programs (*i.e*. sturgeon), including efforts by the U.S. Geological Survey. The habitat restoration project(s) would benefit fish, benthic invertebrates, and birds.

Fish Passage

Undersized, perched, or blocked culverts and bridge abutments, and dams alter stream flow and sediment transport, impede fish passage, restrict migratory corridors, and reduce or eliminate fish access to historic foraging and breeding habitat. Fish passage restoration would allow for assessment and the upgrade of up to 10 culverts/bridge abutments in tributaries to the Genesee River, see Figure 3 for a map of the Genesee River watershed and tributaries, within New York State. As an alternative to culvert restoration, other fish passage projects (including dam removal) would be considered if they are deemed more beneficial. Restoration would benefit fish, benthic invertebrates, birds, mammals, amphibians, and reptiles.

2.2.6 Amphibian and Reptile Enhancement/Restoration

Additional native amphibian and reptile protection and habitat enhancement/restoration may be accomplished in and around the City of Rochester, along the Genesee River, which would also benefit fish, birds, mammals, and benthic invertebrates.

2.2.7 Land Acquisition

Land acquisition for wetland, riparian, and upland restoration is proposed in and around the City of Rochester, along the Genesee River, (Monroe County) and would be purchased and held in perpetuity for the public to benefit fish, birds, mammals, benthic invertebrates, reptiles, and amphibians.

Additional land acquisition for stream restoration and upland restoration (e.g., control of invasive species) might be accomplished along the Genesee River and tributaries to benefit fish, birds, mammals, benthic invertebrates, amphibians, or reptiles.

2.2.8 Recreational Use: fishing, boating, etc.

Restoration project ideas have been received advocating the provision of shore and boat fishing access to the Genesee River. Boater rest stations for canoe, kayak, and boarders are also an alternative. For some of the boat access alternatives, fishing would be enhanced through the provision of entirely new public access to sections of the Genesee River and its tributaries that are currently inaccessible. For other boat launch alternatives, fishing would be enhanced through the provision of more convenient boat access to certain stream sections. New public boat access would provide enhanced fishing opportunities for anglers fishing from boats. Boater rest stations would allow the public an opportunity to stop and rest along the approximately six (6) mile stretch of the Genesee River, below the lower falls, encouraging greater recreational use of the river.

Shore Fishing Access

Shore fishing alternatives considered include upgrading existing informal shore fishing access areas and acquiring waterfront land and constructing parking areas, raised fishing platforms/piers, fish cleaning stations, and paths from parking lots to the fishing platforms. The shore fishing access projects would allow recreational anglers to safely access the Genesee River without trespassing on private property.

Boat Fishing Access

Boat fishing access alternatives considered include the construction or rehabilitation of boat launches on the Genesee River. Depending on the location, these alternatives may involve existing public land or acquiring waterfront land, constructing parking areas, access roads, boat ramps, fish cleaning stations, and/or floating docks. Easily accessible public boat launches would provide enhanced fishing opportunities.

Boater Rest Stations

Boater rest station alternatives considered include constructing areas along the shore for boaters to land, tie up, and have an area to rest while enjoying the Genesee River. Locations have been suggested along the east and west banks of the Genesee River on public land. Opportunities to stop and rest along the approximately six (6) mile stretch of the lower Genesee River would encourage greater recreational use of the river.

2.3 Environmental Benefits from Preferred Restoration Alternatives

Implementation of the preferred restoration alternatives are expected to generate long term benefits to fish and wildlife resources that are substantially greater than any potential short-term adverse impacts that may occur during construction. For example, short-term impacts arising from the project types listed above could include minor disruption of riverine and streambank habitats during project implementation (e.g., streambank enhancement activities may result in a decrease in vegetative cover prior to restoration planting activities or a slight increase in soil runoff while fencing is installed).

3. Compliance with NEPA and Other Potentially Applicable Laws

Coordination and evaluation of required compliance with specific Federal acts, executive orders, and other policies for the preferred restoration plan is achieved, in part, through the dissemination of this document to, and review by, appropriate agencies and the public. All ecological restoration projects will be in compliance with all applicable Federal statutes, executive orders, and policies, including NEPA, 42 USC Section 4321, *et seq*.; the Endangered Species Act (ESA), 16 USC 1531, *et seq*.; the National Historic Preservation Act of 1966, 16 USC Section 470, *et seq*.; the Fish and Wildlife Coordination Act, 16 USC Section 661, *et seq*.; the Rivers and Harbors Act of 1899, 33 USC Section 403, *et seq*.; the Federal Water Pollution Control Act, 33 USC Section 1251, *et seq*.; Executive Order 11990, Protection of Wetlands; Executive Order Number 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations; and Executive Order 11988, Flood Plain Management.

The Trustees believe that the preferred restoration alternatives represent cost-effective, practical and beneficial means by which to restore or replace the injured natural resources and the services they provided. Compliance with the laws cited above, and any necessary permitting, will be undertaken during the planning stages of specific restoration projects. Activities proposed as part of the preferred alternative qualify as a categorical exclusion under NEPA (40 CFR 1508.4). They are a category of actions that do not individually or cumulatively have a significant effect on the human environment. Additional scoping and, as needed, additional NEPA analyses will be conducted for any restoration project that does not meet reasonable expectations of low environmental impact. Project-specific NEPA documents, based on this Restoration Plan and Environmental Assessment, will be generated as needed and public notice provided. The Trustees will monitor to ensure that adverse impacts from project-specific actions are offset by project benefits to the physical, biological, socio-economic, and cultural environments.

4. Monitoring and Site Protection

As discussed in Section 2.2, included in the RFP will be a monitoring requirement. Each successful bidder will be responsible for developing monitoring plans and performing monitoring to record the status of their project. The specific performance criteria, monitoring period, frequency of monitoring, and associated reports will vary depending on the type of project, and will be determined on a case-by-case basis. Draft monitoring plans will be included in the bid packages submitted to the USFWS, as Lead Administrative Trustee, for review and approval prior to the award and transfer of funding.

Prior to receiving funding, each successful bidder must ensure that the restoration project will be maintained and protected for a length of time commensurate with the funding and project purpose. For example, the Trustees anticipate that wetland acquisition and restoration projects, as well as all other land acquisition projects, will be placed under a protective land covenant (e.g., conservation easement, deed restriction) in perpetuity. Restoration on publically and privately owned land should be protected for a minimum of 15 years and potentially in perpetuity. Recreational restoration projects should be protected for a minimum of 25 years and

potentially in perpetuity. Lesser terms of maintenance and protection may be appropriate for other projects and will be determined on a case by case basis.

F. References

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Figures

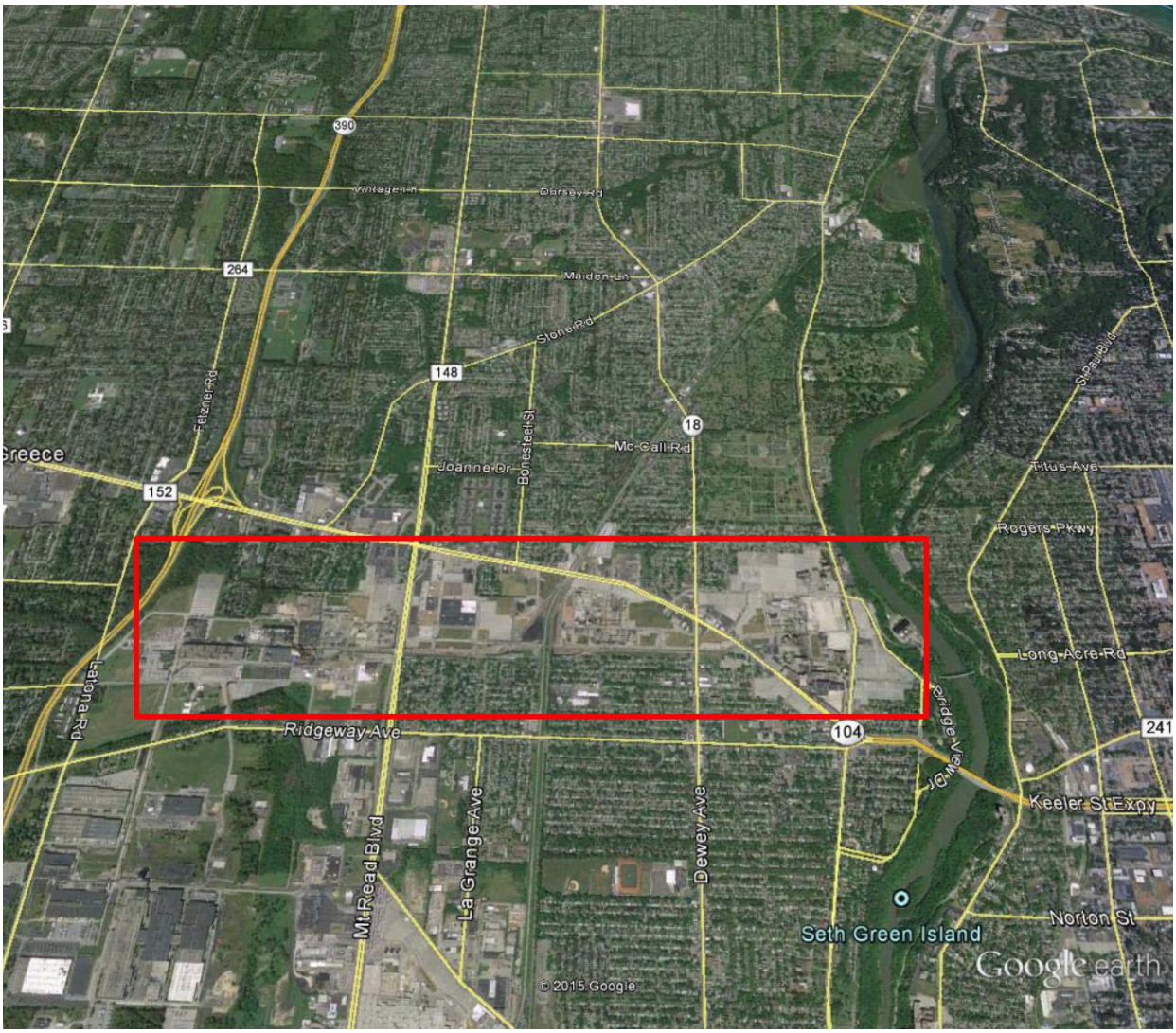

Figure 1. Eastman Kodak Company Rochester facilities, adjacent to the Genesee River, in Rochester, New York.

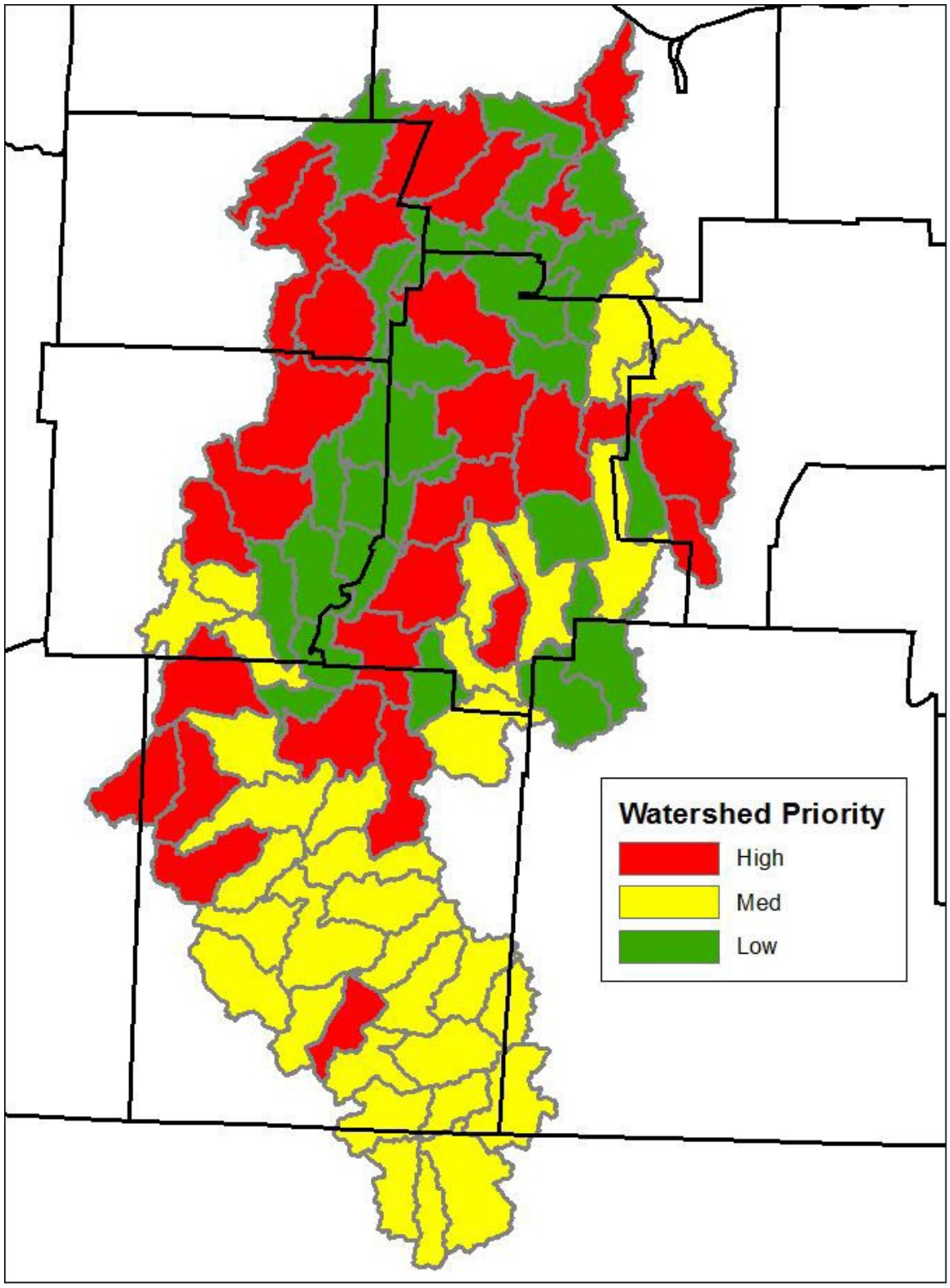

Figure 2. Highest priority subwatersheds, for phosphorus loadings, within the Genesee River Basin. Figure from NYSDEC 2015.

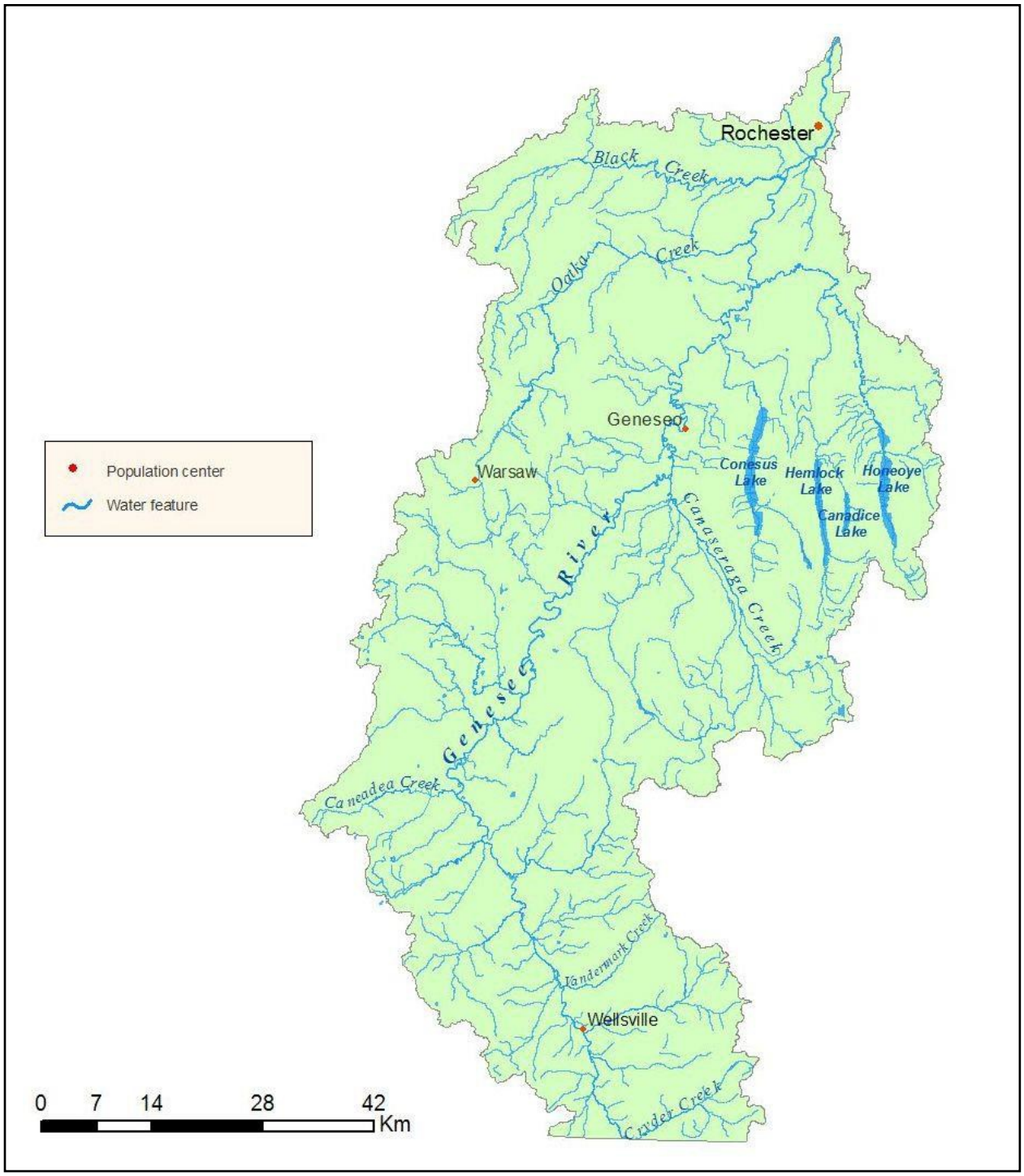

Figure 3. New York Genesee River Watershed Map (http://www.dec.ny.gov/lands/53653.html)

Draft Genesee River Restoration Plan and Environmental Assessment Approval

Genesee River and Genesee River Watershed, New York

In accordance with the U.S. Department of the Interior (DOI) policy regarding documentation for natural resource damage assessment and restoration projects (521 DM 3), the Authorized Official for the DOI must demonstrate approval of draft and final Restoration Plans and their associated National Environmental Policy Act documentation, with concurrence from the DOI Office of the Solicitor.

The DOI Authorized Official for the Genesee River, Monroe County, New York, natural resource damage assessment case is the Regional Director for the U.S. Fish and Wildlife Service's Northeast Region. The State of New York Authorized Official for the Genesee River, Monroe County, New York, natural resource damage assessment case is the Regional Director for the New York State Department of Environmental Conservation's Western Finger Lakes Region.

By the signatures below, the attached Draft Restoration Plan and Environmental Assessment for the Genesee River and Genesee River Watershed, New York is hereby approved.

[SIGNED]

Wendi Weber
Regional Director
Northeast Region
U.S. Fish and Wildlife Service

Date: 7/8/16

Mark Barash
Senior Attorney
Northeast Region
Office of the Solicitor

Date: 6/20/16

Approved:

Paul D'Amato
Regional Director
Western Finger Lakes Region
New York State Department of
Environmental Conservation

Date

Concurred:

Patrick Foster
Senior Attorney
Office of General Counsel
New York State Department of
Environmental Conservation

Date

Draft Genesee River Restoration Plan and Environmental Assessment Approval

Genesee River and Genesee River Watershed, New York

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By the signatures below, the attached Draft RestorationPlan and Environmental Assessment for the Genesee River and Genesee River Watershed, New York is hereby approved.

Approved:

Wendi Weber Date
Regional Director
Northeast Region
U.S. Fish and Wildlife Service

Concurred:

Mark Barash Date
Sen ior Anorney
Northeas t Region
Office of the Solicito r

Approved:

[SIGNED]
Paul D'Amato Date:7/14/16
Regional Director
Western Finger Lakes Region
New York State Department o f
Environmental Conservation

Concurred:

[SIGNED]
Patrick Foster Date: 7/14/16
Senior Attorney
Office of General Counsel
New York State Department of
Environmental Conservation

Appendix A. Completed Restoration Project Idea Forms

Genesee River

Natural Resource Damage Assessment and Restoration

Trustee Council

NEW YORK STATE OF OPPORTUNITY. Department of Environmental Conservation

RESTORATION SUGGESTION FORM

GENESEE RIVER NATURAL RESOURCE DAMAGE ASSESSMENT AND RESTORATION

Background:

The Department of the Interior and New York State announce the availability of Natural Resource Damage Assessment and Restoration settlement funds for projects that restore, rehabilitate, or conserve aquatic habitats in the Genesee River, New York. We are in the process of identifying potential restoration projects to address injuries to and lost use of natural resources. We invite you to submit suggestions for restoration projects. Our restoration project criteria include:

- Connection to injured resource (proximity, linkage to resources or resource services affected by hazardous substance releases)
- Likelihood of success
- Cost effectiveness
- Ability to produce demonstrable, quantifiable benefits
- Compatibility with Trustee resource management goals

More information about the Natural Resource Damage Assessment and Restoration Settlement can be found at: http://www.fws.gov/northeast/nyfo/ec/GeneseeRiver.htm

Instructions:

Please complete as many sections as possible. Your suggestion will still be considered even if you are unable to fill out every section. If you need more space, please use additional paper and label appropriate sections. This form is also available on the web at: http://www.fws.gov/northeast/nyfo/ec/GeneseeRiver.htm Send completed forms to:

Amy Roe, USFWS
3817 Luker Road, Cortland, NY 13045
Am_Roe_fws._ov

Your Name:

Street Address:

Phone and Email:

City, State, Zip:

Project Description: Please describe project, including objectives, and explain how the project would address potentially injured resources and/or losses to the public.

Currently there are no active Osprey (Pandion haliaetus) nest within the Rochester, NY Embayment.
While Ospresy are present during the breeding season, they are not yet nesting int he area.
Re-establishment of breeding pairs would restore and ensure furture genteration the presence of this top trophic level in the ecosystem.
Provide nesting platforms for Osprey.

Project Description, continued: Will the restoration project accomplish any of the following (check all that apply):

__Enhance fish habitat and or fish species (e.g., dam removal, fish passage, stocking, spawning habitat, stream improvements).

X __ Enhance avian resources (e.g., nesting enhancement, species protection, habitat enhancement or protection).

__Enhance, restore, and protect wetland habitat.

__Enhance reptiles and amphibians.

__ Provide invasive species control.

X__Enhance or protect rare, threatened and endangered species or species of special concern.

__ Enhance or restore terrestrial, aquatic, and/or semi-aquatic mammals.

__ Provide new or enhance fishing/boating opportunities.

__Provide new or enhance recreational activities

__ Enhance natural resource education/outreach

Project Location and Cost: If you have a specific site in mind, briefly describe location; town/city and county; other identifying landmarks; historic conditions of site; potential cost (if known) and the landowner.

Actions to date: If known, briefly describe any actions, studies, or funding commitments that have already been initiated for this project.

Participants/Contacts: If known, please identify agencies/organizationslikely to participate in project in or are knowledgeable about the project.

PLEASE NOTE: THIS IS NOT A REQUEST FOR PROPOSALS. TRUSTEE SELECTION OF A PROJECT FOR CONSIDERATION DOES NOT IMPLY THAT THE PROJECT PROPONENT WILL BE SELECTED FOR PROJECT IMPLEMENTATION. THANK YOU FOR YOUR TIME!

Genesee River

Natural Resource Damage Assessment and Restoration

Trustee Council

NEW YORK STATE OPPORTUNITY | Department of Environmental Conservation

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http://www_fws.gov/northeast/nyfo/ec/GeneseeRiver.htm

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Amy Roe, USFWS
3817 Luker Road, Cortland, NY 13045
Amy Roe®fws.gov

Your **Name:**

Street Address:

Project Description: Please describe project, including objectives, and explain how the project would address potentially injured resources and/or losses to the public.

Enhancement of Riverine wetlands, by creating diversity of plant sp. ~~within~~ & ~~op~~ create ~~more~~ pockets of more open water within the solid cattail marshes that currently exists. The low plant diversity, ~~within the~~ from the monoculture of cattails, does not offer habitat diversity for marsh nesting birds such as American & least Bitters & spotted turtles.

Project Description, continued: Will the restoration project accomplish any of the following (check all that apply):

__ Enhance fish habitat and or fish species (e.g., dam removal, fish passage, stocking, spawning habitat, stream improvements.)

x Enhance avian resources (e.g., nesting enhancement, species protection, habitat enhancement or protection).

x Enhance, restore, and protect wetland habitat.

x Enhance reptiles and amphibians.

__ Provide invasive species control.

_X_ Enhance or protect rare, threatened and endangered species or species of special concern.

__ Enhance or restore terrestrial, aquatic, and/or semi-aquatic mammals.

__ Provide new or enhance fishing/boating opportunities.

__ Provide new or enhance recreational activities

__ Enhance natural resource education/outreach

Project Location and Cost: If you have a specific site in mind, briefly describe location; town/city and county; other identifying landmarks; historic conditions of site; potential cost (if known) and the landowner.

Written: "City of Rochester: all riverine wetlands between Turning Point Park South to where the Genesee River trail crosses over the river.

Buckhorn Marsh Restoration Project along the Niagara River is an example project

Actions to date: If know;, briefly de cribe any actiofs, studies, or funding commitments that hav already be'n initiated for this project.

Participants/Contacts: If known, please identify agencies/organizations likely to participate in project in or are knowledgeable about the project.

PLEASE NOTE: THIS IS NOT A REQUEST FOR PROPOSALS. TRUSTEE SELECTION OF A PROJECT FOR CONSIDERATION DOES NOT IMPLY THAT THE PROJECT PROPONENT WILL BE SELECTED FOR PROJECT IMPLEMENTATION. THANK YOU FOR YOUR TIME!

Genesee River

Natural Resource Damage Assessment and Restoration

Trustee Council

NEWYORK STATE OFFICE

Department of Environmental Conservation

RESTORATION SUGGESTION FORM

GENESEE RIVER NATURAL RESOURCE DAMAGE ASSESSMENT AND RESTORATION

Background:

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Amy Roe, USFWS
3817 Luker Road, Cortland, NY 13045
Amy_Roe@fws.gov

Your Name:

Street Address:

City, State, Zip:

Phone and Email:

Project Description: Please describe project, including objectives, and explain how the project would address potentially injured resources and/or losses to the public.

Written: "Creation of greater habitat complexity in the riparian marsh areas of the GR below the RT, 104 Bridge down to the area of RATTLESNAKE POINT, for purposes of improving the RAM score in the USF+WS evaluation of RE AOC wetlands . This area had the lowest overall score of the AOC for lotic systems, + improvement of complexity, in a demonstration to be accomplished by channeling + pot holing , should create more niche areas that could foster greater diversity, esp of avian + amphibian populations.

Project Description, continued: Will the restoration project accomplish any of the following (check all that apply):

_X_Enhance fish habitat and or fish species. (e.g. dam removal, fish passage, stocking, spawning habitat, stream improvements. **WRITTEN: "areas for juveniles + esocial spawning"**

_ X _ Enhance avian resources (e.g., nesting enhancement, species protection, habitat enhancement or protection).

_X_Enhance, restore, and protect wetland habitat.

_X_ Enhance reptiles and amphibians

___ Provide invasive species control. **WRITTEN: "MAYBE if combines with Typha + Phragmites removal"**

_?_ Enhance or protect rare, threatened and endangered species or species of special concern.

_X_Enhance or restore terrestrial, aquatic, and/or semi-aquatic mammals.

_X_ Provide new or enhance fishing/boating opportunities.

_X_ Provide new or enhance recreational activities

_X_ Enhance natural resource education/outreach

Project Location and Cost: If you have a specific site in mind, briefly describe location; town/city and county; other identifying landmarks; historic conditions of site; potential cost (if known) and the landowner.

WRITTEN: "All lands owned by C of Rochester, Monroe County or NYDEC, except one parcel owned by

Rochester Gas+Electric (Iberdola)

Costs TBD by USFWS demo project"

Actions to date: if known, briefly describe any actions, studies, or funding commitments that have already been initiated for this project.

WRITTEN: "Major action was USFWS evaluation, which indicated these wetland areas around the lower river as the most impacted lotic wetlands in AOC. Scope would be whatever action(s) are necessary to improve habitat to condition comparable to other AOC + nonAOC lotic habitats in LO ecosystem."

Participants/Contacts If known, please identify agencies/organizations likely to participate in project in or are knowledgeable about the project.

WRITTEN: " NYDEC RAP coordinator (G. Pratt) + REAOC Oversight Committee.

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Genesee River

Natural Resource Damage Assessment and Restoration

Trustee Council

NEW YORK STATE

Department of Environmental Conservation

RESTORATION SUGGESTION FORM

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Amy Roe, USFWS
3817 Luker Road, Cortland, NY 13045
Amy_Roe_fws.gov

Your Name:

Street Address:

City, State, Zip:

Phone and Email:

Project Description: Please describe project, including objectives, and explain how the project would address potentially injured resources and/or losses to the public.

Recent monitoring and modeling studies by SUNY Brockport (2013) suggest that streambank erosion and the presence of agricultural lands without riparian buffers contribute significantly to increased sediment and nutrient loading in the Genesee River Basin. One of the more significantly eroded sites found in that study is on the east side of the river along an un-buffered agricultural field. As a result of a year of collaboration with the farmer who owns that land, a shovel-ready project involving the stabilization of 3,075 linear feet of river bank and the establishment of 3,075 feet of riparian buffer was defined. This project will reduce sediment and phosphorus loads to the river while incorporating bioengineering techniques.

Project Description, continued: Will the restoration project accomplish any of the following (check all that apply):

_X_ Enhance fish habitat and or fish species (e.g., dam removal, fish passage, stocking, spawning habitat, stream improvements).

__ Enhance avian resources (e.g., nesting enhancement, species protection, habitat enhancement or protection).

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__ Enhance reptiles and amphibians.

__ Provide invasive species control.

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_X_ Enhance or restore terrestrial, aquatic, and/or semi-aquatic mammals.

__ Provide new or enhance fishing/boating opportunities.

__ Provide new or enhance recreational activities

_X_ Enhance natural resource education/outreach

Project Location and Cost: If you have a specific site in mind, briefly describe location; town/city and county; other identifying landmarks; historic conditions of site; potential cost (if known) and the landowner.

Location: Latitude & Longitude: Lat: 42.306, Long: -78.016, HUC Code: 04130002, State: New York, County: Allegany, City: Angelica, Zip Code: 14709

Estimated cost: $394,400 which includes a $42,000 voluntary match by landowner.

Landowner: Robert Chamberlain, 5829 Old State Road, Belfast, New York 14711

Actions to date: If known, briefly describe any actions, studies, or funding commitments that have already been initiated for this project.

Several specific sections of the main stem of the Genesee River in Allegany County, New York were identified in the SUNY Brockport study as being significantly eroded. One of those segments is located near Angelica, New York. The landowner of that segment has been trying for years to define and implement a project to slow down his loss of valuable farmland. CEI's recent study of streambank erosion in this region from 2003 through 2014 shows that he has lost an average of over 0.55 acres of land per year.

Participants/Contacts: If known, please identify agencies/organizations likely to participate in project in or are knowledgeable about the project.

Allegany County Soil and Water Conservation District
US Army Corps of Engineers
Landowner

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Genesee River
Natural Resource Damage Assessment and Restoration

Trustee Council

NEW YORK STATE OF OPPORTUNITY | Department of Environmental Conservation

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Instructions:

Please complete as many sections as possible. Your suggestion will still be considered even if you are unable to fill out *every* section. If you need more space, please use additional paper and label appropriate sections. This form is also available on the web at: http://www.fws.gov/northeast/nyfo/ec/GeneseeRiver.htm Send completed forms to:

Amy Roe, USFWS
3817 Luker Road, Cortland, NY 13045
Am Roe fws. ov

Your Name:

Street Address:

City, State, Zip:

Phone and Email:

Project Description: Please describe project, including objectives, and explain how the project would address potentially injured resources and/or losses to the public.

Recent monitoring and modeling studies by SUNY Brockport (2013) suggest that streambank erosion and the presence of agricultural lands without riparian buffers contribute significantly to increased sediment and nutrient loading in the Genesee River Basin. One of the more significantly eroded sites found in that study is on the east side of the river along an un-buffered agricultural field. As a result of a year of collaboration with the farmer who owns that land, a shovel-ready project involving the stabilization of 900 linear feet of river bank and the establishment of 900 feet of riparian buffer was defined. These project will reduce sediment and phosphorus loads to the river while incorporating bioengine ering techniques.

Project Description, continued: Will the restoration project accomplish any of the following (check all that apply):

X Enhance fish habitat and or fish species (e.g., dam removal, fish passage, stocking, spawning habitat, stream improvements).

_ Enhance avian resources (e.g., nesting enhancement, species protection, habitat enhancement or protection).

_ Enhance, restore, and protect wetland habitat.

_ Enhance reptiles and amphibians.

_ Provide invasive species control.

_ Enhance or protect rare, threatened and endangered species or species of special concern.

X Enhance or restore terrestrial, aquatic, and/or semi-aquatic mammals.

_ Provide new or enhance fishing/boating opportunities.

_ Provide new or enhance recreational activities

X Enhance natural resource education/outreach

Project Location and Cost: If you have a specific site in mind, briefly describe location; town/city and county; other identifying landmarks; historic conditions of site; potential cost (if known) and the landowner.

Location: Latitude & Longitude: Lat: 42.358, Long: -78.119, HUC Code: 04130002, State: New York, County: Allegany, City: Caneadea

Estimated cost: $145,600 which includes a $29,000 voluntary match by landowner.

Landowner: Charles Bares, Marschacres, LLC, 7017 Fadale Road, Ellicottville, New York 14731

Actions to date: If known, briefly describe any actions, studies, or funding commitments that have already been initiated for this project.

Several specific sections of the main stem of the Genesee River in Allegany County, New York were identified in the SUNY Brockport study as being significantly eroded. One of those segments is located near Caneadea, New York. The landowner of that segment has been interested in to defining and implementing a project to slow down his loss of valuable farmland. CEI's recent study of streambank erosion in this region from 2003 through 2013 shows that he has lost an average of over 0.1 acres of land per year.

Participants/Contacts: If known, please identify agencies/organizations likely to participate in project in or are knowledgeable about the project.

Allegany County Soil and Water Conservation District
US Army Corps of Engineers
Landowner

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Genesee River

Natural Resource Damage Assessment and Restoration

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Amy Roe, USFWS
3817 Luker Road, Cortland, NY 13045
Amy_Roe@ fws.g ov

WRITTEN: "*-Center for Environmental Initiatives"

City, State, Zip:

Project Description: Please describe project, including objectives, and explain how the project would address potentially injured resources and/or losses to the public.

WRITTEN: "Seth Green Boat Fishing Access - upgrade the fishing and car-top boat access at Seth Green Park. Project would involve: mooring RG+E gate to bottom of hill; provide parking; provide trash receptacles and portable outhouses; improvements to existing boat launch site; and possibly lighting kiosk.

Project Description, continued: Will the restoration project accomplish any of the following (check all that apply):

_ Enhance fish habitat and or fish species (e.g., dam removal, fish passage, stocking, spawning habitat, stream improvements).

_ Enhance avian resources (e.g., nesting enhancement, species protection, habitat enhancement or protection).

_ Enhance, restore, and protect wetland habitat.

_ Enhance reptiles and amphibians.

_ Provide invasive species control.

_ Enhance or protect rare, threatened and endangered species or species of special concern.

_ Enhance or restore terrestrial, aquatic, and/or semi-aquatic mammals.

_X_Provide new or enhance fishing/boating opportunities.

_ Provide new or enhance recreational activities

_X_Enhance natural resource education/outreach

Project Location and Cost: If you have a specific site in mind, briefly describe location; town/city and county; other identifying landmarks; historic conditions of site; potential cost (if known) and the landowner.

WRITTEN: "Location: Seth Green Park, Rochester, N.Y. Monroe County"

Historic Conditions of Site: Current access is only for those who are fit and willing to hike down the road with a boat and/or fishing equipment. There is plenty of room for parking along the road. Great fishing location that is used very little. Even less by boaters.

RG+E

Potential Cost: $150,000

Landowner: City of Rochester +

Actions to date: If known, briefly describe any actions, studies, or funding commitments that have already been initiated for this project.

WRITTEN: "CEI has met with the City of Rochester to discuss boating/fishing access to the River below the Lower Falls. They agree that access needs to be improved at Seth Green and have included it in their LWRP update. Trout Unlimited has also expressed interest in improved access at Seth Green."

Participants/Contacts: If known, please identify agencies/organizations likely to participate in project in or are knowledgeable about the project.

WRITTEN: "City of Rochester

RG+E

Trout Unlimited (Seth Green Chapter)"

PLEASE NOTE: THIS IS NOT A REQUEST FOR PROPOSALS. TRUSTEE SELECTION OF A PROJECT FOR CONSIDERATION DOES NOT IMPLY THAT THE PROJECT PROPONENT WILL BE SELECTED FOR PROJECT IMPLEMENTATION. THANK YOU FOR YOUR TIME!

Genesee River

Natural Resource Damage Assessment and Restoration

Trustee Council

NEW YORK STATE OF OPPORTUNITY | Department of Environmental Conservation

RESTORATION SUGGESTION FORM

GENESEE RIVER NATURAL RESOURCE DAMAGE ASSESSMENT AND RESTORATION

Background:

The Department of the Interior and New York State announce the availability of Natural Resource Damage Assessment and Restoration settlement funds for projects that restore, rehabilitate, or conserve aquatic habitats in the Genesee River, New York. We are in the process of identifying potential restoration projects to address injuries to and lost use of natural resources. We invite you to submit suggestions for restoration projects. Our restoration project criteria include:

- Connection to injured resource (proximity, linkage to resources or resource services affected by hazardous substance releases)
- Likelihood of success
- Cost effectiveness
- Ability to produce demonstrable, quantifiable benefits
- Compatibility with Trustee resource management goals

More information about the Natural Resource Damage Assessment and Restoration Settlement can be found at: htt :l/www.fws. ov/northeast/n fo/ec/GeneseeRiver.htm

Instructions:

Please complete as many sections as possible. Your suggestion will still be considered even if you are unable to fill out every section. If you need more space, please use additional paper and label appropriate sections. This form is also available on the web at: http://www.fws.gov/northeast/nyfo/ec/GeneseeRiver.htm Send completed forms to:

Amy Roe, USFWS
3817 Luker Road, Cortland, NY 13045
Amy_Roe@fws.gov

City, State, Zip:

Project Description: Please describe project, including objectives, and explain how the project would address potentially injured resources and/or losses to the public.

WRITTEN: "Boater Rest Stations- provide two canoe, kayak, and boarder rest stations along the Lower Genesee River, sites should include a means to get out of boat, tie up and some space to sit, eat a snack, drink, and enjoy the surroundings while resting."

Project Description, continued: Will the restoration project accomplish any of the following (check all that apply):

_ Enhance fish habitat and or fish species (e.g., dam removal, fish passage, stocking, spawning habitat, stream improvements).

_ Enhance avian resources (e.g., nesting enhancement, species protection, habitat enhancement or protection).

_ Enhance, restore, and protect wetland habitat.

_ Enhance reptiles and amphibians.

_ Provide invasive species control.

_ Enhance or protect rare, threatened and endangered species or species of special concern.

_ Enhance or restore terrestrial, aquatic, and/or semi-aquatic mammals.

X Provide new or enhance fishing/boating opportunities.

Provide new or enhance recreational activities

_ Enhance natural resource education/outreach

Project location and Cost: If you have a specific site in mind, briefly describe location; town/city and county; other identifying landmarks; historic conditions of site; potential cost (if known) and the landowner.

WRITTEN: "Location: Along river at Seneca Park and Veterans Bridge, Rochester, NY Monroe County. Historic Conditions of site: The boat trip from Charlotte to the Lower Falls is about 6 miles with only one formal stopping point at the Turning Point Park boat launch. Putting one on the the East bank along Seneca Park and one on the west bank near Veterans Bridge would encourage more boating. Potential Cost: $100,000. Landowner: City of Rochester"

Actions to date: If known, briefly describe any actions, studies, or funding commitments that have already been initiated for this project.

WRITTEN: "CEI has met with the city of Rochester to discuss and scope out access needs for the river below the lower Falls. We agreed that boater rest points/sites other than Turning Point Park would be helpful to encourage more use up the river. "

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Participants/Contacts: If known, please identify agencies/organizations likely to participate in project in or are knowledgeable about the project.

WRITTEN: " City of Rochester, County of Monroe"

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Genesee River

Natural Resource Damage Assessment and Restoration

Trustee Council

NEW YORK STATE OPPORTUNITY | Department of Environmental Conservation

RESTORATION SUGGESTION FORM

GENESEE RIVER NATURAL RESOURCE DAMAGE ASSESSMENT AND RESTORATION

Background:

The Department of the Interior and New York State announce the availability of Natural Resource Damage Assessment and Restoration settlement funds for projects that restore, rehabilitate, or conserve aquatic habitats in the Genesee River, New York. We are in the process of identifying potential restoration projects to address injuries to and lost use of natural resources. We invite you to submit suggestions for restoration projects. Our restoration project criteria include:

- Connection to injured resource (proximity, linkage to resources or resource services affected by hazardous substance releases)
- Likelihood of success
- Cost effectiveness
- Ability to produce demonstrable, quantifiable benefits
- Compatibility with Trustee resource management goals

More information about the Natural Resource Damage Assessment and Restoration Settlement can be found at: http://www.fws. ov/northeast/n fo/ec/GeneseeRiver.htm

Instructions:

Please complete as many sections as possible. Your suggestion will still be considered even if you are unable to fill out every section. If you need more space, please use additional paper and label appropriate sections. This form is also available on the web at: http://www.fws.gov/northeasUnyfo/ec/GeneseeRiver.htm Send completed forms to:

Amy Roe, USFWS
3817 Luker Road, Cortland, NY 13045
Amy_Roe@fws.g ov

City, State, Zip:

Phone and Email:

Project Description: Please describe project, including objectives, and explain how the project would address potentially injured resources and/or losses to the public.

WRITTEN: "Car-top Boat Launch at Petten Street- provide car=top boat launch facility at the city of Rochester property along the river at the end of Petten street."

Project Description, continued: Will the restoration project accomplish any of the following (check all that apply):

_ Enhance fish habitat and or fish species (e.g., dam removal, fish passage, stocking, spawning habitat, stream improvements).

_ Enhance avian resources (e.g., nesting enhancement, species protection, habitat enhancement or protection).

_ Enhance, restore, and protect wetland habitat.

_ Enhance reptiles and amphibians.

_ Provide invasive species control.

_ Enhance or protect rare, threatened and endangered species or species of special concern.

_ Enhance or restore terrestrial, aquatic, and/or semi-aquatic mammals.

_X_ Provide new or enhance fishing/boating opportunities.

_ Provide new or enhance recreational activities

_X_ Enhance natural resource education/outreach

Project Location and Cost: If you have a specific site in mind, briefly describe location; town/city and county; other identifying landmarks; historic conditions of site; potential cost (if known) and the landowner.

WRITTEN: "Location: On bank of Genesee River at end of Petten Street, Rochester, NY Monroe Co. Historic conditions of site: There is currently an informal boat launch site at the end of Petten Street. No signage or lighting. Potential Cost: $15,000. Landowner: City of Rochester"

Actions to date: If known, briefly describe any actions, studies, or funding commitments that have already been initiated for this project.

WRITTEN: "CEI has met with the City of Rochester to discuss boating/fishing access the river below the Lower Falls. On a recent boat tour of the Lower sections of the river they identified this site as a good location for a cartop boat launch.

Participants/Contacts: If known, please identify agencies/organizations likely to participate in project in or are knowledgeable about the project.

WRITTEN: "City of Rochester"

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Genesee River

Natural Resource Damage Assessment and Restoration

Trustee Council

NEW YORK STATE OF OPPORTUNITY | Department of Environmental Conservation

RESTORATION SUGGESTION FORM

GENESEE RIVER NATURAL RESOURCE DAMAGE ASSESSMENT AND RESTORATION

Background:

The Department of the Interior and New York State announce the availability of Natural Resource Damage Assessment and Restoration settlement funds for projects that restore, rehabilitate, or conserve aquatic habitats in the Genesee River, New York. We are in the process of identifying potential restoration projects to address injuries to and lost use of natural resources. We invite you to submit suggestions for restoration projects. Our restoration project criteria include:

- Connection to injured resource (proximity, linkage to resourcesor resource services affected by hazardous substance releases)
- Likelihood of success
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Instructions:

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Amy Roe, USFWS
3817 Luker Road, Cortland, NY 13045
Amy_Roe@fws.gov

City, State, Zip:

Phone and Email:

Project Description: Please describe project, including objectives, and explain how the project would address potentially injured resources and/or losses to the public.

WRITTEN: "Rose Garden Fishing Access- Upgrade the fishing access to the Genesee River at the Rose Garden in Maplewood Park. Project would involve building a trail for safe access to the river. Some signage and kiosk would be useful too."

Project Description, continued: Will the restoration project accomplish any of the following (check all that apply):

_ Enhance fish habitat and or fish species (e.g., dam removal, fish passage, stocking, spawning habitat, stream improvements).

_ Enhance avian resources (e.g., nesting enhancement, species protection, habitat enhancement or protection).

_ Enhance, restore, and protect wetland habitat.

_ Enhance reptiles and amphibians.

_ Provide invasive species control.

_ Enhance or protect rare, threatened and endangered species or species of special concern.

_ Enhance or restore terrestrial, aquatic, and/or semi-aquatic mammals.

_X_ Provide new or enhance fishing/boating opportunities.

_ Provide new or enhance recreational activities

_X_ Enhance natural resource education/outreach

Project Location and Cost: If you have a specific site in mind, briefly describe location; town/city and county; other identifying landmarks; historic conditions of site; potential cost (if known) and the landowner.

WRITTEN: " Location: Rose Garden at Maplewood Park in Rochester NY, Monroe County. Historic conditions of site:

Current access to the river is gained via an undeveloped trail which is treacherous. Many people access the river to fish

below the Lower Falls because the water/terrain along the bank here is more amenable to fishing than the west side at Seth

Green. Potential Cost: $200,000. Landowner: City of Rochester"

Actions to date: If known, briefly describe any actions, studies, or funding commitments that have already been initiated for This project.

WRITTEN: "CEI has met with the city of Rochester to discuss boating/fishing access to the river below the Lower Falls. They agree that access could be improved at the Rose Garden and have included it in their LWRP update. Trout Unlimited has also expressed interest in improved river access at Rose Garden.

Participants/Contacts: If known, please identify agencies/organizations likely to participate in project in or are knowledgeable about the project.

WRITTEN: "City of Rochester. Trout Unlimited (Seth Green Chapter)"

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